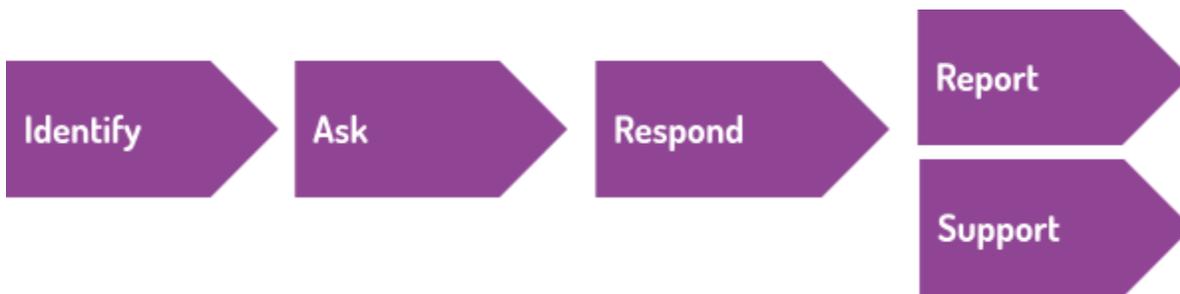


## Quick Guide: Asking and responding to disclosures of sexual misconduct from university students

This guide has been developed by [AVA \(Against Violence and Abuse\)](https://avaproject.org.uk) to support staff at UK universities who are handling disclosures of sexual misconduct from students. This guide is designed to support safe and empathetic disclosures to ensure survivor's needs are met. Making sure that survivors of sexual misconduct are safe and supported is everyone's responsibility.

In order to sensitively handle disclosures of sexual misconduct and ensure survivors are best supported,



We recommend you follow **five key stages** set out in this guide:

**If you are experiencing sexual misconduct or gender-based violence and need support, or if you are worried about someone else, visit <https://avaproject.org.uk/need-help/>**

### About Combat Misconduct

This guide has been developed by [AVA \(Against Violence & Abuse\)](https://avaproject.org.uk), a national charity committed to creating a world without gender-based violence and abuse. AVA is a feminist charity particularly recognised for specialist expertise in multiple disadvantage and children and young people's work. Our core work includes training, policy, research and consultancy.

This guide was produced within the Combat Misconduct project. Combat Misconduct is a partnership between AVA, [NUS](https://www.nus.org.uk) and [UUK](https://www.uuk.ac.uk) aiming to improve university responses to sexual misconduct. The project is funded by [Rosa](https://www.rosa.org.uk), the UK fund for women and girls. For more information about the project, visit [www.avaproject.org.uk/combatmisconduct](https://www.avaproject.org.uk/combatmisconduct).

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## Background

Rates of sexual misconduct victimisation are particularly high for university students, although estimates vary. A [2018 consultation](#) held by The Student Room and Revolt Sexual Assault found 62% of all students and recent graduates surveyed had experienced sexual violence, and a [2019 report](#) from NUS found 75% of respondents had experienced some form of unwanted sexual behaviour. Furthermore, [The Unsafe Spaces report \(2020\)](#) estimates an annual average of 50,000 incidents of sexual abuse and harassment at universities in England and Wales.

Each of these reports highlights how women are considerably more likely to face sexual violence or abuse, while men form a substantial majority of perpetrators. Rates of sexual misconduct are found to be significantly elevated for LGBTQ+<sup>1</sup> and disabled students, and they are found to face additional barriers to reporting and support.

Sexual misconduct disclosure rates are low. For example, [NUS \(2019\)](#) found only 14% of victims had ever reported to anyone, of which half (47%) reported it to the police while one in five told their college/university (22%). The key barriers highlighted across the reports included: embarrassment, fear of being disbelieved and concerns that their experience was not 'serious enough' to report. Taking this together with the high rates at university, it is important that a culture of disclosure is encouraged and supported, and that staff are trained to sensitively assist students to report and/or access support.

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<sup>1</sup> The acronym for lesbian, gay, bi, trans, queer, questioning.

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## Asking and responding to disclosures

### Identify

In order to combat sexual misconduct, it is important that you know how to identify it. The term 'sexual misconduct' ([Pinsent Masons Guidance](#)) covers all sex related offences, harassment and anti-social behaviour. Sexual misconduct may be committed in person or online, and includes the following definitions:

**Sexual violence:** Sexual violence is actual or threatened physical intrusion of a sexual nature, including inappropriate touching, by force or under unequal or coercive conditions. This includes rape, the non-consensual penetration of the vagina, anus or mouth and attempted rape. Non-consensual means you didn't freely agree to have sexual intercourse, including if you were threatened, asleep, unconscious, drugged or incapacitated by alcohol.

**Sexual harassment:** Sexual harassment is any unwanted behaviour of a sexual nature that makes you feel distressed, intimidated or humiliated, including: sexually degrading comments or gestures; being stared or leered at; sexual jokes or propositions; e-mails or text messages with sexual content; unwelcome sexual advances and touching; someone displaying sexually explicit pictures in your space or a shared space; offers of rewards in return for sexual favours.

**Domestic abuse:** Domestic abuse is any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass, but is not limited to, the following types of abuse: psychological, physical, sexual, financial, emotional.

### Signs of sexual misconduct

Survivors will react to sexual misconduct in different, but equally valid, ways. The list of 'signs' below is not exhaustive. Instead, staff should be aware that any significant and/or sudden behavioural change may be a sign that something has happened in the life of the student.

- **Attainment and attendance:** a sudden drop in grades, failure to submit work, or withdrawal from university life.
- **Physical injuries:** student presents with unexplained injuries, minimises the extent of injuries, presents with repeated injuries and/or multiple injuries at different stages of healing.

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- **Partner behaviour:** a student regularly accompanied by their partner to all lectures/tutorials/meetings, or frequently informing their partner of their whereabouts.
- **Mental distress/trauma:** a student appears frightened, anxious and depressed or distressed. Trauma can impact an individual's behaviours, and may lead to withdrawal or increased risk taking behaviour, hyper or hypo vigilance.

## Encouraging disclosure

The low rates of students reporting sexual misconduct are stark. It is therefore important that staff also work to combat the barriers to reporting by letting students know that you stand against sexual misconduct, and that there is help available at university:

- **Make all students aware of the university's policies** on sexual misconduct and where to find information.
- **Highlight your role** and what you can do for students if they need support.
- **Be clear about your stance on sexual misconduct** and call out sexual misconduct and/or jokes or comments feeding into rape culture when they happen in your presence.
- **Stand up to all forms of discrimination** (racism, sexism, transphobia, homophobia, ableism) so that all students feel safe to disclose.

### Ask

If you suspect a student has experienced sexual misconduct, it is important to ask questions safely and in the right way. Many students do not feel that they can ask for help. Never assume that someone else will ask. Consider the environment and context:

- Only inquire in a **quiet and private space**. Never ask when anybody else is present.
- **Do not rush**. Make sure you have ample time to listen and ensure appropriate action is taken.
- **Keep your language open** and try to shy away from terminology individuals may not understand or do not relate to e.g. 'domestic violence'.
- Explain the **boundaries of your confidentiality** early on, and the circumstances where it is necessary for you to share information without their consent (i.e. for safeguarding purposes). This gives the student choice and control over what happens with the information they provide.
- Begin with **open questions**, and then move to more **direct questions**. This leaves less room for the survivor to become startled. Examples are presented in the table below:

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Introductory questions	Direct question
I have noticed that (insert reason for asking) ...	Is anyone making you feel frightened or scared?
How are you feeling?	Is there anything that has happened recently that has made you feel unsafe/ uncomfortable/ upset?
How are things with you?	How are things with your partner/person you're seeing? Do you ever feel controlled by your partner?

## Respond

our response to the disclosure is just as important as asking the right questions. A positive response may define the steps a survivor decides to take, and help to combat self-blame and shame. Remember, survivors tend to only disclose when they feel they can trust someone. Three steps can help you to support the individual and make them feel heard:

### 1. Receive

#### Do

Use active listening skills  
Take what they are saying seriously and believe them.  
Mirror their language they use e.g. how they define themselves, the perpetrator and the experience.

#### Avoid

Looking shocked or disbelieving.  
Judgmental or blaming statements, for example, by saying things like "You should have told me earlier".

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## 2. Reassure

### Do

Stay calm, tell them that they have done the right thing in telling you. Acknowledge how hard it must have been to tell you.  
Tell them that they are not to blame.  
If the student becomes distressed, you could use a simple [grounding technique](#).

### Avoid

Telling them how they 'should' be feeling.  
Touching the student disclosing. Instead, you may want to offer them a tissue or warm drink.  
Making assumptions about what the survivor has experienced or how they have experienced something.

**You could say:** 'Thank you for telling me', 'I appreciate you trusting me with this', 'You are not alone', 'No one deserves to be abused, this is not your fault.'

## 3. Respond

### Do

Check in on their immediate safety. Do they require medical assistance<sup>2</sup> or safe accommodation?  
Ask what they would like to happen next.  
Be clear about your role, what you can and can't do. Make them aware of the limits of your confidentiality. Ask if they have support or have told anyone else.  
Keep records. Be sure to use their words and not include any conjecture or interpretation.

### Avoid

Interrogating – let them give their account, although you may wish to ask clarifying questions if something is unclear.  
Asking probing questions – it's not your job to find out the details  
Never advise a victim to leave their partner/abuser.

<sup>2</sup> If they need emergency contraception, the Levonelle pill must be taken within 3 days or ellaOne within 5 days of unprotected sex. If they need HIV prophylaxis (PEP), the medication should be started within 36 hours.

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Some disclosures may be more challenging to respond to than others. For example:

- **The student may ask that you do not tell anyone:** If you have a safeguarding concern, you will need to notify others in line with your institution's policies. Make clear your obligations early in the conversation, so the survivor has control over what they do or don't share. If you do have to report against the wishes of a survivor, be sure to keep them updated with the status of your report, and the details you are sharing.
- **Disclosure may happen in a group setting:** Do not ask questions in a public setting, instead, validate the disclosure and reach out to the student to support them outside of this setting (e.g. after class). Remember, the individual may not have identified their experience as abusive and may not be aware of the severity of what they have disclosed.
- **A drunken disclosure:** A drunken disclosure is still a valid disclosure. Validate their experience and assess their immediate safety. Suggest meeting at another time, and follow up after the conversation to confirm.
- **The abuser may be in a position of power or a friend or close colleague of yours:** Regardless of who the abuser is, it is important you take the survivor seriously and believe them. Reach out to your university staff support service if you need advice.

## Report

Abuse and harassment are about power and control. It is therefore important to give survivors as much control as possible over the outcomes of their disclosure - who they tell, where they seek support and when. If a survivor discloses, but doesn't want to act now, that is ok. You have opened a door and they can come back when they're ready.

## Safeguarding and immediate risk

Consider immediate risk to the survivor and if you will need to report a safeguarding concern. Ask yourself the following questions:

- **Is the person currently at risk?** From the abuser or themselves.
  - Key risk factors include: Recent or planned separation, pregnancy, escalation of abuse (frequency or severity), threats to kill, use of objects weapons, threats by perpetrator to commit suicide, stalking, sexual violence, strangulation, choking, suffocation, isolation from family and friends.

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- **Does the person fear something might happen in the future?** If yes, what?
- **Is it safe for them to go home?** Do they have a place of safety?

If you identify an immediate risk, **follow your institution's safeguarding policy**. It is important that survivors feel involved in this process - make sure to explain why you need to break confidentiality, who you will tell and what you will be sharing. If you are unsure of whether the disclosure falls under your safeguarding obligations, speak to student support for advice without sharing the student's name or personal details.

If there is no immediate safeguarding risk, do not call emergency services without the student's consent, and do not give out any student information to third parties without explicit consent.

## Reporting to university

Every university will have its own reporting processes for sexual misconduct. It is important for every member of staff to consider the following:

- **Educate yourself on the university policy** and the reporting options available to students.
- **Talk through reporting options** with the survivor, including: what these might entail (e.g. timeframes and expectations of the survivor), potential outcomes, and how you or a specialist member of staff (e.g. wellbeing staff, campus ISVA) can support them through this process.
- If you have agreed with a student that you will pass forward information or will support the report, make sure that you **double check that they consent** to this process.

## Reporting to the police

If the event(s) disclosed constitute a crime, it is ok to identify this to the student, and make them aware that they may wish to report to the police. Do not put any pressure on the student to report. If a student decides to report to the police, consider the following:

- **Make them aware of evidence gathering practices.** Generally, it is best to provide evidence as soon as possible after the incident, and keep any evidence in a plastic bag. If they suspect they were spiked, it is best to receive a test within 24 hours. Your [local Sexual Assault Referral Centre \(SARC\)](#) can support with evidence gathering.

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- Explain that a **specialist sexual violence service** can conduct a risk assessment, explore options with survivors and advocate for them, provide healthcare and legal options.
- Be aware that any **notes** made by you or other staff may be requested by the police as part of a criminal investigation and you could be called to give evidence.

## Support

Get to know what support is available at your university, locally and nationally so you can appropriately signpost students to ensure they get the best possible support for them.

### Support at university

- Make proactive contact with student support and ask what support they have available.
- Ask whether your university has an **Independent Sexual Violence Advisor (ISVA)** or a **Sexual Violence Liaison Officer (SVLO)**. If your university doesn't provide this, ask why.
- Find out whether your **counselling services** have been trained in trauma and sexual violence.
- Think: **what does the survivor need at this moment?** Is there anything you can do in your role to support this - for example, supporting them to get extensions on work or acting as a first point of contact for them to liaise with other university staff.

### Support beyond university

Find out about the support available to survivors of sexual misconduct in your local area. Specialist services are best placed to advise survivors about their options. You may consider calling services yourself for advice on an anonymous case - many are happy to advise staff.

To find local, national and specialist services, visit <https://avaproject.org.uk/need-help/>

- **SARCs** provide medical, practical and emotional support after sexual assault or rape. Survivors do not have to report to the police to access these services.
- **Local gender-based violence organisations** support with domestic abuse and sexual assault/abuse cases. They may be able to offer [IDVA and ISVA services](#), legal advice or advocacy and mental health support.
- **Specialist services for Black and minoritised, disabled and LGBTQ+ survivors:** To support survivors with protected characteristics from a specialist 'by and for' perspective.

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## Support for yourself

Supporting survivors can be an emotionally challenging part of your role.

- **Be clear about your boundaries** from the start. It may feel tempting to want to 'fix' the situation or take on a caring role. This is not your job, and there are support services available to take on this specialist work.
- If you have experienced sexual misconduct in the past, **do not feel pressure to disclose your experience, and do not make comparisons** with your own experience when speaking to a student who is disclosing misconduct.
- **Take seriously the lasting impact on you** and make sure to take time for yourself, speak to your manager and get the support you need to manage burnout or vicarious trauma.

**Breathing Space**, the AVA online support tool designed by and for survivors of gender-based violence, provides more ideas and resources for self-care and support. Find it here:

<https://www.breathingspace-ava.org.uk/>.

For further guidance, read AVA's quick guide to self-guide to self-care.

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