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- We will encourage a culture in which all members of our community feel empowered and confident to challenge and/or report unacceptable behaviour.
- We will work to sustain an equal and safe environment in which a culture of prevention will be promoted through close collaboration between the University and the Student Union including a range of initiatives of the University and the Student Union.
- Wherever possible, we will respect the right of the individual disclosing an experience to choose whether and how to take forward a Disclosure.
- Where an individual chooses to report an incident to the Police, the University will assist in criminal processes as required by the authorities, and will provide pastoral support to the student(s) involved. Where an individual chooses to formally Report an experience of sexual misconduct to the University, we will follow a process that is transparent and clearly communicated to the individuals involved, in a timely manner, and paying due regard to the sensitivity of the incident. We will also make every effort to minimize the number of times the student has to detail the incident(s).
- The University will alert all staff and students to this Policy, and will strive to provide training as appropriate. All staff involved in the process will be trained as appropriate to their roles and will strive to act with impartiality and sensitivity at all times.
- We believe that no student should have to deal with the impact of Sexual Misconduct alone, and will ensure that dedicated support is available, including free and accessible counselling, for all individuals who wish to make use of that support. Wellbeing and advocacy support can also be sought from the [Student Union](#).
- We will work with relevant internal and external partners to forge positive relationships in support of our work in this area, from prevention to post-incident care.
- In addressing experiences and working with internal and external experts, the University will:
  - learn from external

3.1 This Policy relates to any incident of Sexual Misconduct in which the Reported Party<sup>1</sup> is a current student of the University and an allegation of Sexual Misconduct has been made by:

- another current student of the University; or
- a member of staff<sup>2</sup>/external affiliate/associate<sup>3</sup> of the University; or
- a person entirely external to the University, with no association or affiliation.

To be investigated, the alleged incident must have occurred during the Reported Party's time as a student of the University. Disclosures and Reports made under this Policy are not limited to University premises or the immediate geography of the University.

The University's definition of "allegation" can be found within section 2 of the Student Discipline Regulations.

There may be incidents where there are multiple Reporting and/or Reported Parties. This Policy applies in such cases.

3.2 This Policy recognises the organisational interface between Student and Education Services and Human Resources and the necessary co-operation between these two divisions for the proper support and implementation of this policy where cases involve both staff and students.

3.2.1 Where a Report of Sexual Misconduct is received in which the Reported Party is a *member of staff or external affiliate or associate of the University*, an investigation will be carried out under the Bullying Harassment and Sexual Misconduct Policy – Staff Procedure. In such cases, Human Resources is responsible for the communication of appropriate information to the Reporting Party.

3.2.2 Where an allegation of Sexual Misconduct is received in which the Reported Party is both a student and a member of staff (e.g. the Reported Party is a postgraduate student with teaching responsibilities or a Student Ambassador), the Director of Students, Education and Academic Services (or nominee) and the Director of Human Resources and Organisational Development (or nominee) will make a decision on which procedure will be used, based on factors including (but not limited to):

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<sup>1</sup> As defined in section 4, the *Reporting Party* is the person(s) whose behaviour it is alleged amounted to an incident of Sexual Misconduct. The *Reported Party* is the person(s) who has been the subject of the alleged incident of Sexual Misconduct.

<sup>2</sup> Includes honorary staff and staff from other organisations on placement or visiting the University, as well as staff holding contracts of employment.

<sup>3</sup> Any person working on campus on behalf of the University.

- the nature of the alleged offence;
- the capacity in which the Reported Party was acting when the alleged offence took place;
- whether the Reported

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- which involves excusing or blaming the other party when observing sexual misconduct, rather than challenging the perpetrator or reporting the incident.

5.1 The University is committed to providing support for students affected by Sexual Misconduct. Support is available to any student who discloses an incident regardless of whether or not they choose to make a Report to the University or Police. The University will provide information on support resources available and will offer support as appropriate to the Reporting Party, Reported Party, and witnesses involved in alleged incidents of Sexual Misconduct. Wellbeing-related support will always be made available to the Reporting Party and Reported Party. Those providing wellbeing support will not normally be involved in the investigation, and support will be given without making any judgement on



- 6.4 Whilst students are encouraged to contact the Student Wellbeing Services team to disclose an incident of Sexual Misconduct, a Disclosure may be made to any member of the University staff. Members of staff who receive a Disclosure and need advice and guidance, or support, should contact the Student Wellbeing Services team at the earliest opportunity. Basic information for staff can also be found within the Referral Guide which is accessible via the staff intranet at <http://www.lancaster.ac.uk/current-staff/current-staff/student-support-referral-guide/>.
- 6.5 With the exception of the University Counselling Service who will be available to counsel those who make a Disclosure, staff who receive a Disclosure must not attempt to counsel the Reporting Party. No staff who receive a Disclosure should attempt to investigate the incident or inform the Reported Party or any other student of the Disclosure.
- 6.6 Unless the Reporting Party requests otherwise, staff who receive a Disclosure must contact the Student Wellbeing Services team on behalf of the Reporting Party as soon as possible, in order that the Reporting Party can receive support. The Student Wellbeing Services team will also provide the Reporting Party with their reporting



which the University proceeds without consent. In such cases, the availability of

In such cases, the University reserves the right to take immediate and precautionary action to mitigate risk, as set out in section 5 of the Student Discipline Regulations, including, but not limited to, requiring the Reported Party to move to alternative accommodation, or temporarily excluding the Reported Party while the police investigation and any subsequent criminal processes are undertaken. Precautionary actions are to mitigate risk and should not be regarded as a penalty or an indication of a presumption of guilt.

- 9.3 The Director of Students, Education and Academic Services is accountable for the application, monitoring and regular review of this Policy. When necessary, the Director of Students, Education and Academic Services (or nominee) will propose revisions to this Policy for consideration by the relevant committee(s). The Director of Students, Education and Academic Services (or nominee) will seek the views of the Student Union in advance of any decision being made.
- 9.4 The Academic Registrar is responsible for operational matters relating to this Policy.
- 9.5 The Associate Director (Student Wellbeing and Inclusion) has responsibility for the University's Student Wellbeing Service team and is the effective enabler for the provision of pastoral and specialist support to the Reporting Party, Reported Party and witnesses.