

Cylchlythyr | Circular

Tackling violence against women, domestic abuse and sexual violence in higher education

Date: 02 November 2023
Reference: W23/29HE
To: Heads of higher education institutions in Wales
Response by: 02 February 2024
Contact: Name: Savanna Jones
Amanda Phillips
Email: savanna.jones@hefcw.ac.uk
amanda.phillips@hefcw.ac.uk

This guidance provides information and requests reports on tackling violence against women, domestic abuse and sexual violence (VAWDASV) in higher education. We recognise that violence, abuse and harassment affects people regardless of their gender. This guidance is framed in terms of VAWDASV but takes account of similar issues and actions to tackle them regardless of how a person expresses their identity.

This is HEFCW's second circular on VAWDASV. This circular should be read in conjunction with the first circular: [W20/39HE: Tackling violence against women, domestic abuse and sexual violence in HE](#) published 25 November 2020.

If you require this document in an alternative accessible format, please email info@hefcw.ac.uk.



Noddir gan
Lywodraeth Cymru
Sponsored by
Welsh Government

Introduction

1. This guidance provides information and requests reports on tackling violence against women, domestic abuse and sexual violence (VAWDASV) in higher education. We recognise that violence, abuse and harassment affects people regardless of their gender and intersectional characteristics, such as race, ethnicity and/or gender can create overlapping and interdependent systems of discrimination or disadvantage.
2. Our impact assessment has shown women are more likely to experience domestic abuse and sexual violence and therefore we have framed this guidance in terms of VAWDASV. However, there will be practice and learning that will inform actions to tackle violence, abuse and harassment in all its forms and regardless of how a person expresses their identity. This guidance is framed in terms of VAWDASV but takes account of similar issues and actions to tackle them regardless of how a person expresses their identity.
3. This is HEFCW's second circular on VAWDASV. This circular should be read in conjunction with the first circular: [W20/39HE: Tackling violence against women, domestic abuse and sexual violence in HE](#), published 25 November 2020.
4. This guidance and request for information:
 - takes account of [Welsh Government's 2022-26 VAWDASV strategy and blueprint](#);
 - contributes to HE providers' ongoing strategic equality planning, with new plans due from April 2024, well-being, health and mental health planning, anti-racist planning, staff and student experience developments, staff and student retention and success policies, safeguarding policies and related processes¹;
 - is informed by the [Universities UK](#)'s six publications² in the changing the culture series; and
 - takes account of Estyn's [report](#) on peer-on-peer sexual harassment among 16-18 year old learners in further education.
5. HEFCW is a member of Welsh Government's blueprint work stream on public spaces³. To inform this guidance we have taken advice from the national Advisor for Violence Against Women, Gender Based Violence, Domestic Abuse and Sexual Violence in line with the [Violence Against Women, Domestic Abuse and Sexual Violence \(Wales\) Act 2015](#). We continue to work with Welsh Government and other partners including Welsh Women's Aid to inform our understanding of this policy area and as we move into the new Commission for Tertiary Education and Research (CTER) and operate in a post-16 context.

¹ HEFCW has published separate guidance in a number of these areas which should also be considered alongside this circular.

² [Changing the culture](#) 2016; [Changing the culture: directory of case studies](#) 2017; [Changing the culture: one year on](#) 2018; [Changing the culture: two years on](#) 2019; [Changing the culture: tackling staff-to-student sexual misconduct](#) 2022; [Changing the culture: sharing personal data in harassment cases](#) 2022.

³ Welsh Government's blueprint is being informed by six work streams: sustainable whole approach system; needs of children and young people; needs of older people; tackling perpetration; work place harassment; gender based harassment in public spaces.

Background and policy context

6. The purpose of this guidance is to build on our 2020 [guidance](#) and it should be read in conjunction with it. Since the previous publication ([W20/39HE](#)), the Covid-19 pandemic has affected applicants, staff and students in higher education, changed ways of living, working, learning and teaching and adversely changed some [behaviours and attitudes](#). This guidance continues our focus on safe and inclusive higher education and seeks assurance of universities' progress since 2020. We expect higher education providers to take account of the publications and resources set out in this guidance, and where necessary review and update their processes to reflect current good practice. As we move towards the establishment of CTER we will take account of learning from further and higher education to inform future policy development.
7. The Welsh Government's [Violence against women, domestic abuse and sexual violence: strategy 2022 to 2026](#) and [blueprint](#) includes new priorities relating to women in the workplace and on the street, as well as the home.
8. In February 2022, we held a knowledge exchange seminar on tackling violence, abuse and sexual violence at which Welsh Government presented its strategic position and [Public Health Wales](#), [Welsh Women's Aid](#) and [BAWSO](#) promoted campaigns relevant to higher education, including bystander training. We aim to continue to work in partnership with key partners, including post-16 education providers.
9. In 2023, we published circular W23/06HE [Safe and inclusive higher education](#) which includes consideration of intersectionality. The circular makes reference to reporting serious incidents, supporting well-being and health, including mental health, as well as tackling VAWDASV and anti-racism. All universities in Wales have committed to achieve a race equality charter by 2025. To make progress at pace towards tackling anti-racism and achieving the race equality charter, we have allocated £1m a year, match funded by universities to the same level. This funding began in 2021/22 and is committed until the end of 2024/25, subject to CTER re-affirming this budget.
10. The UK Parliament's Women and Equalities Committee's report on [Attitudes towards women and girls in educational settings, published in July 2023](#), identified that 'women students experience high levels of sexual harassment and sexual violence, both on and off the university campus'. The report recommended that 'evidence-based bystander intervention programmes should be made compulsory for all first-year students and the ability of universities to use non-disclosure agreements to silence victims of sexual harassment and violence must be banned'. The findings and recommendations are set out at pages 33-36 of the report.
11. All universities in Wales have published a [joint statement](#) confirming they will not use non-disclosure agreements in cases of sexual harassment or abuse for both staff and students.

12. CTER will be established on 1 April 2024. CTER has a strategic duty to promote equality of opportunity in post-16 education and will introduce a student welfare-related condition of registration.

Defining violence against women, domestic abuse and sexual violence

13. Violence against women and girls includes domestic abuse; rape and sexual violence; stalking; forced marriage; honour based violence; female genital mutilation (FGM); trafficking and sexual exploitation including through the sex industry; and sexual harassment in work and public life. We are aware that definitions of such terms are not universally agreed which can be challenging for reporting, policy development and promoting support for those experiencing VAWDASV.
14. We recognise that violence, domestic abuse and sexual violence affects everyone, including children, family and friends. Children who see, hear, or experience the effects of domestic abuse are survivors in their own right. VAWDASV impacts on all aspects of people's lives, including their learning, working wider resilience, well-being and mental health.
15. A summary of definitions is set out at **Annex A**, some of which we published previously. We have taken advice on these definitions from Welsh Women's Aid.

Data and evidence informing our guidance

16. Our analysis of data and evidence identifies that some groups of individuals are more likely to be directly affected by VAWDASV.
17. Data⁴ demonstrates that:
 - women aged 16 to 24 years are more likely to be victims of domestic abuse than any other age group;
 - full-time students (7.7%) are the most likely to experience domestic abuse compared to any other occupation;
 - 17% (one in six people) aged 18 to 27 years have suffer domestic abuse from a partner;
 - Black, Asian, and other ethnic minority and LGBTQ+ people (17%) are more likely than White people (11%) to suffer domestic abuse from a partner; and
 - one in seven (15%) of LGBTQ+ disabled people suffered domestic abuse in the last year.
18. Research suggests 98.5% of UK universities do not have domestic abuse strategies.⁵ Relatedly, [The Higher Education After #MeToo Research Report](#) published in May 2023 by the 1752 group found that there was a significant

⁴ [Office for National Statistics](#)

⁵ [HARM Network, \(2021\) Domestic Abuse Policy Guidance for Universities, University of Central Lancashire.](#)

variation between how different universities were dealing with gender based violence and harassment and how reports were being handled.

19. In June 2023, the Office of the Independent Adjudicator (OIA) published a [statement](#) in response to the Higher Education After #MeToo report. The OIA also published a set of [case summaries](#) to demonstrate the types of complaints they have received, noting that complaints related to sexual misconduct and harassment had slightly risen over recent years.

What has changed since our last guidance?

20. Since our last guidance, new reports and resources have been published. Our guidance takes account of these publications, including as they respond to the lasting impact of the Covid-19 pandemic.

Recent guidance, research and campaigns

21. Universities UK has published additional guidance, including recommendations:
 - [Changing the culture: tackling staff-to-student sexual misconduct](#) - A strategic guide to support vice-chancellors and governing bodies. It provides a summary of the problem and high-level, strategic recommendations (2022);
 - [Changing the culture: sharing personal data in harassment cases](#) – A strategic and practical guide to help universities understand practical ways of sharing data when it is appropriate to do so (2022).
22. The report [Harmful Traditional Practices in the Workplace](#) – guidance for best practice by the University of Central Lancashire identified that “the pandemic has changed the way that higher education functions, affecting the way universities can support staff and student victims of domestic abuse who are working or learning remotely and online”.⁶ The guidance highlights considerations and provides recommendations focused on three areas: environment, education and empowerment.
23. Evidence in reports on learning from [schools](#) and [colleges](#) indicates that behaviour related to VAWDASV, including behaviour that can be managed through early interventions, has worsened since the pandemic.⁷ It is likely this will have implications for transitions into higher education.
24. Estyn’s [Peer-on-peer sexual harassment among 16 to 18-year-old learners in further education](#) sets out seven recommendations, five of which are for colleges, and two for Welsh Government. The recommendations encourage colleges to:

⁶ Khan, R. & Hall, B. (2020). Harmful Traditional Practices in the Workplace. Guidance for Best Practice. HARM, UCLan, UK

⁷ [Preventative, protective and positive: How Wales’ whole school approach to statutory relationships and sexuality education can support schools. “We’re educating ourselves” selected findings from new NSPCC research into what, how and where young people are learning about relationships, sex and sexuality \(2023\).](#)

- i. ensure that all learners benefit from opportunities to take part in learning activities and discussions about forming and maintaining healthy relationships;
 - ii. develop strategies to prevent and tackle misogynistic attitudes and cultures developing among groups of learners;
 - iii. ensure that all relevant staff members undertake professional learning that enables them to confidently recognise and respond to sexual harassment as well as help learners develop their understanding of healthy relationships;
 - iv. ensure that all learners feel safe and comfortable in all areas of college buildings, grounds, virtual spaces, and transport; and
 - v. record, categorise and analyse instances of sexual harassment, assault and abuse in a consistent way that enables leaders to identify trends and take appropriate measures in response.
25. Whilst these recommendations are for colleges, many aspects are also relevant to practice and processes in higher education. CTER will have a statutory duty to promote equality of opportunity across the post-16 education sector. There will be new opportunities to share relevant learning across different parts of the post-16 system.
26. The Office for Students has launched a [pilot survey](#) on the prevalence of sexual misconduct within higher education providers in [England](#). This follows a review of the extent to which it was able to secure compliance with its [Statement of Expectations](#) and a consultation on a new approach to regulating harassment and sexual misconduct.
27. Universities UK published a [Violence at University Pilot Project survey](#) template. Universities may wish to take account of this survey as an example of how to collate information.
28. The Welsh Government's [Sound](#) campaign surveyed a total of 505 men (aged between 18-54). 75% of men thought Wales was a safe place to be a woman and 39% of men believed that efforts to achieve women's equality have led to discrimination against men. However, many did not understand the terms and definitions around gender based violence. This evidence suggested a disconnect between reality and perception. Welsh Government Minister for Social Justice Jane Hutt said the Sounds [campaign](#) was "really important as misogyny, sexism, violence against women - and domestic abuse, it's in the news every day and people talk about it as an epidemic. It is sad to say in this day and age that younger men still don't recognise that actually women, young women and women of all age groups are still subject to unacceptable levels of violence and sexual harassment".

Resources

29. Recently published resources to support this work are set out at **Annex B**.

Reviewing progress in tackling violence against women, abuse and sexual violence in higher education and sharing practice

30. To review progress in tackling VAWDASV against staff and students, as well as violence, abuse and harassment regardless of identity we are asking universities to provide reports to us. We will use this information to:
 - evidence progress towards securing safe and inclusive higher education;
 - share interesting practice;
 - report to the Welsh Government on higher education's contribution to the Violence Against Women strategy and blueprint;
 - inform our understanding of universities' positions against the [Peer-on-peer sexual harassment among 16 to 18-year-old learners in further education](#);
 - inform our policy development as we move into CTER.
31. We set out our reporting requirements at **Annex C**.
32. If there is specific information you will provide to us that you wish us not to share more widely please let us know. Please only provide case study information about services or activities not individuals.

Timetable

33. Please send your responses to Amanda Phillips (amanda.phillips@hefcw.ac.uk) by **Friday, 2 February 2024**.

Further information

34. For further information, contact Savanna Jones (savanna.jones@hefcw.ac.uk).

Assessing the impact of our policies

35. We have carried out an impact assessment screening to help safeguard against discrimination and promote equality. We expect there to be a positive impact on all of the protected characteristics, most notably where this intersects with race, disability and sexual orientation. Our impact assessment recognised that there was a need for further resources through the medium of Welsh. We will work closely with universities to ensure where training is delivered, it is available bilingually.
36. We considered the impact of policies on the Welsh language, and Welsh language provision within the HE sector in Wales and potential impacts towards the goals set out in the Well-Being of Future Generations (Wales) Act 2015 including our Well-Being Objectives. We noted that the Welsh Government Sounds campaign promoted in this guidance is available in English and Welsh. Universities should also take account of student needs as they relate to other languages. Contact equality@hefcw.ac.uk for more information about impact assessments.

Annex A

Defining violence against women, domestic abuse and sexual violence.

We have added some new terminology to this guidance. We have cited the source of the definitions used. We accept that there may be other, similar definitions used.

New terminology referred to in this guidance includes:

- **Sexual harassment:** any unwanted sexual behaviour that makes someone feel upset, scared, offended or humiliated, or is meant to make them feel that way (the [Brook Charity](#)).
- **Sexual exploitation:** when someone is coerced, forced, or manipulated into engaging in sexual activities by a third party, or out of necessity to finance basic needs. This is also known as 'survival sex' and includes 'sex for rent' agreements. This form of exploitation can take place in several environments including on the street, online or in parlours. Perpetrators usually hold power over their victims, due to age, gender, sexual identity, physical strength, or status. In many instances, perpetrators will groom victim/survivors ([Welsh Women's Aid](#)). Examples of how sexual exploitation of adults can be perpetrated include:
 - being coerced or forced into sex work by a third party such as a partner ([Welsh Women's Aid](#));
 - being coerced or forced to engage in transactional sexual services to finance basic needs such as food or accommodation (often referred to 'survival sex' and 'sex for rent' arrangements) ([Welsh Women's Aid](#));
 - feeling unable to pursue alternatives due to multiple disadvantages such as poverty and substance misuse ([Welsh Women's Aid](#)).
- **Modern day slavery:** covers all forms of slavery, trafficking and exploitation (the [Office for National Statistics](#)).

As noted in our 2020 guidance, [Welsh Government's Strategy on VAWDASV 2016-21](#) noted the following definitions:

- **Violence against women and girls** encompasses (but is not limited to):
 - physical, sexual and psychological violence occurring in the family (including children and young people), within the general community or in specific contexts such as higher education, including domestic abuse, rape, and incest;
 - sexual harassment, bullying and intimidation in any public or private space, including work;
 - commercial sexual exploitation, including prostitution, lap dancing, stripping, pornography and trafficking;
 - child sexual abuse, including familial sexual abuse, child sexual exploitation and online abuse.
- **Domestic violence and abuse:** 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; and
 - emotional.
- **Controlling behaviour** is defined as a range of acts designed to make a person subordinate and/or dependent by:
 - isolating them from sources of support;
 - exploiting their resources and capacities for personal gain;
 - depriving them of the means needed for independence, resistance and escape;
 - regulating their everyday behaviour.
 - **Coercive behaviour** is defined as an act or pattern of acts of assault, threats, humiliation and intimidation or other abuses that is used to harm, punish or frighten a victim.
 - **Honour based violence** includes but is not limited to: dowry-related violence, female genital mutilation, forced and child marriages, and 'honour' crimes.

Annex B

Resources

- [The Intervention Initiative toolkit](#) is a free resource with an educational toolkit to prevent sexual coercion and domestic abuse. It was created by the [University of the West of England](#) and funded by [Public Health England](#).
- [Meic Cymru](#) provides information, advice and advocacy for children and young people across Wales on breaking the silence of sexual abuse and violence. It also provides an online portal where people can get support in a safe space.
- [Student Space](#), the online mental health platform which HEFCW has co-funded with the Office for Students since 2020 provides online training for LGBTQ+ students on safety and abuse. The sessions, run by [Galop](#) have workshops on three topics: anti-LGBT+ hate crime, abuse and violence within LGBTQ+ relationships and conversion therapy.
- [The Safer Communities Podcast](#) highlights the most effective ways to tackle harmful behaviours including as this relates to modern slavery and exploitation, VAWDASV and safeguarding and early intervention.
- The Halo project works in collaboration with universities to provide students (primarily law students) with work experience and training to build their knowledge around gender-based violence issues.
- Welsh Women's Aid [Live Fear Free](#) helpline is a 24/7 helpline that can support people in their preferred language. In addition to providing support to victim/survivors, the helpline also welcomes phone calls from professionals seeking safeguarding advice. Information is available in Welsh.
- The [Dyn](#) male helpline providing dedicated information and advice for heterosexual, gay, bisexual and trans men who are experiencing domestic violence and abuse from a partner. Information is available in Welsh.
- The [Dewis Cymru](#) website is a search engine of resources and services available across Wales. The website is continually updated when new services become available. Information is available bilingually.
- Welsh Government's [Sound](#) campaign provides, information, advice and guidance.
- [Mental Health A-Z | MYF](#) available in Welsh and English that provides information on post-traumatic stress disorder following serious incidents such as rape.