



# PREVENTION OF SEXUAL VIOLENCE AND HARASSMENT

# POLICY AND PROCESSES

ACROSS ALL DELIVERY STRANDS FROM FURTHER EDUCATION TO HIGHER EDUCATION AND  
APPRENTICESHIP PROVISION

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# Prevention of Sexual Violence and Sexual Harassment

## Policy and Processes

### 1. PURPOSE & AIMS

- 1.1 The focus of the policy is sexual violence and sexual harassment between students at The Fashion Retail Academy. For the purposes of this policy, it concerns any students at The Fashion Retail Academy. It provides guidance on what sexual violence and sexual harassment is, how to minimise the risk of it occurring, and what to do when incidents occur, or are alleged to have occurred.
- 1.2 This policy follows the advice provided by the Department for Education on sexual violence and sexual harassment between children in academies and colleges (2021) and is in line with the Human Rights Act 1998 and the Equality Act 2010. For the purposes of this policy, The Fashion Retail Academy uses the term 'victim' because it is a widely recognised and understood term. However, the Academy recognises that not everyone who has been subjected to sexual violence and/or sexual harassment considers themselves a victim or would want to be described in this way.
- 1.3 The Fashion Retail Academy is also prepared, when managing any incident, to use any term with which the individual student is most comfortable. For the purpose of this policy, The Academy uses the term 'alleged perpetrator'. However, the Academy recognises that it is important to remember that, as a student, any alleged perpetrator is entitled to, deserving of, and should be provided with, a different level of support to that which might be provided to an adult who is alleged to have abused a child.
- 1.4 This policy is designed to ensure a safe, welcoming and inclusive working and learning environment for all members of The Fashion Retail Academy's community (which includes those who come in contact with The Fashion Retail Academy's staff and students in the course of our staff and students' work and study). Sexual violence and sexual harassment are unacceptable behaviours and contrary to the Equality Act 2010 and/or the Protection from Harassment Act 1997, and to The Fashion Retail Academy's ethos and mission.
- 1.5 Whilst this policy focuses on sexual violence and sexual harassment between students at the Fashion Retail Academy, we recognise that no member of our community is expected to tolerate such unacceptable behaviour, whether by a member of the Academy's community, or by a third party such as a supplier or visitor to the Academy; or a member of the public. Staff, students, visitors, and members of the public have the right to disclose experiences of unacceptable behaviour experienced while working, studying or participating in an Academy activity; to be listened to, and to seek support.

- 1.6 Sexual violence and sexual abuse can happen anywhere, and The Fashion Retail Academy maintains an attitude of 'it could happen here'.
- 1.7 Breaches of this policy will be investigated under the relevant disciplinary procedure which may result in dismissal or expulsion and referral to the police.
- 1.8 This policy should be read alongside the statutory guidance:  
[Keeping children safe in education 2023 \(publishing.service.gov.uk\)](#)  
[Working Together to Safeguard Children \(2018\)](#)

Departmental advice:

[Sexual violence & sexual harassment between children in Academics and colleges, 2021](#)  
[What to do if you are worried a Child is being abused: Advice for Practitioners](#)

Relevant policies at The Fashion Retail Academy including: Safeguarding (including Child Protection) policy; Behaviour policy; Student handbooks.

## 2. SCOPE

2.1 This Policy applies to sexual violence or sexual harassment that is committed or is alleged to have been committed by students at The Fashion Retail Academy.

2.2 The alleged misconduct may have occurred:

on The Fashion Retail Academy property;

via The Fashion Retail Academy IT systems;

off The Fashion Retail Academy property;

online whether via email, the internet or social media;

in the UK or abroad.

## 3. CONTEXT

Sexual violence and sexual harassment can occur between two students of any sex. They can also occur through a group of students sexually assaulting or sexually harassing a single student or group of students.

Students who are victims of sexual violence and sexual harassment will likely find the experience stressful and distressing. This will, in all likelihood, adversely affect their educational attainment. Sexual violence and sexual harassment exist on a continuum and may overlap, they can occur online and offline (both physical and verbal) and are never acceptable.

All victims are taken seriously and offered appropriate support. It will be made clear that sexual violence and sexual harassment is not acceptable, will never be tolerated and is not an inevitable part of growing up or dismissing sexual violence or sexual harassment as “banter”, “part of growing up”, or “just having a laugh”; and challenging behaviours (which are potentially criminal in nature), such as grabbing bottoms, breasts and genitalia because dismissing or tolerating such behaviours risks normalising them.

Ofsted’s Review of sexual abuse in Academics and colleges highlights why it is important that all staff at The Fashion Retail Academy have an understanding of what sexual violence and sexual harassment might look like and what to do if they have a concern or receive a report. We also recognise that whilst any report of sexual violence or sexual harassment should be taken seriously, staff should be aware it is more likely that girls will be the victims of sexual violence and sexual harassment and more likely it will be perpetrated by boys

Children with Special Educational Needs and Disabilities (SEND) and children who are Lesbian, Gay, Bi, or Trans (LGBT) can be especially vulnerable.

## 4. DEFINITIONS

### 4.1 Sexual violence

When referring to sexual violence we are referring to sexual offences under the Sexual Offences Act 2003 as described below:

**4.11 Rape:** A person (A) commits an offence of rape if: he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis, B does not consent to the penetration and A does not reasonably believe that B consents.

**1.12 Assault by Penetration:** A person (A) commits an offence if: s/he intentionally penetrates the vagina or anus of another person (B) with a part of her/his body or anything else, the penetration is sexual, B does not consent to the penetration and A does not reasonably believe that B consents.

**4.13 Sexual Assault:** A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents.

**4.14 Causing someone to engage without consent:** Someone consents to vaginal, anal or oral penetration only if s/he agrees by choice to that penetration and has the freedom and capacity to make that choice. Consent to sexual activity may be given to one sort of sexual activity but not another, e.g.to

vaginal but not anal sex or penetration with conditions, such as wearing a condom. Consent can be withdrawn at any time during sexual activity and each time activity occurs.

Further information about consent can be found here: [Rape Crisis England & Wales - Sexual consent](#)

## 4.2 Sexual harassment

When referring to sexual harassment The Fashion Retail Academy means 'unwanted conduct of a sexual nature' that can occur online and offline. When The Fashion Retail Academy references sexual harassment, it does so in the context of student on student sexual harassment. Sexual harassment is likely to: violate a student's dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment.

Whilst not intended to be an exhaustive list, sexual harassment can include:

- consensual and non-consensual sharing of nude and semi-nude images and videos. As set out in [UKCIS Sharing nudes and semi-nudes: advice for education settings working with children and young people](#) taking and sharing nude photographs of U18s is a criminal offence;
- sharing of unwanted explicit content;
- upskirting (is a criminal offence);
- stealthing;
- sexualised online bullying;
- unwanted sexual comments and messages, including, on social media;
- sexual exploitation; coercion and threats.

The Fashion Retail Academy considers sexual harassment in broad terms and understands that sexual harassment (as set out above) must **always** be challenged as, unchallenged it can create a culture that can normalise inappropriate behaviours and provide an environment that may lead to sexual violence.

## 4.3 Harmful sexual behaviours (HSB)

4.31 Children and young people's sexual behaviour exists on a wide continuum, from normal and developmentally expected to inappropriate, problematic, abusive and violent. Problematic, abusive and violent sexual behaviour is developmentally inappropriate and may cause developmental damage. A useful umbrella term is "harmful sexual behaviour" (HSB). HSB can occur online and/or face to face and can also occur simultaneously between the two. The Fashion Retail Academy will always consider HSB in a child protection context.

As part of consideration of HSB, The Fashion Retail Academy will consider ages and the stages of development of the students in any situation. The ['Brook sexual behaviours traffic light tool'](#) and the [HSB Toolkit from the Lucy Faithfull Foundation](#) may be used to help when considering harmful sexual behaviours and in a proactive approach to them.

# 5. SAFEGUARDING

The Fashion Retail Academy's approach to sexual violence and sexual harassment will be reflected in the broader approach to safeguarding and be part of ['Keeping Children Safe in Education'](#) and will form part of the our annual safeguarding training.

The basic safeguarding principle is: if a student has been harmed, is in immediate danger, or is at risk of harm a referral will be made to children's social care.

The Fashion Retail Academy will comply with the relevant requirements as set out in the Equality Act 2010 to ensure they do not discriminate against any students because of their sex, race, disability, religion or belief, gender reassignment, pregnancy or sexual orientation.

## 6. PREVENTION

Preventative education, in the form of both a planned and responsive curriculum, will ensure students are taught about safeguarding, including how to stay safe online, as part of providing a broad and balanced curriculum.

The Fashion Retail Academy recognises that the most effective preventative education programme prepares our students for life in modern Britain, and this will be delivered through planned, high-quality tutorials, and will specifically include a Zero Tolerance: response to sexual violence and sexual harassment session.

## 7. REPORTING SEXUAL VIOLENCE AND SEXUAL HARASSMENT

Sexual violence and sexual harassment can happen anywhere, and The Fashion Retail Academy maintains an attitude of 'it could happen here'. As such we ensure that reporting incidents, anonymously or otherwise, is vital to the proactive prevention of incidents as well as reactive, timely support for victims. There are a number of ways that students can report incidents including:

- Disclosing to any member of staff at The Fashion Retail Academy. All staff have annual safeguarding training, which includes responding to disclosures and responding to safeguarding incidents, which include sexual violence and sexual harassment
- Wellbeing drop in sessions and planned counselling and coaching sessions
- An online [reporting mechanism](#) from named students
- An [anonymous online reporting](#) mechanism

## 8. RESPONDING TO REPORTS OF SEXUAL VIOLENCE AND SEXUAL HARASSMENT

8.1 Reports of sexual violence and sexual harassment are likely to be complex, requiring difficult professional decisions to be made, often quickly and under pressure. As such, we recognise that pre-planning, effective training and effective policies provide The Fashion Retail Academy with the foundation for a calm, considered and appropriate response to any report.

8.2 All staff will understand that they should follow our safeguarding procedures for reporting a concern if they are worried about child-on-child abuse. The Designated Safeguarding Lead will respond to any concerns related to child-on-child abuse in line with guidance outlined in Part five of 'Keeping Children Safe in Education' (2023) and '[Sexual violence and sexual harassment between children in Academics and colleges](#)' (2021). We will ensure that all concerns, discussions and decisions reached are clearly recorded and any identified actions are followed up.

8.3 Decisions will be made on a case-by-case basis, with the Head of Wellbeing and/or Safeguarding and SEND Co-ordinator (as Designated Safeguarding Leads [DSLs]) or a member of SLT taking a leading role and using their professional judgment, supported by other agencies, such as children's social care and the police as required. There is a wider Wellbeing Team of Deputy Designated Safeguarding Leads [DDSLs] to call on in extraordinary circumstances. Further safeguarding information is available in our Safeguarding (including Child Protection) Policy.

8.4 The police will be important partners where a crime might have been committed and The Fashion Retail Academy will use [When to call the police](#) to decide when to engage with the police and what to expect of them if we do.

The NSPCC ([help@nspcc.org.uk](mailto:help@nspcc.org.uk)) helpline for professionals at 0808 800 5000 and the specialist sexual violence sector such as [Rape Crisis](#) or [The Survivors Trust](#) will be utilised as required.

8.5 The Fashion Retail Academy recognises that incidents of sexual violence and sexual harassment that occur online (either in isolation or in connection to offline incidents) can introduce a number of complex factors. These include the potential for the incident to take place across a number of social media platforms and services and for things to move from platform to platform online. It also includes the potential for the impact of the incident to extend further than The Fashion Retail Academy's local community (e.g. for images or content to be shared beyond the FRA) and for a victim (or alleged perpetrator) to become marginalised and excluded by both online and offline communities. There is also the strong potential for repeat victimisation in the future if abusive content continues to exist somewhere online.

The Fashion Retail Academy will seek the support of The UK Safer Internet Centre ([helpline@saferinternet.org.uk](mailto:helpline@saferinternet.org.uk)) and will look to support the victim in contacting [the Internet Watch Foundation \(IWF\)](#) if the incident involves sexual images or videos that have been made and circulated online.

8.6 All victims will be reassured that they are being taken seriously and that they will be supported and kept safe. A victim will never be given the impression that they are creating a problem by reporting sexual violence or sexual harassment or ever be made to feel ashamed for making a report.

8.7 The Academy will reasonably do all it can to protect the anonymity of any students involved in any report of sexual violence or sexual harassment. This will mean carefully considering, based on the nature of the report, which staff should know about the report and any support that will be in place for the students involved.

8.8 When there has been a report of sexual violence, the Head of Wellbeing, Safeguarding Co-ordinator (or a member of SLT) will make an immediate risk assessment. Where there has been a report of sexual harassment, the need for a risk assessment will be considered on a case-by-case basis.

The risk assessment will consider:

- the victim;
- the alleged perpetrator; and
- the other students (and, if appropriate, staff).

The risk assessment will be recorded (written or electronic) and will be kept under review. At all times, the Academy will be actively considering the risks posed to all the students and putting adequate measures in place to protect them and keep them safe.



Important considerations will include:

- the wishes of the victim in terms of how they want to proceed. This is especially important in the context of sexual violence and sexual harassment. Victims should be given as much control as is reasonably possible over decisions regarding how any investigation will be progressed and any support that they will be offered;
- the nature of the alleged incident(s), including: might a crime have been committed and consideration of harmful sexual behaviour;
- the ages of the students involved;
- the developmental stages of the students involved;
- any power imbalance between the students (e.g. is the alleged perpetrator significantly older);
- if the alleged incident is a one off or a sustained pattern of abuse;
- are there ongoing risks; and
- other related issues and wider context.

The Designated Safeguarding Lead will liaise with Children's Social Care, the Police and specialist services as required.

## 9. SAFEGUARDING AND SUPPORTING THE VICTIM

9.1 The Academy recognises that any report of sexual violence is likely to be traumatic for the victim. However, reports of rape and assault by penetration are likely to be especially difficult with regard to the victim and close proximity with the alleged perpetrator is likely to be especially distressing. Whilst the Academy establishes the facts of the case and starts the process of liaising with children's social care and the police, the alleged perpetrator will be removed from any classes they share with the victim.

9.2 The Academy will also consider how best to keep the victim and alleged perpetrator reasonable distance apart on the Academy site. These actions are in the best interests of both students and are not perceived to be a judgment on the guilt of the alleged perpetrator.

9.3 For other reports of sexual violence and sexual harassment, the proximity of the victim and alleged perpetrator and considerations regarding shared classes, sharing the Academy site, will be considered.

9.4 The Academy will consider every report on a case-by-case basis. When to inform the alleged perpetrator will be a decision that will be carefully considered. Where a report is going to be made to children's social care and/or the police, then the Academy will speak to the relevant agency and discuss next steps and how the alleged perpetrator will be informed of the allegations. However, as per general safeguarding principles, this does not prevent the Academy taking immediate action to safeguard the students where required.

9.5 The Academy will not wait for the outcome (or even the start) of a Police and children's social care investigation before protecting the victim and other students in the Academy. The Academy will work closely with children's social care (and other agencies as required) to ensure any actions it takes does not jeopardise a statutory investigation. The risk assessment will help inform any decision.

9.6 Consideration of safeguarding the victim, alleged perpetrator, any other students directly involved in the report and all students at the Academy will be immediate.

9.7 If a student is convicted or receives a caution for a sexual offence, the Academy will update its risk assessment, ensure relevant protections are in place for all the students at the Academy and, if it has not already, consider any suitable action in light of the behaviour policy, including permanent exclusion.

9.8 Where a criminal investigation into a rape or assault by penetration leads to a conviction or caution, the Academy will take suitable action, if not already done so consider any suitable action in light of the behaviour policy, including permanent exclusion. In all but the most exceptional of circumstances, the rape or assault constitutes a serious breach of discipline and allowing the perpetrator to remain in the Academy would seriously harm the education or welfare of the victim (and potentially other students).

9.8.1 All of the above will be considered with the needs and wishes of the victim at the heart of the process (supported by parents and carers as required). Any arrangements will be kept under review.

9.8.2 The Designated Safeguarding Lead will balance the victim's wishes against their duty to protect the victim and other students. If the Safeguarding Lead makes a referral to Children's Services or the Police against the victim's wishes, this should be handled very carefully, the reasons should be explained to the victim and appropriate specialist support should be offered.

9.8.3 In all cases, the Academy will record and be able to justify its decision making.

9.8.4 If the perpetrator remains in the Academy, the Academy will be very clear as to their expectations regarding the perpetrator now they have been convicted or cautioned. This will include expectations regarding their behaviour and any restrictions the Academy thinks are reasonable and proportionate with regard to the perpetrator's timetable.

9.8.5 Any conviction (even with legal anonymity reporting restrictions) is potentially going to generate interest among other students in the Academy. The Academy will ensure that the victim and alleged perpetrator remain protected, especially from any bullying or harassment (including online).

9.8.6 Where cases are classified as "no further action" (NFA'd) by the police or Crown Prosecution Service, or where there is a not guilty verdict, the Academy will continue to offer support to the victim and the alleged perpetrator for as long as is necessary. A not guilty verdict or a decision not to progress with their case will likely be traumatic for the victim. The fact that an allegation cannot be substantiated does not necessarily mean that it was unfounded. Safeguarding and supporting the alleged perpetrator will continue.

9.8.7 The Academy will consider the age and the developmental stage of the victim, the nature of the allegations and the potential risk of further abuse. The needs and wishes of the victim will be paramount and wherever possible, the victim, if they wish, should be able to continue in their normal routine. Support will be tailored on a case-by-case basis which will include all of The Fashion Retail Academy's Wellbeing support systems but if the trauma results in the victim being unable to cope, alternative provision or a move to another Academy could be considered. This will only be at the request of the victim and following a discussion with parents or carers where appropriate.

9.8.8 In some cases of sexual harassment, the Academy may take the view that the students concerned are not in need of early help or statutory intervention. It may be appropriate to handle the incident internally utilising the Academy's behaviour policy and providing pastoral support.

## **9 SAFEGUARDING AND SUPPORTING THE ALLEGED PERPETRATOR**

9.1 The Academy will provide the alleged perpetrator with an education, providing safeguarding support as appropriate and implementing any discipline sanctions required.

9.2 The Academy will consider the age and the developmental stage of the alleged perpetrator and the nature of the allegations will be considered on a case-by-case basis. The alleged perpetrator may have unmet needs as well as potentially posing a risk of harm to other students. These harmful sexual behaviours may be a symptom of either their own abuse or exposure to abusive practices and or materials. The Academy will seek advice from social services, specialist sexual violence services and the police.

## **10. DISCIPLINE AND THE ALLEGED PERPETRATOR**

10.1 The Academy will discipline students whose conduct falls below the standard expected of them in line with government advice on 'behaviour and discipline in academies' and the statutory guidance on exclusions.

10.2 Disciplinary action could be taken whilst other investigations by the police and/or social services are ongoing. Other investigations will not prevent the Academy from coming to its own conclusion, on the balance of probabilities of what happened, and imposing a disciplinary sanction on a case-by-case basis. The Academy will consider if, by taking any action, they would prejudice an investigation and/or any subsequent prosecution. Careful liaison with the police and/or social services will help the Academy decide.

## APPENDIX A:

### Support services:

#### 1. Bullying and Harassment

**Citizens Advice** provides some information on bullying and harassment

**Family Lives** provides some information and advice on bullying at college or university

**Young Minds** has put together a blog on how to deal with online bullying at college or university

#### 2. Sexual Misconduct

**The Havens specialist** support for people who have been raped or sexually assaulted. For urgent advice and appointments, please call 020 3299 6900.

**Solace Women's Aid** Provides advice and support for women for domestic abuse and sexual violence. If you require urgent help, please call 0808 802 5565 for free confidential advice.

**Respond** helps children and adults with learning disabilities who have experienced abuse or trauma, as well as those who have abused others, through psychotherapy, advocacy and other support. Tel: 0 808 0700.

**Revenge Porn Helpline:** Open 10am – 4pm, Monday to Friday – 0345 600 0459.

**Victim Support** provide free and confidential support to help you deal with your experience, whether or not you report the crime. They also support witnesses of crime. Tel: 0808 168 9111.

**Women's Trust** Specialist domestic violence counselling in some borough, but support groups and workshops are pan-London.

**Survivors UK (National)** Information, support and counselling for men and boys who have been raped or sexually abuse. Helpline Web Chat Monday – Friday 10am – 9pm, Saturday to Sunday 10am – 6pm.

**Women and Girls Network.** Counselling and support to help women and girls recover from violence. Tel: 0808 801 0770

**Lifecentre** Support for survivors of sexual abuse and anyone supporting them, including a helpline, text support and email counselling. Tel: 0808 802 0808 or text 07717 989 022.

**One in Four** Offers advocacy and counselling services and information for people who have experienced sexual abuse. Tel: 0800 170 0314.

**Galop** is a charity that supports lesbian, gay, bi, trans and queer people affected by sexual and domestic violence. They run a London and National phone helpline open Monday to Friday 10 – 5pm as well as on online chat services on Saturday & Sunday: 15:00 – 19:00. Tel: 0800 999 5428.

**Rape Crisis UK** Webchat and helpline available for women over the age of 16 who have experienced sexual violence. Check [their website](#) for helpline opening hours (varying) or call 0808 802 9999 between 12pm and 2.30pm or 7pm to 9.30pm every day of the year.

**Rights of Women** (England and Wales only) - Free employment legal advice to women in England and Wales experiencing sexual harassment at work. Tel: 020 7490 0152

**Mankind** Provides one to one counselling, groups and couples counselling to men aged 18+ who have experienced sexual abuse. Call 01273 911680 to leave a message or email [admin@mkcharity.org](mailto:admin@mkcharity.org)

[Safelives](#) provide information and resources with people living with domestic abuse.

### 3. Domestic Violence Support

**National Domestic Abuse Helpline** Refuge's expert Helpline team can [chat to you live online](#), Monday – Friday, 3pm - 10pm or you can call 0808 200 247.

**Women's Aid** offers live Chat Service for women who have experienced domestic violence. [Access webchat](#) every day 10am to 4pm.

**Jewish Women's Aid** Domestic Abuse Helpline Service for Jewish women and children who have experienced domestic abuse Web chat available: Mon and Wed 15:00 - 17:00 and Tues and Thurs 10:00 - 12:00 or Tel 0808 801 0500.

**Ashiana Sheffield** Aims to help prevent murder and serious harm to Black, Asian, minority ethnic and refugee women in England, Wales and Scotland as a result of domestic abuse and forced marriage and 'honour'-based violence. Also supports children and young people. Tel 0114 255 5740

**Southall Black Sisters** Provides advice for Black (Asian and African-Caribbean) women with issues including domestic abuse, forced marriage, immigration and homelessness. Tel: 0208 571 9595

**The Forced Marriage Unit** Joint initiative between the Foreign Office and Home Office. It assists actual and potential victims of forced marriage, as well as professionals. Tel 020 7008 0151 or email [fmu@fcdo.gov.uk](mailto:fmu@fcdo.gov.uk)

**National Stalking Helpline** – Suzy Lamplugh Trust Provides advice on how to deal with any type of stalking behaviour. Tel: 0808 802 0300

**ManKind Initiative** Offers information and support to men who have experienced domestic violence Tel 01823 334 244.

**Respect** Information and support for men who experience domestic violence. Advice line open Monday – Friday 9am – 5pm or email [info@respectphoneline.org.uk](mailto:info@respectphoneline.org.uk)

#### 4. Mental Wellbeing and Mental Health Support

**Samaritans** Talk to the Samaritans any time you like, in your own way, and off the record –Tel 116 123

**Switchboard UK** - National helpline for LGBTQIA+ in need of emotional support for isolation, low mood, anxiety or hate crime. Tel 0300 330 0630 everyday 10am to 10pm.

**Black Minds Matter UK** A service connecting Black individuals and families with free mental health services by professional Black therapists to support their mental health.

**Sharan**- A national service for South Asian women in the UK offering support and signposting. Call 0844 504 3231 for support or more information.

**Muslim Community Helpline** - A national service for anyone who identifies as Muslim seeking support with their mental health. Helpline open Monday- Thursday 10am to 2pm and 10am to 4pm on Fridays. Male and female operators available. Tel 020 8908 6715 or 020 8904 8193

**Standalone** provides support and advice to estranged students.

## APPENDIX B:

### Dispelling myths about sexual violence

Here are a few examples of common sexual violence myths. This list is by no means an exhaustive list of sexual violence myths, but it provides a starting point to challenging behaviours and attitudes.

**Myth:** Someone who's willingly drunk lots of alcohol or taken drugs shouldn't complain if they end up being raped or sexually assaulted.

**Fact:** In law, consent to sex is when someone agrees by choice and has the freedom and capacity to make that choice. If a person is unconscious or incapacitated by alcohol or drugs, they are unable to give their consent to sex. Having sex with a person who is incapacitated through alcohol or drugs is rape. No-one asks or deserves to be raped or sexually assaulted; 100% of the responsibility lies with the perpetrator. Everyone has the right to live their life free from the fear and experiences of sexual violence.

**Myth:** When it comes to sex, women and girls sometimes 'play hard to get' and say 'no' when they really mean 'yes'.

**Fact:** Everyone has the legal right to say 'no' to sex and to change their mind about having sex at any point of sexual contact; if the other person doesn't stop, they are committing sexual assault or rape. When it comes to sex, we must respect the wishes of our sexual partner and believe what they tell us about what they do and don't want. A golden rule of thumb is to stop and ask your partner/ other person if they want to go ahead with the act if they appear unsure or say no, and give a safe word, such as in 'role-plays' and other acts, where continuous asking might not be feasible.

**Myth:** My partner/spouse sometimes just acts 'pricey' and ask me to only sleep with them/cuddle them without having sex. They would secretly enjoy if I penetrate them/have sex with them.

**Fact:** This is a dangerous belief that many people often have, and it clearly is rape/sexual assault by penetration. If your partner consented to one form of sexual act, for example, cuddle or rubbing, and not another such as penile or object penetration, you should respect their choice. A partner before or after marriage might have any reason for not wanting sex, and if they have asked you to specifically refrain from it, still going on to have sex only amounts to rape.

**Myth:** It's not a big deal if I have unprotected sex with my partner/ a person who agreed to have sex with me even if they asked me to wear a condom.

**Fact:** Consent is specific, that is, if your partner has sex with you based on the condition of having protected sex, violating that condition amounts to sexual violence. For example, stealthing- where a partner/person removes their condom just before ejaculation despite their partner wanting them to have protected sex all along is a form of sexual violence.

**Myth:** If two people have had sex with each other before, it's always OK to have sex again.

**Fact:** If a person is in a relationship with someone or has had sex with them before, this does not mean that they cannot be sexually assaulted or raped by that person. Consent must be given and received every time two people engage in sexual contact. It is important to check in with our sexual partners and make sure that anything sexual that happens between us is what we both want, every time.

**Myth:** My faith/personal belief prohibits me from having sex before marriage. So, I don't have to worry about consent.

**Fact:** Consent is a dynamic foundation of respectful relationships, whether before or after marriage. You cannot force yourself, coerce someone else into a sexual act just because you are married to that person. Marital or spousal rape is a punishable crime in the UK and is considered a form of domestic violence.

**Myth:** Once a man is sexually aroused he cannot help himself; he has to have sex.

**Fact:** Men can control their urges to have sex just as women can; no-one needs to rape someone for sexual satisfaction. Rape is an act of violence and control, not sexual gratification. It cannot be explained away and there are no excuses.

**Myth:** People who were sexually abused as children are likely to become abusers themselves.

**Fact:** This is a dangerous myth, which is sometimes used to try and explain or excuse the behaviour of those who rape and sexually abuse children. It is offensive and unhelpful to adult survivors of childhood sexual abuse. The vast majority of those who are sexually abused as children will never perpetrate sexual violence against others. There is no excuse or explanation for sexual violence against children or adults.

**Myth:** Men of certain races and backgrounds are more likely to commit sexual violence.

**Fact:** There is no typical rapist. People who commit sexual violence come from every economic, ethnic, racial, age and social group.

**Myth:** Men don't get raped and women don't commit sexual offences.

**Fact:** The majority of sexual assaults and rapes are committed by men against women and children but women do perpetrate sexual violence. Any man or boy can be sexually assaulted, regardless of size, strength or appearance. Often people who've been sexually assaulted or abused by a woman are particularly fearful that they will not be believed or that their experiences won't be considered 'as bad' as being raped by a man. This can make it especially difficult for these survivors to access services or justice.

**Myth:** Women are most likely to be raped after dark by a stranger, so women shouldn't go out alone at night.

**Fact:** [Only around 10% of rapes are committed by 'strangers'](#). Around 90% of rapes are committed by known men, and often by someone who the survivor has previously trusted or even loved. People are



raped in their homes, their workplaces and other settings where they have previously felt safe. Rapists can be friends, colleagues, clients, neighbours, family members, partners or exes. Risk of rape shouldn't be used as an excuse to control women's movements and restrict their rights and freedom.

**Myth:** People often lie about being raped because they regret having sex with someone or out of spite or for attention.

**Fact:** Disproportionate media focus on false rape allegations perpetuates the public perception that lying about sexual violence is common when in fact the opposite is true. [False allegations of rape are very rare](#). The vast majority of survivors choose not to report to the police. One significant reason for this is the fear of not being believed. It's really important we challenge this myth so those who've experienced sexual violence can get the support and justice they need and deserve.

**Myth:** Only young, 'attractive' women and girls, who flirt and wear 'revealing' clothes, are raped or sexually assaulted.

**Fact:** People of all ages and appearances, and of all classes, cultures, abilities, genders, sexualities, races and religions, are raped. Rape is an act of violence and control; the perceived 'attractiveness' of a victim has very little to do with it. There is no excuse or mitigation for sexual violence and it is never the victim/survivor's fault. What someone was wearing when they were raped or how they behave is irrelevant.

**Myth:** Women/girls should not complain of rape when they 'throw themselves' at their professors/people in power.

**Fact:** A University is a hierarchical place of steep power-structures. Those holding positions of influence and prestige, like lecturers and professors, senior staff, laboratory leaders, club and society committee members, etc. hold undue influence over students and junior members of staff. It is the person with powers responsibility to set clear boundaries and not abuse or groom impressionable students or junior members of staff. Sexual misconduct is always about power and control rather than sexual attraction.

**Myth:** LGBT+ people experience less sexual violence than the general population.

**Fact:** LGBT+ people experience similar or higher levels of sexual violence.

**Myth:** Lesbian women/ Gay men in same sex relationships do not experience sexual violence.

**Fact:** Everyone can experience sexual violence, regardless of their gender identity or sexuality.

**Myth:** Physiological arousal/ erection/getting wet means you consented to the sexual act.

**Fact:** A physiological response often results from mere physical contact or extreme stress. This does not imply that you wanted or enjoyed the experience. Many abusers use the trope of physical arousal to groom/ manipulate their victims to believe that they somehow liked the entire abuse experience, which further discourages people to reach out. A person can have any of the Five F's (Freeze, Fight, Flight, Flop, Friend) in response to an act of sexual violence, and physiological responses do not in any

way convey anything about consenting to the act.

**Myth:** Violence in a same-sex relationship is often mutual because the partners have equal power.

**Fact:** Abusers do not rely exclusively on physical strength, or gendered expectations. Some abusers use the trope 'violence is always mutual' to silence their victims. Even outing a partner to their friends and family when their partner is not ready is a form of violence or could be used as a coercive control over them.

**Myth:** My partner demands details of my social and financial interactions only because they love me and are very possessive.

**Fact:** Coercive control is an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten someone. This is a form of domestic violence. This controlling behaviour is designed to make a person dependent by isolating them from support, exploiting them, depriving them of independence and regulating their everyday behaviour. One does not have to be married or co-habiting to suffer these. It can happen in any relationship, in or outside a university or your home. You do not have to be living with your partner to experience coercive control.

\* Credits to [Rape Crisis England and Wales](#) and [Survivors UK](#) for some of the information contained in this article.

## APPENDIX C:

### Responding to a Disclosure

#### What is a disclosure?

A disclosure involves a person sharing an incident or experience of bullying, harassment or sexual misconduct. This may be a recent incident, or it may have occurred in the past.

Every experience and disclosure will be different, and there is no one-way to respond.

You may not recognise a disclosure at first, and the affected person may not use terms such as 'bullying' 'harassment' 'assault' or 'misconduct' to describe their experience. However, it is important to listen and enable them to describe their experience in their own words.

#### Receiving a disclosure

Sharing an experience of bullying, harassment or sexual misconduct is an act of trust and it is important that you affirm the affected person is not to blame.

Consider the following when receiving a disclosure:

- Encourage them to talk without putting words in their mouth. Be prepared for pauses or long silences.
- Reassure them it is not their fault; and they are not alone;
- Focus on listening rather than asking questions. If you do ask questions ensure they are open and avoid 'why'.
- State your boundaries and clarify what kind of support (if any) you can provide going forward.
- Assure them that they have options about what to do next – this is important in establishing their agency
- Provide support options available that may assist in helping determine their next steps. Be clear regarding obligations of confidence and duty of care you may have
- Respect the affected person's decision as to next steps.

#### How should I respond?

You may not be a counsellor or trained professional, however how you respond may influence how the affected person deals with their experience. Remember that people who have experienced bullying, harassment or sexual misconduct, have had their decision-making and control taken away from them; try to enable them to regain control and make their own decision about how they want to proceed.

- Show empathy
- Condemn the unacceptable behaviour
- Ask open questions and void 'why'
- Provide options

The following lines may be helpful:

*'Thanks for sharing this experience with me...' or 'Thank you for trusting me with that information/ your experience'*

*'I can hear that this has made you feel (use their words)'*

*'I don't have any special training in helping people with experiences like yours but I can give you contact details for people who do...'*

*'Do you currently feel safe?'*

*'It is because of experiences like yours that this organisation is involved in this work...'*

### **Know your role and practice self-care**

The most important thing you can do is listen to the person and take their disclosure seriously.

If you are concerned for someone's safety then you may help them to act, without forcing them to do so. Sometimes it may be enough to acknowledge that they have shared the experience with you.

It's challenging to hear of such experiences and it is important to acknowledge how you are feeling, practice self-care and seek support. You may have feelings about the incident or opinions about what the person should do – these are important to acknowledge for your own self-care. Remember, you can still seek support following a disclosure without breaching obligations of confidence.