

# Preventing and Responding to Gender Based Violence Policy

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# Contents

1. Introduction.....	3
2. Definitions .....	3
3. Scope of Policy .....	4
4. Equality and Diversity Statement .....	4
5. Policy Expectations with Respect to Sexual Misconduct .....	4
6. Gender-Based Violence Offences.....	5
7. University Policies to Deal with Gender Based Violence .....	6
8. Interventions and Training .....	6
9. Monitoring and Review.....	6
10. Communication of Policy .....	6
11. Support Services .....	7
11.1 Report and Support .....	7
11.2 Internal and External Support Services.....	7
Appendix 1: GCU Equality Impact Assessment Form .....	8

## 1. Introduction

At Glasgow Caledonian University we believe that all members of the University community have the right to study and work without experiencing any form of gender based violence, abuse or harassment. GCU will not tolerate gender based violence in any form. This is enacted through a range of activities and statements which are outlined in this document. This policy also links with other relevant GCU policies for example [Dignity at Work and Study Policy and Code of Student Conduct](#)

We recognise that gender based violence is an issue across all of society and we are committed to ensuring that our campus is safe for everyone. The University seeks to provide a consistent, caring, and timely response when sexual and gender based violence occurs within the University community. Members of the University community, guests and visitors have the right to be free from gender based violence including sexual violence, and the University prohibits such behaviour.

Gender based violence and sexual misconduct can occur between people of different sex or gender or of the same sex or gender. The University recognises that whilst women and girls are most at risk, boys and men can also be victims. The vast majority of gender based violence is perpetrated by men; however, there are some female perpetrators. All members of the University community are expected to conduct themselves in a manner that does not infringe upon the rights of others. In line with our University values, preventing and responding to gender based violence as a community will help us to align with the Common Good and through gender based violence training programmes, will transform lives through education.

## 2. Definitions

For the purpose of this policy, we draw on the [Scottish Government's Violence Against Women](#) definition of gender based violence:

- Physical, sexual and psychological violence occurring in the family, within the general community or in institutions, including: domestic abuse, rape, incest and child sexual abuse;
- Sexual harassment and intimidation at work and in the public sphere; commercial sexual exploitation including prostitution, pornography and trafficking;
- Dowry related violence;
- Forced and child marriages;
- Honour crimes;
- Female Genital Mutilation (FGM)

These actions are mainly carried out by men against women and children. The different forms of violence have their roots in gender inequality and in the different power relations between men and women in society. They are therefore understood as gender-based violence and are interlinked.

This does not mean that women do not use violence or carry out the actions described above. Nor does it

mean that men are not the victims of these actions. It merely recognises that statistically men are commonly the perpetrators and women and children the victims.

The University recognises that marginalised groups, for example including persons with disabilities, and those in the LGBT+ community, may be at higher risk of experiencing gender based violence and may have particular needs. As a University we provide tailored support to these groups through services such as our [Disability Service](#) and through our [Trans Student Support Policy](#)

### 3. Scope of Policy

This policy was created to:

- increase the safety and emotional wellbeing of our GCU Community, encompassing campuses in Glasgow, London, and New York;
- clarify expectations of behaviour in relation to our zero tolerance approach as outlined in the Student Code of Conduct and Staff Conduct and Capability Policy;
- cultivate a campus environment that both expedites and encourages the prompt reporting of gender based violence by any member of the GCU community affected by this;
- ensure the equitable investigation and resolution of complaints;
- facilitate the recovery of a victim/survivor by providing a compassionate support service and practical support.

### 4. Equality and Diversity Statement

GCU is committed to providing a culture and environment which is inclusive of all sections of society and responsive to the needs of individuals. We do this by promoting equality, valuing diversity and ensuring that our University community adheres to our [Dignity at Work and Study Policy](#)

The University recognises that such incidents, detailed above, can occur in all relationships and situations, regardless of age, disability, economic status, ethnicity, faith, gender, gender reassignment, marital status and sexual orientation. Due to this, the University understands that anyone can be a victim of gender based violence, regardless of the above characteristics.

### 5. Policy Expectations with Respect to Sexual Misconduct

In line with the [Sexual Offences \(Scotland\) Act 2009](#) the expectations of our University regarding sexual misconduct can be summarised as follows:

- In order for individuals to engage in sexual activity of any type with each other, there must be clear, knowing and voluntary consent prior to and during sexual activity.
- Consent can be given by word or action, but non-verbal consent is not as clear as talking about what you want sexually and what you don't.

- Consent to some form of sexual activity cannot be automatically taken as consent to any other form of sexual activity. Silence, without actions demonstrating permission, cannot be assumed to show consent.
- Additionally, there is a difference between seduction and coercion. Coercion happens when someone is pressured unreasonably for sex. Coercing someone into sexual activity violates this policy in the same way as physically forcing someone into sex.
- As alcohol or other drug use can place the capacity to consent in question, sober sex is less likely to raise such questions. When alcohol or other drugs are being used, a person will be considered unable to give valid consent if they cannot fully understand the details of a sexual interaction (who, what, when, where, why, or how) because they lack the capacity to reasonably understand the situation.
- Individuals who consent to sex must be able to understand what they are doing. Under this policy, “No” always means “No,” but “Yes” **may not** always mean, “Yes.” Anything but a clear, knowing and voluntary consent to any sexual activity is equivalent to a “No” at any point during a sexual encounter.

## 6. Gender-Based Violence Offences

These can include, but are not limited to:

- Physical, sexual and psychological violence (for example physical assault, rape and sexual assault, coercive control etc.)
- Unwanted and unwelcome, sexual or gender-based verbal, written, online and/or physical conduct.
- Sexual harassment and intimidation at university, work and in the public sphere
- Threatening or causing physical harm, extreme verbal abuse, or other conduct which threatens or endangers the health or safety of any person.
- Discrimination, defined as actions that deprive other members of the community of educational or employment access, benefits or opportunities on the basis of gender.
- Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another.
- Bullying, defined as repeated and/or severe aggressive behaviour likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally.
- Violence between those in an intimate relationship (this includes romantic relationships, dating, domestic and/or relationship violence). Intimate relationship violence is a pattern of abusive behaviour in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Intimate partner violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person.
- Stalking, defined as a pattern of repeated and unwanted attention, harassment, contact, or any other course of conduct directed at a specific person that would cause a reasonable person to feel fear of his or her safety or the safety of others e.g. unwanted gifts, SMS messages, through social media.
- Dowry related violence – Dowry includes gifts, money, goods or property given from the bride’s

family to the groom or in-laws before, during or any time after the marriage. Dowry is a response to explicit or implicit demands or expectations of the groom or his family.

- Forced and child marriages -Forced marriage is when a person faces physical pressure to marry (e.g. threats, physical violence or sexual violence) or emotional and psychological pressure (e.g. made to feel like they are bringing shame on their family).
- Honour crimes involve physical, emotional, psychological, financial and sexual abuse, including murder, committed by people who want to defend the reputation of their family or community.
- FGM (Female Genital Mutilation), also known as female genital cutting and female circumcision, is the ritual removal of some or all of the external female genitalia.
- Any other University policy, rule or regulation, when a violation is motivated by the actual or perceived sex or gender identity of the victim may be pursued using this policy.

## **7. University Policies to Deal with Gender Based Violence**

Allegations of gender based violence against a student will be dealt under the [Code of Student Conduct](#) and allegations against members of staff through the [Conduct and Capability Policy](#). These policies outline the processes to be followed and the rights of the accused regarding representation and appeal. Appropriate support will also be given to the victim throughout these processes.

## **8. Interventions and Training**

The University has a number of staff First Responders who are trained to handle disclosures relating to gender-based violence. They can offer guidance in regards to what support is available and also advise on reporting to the police or steps to have forensic evidence taken. Details of how to contact a First Responder are outlined in section 11.

## **9. Monitoring and Review**

The First Responder scheme will be monitored throughout the year with refresher training and networking meetings. These sessions will enable progress and effectiveness of the initiative to be reviewed and altered accordingly. Disclosure numbers will also be recorded to monitor if the scheme is utilised.

The University also has a Gender Based Violence Action Plan which will support the operationalisation of this policy. It will be reviewed annually and will be monitored by the People Committee to ensure it is updated when required.

## **10. Communication of Policy**

This policy will be communicated to staff and students across our institutions through our student and staff web portals and webpages.

## **11. Support Services**

Anyone experiencing gender based violence at the University is encouraged to report it immediately to someone in the institution that they feel comfortable with who can support them. If the individual does not have a strong relationship with a member of staff or colleague, then they can approach the First Responder Team. Any disclosures will be treated as confidential unless permission is given by the individual concerned. Exceptions to this would be made only if the First Responder was aware that the individual was at risk of harm to themselves or others. Individuals can also contact the police for assistance should they wish to do so.

### **11.1 Report and Support**

The university has an online reporting tool called [Report and Support](#), which can be used by anyone who has experienced or witnessed any form of inappropriate or offensive behaviour on campus. Reports can be made anonymously or they can include contact details if the person making the report would like to be contacted.

The University's [Complaints Handling Procedure](#) can be used to raise a complaint regarding gender based violence. Depending on individual cases, follow-up action may then be taken through the [Code of Student Conduct](#) or the [Conduct and Capability Policy](#). Staff in the [Advice Centre](#) can also help students with this process. Staff members may contact [casework@gcu.ac.uk](mailto:casework@gcu.ac.uk).

### **11.2 Internal and External Support Services**

[GCU GBV Web Page](#)

## Appendix 1: GCU EQUALITY IMPACT ASSESSMENT FORM

DESCRIBE
1.1. Name of policy/strategy/decision
Gender Based Violence Policy
1.2. Owner
Jackie Main
1.3. Date
28/8/17
1.4. Aims of policy/strategy/decision
<p>The aim of this policy and action plan is to ensure GCU is fully supporting its staff and students.</p> <p>This policy was created to:</p> <ul style="list-style-type: none"><li>● increase the safety and emotional wellbeing of our GCU Community, encompassing campuses in Glasgow, London and New York;</li><li>● clarify expectations of behaviour in relation to our zero tolerance approach as outlined in the Student Code of Conduct and Staff Conduct and Capability Policy;</li><li>● cultivate a campus environment that both expedites and encourages the prompt reporting of gender based violence by any member of the GCU community affected by this;</li><li>● ensure the equitable investigation and resolution of complaints;</li><li>● facilitate the recovery of a victim by providing a compassionate support service and practical support.</li></ul>
1.5. Who does the policy/strategy/decision affect?
Students, staff, applicants, visitors
1.6. Could there be any potential implications for equality, or people with protected characteristics?



This policy aims to support the principles of Equality & Diversity, and ensure that students and staff are not discriminated against.

Although the policy and action plan are specifically focused on the protected characteristic of sex, they recognise the fact that anyone can be a victim of Gender Based Violence. Therefore this policy applies to all in the GCU community, regardless of personal characteristics or circumstances.

## 2. ASSESS

What are the implications, positive or negative (and evidence for this) of the policy/strategy/decision in relation to GCU's duty to have due regard to the need to:

### 2.1. Eliminate unlawful discrimination, harassment and victimisation?

There is likely to be a positive impact on this duty as it will help any member of the GCU community to feel supported should they have experienced any form of Gender Based Violence. It will also raise awareness of this issue and, in turn, educate students and staff.

### 2.2. Advance equality of opportunity between people who share a protected characteristic and people who do not share it?

There is likely to be a positive impact on the broader aspect of the duty to advance equality of opportunity generally. The policy and action plan are specifically focused on the protected characteristic of sex and as such is about advancing equality of opportunity for all sexes. Furthermore, they do not distinguish between people who do and do not share a protected characteristic as it is recognised that anyone can be a victim of Gender Based Violence.

### 2.3. Foster good relations between people who share a protected characteristic and those who do not share it?

There is likely to be a positive impact on the broader aspect of the duty to foster good relations generally because the policy and action plan are committed to raising awareness and educating students and staff, as well as sharing good practice.

## 3. ACTION

3.1. If a negative impact has been identified, how will this be addressed?

Until the Policy and action plan are implemented, it is not possible to gauge any negative impact. However, the implementation process will be monitored and data will be gathered in relation to the relevant protected characteristics that may be affected; any negative impact will inform the future review process of the Policy and guidance. Overall, there is no direct negative impact on the protected characteristics, as this applies to all students and the principles of the policy support equality and diversity. Although the policy itself is free from discrimination overall, ultimately it is the application and implementation of the policy that provides the scope for discrimination e.g. prejudices or attitudes of staff supporting their students.

3.2. If changes have been made to the policy/strategy/decision as a result of this assessment, outline the changes

N/A

#### 4. MONITOR AND REVIEW

4.1. How will the implementation of the policy/strategy/decision and its impact on equality be monitored and reviewed?

The Policy will be reviewed annually alongside all Student Wellbeing Policies.

#### 5. PUBLISH

Please email this completed form, along with the policy/strategy and any other relevant information<sup>1</sup> to [equality@gcu.ac.uk](mailto:equality@gcu.ac.uk) for publishing on the Equality and Diversity website and annual reporting in line with Equality Act 2010 requirements.

#### 6. SIGN OFF

6.1. EIA Owner

Date

6.2. Equality and Diversity Advisor

Date

Adrian Lui

29 August 2017

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<sup>1</sup> Information or evidence may be removed if it is commercially sensitive or personal information