



Sexual Misconduct Commitment

1. AUB Commitment

1.1 Arts University Bournemouth commits to:

- Providing information about what sexual misconduct is and that it is not tolerated.
- Raising awareness of, preventing and responding to any instance of, sexual misconduct.
- Supporting all students and staff to understand what consent is and when consent is given and not given.
- Offering support to anyone in our AUB community who is subject to any form of sexual misconduct, ensuring they are listened to, protected, and responded to, in a confidential, safe and supportive environment.
- Providing support to both the Reporting person and Responding person, considering their confidentiality, safety and dignity at all times.
- Investigating allegations of sexual misconduct fairly and promptly.
- Observing safeguarding policies and General Data Protection Regulations at all times to safeguard students, staff and visitors.

1.2 This Commitment applies to AUB students and staff and was created in consultation with AUB students and staff, AUB Students' Union and the AUB Staff Unions.

2. Definitions

2.1 Sexual misconduct is defined as all unwanted conduct of a sexual nature.

2.2 Examples of Sexual Misconduct include, but are not limited to:

- Sexual harassment
- Physical unwanted sexual advances
- Intimidation, or promising resources or benefits in return for sexual favours
- Distributing private and personal explicit material of an individual without their consent
- Sexual Assault
- Rape

2.3 Sexual harassment refers to behaviour of a sexual nature that is uninvited and unwelcomed (even if there has been some previous relationship). Whether or not the harassment is intended to be offensive is irrelevant, the behaviour is unwelcome if judged as such by the recipient. A single incident or persistent behaviour can amount to harassment. Sexual harassment does not necessarily occur face to face and can be in other forms, including but not limited to online, pictures, written formats or texts.

2.4 The "Reporting person" is defined as the student / member of staff who discloses or reports an allegation of sexual misconduct.

- 2.5 The “Responding person” is defined as the student / member of staff who is alleged to have committed an act of sexual misconduct.
- 2.6 “Consent” is the agreement to participate in a sexual act where all individuals have both the freedom and capacity to make that decision. Consent cannot be assumed on the basis of a previous sexual experience or previously given consent, and consent may be withdrawn at any time. Consent must be freely given and is not present when exploitation of power, coercion or force is used to impose submission of an unwilling participant. This includes harm or threats of harm. An individual must have the capacity to consent. If an individual is asleep, unconscious, semi-conscious, or in a state of intermittent consciousness, they do not have the capacity to consent. Incapacitation may also occur as the result of excessive alcohol or drug use. If there is any doubt as to your own or another’s capacity to consent, you should not engage in a sexual act.
- 2.7 For the purposes of this policy, the term “student” includes currently enrolled students at Arts University Bournemouth. The University reserves the right to take action against prospective students who have accepted an offer to study at AUB but have yet to enrol; this may include revoking an offer to study.
- 2.8 For the purposes of this policy, the term “staff” refers to those employed by Arts University Bournemouth.

3. Key principles

- 3.1 AUB seeks to create and maintain a safe and inclusive learning and working environment for all students and staff, and sexual misconduct will not be tolerated.
- 3.2 Anyone can be subjected to sexual misconduct, regardless of age, disability, gender identity, relationship status, sex, sexual orientation, or any other facet of their identity.
- 3.3 Universities have neither the standing nor the expertise to make a judgement about a criminal offence. In responding to any allegation of sexual misconduct, cases will be dealt with as a potential breach of AUB policies and any judgement made will be based on the balance of probability and the range of reasonable responses available to the University.
- 3.4 The University will support any member of the AUB community who has been subject to sexual misconduct, whether or not the Responding person is an AUB student or member of staff. AUB will investigate any allegation that sexual misconduct has been committed by any student or member of staff and will take action where appropriate.
- 3.5 AUB may take action in response to an allegation of sexual misconduct by a student or member of staff even if the Reporting person is not themselves a student or member of staff of AUB, if the alleged misconduct would impact on AUB’s ability to offer a safe and inclusive learning and working environment for all.
- 3.6 AUB will ensure that the application of disciplinary action, and any resulting sanctions imposed, are fair, proportionate, reasonable and consistently applied.
- 3.7 All parties involved in a sexual misconduct case are expected to act reasonably and fairly towards each other, and to treat the process and each other with respect and dignity. Where individuals fail to respond or engage with a misconduct investigation in a timely fashion, the University may proceed to reach conclusions in their absence.

- 3.8 The Reporting person is deemed to have a legitimate interest in any disciplinary investigation and would be informed of the action taken in response to their report. As part of the Student Disciplinary Policy, consideration may be given to sharing the judgement reached by an investigation or disciplinary panel with the Reporting person.
- 3.9 Whilst extremely rare, the possibility of malicious reporting is recognised. The University will not act on allegations of misconduct it reasonably considers to be vexatious, spurious or malicious. Students or members of staff who, after investigation, are shown to have deliberately made false or vexatious statements and/or made statements in bad faith will be subject to action under the Student or Staff Disciplinary Procedure.
- 3.10 AUB reserves the right to investigate allegations of sexual misconduct which occur: within or outside of the University; when an individual is engaged in any University or Students' Union related activity (including placements and trips); or which occur online (including, but not limited to internet, email, social media, chat rooms, text messages and instant messaging).
- 3.11 AUB is committed to upholding academic freedom and freedom of speech and does not regard those principles as being in conflict with a commitment to oppose sexual misconduct. Students or employees may be exposed to or come across academic or artistic material of a sexual nature, including material that some might find upsetting or disturbing. There may be historic materials which are still worthy of study but which reflect the values of their time and which would be regarded as questionable or unacceptable by today's standards. As an academic and civic community AUB is a place where contentious and possibly divisive issues around sex, gender and society may be discussed and debated. AUB supports and defends academic freedom and freedom of speech and the proper and respectful exercise of those rights will not be penalised.

4. Disclosing and reporting sexual misconduct

- 4.1 If you have experienced an incident of sexual misconduct, you have a choice about whether to “disclose” or “report” this to the University.
- 4.2 A “disclosure” is when you inform someone that you have experienced sexual misconduct, confidentially, for the purpose of gaining support. The only action that will normally be taken in response to a disclosure is providing support.
- 4.3 A “report” is when you inform the University (via the online Report and Support system or directly to an AUB member of staff) that you have experienced sexual misconduct and would like the University to take action against an AUB student or AUB member of staff in response to your allegation. You can report an incident anonymously, although it may not be possible for the University to carry out a fair investigation and take action in response to an anonymous report.
- 4.4 A “disclosure” becomes a “report” if you decide you want action to be taken to respond to your allegation.
- 4.5 It is your choice to report an incident of sexual misconduct to the University, to the police, or to both. Your choice will be respected and if you choose to make a police report, AUB's Senior Investigating Officer (for students) or HR Partner (for staff) can support you in this.

4.6 In exceptional circumstances, if the University has reason to believe that someone is at imminent risk of harm, or to comply with safeguarding legislation, a report to the police may be made. In such cases, you would be informed of this.

5. How to disclose and report sexual misconduct

5.1 You can disclose or report any incident of sexual misconduct:

- Online – via www.reportandsupport.aub.ac.uk. You can choose whether to disclose or report an incident anonymously, or you can submit your contact details if you wish to be contacted by AUB's Senior Investigating Officer (for students) or HR Partner (for staff) to learn about the support available to you. The Report and Support site includes support articles and links to sources of external support.
- If you do not wish to use the Report and Support method and you are a student you can disclose any incident of sexual misconduct to AUB's Wellbeing or Counselling services. If you are an AUB member of staff you can disclose any incident of sexual misconduct to your HR Partner or to AUB's Staff Counsellor. These staff have received specialist training in receiving disclosures and can offer you support or refer you to relevant services in the local community.
- For students who wish to formally report any incident of sexual misconduct you can contact the Senior Investigating Officer (complaint@aub.ac.uk) either in person or in writing. If you find it hard to put your complaint in writing the Senior Investigating Officer can support you to do this.
- Members of staff may formally report an incident of sexual misconduct to their HR Partner.

5.2 If you are a student and you choose to report an incident of sexual misconduct against another student, the Senior Investigating Officer will identify whether your allegation falls under the remit of the Student Disciplinary policy. If you are a student and you are reporting an allegation against a member of staff, this will be investigated under the Student Complaints Procedure.

5.3 If you are a member of staff and you choose to report an incident of sexual misconduct against another member of staff, the HR Partner will identify whether your allegation falls under the remit of the Staff Disciplinary Policy. If you are a member of staff and you are reporting an allegation against a student, this will be investigated under the Student Disciplinary Policy.

5.4 The Senior Investigating Officer or HR Partner will undertake a risk assessment to identify any precautionary measures which may be necessary to protect your safety and wellbeing, or the safety and wellbeing of others. The Senior Investigating Officer or HR Partner will inform you of the University policy under which any investigation will proceed and any precautionary measures required.

6. Support for the Reporting person

6.1 If you choose to disclose an incident of sexual misconduct you will be listened to, supported and made aware of the options available to you. Reporting of sexual misconduct is encouraged.

- 6.2 Your choice to report or not report an instance of sexual misconduct will be respected, and support will be offered to anyone who discloses an experience of sexual misconduct.
- 6.3 In the case of alleged sexual misconduct against another member of the AUB community, the University will offer support to both the Reporting person and the Responding person.
- 6.4 The Senior Investigating Officer or HR Partner will inform you of the support available to you. AUB's Student Services can offer confidential counselling or wellbeing support for students. AUB staff can access support via AUB's Staff Counsellor or via the AXA Employee Assistance Programme. All AUB services have qualified staff who have been trained in responding to disclosures of sexual misconduct.
- 6.5 The Senior Investigating Officer, HR Partner, and AUB's support services can signpost you to relevant external services, including specialist sexual assault services and counselling.
- 6.6 The following support is available if you have experienced sexual misconduct:
- Report & Support - www.reportandsupport.aub.ac.uk
 - STARS (Sexual Trauma and Recovery Service) and ISVA (Independent Sexual Violence Advisor) <https://www.starsdorset.org/> Tel: 01202 308855
 - The Shores - Dorset Sexual Assault Referral Centre Tel: 01202 552056, email: info@the-shores.org.uk, website: www.the-shores.org.uk
 - For students: AUB student wellbeing or counselling: Tel: 01202 363780
Email: wellbeing@aub.ac.uk
AUB Senior Investigating Officer: Email: complaint@aub.ac.uk
 - For staff: AUB staff counselling: Email: staffcounsellor@aub.ac.uk
AXA employee assistance programme: Tel: 0800 072 7072

7. Support for the Responding person

- 7.1 If a report of alleged sexual misconduct is made against you, you will be listened to, supported and made aware of how the University will respond to the allegations made.
- 7.2 The University will:
- Inform you of the allegation made against you and explain the relevant investigative policy.
 - Provide details of any risk assessment undertaken and any precautionary measures identified to protect your own safety and wellbeing and / or that of others.
 - Provide you with details of support available to you.
- 7.3 The following support is available if you are the subject of a report of alleged sexual misconduct:
- For students: AUB student wellbeing or counselling: Tel: 01202 363780
Email: wellbeing@aub.ac.uk
AUB Senior Investigating Officer: Email: complaint@aub.ac.uk.

- For staff: AUB staff counselling: Email: staffcounsellor@aub.ac.uk or contact AXA Employee Assistance Programme: Tel: 0800 072 7072
Your union representative can offer advice and support as well as your HR Partner.

8. Linked AUB policies

For students: <https://aub.ac.uk/regulations>

- Student Disciplinary Policy
- Student Code of Conduct

For staff: <https://intranet.aub.ac.uk/human-resources/Pages/policies.aspx>

- Code of Conduct
- Dignity at Work policy
- Disciplinary Procedure

9. Non Disclosure Agreements

- 9.1 Backed by the Minister for Higher and Further Education, former Equalities Select Committee Chair Maria Miller MP and campaign group #CantBuyMySilence, AUB commits to not using Non-Disclosure Agreements to silence people who come forward to raise complaints of sexual harassment, abuse or misconduct, or other forms of harassment and bullying.
- 9.2 Signing the pledge means that AUB undertakes to never use a non-disclosure agreement (NDA) in a case involving sexual harassment, discrimination, other forms of misconduct and/or bullying. It is intended to ensure that victims can speak about what has happened to them to whoever would be appropriate; and that any harmful behaviour is not hidden, thereby allowing opportunities for repeat offences and further victims.

All members of the University's community including staff, students, visitors and contractors have a responsibility to treat others fairly and respectfully regardless of the characteristics which may define their identity. These include the legally protected characteristics which are: Age, Disability, Gender reassignment, Marriage and Civil partnership, Pregnancy and maternity, Race, Religion or belief (including lack of belief), Sex and Sexual orientation. The University has committed to provide a working and learning environment founded on dignity, respect and equity where discrimination of any kind is treated with the utmost seriousness.

This Commitment has been subject to an equality impact assessment to ensure consideration with regard to the provisions of the Equality Act 2010.

To be reviewed in December 2025.