

Student Sexual Misconduct Policy

Drafted by Directorate of Student Life	June 2025
Approved by Executive Board	Interim approval: July 2025 FINAL APPROVAL PENDING
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Related policies	Student Conduct Regulations Dignity & Respect Policy (Students) Safeguarding Policy
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1. PURPOSE, SCOPE AND THE UNIVERSITY'S APPROACH

- 1.1 Royal Holloway University of London (the University) recognises its responsibility to provide a safe and healthy environment for students, staff, and visitors to the University campuses, including the Students' Union (SU), and that all members of our community have the right to live work, and socialise in an environment where they are free from harm.
- 1.2 The University and SU is committed to enabling a zero-tolerance approach towards sexual misconduct to promote this safe environment, to treat every report and incident of sexual misconduct seriously, and to ensure all members of our community are provided with training, advice and support to address issues that arise. We recognise sexual misconduct is a serious societal issue which will have a significant, and often detrimental, impact on the reporting party, their family and friends, our campus communities
- 1.3 We recognise that any person can be subject to sexual misconduct, regardless of their protected characteristics, but that there are disproportionate reports of women experiencing sexual misconduct. Nonetheless the University is committed to preventing and responding to all reports of sexual misconduct. Proven incidents of breaches of the Student Conduct Regulations may result in suspension of studies, de-registration from the University, and / or a referral to Police.
- 1.4 The purpose of this policy is to set out the expected conduct and behaviours of all members of our community, to document our zero-tolerance approach, to set out our approach to preventing, reporting and responding to issues of sexual misconduct, and to ensure the range of support options are clear and accessible.
- 1.5 This policy the University has been informed by the Office for Students' statement of expectations and regulatory requirements for preventing and addressing harassment and sexual misconduct affecting students studying in Higher Education. The policy should be read in conjunction with the (i) Student Conduct Regulations, (ii) Dignity & Respect Policy (Students), and Safeguarding Policy and with an awareness of the staff policies and processes in this area
- 1.6 The policy applies to all students studying at the University. All students are expected to abide by this policy and to ensure visitors and guests they bring onto our campuses also understand and abide by the expectations. It covers conduct in all aspects of student life including

participation in university related activities off site, such as field trips, placements, or years abroad. Incidents of sexual misconduct reported are not limited to having been taken place on university campuses or during teaching hours. Incident which are alleged to have taken place in the SU venues may be subject to the SU membership disciplinary process and / or this policy and the Student Conduct Regulations.

- 1.7** The Policy covers reports of incidents which have taken place during a student's period of study, work or visit to the University at Egham or London. In exceptional circumstances, and after an assessment of the risk of the issue, the University may investigate allegations of the conduct of a responding party that took place before they enrolled as a student. An assessment of risk and impact will be undertaken by a panel of representatives from the Legal and Governance Directorate, Student Life Directorate, and a member of the Senior Leadership team. They will consider (i) the impact on the reporting party, (ii) the details and severity of the reported offence and the time that has passed since the alleged incident, (iii) if no action may impact on the safety and wellbeing of other students or if it presents a safeguarding concern for the University, and (iv) if there is a fitness to practice or regulatory impact.

2. RESPONSIBILITIES, GOVERNANCE, AND LEGAL & REGULATORY CONTEXT

- 2.1** The University objectives for this policy, and related processes are to (i) prevent sexual misconduct from happening, (ii) respond effectively and supportively to the needs of those who have experienced sexual misconduct and (iii) ensure those who are found responsible for acts of sexual misconduct are accountable for their actions.
- 2.2** The Policy has been considered and written in the context of the following legal and regulatory requirements, and Higher Education sector guidance.
- Changing the culture (UUK Guidance) 2022
 - Condition E6: Harassment and sexual misconduct (Office for Students) 2024
 - Data Protection Act 2018
 - Equality Act 2010
 - Protection from Harassment Act 1997
 - Sexual Offences Act 2003
 - Statement of expectations for preventing and addressing harassment and sexual misconduct affecting students in higher education (Office for Students) 2021
 - UK General Data Protection Regulation (Regulation (EU) 2016/679)
- 2.3** University Council has ultimate responsibility for, and oversight of, the University's approach to preventing and tackling sexual misconduct.
- 2.4** Operational responsibility is overseen by Executive Board who will receive at least annual reports from the Directorate of Student Life on the OfS E6 regulatory requirements for students, student engagement and data on reports of misconduct.
- 2.5** The Policy will be formally reviewed every three years by the University Executive Board and any interim amendments will require approval from Executive Board or Chair's Approval.

3. CONFIDENTIALITY, DATA PROTECTION AND DATA RECORDING

- 3.1** Ensuring confidentiality and discretion is important to enabling a university culture where reporting parties feel confident and safe to disclose or make a formal report. The University

will take all reasonable steps and precautions to protect the privacy and confidentiality of parties involved in allegations or cases of sexual misconduct.

3.2 On occasion there may be individual circumstances where the University is required to share information externally to protect an individual at risk, or to ensure wider public safety. Circumstances may include where:

- Disclosure is a requirement, or in accordance with, the University' duties, regulatory requirements, or obligations under data protection requirements.
- Information is given about an adult at risk, a young person at risk, or someone who is considered vulnerable or a cause for concern under the University processes.
- There is assessed to be a potential risk of significant harm towards any individual.
- There is assessed to be a potential risk to another individual, or the public.

3.3 There may also be circumstances where the University is required to share information internally under internal processes to:

- Enable proactive contact from, and access to, relevant support services for the individual(s) involved.
- Provide anonymised data on prevalence of sexual misconduct.
- Manage conflict of interest or imbalances of power in relationships.
- Prevent or respond to other issues of misconduct or suspected criminal behaviour.
- Protect other individuals within the University community including seeking guidance or support from other University teams.

3.4 The University will keep annual data and statistical reports on disclosed and formal reports of sexual misconduct for internal and external reporting requirements, and to respond to emerging issues and areas where further work is required to support the prevention of sexual misconduct. All reports will not include information which may identify individuals or the circumstances of a case.

4. SEXUAL MISCONDUCT: DISCLOSURES AND FORMAL REPORTS

4.1 Sexual misconduct disclosures and formal reports can be made to any member of the University community and promptly shared with the relevant teams for further investigation and discussion of options. Guidance is available to all staff on responding to sexual misconduct disclosures and support will be provided following a disclosure being made. There are members of staff who have training and experience to respond to receiving disclosures and it is encouraged for disclosures to be made to them wherever possible.

4.2 When a disclosure or formal report is made, the person receiving the disclosure, should consider whether the reporting party is an immediate or imminent risk from serious harm, or in need of medical assessment and support. If there is considered a need for immediate intervention of support the Wellbeing Support team should be contacted (wellbeing@royalholloway.ac.uk during office hours) or Campus Security (01784 443888 at any time). Teams will assess the requirement for further intervention or support from external agencies which may include Police or Ambulance services, or a referral or advice from SARC or ISVA.

4.3 Any member of staff receiving a disclosure should take only minimal information to assess current safety and risk factors and immediately make a referral, with the reporting party's consent, to the University teams who manage support for those who have experienced sexual

misconduct.

- 4.4** There is no limit on time for reporting of sexual misconduct to the University by registered students. However, it is noted that for disclosures made three months or more after an alleged incident is alleged to have taken place may make it more difficult to investigate and for action to be pursued. In these cases, all reasonable attempts will be made to investigate, ascertain the facts of the case, and to provide an appropriate response to the reporting party.

- 4.5** Students may make formal reports in the following ways:

Contact details for all these services are included in Appendix 1: Support for Students.

- 4.5.1 Reporting to the Police:** Reporting parties may choose to report an incident to the Police. Reports can be made by calling them (999 in an emergency) or as an online report. Reports may then be managed by their Sexual Offences Investigation Team. Further details on how Surrey Police will respond can be [found here](#); and further details on how the Metropolitan Police will respond can be [found here](#). For reports made away from our Egham and London campuses please check with the local Police force.
- 4.5.2 RH Be Heard (named):** Reporting parties can make a report via the RH Be Heard online platform and submitting an online form. Those who submit reports to RH Be Heard will be contacted the next working day (wherever possible) by an Harassment & Wellbeing Adviser who will provide students with support, information about options and signposting to specialist services and enable students to make informed choices. In an emergency students should contact Campus Security and / or the Police and not rely on RH BE Heard which is not monitored 24/7.
- 4.5.3 Wellbeing Support:** Wellbeing Advisers are available on campus each day for in-person or online appointments, and during time for drop-in sessions each weekday. You can choose to meet with a Wellbeing Adviser, requesting an Adviser of the gender of your choice if desired, and share a report with them. You can also contact the team by email at wellbeing@rhul.ac.uk.
- 4.5.4 Egham Campus Security:** The University Campus Security team are available 24 hours a day, seven days a week at the Egham campus to respond to issues of concern and to offer support. They can be contacted on 01784 443888 or at securityrhul@rhul.ac.uk.
- 4.5.5 Students' Union Advice Centre:** The SU have an Advice Centre team who are available to all students and their support can be accessed by the SU Helpdesk or by email at advice@su.rhul.ac.uk.
- 4.5.6 RH Be Heard (anonymous):** There is an option to raise concerns about sexual misconduct anonymously through RH Be Heard but this does not allow you to leave personal details about the case. Data and information gathered through this form informs the University about future proactive, preventative work to tackle sexual misconduct. It does not enable the University to provide guidance on options or directly offer support.
- 4.5.7 Human Resources:** Students who are also employed by the University will also have the opportunity to make a report to Human Resources through the sexual misconduct processes for staff.
- 4.6** Students who make a disclosure or formal report of sexual misconduct will be provided with support through the process. We will ensure that no pressure is put on an individual to pursue on course of action over another, and that they are provided with the support needed to ensure they understand the options available to them in terms of formal reports internally and externally, conduct options, and interventions to mitigate risk.
- 4.7** Students who disclose or report sexual misconduct have the right to determine how much they share about the incident or their experience(s). The University will not ask or pressure a

person to make a formal report if they do not wish to.

- 4.8** Support will be provided to students who are responding parties to allegations and to others who may be impacted by the allegations or the disclosure or formal report.

5. SUPPORT FOR STUDENTS

- 5.1** Support options for students are summarised in appendix 1 of this policy and contain contact details for University and SU support services and specialist external support services.
- 5.2** The Wellbeing Support team will provide comprehensive support for all students and can arrange interventions to mitigate risk, provide reassurance and empower you to continue your studies. Support may include:
- Being a supportive listener.
 - Advising you on options in your case and supporting you through chosen processes.
 - Referrals to the University Counseling & Mental Health team, and the Money Advice team.
 - Supporting or making referrals to Solace SARC, Your Havens or other specialist support services.
 - Arranging meeting space for you to speak to Police or other specialists.
 - Sensitively alerting your Personal Tutor and Academic Department to the circumstances on your behalf.
 - Reviewing, with the Campus Security team, your safety or concerns on campus.
 - Put in place a non-contact agreement or make recommendations for a campus exclusion and restriction order.
 - Liaise with University Student Accommodation if changes are required to your Halls of Residence room and liaise with private sector providers.
 - Discuss exam access arrangements as appropriate – for example location adjustments.

6. STUDENT CONDUCT PROCESS

- 6.1** All incidents of alleged sexual misconduct will be different, and the University will consider each in their individual context, on a case-by-case basis. Responses to incidents will reflect, wherever possible, the circumstances of the case, and the needs and preferences of the reporting party.
- 6.2** If a disclosure is made but the reporting party does not wish to make a formal report, the University will consider whether despite this preference, the incident requires further investigation on the grounds of student safety. In making this decision staff will consider (i) the severity and nature of the incident, (ii) whether the incident can be effectively investigated without the support of the reporting party, (iii) if there are other routes for investigation, (iv) the reporting party's reasons for not wishing to make a formal report; (v) the possible impact on the reporting party of an investigation, (iv) if there are other issues of concern about the responding party.
- 6.3** If a disclosure or formal report is made where the reporting or responding party are under the age of 18, these will be considered by the Designated Safeguarding Lead and consideration given as to whether legislative Safeguarding requirements require a formal safeguarding referral and additional steps to safeguard the individual(s) involved.

- 6.4** For formal reports the processes for minor and major misconduct under the Student Conduct Regulations will be used for cases of suspected misconduct. Appendix 2 of the Student Conduct Regulations is of relevance for cases where there is, or may be, Police involvement.
- 6.5** On receipt of a formal report of suspected misconduct, the University will commence an investigation and consider whether any precautionary measures need to be put in place to ensure the safety and wellbeing of all students involved, and the wider university community. Outcomes of this risk assessment process will be regularly reviewed during the investigation and may be amended if circumstances change. Outcomes of this process may mean the temporary suspension of the responding party, a campus exclusion and restriction order, adaptations to timetabled events, or a non-contact agreement.
- 6.6** The reporting party will be asked to share all the information and evidence they have of the suspected misconduct and be aware of what will be required to be shared in a conduct hearing with the panel and responding party.
- 6.7** The responding party will be advised of the allegations made against them and any steps made in mitigation after the risk assessment, can make an initial response, and will be invited to attend an investigation meeting.
- 6.8** During the investigation witnesses will be asked to provide their evidence and, where relevant, CCTV checked and saved for any future conduct processes.
- 6.9** At the conclusion of the investigation the Student Conduct team will provide a summary of the investigation and assess whether there is evidence of a suspected breach of the Student Conduct Regulations and determine if the case should be presented as a case of minor or major misconduct.
- 6.10** The University reserves the right to refer an incident to the Police if it is adjudged that there may be a safeguarding concern and / or there is a risk of harm to self of any of the parties involved, or a wider public safety concern. Any such referral would be discussed with relevant parties with their safety and wellbeing at the centre of any decision making. There may be occasion where this discussion will be superseded by the need to take more immediate action.

7. COMPLAINTS

- 7.1** Students who are dissatisfied with how the University has managed issues relating to sexual misconduct may make a complaint to the University.
- 7.2** Student complaints are heard through the Student Complaints Process and overseen by a team independent to those involved in the conduct processes. There is an eligibility criterion for complaints and a timeframe for the submission of complaints.

FURTHER INFORMATION AND GUIDANCE

If anyone considers that this Policy has not been followed or for further information on the interpretation and application of the policy, please contact the policy owner.

APPENDIX 1: SUPPORT FOR STUDENTS

All students can access support from the following services.

UNIVERSITY AND STUDENTS' UNION SERVICES	
Wellbeing Support	wellbeing@royalholloway.ac.uk
Counselling	counselling@royalholloway.ac.uk
SU Advice Centre	advice@su.rhul.ac.uk
Campus Security (Egham)	01784 443338
EMERGENCY SERVICES	
NHS	999 (Emergency) NHS 111 / Via GP or local Hospital
Surrey Police	999 (emergency) / 101 (non-urgent) www.surrey.police.uk
Metropolitan Police	999 (emergency) / 101 (non-emergency) www.met.police.uk
SPECIALIST SERVICES (EGHAM)	
Surrey Solace SARC Sexual Assault Referral Centre	0330 223 0099 www.surreysolace.org/
RASASC for Surrey Residents Rape and Sexual Abuse Support Centre	01483 568000 admin@rasasc-guildford.org www.rasasc.org
Independent Sexual Violence Advisers (Surrey) Self-referral form	www.rasasc.org/Independent-sexual-violence-advisors
Your Sanctuary Domestic Abuse Support	01483 776822 (09:00 – 21:00) www.yoursanctuary.org.uk/
SPECIALIST SERVICES (LONDON)	
The Havens London Specialist Centres for people who have been raped or sexually assaulted	020 3299 6900 www.thehavens.org.uk/
OTHER SUPPORT SERVICES & RESOURCES	
Rape Crisis	www.rapecrisis.org.uk/
Healthy Surrey	www.healthysurrey.org.uk/domestic-abuse/help/rape-and-sexual-abuse-support
National Domestic Abuse Hotline Run by Refuge	0800 2000 247 https://www.nationaldahelpline.org.uk/
Galop	0800 999 5428

National LGBT+ Domestic Abuse Helpline	www.galop.org.uk/
Karma Nirvana Forced marriage and honour crimes / violence	0800 5 999 247 https://karmanirvana.org.uk/
Survivors UK Support for males and non-binary people	SMS Chat: 020 3322 1860 www.survivorsuk.org/

APPENDIX 2: CONTEXT, DEFINITIONS AND TERMINOLOGY USED

Adult at risk:	The University consider an adult at risk to be a person over the age of 18 who (i) has needs for care and support; (ii) is at risk of, or experiencing, abuse or neglect; (iii) as a result of those needs, is not able to protect themselves against actual, or risk of, abuse and neglect.
Affected party:	Students who are directly impacted by an incident of misconduct, whether as a witness, someone involved in the wider context, or as someone who may be impacted by the investigation or outcome are referred to as an affected party.
Cause for concern:	The University process for managing student casework where there is a concern for the mental health & wellbeing and safety of a student.
CERO:	A Campus Exclusion and Restriction Order is an internal process to manage the access of a responding party to all or some of the University services and facilities, and indirect and direct contact with other students. It is allowable under the Student Conduct Regulations and will be considered by the Student Conduct Officer, or delegate, as part of a risk assessment process. This is often used during an investigation process and does not pre-judge the outcome of an investigation.
Consent:	Based on the Sexual Offences Act 2003 the University defines consent as ' <i>a person consents if they agree by choice and have the freedom and capacity to make that choice.</i> '
Disclosure:	When a member of our community shares a report of their experience, or that of another student, in whatever format, including when that individual may not wish to take further action. A person making a disclosure should be offered all appropriate support.
Formal report:	<p>When an individual officially reports an incident, allegation or allegations that they wish to be followed up with a responding party this is defined as a formal report. Within the University these reports can be made via RH Be Heard, Campus Security, the Wellbeing Support team, or be received with the reporting parties' consent, from an external source such as Police, a SARC, or Domestic Abuse support services.</p> <p>Formal reports to Police will be investigated by them in the context of the criminal justice system. Formal reports to the University will be investigated in the context of internal policies and regulations.</p>
Harassment & Wellbeing Adviser:	A member of University staff who has experience in supporting reporting and responding parties in cases of sexual misconduct (and other forms or harassment). The H&WA's will help individuals to explore the options available to them for support, from the University or specialist external organisations, reporting options, risk mitigations, adjustments and will generally act as the named contact point for reporting and responding parties.
Incident(s):	This describes all allegations, concerns and complaints, and reported conduct relating to sexual misconduct.
Investigator:	The person authorised to investigate allegations of misconduct, following the University policies and procedures will be referred to as the investigator.
Rape:	Based on the Sexual Offences Act 2003 (s1) rape is defined as when: ' <i>A person (A) commits an offence if – (a) he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis; (b) B does not consent to the penetration, and (c) A does not reasonably believe that B consents. Whether a</i>

*belief is reasonable is to be determined having regard to all the circumstances, including any steps **A** has taken to ascertain whether **B** consents.'*

- Reporting party:** Students making a report of misconduct are referred to as the reporting party. This may or may not be the person who has experienced the sexual misconduct.
- Responding party:** Students who have had an allegation of misconduct made against them are referred to as the reporting party.
- RH Be Heard:** The online platform available for all students to make anonymous and named reports of incidents of concern.
- SARC:** Sexual Assault Referral Centres are external support services who can provide support, advice, and health care for persons who have experienced sexual assault.
- Sexual assault:** Based on the Sexual Offences Act 2003 (s3) sexual assault is defined as when *'A person (**A**) commits an offence if – (a) They intentionally touch another person (**B**), (b) The touching is sexual, (c) **B** does not consent to the touching, and (d) **A** does not reasonably believe that **B** consents. Whether a belief is reasonable is to be determined having regard to all the circumstances, including any steps **A** has taken to ascertain whether **B** consents.'*
- Sexual harassment:** Conduct that falls within either or both s26 (2) and s26 (3) of the Equality Act 2010 as Sexual Harassment. For incidents of Sexual Harassment this policy should also be read in conjunction with the Dignity & Respect Policy (Students).
- Sexual misconduct:** This is conduct, or attempted conduct, that is directed at an individual without their consent, and which is of a sexual nature. This includes, but is not limited to, conduct which is defined as rape, sexual assault and sexual harassment. Conduct can take place in person or online and may include, but is not limited to, seeking sexual favours in return for reward, upskirting, exposing sexual body parts to others without consent, posting intimate images or videos of another individual without their consent, or voyeurism.

APPENDIX 3: PRINCIPLES SPECIFIC TO THE STUDENT SEXUAL MISCONDUCT POLICY

1. The University uses the legislative legal definitions of sexual offences for the purposes of making decisions as to the relevant University processes and conduct regulations only. The University does not, and will not, make decisions on whether an alleged incident constitutes a criminal offence, and therefore investigations and outcomes are not legal processes or rulings. Where there is Police involvement in a case they will manage investigations under the criminal justice system.
2. In University processes there is a lower standard of proof than within the criminal justice system. Under the Student Conduct Regulations, the standard approved is that of the balance of probabilities, which means the conduct officer or panel will consider incidents of sexual misconduct to be proven if, on the evidence presented, it is more likely than not, that sexual misconduct took place.
3. The requirement for consent is recognised for every sexual act individually, and to every individual participant in sexual acts. For example, an individual who has consented to kissing another individual must not be considered to have consented to intercourse or intimate touching. Consent is required on each occasion of sexual activity, and previous consent should not be assumed for future acts. Consent can be withdrawn at any point in a sexual act, and if the sexual act continues this will be considered non-consensual activity and therefore sexual misconduct.
4. Sexual activity may be considered non-consensual if a person has been misinformed or deceived about what the act will involve; and freedom to make informed choices on consent require the person to be able to make decisions without coercion, force, intimidation, threats or misuse of power.
5. A person without capacity cannot give consent. An individual will be considered to have capacity of choice if they are above the age of consent, are able to understand consent and the decision to participate in sexual activity. If they are heavily intoxicated, under the influence of substances, asleep, or unconscious a person will not have the capacity to give consent and any sexual activity that follows may be considered non-consensual. If there is any doubt as to whether a person has the necessary capacity to give consent, then sexual activity should not be commenced.
6. In relation to consent, heavy intoxication may be assessed if a person is unconscious, unsteady on their feet, has slurred speech, is very emotionally unstable or volatile, has lost control of bodily functions but this is not an exhaustive list, and other signs may indicate heavy intoxication. The intoxication of a reporting party does not prevent an investigation of an incident of sexual misconduct; and the intoxication of a responding party is not considered a defence to an allegation of sexual misconduct.
7. Sexual misconduct can involve use of the internet and be subject to this policy and its processes. This can include misconduct on social media (e.g. Instagram, TikTok, Snapchat), messaging services, personal or University email and tools used for teaching and social engagement such as MS Teams and Zoom. Online offences may include sharing, without consent, sexual images of another person, personal photographs or film without consent, use of AI generated images of a sexual nature of another person, unwanted sexual material including messages, asking for money to withhold from sharing images, and targeting individuals or groups with references to sexual activity or communications of a sexual nature.