Sexual Misconduct & Violence: Disclosure Recording Form Guidance

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| **PURPOSE OF THIS FORM**  |
| In line with sector guidance and the Sexual Misconduct and Violence Policy, **the first disclosure made to staff is recorded.** The purpose of this form is to support staff to appropriately record a disclosure of sexual misconduct and violence and to capture data on incidents to inform prevention and response initiatives. This form also serves as a record of their first disclosure if the Reporting Party chooses to report the incident to the Police to achieve best evidence. Information recorded on this form may be used to provide support to the Reporting Party and will be used to provide advice and guidance to the member of staff who received the disclosure. In addition, information from this form may be used to inform decisions made in an Initial Review Meeting following a formal report to the Police and/or University. |
| **INSTRUCTIONS** |
| As a member of staff, **please complete this form when you receive a disclosure of sexual misconduct and violence as defined below from either a student or a fellow member of staff.** This should be completed by you. You do not need to know all the answers to the questions below. You are not expected to investigate further or ask individuals involved specific questions in order to fill out this form completely. The items with an asterisk should be completed (if known and applicable) at minimum. The information highlighted by astricks will be used for trend monitoring purposes to inform prevention and response initiatives only.If the Reporting Party does not want their identity known centrally, you may submit the form by completing the information highlighted by an astrick only. However, it should be noted, that if the Reporting Party chooses to report this to the Police, the names of the Reporting Party and Responding Party will not be held on this form for any period of time. You may offer the Reporting Party the option to make an anonymous report via the Report+Support Tool: [reportandsupport.durham.ac.uk](https://reportandsupport.durham.ac.uk/). This does not replace the requirement for staff to submit the disclosure form.**Please provide a copy of the completed form to the Reporting Party** so that they may retain a record of their first disclosure in the event they choose to report this to the Police at a later date beyond when the University would hold this on record. Please send the completed form to the Sexual Misconduct Prevention & Response Manager who will use this information to maintain an anonymised central record of incidents and will check risk and to ensure the relevant resources have been offered to the Reporting Party. The Responding Party’s identity will be held by the University on this form for 3 months whilst the Reporting Party is making a decision as to whether they wish to report this formally to the University or the Police. If following three months, the Reporting Party chooses not to report the incident or has not made a decision, the Responding Party’s name will be redacted from the form.Please refer to the Sexual Misconduct and Violence Policy and the Procedure for Students or Staff (as applicable) for full details of the process: [dur.ac.uk/sexualviolence/policies](https://www.dur.ac.uk/sexualviolence/policies/). **If you have any questions about this form, please contact the Sexual Misconduct Prevention & Response Manager in the Student Conduct Office in the first instance either by Teams or email at** **student.cases@durham.ac.uk****.** Beyond a disclosure, should the Reporting Party wish to make a report to the University under the Sexual Misconduct and Violence Policy, please direct them to the **Reporting Form** located here: [dur.ac.uk/sexualviolence/report](http://www.dur.ac.uk/sexualviolence/report). |
| **RELEVANT DEFINITIONS** |
| * Sexual misconduct and violence is an umbrella term used to represent a range of related behaviours which can include, but is not limited to, rape, sexual assault, sexual harassment, so called ‘revenge porn’, domestic abuse, stalking, and coercive and controlling behaviour. It does not necessarily have to occur in person, and is characterised by an absence of consent.
* **Sexual Misconduct and Violence** is defined as any unwanted conduct of a sexual nature which occurred in person or by letter, telephone, text, email or other electronic and/or social media and includes, but is not limited to, the following behaviour:
	+ Engaging, or attempting to engage in a sexual act with another individual without consent;
	+ Sexually touching another person without their consent;
	+ Conduct of a sexual nature which creates (or could create) an intimidating, hostile, degrading, humiliating, or offensive environment for others including making unwanted remarks of a sexual nature;
	+ Inappropriately showing sexual organs to another person;
	+ Repeatedly following another person without good reason;
	+ Recording and/or sharing intimate images or recordings of another person without their consent; and
	+ Arranging or participating in events which may reasonably be assumed to cause degradation and humiliation to those who have experienced sexual violence, for example inappropriately themed social events or initiations.
	+ **Domestic abuse and coercive or controlling behaviour** is defined as any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those who are, or have been, intimate partners or family members regardless of gender or sexuality. This can include, but is not limited to, psychological, physical, sexual, financial and/or emotional abuse.
	+ **Staff sexual misconduct** may include but is not limited to, misuses of power enacted staff members. Examples of this type of this can include inappropriate or unwanted behaviour such as harassment, grooming, bullying, sexual invitations, comments and non-verbal communication with sexual content or overtones, creation of inappropriate sexual atmosphere, and promised resources in exchange for sexual interaction. It is identified that this type of misconduct specifically raises issues of unequal relationships, consent, and the prevention of equal access to education, opportunities and career progression.
* **Reporting Party** is the person(s) who has been the subject of the alleged incident of Sexual Misconduct and Violence or other policy breach.
* **Responding Party** is the person(s) whose behaviour it is alleged amounted to an incident of Sexual Misconduct and Violence or other policy breach.
* **Disclosure** involves an individual choosing to tell anyone who is part of the University community about their experience of Sexual Misconduct and Violence (different from Report).
* **Report** is the sharing of information with a staff member of the University regarding an incident of Sexual Misconduct and Violence experienced by that individual for the purposes of initiating the investigation process by the University, as set out in this Policy and the accompanying procedures (different from Disclosure).
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**SEXUAL MISCONDUCT AND VIOLENCE: DISCLOSURE RECORDING FORM**

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| **Reporting Party** (the person who was the subject of sexual misconduct and violence) |
| **Name** | (do not complete if Reporting Party wishes to remain anonymous) |
| **Gender\*** |  |
| **College\*** |  |
| **Academic Department\*** |  |
| **Student / Staff Status\*** | (UG, PG, PGR, Staff) |
| **Year\*** (if applicable) |  |
| **Responding Party** (the person whose behaviour it is alleged amounted to an incident of sexual misconduct and violence or other policy breach. If there is more than one Responding Party for the same incident, please note this in the next section.) |
| **Name** | (do not complete if Reporting Party wishes to remain anonymous) |
| **Gender\*** |  |
| **Relationship to Reporting Party\*** | (e.g. friend, peer, partner, stranger, lecturer, etc.) |
| If Responding Party is known to be a member of the University, please complete the following: |
| **Affiliation with Durham University\*** | (e.g. student, staff, other) |
| **College\*** |  |
| **Academic Department\*** |  |
| **Student / Staff Status\*** | (UG, PG, PGR, Staff) |
| **Year\*** (if applicable) |  |
| **Disclosure Information** |
| **Date and Time of Disclosure\***  |  |
| **Date and Time of Incident\*** |  |
| **Location of Incident\*** | (note specific location if known; please indicate on/off University premises) |
| **Summary of Incident\*****Please provide a brief account of the information which was disclosed capturing the facts only of what happened, when, where, and by whom.** **If Reporting Party wishes to remain anonymous, please provide brief details of incident without giving identifying information, e.g. Reporting Party reported sexual assault / rape / domestic abuse, etc by fellow student / staff.****DO NOT RECORD – your own opinion or assumptions related to the disclosure** |  |
| **Please record the options discussed and what, if any, decisions were taken by the Reporting Party, e.g.** **Signposted to the Sexual Assualt Referral Centre, specialist SMV counselling by RSACC through the Counselling ad Mental Health Service, College Student Support, Employee Assistance Programme****Discussed reporting options to police and/or university** |  |
| **Individual Who Received the Disclosure and Completed this Form** |
| **Name\*** |  |
| **Title / Role\*** |  |
| **College** |  |
| **Academic Department** |  |

Please offer the Reporting Party a copy of this form. Please forward the completed form to the Sexual Misconduct Prevention & Response Manager in the Student Conduct Office ([student.cases@durham.ac.uk](file:///%5C%5Chudson%5Cxqmv63%5CMds_Desktop%5Cstudent.cases%40durham.ac.uk)).