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 SMV 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: <https://www.durham.ac.uk/colleges-and-student-experience/student-support-and-wellbeing/student-conduct/sexual-misconduct-violence/policy-procedure/> **If you have any questions about this form, please contact the SMV 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: <https://www.durham.ac.uk/colleges-and-student-experience/student-support-and-wellbeing/student-conduct/sexual-misconduct-violence/report/>  |
| **RELEVANT DEFINITIONS** |
| Sexual Misconduct and Violence is defined as any unwanted and/or non-consensual conduct which could reasonably be perceived as sexual in nature. This can be a one-off incident or a pattern of behaviour which occurred in person or by letter, telephone, text, email or other electronic and/or social media. It can be physical and/or non-physical. Under this policy, this umbrella term also includes domestic abuse, coercive and controlling behaviour, and stalking regardless of sexual abuse being present. Examples of Sexual Misconduct and Violence includes, but is not limited to, the following behaviour:* **Non-consensual sexual act:** Engaging or attempting to engage in a sexual act with another individual without consent. This may include, for example, the penetration, or attempted penetration, of someone’s vagina, anus, and/or mouth with a body part/object or making someone engage in a sex act without their consent.
* **Non-consensual sexual touching**: Sexually touching another person without their consent. This may include, for example, kissing, or touching someone above or underneath clothing.
* **Sexual harassment:** unwanted and unwelcome words, conduct, or behaviour of a sexual nature that has the purpose or effect of creating (or that could create) an intimidating, embarrassing, hostile, degrading, humiliating or offensive environment for the recipient.
* **Indecent exposure:** inappropriately showing one’s sexual organs/genitalia to another person. This can include directing this behaviour to a specific person and/or more generally with no targeted person, but where individuals are subjected to this without their consent.
* **Stalking:** unwanted, repeated, fixated, obsessive and / or controlling behaviours that are intrusive and make the recipient distressed or scared. Examples may include regularly following someone, sending unwelcome gifts, making unwanted or malicious communication, checking someone’s internet use, interfering with their property, using their friends/loved ones to gain information about them and /or send messages to them, watching or spying on someone.
* **Image-based sexual abuse:** recording and / or sharing intimate images or recordings of another person without their consent, threatening to share private sexual images without consent, and/or upskirting. This includes content that has been artificially generated and/or digitally altered.
* **Promoting Rape Culture:** Arranging or participating in events which may reasonably be assumed to cause degradation and humiliation to those impacted by sexual violence, for example social events or initiations themed to promote or under pinned by rape myths.
* **Abuse of Power:** Misuses of power enacted by academic, professional, contracted, and temporary staff in their relations with students or misuses of power between students who have unequal institutional power. Examples include inappropriate or unwanted behaviour such as harassment, grooming/boundary blurring, 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. For information on appropriate and inappropriate relationships, please see [Close Personal Relationships between Staff](https://durhamuniversity.sharepoint.com/sites/ph/SitePages/Close-Personal-Relationships-between-Staff.aspx?web=1) and [Close Personal Relationships between Staff & Students](https://durhamuniversity.sharepoint.com/sites/ph/SitePages/Close-Personal-Relationships-between-Staff-%26-Students.aspx?web=1)
* **Domestic / dating abuse and/or coercive or controlling behaviour:** any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those who are, or have been in an intimate personal relationship or are family members, regardless of gender or sexuality. This can include, but is not limited to, psychological, physical, sexual, economic, emotional, identity, and/or spiritual abuse.
* **Acts of Force:** physical force, threats, intimidation, or coercion that takes away an individual’s freedom to consent to sexual activity. Physical force may include the intentional physical impact upon another, strangulation/choking/suffocation, physical restraint and/or the use of a weapon or an object as a weapon. A threat is when there is a negative consequence if the individual said no. Intimidation is the use of power or authority to influence someone’s decision and/or physically being larger or stronger than someone where they fear physical violence if they say no. Coercion is when someone is pressured unreasonably for sex, which can include manipulation.
* **Complicity:** any act that knowingly helps, promotes, or encourages any form of Sexual Misconduct and Violence by another individual.
* **Retaliation:** may constitute any words or actions, including intimidation, threats, or coercion, made in response to disclosures or reports made under the Sexual Misconduct and Violence Policy, by any individual including both the Responding Party and the Reporting Party, as well as witnesses, friends, or relatives.
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Definitions can be reviewed in full, in theSMV Policy <https://www.durham.ac.uk/colleges-and-student-experience/student-support-and-wellbeing/student-conduct/sexual-misconduct-violence/policy-procedure/>

**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**[**Get Support - Durham University**](https://www.durham.ac.uk/colleges-and-student-experience/student-support-and-wellbeing/student-conduct/sexual-misconduct-violence/support/)**Discussed reporting options to police and/or university**[**Report an Incident - Durham University**](https://www.durham.ac.uk/colleges-and-student-experience/student-support-and-wellbeing/student-conduct/sexual-misconduct-violence/report/) |  |
| **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 SMV Prevention & Response Manager in the Student Conduct Office ([student.cases@durham.ac.uk](file://hudson/xqmv63/Mds_Desktop/student.cases%40durham.ac.uk)).