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# Sexual Violence and Misconduct policy

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**Responsible person:** Samantha Macmillan (Designated  
Safeguarding Lead)

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**Approved by:** IMB

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## 1.0 Policy statement

The Dyson Institute recognises that incidents of Sexual Violence and Misconduct (as defined in section 11.0) are prevalent throughout society and acknowledges that there has been a noticeable increase in reporting across the Higher Education sector. Sexual Harassment and Violence is often referred to as Sexual misconduct and for the purposes of this policy the term Sexual Violence and Misconduct (SVM) will be used. SVM refers to a broad spectrum of behaviours that cannot be divorced from other types of gender-based violence including, but not limited to, intimate partner violence or domestic abuse, coercive and/or controlling behaviour, and stalking. The Institute acknowledges that SVM can be experienced by any individual, regardless of their gender identity.

The Dyson Institute is committed to ensuring a safe working and learning environment free from SVM so that all members of the community can enjoy the right to study, live, work and be respected for the contribution they make. The Dyson Institute recognises that SVM can have a significant impact on the reporting individual, responding individual, their supporters, the wider community and beyond, and will seek to mitigate such impacts.

The Institute recognises that it must be proactive in creating and promoting a culture where: -

- incidents of SVM will not be tolerated
- individuals have a confidence in the sensitivity the Institute deploys
- incidents are thoroughly and quickly addressed to ensure the preservation of a safe work and study environment

The Institute will challenge SVM in all its forms.

Further support and information can be found by contacting the Safeguarding team  
[DIETsafeguarding@Dyson.com](mailto:DIETsafeguarding@Dyson.com)

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## 2.0 Scope of the Policy

This policy sets out the Institute's:

- expectations of behaviour by our whole community of students, staff, volunteers and visitors.
- approach to preventing SVM through training and awareness.
- approach to reports of SVM from anyone associated with the Institute.
- aim to take prompt and appropriate action including evoking disciplinary procedures as required.
- approach to the collection of relevant data to enable the monitoring of allegations. This information will be kept securely and confidentially and in line with Dyson's Data Protection Policy. This will include anonymised data sharing on a quarterly basis with Council.

Under this Policy all students and staff members who have experienced SVM will have equality of access to both internal (Sexual Violence Liaison Officer (SVLO) and counselling) and external (e.g. Sexual Assault Referral Centre and Rape Crisis) specialist support.

When the Responding Party is a student or staff member of the Institute or Dyson the [Dyson Disciplinary](#) policy will apply. Some incidents of SVM may also constitute a criminal offence under English law and will be referred to the Police where appropriate. Incidents of alleged SVM may therefore be addressed through criminal proceedings, internal disciplinary proceedings, or, in some cases, both criminal and internal proceedings. The Institute staff will support the reporting individual in making an informed decision on next steps.

Where an alleged incident of SVM is referred to the Police, Dyson may suspend employment during the investigation, which, in the case of a student, will also suspend continuation of studies. Alternatively, the disciplinary process may be suspended, and risk-mitigation measures put in place until the criminal justice process is completed. This will be determined by Dyson and the Institute.

Definitions of terms referred to in this policy can be found in section 11.0.

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## 3.0 Principles

The Institute holds the following set of Principles to reflect the commitment to establishing a culture of support and respect.

- We will treat all members of our community with dignity and respect.
- We recognise the significant impact of all experiences of SVM, and acknowledge the potential detriment to studies and employment, regardless of when the experience occurred.
- We strive to maintain equality and diversity within our community.
- We will actively respond to all first meetings, first disclosures and reports of SVM supporting the individuals to make informed decisions.
- All Reports considered under the accompanying procedures will be assessed on the balance of probabilities in line with the Dyson Disciplinary Policy and Grievance Policy as well as current sector guidance.
- All Institute staff will have been informed of the Policy and will be trained as appropriate to their roles. All staff involved in the process will always act with impartiality and discretion.
- We believe that no person should suffer the effects of SVM alone, and will ensure that there is dedicated specialist support, including counselling for all individuals involved.
- We will work with local partners and key groups to forge positive relationships to support all our work in this area, from prevention to enquiry and post-incident care.
- In addressing experiences and working with both internal and external experts, we will shape and respond to national and international policy and practice.
- We will regularly review relevant policies and practices.

Staff are to respond with a trauma-informed approach responding with the 5 key principles:

- Safety and Security
- Trust, Routines and Boundaries
- Collaboration and Support from Others (inc. inter-agency working)
- Empowerment, Choice and Reassurance (Understand process, anonymity, support, discipline, police, no time pressure on journey)
- Look after yourself

The Institute recognises that those that have experienced sexual violence benefit most from:

- feeling believed
- being treated with dignity
- reassured that what happened was not their fault
- being made to feel safe
- being allowed to be in control of what happens next
- making informed choices
- being able to speak to someone that is independent about what happened

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## 4.0 Behavioural Expectations

The Institute follows Dyson's [Respect at Work Policy](#) which defines behaviours that are unacceptable at Dyson and what action will be taken if a complaint of harassment or bullying is raised. The Dyson Institute and Dyson are committed to ensuring that all students and staff are treated with respect and dignity whilst studying or at work and promoting a workplace free from harassment and bullying.

Section 1.1 of this policy lists examples of behaviours which fall under the scope of SVM. This is not an exhaustive list.

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## 5.0 Training – Prevention and Awareness

Preventing SVM is not the responsibility of the Reporting person. The training and awareness sessions offered to students and staff focuses on understanding what SVM is, how to intervene, and how to respond.

Education for students focuses heavily on understanding consent, respect and healthy relationships and active bystander intervention. Education for staff focuses on building awareness around these issues, learning practical skills to respond to disclosures and how to support survivors.

The Institute will provide training and run awareness sessions that are dedicated to the prevention of acts of sexual violence within its community. Examples of these include:

- Consent workshop during induction
- Consent online workshop at intervals throughout the programme
- Impact of drugs and alcohol on capacity and informed decision making and consent
- Responding to disclosures of Sexual Violence
- At least two members of staff will be trained as SVLOs to provide a skilled response
- Safeguarding Training – full training and annual refreshers
- Gender, Sexuality and Identity training for staff and students

All staff and students are required to complete mandatory Respect at Dyson training which identifies the importance of creating an inclusive environment free of discrimination, harassment and bullying that celebrates and encourages diversity not just in our people but in how we think, an environment that celebrates difference where everyone feels they belong.

The Dyson UK Respect at Work Policy which covers all staff, including undergraduate engineers can be read [here](#). This learning provides a baseline expectation of behaviours all Dyson employees and contingent workers should exhibit.

The Institute Student Support team is responsible for the organisation of training opportunities. Nominated student support liaison staff members will work in partnership with the relevant representatives from the Undergraduate Executive Committee (UEC), they will ensure promotion and engagement with training and create awareness campaigns that maximise impact.

An annual report on the status of training listed above will be provided to Council to give assurance of what training has been provided and when it was completed.

SVLOs will be trained via an external agency to support students who have experienced sexual violence and will complete refresher training on a regular basis in order to fulfil their responsibilities.

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## 6.0 Reporting, Supporting and Investigating

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### 6.1 Reporting

Any member of the Dyson Institute community who has been subjected to or observed an act of SVM is encouraged to report the incident in whichever manner they feel appropriate to them.

The options for reporting are:

- to an SVLO
- to a member of the safeguarding team
- using the safeguarding portal on the Hub.
- to any member of Institute staff
- to a member of the Dyson Human Resources Team
- to Dyson Security (<https://dysononline.sharepoint.com/sites/GroupSecurity>)

In the event a crime of serious sexual assault has occurred, you are encouraged to contact the Police via 999 or 101 as well as reporting to a member of staff. Any report that involves an under 18 will be reported to the police directly or via the relevant local Multi-agency Safeguarding Hub (MASH).

As a member of the Dyson Institute community, Dyson's [Grievance Policy](#) is applicable to all staff members and students.

Where an incident of sexual harassment or misconduct occurs in a Dyson Institute setting, including but not limited to classes, lectures, residential accommodation or field trips, and/or the accused is a Dyson staff member (including students), the [Dyson Disciplinary Policy](#) will be followed. There is no separate Disciplinary Policy for the Dyson Institute only.

SVLOs are able to provide guidance and support so that reporting individuals can make an informed decision about what information to share with whom and how this information will be handled/investigated.

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### 6.2 Supporting

The Dyson Institute is fully committed to supporting victims of SVM. This includes but is not limited to:

- Making changes to students' timetables where appropriate.
- Granting extensions to deadlines or providing alternative assessment options where assessment is impacted, including consideration at examination boards.
- Providing regular meetings with the Student Support Advisor(s) and/or SVLOs.
- Making referrals to counselling services.
- Accompanying members of the Institute community to attend a police station or Sexual Assault Referral Centre (SARC) to make a report.

The SVLO cannot represent the student if they are also their dedicated Student Support Advisor. If the Reporting and Reported individuals are both students, the same SVLO cannot support both parties.



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### 6.3 Investigating cases where the alleged perpetrator is a member of staff or student

Reported incidents of SVM will be investigated in accordance with the [Dyson Disciplinary Policy](#).

Dyson will carry out an investigation of the facts. This may involve investigation meetings with the Reporting party, Responding party and/or any witnesses to the alleged incident. Dyson may ask that employees attend investigation meetings with little notice and employees do not have the right to be accompanied at this stage. The investigation can include reviewing any relevant documents, interviewing the employee and any witnesses, and taking witness statements.

Apart from where suspension is deemed necessary or appropriate, no further steps will be taken until the investigation has been concluded.

Dyson's investigation will determine whether there has been a breach of Dyson's policies. It is not to prove or disprove whether a criminal offence has occurred under UK legislation, this is the responsibility of a criminal justice investigation.

The SVLO and safeguarding team, supported where required by the Head of Undergraduate Experience will complete a risk assessment for all parties and the Institute, and identify further support.

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### 6.4 Suspension

Prior to or during the investigation process it may sometimes be necessary to suspend an employee. Normally this would occur where there is a potentially serious issue of alleged misconduct, or where there is a risk to people or property. Suspension is not a pre-judgement of the case or a disciplinary sanction.

Suspension will normally be made on full pay and may happen at any stage of the investigation process depending on the circumstances. During any suspension, the employee should not visit Dyson or Dyson Institute premises, access Dyson systems, or contact any Dyson or Dyson Institute staff or students, unless they have been expressly authorised in writing to do so.

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### 6.5 Disciplinary Sanctions

If it is found that an employee has breached Dyson's policies and procedures or has behaved in a way that Dyson considers to be inappropriate, then it may be considered an act of misconduct.

*Misconduct* can be but is not limited to: inappropriate or irresponsible behaviour which Dyson reasonably considers to be detrimental to its business and security.

*Gross Misconduct* can be but is not limited to: a very serious act or several related or unrelated acts of misconduct; and discrimination, harassment and bullying including those relating to sex, race, disability, religion (or belief), age, sexual orientation, gender reassignment, marital status or family status.

The sanctions for behaviours considered to be misconduct following the disciplinary investigation fall into three levels: first written warning, final written warning and dismissal. The sanction for behaviours considered to be gross misconduct will usually be dismissal without notice.

The [Dyson Disciplinary Policy](#) sets out more details about the different sanctions.

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## 7.0 Equality and Diversity

The Institute has a duty under the Equality Act 2010 to have due regard for the need to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the act.

SVM can be experienced by any individual, regardless of sex, gender, sexual orientation, relationship status, age, disability, faith, ethnicity, nationality and economic status. Women, members of the LGBTQ+ community, and individuals with disabilities are disproportionately affected by experiences of sexual violence.

Experiences of sexual misconduct and violence may intersect with other forms of harassment and discrimination. The Institute follows Dyson's [Respect at Work Policy](#) which addresses other forms of harassment, bullying and discrimination.

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## 8.0 Roles and Responsibilities

The Designated Safeguarding Lead is the Lead Sexual Violence and Misconduct Officer (LSMVO) and is responsible for the application of the procedures associated with this Policy. The Deputy Designated Safeguarding Lead is the Deputy Lead Sexual Violence and Misconduct Officer (DLSMVO).

The day-to-day management of the SVM Policy Procedure for Students will be overseen by the SVLOs in conjunction with the Safeguarding Team. Other key staff contacts are the Institute HR partners. The HR partners have key responsibilities for the application of the procedure for managing disclosures or reports involving allegations of staff sexual violence and misconduct.

The Designated Safeguarding Lead, or Deputy Designated Safeguarding Lead in their absence has responsibility for engaging with the DOFA / LADO (Designated officer for Allegations / Local Authority Designated Officer) where the allegation involves a student under the age of 18.

Where a report may amount to domestic violence or abuse the SVLO's and Safeguarding team are trained to complete a DASH (Domestic Abuse, Stalking, Harassment and Honour Based Violence Assessment) risk assessment and use this as required as part of the Multi Agency Risk Assessment Co-ordinator (MARAC) referral.

The Institute is only able to initiate an investigation and disciplinary procedures when the responding party is a member of the Dyson community.

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## 9.0 Confidentiality

Confidentiality will be maintained, where possible, throughout the disclosure, reporting and investigative processes in recognition of the sensitive nature of SVM. As such, information will usually only be shared with:

- SVLOs
- Referrals to talking therapy providers - with consent
- Witnesses
- External experts from specialist agencies like Rape Crisis, Sexual Assault Referral Centres, or the Police with the agreement of the Reporting party.

The Institute reserves the right, and may be under an obligation, to share information in exceptional circumstances, such as where disclosure is necessary to protect any individual or the wider Institute community from harm or to prevent a crime from taking place.

For example, where there remains a risk of harm to a child or vulnerable adult, and/or a serious risk of harm to the Reporting party and/or wider community. In these cases, the Institute may be bound by law to report the incident to the relevant external authority.

All individuals involved in any process under this Policy must keep information that is disclosed to them as part of the process confidential. Any unauthorised disclosure of confidential information will be considered a Policy violation and will be addressed accordingly. Throughout all proceedings, the Institute will act in compliance with the General Data Protection Regulation (GDPR) and Data Protection Act 2018.

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## 10.0 Related information

This Policy should be read in conjunction with the following Regulations, Policies and Procedures:

- [Fitness to study](#)
- [Dyson Grievance Policy](#)
- [Dyson Disciplinary Policy](#)
- [Dyson's UK Respect at Work Policy](#)
- Dyson Institute [Safeguarding & Prevent Policy](#)

Contact for further information: Safeguarding team [DIETsafeguarding@Dyson.com](mailto:DIETsafeguarding@Dyson.com)

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## 11.0 Definitions

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### 11.1 Behaviours

**Sexual Violence** is defined by the World Health Organisation (WHO) as “any sexual act, attempt to obtain a sexual act, unwanted sexual comments or advances, or acts to traffic or otherwise directed against a person’s sexuality using coercion, by any person regardless of their relationship with the victim, in any setting, including but not limited to home and work”.

**Sexual Harassment** is defined in the Equality Act, 2010 as “unwanted conduct of a sexual nature” which “has the purpose or effect of violating an individual’s dignity or intimidating, hostile, degrading, humiliating or offensive environment for that individual”.

SVM can have a traumatising and damaging effect on those who experience it. It includes, but is not limited to:

- Rape (as defined by the Sexual Offences Act 2003)
- Sexual Assault, including by penetration or groping (as defined by the Sexual Offences Act 2003)
- Unwanted sexual advances, unconsented kissing, propositions and or demands for sexual favours including catfishing, or employing deception in order to induce someone into sexual activity.
- Sexual harassment (as defined by Section 26 (2) of the Equality Act 2010). This includes but is not limited to catcalling, wolf-whistling. Leering and suggestive gestures and remarks (in person and online), making sexualised comments (including jokes), asking intrusive personal questions, upskirting and displaying or sharing sexual material without 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 – stalking in person or online.
- 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.
- Posting pornographic material in shared spaces (physical or virtual) or sending sexually explicit electronic communications.
- Sexual coercion (unwanted sexual activity which happened because of being pressured or coerced through non-physical means).

**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, sexuality, or type of abuse.

**Complicity** is any act that knowingly helps, promotes, or encourages any form of SVM by another individual.

**Retaliation** may constitute any words or actions, including intimidation, threats, or coercion, made in response to disclosures or reports made under this policy or any related policy such as Dyson’s Grievance or Respect at Work policies.

**Vexatious reporting** involves the creation of persistent, unwarranted reports made under this policy or any related policy such as Dyson’s Grievance or Respect at Work policies, or a refusal to accept any reasonable decisions arising from the application of the accompanying procedures to this Policy.

**Malicious reporting** occurs when an individual shares an allegation(s) of SVM that the individual knows to lack a basis in fact.

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## 11.2 Terminology

**Sexual Violence Liaison Officer (SVLO)** is a member of staff who has undergone specific, specialist training to enable them to support students who have experienced sexual violence

**First meeting** with an SVLO is to establish enough information as to direct immediate and future/ongoing support (therefore a full disclosure is not required) involves an individual choosing to tell anyone who is part of the Institute community about their experience of SVM not including significant or specific detail (different from Report and disclosure).

**First disclosures** are where the victim/survivor tells any third party, in detail, for the first time.

**Report** is the sharing of information with a staff member of the Institute regarding an incident of Sexual Violence and Misconduct experienced by that individual for the purposes of initiating the investigation process by the Institute, as set out in this Policy and the accompanying procedures (different from first meeting and first disclosure).

**Reporting party** is the person(s) who has been the subject of the alleged incident of Sexual Violence and Misconduct or other policy breach.

**Responding party** is the person(s) whose behaviour it is alleged amounted to an incident of Sexual Violence and Misconduct or other policy breach.

**Consent** is affirmative, conscious, voluntary and revocable. It is the agreement by choice where the individual has both the freedom and capacity to make that choice. Consent cannot be assumed on the basis of previously given consent.

**Capacity to consent:** Free consent cannot be given if the individual does not have the capacity to give consent.

**Freedom to consent:** For consent to be present, the individual has to freely engage in a sexual act. Consent cannot be inferred from a lack of verbal or physical resistance.

**Coercion** is when someone is pressured unreasonably for sex, which can include manipulation.

**Force** includes any physical or emotional harm or threat of physical or emotional harm which would reasonably place an individual in fear of immediate or future harm, with the result that the individual is compelled to engage in a sexual act.

**Alcohol and/or drug use:** Incapacitation arising from alcohol or drug consumption. Intoxication is never a defence for committing an act of Sexual Misconduct and Violence, or for failing to obtain consent.