



# Domestic Abuse/ Gender Based Violence Policy Students

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## **Summary of policy**

The Open University is committed to a zero-tolerance approach to Domestic Abuse and Gender Based Violence (GBV). This document describes how The Open University will respond to any disclosure of Domestic Abuse/GBV, covers matters of confidentiality and signposts available support.

The University recognises that Domestic Abuse/GBV is a widespread problem that can affect victims both physically and mentally. We recognise that violence, domestic abuse, and sexual violence affects everyone.

All staff will support students who make a disclosure of Domestic Abuse/GBV in a sympathetic and supportive manner.

The policy objective is to communicate what support Open University students can expect from The Open University upon disclosure of Domestic Abuse/GBV, and to state The Open University's statutory duties in this regard.

**The Open University is not in a position to provide an emergency response.**

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### **Policies superseded by this document**

This is a new policy.

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# Scope

## What this document covers

This policy and its related procedures apply to:

- a) Students at all levels of study – including from the point of registration on a course of study, module, apprenticeship or qualification, for the duration as an Open University student, including any time spent on approved study breaks or between modules and for up to three years of Alumni status.
- b) Individuals associated with Students who may be experiencing Domestic Abuse/GBV, such as family members or dependents. This includes children or vulnerable adults\*<sup>1</sup> at risk of harm within students' care.
- c) Domestic Abuse/GBV directed against a person can include, but is not limited to, harm or suffering that is committed, attempted or threatened, such as:
  - Physical, Psychological, Mental, Economic or Sexual abuse, Violence or Harassment
  - Coercive and controlling behaviours
  - Intimate image abuse/ revenge porn
  - Stalking
  - Forced marriage
  - Female Genital Mutilation (FGM)
  - (so-called) Honour-based violence.

As a distance learning provider, we are aware that Domestic Abuse/GBV disclosed to us is most likely to occur off the University's premises, for example, within the student's personal space, including their own home and online platforms. All reports of Domestic Abuse/GBV will be treated seriously regardless of where it occurs. Definitions of terms used in this policy can be found in the Glossary at the end of this document

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<sup>1</sup> Terminology in this document considers legislation of England, Wales, Scotland and Northern Ireland, and refers to 'children' as those under 18 years of age (under 16 in Scotland) and 'vulnerable' adults or groups as those also recognised as 'protected' or 'adults at risk of harm' or 'at risk of harm'

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## What this document does not cover

- Open University staff who would otherwise be covered by the Domestic Abuse and Gender-Based Violence policy for staff (For staff requiring support please see [Domestic Abuse Policy and Guidance for Staff](#)).
  - Safeguarding concerns for a child under the age of 18 or a vulnerable adult – see the [Safeguarding policy](#) or email [safeguarding-referrals@open.ac.uk](mailto:safeguarding-referrals@open.ac.uk).
  - Students who may be in prison or in a secure environment and are supported by the Students in Secure Environments team. For more information, see our supporting [Students in Secure Environments](#) website.
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## The Open University Student Charter Values

This policy aligns with the following [Open University Student Charter Values](#):

1. We treat each other with courtesy and respect, respecting the rights of individuals to hold different beliefs and view and to express them appropriately.
4. We communicate with each other in ways which are clear, relevant, accurate and timely.
7. We act ethically and transparently, providing and making use of fair and open means to deal with our concerns and grievances, learning from them.
8. We challenge bullying and harassment and are committed to supporting the mental health and wellbeing of all members of our University community.
11. We work to maintain and enhance the standards and reputation of our University recognising the contributions that all members make to its success.

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## **Introduction**

The Open University is committed to facilitating a safe and supportive educational space, and part of this is to respond to students affected by Domestic Abuse/GBV.

**Domestic Abuse** is defined by the English Government as ‘any incident or pattern of incidents of controlling coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members, regardless of gender or sexuality’. The abuse can encompass but is not limited to, psychological, physical, financial, or emotional abuse.

**Gender Based Violence** - The Open University has adopted the Scottish Government’s description of GBV which includes behaviours recognised in as being both the cause and consequence of gender inequality. GBV is largely, although not exclusively, perpetrated by men and experienced by women. It is acknowledged that, although GBV mostly affects women it can and does also affect individuals of any age, gender, sexual orientation, faith or ethnicity.

Students who seek help from The Open University will be listened to and supported as appropriate.

For emergencies: The Silent Solution system enables a 999 mobile caller who is too scared to make a noise, or speak, to press 55 when prompted – to inform police they are in a genuine emergency. The Open University have a range of resources linked to this policy. A Help page can be found by visiting our [Domestic Abuse Support Help Centre article](#).

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# Policy

## 1. Purpose

The purpose of this policy is to:

- Ensure that students experiencing abuse are not deterred from reporting abuse.
- Send out a message that Domestic Abuse/GBV is unacceptable and empower students to access appropriate support.
- Ensure that in the event of a disclosure, the OU will respond proportionately, with care and in a timely manner.
- Follow the relevant Safeguarding procedures if we believe a child/ren or a vulnerable adult is at risk due to an abusive relationship.

## 2. Policy principles

- 2.1 This Policy relates to students and all reports of Domestic Abuse/GBV as described in, but not limited to, the definition in the Glossary at the end of this policy.
- 2.2 The Open University is committed to fostering a culture which has an awareness of Domestic Abuse/GBV, how it is unacceptable, and how to take steps to intervene when it is disclosed. This includes the provision of clear and timely information for students about how to report Domestic Abuse/GBV and signposting to relevant support, in a confidential and sensitive manner.
- 2.3 Where appropriate, information to support the perpetrators of Domestic Abuse/GBV will be offered by signposting to appropriate agencies.
- 2.4 The Open University provides training and resources for staff to enable them to support, signpost and advise a student who may disclose experience of Domestic Abuse/GBV.

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2.5 The University recognises that although Domestic Abuse/ GBV is experienced mostly by women and perpetrated mainly by men, it can also apply more broadly, to actions which can result in physical, sexual and psychological harm to the recipient or the violation of their dignity including (but are not limited to):

- The abuse of males.
- Abuse in LGBT+ relationships.
- Homophobia, biphobia and transphobia.
- Abuse of Trans and non-binary people.
- Female perpetrators of abuse; and
- Abuse relating to ethnicity, which in some cases can compound vulnerability.

2.6 Students who disclose Domestic Abuse/GBV pertaining to themselves or another individual are entitled to receive information and advice on how to access support for their welfare.

2.7 It may be necessary for staff who handle disclosures from students regarding Domestic Abuse/GBV to share the information they receive for statutory safeguarding purposes, and this will be explained to the person making the disclosure, as appropriate. Please see our [Safeguarding Policy](#) and [Privacy Notice](#) for more information.

2.8 Some allegations and disclosures of Domestic Abuse/GBV may require staff to contact the police or other agencies to share the information received.

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## Procedure

### 3. Disclosing Domestic Abuse/GBV

3.1 If you are experiencing Domestic Abuse/GBV, sources of information and support at The Open University include:

- Your Student Support Team
- [Domestic Abuse Support Help Centre article](#)
- The Safeguarding Referrals Team
- Your Associate Lecturer (AL), or Tutor

3.2 All staff will treat your disclosure in a sensitive and considered way, and your information will be dealt with in the strictest of confidence as appropriate. There may be instances in which your disclosure needs to be shared with other teams, such as the Safeguarding Referrals Team, if a child under the age of 18, or a vulnerable adult harm is involved. The staff in these teams will offer information, advice and guidance to support you and your individual circumstances.

3.3 If you share your experiences of Domestic Abuse/GBV within your University assignments or in any forms of contact with The Open University (including, and not limited to; webforms, online forums, webchats, or Special Circumstances forms) this information will be passed to appropriate teams to ensure you are supported.

3.4 If you wish to share concerns about another student, you can contact your Student Support Team who will record the details of your concern and suggest relevant support or signposting.

**3.5 Outside the UK:** If you are an Open University student studying outside of the UK, and are a victim of Domestic Abuse/GBV, we advise you to discuss the impact this might have on your studies with your AL/Tutor and Student Support Team. Where possible, signposting to local organisations will be offered to students based outside of the UK.

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#### 4. As a University we will:

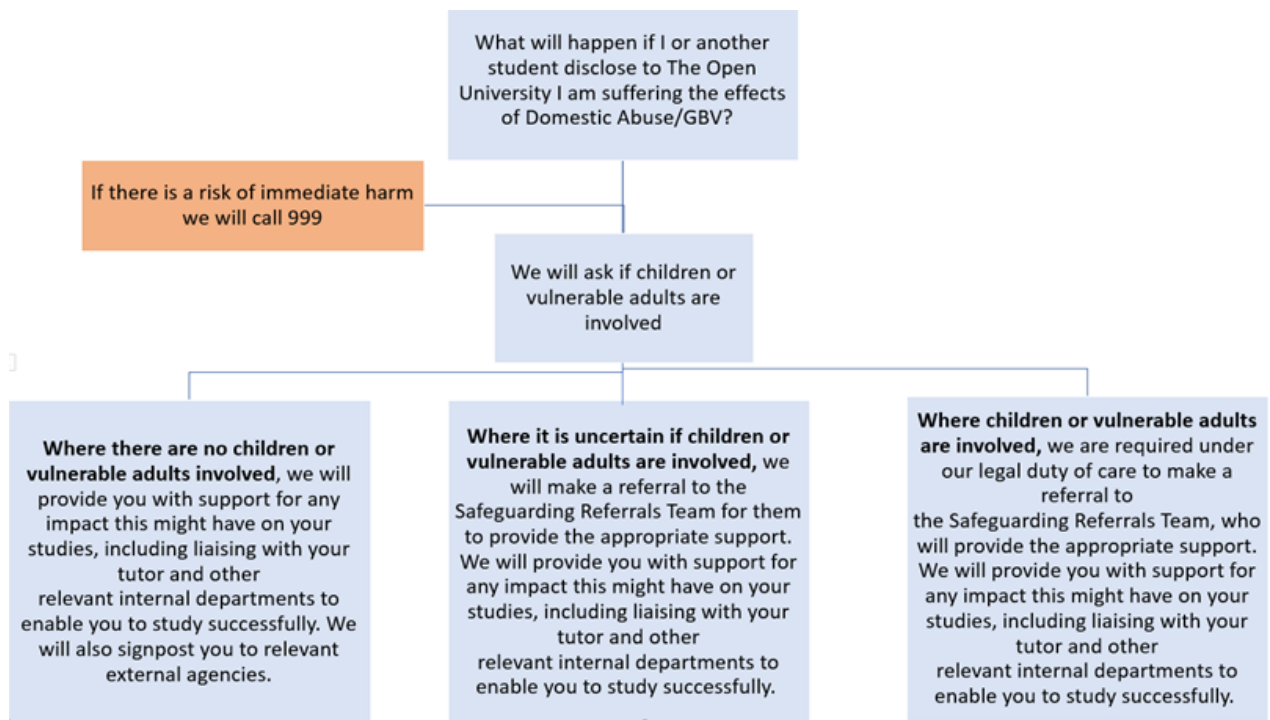
- 4.1 Respond appropriately and effectively to all reports and disclosures of Domestic Abuse/GBV without judgement and in confidence. Responding to each disclosure, on a case-by-case basis and provide relevant support.
- 4.2 Fulfil our statutory responsibility for the welfare and safeguarding of our students.
- 4.3 Support staff to recognise that they have a responsibility to uphold the zero-tolerance approach to Domestic Abuse/GBV and act appropriately to ensure support is provided.
- 4.4 Provide information to students to help inform them on what actions they can take if they experience Domestic Abuse/GBV, enable them to report it and provide appropriate support.
- 4.5 Acknowledge that disclosures of Domestic Abuse/GBV may impact on Students studies. We will support and respond as follows to these disclosures:
  - 4.5.1 What will happen if I tell The Open University I am (or another student makes us aware that you are) suffering the effects of Domestic Abuse/GBV?
    - If there is a risk of immediate harm requiring an urgent response, **we will call 999.**
    - We will ask if you have children or if there are any vulnerable adults involved.
    - **Where there are no children or vulnerable adults involved**, we will provide you with support for any impact this might have on your studies, including liaising with your tutor and other relevant internal departments to enable you to study successfully. We will also signpost you to relevant external agencies.

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- **Where it is uncertain if children or vulnerable adults are involved**, we will make a referral to the Safeguarding Referrals Team for them to provide the appropriate support. We will provide you with support for any impact this might have on your studies, including liaising with your tutor and other relevant internal departments to enable you to study successfully.
- **Where children or vulnerable adults are involved**, we are required under our legal duty of care to make a referral to the Safeguarding Referrals Team, who will provide the appropriate support. We will provide you with support for any impact this might have on your studies, including liaising with your tutor and other relevant internal departments to enable you to study successfully.



**Figure 1:** Flowchart of handling student Domestic Abuse/GBV disclosures at The Open University

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- 4.6 All data will be handled in line with the Safeguarding Privacy Notice. More information can be found at [Student Privacy Notices](#).
- 4.7 In the event of an allegation of Domestic Abuse/GBV perpetrated by a student, the allegation will be taken seriously, and relevant signposting and liaison with external services will take place, as appropriate. If Domestic Abuse/GBV is confirmed, disciplinary or [Fitness to Study](#) procedures may be followed. Allegations of this nature are usually handled by the Safeguarding Referrals Team in collaboration with Student Casework Office. Please see the [Fitness to Study Policy](#).
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## 5. Students under the age of 18, children and vulnerable adults

- 5.1 Any disclosure which links to a student who is under the age of 18, children (up to the eve of their 18th Birthday) or vulnerable adults will require a referral to be made to the safeguarding team ([safeguarding-referrals@open.ac.uk](mailto:safeguarding-referrals@open.ac.uk)).
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## 6. Advocacy support

- 6.1 There may be times when a student (who may or may not have an appointed Advocate) is unable to communicate their requirements, or support needs following a disclosure of Domestic Abuse/GBV. In these instances, we would suggest the student appoints an Advocate to communicate with the University on their behalf. Please refer to The Open University's [Advocacy Policy](#) for guidance.
- 6.2 If a concern arises around an appointed Advocate or an informal advocate, that suggests that they are not acting in a student's interest, Open University staff will take appropriate action to address this.

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## 7. Alleged perpetrators of Domestic Abuse/GBV

- 7.1 The University shall take appropriate and proportionate steps to engage with, and provide support to, students who disclose they may be the perpetrator of Domestic Abuse/GBV. This support will be provided on a case-by-case basis by the Safeguarding Referrals Team, who will assess as appropriate. Support for (alleged) perpetrators can also be found on the Help Centre in [Domestic Support Abuse](#).
- 7.2 If your allegation concerns a member of staff, please report this to the Safeguarding Referrals Team ([Safeguarding-referrals@open.ac.uk](mailto:Safeguarding-referrals@open.ac.uk)) Any allegation made towards a member of Open University staff will then be addressed by People Services.
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## Commitment to Equality, Diversity and Inclusion at The Open University

Policies are inclusive of all Open University Students, Learners, Enquirers and Alumni, regardless of age, civil status, dependency or caring status, care experience, disability, family status, gender, gender identity, gender reassignment, marital status, marriage and civil partnerships, membership of the Traveller community, political opinion, pregnancy and maternity, race, religion or belief, socio-economic background, sex, sexual orientation or trades union membership status.

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## Safe Space Reporting

The University is committed to creating a diverse and inclusive environment in which everyone feels safe and is treated with dignity and respect. Unlawful discrimination of any kind across our University will not be tolerated. Safe Space Reporting is available through [the Report + Support online tool](#) through which staff, students, learners and visitors are encouraged to report incidents of assault, bullying, harassment, hate crime, or sexual harassment. It also provides information about what you can do if these incidents happen to you, or to someone you know, and where you can find support.

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## **Glossary of terms/Definitions**

This Glossary has been informed by sources including Women's Aid, Refuge and NSPCC.

### **Vulnerable Adult**

A person aged 18 or over in England, Wales and Northern Ireland who is, or may be, in need of services by reason of mental or other disability, age or illness, and who is, or may be, unable to take care of themselves, or unable to protect themselves against significant harm, abuse or exploitation, including being drawn into terrorism.

In Scotland an 'Adult at Risk' is someone over 16, who is unable to look after their own wellbeing, OR is at risk of harm from either another person's behaviour or from their own behaviour, OR because they have a disability, mental disorder, illness or physical or mental infirmity, and are more vulnerable to being harmed than other adults.

### **Child and childhood sexual abuse**

When a child or young person is sexually abused, they're forced or groomed into sexual activities. They might not understand that what's happening is abuse or that it's wrong. There are two types of sexual abuse:

1. Contact abuse can include touching, kissing and oral sex – sexual abuse isn't just penetrative.
2. Non-contact abuse is where a child is abused without being touched by the abuser. This can be in person or online.

### **Consent**

This means giving permission for something to happen or agreeing to do something and being comfortable with that decision. Consent can be withdrawn at any time.

### **Controlling behaviour**

This is a range of acts designed to make a person subordinate and/or dependent by, for example: isolating the individual from sources of support; depriving them of the means needed for independence, resistance and escape; regulating their everyday behaviour.

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**Coercive behaviour**

This is defined as an act or pattern of acts of assault, threats, humiliation and intimidation or other abuses that is used to harm, punish or frighten a victim. This involves controlling and manipulating small aspects of everyday life that, on their own, can be difficult to see as a criminal offence. However, when considered together, they add up to a pattern of violence and abuse.

**Economical abuse**

This is wider in its definition than ‘financial abuse’, as it can also include restricting access to essential resources such as food, clothing or transport, and denying the means to improve a person’s economic status (for example, through employment, education or training).

**Emotional, mental and psychological abuse**

Often closely linked terms that can be used interchangeably. The aim of emotional abuse in relationships is to reduce confidence and esteem to make their victim increasingly reliant on them. They use tactics such as intimidation, bullying, constant criticism and keeping someone isolated from family and friends in order to exert control.

**Female genital mutilation (FGM)**

This is defined by the World Health Organisation (WHO) as the range of procedures that involve ‘the partial or complete removal of the external female genitalia or other injury to the female genital organs whether for cultural or any other non-therapeutic reason’.

**Financial abuse**

This involves a perpetrator using or misusing money which limits and controls their partner’s current and future actions and their freedom of choice. It can include using credit cards without permission, putting contractual obligations in their partner’s name, and gambling with family assets.

Financial abuse can leave individuals with no money for essentials such as food and clothing. It can leave them without access to their own bank accounts.

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## **Forced and child marriage**

Forcing a person into a marriage is a crime in England, Wales, Scotland, Northern Ireland and the Republic of Ireland. A forced marriage is one entered without the full and free consent of one or both parties and where violence, threats or any other form of coercion is used to cause a person to enter a marriage. Threats can be physical or emotional and psychological. A lack of full and free consent can be where a person does not consent or where they cannot consent (if they have learning disabilities, for example). Nevertheless, some perpetrators use perceived cultural practices to coerce a person into marriage.

## **Gaslighting**

A form of manipulation and psychological control. Victims of gaslighting are deliberately and systematically fed false information that leads them to question what they know to be true, often about themselves. They may end up doubting their memory, their perception, and even their sanity. Over time, a perpetrator’s manipulations can grow more complex and potent, making it increasingly difficult for the victim to see the truth.

## **Harassment**

Any unwanted conduct which has the purpose or effect of violating the dignity of an individual, or creating an intimidating, hostile, degrading, humiliating or offensive environment for them, related to their gender, sexual orientation or gender identity.

## **Historic abuse or Non-recent abuse**

This is when an adult was abused in any way, as a child or young person under the age of 18. This can also include abuse carried out by individuals who are the same age as the victim (peer on peer abuse).

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## **Honour based violence (HBV), or Honour based abuse (HBA)**

Or so-called HBV/HBA encompasses incidents or crimes which have been committed to protect or defend the honour of the family and/or the community. Abuse and violence may include female genital mutilation (FGM), forced marriage, restrictions on behaviour and communication and practices such as breast ironing. Abuse committed in the context of preserving “so called honour” often involves a wider network of family or community pressure and can include multiple perpetrators.

Such violence can occur when perpetrators perceive that a relative has shamed the family and/or community by breaking their honour code. Threats of such acts, coercion or deprivation of liberty, whether occurring in public or private life.

## **Intimate Image Abuse/Revenge porn**

This is the distribution of a private sexual image of someone without their consent and with the intention of causing them distress, to shame, bully or take revenge on a person.

## **Intimate partner**

This means (i) persons legally married/or in a civil partnership agreement to one another, (ii) persons formerly married/ or in a civil partnerships agreement to one another, (iii) persons who have a child in common, regardless of whether such persons are married or have lived together at any time, (iv) couples who live together or have lived together, or (v) persons who are dating or who have dated in the past. The definition of Intimate Partners includes same sex couples.

## **Online abuse**

Online domestic abuse can include behaviours such as monitoring of social media profiles or emails, abuse over social media such as Facebook or Twitter, sharing intimate photos or videos without your consent, using GPS locators or spyware.

## **Physical abuse**

The most visible form of domestic abuse. It includes such behaviour as slapping, burning, beating, kicking, biting, stabbing and can lead to permanent injuries and sometimes death. Strangulation, Non-Fatal strangulation, along with suffocation are also classed as physical abuse.

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## Sexual abuse

Includes rape, forced sexual acts and sexual degradation. Any sexual act that involves force (including emotional blackmail) is abuse - this includes pestering, name calling and threatening to get sex from 'elsewhere' in order to manipulate someone who does not want to have sex at that time into having sex. Sexually abusive relationships can include being forced to watch pornography as well as being forced into having sex with the perpetrator's friends or engaging in prostitution.

## Stalking

It is a pattern of persistent and unwanted attention that makes the victim feel pestered, scared, anxious or harassed. Some examples of stalking are: Regularly giving unwanted gifts, making unwanted communication, damaging property, repeatedly following or spying on a victim, and making threats.

Taken in isolation, some of these behaviours may seem like small acts, but together they make up a consistent pattern of behaviour that is frightening and upsetting. It's important to know that stalking is a criminal offence and the police will take it seriously.

## Under 18

A child or young person is classed as under 18 until the eve of their 18th birthday.

## Further clarification

If you have any queries around the content within this document regarding students and disclosures of Domestic Abuse/GBV, please contact the Safeguarding Referrals Team: [safeguarding-referral@open.ac.uk](mailto:safeguarding-referral@open.ac.uk).

If staff or students have any comments about this policy document, please submit these to [SPR-Policy-Team@open.ac.uk](mailto:SPR-Policy-Team@open.ac.uk).

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## Alternative format of Domestic Abuse and Gender Based Violence Policy

If you require this Domestic Abuse and Gender Based Violence Policy document in an alternative format, please contact the Student Support Team via [Contact Us](#) (Tel +44 (0)300 303 5303), or your dedicated Student Support Team via StudentHome if you are a current Open University Student.

## Related Documentation

Other documentation relevant to Domestic Abuse/GBV at The Open University include:

- [Advocacy](#)
- [Code of Practice for Student Discipline](#)
- [Complaints and Appeals Procedure](#)
- [Dignity and Respect Policy](#)
- [Fitness to Study Policy](#)
- [Safeguarding Policy](#)
- [Student Computing Policy](#)
- [Social Media Policy](#)
- [Student Privacy Notices](#)
- [Open University Students Association Relationship Agreement](#)
- [Whistleblowing Policy](#)
- [Gender Identity Policy and Guidance](#)

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## Relevant legislation and guidance

This policy is informed by safeguarding legislation and guidance from the four UK nations including:

- [Anti discrimination law 2010, Northern Ireland](#)
- [Domestic Abuse Act 2021 \(legislation.gov.uk\)](#)
- [Domestic Abuse \(Scotland\) Act 2018 \(legislation.gov.uk\)](#)
- [Domestic Abuse Bill \(niassembly.gov.uk\)](#) (Northern Ireland)
- [Equality Act 2010 \(legislation.gov.uk\)](#) (for England, Wales and Scotland)
- [Keeping Children Safe in Education 2020 \(England\)](#)
- [Violence against Women, Domestic Abuse and Sexual Violence \(Wales\) Act 2015](#)
- [Equally Safe: Scotland's strategy to eradicate violence against women - gov.scot \(www.gov.scot\)](#)

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