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Guidance for students who have experienced sexual harassment, violence or misconduct

Information on the support available and options for formal reporting.

leedsbeckett.ac.uk/zerotolerance

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Introduction

Leeds Beckett University is committed to ensuring the safety, health and wellbeing of its students, staff and visitors, we are working towards embedding a culture of zero tolerance to sexual violence, harassment and misconduct in all forms across our university.

This guidance outlines the options for disclosing and reporting an incident of sexual harassment, violence or misconduct as well as the support that is available. The University takes reports of this nature very seriously and will respond to all disclosures and reports accordingly, taking all steps available to us within the scope of University policies and regulations.

You can find all the information that you need about our campaign, the support that is available and options for reporting at leedsbeckett.ac.uk/zerotolerance

Urgent Support

If you have been raped or sexually assaulted very recently, or know someone else who has, it is important that you should try to keep yourself / them safe and somewhere warm with someone you / they trust. The following support can be accessed immediately following an incident:

- Call 999 to access emergency services such as an ambulance if you need urgent medical attention, or the Police who can investigate the incident.
- **National Rape Crisis helpline – 0808 802 9999** 12pm-2.30pm and 7pm-9.30pm everyday of the year for confidential support and information about local services
- **West Yorkshire Sexual Assault Referral Centre (SARC), The Hazelhurst Centre** – confidential service offering free support and practical help. You do not have to give any personal information in order to access their services. If you have experienced sexual violence within the last 7 days you can access forensic medical examinations, which can be preserved as evidence for any future police investigation. It is entirely your choice whether the Police are involved when accessing services from the Sexual Assault Referral Centre. If you do not wish to make a police report, or if you aren't sure, any evidence and forensics collected can be stored for if you wish to involve the Police later. You can also access other medical care and emotional support from the Sexual Assault Referral Centre regardless of when the incident occurred. They are available 24 hours a day, 7 days a week on **0330 223 0099** and are based at **665 Leeds Road, Dewsbury, WF12 7HP**. For more information visit: www.hazlehurstcentre.org. They do not offer a drop-in service, so you are advised to contact them first before you go.

You can find a list for other Sexual Assault Referral Centres here: <http://thesurvivorstrust.org/sarc/>

Support Options

Experiencing sexual harassment or violence can be very difficult to work through on your own. If you have experienced any form of sexual harassment, violence or misconduct, or know someone who has, there is practical and emotional support available within the University and externally. This support is available whether the incident happened very recently or a long time ago.

There is a dedicated support network within Student Services who can provide students with information on support services available and reporting options. Students can also access specialist support on campus via the Support for Student Survivors of Gendered Violence service. This support is available to students who have disclosed any incident of sexual violence, harassment or misconduct regardless of their choice to report the incident to the Police or University.

There are also a range of services available in Leeds and nationally, including services specifically for women, men, LGBTQ+ people and Trans people.

We have included a list of useful contacts and support that are available within the University, externally in Leeds and nationally in Appendix 1 of this document.

You can also view and print out support options here: [Support options for students leaflet](#).

All information about the support that is available can be found at leedsbeckett.ac.uk/zerotolerance on the 'Get Support' tab.

Disclosing and Reporting an incident

Disclosing and reporting an incident of sexual violence, harassment and misconduct are two different actions.

- **Disclosing** - Following an incident, you may choose to tell a trusted person such as your family or a friend or a doctor or somebody who is part of the University about the incident. A disclosure does not automatically result in a report, and you can disclose an incident to someone without this going any further. If you disclose something to a staff member in the University, they will respect your right to choose what you want to do next.
- **Reporting** is where you share information with either the Police or a member of staff in the University in a more formal way (e.g. through a formal statement) for the purpose of initiating an investigation into the incident.

There are a number of ways to **disclose** an incident to someone in the University:

- Face to face, over the phone or via email to any member of staff (e.g. your Academic Advisor / course administrator / Sports Coach / Residential Officer / a member of staff in Student Services) or member of The Students' Union.
- By completing the [Zero Tolerance online reporting form](https://leedsbeckett.ac.uk/zerotolerance) available at leedsbeckett.ac.uk/zerotolerance. You can complete the form yourself or ask someone else to complete it on your behalf. You can also use this form to make anonymous disclosures if you wish.
- By emailing a member of the Zero Tolerance Support Network at zerotolerance@leedsbeckett.ac.uk

Whichever method you use to disclose an incident, you determine what happens next. If you provide your contact details when submitting an online reporting form, a member of the Zero Tolerance Support Network will get in touch with you to arrange an appointment. At this appointment they will listen to you and your experiences and discuss with you the support available and your options for formal reporting.

If you choose to submit an online reporting form anonymously then you will not be contacted but your report will help shape our understanding and further action around the issue of sexual violence and harassment amongst our students. If you do fill out a form anonymously and then at a later point decide that you would like someone to contact you, then you can either submit another online reporting form - this time leaving your name and contact details - or email zerotolerance@leedsbeckett.ac.uk.

You can find out more about the Zero Tolerance Support Network in the [Zero Tolerance Support Network Agreement](#).

It's OK if you are unsure about what you want to do next. We hope following information will help you to decide what is best for you, but remember that we would be happy to listen to your questions and/or discuss hypothetical situations in an appointment or via email (zerotolerance@leedsbeckett.ac.uk) and we hope that the following information will help you decide what is best for you.

Reporting Options

If you have experienced any form of sexual harassment or violence, it is entirely your choice whether you report the incident or not. The following options are available for formally reporting an incident of sexual violence, harassment or misconduct.

Reporting to the Police

Sexual Violence and Harassment are criminal offences which should be reported to the Police to be fully investigated. There is support available within the University for you with this process. The University's Police Liaison Officer, PC Mark Fox can be contacted for advice and

support in making a Police report or you can contact 101 directly to report an incident. You can also go into any police station to make a report in person. To find your nearest police station please visit:

www.met.police.uk/contact/af/contact-us/find-a-police-station/

Once you have made your report you will be invited in to meet with a specially trained officer who will have had appropriate training to handle investigations of this nature. The specially trained officer will conduct a video recorded interview with you, at which you will give details of the incident and the reported party, if known. The Police will then launch a criminal investigation into the incident, taking into consideration any evidence (including any forensics that may have been taken if you attended the Sexual Assault Referral Centre) and witness statements, if any.

If you are unsure about whether you want to report the incident to the police, you can still access the services of the Sexual Assault Referral Centre, including emotional support and forensic examinations. Evidence collected from the forensic examination can be preserved and used at a later point if you do decide to make a police report.

Outcomes of Police Investigations

Where a student has been convicted of a criminal offence in relation to sexual harassment or violence, this will be considered as evidence that the behaviour took place and no further university investigations will be necessary i.e. you will not be interviewed as part of a university investigation. The case will be referred to Governance and Legal Services and considered by a panel in accordance with the Student Code of Discipline. If a decision has been taken by the Police or Crown Prosecution Service that no further action will be taken regarding a case, the University may still decide to take action under its own procedures.

The University will always seek guidance from the Police before taking action where students are involved in police investigations.

Reporting to the University

If you choose not to report to the police and the alleged incident involved another Leeds Beckett student or a member of staff you can report this to the University for the incident to be investigated internally. You can formally report an incident to the university to be investigated by either:

- Completing the 'form for submitting a formal complaint' as part of the Student Complaints Procedure. The Student Casework Team within Governance and Legal Services manage and co-ordinate responses to these forms and will contact you once you have submitted this. More information on the Student Complaints Procedure and the form to submit a complaint can be found via www.leedsbeckett.ac.uk/complaints

- Asking the Zero Tolerance Support Network to refer your Zero Tolerance reporting form and a brief statement outlining the incident to the Student Casework Team within Governance and Legal Services. The Student Casework Team will then contact you to provide information on how the allegation will be taken forward.

For details on how the University investigates allegations against students or staff members, please see Appendix 2 (p 11-12).

A University investigation will not normally take place at the same time as a criminal investigation because of the risk of influencing the criminal case. It is also important to note that a University investigation is not an alternative to a Police investigation. The University does not have the legal investigatory powers to determine criminal guilt. A University investigation can only determine whether there has been a breach of the Student Code of Discipline or the Staff Disciplinary Rules.

If you or the person you are reporting are active members of the Students' Union (e.g. course reps / society members) and you want this information shared with the SU, please let The Zero Tolerance Support Network know and they will share your name and the reported student's name with the SU so they can take any appropriate action.

We strongly advise you to contact the Students' Union Advice Service during the investigation process. A representative can attend meetings with you and offer support and advice.

The reported party will also be advised to seek advice and representation throughout the process.

The Students' Union Advice Service will offer advice and support to the first person to contact the service and due to a Conflict of Interest will arrange support from an alternative service for the second person to contact, to ensure both have access to support throughout the procedure.

Outcomes of University Processes

You (the reporting party) will be notified of the outcome of the complaint that you made, i.e. whether it is upheld or not upheld. You will not be informed of any specific outcomes that may have been applied to the reported party, unless they apply directly to you. Both the student and staff disciplinary procedures are confidential and all parties have a right to expect that information about them will remain private.

Precautionary Measures

Housing

If you and the person you have made the allegation against are living in the same flat or halls of residence, the Accommodation and Residences Team will help you as much as possible to ensure you have safe and comfortable living arrangements and it may be possible for them to make alternative accommodation arrangements for you. Students who live in University halls of residence can contact The Residences Team 24 hours a day via the Security Team at your halls of residence to report a concern or for welfare support. Students living in accommodation with University providers such as [Unite Students](#) or [Unipol](#) should contact them to report an immediate concern or require welfare support.

The Students Union Advice Team can also provide a range of advice and guidance on any issues with your accommodation and are contactable on 0113 812 8400 or suadvice@leedsbeckett.ac.uk.

Academic

Cases whereby both the *reporting party* and the *reported party* are both on the same course will be dealt with on a case by case basis. In these circumstances Student Services and / or Governance and Legal Services will consult with the course leader to discuss options.

The Students Union Advice Team can also provide a range of advice and guidance on any issues with your academic concerns and are contactable on 0113 812 8400 or suadvice@leedsbeckett.ac.uk.

Supporting You

Whether you have decided to take your report further or not, the University's priority is to ensure that students who have been affected by sexual violence, harassment or abuse receive appropriate support. You can find a full range of internal and external support services that are available locally and nationally in Appendix 1 (p 9-10).

You can also find this information online via leedsbeckett.ac.uk/zerotolerance on the 'Get Support' tab.

Appendix 1 – Support Options and Useful Contacts

Support in the University

Zero Tolerance Support Network - A network of trained individuals providing confidential first-line support following any incident of sexual harassment or violence. You can contact the support network by emailing zerotolerance@leedsbeckett.ac.uk or by completing the [Zero Tolerance online reporting form](#) available at leedsbeckett.ac.uk/zerotolerance

Student Survivors of Gendered Violence - A safe, welcoming and non-judgmental space, providing one-to-one emotional support on campus to students of all gender identities who have experienced any form of sexual violence, harassment or abuse. To book an appointment, or if you have any questions about the service, email sssgv@leedsbeckett.ac.uk

The Student Wellbeing Team - A confidential service providing information, practical and therapeutic support for you to work through in a safe space what you want to do about what you have experienced. This includes providing emotional support if you decide to report to the Police or University. The service provides counselling and mental health support. Contact the team on **0113 812 8507** or studentwellbeing@leedsbeckett.ac.uk

Students' Union Advice Service can provide you with practical advice and support you if you want to make a complaint about another student or staff member. They are also able to signpost you to specialist one-to-one and group support. You can contact them Mon-Fri 9am-5pm on **0113 812 8400** or suadvice@leedsbeckett.ac.uk

Student Casework Team – if you require advice about the operation of the Student Complaints Procedure, please contact the Complaints Manager, Leeds Beckett University, Governance & Legal Affairs, by emailing casework@leedsbeckett.ac.uk

Accommodation and Residential Services - The Residential Officer team work on site at University halls of residence offering welfare and pastoral support. Contact the team via the site office, or get in touch with the accommodation office on **0113 812 5972** or accommodation@leedsbeckett.ac.uk

Security – Trained security staff are on campus, and at many halls of residence, 24 hours a day to ensure your welfare and safety. They can help you with emergency assistance, reporting a crime and can offer first aid. Security are available via the following contact numbers:

24 emergency number - 0113 812 3165

Headingley Campus - 0113 812 3165 (24 hours)

City campus - 0113 812 3154

Carnegie Village - 07525 906680 (24 hour security mobile)

Kirkstall Brewery - 07968 183 301 (24 hour security mobile)

Marsden House - 07704 751 038 (24 hour security mobile)

Arena Village - 07921 897 498 (24 hour security mobile)

Sugarwell Court - 07980 294 826 (24 hour security mobile)
Woodhouse Flats - 07980 294 826 (24 hour security mobile)

Police Liaison Officer - Our University has a liaison Police Officer, Mark Fox, who works to promote student safety and can explain the options available to you. Mark can be contacted via mark.fox@leedsbeckett.ac.uk or on **07872358458**. Security services can also put you in touch with PC Mark Fox.

Support in Leeds and Nationally

Rape Crisis National Helpline – **0808 802 9999** providing support and information about local Rape Crisis services. Open 12-2.30pm and 7-9.30pm every day of the year.

West Yorkshire Sexual Assault Referral Centre - A free 24-7 service available to everyone, including access to forensic medical examination to gather and preserve evidence, healthcare (including testing for any sexually transmitted infections and pregnancy testing) and ISVAs (Independent Sexual Violence Advocates), with no obligation to report to the incident to the police. You can call them on **0330 223 0099** or email them at hazelhurstcentre.sarc@nhs.net

You can also search for your nearest SARC here: <https://rapecrisis.org.uk/get-help/looking-for-information/sexual-assault-referral-centres-sarcs/what-is-a-sarc/>

Support After Rape & Sexual Violence Leeds (SARSVL) - Women's safe space for emotional support and advocacy. Appointments available in the city centre on Monday and Wednesday evenings, and Sundays from 2pm. You can call them free on **0808 802 3344**, text them on **07860022880** or email them at support@sarsvl.org.uk

Safeline – Independent and non-discriminatory charity that provides specialist, tailored support for anyone affected by sexual abuse or rape. They offer counselling and therapy, support groups and Independent Sexual Violence Advisor services. Their services are available to everyone. Visit their website to self-refer for support or email them on office@safeline.org.uk. They can also be contacted over the phone on:

- Male survivor helpline: 0808 800 5005
- General helpline: 0800 800 5008
- Text helpline and online advisors: 07860 027573

West Yorkshire Survivors – Specialist sexual violence and abuse support service providing emotional, psychological and Self-Help for men. Contactable via phone or text on **07393140250** or via email at ops@survivorwestyorkshire.org.uk

SurvivorsUK Helpline Web Chat for male survivors – Text: 020 3322 1860 WhatsApp: 07491 816064

Victim Support – Their sexual violence services provide ISVAs (Independent Sexual Violence Advocates) who can help you decide on what action you want to take and the support that

you want to access. They can support you through the criminal justice process, if you choose to report to the Police. You can contact them on **0808 1689 111**.

Galop - Galop provides confidential and independent advice and support for lesbian, gay, bisexual and trans people who have experienced sexual assault, abuse or violence, however or whenever it happened. You can contact them on **0800 999 5428** or report something to them online via <http://www.galop.org.uk/report/>

Trans Survivors Switchboard – confidential and anonymous helpline which provides support and information to trans and/or non-binary people or those questioning on a range of issues including sexual violence. Their helpline is available 3-5pm on Sundays: **01273 204050** or you can chat to them online via their website.

Leeds Domestic Violence Service – 24 hour helpline for anyone in Leeds who has experienced any form of domestic abuse, including sexual abuse. You can contact them on **0113 246 0401**

Leeds Women's Aid (in partnership with Leeds Domestic Violence Service) – 24-hour helpline as well as drop in support at health settings across the city and refuge accommodation for any women who have experienced any form of abuse. You can contact them on **0113 246 0401**

Appendix 2 – Investigation Processes

Investigating allegations of sexual misconduct against another student

Allegations of sexual misconduct against another student will be dealt with under the Student Code of Discipline, whether they're reported through the [Student Complaints Procedure](#) or the [Zero Tolerance reporting form](#).

The Student Casework Team in Governance & Legal Services coordinates the disciplinary process and will explain to you how your case will proceed.

The Student Casework Team will appoint an Investigating Officer, who will seek to establish the facts of the case. The Investigating Officer is a senior member of staff who has had appropriate training and who has not had any prior involvement in the case. Normally, they will not be known to either the *reporting* or the *reported* party to ensure an objective investigation process. The Reported Party will receive a written notification that an allegation has been made against them and invited to attend a meeting with the Lead Investigating Officer. The Reported Party will be given details of the procedure and advice about the support available.

The Investigating Officer will seek to establish the facts of the case by undertaking individual meetings with the *reporting party*, the *reported party* and any other relevant people (e.g. witnesses). Notes will be taken of these interviews and those involved in the process will be given the opportunity to review any notes made to agree accuracy.

The Investigating Officer will present their findings of the investigation to a disciplinary panel who will then determine the outcome of the case based on the *balance of probabilities*. If the allegations are upheld, a range of outcomes are available to the panel under the [Student Code of Discipline](#).

The Investigating Officer will ensure that the investigation is carried out sensitively and tactfully, maintaining appropriate levels of confidentiality. The Investigating Officer will also ensure that they create a safe, comfortable and supportive environment for all parties involved in the investigation process. All individuals involved in the investigation will be expected to maintain confidentiality throughout the process and the reporting and the reported party will be advised not to contact each other unless told otherwise by the Investigating Officer.

Investigating allegations of sexual assault or sexual harassment against a member of staff

The [Student Complaints process](#) also applies if you experience inappropriate behaviour from a member of staff at the University. On receipt of a student complaint alleging sexual

misconduct by a member of staff, Governance and Legal Services will refer the matter immediately to Human Resources, who will investigate the complaint under the University's Disciplinary Rules.

You will be contacted by the Student Casework Team and invited to an initial meeting to discuss the process. A senior member of staff will be appointed as the Investigating Officer, who will carry out an investigation into the incident you have reported. The Investigating Officer will be someone who is impartial and has had appropriate training, to ensure that an unbiased investigation process is carried out.

The Investigating Officer will gather information to establish the facts of the case and to determine whether the case should be considered at a formal disciplinary hearing. Individual meetings with the *reporting party*, the *reported party* and any other relevant people (e.g. witnesses) will be undertaken. Notes will be taken at these meetings and shared with those who have attended, with an opportunity to comment on them. A representative from Human Resources will attend these meetings.

Appendix 3 - Definitions and Terminology

Types of Behaviour

Sexual violence is any behaviour of a sexual nature, that is unwanted and takes place without consent or understanding. It is an umbrella term used to refer to and include the different sexual offences including, but not limited to: rape, sexual assault, child sexual abuse, sexual harassment, coercion, gaslighting, rape and assault within marriage/relationships, female genital mutilation, trafficking and sexual exploitation, forced marriage and so called honour based violence and abuse, which can also be forms of domestic abuse. Sexual violence can be psychological and/or physical.

Sexual harassment is unwanted and unwelcomed words, conduct or behaviour of a sexual nature that has the purpose of creating an intimidating, embarrassing, hostile, degrading, humiliating or offensive environment for the recipient. It is a misuse of personal or institutional power and often based on a person's gender, although it is rarely about sexual desire.

For the purpose of this policy, whether the harasser intended to be offensive or not is irrelevant and it is up to the recipient to decide the limit of acceptable behaviour as described by this policy. Sexual harassment can range from being obviously offensive to anyone, to subtler behaviour that is less obvious to any parties involved.

Sexual harassment can include but is not limited to catcalling, following, making unnecessary and unwanted physical contact, sexual jokes and comments, giving unwelcome personal gifts, wolf-whistling, leering, derogatory comments, unwelcome comments about a person's body or clothing, asking unwelcome questions about a person's sex life and/or sexuality, engaging in unwelcome sexual propositions, invitations and flirtation, making somebody feel uncomfortable through displaying or sharing sexual material. Sexual harassment can occur in person, via email, visual images, social media, text messages, telephone and image-based sexual abuse such as revenge porn and 'upskirting'.

Sexual Misconduct is behaviour of a sexual nature that is unacceptable, and which stands outside of the desired codes of behaviour within this institution. Within the University, sexual misconduct may occur between students, between students and staff members or between colleagues. Sexual misconduct can include harassment, assault, grooming, bullying, sexual invitations, comments and non-verbal communication with sexual content or overtones, creation of uncomfortable atmospheres and promised resources in exchange for sexual access. Sexual misconduct may involve a dynamic of power imbalance and can raise issues of unequal relationships, consent, the prevention of equal access to education, opportunities and career progression. Staff and students are advised not to engage in intimate relationships.

Rape is a criminal offence, which involves the penetration of the vagina, anus or mouth, by a penis, without consent. Anyone can be raped, but rape can only be committed by someone with a penis.

Sexual assault by penetration is also an offence and can be committed by anyone; it involves the penetration of the vagina or anus by a body part (such as fingers or tongue) or anything else (such as a bottle or sex toy) without consent.

Sexual assault is also a criminal offence, which can be committed by anyone and requires touching without consent where the touching is sexual.

Terminology

Reporting Party is, for the purposes of this Policy and the accompanying procedure, the person(s) who has disclosed or reported an incident of sexual violence, harassment or misconduct.

Reported Party is, for the purposes of this Policy and the accompanying procedure, the person(s) who is allegedly responsible for the incident of sexual violence, harassment or misconduct disclosed or reported by the Reporting Party.

Balance of Probabilities: Balance of probabilities is the standard of proof that is used in disciplinary cases. It's about determining, on the basis of the evidence, whether an allegation is more likely to have happened than not. It differs from the criminal law standard of beyond reasonable doubt as there's none of the forensic analysis that you'd have in a criminal case.

Consent means actively agreeing to participate in a sexual activity where the individual has both the **freedom** and **capacity** to make that decision. Sexual activity without consent is rape or sexual assault. Consent cannot be assumed on the basis of previous sexual activity with someone or previously given consent, or from the absence of verbal or physical resistance. Consent should be established each time a new sexual activity takes place. In order to fully establish consent in a sexual relationship it must be:

- Freely given – consent is a choice and for consent to be present, the individual has to freely engage in the sexual act. Consent is not present when submission by an unwilling participant results from the exploitation of power, or coercion or force.
- Reversible – anyone can change their mind at any point of the sexual activity.
- Informed – you can only fully consent to something if you know exactly what it is you are consenting to.
- Enthusiastic – sex should be enjoyable for all involved in the activity.
- Specific – consenting to one thing is not an assumption that someone has consented to more.

Coercion or 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.

Capacity to consent: Free consent cannot be given if the individual does not have the capacity to give consent. Incapacitation may occur when an individual is asleep, unconscious, semi-

conscious, or in a state of intermittent consciousness, or any other state of unawareness that a sexual act may be occurring. Incapacitation may also occur on account of a mental or developmental disability, or as the result of alcohol or drug use.

Alcohol and/or Drug Use: The law states that someone must have the freedom and capacity to make the choice to consent, which means that they can't be unconscious/passed out, asleep or incapacitated through drugs/alcohol. Incapacitation arising from alcohol or drug consumption should be evaluated on the basis of how the alcohol/drugs have affected the individual; signs of incapacitation may include, but are not limited to, one or more of the following: slurred speech, unsteady gait, bloodshot eyes, dilated pupils, unusual behaviour, blacking out, a lack of full control over physical movements, a lack of awareness of circumstances or surroundings, and/or an inability to communicate effectively. Intoxication is never a defence for committing an act of sexual violence and misconduct, or for failing to obtain consent. If there is any doubt as to the level or extent of one's own or the other individual's incapacitation, the safest approach is to not engage in a sexual act.

Vexatious reporting involves the creation of persistent, unwarranted reports of sexual violence and misconduct, or a refusal to accept any reasonable decisions arising from the application of the accompanying procedure to this Policy.

Malicious reporting occurs when an individual makes allegations of sexual violence and misconduct which they know to lack a basis in fact.

Complicity is any act that knowingly helps, promotes, or encourages any form of sexual violence and misconduct by another individual.

Retaliation may constitute any words or actions, including intimidation, threats, or coercion, made in response to disclosures or reports of sexual violence and misconduct, by any individual including both the Reported Party and the Reporting Party, as well as witnesses, friends, or relatives.