

# Anonymous Reporting of Sexual Harassment: A Literature Review

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## Aims and objectives

This report provides a literature review relating to the use of anonymous reporting of sexual harassment within the UK. The focus is on workplaces but, where appropriate, other settings such as the university sector in its role as an education provider, are also considered. Although the review is primarily concerned with developments within the UK, the practice of anonymous reporting is relatively new and so other countries' experiences are also reviewed in order to explore what we can learn in terms of good and best practice. The materials on which this review is based were widely drawn from a range of sources including academic research, organisational and grey literature drawing on both online and print resources.

In the following sections, we explore the background to the introduction of anonymous reporting, its development, its use in a range of different national settings, examples of good/best practice and conclude with an assessment of what

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the literature tells us (benefits and pitfalls) about the use of anonymous reporting of sexual harassment and what the necessary steps are in furthering our understanding.

## **What is anonymous reporting?**

Although we uncovered various references to anonymous reporting, we did not identify any consistently used definition of what it is. The term is used to refer to a range of practices including phonedlines, which may be staffed by humans or automated recording services, online systems where reporting might occur using 'tick box' questionnaires or free text options, reporting to others (e.g. HR) within the employing organisation under the proviso that the person reporting will not be named. Such services may be provided in-house by the employer, by a third party on behalf of the employer under a commercial arrangement, by a third sector/not for profit organisation, or as part of a national state-run initiative. The question of who the anonymity applies to varies with, in some circumstances, it applying to the person making the allegation only and others (more commonly) applying anonymity to both the victim/survivor and the perpetrator. References to 'anonymous reporting' in this review include examples of all such practices with relevant arrangements specified in the context of the schemes and initiatives covered.

## ***Direct action***

In addition to those processes provided by or on behalf of organisations or public bodies, there are examples of direct action being taken by those experiencing sexual harassment whereby information about individual perpetrators and/or organisations is shared among certain groups and sectors of women workers.<sup>1</sup> While this is an

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<sup>1</sup> See, for example, the "Shitty Media Men" list, a Google spreadsheet where women could anonymously name men who had sexually harassed or assaulted them. This practice has been replicated among academics, tech

interesting development, such practices have not been included in the consideration of anonymous reporting presented here.

### *'In confidence' disclosures*

Some organisational policy provides for complaints to be made 'in confidence' as an initial stage in a formal reporting process. Once disclosed and considered by the person to whom the disclosure is made, the individual making the complaint is advised as to what next steps should be taken, i.e. whether the information disclosed amounts to harassment and/or forms the basis of a grievance. Such processes are not within the definition of anonymous reporting used here. This is because the individual making the disclosure is not 'anonymous' (at least not to the person to whom she discloses) and also because 'in confidence' disclosures form part of a formal process of full disclosure, whereas we are concerned with provision for anonymous reporting as a 'standalone' option which may result in formal reporting, but which may not.

### *Non-disclosure agreements*

The use of non-disclosure agreements (NDAs)<sup>2</sup> in cases involving allegations of sexual harassment may result in guaranteed anonymity for the parties involved. Such practices are not aligned with our definition of anonymous reporting which should be undertaken as a matter of free choice by the person who has experienced sexual misconduct at work as a means of providing information. NDAs do not protect the

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workers, Harvey Weinstein's victims and employees of the Californian state capitol, see:  
<https://www.theguardian.com/world/2018/jan/13/sexual-harassment-shitty-media-men-list-examples>

<sup>2</sup> <https://www.acas.org.uk/non-disclosure-agreements>

identity of the complainant which is known to all of those involved in negotiating the settlement.

## How does anonymous reporting fit into the UK's legal framework?

The use of anonymised reporting gives rise to a range of legal issues within the UK (and in the US and the other jurisdictions referred to below). Under the Equality Act 2010 employers must take reasonable steps to prevent harassment and victimisation of those who work for them<sup>3</sup> and are liable for harassment committed by a worker in the course of employment unless they can show that they took all reasonable steps to prevent the harassment.<sup>4</sup> Furthermore, the general duty to provide a safe working environment requires that where a risk to an individual's health and safety is identified, appropriate action should be taken to minimize or remove the risk.<sup>5</sup> Where a complainant making allegations of sexual harassment or the alleged perpetrator are not identified, knowing what actions are appropriate may be problematic.

The Employment Appeal Tribunal (EAT) has held that when receiving an anonymous report of sexual harassment, the extent to which action must be taken by an employer will depend upon the specific facts and circumstances which may vary widely. Such circumstances would include the severity of the accusations and the manner in which they were reported. Any subsequent investigation and outcomes must be recorded in writing. Anonymous allegations which are vague and non-specific pose challenges

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<sup>3</sup> Section 83.

<sup>4</sup> Section 109(4).

<sup>5</sup> Health and Safety at Work Act 1974. It is interesting to note that Philip White, Head of Operational Strategy for the Act's regulator, the Health and Safety Executive, told the Women and Equalities Committee of the UK Parliament that the Executive does not regard sexual harassment '...as a mainstream health and safety at work issue under the Health and Safety at Work Act'. A statement that 'astonished' the Committee - see House of Commons Women and Equalities Committee, 'Sexual harassment in the workplace', Fifth Report of Session 2017-19, p. 19, para 53.

in respect of investigations but there are still actions that employers can take in meeting their legal obligation to provide a safe working environment. For example, in the case of a complaint regarding a particular department or team the employer could look at relevant absence and attrition rates, exit interview data and other employee feedback which might provide some insight into the team dynamic and the potential for any issues. In taking any further steps, the interests of the complainant and the alleged perpetrator would need to be carefully balanced in deciding on the level and nature of investigation that would be appropriate.

## Whistleblowing

A further concern for employers is the status of these accusations as protected disclosures (whistleblowing) complaints. For an allegation to be considered as a protected disclosure it is necessary to show that it is made in the public interest.<sup>6</sup> Most sexual harassment allegations will be considered unlawful actions which are likely to affect more than one person and so it seems clear that such a disclosure would meet this threshold as long as the person making the disclosure has a reasonable belief in the protected disclosure and the appropriate data protection provisions are adhered to.

## The move to anonymised reporting in the UK

In 2018 the Women and Equalities Committee (WEC) of the UK Parliament published its report on Sexual Harassment in the Workplace.<sup>7</sup> One of its key recommendations was that UK employment law should include a mandatory duty on employers to prevent such harassment. In support of that duty, the WEC concurred with the

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<sup>6</sup> Public Interest Disclosure Act 1998, s. 1.

<sup>7</sup> House of Commons Women and Equalities Committee, 'Sexual harassment in the workplace', Fifth Report of Session 2017–19 ('WEC Report').

Equality and Human Rights Commission<sup>8</sup> that the Government should introduce a statutory Code of Practice (CoP) on sexual harassment which would include specific guidance on reporting procedures including access to anonymous reporting.<sup>9</sup> This was based on the view, expressed by some of those who had given evidence to the Committee, that ‘anonymous and confidential reporting might help to improve employer practice and employee confidence’.<sup>10</sup> It was also reported that some employers are already implementing anonymous reporting systems through partnership with external organisations as a first step to reporting, both in the UK and in other jurisdictions.<sup>11</sup>

The UK Government responded by announcing its intention to consult on the evidence base for a mandatory duty<sup>12</sup> although it appears to be of the view that the introduction of a statutory CoP may be a sufficient step in improving employers’ compliance with the existing law. The Government Equalities Office launched a survey in January 2020 asking for ‘sexual harassment victims to share their stories’.

Although no statutory CoP has yet been forthcoming, presumably because the outcome of the Government’s review of the law is not yet known, the EHRC issued new technical guidance in January 2020.<sup>13</sup> The Guidance does not have the same legal status as a CoP: although it may be referred to as evidence, an employment tribunal is not obliged to take it into account in relevant cases.

Paragraph 5.20 of the Guidance provides:

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<sup>8</sup> Equality and Human Rights Commission, Turning the tables: ending sexual harassment at work, March 2018.

<sup>9</sup> WEC Report, p. 14.

<sup>10</sup> WEC Report, Pages 26-27.

<sup>11</sup> Note 10 above,

<sup>12</sup> The consultation ran between July and October 2019. Responses are currently being analysed:

<https://www.gov.uk/government/consultations/consultation-on-sexual-harassment-in-the-workplace>

<sup>13</sup> [https://www.equalityhumanrights.com/sites/default/files/sexual\\_harassment\\_and\\_harassment\\_at\\_work.pdf](https://www.equalityhumanrights.com/sites/default/files/sexual_harassment_and_harassment_at_work.pdf)

Employers should consider introducing an online or externally run telephone reporting system which allows workers to make complaints on either a named or anonymous basis and makes clear to the worker what the employer may do with the information provided. While it is preferable for workers to raise issues without anonymising their details, some workers will not feel able to raise their complaints and issues will therefore go undetected. The introduction of a reporting system which allows anonymous reports to be made:

- will ensure that those complaints that would otherwise go unreported are captured
- provides the employer with an opportunity to give complainants information about the support and safeguards that can be put into place if they were to report the matter on a non-anonymous basis
- enables the employer to take action to address the matter, even in cases where there may not be sufficient evidence to start an investigation due to the anonymity of the complainant. For example, by issuing a reminder of the policy to workers and monitoring the area of the business affected.

The Guidance makes clear that such an anonymised system should not operate in isolation but be one of a range of multiple reporting channels which should ensure that ‘workers are not required to report an incident to the perpetrator or someone who they may feel will not be objective’.<sup>14</sup> If, as seems likely, the EHRC Guidance is a precursor for a statutory CoP on Sexual Harassment, anonymous reporting looks as if it will remain part of the UK’s law and policy framework aimed at tackling sexual harassment within workplaces.

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<sup>14</sup> Para 5.34.

## Why do we need anonymous reporting?

Underreporting of sexual harassment is a significant and long-term problem within workplaces and other organisations such as universities in the UK and across other jurisdictions. Despite high profile social media campaigns such as #MeToo, #TimesUp and #WhyIDidntReport, research indicates that reporting rates for sexual harassment remain very low.

Research by the TUC<sup>15</sup> found that, although more than half of all women surveyed and nearly two-thirds of women aged between 18 and 24 have experienced sexual harassment at work, underreporting remains a problem: four out of five did not report the unwanted behaviour to their employer.

The EHRC's research<sup>16</sup> found that three-quarters of respondents had experienced sexual harassment at work. Nearly all of those who had been sexually harassed were women. Although the most common perpetrator of harassment was a senior colleague, just under a quarter of respondents reported being harassed by customers, clients or service users – known as third party harassment.<sup>17</sup> Around half of the respondents had not reported their experience of harassment to anyone in the workplace. The barriers to reporting included:

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<sup>15</sup> TUC and Everyday Sexism Project (2016) Still Just a Bit of Banter? For which 1537 adult women were asked about sexual harassment.

<sup>16</sup> Equality and Human Rights Commission (2018), 'Turning the tables: ending sexual harassment at work' which reported on the findings an online survey with 750 responses. See also Young Women's Trust (2018), 'It's (still) a rich man's world: inequality 100 years after votes for women' which found that of 4,010 young women aged 18–30 surveyed, 1 in 5 young women said they either didn't know how to report sexual harassment, or were too scared to for fear of repercussions.

<sup>17</sup> The UK has no specific legal provision in place to deal with third party harassment as the relevant provision (s.40) of the Equality Act 2010 was repealed in 2013 as part of the Government's 'Red Tape Challenge'. Employees may still be able to bring a claim for third-party harassment under the general harassment provisions in s.26(1) of the Act by arguing that an employer's inaction in dealing with such behaviour amounts to conduct 'related to' a protected characteristic causing a hostile, intimidating or degrading environment.



- the view that the employer would not take the issue seriously
- a belief that alleged harassers, particularly senior staff, would be protected
- fear of victimisation
- a lack of appropriate reporting procedures.

McCann's review of international responses to prevent and combat workplace sexual harassment,<sup>18</sup> found that effectively communicated and implemented policies encourage victims of harassment to report their experience to their employers. However, as research demonstrates, very few victims of workplace sexual harassment take any formal action for reasons which include 'ignorance of the routes available to them and a lack of confidence that their organization will adequately respond to their plight'.<sup>19</sup> Low rates of reporting are significant, not only to the individual directly concerned, but also because employers may erroneously conclude that a lack of complaints indicate that there are few incidences of sexual harassment in the workplace.

Although the effects of different kinds of policies have not been extensively examined, the available research indicates that having a policy in place significantly increases the likelihood that victims of harassment will make a complaint. It appears that an effective way of encouraging workers to report sexual harassment is to introduce a variety of policies. In these circumstances, victims are more likely to have confidence their employer will respond to complaints.<sup>20</sup>

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<sup>18</sup> D. McCann, 'Sexual harassment at work: national and international responses.', Project Report (2005, International Labour Organization).

<sup>19</sup> McCann, p. 42.

<sup>20</sup> McCann, p.42; M.P. Rowe 'Dealing with harassment: A systems approach', in M.S. Stockdale (ed.): Sexual

## Empirical research: Getting beneath the headlines

Although quantitative surveys are helpful in identifying the nature and extent of sexual harassment and in pinpointing some of its more pernicious features including a reluctance on the part of victims to report their experiences, they cannot easily uncover and explain the underlying causes of and nuances relating to such reluctance. For this, it is important to draw on the qualitative data resulting from detailed empirical work. There is a dearth of this type of UK-based academic research focusing on sexual harassment,<sup>21</sup> but some such studies do exist in the US literature. UK research on sexual harassment is more likely to appear in grey literature, including reports by government bodies, civil society organisations, and activists,<sup>22</sup> and narrow legal analyses focusing on statutory approaches. It is unclear why this is the case, particularly given that the historical development of the law is not markedly different in the two jurisdictions. One explanation may be that, although sexual harassment is recognised as a form of sex discrimination in both jurisdictions,<sup>23</sup> Intellectual debate in the US has undoubtedly been stimulated and influenced by the publication of Catherine MacKinnon's ground-breaking work<sup>24</sup> which continues to inspire and influence scholarly research on the topic.

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harassment in the workplace (Thousand Oaks, CA, Sage, 1996), p. 241; C.L.Z. DuBois, R.H. Faley, G.A. Kustis and D. Erdos Knapp: 'Perceptions of organizational responses to formal sexual harassment complaints', *Journal of Managerial Issues*, Vol. 11, 1999, p. 198.

<sup>21</sup> A notable exception is E. Barmes 'Bullying and Behavioral Conflict at Work' (Oxford University Press, 2016).

<sup>22</sup> Such as the surveys reported on above.

<sup>23</sup> Albeit somewhat later in the UK (see *Strathclyde Regional Council v Porcelli* [1986] IRLR 134) than in the US (see *Barnes v Train* [1974] U.S. DC for the District of Columbia).

<sup>24</sup> C. MacKinnon (1979) *Sexual Harassment of Working Women: A Case of Sex Discrimination* (1979: Yale University Press). Which linked the academic study with the practical application of law by making the case for the for the US legal system to more effectively classify instances of harassment as cases of sex discrimination, under Title VII of the Civil Rights Act of 1964.

In line with developments in socio-legal research more generally, the US literature on sexual harassment reveals a turn in the mid-2000s to legal consciousness methodology in empirical studies of individual and organisational responses to sexual harassment. This work tells us something about individual women's conception, awareness and understanding of sexual harassment as well as how and why they respond in particular ways to related incidents and behaviours using both legal and non-legal means. These findings are relevant to other jurisdictions including the UK for what they can tell us about attitudes towards formal reporting.

### **Law on the books and law in action**

Legal consciousness helps us to move beyond formal definitions of law and legality and to define common understandings and meanings of law in social relations - law on the books and law in action. It refers to what people do as well as what they say about law,<sup>25</sup> and so it provides the opportunity to observe the processes by which people experience and understand 'meanings, sources of authority, and cultural practices that are commonly recognized as legal'<sup>26</sup>.

In a single workplace study<sup>27</sup> involving female support staff, in-depth interviews were conducted with 25 women and a survey sent to all relevant staff. Marshall used legal consciousness methodology to explore the experiences of employees with complaints about the unwanted sexual attention of co-workers and supervisors.<sup>28</sup> The research revealed organisational failures in dealing with complaints of sexual harassment despite apparently clear and comprehensive policy. Such failures arose

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<sup>25</sup> P. Ewick and S. Silbey *The Common Place of Law* (University of Chicago Press, 1998).

<sup>26</sup> Ewick and Silbey, p. 22.

<sup>27</sup> The study focused on staff in administrative and clerical grades employed by a US University in the Mid-West. 1000 surveys were sent out with a return rate of 35% resulting in a sample size of 350.

<sup>28</sup> AM Marshall, 'Idle Rights: Employees' Rights Consciousness and the Construction Of Sexual Harassment Policies' (2005) 39 *L aw and Society Review* 83.

largely because ‘...organizational actors imbue legal rules and institutions such as grievance procedures with organizational interests.’<sup>29</sup> Marshall concluded thus,

Judicial opinions and EEOC regulations articulate rights, but those rights depend heavily on the initiative of ordinary individuals to invoke them not just in the courtroom, but also in the context of their daily lives. This initiative, in turn, depends on the availability and the relevance of legal schema to people confronting problems in the workplace.

This finding would appear to support the need to externalise reporting and handling of sexual harassment complaints as part of a resolution strategy and perhaps as a first stage for all complaints. This is because of the high risk that those charged with dealing with such matters through an internal grievance procedure are unable to separate the institutional interests from those of the individual. Even where that would occur, Marshall’s findings appear to indicate that workers experiencing such behaviour will lack faith in the internal system to deal fairly and effectively with their complaint and so will be reluctant to come forward. On this basis it is worth considering whether an external process would help to overcome such barriers and, if so, whether anonymisation might aid in that process.

Blackstone et al<sup>30</sup> considered what they defined as ‘legal mobilization’ related to experiences of sexual harassment, i.e. what affected individuals do, if anything, and how they invoke the law in formulating their responses. In their study, for which they analysed an existing data set as well as conducting 33 in-depth interviews with a

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<sup>29</sup> Marshall, p. 119.

<sup>30</sup> A.Blackstone, C. Uggen and H. McLoughlin, ‘Legal Consciousness and Responses to Sexual Harassment’ Law Soc Rev. 2009 September 1; 43(3): 631–668.

subset of respondents,<sup>31</sup> Blackstone et al found, consistent with previous work,<sup>32</sup> that ‘legal consciousness and mobilization take several forms. Filing lawsuits and consulting attorneys represent formal responses, but even the seemingly simple act of telling others about one’s experiences represents a form of mobilization.’

The findings clearly indicate that close horizontal working relationships can be crucial for understanding harassment and mobilization, suggesting that ‘having close work friends may provide guardianship that promotes mobilization’.<sup>33</sup> Broader interactions with colleagues, even those categorized as ‘mentors’, may not always have a positive impact on seeking or reaching resolution – in one incident cited in the study the response of an older co-worker caused a would-be complainant to doubt her understanding of a customer’s sexual proposition as harassing behaviour and resulted in her taking no action.<sup>34</sup>

For the interview participants,

mobilization was not simply a question of doing it or not, nor of formal versus informal mobilization. Instead, consciousness and mobilization unfolded dynamically, developing in response to conversations with others and their own varied attempts to cope with and confront harassment, from active avoidance to talking it over with co-workers.<sup>35</sup>

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<sup>31</sup> The Youth Development Study (YDS), a prospective longitudinal investigation of 1010 adolescents in St. Paul, Minnesota conducted annually from 1988. Sexual harassment questions were included in the survey in 1999, when respondents were 25–26 years old. Intensive interviews were conducted with a subset of the survey respondents in 2002 and 2003.

<sup>32</sup> E.A. Hoffman ‘Legal Consciousness and Dispute Resolution: Different Disputing Behavior at Two Similar Taxicab Companies’, *Law & Social Inquiry* 2003;28:691–716; E.A. Hoffman ‘Exit and Voice: Organizational Loyalty and Dispute Resolution Strategies’ *Social Forces* 2006;84:2313–2330; L.A. Jacobs, ‘Rights and Quarantine During the SARS Global Health Crisis: Differentiated Legal Consciousness in Hong Kong, Shanghai, and Toronto’ *Law & Society Review* 2007;41:511–551.

<sup>33</sup> Blackstone et al, p. 18.

<sup>34</sup> Blackstone et al, pp. 17/18.

<sup>35</sup> Blackstone et al, p. 18.

The importance of peer relationships and support is particularly pertinent when common contemporary working practices are considered. Those working in the gig economy, often under lone and peripatetic working arrangements and/or with a changing population of 'co-workers' are denied the opportunity to form close relationships. As well as being particularly vulnerable to sexual harassment by colleagues, superiors and customers/clients, such individuals may also miss out on critical support in understanding, framing and naming what has happened to them and in formulating and mobilizing legal responses.

This gap in accessing suitable available support may present an argument for offering external reporting channels. Whether or not such a service should be anonymised is less clear and will depend on how information gathered in this way is used (see further below).

## **Anonymous reporting practices in the UK**

This section explores the use of anonymous reporting in the UK. As will be revealed, the search for examples of where and how it is currently being used was not particularly fruitful. Although there are some anecdotal references to it being increasingly adopted,<sup>36</sup> and private sector online providers are evident,<sup>37</sup> very little has been written about its specific use and impact in the context of sexual

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<sup>36</sup> In his evidence to Inquiry the Neil Carberry of the CBI reported that some employers were 'already implementing anonymous hotlines, in partnership with external organisations, as a first step to reporting' and 'Elizabeth Prochaska, Legal Director at the EHRC noted that 'it is being done in other jurisdictions and it is being done increasingly here'. WEC Report, para 73.

<sup>37</sup> A typical example, Tell Jane (<https://www.telljane.co.uk/about/> ) describes itself as 'an HR consultancy that partners with your organisation to tackle toxic workplace behaviour and enhance your company culture. Together, we protect your business and your people from incidences of harassment, discrimination and bullying. The result: improved productivity and increased employee loyalty.' As part of its suite of HR services available to employers, Tell Jane offers an independent and anonymous Freephone employee hotline which 'provides a platform for your people to report bullying, harassment and discrimination anonymously, thereby addressing incidences before they have an opportunity to escalate.'

harassment. The university sector provides an example of how 'in-house' provision for online anonymous reporting is being used. Although a relatively new addition to reporting procedures for bullying and harassment within higher education, the use of anonymous reporting is growing. Where it is used, it is generally available to both staff and students although much of the focus in terms of its promotion tends to be aimed at the student body. The following section provides a close-up look at the system in place in the University of Cambridge which, as an early adopter, has published data on the use of its system. General contextual information relating to the higher education sector in the UK and specifically in Scotland is provided.

### **The University of Cambridge's anonymous reporting system**

In February 2018 the University of Cambridge received 173 complaints in nine months after launching a new anonymous reporting system for students, staff and visitors to the University.<sup>38</sup> The system was introduced in May 2017 as part of the University's 'Breaking the Silence' campaign. It invites individuals to 'report any inappropriate behaviour of any kind from staff, students or members of the community, including harassment, bullying, discrimination and sexual misconduct' by way of an online form with tick box options. It does not invite details of the incident or behaviour – there is no 'free text' option - and the form is accompanied by a reminder that 'The University cannot take direct action as a result of anonymous reporting.'

The system is available via a website and both the individual who is reporting the sexual misconduct and the alleged perpetrator remain anonymous. Links are

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<sup>38</sup> See: <https://www.theguardian.com/education/2018/feb/05/university-of-cambridge-significant-sexual-misconduct-problem>; <http://theconversation.com/cambridge-university-received-173-anonymous-reports-of-sexual-misconduct-in-nine-months-91162>

provided to available support as well as information on how to make an official (formal) complaint. The majority (119) of complaints received in the first nine months concerned allegations of student-on-student misconduct, while seven complaints were made by staff against colleagues, and two by students against staff. The rest involved neither staff nor students. Some of the reports related to historic misconduct. The University responded by stating that the relatively high number of cases reported using the anonymous system supported its belief that the institution has a 'significant problem involving sexual misconduct – what we now need to ensure is that those who have been affected receive the support and guidance they need.'

Formal reporting at Cambridge and other universities remains at low levels. The Cambridge data indicates that those experiencing such behaviour are far less likely to pursue formal complaints than to report anonymously: between October and December 2017, Cambridge received just six formal complaints. It should be noted that data for subsequent years (i.e. 2018-2019/2019-2020) for formal or anonymous reporting at Cambridge was not publicly available.

Campaigners in the 1752 Group, set up to address staff-student sexual harassment in higher education, responded by saying that the Cambridge data highlighted the fear surrounding the use of the official reporting processes in universities. Emma Chapman, member of the 1752 Group, said, 'We know that many students across the UK do not have faith in official disciplinary processes within their institutions, finding them to be inadequate and discriminatory'. Chapman expressed some reservations concerning the wider purpose and use of anonymous reporting, specifically that it '...does not lead to the same neutral investigation as with third or first party complaints and will not lead to individual disciplinary action, nor is it clear how it



will lead to the culture change necessary to make the university a safer place for students.’

Writing more generally about the use of anonymous reporting in sexual harassment cases, the 1752 Group have stated,

There is a distinction between anonymous reporting system, and an anonymous data gathering system. We are really pleased to see universities increasingly using online forms to source disclosures in an anonymous fashion, because to motivate change and measure success we need data. But...the vast majority of so-called anonymous reporting forms do not actually allow you to report. They contain multiple-choice categories only and no free text box where you can name the perpetrator, the college or department where the misconduct has taken place. This is because when someone is named universities are bound by student safeguarding rules to investigate the issue (quite rightly!) and currently that is either seen as untenable (quite wrongly!) or that’s simply not their aim, like Cambridge University’s data gathering exercise.’<sup>39</sup>

The 1752 Group recommends that data on sexual misconduct within universities should be gathered every year at every university. Data should include: the number of investigations carried out, the categories of outcome (e.g. final warning/preliminary warning/no action/dismissal) and, to prevent the historic practice of “keeping things informal”, the numbers of complaints. ‘Ideally this would be a mandatory submission, in the same way that gender pay gap data is, to a central office, such as the Office for Students.’

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<sup>39</sup> <https://1752group.com/2018/02/07/a-significant-sexual-misconduct-problem/>

1752 also advocates against the use of narrow categories in 'tick box' questionnaires as they can miss certain types of relevant behaviours and favours a broad and inclusive definition of sexual misconduct (encompassing sexual harassment). The preferred definition focuses on power imbalances and describes,

forms of power enacted by academic, professional, contracted, and temporary staff in their relations with students (this can also occur in relations with other staff members) in higher education. Sexual misconduct can include harassment, assault, grooming, coercion, bullying, sexual invitations and demands, comments, non-verbal communication, creation of atmospheres of discomfort, and promised resources in exchange for sexual access.

As the Cambridge University example demonstrates, individuals' willingness to report anonymously results from a lack of confidence in organisational procedures relating to formal reporting. However, data gathering is only useful and effective if it is used to develop better policies and processes in which perpetrators can be named and specific action taken.

### **Scotland's Universities: A brief survey**

Most UK universities have introduced anonymous reporting tools similar to the Cambridge model. In Scotland, the following universities have anonymized reporting systems: Aberdeen, Edinburgh, Glasgow, Robert Gordon, Strathclyde, Heriot Watt, Stirling, Napier, Abertay, Queen Margaret

Dundee doesn't appear to offer an anonymous online reporting mechanism and St Andrews provides the following statement on its website, 'The University cannot undertake any action in response to an allegation of sexual misconduct without your full support. This means you will not be able to remain anonymous if you wish to

proceed with a risk assessment or request disciplinary action.’ Glasgow Caledonian offers advice which starts with Stage 1: Frontline Resolution, requiring students to try to sort out the problem with those who are directly involved, only moving to a complaint ‘If you cannot resolve your issue via Frontline Resolution or you feel the matter is significant enough to merit a formal investigation’. At the University of the West of Scotland students are advised to email, attend in person or phone the Hub, with no mention of facilitating anonymous reporting. The University of the Highlands and Islands offers a range of different approaches across its various colleges with no University-wide facility for anonymous reporting, e.g. Inverness College provides a form which, although it states can be anonymised, appears to require a student ID number.

The use of and variation in language is interesting with some university systems emphasising that, ‘You can report anonymously but it’s important that you know we won’t be able to act on the report’ (e.g. Stirling, St Andrews) and others explaining that ‘We are here to facilitate anonymous reporting in order to aid victims of this behaviour and to deal with eliminating it’ (e.g. Edinburgh, Aberdeen).

### **Anonymous reporting: examples from other places**

In this section, we consider some examples from other countries, highlighting approaches, experiences and identifying good/best practice. As it has garnered the most attention in the available literature, the US is the main focus of this discussion. Further examples are drawn from New Zealand, Australia and Canada.

## The US

There is no doubt that the focus on anonymous reporting among UK universities has been influenced by developments on US campuses where the issue of anonymity has become extremely controversial as a result of some high-profile cases. In one such case involving Dartmouth College, the preservation of the anonymity of three of the nine victims gave rise to much discussion regarding the perpetrators' ability to defend themselves. The allegations detailed in a class action<sup>40</sup> related to claims that the College's administration failed to adequately respond to accusations of sexual harassment and assault, including rape, relating to three male professors (all named publicly) and a pervasive culture of misogyny over a period of 16 years within the Department of Psychology and Brain Sciences. The College ultimately accepted liability and settled the case for \$14m.

The Dartmouth College case and others like it have cast a spotlight on sexual harassment across US campuses resulting in a range of responses including a move towards anonymous reporting systems. A typical example is UC Berkeley's system<sup>41</sup> which uses a text-based anonymous reporting tool in place of the 'tick box' approach adopted by Cambridge University. It defines anonymous reporting in the following way,

Anonymous reporting happens when you do not disclose your name or the identities of the other parties involved, nor request any action. Depending on what information is shared, action by the university may be limited.

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<sup>40</sup> [Rapuano, et al vs. Trustees of Dartmouth College.](#)

<sup>41</sup> <https://survivorsupport.berkeley.edu/anonymous-reporting>

Like the Cambridge example, the use of any information gleaned by such reporting is limited to data gathering unless respondents can be encouraged to engage in a more formal procedure which would be likely to require them to identify themselves and the alleged perpetrator.

Despite the limitations of this type of system, its use continues to gather momentum. The State legislature in Minnesota passed legislation in 2019<sup>42</sup> which requires all universities and colleges to 'adopt clear, understandable written policy on sexual harassment and sexual violence that informs victims of their rights' and which must apply to students and employees. The statute provides for mandatory anonymous online reporting thus,

Online reporting system. (a) A postsecondary institution must provide an online reporting system to receive complaints of sexual harassment and sexual violence from students and employees. The system must permit anonymous reports, provided that the institution is not obligated to investigate an anonymous report unless a formal report is submitted through the process established in the institution's sexual harassment and sexual violence policy.

As well as universities, other sectors within the US are adopting anonymous reporting. Under federal legislation<sup>43</sup> public companies in the US are required to provide processes for the anonymous reporting of accounting or audit irregularities. This requirement has inspired some organisations to implement anonymous staff hotlines on which employees can report on a range of different issues including

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<sup>42</sup> <https://www.revisor.mn.gov/statutes/cite/135A.15>

<sup>43</sup> Namely the Sarbanes–Oxley Act of 2002, also known as the Public Company Accounting Reform and Investor Protection Act or Corporate and Auditing Accountability, Responsibility, and Transparency Act extended the legal obligations placed on all US public company boards, management and public accounting firms.

sexual harassment. The sector has developed a guide to best practice and ethics<sup>44</sup> which recommends (at p. 2),

The most effective hotlines offer 24-hour, 365-day access to a skilled interviewer. For the best results, and to simplify communication, organizations should provide a single mechanism for reporting all workplace issues. Reports should be disseminated quickly to designated parties. The hotline should also be promoted with educational materials directed to everyone in the organization, including employees and vendors. This helps maximize usage and create an ethical environment.

This initiative is interesting because it approaches the issue from a corporate governance, 'whistle blower' perspective, and anonymity is assumed to be an option for the reporting of a range of issues including fraud, theft, health and safety breaches as well as discrimination and harassment.

Equal Rights Advocates,<sup>45</sup> a US rights-based organisation that 'fights for gender justice in workplaces and schools across the country' provides online advice to the general public which refers to anonymous reporting of workplace sexual harassment as one possible response, advising that such a report could be made to HR or a manager, an employee helpline,<sup>46</sup> an employee assistance program or an Ombudsperson. It also specifies non-profit organisations that allow you to anonymously report workplace sexual harassment, such as Better Brave or Callisto Expansion. It provides the following warning in relation to anonymous reporting,

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<sup>44</sup> <https://la-acfe.org/images/downloads/Resources/bestpracticesinethics2005.pdf>

<sup>45</sup> <https://www.equalrights.org/issue/economic-workplace-equality/sexual-harassment/>

<sup>46</sup> For a discussion of commercial reporting services available in the US, see <https://hrdailyadvisor.blr.com/2019/08/27/new-tools-help-victims-of-harassment-hurdle-barriers-to-reporting-abuse/>

Be aware: If you only report harassment anonymously, and don't say when, where, to whom things happened (or how you have personal knowledge of it), your employer may not be able to investigate or correct the behavior.

In addition to the requirements placed on public companies under federal law, state legislatures are increasingly moving towards mandatory anonymous reporting in their attempts to deal with the pervasiveness of sexual harassment within workplaces.<sup>47</sup> Interestingly, despite the increase in the adoption of anonymous reporting and a proliferation of new commercial products available to employers,<sup>48</sup> there has been a decline in the take-up rates for anonymity in reporting according to some sources.<sup>49</sup> This may be linked to the high profile of campaigns such as #MeToo which have been credited with 'giving victims of workplace sexual harassment the courage to step forward and share their stories'.<sup>50</sup> However, it may also be the result of a loss of faith in anonymous reporting and a general backlash that appears evident in some of the US media reports. For example, a report in the New York Times claims that '... employment law experts say that a company's hotline often exists in obscurity, and that even when it is well-known among employees, it can be a tool for suppressing harassment allegations rather than dealing with them.'<sup>51</sup>

The report cites Debra Katz, a US lawyer representing whistle-blowers and clients alleging sexual harassment and discrimination, who states that it is 'very common for companies to bury information about how employees can file confidential

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<sup>47</sup> <https://hrexecutive.com/anti-sexual-harassment-protections/> Recent adopters include New York State and California.

<sup>48</sup> <https://www.hrtechnologist.com/articles/hr-compliance/best-tools-for-reporting-sexual-harassment-in-the-workplace/>

<sup>49</sup> Notably the 2018 Hotline and Incident Management Benchmark Report which reported a drop in anonymous reporting between 2009 and 2017 from a peak of 65% to 56% of all submitted reports.

<sup>50</sup> <https://hrexecutive.com/apps-help-anonymously-report-sexual-harassment/>

<sup>51</sup> <https://www.nytimes.com/2017/04/21/business/media/fox-sexual-harassment-hotline-bill-oreilly.html>

complaints and for employees to be completely unaware of the existence of hotlines.’ It also alleges that experts have claimed that anonymous hotlines can be used by employers ‘merely to help insulate themselves from legal liability without ever following up on complaints.’ This underscores the need for any anonymous reporting system to be linked to other disclosure methods and to provide information for those reporting about how they can access support and guidance whether they decide to report formally or not. It also emphasises that data gathered through anonymous reporting should be used in a meaningful way to record the organisation’s performance in this respect and to inform its decision-making about how best to identify and deal with sexual harassment.

### **Other National Examples**

We undertook an elementary survey of national systems within common law jurisdictions where the legal responses to sexual harassment are similar to that within UK law. We did not identify any one country that has developed a comprehensive approach to anonymous reporting of sexual harassment as part of its legal and policy strategy. However, we did uncover some examples of practices that provide various points of interest. Four of these: the approach of New Zealand’s health and safety regulator; Australia’s national response to university-based sexual misconduct; a scheme developed by Queensland’s police force; and one introduced in the Canadian Province of British Columbia are considered below. None of these can be described as ‘best practice’ examples - each comes with its own flaws – but they do offer some interesting elements that might be used to develop and inform a best practice approach.



## ***New Zealand: WorkSafe (Mahi Haumarū Aotearoa)***

‘WorkSafe is New Zealand’s primary workplace health and safety regulator and defines its functions as relating to ‘three key roles: regulatory confidence, harm prevention, system leadership’<sup>52</sup> Interestingly – and in contrast to the UK’s position where sexual harassment in the workplace is viewed primarily as an employment/discrimination rights issue<sup>53</sup> – the area is categorised as a health and safety matter and thus falls under the remit of Worksafe. Guidance on dealing with sexual harassment is provided for workers and employers, including example policy and templates. In the example policy (last updated October 2018), one of the roles and responsibilities of the employer is to ‘make sure workers have a range of ways to report sexual harassment informally, formally or anonymously’.<sup>54</sup> However, although New Zealand’s approach to sexual harassment appears to be conceptually sound, detailed guidance about the rationale for and use of anonymous reporting appears to be missing. For examples, the example reporting form accompanying the policy does contain a name field, no other example reporting mechanism appears to be publicly available, and the advice for workers does not emphasise that they should be able to report anonymously.

## ***Australia’s response to university-based sexual harassment***

In 2017 the Australian Human Rights Commission published a report<sup>55</sup> on sexual misconduct in the university sector which revealed that students choose not to report in the vast majority of cases - even in those involving sexual assault, 87% did not

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<sup>52</sup> <https://worksafe.govt.nz/about-us/who-we-are/role-and-responsibilities/>

<sup>53</sup> Despite the potential for its conceptualization as a health and safety matter to be used more widely.

<sup>54</sup> <https://worksafe.govt.nz/topic-and-industry/sexual-harassment/sexual-harassment-example-policy/>

<sup>55</sup> [Change the course: National report on Sexual Assault and Sexual Harassment at Australian Universities \(Australian Human Rights Commission, 2017\)](#)

make a formal report or complaint to anyone at the university. Many of the submissions confirmed that a lack of anonymity impacted individuals' decision not to report, for example, 'I think there should be anonymous reporting. I didn't report my experiences because I was worried about getting in trouble or having my marks affected.'<sup>56</sup> Furthermore,

submissions to the Commission reported that some universities had specific policies requiring people who reported sexual assault or sexual harassment to attend a mediation or another type of face-to-face meeting with the perpetrator. This proved to be a strong disincentive to making a report.<sup>57</sup>

In response, the Australian Human Rights Centre published 'On Safe Ground: Strengthening Australian University Responses to Sexual Assault and Harassment'<sup>58</sup> in August 2017. This is an extensive and coherent report that explores a lot of best practice options from all over the world and makes 18 recommendations for Australian universities including that one of the elements of an effective reporting and disciplinary framework should be the option for online, anonymous confidential reporting. Recommendation 9 provides that

Australian universities should develop a stand-alone policy for responding to sexual assault and harassment that ... provides reporting mechanisms that guarantee anonymous and confidential reports of sexual violence; and incorporates simple, fair, accessible and robust procedures founded on

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<sup>56</sup> Change the Course, p. 142. See p. 144 for further discussion of the effects of a lack of confidentiality.

<sup>57</sup> Change the Course, p. 145.

<sup>58</sup> <https://newsroom.unsw.edu.au/news/general/safe-ground-framework-change>

principles of natural justice that support the prompt and appropriate investigation of complaints.<sup>59</sup>

In determining how to respond to anonymous reporting, the report does stress the importance of providing support for the alleged perpetrator which it links to the issue of potential litigation,

Alleged student perpetrators of sexual assault and harassment should receive guidance and support from the university throughout the disciplinary process and, importantly, should be fully advised of the case against them in a timely manner to enable the preparation of a response. Universities that fail to apply principles of due process at all stages of an investigation and hearing in relation to an alleged perpetrator may confront the prospect of litigation.<sup>60</sup>

### ***Queensland Police: Alternative Reporting Options***

Another interesting Australian initiative has been developed by Queensland Police. Alternative Reporting Options for sexual assault (ARO)<sup>61</sup> offers the survivor of a sexual assault with an alternative to making a formal complaint by providing police with the full circumstances of their assault with the option of remaining anonymous if they wish. What is interesting about this particular scheme is its recognition of the wider purpose of such a process and the ways in which it can be of direct benefit to the person making the disclosure as well as its potential to directly inform and steer further action. Although it does not involve any judicial process,

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<sup>59</sup> On Safe Ground, p. 120.

<sup>60</sup> On Safe Ground, p. 88.

<sup>61</sup> <https://www.police.qld.gov.au/units/victims-of-crime/support-for-victims-of-crime/adult-sexual-assault/alternative-reporting>

ARO can be an extremely useful healing strategy for the survivor and an effective investigative strategy for law enforcement agencies. Survivors can feel empowered by knowing that the information they possess and provide could be used to solve reported offences of a similar nature.

Police can use the information gained to ‘assist other prosecutions against an offender; and protect the community by enabling police to devise intelligence driven strategies designed to target an offender and reduce repeat offending.’ If adapted appropriately this approach may have some value for workplace reporting of sexual misconduct.

### ***Canada: The British Columbia Protocol***

The British Columbia (BC) Third Party Reporting (TPR) Of Sexual Assault<sup>62</sup> is a protocol consisting of a partnership between the provincial authorities, including the police, and the third sector. It provides a process by which survivors over the age of 19 can access support and report details of an offence or assault to police anonymously, through a specialist Community Based Victim Services Program. Although the Protocol is focused primarily on those aged 19 and over, ‘it does not preclude consideration of the possibility of TPR in exceptional cases for younger survivors’ for whom arrangements will ‘be worked out at the local level between Community-Based Victim Services (CBVS) and police on a case-by-case discretionary basis’. The focus is those incidents and/or behaviours that would amount to criminal acts, i.e. sexual assault, and reports made in this way are multi-purpose. TPR is described as:

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<sup>62</sup> <https://endingviolence.org/prevention-programs/ccws-program/third-party-reporting-tpr/>

an option of last resort for survivors who would not otherwise provide information to the police. It is not a substitute for a call to 911, nor is it in and of itself a police investigation. It is not to be used when the survivor or others are at risk of further violence. TPR connects survivors to specialized supports, gives survivors needed time to decide if and when they are ready to engage the criminal justice system, and provides police with critical information about sex crime patterns within and across police jurisdictions.

The TPR provides a good example of multi-agency cooperation aimed at supporting victims to report anonymously and providing specialist advice for those who do decide to pursue their cases by legal means. The holistic approach by which different specialist organisations are involved could provide a good model for anonymous reporting of sexual harassment. However, despite the province's support for this scheme, it is worth noting that the organisation which leads and coordinates the protocol, (EVA BC's Community Coordination for Women's Safety (CCWS) program) is funded through public donations and it is not known how sustainable that funding is. In order to make an effective contribution to third party reporting of sexual harassment any similar scheme would require a stable funding source.

## Conclusions

### *What does the literature tell us?*

In using this review to assess the arguments for and against anonymous reporting it is important to note that there has not been, to the best of our knowledge, any systematic appraisal or assessment of an existing anonymous reporting system. This means that any evaluation of its merits and flaws is speculative and should be relied

on with caution. What we were able to deduce from this review of available literature is an insight into the various pitfalls to be avoided. This has enabled an elementary assessment to be made of some of the factors that a good or best practice model might include.

### ***The benefits and pitfalls of anonymisation***

In considering the benefits of anonymised reporting as compared to formal systems linked to grievance and disciplinary processes which require full disclosure at the reporting stage, the main advantage of anonymisation appears to be that it encourages victims to come forward and to be directed to any support that they might need. This is particularly important when the low reporting rates revealed by survey data are considered. In addition, although anonymous reporting will not generally facilitate any direct action to be taken in relation to a specific incident or behaviour, it might raise the confidence of the complainant so that formal reporting follows. However, it might also be argued that anonymising the complainant plays into an understanding of sexual harassment as being somehow shameful for the victim (rather than the perpetrator). For this reason, any anonymous reporting system should take steps to frame the behaviour or incident being reported, not as a secret to be kept, but as an act of violence against women for which any blame (and/or shame) is attributed to the perpetrator and not the recipient.

### ***Should perpetrators be named?***

Although the naming of perpetrators in anonymous reporting could lead to the identification of 'repeat offenders', the legal implications of this would have to be carefully considered. This would entail both data protection requirements and the use, in an employment law context, of information about an individual that has not

been subject to full investigation including a right to respond to all relevant information concerning the allegation. This would certainly rule out any 'name and shame' approach and may well make it impossible to use any information gathered through anonymous reporting against any named individual. For this reason, anonymisation of reporting should generally extend to the identity of alleged perpetrators as well as victims.

### *External or internal?*

One interesting variation across the different examples of anonymous reporting that we uncovered relates to how such schemes are provided and by whom. The EHRC's technical guidance recommends that organisations should provide 'an online or externally run telephone reporting system', leaving it open to employers to decide which approach would better suit their specific needs. Given the diversity of organisations and the pervasiveness of sexual harassment across all types of organisation, it seems unlikely that there is a 'one size fits all' approach that can be recommended.

The primary concern in the design of any anonymous reporting system **must** be in providing a service which protects the identity of the individual complainant which, whilst data protection guidance provides a useful backdrop here, will surely depend on specific organisational circumstances. For example, in a small organisation, any internal process might pose a greater risk of breaching the requirement of anonymity than in a larger organisation. In such circumstances, the use of an external provider would be the best option. Whilst online systems as compared to phonelines may reduce the risk of identification and may encourage complainants to be more forthcoming, the lack of any human contact has also been described as lacking in

empathy which can be very important for those disclosing personal and sensitive information.<sup>63</sup> The provision of a phonenumber staffed by those with appropriate training may overcome this. In order to cater to different individual and organisational needs, perhaps both channels should be available wherever possible.

External reporting also helps to overcome the loss of faith in internal reporting procedures which has been identified as a key disincentive for formal reporting and which is supported by research findings as being ineffective and, in some cases, detrimental to effecting change as internal processes are co-opted in order to maintain the status quo.<sup>64</sup> However, what must be avoided is a system or process whereby the organisation is absolved of responsibility for wrong-doing through a 'contracting-out' approach. If the use of anonymous reporting is intended to encourage victims to come forward and to overcome a lack of faith or confidence in existing formal reporting channels, it is particularly important that its use does not conceal pre-existing problems within organisational structures and procedures which have prevented formal reporting in the first place. Rather it should be used to shed light on the existence of such problems and to aid in developing appropriate actions to overcome them. Likewise, if anonymous reporting does not result in some identifiable change, it might also be subject to a loss of confidence, leaving complainants with no effective means of reporting.

This might occur where the process of external reporting is minimised as a data collection exercise with little or no action flowing from what the data reveals. For this reason, it is important that external reporting is used as one tool within a toolbox of reporting measures available to those who experience sexual harassment. Data

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<sup>63</sup> See Yvonne Traynor's (of Rape Crisis) evidence to WEC, reported here: <https://www.bbc.co.uk/news/uk-politics-44137156>

<sup>64</sup> See Marshall, n. 29 above.



collected should be shared within and outside of organisations so that reporting the problem is normalised for those experiencing it (the “#MeToo effect”) who are able to see that their coming forward results in action by individual organisations and wider employment and service sectors. For this to happen, all reporting processes should form part of a preventative strategy under a mandatory duty placed on employers and service providers to take proactive steps to eliminate harassment and to deal with it effectively where it does occur.

### **The impacts of anonymised reporting**

Any reporting system, whether externally or internally managed, must provide information about accessible and available support and guidance for survivors regarding how to cope and how to mobilise effectively, whether that means moving to a formal process of reporting or not.

Data collection that occurs as a result of anonymous reporting should be used to inform and develop effective and targeted responses, for example, by enabling measurement of the nature and extent of the problem within organisations, sectors, geographical populations and more generally so that targeted responses can be developed. Data analysis will require training on the part of those undertaking it as well as a commitment by organisations to properly fund anonymous reporting schemes and by senior management to deal with whatever they uncover. Lessons learned through the development of gender pay gap reporting might be relevant here.

The main issue confronting both workers and employers relating to what further action can be taken in response to information gained through an anonymous reporting process will relate to the legal restrictions that will apply in the use of such

information. In most cases, the individual making an anonymous report will rightly expect behaviours to change and action to be taken against the alleged perpetrator. However, the person about whom the allegations have been made may not be identified in the complaint and, even where he is, he should under no circumstances, be confronted with accusations devoid of all the details necessary to defend himself. Attempted litigation based on such a scenario would not stand up and the alleged perpetrator might in fact have good grounds for legal action against the employer. In such circumstances, what purpose does anonymous reporting serve?

An employer can still act on anonymous reports in the following ways:

- As a basis for awareness raising of appropriate workplace behaviour relating to sexual harassment including targeted training which, if appropriate, could focus on the area from which the complaint was generated.
- Repeated reports of specific workplace practices or behaviours could prompt the employer to instigate an independent investigation whilst taking care to observe due process.
- A 360 review could be instigated in order to probe issues highlighted through anonymous reporting.
- An anonymous staff survey might be conducted to further probe concerns which come to light through anonymous reporting.
- Publicity about the introduction of anonymous reporting and its uses might deter inappropriate behaviour.

## Final thoughts

This review provides a starting point for consideration of the uses and benefits of anonymous reporting and the identification of what a good or best practice model might look like. It has highlighted the lack of independent research in this area. Such research should record and analyse the experiences of those individual complainants who have used anonymous reporting of sexual harassment as well as the experiences of employers and service providers in managing and using such systems. This would help in the development of clear guidance regarding what such systems should look like, what they should offer to individuals and organisations and how they should be used. The development of a good/best practice model in this area is imperative as, although such systems offer undoubted benefits if used properly, there is a wide margin for error with very serious consequences if things go wrong.

Engender is Scotland's feminist policy and advocacy organisation, working to increase women's social, political and economic equality, enable women's rights, and make visible the impact of sexism on women and wider society. We work at Scottish, UK and international level to produce research, analysis, and recommendations for intersectional feminist legislation and programmes.

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