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How do institutional gender regimes affect formal reporting processes for sexual harassment? A qualitative study of UK higher education

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Abstract

Formal complaints and disciplinary processes constitute a mandatory aspect of organizational responses for addressing sexual harassment in many jurisdictions. However, previous research has found that reporting parties are not well served by such processes. In particular, Ahmed (*Complaint!*; 2021) argues that the institutional climate that enables harassment or discrimination to occur—including its gendered dynamics—also shapes how complaints about harassment are handled. Building on Ahmed's work, this article analyses how gender "gets into" formal reporting processes for sexual harassment within organizations. It draws on interviews with 18 students and staff who went through a formal institutional reporting process for gender-based violence or harassment in UK higher education between 2016 and 2021. Using Connell's theorization of "gender regimes," we outline how "dimensions of gender" within organizations affected different stages of formal reporting processes, including how evidence was gathered during reporting processes, as well as how it was assessed. These findings demonstrate that gender regimes—via gender relations of power, gendered "attachments and investments," and "gender-neutral" processes—can override formal processes and affect outcomes of sexual harassment reporting. These findings explain how gender regimes contribute to the failure of sexual harassment complaints to be upheld within organizations.

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1 | INTRODUCTION

Complaint and disciplinary processes[1] for addressing sexual harassment form part of the regulatory requirements for employers and higher education providers in many jurisdictions as part of their compliance with a range of equalities and other legislation. As such they are an important facet of organizational responses for addressing sexual harassment (ACAS, 2019; Australian Government, 2024; Office for Students, 2021). Post-#MeToo, this focus has, if anything, increased, due to heightened public and media attention on this issue, and non-state bodies are increasingly producing guidance on this issue (in the UK context see e.g., BFI, 2018; Universities UK, 2016). Despite the ubiquity of these types of quasi-legal process, there exists a relatively limited body of empirical research—particularly when it comes to more recent accounts—on how formal reports are handled, despite previous studies finding that most complainants are dissatisfied with the experience and outcomes of reporting (McDonald, 2012; National Academies of Sciences, Engineering and Medicine, 2018; National Union of Students and The 1752 Group, 2018). As such, empirical exploration of experiences of sexual harassment reporting processes is timely.

As Sara Ahmed has argued, the organizational climate that enables harassment or discrimination to occur shapes the context within which reports are handled (2021). As such, report-handling can be affected by gender—and other forms of—discrimination. Indeed, reporting processes for addressing sexual harassment have been argued to "deemphasiz[e] and depoliticiz[e] workplace discrimination" (Edelman et al., 1993); to "sheer off" sexual harassment from other gender equality and structural workplace inequality projects (Charlesworth, 2002: 358); to protect the organization, rather than the person victimized (McDonald et al., 2011); and to make the situation worse for those targeted (Bergman et al., 2002; Bull & Page, 2022; Bull & Rye, 2018; McDonald, 2012; National Academies of Sciences, Engineering and Medicine, 2018).

Nevertheless, evidence suggests that reporting processes are more effective in gender-equal organizations. Dobbin and Kalev found that where women hold more management jobs, all women—including racially minoritized women—start to benefit from the presence of organizational grievance processes (Dobbin & Kalev, 2019). This suggests that rather than writing off reporting processes as having "largely failed" (Schultz, 2018: 59), there is scope to examine precisely how gender inequalities "get in" to such processes to lead to these effects, and through this analysis, to create a better environment for reporting sexual harassment. Such a project can help to counter the "inadequacy of complaint management procedures" that have been identified as inhibiting gender equality initiatives (Täuber, 2022), a concern that reporting parties themselves see as a priority in addressing ssexual harassment in higher education (Bull, 2024). Furthermore, in a climate where legal and media narratives are in consensus that women should report, there is an imperative to understand exactly how and why reporting processes may be harming those who use them, and the causes and extent of such harms. These empirical discussions can then inform more nuanced debates on whether critical feminist scholars and activists should attempt to reform institutional processes or bypass them entirely (McGlynn, 2022; Phipps, 2024).

In order to explore this issue, this article builds on previous research published in this journal (Bedera, 2022) and draws on interviews with students and staff who went through a formal institutional reporting process for gender-based violence and harassment (GBVH) in UK higher education between 2016 and 2021 (GBVH encompasses sexual harassment).[2] It uses these accounts to analyze how gender "gets into" GBVH reporting processes within organizations. The findings are relevant to debates around addressing sexual harassment in organizations internationally, in particular the role of reporting processes within institutional responses. A further contribution is to draw together literatures which are usually discussed separately despite exploring similar questions: on higher education reporting processes, such as Title IX in

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the US (the federal legal framework for addressing gender inequality and sexual harassment in education); and on workplace grievances. Finally, the temporal specificity of this study is important; amidst a changing environment whereby there is increasing pressure for organizations to take more effective action in this area, recent accounts can reveal the ways in which reporting processes might be changing, and/or whether recent public pressure for institutions to do better in handling reports of sexual harassment is leading to improvements.

The article first outlines existing work on organizations' handling of GBVH reports, before introducing the framing of gendered institutions and gender regimes from Connell (2006) that underpins the study as well as existing theorizations of "complaint," including Ahmed's work (2021). After introducing the methods for the study, it explores how gender regimes affected the ways in which evidence was gathered; in which evidence was assessed; and the reporting process more broadly.

1.1 | How gender "gets into" reporting processes for gender-based violence and harassment

As noted above, in existing literature from both within and outside HE, formal reporting processes for reporting sexual harassment within organizations internationally have been found to be inadequate in a variety of ways (Ahmed, 2021; Bull & Page, 2022; Bull & Rye, 2018; Cowan & Munro, 2021; Harper et al., 2017; McDonald et al., 2015; Renzetti & Follingstad, 2019). A key critique is that reporting processes individualize what is a systemic issue, which, as Charlesworth notes, "effectively sheers it off from other gender equality projects," with the emphasis placed on the sexual rather than sex-based harassment and sex discrimination (Charlesworth, 2002: 357–358; see also Bull & Page, 2022). As a result, "the individualised nature of the complaint process militates against addressing complaints of more systemic nature such as those that may raise issues of a sexually permeated workplace or a sexually hostile work environment" (2002: 357–358). Edelman et al. (1993) go further to argue that grievance processes "depoliticize workplace discrimination." However, Ahmed (as outlined below) argues that complaints can be a site for resistance (2021).

Other authors have discussed challenges relating to the role of evidence in sexual harassment grievances. McDonald et al. note a challenge for sexual harassment grievance processes is the "low quality of evidence, often occurring away from witnesses" (2015: 6). There is a lack of guidance in US Title IX processes "as to what evidence is required to establish guilt under the preponderance [of evidence] standard within Title IX adjudication" (Harper et al., 2017: 308). This allows HEIs "to implement individualized practices regarding evidence and questioning of victims, often to the detriment of victims' mental health and well-being" (Harper et al., 2017: 306). Indeed, Cipriano et al., drawing on interviews with 32 graduate students who reported an experience of sexual harassment to their university's Title IX Office, found that "insufficient evidence" was the reason why perpetrators were not found responsible in five out of nine cases (Cipriano et al., 2022: 358), and that formal investigations were pursued more frequently for stereotypical and/or stereotypically "severe" forms of sexual harassment (e.g., completed sexual assault), "despite the fact that survivors experienced negative educational consequences resulting from all forms of harassment" (2022: 359).

Gendered processes can occur in formal as well as informal ways. In the UK, Bull et al. (2021) have argued that reporting processes for sexual harassment constitute indirect discrimination under the Equality Act. Indirect discrimination occurs when policy that applies in the same way for everybody disadvantages a group of people who share a protected characteristic. As Bull et al. (2021) describe, this occurs because, unlike under Title IX whereby reporting parties are given equal due process rights to responding parties, in the UK and similar jurisdictions (Brodsky, 2017), reporting parties do not have any rights in the disciplinary process taken

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by the institution against the responding party; they are relegated to the position of "witness." As they argue,

> In a society where vastly more sexual misconduct complaints are made by women against men than vice versa, a process for investigating sexual misconduct complaints which gives those responding more rights than those complaining might well be thought to place women as a group at a particular disadvantage and so to amount to indirect discrimination, in breach of the Equality Act 2010. (Bull et al., 2021: 74; see also Cowan & Munro, 2021: 318)

By contrast, in the US context, Title IX processes in higher education give formal rights to reporting parties (Brodsky, 2017). However, contentious points relating to Title IX processes have included the standard of evidence; processes for cross-examination; sharing of information; access to review/appeal processes; and the notice period for taking forward a process (Brodsky, 2017: 12; Harper et al., 2017). Despite these process rights, however, there is evidence that Title IX processes do not counter the influence of institutional gender regimes (as defined below); as Harper et al. note, "OCR [Office for Civil Rights] guidelines provide little guidance as to how to avoid victim-blaming lines of questioning or provide proportionate outcomes after a finding of responsibility." (2017: 306). Similarly, Bedera has described how "himpathy" (as defined below) is one type of "gendered rationalization frame" adopted by administrators handling sexual violence reports in US higher education (Bedera, 2023).

Despite these discouraging findings, there is evidence that increasing gender equality in the workplace can influence the effectiveness of reporting procedures for *all* women. Dobbin and Kalev (2019) studied the relationship between gender equality within organizations and the presence of "grievance processes" for sexual harassment. They hypothesized that, "because women frequently quit their jobs after being harassed, programs that reduce harassment should help firms retain current and aspiring women managers. Thus, effective programs should be followed by increases in women managers." In their analysis of a longitudinal quantitative US dataset, they found that:

> Where men dominate, [the presence of] grievance procedures [in organisations] make matters worse for all three [racialised] minority groups [of women]. However, where women hold more management jobs […] negative effects [of numbers of women in management] disappear for black and Asian-American women, and positive effects appear for Hispanic women. (Dobbin & Kalev, 2019: 12257)

In sum, the authors found that the presence of grievance processes led to retention of women managers *only* in organizations with greater gender equality. This article aims to illuminate these findings through research within a sector that is characterized by persistent gender inequality—higher education.

1.2 | Higher education institutions as hierarchical gendered institutions

This article draws on Connell's theorization of gender as "a dynamic system" and a "pattern of social relations" (Connell, 2006: 838–839) which form a system of social stratification within organizations. Connell describes four dimensions of gender that can be analyzed to understand an organization's "gender regime" (Acker, 1990): the gender division of labor; gender relations of power; emotion and human relations; and "gender culture and symbolism." While all four of Connell's dimensions of gender are important in explaining persistent gender inequalities in HE (Mott, 2022; O'Connor et al., 2015), two are particularly helpful for the purposes of this article.

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First, "gender relations of power" describe "the way in which control, authority, and force are exercised along gender lines, including organizational hierarchy, legal power, and collective and individual violence" (Connell, 2006: 844). This framing allows the intersection between institutional status and gender to become visible as a way in which the "gender regime" enables violence. A second dimension is "emotions and human relations," which refers to "the way in which attachment and antagonism among people and groups are organized along gender lines, including feelings of solidarity, prejudice and disdain, and sexual attraction and repulsion" (2006: 838). Connell also uses the psychoanalytic term "cathexis" to label this phenomenon, meaning the "investment of mental or emotional energy in a person, object, or idea" (Merriam Webster, 2024). While gendered analyses have more commonly focused on gender norms or stereotypes, this theorization of "emotional investments" allows analysis of more subtle ways in which gender enters into institutional processes, including how heterosexual identifications intersect with gendered attachments or investments to shape interpersonal relations.

Two examples, drawing on relevant literature, can be used to demonstrate how "cathexis" occurs as part of HE gender regimes. Ahmed—whose work is introduced in more detail below—describes how "collegiality" in reporting processes shapes how "attachment and antagonism among people and groups are organized" (Connell, 2006). Collegiality, as Ahmed notes, "can be about developing positive relations, a sense of goodwill and trust, among colleagues," but she focuses on its less positive manifestations: how collegiality can block complaints (2021: 196). Ahmed describes the university as "*a web of past intimacies*" (2021: 197; her italics) which "can be mobilized when complaints are made," while those who complain are seen as "uncollegial" (2021: 196). This collegiality can be restricted "to those of a certain kind, our kind, the same kind" and therefore protects some and not others (2021: 201). In this way, racialized attachments intersect with gender—and class—to create networks of solidarity. As such, collegiality can reproduce exclusions on the basis of identity, through who gets invited to become part of such networks and therefore, who is protected by them.

A second example of "cathexis" or gendered attachment and investment comes from Kate Manne's work on misogyny. Kate Manne describes misogyny as "serving to uphold patriarchal order" by "visiting hostile or adverse social consequences on a certain […] class of girls and women to enforce and police social norms that are gendered […]" (Manne, 2017: 13). There are two concepts within Kate Manne's work that are relevant to the analysis below: credibility deficits, and "himpathy." "Credibility deficit" draws on work from feminist theory on testimonial injustice, occurring through "systematic biases" in the "economy of credibility" (Fricker, 2009; Manne, 2017: 185). It tends to involve one person's word being pitted against someone else's and involves "a refusal to acknowledge what is revealed by the evidence," (Manne, 2017: 190), and "often serve[s] the function of buttressing dominant group members' current social position" (2017: 194). One way in which credibility deficits function in practice is through "himpathy": a form of misogyny that involves "the excessive sympathy sometimes shown towards male perpetrators of sexual violence" (Manne, 2017: 197) which "contributes to insufficient concern for the harm, humiliation, and (more or less lasting) trauma they may bring to their victims" (2017: 201). These examples of "cathexis" begin to shed light on ways in which institutional reporting processes for sexual harassment may by shaped by institutional "gender regimes."

1.3 | Theorizing reporting processes

There are two key theoretical lenses which scholars have used to understand reporting processes for gender-based violence within organizations. "Institutional betrayal" has often been used describe the harm institutions can cause when responding to sexual harassment reports in ways that violate the trust of their members (Smith & Freyd, 2014). As outlined by

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Shannon and Bull (2024), this framing elides trust and dependency on institutions, assuming that members of the institution trust it before reporting, when in fact they may have very different positions in relation to it (Ahmed, 2021). The concept works on the assumption that social dynamics of trust in institutions mirror interpersonal trust relationships, which "risks reifying institutions as unified, coherent entities," flattening out their "social complexities" (Shannon & Bull, 2024). Here, we build on this critique in order to reveal some of the "social complexities" and different positionalities in how reports are handled.

A second framing for understanding "complaint" comes from Sara Ahmed's phenomenological account of experiences of discrimination and reporting within academic institutions (2021). Against the wider grievance literature which, as Walker and Hamilton note (2011), is undertheorized, particularly in relation to power (although see Hearn & Parkin (2001: 56)), Ahmed places power at the heart of her analysis. She theorizes "complaint as diversity work," arguing that "the work of complaint is the work of trying to transform institutions" (2021:102). She argues that responses to reports function as attempts to cover up—even if they sometimes "bring to the surface"—institutional violence, which is gendered and racialized (2021: 188). Such responses reveal the "brick walls" that complainants come up against in trying to get action taken on issues of discrimination: "mechanisms by which complaints are stopped" (2021: 202) such as "collegiality" (as introduced above) including informal practices of hiring and white solidarity, and the confidentiality or "closed doors" around reporting processes. Most importantly for this article, Ahmed describes how the institutional climate that enables harassment or discrimination to occur—including its gendered dynamics—also shapes the environment within which reports about such harassment are handled (2021).

In describing how complainants have to become "institutional mechanics" in order to negotiate reporting processes, Ahmed's work goes some way towards revealing the specific processes by which institutional responses to reports may be ineffective and how these processes are shaped by gendered and racialized institutional climates. However, there is more work to be done to identify the specific mechanisms by which (predominantly male) perpetrators are protected, and (predominantly female) victim-survivors are "silenced" (Fernando & Prasad, 2018; Oman and Bull, 2021; Phipps, 2018; Shannon, 2022; Pilinkaite Sotirovic et al. 2024), including the ways these are enabled by institutional "gender regimes."

2 | METHODS AND CONTEXT

This study draws on interview data from staff and students who have reported sexual harassment or violence to their UK HEI. It comes from a wider study of interviews with staff handling reports, as well as students/staff disclosing sexual harassment between 2016 and 2021 (2016 was chosen as this was when key guidance in this area was published in the UK). In this article, we focus on a subset of accounts from the study, from interviewees who went through a formal process for handling their report. By "formal process" we mean where an institutional complaint, grievance or disciplinary procedure is instigated that follows a route that can lead to disciplinary sanctions being imposed on the responding party, following guidance on such processes from the UK's Advisory, Conciliation and Arbitration Service (ACAS; see Acas (2021)) or Office of the Independent Adjudicator for Higher Education (OIAHE; see Office for the Independent Adjudicator (2022)). This is distinct from "whistleblowing" which has specific legal protections in the UK context, and refers to making a disclosure that is in the public interest. It is important to acknowledge that for some interviewees, getting to the stage of formal reporting was not possible or desirable, for example due to the outcomes they wanted not being offered by this process (Bull & Page, 2022); being dissuaded from reporting or silenced at an early stage of voicing (Fernando & Prasad, 2018); and/or lack of protections during the reporting process.

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The interviewees whose accounts are represented here include eight who were students who reported academic staff (five PhD students and three undergraduate); four students (all undergraduates) who reported other students; and five staff members who reported other staff. While all of those who had experienced harassment were women, the sample also includes two male interviewees who were not subjected to harassment but were involved in reporting as part of a group where others had experienced sexual harassment from the same person as they were reporting (for bullying). Two of the students were Chinese international students, one Black British, and one British Asian, while the others were white. Interviewees were asked whether they thought any aspects of their identity such as race, class, sexuality, gender or other characteristics were relevant to their experiences or harassment or institutional responses to reports, and where they discussed such relevance it is mentioned below. Despite trans and non-binary people being more likely to be subjected to sexual harassment (Heywood et al., 2022), no trans or non-binary people participated in this study; the identities of those who felt comfortable to participate in this research therefore shape the findings. Interviewees were recruited via social media through The 1752 Group, a campaign and research organization that addresses sexual harassment in UK HE, of which the first author is a director. As such, the sample may be likely to include those who had a particularly poor experience, as they had followed a campaigning organization on social media. The accounts analyzed here should not be seen as representative, but we suggest that this selection allows analysis of why sexual harassment reporting processes fail. Interviews were carried out in 2020 and 2021 on Zoom by either the first or second author, both of whom have training and experience in supporting survivors of gender-based violence. Ethical approval for the study was granted by The University of Portsmouth Faculty of Humanities and Social Sciences Ethics Committee (FHSS 2021-57) and interviewees had the opportunity to comment on or redact their interview transcripts and to edit the final project report (Bull and Shannon, 2023) before publication, as well as being offered appropriate support after the interviews.

The decision to include both staff as well as student reporting parties came about through the authors' previous research in this area which found similarities in case handling across staff and students. There is also a theoretical reason for this decision; as Ahmed notes, the climate in which discrimination and harassment occurs is the same environment in which cases are handled (2021) and therefore, while HEIs are large, complex organizations where different practices may occur in separate parts of the institution, there are also likely to be similarities. Furthermore, while different parts of the institution handle reports against students or against staff (HR versus student services) the same form of indirect gender discrimination in reporting processes in the UK (Bull et al., 2021) are in place for both.

The complexity of many of the accounts as well as the status of interviewees' knowledge of the reporting process made analysis challenging. Interviewees necessarily only had a partial understanding of "their" process due to the indirect discrimination noted above as well as to the technical knowledge sometimes needed to understand it (Bedera, 2022). As such, we are treating the interview data as providing a standpoint (Harding, 1996) on institutional responses but as necessarily partial and incomplete. However, interviewees often gave explanations or evidence for their perspectives; as such the analysis below documents the reasons why interviewees thought case handling occurred in the ways it did. Participants—many of whom had high-level academic training—also gave examples of how they themselves had used theory to make sense of their experience, and these points are discussed in the analysis. Data analysis involved a thematic analysis drawing on the authors' previous work in this area; creation of narrative summaries of each interview in order to retain the context of each account as a whole; and for this article, three relevant themes were drawn on ("process harms," "hierarchy and power imbalances," "gender and status in process"). The findings outlined below were drawn from these themes and were sense-checked against the narrative summaries or transcripts where necessary. Negative cases/counter examples were explicitly sought during the analysis and are

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described below. Outcomes of cases are not necessarily given in the analysis as these were often too complex to describe succinctly.

Finally, as the data are situated within the UK's social and legal context, analysis also noted points where interviewees' accounts demonstrated that the process had deviated from good practice recommended by ACAS and the OIAHE (as introduced above), in order to explore whether any of Connell's four dimensions of gender appeared to be influential. Often, there were failures in the process that were not clearly related to the institutional gender regimes. Nevertheless, where these were specific to gender-based violence/harassment reporting processes, we coded these as related to gender due to the gendered patterns of perpetration and victimization of GBVH, whereby women and LGBTQ+ people are more likely to be targeted, and men/masculine-identifying people are more likely to perpetrate such behaviors (Bedera & Nordmeyer, 2020; McDonald, 2012; National Union of Students and The 1752 Group, 2018).

3 | FINDINGS

To introduce the concepts of "gender relations of power" and "gendered investments" or "cathexis," as it functioned in reporting processes, we begin with a paradigmatic case study from one interviewee, Charlotte. She was a junior academic staff member in her first job. She experienced "grooming" (Bull & Page, 2021), bullying and academic misconduct from a more senior colleague in her department whom she nicknamed "Bob." She decided to make a formal complaint in order to support a PhD student who was also reporting "Bob." She confided in a colleague that she was planning to report him, but a couple of days later, when she tried to make her complaint, she found that he had got in first and reported *her* for sexual harassment. As such, both she and "Bob" went through the same process, and during this she realized that he was being treated differently to her. She outlined some of the differences:

> In the transcripts for the interviews, for example, the investigator apologises to him that he's being put through this process. I didn't get that. The way that they ask him questions is a lot more respectful, and nicer than the way they asked me questions. At the end of the interview they said, "after you have seen a transcript of her interview, do you want to come back and give us any more details?" They didn't offer me that.

Charlotte ended up making a second complaint after her first one was handled informally—against her wishes. During this second complaint she was able to see some of the evidence from "Bob's" complaint, which confirmed the ways in which he was viewed differently to her. For example, she saw in the transcript that the investigator viewed him as distressed and fragile, whereas she felt that when she cried in her interview, she was seen as a histrionic woman. She struggled to make sense of it, until:

> I read that Kate Manne book about misogyny and himpathy. And I was, "Oh my God, this is exactly it," and reading that book was really healing for me because it really, it just seemed to lay out exactly what that process was, what this dynamic was that I wasn't understanding why I just wasn't believed and wasn't taken seriously and the impacts of it on me were just seen as cheap and dismissible. Whereas the impacts on him were, "Oh my gosh, poor guy, he's so upset. He's so upset by this."

Charlotte's experience reveals an "emotional investment" in specific ideas around gender in the way her complaint was handled: men as deserving sympathy and respect, and a woman's

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distress being read differently to a man's distress. This manifested in greater respect being given to "Bob" than Charlotte, as shown by the comments from the investigator in the transcript, in a classic case of "himpathy" (Manne, 2017: 197).

This investment occurred in the context of the gendered division of labor whereby the Human Resources (HR) staff handling her complaint were primarily women. In this context, "Bob" appeared to use heterosexualized "charm" to gain their sympathy, as Charlotte describes:

> What's ironic I think is the first investigation was all done by women, women in HR. And Bob is very charming with women, as I discovered and all the other women discovered. Someone said to me, "You know he'll have wrapped them round his little finger and they'll have felt so sorry for him."
> The second investigation was done by a man. And I remember thinking "I wonder how he's going to play this, how he's going to play this like fragile victim card with a man." And the man was a lot less sympathetic towards him than the women were.

This phenomenon has been documented previously in relation to sexual harassment in organizations; an analysis of employee interpretations of sexual harassment policies in a US government organization found that women participants voiced gendered narratives that women would misuse the policy to target innocent men (Dougherty & Goldstein Hode, 2016: 1742). The "gendered investment" whereby concern for "innocent men" is foregrounded appears to have been compounded by Bob's "charm." Fasting and Brackenridge (2009) describe "flirty-charming" sports coaches who perpetrate sexual harassment. This perspective frames "charm" as a form of charisma which—as Bull notes in relation to classical music conductors (Bull, 2016)—enables the "gender relations of power" that Connell (2006) describes. As such, "Bob" appears to have been deploying his charm as a form of gendered power in order to capitalize on the gendered investments that the women HR staff already held.

Charlotte never received an outcome to her complaints; she took a worse job at a different university to get away from the situation so the process was never concluded. Her experience—where transcripts evidenced differences in the ways that she and "Bob" were treated while attempting to go through the same process—shows how formal processes can be impacted by the emotional investments in gendered ideas held by staff handling reports, and in this way the process compounded the existing gender relations of power within the institution that enabled "Bob" to target her. While this dynamic can play out in different ways—for example, through homosocial collegiality as well as heterosexualized "himpathy"—it reveals the ways in which formal processes can be influenced by gender regimes within institutions. Below, the article builds on Charlotte's account to analyze ways in which gender regimes influenced formal processes for the participants in this study, all of whom constituted the reporting parties in their case. We look first at the evidence-gathering stage of their investigations, before moving on to examine how evidence was assessed.

4 | GENDERED BARRIERS TO GATHERING EVIDENCE

As noted above, gathering sufficient evidence has been documented as a barrier in upholding sexual harassment cases (McDonald, 2012). As such, processes for gathering evidence need to be scrutinized. In this study, gendered barriers to evidence gathering included reporting parties not being given the opportunity to respond to the reported party's version of events, and case handlers failing to gather all evidence or to call relevant witnesses.

To start with the first point, in the US (Brodsky, 2017), equal rights to see information during an investigation is a formal part of Title IX requirements. By contrast, in the UK reporting

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parties do not have such rights (Bull et al., 2021); disciplinary process materials are seen as the private data of the responding party. While the adjudicator for complaints in higher education in England has argued that a "good quality investigation" would involve reporting parties seeing all information about themselves and having the opportunity to provide further evidence to clarify their statement (Bull, 2023), in the data from this study this was not happening.

As noted above, Charlotte saw materials from an investigation interview with "Bob" where—in the position of reporting party—he was offered the opportunity to provide further details after he had seen a transcript of her interview. This opportunity was not part of the usual rights given to reporting parties in investigations—whether staff or students—and it was not offered to Charlotte when she reported "Bob." Similarly, Victoria, an undergraduate student who reported another student for sexual assault described:

> I was aware that he was having access to everything that was being said throughout the investigation, but there were never times when I was being offered to hear what was being said about me […] and I'm sure he was saying very unpleasant things. But I feel like it wasn't balanced. […] I [wanted the opportunity to] put forward a justification, because he was allowed to justify himself. I think if he was calling me every horrific, misogynistic name under the sun, I would have liked to know about that, because it would have made it a more balanced thing. But when I was so shut out of every process, it felt like his side had already been taken, no matter what they thought, because here he was, being given all of the access to everything.

Victoria's and Charlotte's experiences, by contrast with "Bob" when he was in the same position as them of reporting party, show how gendered attachments can have a material impact on evidence and therefore outcomes of sexual harassment reports. "Bob's" charm was powerful enough to override his lack of rights to see the other party's interview transcript. As such, formal inequalities in the process (Bull et al., 2021) intersected with gendered emotional attachments.

A further barrier in gathering evidence was apparent in the simple failure to collect or collate evidence that was available. James was part of a group of PhD students reporting a senior member of academic staff for sexual harassment, racism and bullying. The gender relations of power in this situation are present in the reported party being a senior man, while those reporting him were a group of students marginalized by not only gender but also race and sexuality. When the students submitted their written complaint, they also offered to provide documentary evidence of various aspects of their complaint and to be interviewed as part of the process. James described how the student complaints team, who were investigating, failed to take them up on either of these options but then stated in the investigation report that various points—which they had offered to provide evidence for—were not corroborated.

This example could be read as simply a poor-quality administrative process—a common occurrence across the dataset. However, as Sara Ahmed describe, this is also "strategic inefficiency" which can be "useful and purposeful" (2021: 93) for some members of the institution, while for others, "administrative failure is a life disaster" (2021: 96). In James' situation, there was no investment in putting together a good quality case to call a senior man who was abusing his power to account for his behavior. The effect was to weaken the evidentiary case against the responding party, and in this way, to maintain existing gender relations of power within the institution. These examples show how gender and other institutional inequalities shaped the process to the detriment of reporting parties, and these gendered patterns in evidence gathering could have a material impact on the findings.

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5 | ASSESSING EVIDENCE

Interviewees described gendered ways in which evidence was assessed. These could then affect outcomes. In this section, three ways in which "gender regimes" affected the assessment of evidence in this study are outlined.

5.1 | Flawed credibility assessments

One way in which assessment of evidence was gendered was through flawed credibility assessments. This term refers to a step in the investigation process that involves "the process of weighing the accuracy and veracity of evidence" by evaluating the "source, content, and plausibility of what is offered in light of other evidence" (ACAS, 2019; Henry et al., 2016: 7; Humphreys & Towl, 2020). In some cases, gender was, according to interviewees, influential in weighing up evidence, along with other factors such as status within the institution. One example came from Daisy, an associate professor who reported a professor in her department. She described how "I had about 15 people in my grievance that were either witnesses or provided statements; 15 people, and one guy refuting all their statements." Despite the weight of testimony on her side, the grievance was not upheld. Daisy described how the outcome letter simply summarized her grievance and the responding party's explanations for his behavior but failed to give any explanation for how the evidence had been weighed up or how credibility had been assessed. Daisy's conclusion was that her gender was a factor in this decision as he was being believed and she was not.

A more detailed example of the failure to assess credibility was given by Jean:

> The perpetrator's narrative was given the same weighting as the significant amount of evidence that I provided. So, to put this into context, the first complaint was, I think, about 80 pages. With emails, text messages, screenshots of WhatsApp messages, photos, you name it, everything that I'd said was backed up with a photo, an email, a text message.
>
> But one particular issue with my case was, by the end, the perpetrator was sending me photos that had his crotch in it. It was clothed, so he technically wasn't breaking the law, but he would find ways to place bizarre … just place objects on his crotch and, in some cases, [the photos] had the outline of his penis in it. And he would also send me photos of his shoes as well, and in his interview he said that he was just sending me "shoesies," so selfies with shoes in essentially. Now, for the credibility assessment you'd say, "okay, let's have a look at these crotch shots. They didn't have his shoes in, so clearly these weren't shoesies." But it was just taken as fact […], totally disregarding the amount of evidence I had to show that this was increasingly sexualised behaviour over time.

As outlined above, "credibility deficits" involve "a refusal to acknowledge what is revealed by the evidence" (Manne, 2017: 190), and "often serve the function of buttressing dominant group members' current social position" (2019: 194). Jean's account shows a basic failure of logic in the investigation report, which worked in the favor of the male academic staff member whom she, a PhD student, was reporting. Across both Jean's and Daisy's accounts (as well as similar experiences from some other interviewees), there appears to be a failure in the case-handling (whether by investigators and/or decision makers) to take a stance on whose account is more credible. The responding party's statement is given the same weight as a much larger amount of evidence, or larger number of witness/reporting statements, from the reporting party.

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Rather than critically examining the evidence and coming to a conclusion about each point of dispute, it appears that the stage of assessing credibility is simply missing in both accounts. The outcome in both cases was that the reporting party's case was not upheld.

We suggest that these examples demonstrate a reluctance to uphold sexual harassment cases. We do not know the reasons for the failure to weigh the evidence in these cases. Nevertheless, the "credibility deficit" explanation – "a refusal to acknowledge what is revealed by the evidence" (Manne, 2017: 190)—is convincing. This refusal takes the form of failing to examine the evidence and draw conclusions, therefore avoiding having to reach the conclusion that would be disruptive to the institutional gender regime. To uphold a case would be to take action that would upend existing gendered power structures. Failing to uphold a case leaves the current gender regime intact, or perhaps further entrenches existing gender relations of power. The route of least resistance is therefore to argue that the evidence is inconclusive, while failing to assess credibility.

A counter-example can illuminate this point further. Sophie was a PhD student who reported her supervisor, a professor. Her complaint was investigated by an external investigator, a lawyer, who Sophie thought did a good job on the whole, and the reasons for the decision, including how these conclusions were reached, were outlined in her decision letter. Her complaint was partly upheld, including the claims of sexual harassment. Nevertheless, one aspect of her complaint—about victimization—was not upheld. She appealed the decision, arguing that the external investigator had been unfamiliar with institutional policies; this appeal was successful. Where the evidence had not been appropriately assessed during the first complaint, this was corrected at appeal stage.

Sophie's experience could be used to argue that the solution is to employ specialist investigators—rather than the normal practice of using senior managers within the institution—to investigate sexual harassment. Indeed, this step is likely to improve the quality of the investigation, assuming such investigators have expertise that enables them to recognize the dynamics of gender-based violence and assess credibility and evidence through this lens. However, the reluctance to take action following sexual harassment cases that was evident in Jean's and Daisy's case is also visible in Sophie's account; in keeping with normal practice in such cases (Bull et al., 2021), Sophie was not told what disciplinary action was taken against her supervisor; she was only aware that he remained in post, and continued to teach. As a result, despite the upheld case, she was dissatisfied with the institutional response as she felt that other women were not being protected from his behavior. As such, the use of specialist investigators does not address the wider institutional context that enables such gendered failures of process to occur. For example, the lack of explanation of how credibility was assessed in Jean's and in Daisy's cases was accepted by other decision makers; in Daisy's case this involved multiple members of staff across three decision-making panels. As such, while specialist investigators with relevant expertise will improve case-handling, their use will not dismantle the wider gender regimes that allow gendered investments and attachments to shape formal processes.

5.2 | (Failing to) recognize gender relations of power

A second way in which gender regimes affected assessments of evidence was in whether gender relations of power were recognized during case handling. An example where this did occur comes from Courtney, who reported an abusive relationship with a lecturer to her institution some years after she had graduated. When the investigation was finally concluded, the institution recognized the gender relations of power between her (at the time an undergraduate student) and her lecturer. As Courtney described:

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> despite the [lecturer] saying, "Oh, that didn't happen; on this day she wasn't a student anymore," the school was like, "Well, it started when she was a student. This type of relationship was sexual already and even if there was a period of time between that doesn't rewrite the nature of the relationship. You were still in a teacher/student relationship to each other"; so, that was satisfying.

This situation, where gender relations of power were recognized and labelled within the investigation and findings, was also described by one other interviewee. More common, however, were examples where gender relations of power were invisibilized or only became recognizable when the reporting party took steps to educate complaint-handlers around this.

For Jean, the inability of the HR staff handling her report to recognize the sexualized abuses of power in a very unequal relationship was one of many failings that occurred. The staff member whom she reported described their relationship—which she experienced as grooming and sexual harassment—as "mutual friendship." This interpretation was accepted by the institution, and as Jean described:

> The investigator stated in the outcome report that the perpetrator's behaviour was based on, to quote, "mutual friendship and as a result a bit of fun with a friend," which obviously showed a total lack of understanding of grooming. And another thing that was so, so inappropriate or just shows a complete lack of training was [that] there was no consideration of the power relations, the fact that I was a PhD student, I was really precariously employed and I needed the fellowship [that the responding party was mentoring her to apply for]. I needed the guidance of someone who offered me support and put himself in that role, and that was never taken into consideration.

Jean described how this failure to recognize the power imbalance "was probably one of the things that has had a longer-lasting impact" on her out of the whole process. Her precarious employment status—as highlighted by UCU (2021) as well as Phipps (2024) as part of the enabling conditions for sexual harassment—meant that she was dependent on mentors such as this man for her career. These relations of power appeared to be completely invisible to those handling her report.

However, three interviewees found ways to push back against this lack of recognition of gendered power in the reporting process, attempting to educate the staff handling their report about these issues. Charlotte, introduced above, ended up reporting a second time after her first grievance was treated informally without her knowledge. Her therapist had told her about DARVO, which stands for "Deny, Attack, Reverse Victim and Offender roles" and "describes how perpetrators of interpersonal violence deflect blame and responsibility when confronted for their abusive behavior" (Harsey & Freyd, 2020: 897). In her grievance, Charlotte explained what this was and how it explained her experience. The HR team then spoke to an expert from the university to get their assessment of Charlotte's account. The expert examined the evidence and identified ways in which this dynamic was at play. As a result, the staff handling Charlotte's report started to question their previous view of the situation. They did not fully come round to seeing her as the victim but concluded that they could not make a judgment either way. This was, to her, some degree of success.

Another interviewee who attempted to educate decision makers about the dynamics of gendered abuses of power was Mary, a staff member who was reporting "grooming" behaviors that had started while she was a PhD student. She was frustrated that the disciplinary panel were focusing on one incident rather than seeing the pattern of behavior that was occurring. It turned out that none of the disciplinary panel members had had any training on sexual harassment. She printed relevant pages of Bull and Rye (2018) on "grooming" to give to her disciplinary

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panel to explain what she had experienced. Similarly, Daisy, also a staff member, managed to get an expert in gender-based violence from her university to give evidence at her appeal, as well as submitting two chapters from Kate Manne's *Down Girl: The Logic of Misogyny* as supporting documents, pointing out how the responding party's statements demonstrated his sexism and misogyny.

For both Daisy and Mary, their attempts were ultimately unsuccessful. Despite this, Mary said that she did feel that they were listening to her when she was explaining "grooming," partly due to her senior status within the institution by this time. Daisy also felt that her attempts were not wholly ignored; she was able participate in subsequent work to improve reporting processes at her institution. But on the whole, gender relations of power were invisible to staff handling reports. The two instances where gender relations of power *were* taken into account—in Courtney's case and one other—were both instances of academic staff abusing undergraduate women students. By contrast, instances where they were *not* taken into account were between two staff members, or a staff member and postgraduate researcher. Similarly to Cipriano et al. (2022), who found that stereotypical experiences of harassment were more likely to be upheld, these examples suggest that only relations of power that incorporate gender, victim status/rank and possibly age, were being recognized.

5.3 | Gendered narratives in disciplinary panels

A third way in which gendered attachments and investments entered the process was during disciplinary panels. Disciplinary panels made up of members of the higher education institution occur where—if the investigation finds there is a case to answer—a decision-making panel is convened to hear the evidence, decide if the report is upheld, and impose sanctions. Disciplinary panels have to ensure that the claims being made have been sufficiently tested. However, there was evidence in both student and staff disciplinary panels of questions from the panel to the reporting party that drew on "rape myths," i.e. "prescriptive or descriptive beliefs about rape [or other forms of GBVH] that serve to deny, downplay or justify sexual violence" (Bohner et al., 1998: 14). For example, Chisimdi, a student who had been assaulted by another student, was asked by her disciplinary panel whether she found the responding party attractive. Sarah, making a report of sexual harassment some years after graduating from her PhD about a lecturer who was still in post, described how the first question they asked was, "Why did you not complain about the incidents closer to the time that they occurred?" as well as "did anyone encourage you to make allegations against Dr X to the institution?" She was also asked if there had been any men whom she could call as witnesses (as well as the woman she had already called).

These questions all draw on myths about sexual violence and harassment: that women are less credible than men; that if women don't report immediately after an incident, it puts their credibility into question; and that rape is about sex, not power, and therefore sexual attraction is relevant to understanding whether rape occurred. Rape myths are an example of *cathexis*, i.e. "the way in which attachment and antagonism among people and groups are organized along gender lines, including feelings of solidarity, prejudice and disdain" (Connell, 2006: 838). While some HEIs now train members of disciplinary panels for handling sexual harassment cases, it is unclear how widespread this practice is in the UK. It is important to note that Sarah's panel was taking place at an institution that *had* trained at least some disciplinary panel members, but despite this, rape myths were still being mobilized. As with using specialist investigators, as discussed above, training can only go so far towards counteracting the wider institutional gender regime.

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6 | GENDER "NEUTRALITY" LEADING TO GENDERED OUTCOMES

As well as using gendered lenses to gather and assess evidence, there were also further examples of how gender was "getting in" to handling sexual harassment cases which did not relate directly to gender relations of power or gendered "emotional attachments," but rather show how an absence of gendered awareness led to evidence being assessed inadequately. Connell (2006, 844) describes "gender neutrality" as where "gender practices deemphasize difference and tend toward neutrality." This "neutrality" can be misleading; as Dougherty and Goldstein Hode (2016) describe, sexual harassment policies use "neutral and legalistic language that taps into the myth of rationality" (2016: 1751). Here, we argue that gender "neutrality" in sexual harassment case handling leads to discriminatory outcomes, as it obscures the fact that sexual harassment behaviors are likely to be serial, with multiple people being targeted (Cantalupo & Kidder, 2017; Hales & Gannon, 2021). As noted above, Charlesworth (2002) has drawn attention to how the individualized nature of grievance processes can eclipse the systemic nature of sexual harassment, which targets women because of their gender. There was uneven practice across the sample as regards handling reports and disclosures separately or together. Two interviewees described their reports being handled individually despite others reporting the same person. They were told that their cases were being handled separately due to the potential for "bias." However, other interviewees described how reporting as part of a group made their university take it more seriously and meant that their evidence was stronger and more likely to lead to an upheld finding.

There were also examples of poor case handling that, on the face of it, did not have an explicitly gendered dimension, but led to gendered impacts due to sexual harassment being disproportionately experienced by women and gender minorities. For example, interviewees described evidence being assessed in ways that were not in line with legal definitions of sexual harassment (definitions that are usually used in UK higher education policies). The UK's Equality Act definition of sexual harassment describes "sexual conduct" that has the "purpose or effect" of creating an intimidating, degrading, humiliating, offensive, or hostile environment (Equality and Human Rights Commission, 2020). For example, Jean, when she gained access to the investigator's findings, found that they relied on the staff member claiming to have "no sexual intention." However, the *effect* on her was to create a hostile environment, so his intention should have been irrelevant. Similarly, James described how the investigation report into his group complaint stated that the staff member's "actions [were] not intended to humiliate others." These examples show how an ignorance of legal frameworks led to gendered impacts of harming women and protecting men, and in James' case, negative impacts on students with other marginalized identities.

7 | DISCUSSION

In this article, through analyzing the accounts of 18 students and staff who went through a formal reporting process for gender-based violence or harassment within UK higher education, we found that gender regimes influenced formal reporting processes in both subtle as well as explicitly discriminatory ways. Our analysis began once interviewees had entered a formal process, and therefore did not examine experiences prior to reporting (see Bull, 2022). In relation to gathering evidence during investigations, one barrier was reporting parties not being given the opportunity to respond to the reported party's version of events due to indirect discrimination in the process (Bull et al., 2021). However, gendered attachments, in creating "himpathy" for a male complainant, could override this formal process where a man was the reporting party. Other barriers included failing to gather all evidence or to call witnesses, which led to gendered

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outcomes due to the gendered dynamics of sexual harassment reports. Once evidence was gathered, at the stage of assessing evidence, flawed or inadequate credibility assessments led to the responding party's statements being accepted despite their illogic or lack of evidence, and in some—although not all—cases, there was a lack of ability among case-handlers to recognize how gender relations of power were shaping the dynamics of harassment. Disciplinary panels also demonstrated gendered investments through asking questions that drew on "rape myths." Finally, a frame of gender "neutrality" led to evidence being assessed inadequately, for example, reports about the same reporting party being assessed separately (showing an assumption that GBVH is an individualized phenomenon rather than a pattern of behavior). Other examples of poor case handling that had gendered impacts included a lack of awareness among case handlers of the legal definition of sexual harassment in the UK.

These findings demonstrate that gender regimes—via gender relations of power and gendered "attachments and investments," as well as "gender-neutral" or "gender-blind" processes—can override formal process and shape outcomes of sexual harassment cases. It is important that this is not simply seen an account of discriminatory processes; rather, it provides a (partial) explanation for *how* gender regimes contribute to the failure of sexual harassment cases to be upheld within organizations. Some of these problems are failures within the process more generally, which would be to the detriment of any reporting party (not just those reporting sexual harassment). However, as sexual harassment is disproportionately experienced by women and gender minorities, such failures in the process are part of the institutional gender regime. Similarly, failures relating to "strategic inefficiency" (Ahmed, 2021) will also affect those reporting other types of discrimination such as racial harassment (Equality and Human Rights Commission, 2019).

This article sheds light on Dobbin and Kalev's findings that while the presence of grievance processes within an organization could have a negative effect on the number of women managers in the organization, in more gender-equal organizations, this effect was reversed (2019). Dobbin and Kalev posit that, because "women are more likely to believe harassment complaints […] in firms with more women managers, [grievance] programs work better" (2019: 12255). The findings above point towards some caveats to Dobbin and Kalev's findings, as they evidence ways in which women may also hold gendered attachments that can harm sexual harassment complainants. As such, it appears that women managers may have a positive impact on women's experiences of sexual harassment complaints, but not women HR staff. Nevertheless, these findings build on Dobbin and Kalev to show that making reporting processes less harmful requires not only believing women (e.g., by not subscribing to rape myths, "himpathy" or notions of women's "credibility deficits") but also requires recognizing gendered power; having an understanding of the systemic nature of sexual harassment; and understanding and applying legal/policy definitions. More generally, the analysis above demonstrates that case handlers—of all genders—who try to implement these practices may be pushing against existing gender regimes in their institution, and so an exhortation to "believe women" needs to be underpinned by an understanding of by whom, at what stage of the process, and how, gender regimes in reporting processes can be resisted.

Furthermore, the importance of reporting processes does not only lie in contributing to gender equality. In this study, reporting processes were also used by interviewees to try and keep themselves and others safe. In this study, for some interviewees—including for some racially minoritized, working-class and queer students—reporting led directly to a cessation of the abuse, for example due to the responding party being suspended during an investigation, moved out of university accommodation, or through precautionary measures being imposed during the reporting process. This cessation of harm is not captured in quantitative measures such as Dobbin and Kalev's. It did not always occur, or sometimes it was followed by different harms. Nevertheless, this constitutes a further reason not to discount institutional reporting processes, for example, as Phipps argues, due to their complicity with neoliberal academia (Phipps, 2023).

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Three reporting parties described taking steps to push back against gendered myths and attachments and trying to educate case handlers about the gendered dynamics of sexual harassment by drawing on expert witnesses or relevant research that they shared as part of their case. These examples showed points of disjuncture, indicating directions through which reporting processes could counter gendered institutional hierarchies. Of course, reporting parties should not have to educate staff handling reports about gender dynamics of harassment and abuse; clearly staff in relevant roles as well as those handling disciplinary cases should have specialist training in this area.[3] But these points of disjuncture show reporting parties' agency—drawing on their institutional status as staff rather than students in all three cases—in working to combat the gender regimes they encountered, as well as a route towards disrupting them. After all, HEIs are places where expertise and research evidence are usually taken seriously, so it is difficult to reject such expertise when it is drawn on in the "wrong" part of the institution. These examples support Ahmed's idea of complainants as diversity practitioners (2021), showing them attempting to transform their institutions.

The discussion above also suggests that it is important not to assume a homology between gendered institutions and processes. Reporting processes may indeed directly reflect the gender regimes of the wider institution. However, they can also work as a Trojan horse that allows gender regimes to be made visible and disrupted. A further possibility was that reporting processes can amplify perceptions of unequal gender regimes within organizations. Interviewees were aware of inequalities in the process, and this awareness contributed a mistrust of the institution. This mistrust could build on the "unwilling trust" that interviewees may already have felt when initially reporting (Shannon & Bull, 2024). Victoria (among others) identified the lack of parity of rights within the process as gender bias on the part of the institution. As such, the formal biases existing within the process contributed to a (justified) belief that the process in general was discriminatory, undermining any faith in procedural justice and contributing to a perception among some reporting parties that the reporting process was irredeemably flawed.

This discussion has shown the possibilities for researchers—as well as complainants—acting as "institutional mechanics" (Ahmed, 2021) to understand precisely where and how processes are failing reporting parties. In order to do this work, Ahmed's work provides a helpful starting point, but it is necessary to go beyond her phenomenological approach and draw on a socio-legal framing whereby the legal and policy context is considered alongside theoretical tools to analyze inequalities.

There are several limitations to the analysis presented in this article. First, this analysis is unlikely to be exhaustive; there will almost certainly be further ways in which gender regimes within organizations "get into" formal reporting processes which have not been captured in this dataset. Second, the study focuses on one sector, higher education, and gender regimes are likely to differ across sectors. Third, it has considered staff and student reporting processes together, drawing on Ahmed's theorization that the discrimination that occurs within an institution also shapes the institutional response. However, examining staff and student reporting experiences separately would allow further nuances within different groups to be identified. Fourth, it has relied on reporting parties' accounts in interviews of their experiences. A more detailed account would have been obtained from directly analyzing their reporting documentation alongside an interview, and this approach should be taken in future research. Fifth, while the sample included interviewees from a range of positionalities, no trans or non-binary students participated, a group whose experiences are likely to be particularly revealing of gender regimes. Finally, it is worth considering what data would emerge from responding parties rather than reporting parties. This population are likely to be difficult to recruit for research, but secondary data from public hearings in "regulated professions" such as the police could be analyzed to access responding parties' accounts.

This article has focused on the UK context, drawing on relevant literature from the US and Australia, in particular. It has also drawn together research on grievance processes within

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organizations and reporting GBVH in higher education to reveal similar discussions and debates around the role of evidence as well as the ways in which gender inequalities and norms shape the process. These literatures have developed in siloes but it is clear that they benefit from being considered together. To conclude, we briefly broaden out from the UK context to explore whether there is there "feminist potential" in improving reporting processes (Sen, 2017). It is by looking beyond the Anglophone Global North that more progressive forms of handling sexual harassment reports can be found, for example in India and Spain. These debates have been particularly passionate in India, where—for example at Jawaharlal Nehru University—gender-sensitive practices for handling sexual harassment reporting were pioneered (Thakur & Kumar, 2019; University Grants Commission, 2013). Similarly, in Spain, HEIs are required to have a gender equality unit, and Lombardo and Bustelo have analyzed the functioning of one such unit—which also coordinates sexual harassment reporting processes—within a large university (2022). In this context, reports are investigated by a gender equality specialist. Limitations include this work being under-resourced, and the gender equality expert not being involved at all stages of the process. Nevertheless, such examples show the possibilities of embedding gender expertise at the heart of reporting processes for sexual harassment. These case studies need to be scrutinized and documented to explore whether such forms of "feminist" due process in institutions can combat the gendered approaches to handling sexual harassment reports documented above.

Overall, while previous literature has argued that reporting processes for sexual harassment have "largely failed" (Schultz, 2018: 59), this article has argued that in the current socio-political context where there is a widespread imperative to report sexual harassment to institutions, researchers and activists have a duty to scrutinize these processes and try to reduce these harms, regardless of whether we think they have any "feminist potential" (Sen, 2017). On this point, our article has shown that any monolithic view of institutional processes is unjustified. While there exists both indirect discrimination in the formal process in the UK, as well as various ways in which gender regimes affect reporting processes, it has also described ways in which complainants themselves—as Sara Ahmed also describes—become activists to make change in the process. We suggest that it is necessary to take whatever routes to institutional change that we can find, and towards that end, this article has shed lights on some of the mechanisms by which this change can occur.

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DATA AVAILABILITY STATEMENT

The research data are not shared due to the sensitivity of the topic and potential risks of sharing for research participants.

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ENDNOTES

[1] There are three relevant and distinct terms here: "complaint" is the term usually used for a student reporting to their higher education institution in the UK; "grievance" refers to an employee reporting to their employer; while "disciplinary process" refers to the actions an employer or HEI might take towards a student or employee who has violated institutional policies (e.g., following a complaint/grievance of sexual harassment). As an umbrella term to cover all of

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these, in this article we use the term "reporting processes" other than where we are referring to specific literature that uses alternative terminology, or where interviewees' quotes use a different term.

[2] In this article, sexual harassment is seen as a falling under the wider umbrella term of "gender-based violence and harassment (GBVH)." Both terms are used in order to draw together the legal framing and research into of sexual harassment within organizations with the wider research literature on GBVH in HE and beyond.

[3] The first author, Anna Bull, has devised and delivered such training to staff in UK HEIs.

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