

Staff Sexual Assault and Sexual Harassment Policy

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| Description | This policy outlines the University's approach to preventing, reporting and responding to incidents of sexual assault and sexual harassment by staff. |

Related documents

[Code of Conduct](#)

[Domestic and Family Violence Support Policy](#)

[Griffith University Privacy Plan](#)

[Reporting a concern form: for incidents of Sexual Assault, Harassment, Bullying and Discrimination](#)

[Reporting and Resolution of Complaints of Staff Sexual Assault, Harassment, Bullying, Discrimination Procedures](#)

[Staff Harassment, Bullying and Discrimination Policy](#)

[Procedures for Reporting and Responding to Student Sexual Assault, Harassment, Bullying and Discrimination](#)

[Student Sexual Assault, Harassment, Bullying and Discrimination Policy](#)

Related links

[Safe Campuses](#)

External links

[Anti Discrimination Commission Queensland](#)

[Queensland Ombudsman](#)

[Queensland Police Service](#)

[Office of the eSafety Commissioner](#)

[Anti Discrimination Act 1991 \(Qld\)](#)

[Criminal Code Act 1899 \(Qld\)](#)

[Sex Discrimination Act 1984 \(Cth\)](#)

[\[Introduction\]](#) [\[Scope\]](#) [\[Definitions\]](#) [\[Prevention\]](#) [\[Reporting and disclosing incidents\]](#) [\[Responding to disclosures\]](#) [\[Support\]](#) [\[Responsibilities\]](#) [\[Glossary of terms\]](#)

1. INTRODUCTION

The University has zero tolerance for sexual assault and sexual harassment and expects that our staff and students are able to participate fully in work and university activities and will feel welcome, safe and supported. All staff are expected to conduct themselves in a manner which is consistent with the Code of Conduct, and will at all times behave professionally and with respect for others.

The University is committed to supporting individuals who have been affected by sexual assault, sexual harassment and other forms of personal violence, including [domestic and family violence](#). The safety and wellbeing of a person disclosing or reporting sexual assault or harassment is the priority and the University provides support via wellbeing and counselling services and referrals for [staff](#) and [students](#) and via [crisis support](#).

2. SCOPE

This policy applies to incidents of sexual assault and sexual harassment which are allegedly perpetrated by staff against other staff, or students when engaged in University related activities which are on campus, in transit to/from campus, off campus and online. Staff includes sessional, casual, visiting, honorary, adjunct, conjoint appointments and volunteers at Griffith University.

This policy applies to University staff who have been affected by incidents of sexual assault, sexual harassment and other forms of personal violence, including domestic and family violence. The policy does not apply to students who are affected by such incidents; this is covered by the [Student Sexual Assault, Harassment, Bullying and Discrimination Policy](#).

This policy also applies, as relevant, to members of the University Council and its Committees who are not staff of the University.

2.1 Related University policies

This policy is implemented alongside the Staff Bullying, Harassment and Discrimination Policy. Complaints made under both policies will be received and managed under the [Reporting and Resolution of Staff Harassment, Bullying, Discrimination and Sexual Assault Procedures](#). Complaints about staff conduct may be managed under more than one policy, including but not limited to:

- Misconduct and Serious Misconduct provisions under the [Enterprise Agreements](#) – Academic and Professional and Support staff
- [Health and Safety Policy](#) – governs safety expectations across the University.

The [Domestic and Family Violence Support Policy](#) outlines the support available to University staff and students affected by domestic and family violence.

2.2 Student concerns

2.2.1 Student conduct

The University's expectations in relation to student behaviour are outlined in the [Student Sexual Assault, Harassment, Bullying and Discrimination Policy](#), [Student Misconduct Policy](#) and [Student Charter](#). Where an individual is both a student and a staff member, the matter will usually be managed according to their role at the time of the alleged incident. However, nothing in this policy precludes a matter involving a staff member being managed under the disciplinary provisions of the relevant enterprise agreement.

2.2.2 Student support and reporting

Students, and staff who are supporting students, who have been affected by sexual assault, sexual harassment or other personal violence should refer to the [Procedures for Reporting and Responding to Student Sexual Assault, Harassment, Bullying and Discrimination](#) and the [Safe Campuses](#) website for information on support, disclosure and reporting options.

2.3 University visitor complaints

Complaints against or from external visitors to the University are not dealt with under this policy and should be directed to the Vice President (Corporate Services) office via complaints@griffith.edu.au.

3. DEFINITIONS

The definitions below are intended to assist individuals in identifying conduct which may constitute sexual assault and sexual harassment.

3.1 Sexual Assault

Sexual assault is unlawful and constitutes serious misconduct. Sexual assault is any unwanted or forced sexual act or behaviour that occurs without consent. Sexual assault occurs when a person indecently assaults another person or procures another person, without their consent, to commit a sexual act (Section 352, Criminal Code Act 1899 (Qld)).

Consent must be freely and voluntarily given by a person with the cognitive capacity to do so and can be revoked at any time. Consent cannot be given by an individual who is unconscious or asleep or under the influence of drugs or alcohol.

Further, and in accordance with the Criminal Code Act 1899 (Qld) a person's consent to an act is not freely and voluntarily given if it is obtained:

- by force; or
- by threat or intimidation; or
- by fear of bodily harm; or
- by exercise of authority; or
- by false and fraudulent representations about the nature or purpose of the act; or
- by a mistaken belief induced by the accused person that the accused person was the person's sexual partner.

3.1.1 Examples of sexual assault

| Sexual assault is | Sexual Assault is not |
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| <ul style="list-style-type: none">▪ sexual intercourse without consent;▪ oral sex without consent;▪ anal sex without consent;▪ groping and inappropriate touching of a sexual nature without consent. | <ul style="list-style-type: none">▪ a consensual sexual act or behaviour. |

3.2 Sexual Harassment

Sexual harassment is unlawful under the Anti-Discrimination Act 1991 (Qld) and the Sex Discrimination Act 1984 (Cth) and constitutes misconduct. Sexual harassment is a form of harassment and includes any unwelcome or unsolicited conduct of a sexual nature that is offensive, humiliating, intimidating or threatening. The behaviour does not have to be repeated for it to constitute sexual harassment.

Conduct of a sexual nature includes making a statement of a sexual nature to a person, or in the presence of a person, whether the statement is made orally or in writing.

Sexual harassment occurs in circumstances where a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated.

3.2.1 Examples of sexual harassment

| Sexual harassment is | Sexual harassment is not |
|--|---|
| <p>One-off or repeated incidences of:</p> <ul style="list-style-type: none">▪ Unwanted or unsolicited intimate physical contact such as patting, pinching or touching in a sexual way; | <ul style="list-style-type: none">▪ sexual contact that has been engaged in with consent of the recipient, when the consent has not been obtained through fear, intimidation, threats or force or where there is a power imbalance in the |

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| <ul style="list-style-type: none"> ▪ unnecessary familiarity such as deliberately brushing against a person; ▪ sexual propositions; ▪ unwelcome and unsolicited remarks or insinuations about a person's sex or private life; ▪ suggestive comments about a person's appearance or body; ▪ offensive telephone calls, texts, emails or social media posts of a sexual nature; ▪ staring or leering; ▪ subjecting a person to sexually offensive screen savers or images in electronic or other form. | <ul style="list-style-type: none"> relationship; ▪ flirting that is invited and not unwelcome; ▪ attraction or friendship that is invited and not unwelcome; ▪ conduct of a non-sexual nature such as unreasonably requesting a person to do a favour that is not sexual in nature (which may be considered harassment or bullying). |
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4. PREVENTION

The University aims to eliminate all forms of sexual assault and sexual harassment from its campuses and commits to providing a safe, equitable and inclusive environment where staff and students are able to participate in all work and study activities.

Further, the University commits to reducing opportunities for sexual assault and harassment on campus by having 24-hour [security services](#) present on our main campuses.

Other methods used to promote respectful behaviour within the university community include effective communication, policies and training and awareness activities.

4.1 Effective communication

The University commits to the promotion of core values to prevent sexual assault and sexual harassment by staff and will support this through:

- promoting a clear message of zero tolerance regarding behaviours which constitute sexual assault and sexual harassment.
- explicitly communicating with staff about the expectations for being a member of a respectful and inclusive University community.
- promoting respectful behaviours through a variety of media.
- clearly communicating the options for reporting incidents of sexual assault and harassment, and how to seek support.

4.2 Clear expectations and policy

University policies and procedures will promote core values and expectations in deterring sexual assault and sexual harassment and managing related complaints.

The University will:

- make clear that it takes a zero tolerance approach to sexual assault and harassment.
- provide in policy, a definition of what may and may not constitute sexual assault and sexual harassment.
- provide clarity around the options for reporting incidents of sexual assault and sexual harassment.
- inform staff and students of their responsibilities under related policy and procedures to raise University-wide awareness, prevent these behaviours and promote respectful campus communities.

- make clear that the University does not tolerate victimisation of individuals who have taken action as a victim/survivor or bystander.
- ensure that managers and other supervisory staff are aware of their particular responsibilities in the prevention of sexual harassment and assault and in promoting respectful campus communities.
- provide in policy, explanations of conflict of interest, personal relationships in the workplace and awareness of power imbalance, to assist in the identification, reporting and resolution of related behaviours and circumstances.
- ensure all staff are aware of the [Code of Conduct](#) as part of onboarding.
- treat individuals fairly, impartially, equitably and with compassion and empathy, while adhering to the principles of natural justice (procedural fairness) in making decisions related to alleged incidents.
- provide meaningful outcomes for affected staff and students, as far as possible and seek to minimise the impact of incidents of these behaviours on affected staff and students' work and study environments.

4.3 Awareness and training

The University encourages all staff and students to participate in training and awareness activities.

4.3.1 Consent

All staff are expected to increase their knowledge of consent, consensual behaviour, and bystander intervention. Related training is available to all [staff](#) via Learning@Griffith.

4.3.2 Harassment and Discrimination

As outlined in the Workplace Bullying, Harassment and Discrimination Policy, all staff should complete [harassment and discrimination training online](#), both on commencement at the University and at least every two years to ensure that their knowledge is up to date.

4.3.3 Bystander awareness

Through the University's [Violence Research and Prevention Program](#), staff have access to specialised violence prevention training, the [MATE Bystander Program](#).

Resources are also available on the [Safe Campuses](#) website for staff and students who have been affected by an incident of sexual assault or harassment, including the support and reporting options that are available and guidelines on how to be an effective bystander and responder.

4.3.4 Responding to Disclosures of Sexual Assault and Harassment

Staff that are in roles which are likely to hear disclosures of sexual assault or harassment from colleagues or students (eg. supervisors, managers, frontline services staff, academic staff) should participate in [Responding to Disclosures](#) training to assist them to respond effectively and with respect and empathy.

The University is committed to ensuring staff and leaders have access to training and resources to both promote respectful behaviour and act appropriately and in accordance with University policy and procedures when an incident occurs.

4.3.5 Targeted training for Harassment and Discrimination Contact Officers (HDCOs)

The University will continue to ensure that HDCOs have completed all relevant training required to perform the role effectively.

4.3.6 Training for Higher Degree by Research Supervisors

The University will continue to ensure that as part of mandatory training for new [HDR Supervisors](#), staff will increase their understanding of the boundaries of supervision, appropriate behaviours and power imbalance which can occur in Supervisor-Candidate relationships.

4.3.7 Respectful behaviour

The [Counsellor \(Violence Response and Prevention\)](#), together with other staff, will contribute to strengthening the community response to personal violence at Griffith through the development

and provision of training and awareness activities for students and staff to enhance pro-social behaviour, personal wellbeing and violence prevention on and off campus.

5. REPORTING AND DISCLOSING INCIDENTS

The University is committed to responding appropriately and sensitively when incidents of sexual assault, sexual harassment and other personal violence occur.

While the University encourages the reporting of all incidents, it acknowledges that victims/survivors should be supported to respond to incidents in their own way. The University therefore provides options for reporting and disclosure, ranging from informal disclosure to anonymous reporting and the lodgement of formal concerns and investigations.

The University does not tolerate victimisation and will take reasonable steps to ensure that affected individuals are not victimised.

The University provides [counselling and wellbeing](#) support services which can be accessed on campus, online or via telephone for [staff](#) who have been affected by these behaviours. Further information is available in section 7 of this policy—[Support](#).

5.1 Understanding reporting and disclosure options

5.1.1 Safe Campuses website

The [Safe Campuses](#) website provides information for staff and students on the reporting and disclosure options available at Griffith and externally. The site also provides resources to assist individuals to [respond](#) to a student or staff member's disclosure.

5.1.2 Counsellor (Violence Response and Prevention)

The [Counsellor \(Violence Response and Prevention\)](#) can provide information to survivors, bystanders and responders in relation to the support and disclosure options available in relation to sexual harassment, sexual assault and other forms of personal violence. Priority appointments are available to individuals who have been affected by personal violence and can be accessed by dialling (07) 5552 6900 or emailing counsellor@griffith.edu.au.

5.1.3 Harassment and Discrimination Contact Officers

The University has [Harassment and Discrimination Contact Officers](#) (HDCOs) to provide appropriate information and referrals for staff and students when sexual assault, harassment (including sexual harassment), bullying or discrimination may have occurred. HDCOs can provide information about the University's sexual assault, harassment (including sexual harassment), bullying and discrimination policies and procedures and promote a discrimination free work and study environment.

At any stage, information about options is available to all students and staff from HDCOs and they may be the first point of contact.

5.2 Reporting an incident

5.2.1 Danger or emergency

If staff or students are in immediate danger or require urgent medical attention, the first step should be to call emergency services on 000 (112 from mobile phones) or call Griffith University security on 3735 7777 (extension 7777 from any University phone).

5.2.2 Reporting an incident

A complaint of sexual assault or sexual harassment by staff may be reported in accordance with this policy and its associated procedures at any time following an incident and while the alleged perpetrator is still a staff member of the University, regardless of whether or not it has been reported to the police.

The incident may be reported by a victim/survivor, bystander, or with their consent by another person (eg. a colleague or supervisor). The [Reporting and Resolution of Staff Sexual Assault, Harassment, Bullying, Discrimination and Sexual Assault Procedures](#) outline the options for reporting, responding to and resolving concerns, which may include:

- resolution through own actions/conciliation (not appropriate following incidents of sexual assault);
- resolution through Senior Managers (not appropriate following incidents of sexual assault);
- formal investigation; and
- reporting to external agencies (eg. Police).

6. RESPONDING TO DISCLOSURES

An individual who has been the subject of sexual assault or sexual harassment may choose to disclose to a manager, colleague or other staff member of their choice. The health, safety and wellbeing of the person disclosing is of the utmost priority.

The manner in which a person responds to a disclosure can have a significant impact on the individual's ability to seek further assistance and recover from any trauma. As such, any individual who has received a disclosure is encouraged to obtain information from the [Counsellor \(Violence Response and Prevention\)](#) or refer the matter to a [HDCO](#) if they wish to seek clarity around the support and reporting options available.

6.1 Responding to a disclosure of sexual harassment and sexual assault

While the University has a number of staff trained in responding to disclosures of sexual assault, it recognises that any student or staff member may be the first person that an individual discloses to.

Staff should familiarise themselves with the [Safe Campuses](#) website, and the [Guide to responding effectively](#) – a guide to assist individuals to respond effectively to disclosures of sexual assault and other inappropriate behaviour and in a manner which is [trauma informed](#) and refers individuals to their support and reporting options.

6.2 Operational measures

On receipt of a report of sexual harassment or sexual assault, and where the complainant has requested intervention, appropriate measures may be put in place to support the health and wellbeing of affected individuals, as well as enable continuity to the work or learning environment during the process of an investigation. Appropriate measures will be at the discretion of the Director, People and Wellbeing for staff affected by sexual assault or sexual harassment, and the Academic Registrar for affected students.

6.2.1 Return to work

The [Health Safety and Wellbeing](#) team can assist staff and managers to identify and implement appropriate return to work arrangements following work and non-work related incidents.

6.3 Limits to confidentiality

The University will support individuals who have been affected by sexual assault and sexual harassment to manage their response on their own terms and when they feel safe and confident to do so. The University will at all times prioritise the health and safety of the affected individual however will not use or disclose personal information unless that individual is aware of, or has consented to that use of disclosure for the purposes of referral to support or reporting services.

In accordance with the [University Privacy Plan](#), the University may use or disclose personal information where required by law (eg. instances of child sexual abuse/assault), or where it is necessary for certain types of law enforcement, or where it is necessary to protect against a serious and imminent threat to a person's life or health.

7. SUPPORT

The University is committed to providing accessible supports for staff who are affected by sexual assault and sexual harassment. At all times, the University respects an individual's rights to privacy and confidentiality when providing support services.

7.1 Employee Assistance Program (Staff Counselling)

Staff who have been affected by an incident of sexual assault, sexual harassment or other form of personal violence are encouraged to seek support and may choose to disclose to an external party such as the [Employee Assistance Program](#) provider. The Employee Assistance provider also provides a dedicated [Domestic and Family Violence support](#) service.

7.2 Crisis Support

Staff can access 24/7 trauma support via the [Employee Assistance Provider](#) when they disclose the purpose of their call.

7.3 Counselling for survivors of sexual assault and personal violence

The University provides priority counselling appointments for individuals experiencing sexual assault or personal violence, or seeking support for past experience of this. The services can be accessed by contacting the [Counsellor \(Violence Response and Prevention\)](#) on telephone 5552 9600 or email counsellor@griffith.edu.au.

7.4 University Health, Safety and Wellbeing

The [Health, Safety and Wellbeing](#) team can monitor the level of support required by staff, make referrals to relevant services and assist staff and managers to implement appropriate return to work measures following work and non-work related incidents.

8. RESPONSIBILITIES

All staff have a responsibility to behave professionally and with respect for others in accordance with the Code of Conduct and relevant legislation.

All managers are responsible for promoting a respectful workplace environment; taking all reasonable steps to ensure that sexual harassment and sexual assault are prevented; and when incidents or disclosures do occur, responding appropriately, sensitively and in accordance with this policy and related procedures.

More specific responsibilities are outlined below:

8.1 Deputy Vice Chancellor (Academic)

All incidents of sexual assault perpetrated by academic staff or students, or in which students are the victims, are reported immediately to the Deputy Vice Chancellor (Academic). An annual report of de-identified disclosures and complaints made under this policy in which students are the victims, and the Student Assault, Harassment, Bullying and Discrimination Policy will be made to the University Council by the Deputy Vice Chancellor (Academic), through the Vice Chancellor.

The Deputy Vice Chancellor (Academic) determines in conjunction with the Vice Chancellor whether an event or a combination of events reported under this policy in which students are the victims is considered to constitute a material change that significantly affects the University's ability to meet the Higher Education Standards Framework (2015). In the circumstance that it does constitute a material change the Deputy Vice Chancellor (Academic) shall notify TEQSA of the material change.

8.2 Vice President (Corporate Services)

Incidents of sexual assault involving professional and support staff are reported immediately to the Vice President (Corporate Services).

8.3 Director, People and Wellbeing

The Director, People and Wellbeing is responsible for the oversight of strategic direction and policy related to the prevention and resolution of Workplace Sexual Assault, Sexual Harassment, Harassment, Bullying and Discrimination within the University and oversees the investigation of allegations of misconduct and serious misconduct against University staff.

8.4 Harassment and Discrimination Contact Officers

Harassment and Discrimination Contact Officers (HDCOs) provide information in relation to options for reporting and support services, on and off-campus. HDCOs provide information in accordance with the University policies and procedures.

8.5 Director, Health, Safety and Wellbeing

The Director, Health, Safety and Wellbeing is responsible for coordination, implementation and information on wellbeing and return to work support for staff, managing the University's relationship with the Employee Assistance Provider and the overall workplace Health, Safety and Wellbeing strategy.

8.6 Counsellor (Violence Response and Prevention)

The Counsellor (Violence Response and Prevention) is responsible for providing information to individuals on the support and reporting options available at and external to the University and for coordinating timely access to counselling, and referral to other specialist services (medical, legal etc.) for students involved in a sexual assault incident.

8.7 Director, Student Services

The Director, Student Services is responsible for coordination, implementation and information on personal support for students including student well-being, health, equity, diversity and inclusion.

8.8 Academic Registrar

The Academic Registrar is responsible for the management of student support services and concerns of student sexual assault, sexual harassment, harassment, bullying and discrimination.

8.9 Vice President (Global)

For critical incidents involving International Students, it is the responsibility of the Vice President (Global) to determine the appropriate course of action, along with other relevant members of the Critical Incident Management Team (CIMT).

8.10 Student Organisations

The Griffith University Student Representative Council, the Gold Coast Student Guild, the Griffith University Postgraduate Students Association and the Gold Coast Association of Postgraduates are able to provide assistance and information to affected students throughout the process and follow up.

9. GLOSSARY OF TERMS

Child sexual abuse/assault means sexual assault of a child, a student under the age of 18 in Queensland.

Element refers to a business unit and means the relevant Office, School, Department or Centre.

Harassment is defined in section 3 of this policy—[Definitions](#)

Misconduct and serious misconduct are behaviours outlined within the Academic and Professional and Support Staff Enterprise Agreements.

Notification is a report made to the Deputy Vice Chancellor (Academic) or the Vice President (Corporate Services) that an incident of sexual assault has occurred.

Perpetrator or alleged perpetrator means a person who is alleged to have committed one or more acts that are defined in Section 3 of this policy.

Repeated refers to the persistent nature of the behaviour and can involve a range of behaviours over time.

Responder refers to a person to whom an individual discloses an experience of sexual assault, bullying, harassment or discrimination.

Sexual assault is section 3 of this policy—[Definitions](#)

Sexual harassment is section 3 of this policy—[Definitions](#)

Staff refers to all staff, including sessional, casual, visiting, honorary, adjunct, conjoint appointments and volunteers at Griffith University.

Student refers to a person who has an active enrolment status in a program of the University. To have an active enrolment status, the student shall have:

- accepted an offer of admission to a program and shall have completed the enrolment procedures prescribed by the University;
- paid such fees and charges as the University may require to be paid as a condition of enrolment;
- fulfilled the conditions prescribed for Commonwealth supported students, in the case of a student admitted to a program as a Commonwealth supported student; and
- completed any other procedures which may be required as a condition of enrolment.

In some instances, a student undertaking a program classified as a Higher Degree by Research (HDR) may be referred to as an HDR candidate.

Survivor refers to a person who has survived sexual assault.

Trauma Informed refers to a response which aims to do no further harm through re-traumatising individuals by acknowledging that usual responses and operations may be an inadvertent trigger for exacerbating trauma symptoms. Trauma informed practice is founded on five core principles – safety, trustworthiness, choice, collaboration and empowerment as well as respect for diversity.

University related activity means any conduct that is connected to the University, including conduct that:

- occurs on, or in connection to, University lands or other property owned by the University or elsewhere in the context of a person's membership of the University;
- occurs at or in connection with, a residential college that is located within University lands or is associated with the University;
- occurs using, or is facilitated by, University information technology resources or other University equipment;
- occurs during, or relates to, the performance of duties for the University;
- occurs during or in connection to any University related function or event (whether sanctioned or organised by the University or not) or when representing the University in any capacity.

Vexatious refers to a complaint which is:

- without merit;
- the substance of the complaint has already been considered by the University and satisfactory measures have been taken to resolve the matter;
- dishonest or contains intentionally misleading information;
- pursued with undue persistence; or
- pursued in a manner that harasses a member of University staff or fellow student.

Victimisation refers to behavior that seeks to penalise a person for taking action or making a complaint in good faith.

Visitor refers to anyone not employed or studying at the University, a contractor working at the University, a dependent of an employee or student of the University.