

Staff Sexual Harm Response

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1.0 Purpose

Griffith University is committed to providing a safe, respectful, and inclusive environment for all students, employees, and other individuals who are part of the University community.

This procedure guides and informs the way in which the University will support and respond to any matter involving sexual harm.

Sexual harm is any unwanted behaviour of a sexual nature. Sexual Harm includes sexual assault, rape, sexual harassment, sex-based harassment, and any other unwanted sexual behaviour, whether online or in person. The behaviour may result in a person feeling uncomfortable, frightened, distressed, intimidated, or harmed either physically or psychologically.

Where the incident is determined by the relevant Director HR (or delegate) to be sexual harassment, this procedure will cease and the matter will be managed under the Staff Bullying, Harassment and Discrimination Procedure.

2.0 Scope

This procedure applies to all employees engaged in University activities, on University premises, or where there is a connection to work with the University. For purposes of this procedure, the term employee includes paid employees including sessional, casual and conjoint appointment employees as well as unpaid and volunteer positions including visiting, honorary, adjunct roles.

The procedure covers behaviour that occurs in-person, online or via digital technologies.

The procedure does not apply to sexual harm relating to children. Incidents of sexual harm relating to children are managed through the Child Safety and Wellbeing policy.

The process for lodging a concern about students who are alleged to have engaged in sexual harm is outlined within the Procedures for Reporting and Responding to Student Sexual Assault, Harassment, Bullying and Discrimination. Further information is available in the Student Misconduct Policy and Procedures.

3.0 Procedure

This procedure is in accordance with the University's Sexual Harm Prevention and Response Policy.

3.1 Support options

The University supports individuals who have been affected by Sexual Harm to choose whichever course of action is best for them at the time, and whether they feel safe and confident to make a Disclosure or Formal Report.

Students, employee and members of the University community who have experienced sexual harm may choose not to identify themselves or the other person/s involved. The University supports the right to decide what information the individual feel safe to disclose in response to instances of sexual harm, including whether to make a disclosure anonymously.

3.1.1 Immediate Danger or Emergency Response

If employees, students or members of the University community are in immediate danger, or in an emergency situation, immediately contact:

- emergency services (24 hours) call 000 or 112 from a mobile phone
- Campus Support Team (security) (24 hours) free call 1800 800 707.

3.1.2 Counselling and wellbeing support

The University provides confidential counselling and wellbeing support services for staff who wish to disclose via the confidential workplace wellbeing and counselling services of Converge International (24 hours) call 1300 687 327.

Specialist support and advice can be obtained from the following services:

- Queensland Sexual Assault Crisis Line (7.30am – 11.30pm) | call 1800 010 120
- National Hotline for Sexual Assault, Domestic or Family Violence (24 hours) | call 1800 737 732

3.1.3 Harassment and Discrimination Contact Officers

[Harassment and Discrimination Contact Officers](#) (HDCO) are a contact point to provide information to the University community on policies and procedures related to the prevention, reporting and resolution of harassment, sexual harassment, bullying, discrimination and sexual assault.

HDCOs also:

- provide appropriate referral information, for example on employee and student counselling; and
- play an active and important role in promoting respectful behaviour on campus.

3.2 Disclosure and reporting

Employees have an obligation to behave professionally and with respect for others, ensuring that sexual harm is prevented and where incidents do occur, they are managed appropriately and with adequate support and empathy.

An employee who have experienced sexual harm may choose not to identify themselves or the other person/s involved. The University supports the rights of employee and associates to decide what information they disclose in response to instances of sexual harm, including whether to make a disclosure anonymously. The University's ability to respond to a disclosure may however be impacted if the information provided is incomplete.

There are a range of reporting and disclosure options available to employees who have been affected by sexual harm:

3.2.1 Reporting sexual harm to the University

- An individual may choose to provide a verbal account of the incident to a colleague or HDCO in order to gain information about the support and formal reporting options.
- Report of Concern form.
- The individual can disclose their identity or remain anonymous. In lodging a formal report, individuals are asked to provide as much information as possible about the incident.

- In accordance with the Griffith University Privacy Statement, a colleague or other responder may lodge a form on behalf of another individual, where that person is aware or has provided their consent to the disclosure. The employee can choose to disclose their identity or remain anonymous.
- An employee can lodge a formal complaint about employee conduct verbally or in writing directly with their Manager, Head of Element or the Director, Human Resources.

3.2.2 Reporting to Police

An employee may choose to report an incident to the Police at any time, requesting the Police to investigate the matter. The lodgement of a complaint to the Queensland Police Service (QPS) will prompt an investigation by Police.

Where QPS notifies the University of an active police investigation, any University process will be placed on hold.

The University may choose to put in place measures to remove an employee member from the workplace during the course of a police investigation.

Alternatively, an employee may choose to report the matter anonymously to QPS utilising alternative reporting options.

3.2.3 Anonymous disclosures, reports and complaints

It is recognised in some instances employees may choose to report or disclose an incident anonymously. While the University treats all disclosures and complaints seriously, it may be unable to investigate a behaviour or incident either properly or fully, provide a decision or take action to resolve the issue when the source of the complaint is unknown or insufficient particulars are provided.

An anonymous disclosure is appropriate if the employee does not wish the University to respond to the disclosure but would like a record made of the incident to identify underlying issues, risks or trends; and where they recognise that the University may not be able to take formal action.

3.2.4 Limits to confidentiality

In accordance with the University Privacy Statement, the University may use or disclose personal information where required by law (e.g. 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.

3.3 Resolution of formal complaints

The safety and wellbeing of an employee is of utmost priority and University will support employees to manage their response on their own terms and when they feel safe and confident to do so.

The University can accept a formal complaint at any time following an incident, regardless of whether or not it has been reported to the Police, and may take action to resolve the complaint while the alleged perpetrator remains an employee member of the University.

On receipt of a complaint of sexual harm appropriate measures may be put in place to support the health and wellbeing of effected employee, as well as enable continuity to the work or learning environment during the process of an investigation.

Where an employee wishes to seek a resolution or particular outcome they should bear in mind procedural fairness considerations. Procedural fairness includes the provision for the alleged perpetrator to be given the opportunity to respond to the allegation. In these circumstances, the University will take reasonable steps to ensure that all individuals involved are not victimised.

Where the University considers that the disclosure or report is significant and provides appropriate evidence the Director, HR may immediately commence misconduct or serious misconduct proceedings under the University's Academic and Professional and Support Employee Enterprise Agreements. The resolution process outlined under this procedure will cease.

3.4 Formal investigation

An investigation is not a disciplinary process, however where it is considered that the allegations may constitute misconduct/serious misconduct under the relevant Enterprise Agreements, disciplinary procedures may be commenced. This may occur at any stage of the investigatory process.

In conducting an investigation, the Investigator/s will focus on whether the complaint or allegations can be substantiated. The Investigator will conduct a thorough, fair and objective investigation and prepare a report based on the findings of the investigation to assist the Director, HR and relevant senior officer (RSO) to make a determination on the matter.

If a formal investigation is requested, the Director, HR will determine the appointment of an appropriate investigator.

The formal investigation process is characterised by a detailed examination of the information available, including that recorded at previous resolution attempts. An assessment will be made regarding the reliability and validity of the information gathered and findings made based on the balance of probabilities.

The investigation will be concluded with a report that is provided to the University as soon as practicable and within a timely manner.

Both the complainant and respondent shall be informed, in writing, of outcomes of any investigation.

Where there are findings in relation to the conduct of an employee, the matter may be referred to Human Resources for action in accordance with the misconduct or serious misconduct provisions within the University's Academic and Professional and Support Employee Enterprise Agreements.

Where any process results in recommendations for broader or systemic changes at the University, the Provost and Director, Human Resources will determine the appropriate actions to implement any recommendations.

3.5 External agencies

An individual may choose to report an incident to the police at any time, requesting the police to investigate the matter. The lodgement of a complaint to the Queensland Police Service (QPS) will prompt an investigation by police.

- Where QPS notifies the University of an active police investigation, any University process may be placed on hold.
- The University may choose to put in place measures to remove an employee from the place of work during a police investigation.

Alternatively, a survivor may choose to report the matter anonymously to QPS utilising alternative reporting options.

3.6 Third party and bystander disclosures

Any student or employee who witnesses or knows of an incident of sexual harm should refer the incident to Report a Concern.

Where there is a need for urgent care or action to protect the safety of any individual you should immediately contact:

- emergency services (24 hours) call 000 or 112 from a mobile phone

- Campus Support Team (security) (24 hours) free call 1800 800 707

With the agreement of the affected individual, a third party may initiate a report or complaint.

3.7 Victimisation

An employee must not be victimised as a result of making a report or complaint or being involved in a report or complaints process. Any individual who considers they have been subject to any form of victimisation should contact:

- Supervisor or Head of Element (where appropriate)
- HR Business Partnering team
- Report a concern online

3.8 Vexatious complaints

The University may decline to take action in respect of a disclosure or complaint that is assessed or determined as frivolous or vexatious. Reports that meet these definitions may result in disciplinary action against the employee who raised the matter.

4.0 Definitions

Consent refers to the voluntary and informed agreement between individuals to engage in a specific activity or behaviour. Consent must be given willingly, without coercion, pressure or manipulation. Consent requires that individuals have adequate information about the activity or behaviour they are consenting to. Consent is a clearly expressed, mutual agreement between parties involved and can be withdrawn at any time. Consent can only be given by individuals who have the legal capacity and cognitive ability to understand the implications of their decision.

Disclosure means an individual letting the University know about their experience or witnessing of Sexual Harm, but not a request for the University to take formal action.

Employee refers to all employees, including sessional, casual, visiting academics, honorary, adjunct, conjoint appointments, volunteers, associates and Council Members at Griffith University.

Formal Report means an individual making a complaint to the University about an incident or behaviour concerning Sexual Harm. A Formal Report will result in the University undertaking an investigation into the concern.

Report a Concern is an online form for students and employee to make either an informal Disclosure or formal Report about an incident of behaviour concerning Sexual Harm. Disclosures and formal Reports may be made anonymously.

Sexual Harm is any unwanted behaviour of a sexual nature. Sexual Harm includes sexual assault, rape, Sexual Harassment, sex-based harassment, and any other unwanted sexual behaviour, whether online or in person. The behaviour may result in a person feeling uncomfortable, frightened, distressed, intimidated, or harmed either physically or psychologically.

Sexual Misconduct is a broad term that incorporates any misconduct of a sexual nature or with a sexual element which the University can respond to. It includes Sexual Harassment, sexual assault, sex-based discrimination, and other related forms of behaviour.

University Activities means:

- using University equipment or resources (e.g., communication technologies, vehicles, facilities)
- using private communication methods to support or engage with University activities (e.g., setting up a Facebook group for Students studying a particular unit to discuss their studies)

- being in attendance at a University event, function or activity
- participating in any activity as a representative or Student of the University (e.g. field trips, practicums, conferences, sporting trips, participation in a University affiliated club, community meetings etc.)
- carrying out functions in connection with a University-endorsed activity, including at places external to University premises (e.g. at licensed premises, private residence, in the street)
- activities outside of the University, including online and via social media, where there is a significant or substantial connection to work or study at the University
- other special circumstances relating to educational institutions, including participating in any activity or carrying out functions in connection with their position at the University where they come into contact with employee, Students or other parties of a separate educational institution.

University Premises means any University-owned, operated or occupied property or facility unless operated by a third-party provider which has its own policies that satisfactorily cover Sexual Harm prevention and response.

Vexatious or Malicious Report means a complaint where the person:

- knows it to be false; and
- complains about the primary purpose of damaging the University or the person(s) against whom the Report is made.

5.0 Information

Title	Staff Sexual Harm Response Procedure
Document number	2024/0001111
Purpose	The purpose of this procedure is to provide guidance in the way in which the University will support and respond to any matter involving sexual harm.
Audience	Staff
Category	Operational
Subcategory	Staff
UN Sustainable Development Goals (SDGs)	This document aligns with Sustainable Development Goal: 3: Good health and wellbeing
Approval date	1 July 2024

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Policy advisor Head, HR Business Partnering

Approving authority Director, Human Resources

6.0 Related policy documents and supporting documents

Legislation [Anti-Discrimination Act 1991 \(Qld\)](#)
[Fair Work Act 2009 \(Cth\)](#)
[Sex Discrimination Act 1984 \(Cth\)](#)

Policy [Code of Conduct](#)
[Equity, Diversity and Inclusion Policy](#)
[Health, Safety and Wellbeing Policy](#)
[Sexual Harm Prevention and Response Policy](#)
[Staff Harassment, Bullying and Discrimination Policy](#)
[Student Sexual Assault, Harassment, Bullying and Discrimination Policy](#)

Procedures [Individual Grievance Resolution Procedure](#)
[Staff Harassment, Bullying and Discrimination Procedure](#)
[Student Reports of Bullying, Harassment, Discrimination and Sexual Harm Procedure](#)

Local Protocol [Griffith University Privacy Statement](#)
[Safe Campuses website](#)

Forms [Report a Concern](#)
[Report a Concern \(anonymous\)](#)
