

## Procedures for Reporting and Responding to Student Sexual Assault, Harassment, Bullying and Discrimination

<b>Approving authority</b>	Senior Deputy Vice Chancellor
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<b>Advisor</b>	Academic Registrar, Academic Administration <a href="mailto:academic-registrar@griffith.edu.au">academic-registrar@griffith.edu.au</a>   (07) 373 57334
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<b>Document number</b>	2019/1002118
<b>Description</b>	These procedures support the <i>Student Sexual Assault, Harassment, Bullying and Discrimination Policy</i> .

### Related documents

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

[Report a Concern Form](#)

[Student Charter](#)

[Student Misconduct Policy](#)

[Student Misconduct Procedures](#)

[The Responsible Conduct of Research](#)

[Student Critical Incident Management Policy](#)

[Student Critical Incident Management Procedures](#)

[Resolution of Breaches of Residential Community Standards and other Grievances within the Griffith University Residential Colleges Policy](#)

[Health and Safety Policy](#)

[Student Complaints Policy](#)

[Student Complaints Procedures](#)

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

[Staff Guidelines for Decision-Making in Student Cases](#)

### Related links

[Safe Campuses website](#)

[Harassment and Discrimination Contact Officers](#)

[Counselling and wellbeing self-help website](#)

[Counselling and wellbeing \(students\)](#)

[Employee Assistance Program \(staff counselling\)](#)

[Griffith Student Guild](#)

[Griffith Student Representative Council \(SRC\)](#)

[Gold Coast Association of Postgraduates \(GCAP\)](#)

[Workplace Harassment, Bullying & Discrimination Website \(Griffith users only\)](#)

[Guide to dealing with Workplace Harassment, Bullying and Discrimination \(Griffith users only\)](#)

[Anti-Discrimination Commission Queensland](#)

[Australian Human Rights Commission](#)

[Queensland Ombudsman](#)

[Queensland Police Service – adult sexual assault](#)

## 1. INTRODUCTION

The University has zero tolerance for sexual assault, harassment (including sexual harassment), bullying and discrimination and expects that students, regardless of background or intrinsic characteristics, are able to participate fully in University activities and will feel that their contribution is welcomed, valued and supported.

The University encourages individuals to report incidents of sexual assault, sexual harassment, harassment, bullying and discrimination and provides options ranging from anonymous reporting and disclosure, to lodgement of formal concerns.

Wellbeing and support services are available for any student or staff member who has been affected by these behaviours, including priority counselling appointments for students affected by sexual harassment and sexual assault. Further information is available under section 6 of the [Policy-Support](#).

If an individual is in immediate danger or requires urgent medical attention, the first step is to call emergency services on 000 (112 from mobile phones) or call Griffith University security on 1800 800 707 (extension 7777 from any University phone).

The University provides three options for reporting incidents of student sexual assault, sexual harassment, harassment, bullying and discrimination:

- [Self Help](#)
- [Informal Disclosure](#)
- [Formal Concern](#)

These options are illustrated as a flow chart in [Appendix 2—Options for reporting and responding to incidents of Student Sexual Assault, Harassment, Bullying or Discrimination](#), which is intended to be a useful guide for students and staff on the process. The individual who was subjected to the behaviour decides which option to pursue depending on many factors including the severity of the incident, the type of incident and their individual wishes and circumstances.

It may also be appropriate for a complainant or alleged victim to disclose or report an incident to an external agency such as the Queensland Police Service (QPS), the Anti-Discrimination Commission Queensland (ADCQ), the Australian Human Rights Commission (AHRC) or the Queensland Ombudsman (QO).

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## 2. SCOPE

These procedures and related policy apply to:

- the reporting and disclosure, by a student, staff member or other bystander, of incidents of sexual assault, harassment (including sexual harassment), bullying or discrimination by a Griffith University student when that student is engaged in University related activities which are on campus, in transit to/from campus, off campus and online.
- all enrolled students (non-award, undergraduate, postgraduate and research, domestic and international).
- University students, staff and other bystanders who are required to respond to a disclosure of sexual assault, harassment, bullying or discrimination.

### 2.1 Other related University policies

At the discretion of the Academic Registrar, a concern about a student may be simultaneously managed under more than one University policy, including but not limited to:

- *Student Misconduct Policy* and *Student Misconduct Procedures*.
- [Griffith Health Code of Professional Practice](#) – where managing professional practice concerns.
- *Health and Safety Policy*– governs safety expectations across the University.
- *The Responsible Conduct of Research* – where students participate as human subjects in research conducted at the University.

#### 2.1.1 Incidents which involve International Students

A critical incident which involves an International Student from Griffith University may be simultaneously managed under the *Student Critical Incident Management Policy* and *Student Critical Incident Management Procedures*.

#### 2.1.2 Griffith University residential colleges

When an incident occurs within the Griffith University residential colleges, the Director, Campus Life will determine whether the matter is resolved in accordance with these procedures. Where the complainant has previously made a complaint about an incident of sexual assault, sexual harassment, bullying, harassment or discrimination already dealt with under the *Resolution of Breaches of Residential Community Standards and other Grievances within the Griffith University Residential Colleges Policy*, it should not be managed under these procedures or associated policy.

### 2.2 Complaints against staff members

The management of complaints against staff members is outlined in the *Reporting and Resolution of Staff Sexual Assault, Harassment, Bullying and Discrimination Procedures*.

Where a complaint is raised against an individual who is both a student and a staff member, the matter will be managed according to their role at the time of the alleged incident.

## 3. RESPONDING TO A DISCLOSURE

While the University has a number of staff trained in responding effectively to disclosures of harassment (including sexual harassment), bullying, discrimination and also sexual assault, it recognises that any student or staff member may be the first person to whom a disclosure is made. Principles to follow when responding to a disclosure are summarised below, and provided in further detail at [Appendix 1 – Responding effectively to disclosures](#).

If students or staff 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 1800 800 707 (extension 7777 from any University phone).

### 3.1 Responding to a disclosure of sexual assault or sexual harassment

A person hearing a disclosure should provide a safe and supportive environment for the survivor to disclose their experience, recognising that they have chosen the circumstances under which to disclose. It is important to remember that the response can have a significant impact on the survivor's ability to seek further assistance and recover from the trauma.

When responding to a disclosure of sexual assault or sexual harassment, students and staff should follow these basic principles:

- Provide your full attention.
- Listen and believe.
- Refer to/recommend specialised support (counselling, medical) and/or reporting.
- Acknowledge that the survivor may or may not wish to report the incident formally.
- Look after yourself.

### 3.2 Responding to a disclosure of harassment, bullying or discrimination

The University recognises that an individual may choose to disclose harassment, bullying or discrimination to student or staff member other than a [HDCO](#) in the first instance. To be effective in their response, staff and students can follow these basic principles:

- Ensure privacy.
- Listen, show empathy and respect.
- Refer and recommend specialised support.
- Look after yourself.

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## 4. REPORTING, DISCLOSURE AND RESOLUTION OPTIONS

The University supports individuals who have been affected by sexual assault, sexual harassment, harassment, bullying and discrimination to manage their response on their own terms – choosing whichever course of action is best for them at the time, depending on their own circumstances, and whether they feel safe and confident to do so.

At any time, an individual may seek assistance from a staff member or fellow student to understand their options. The following resources are available to provide specialised support and information to individuals and/or to those to whom they have disclosed:

- [Counselling and Wellbeing](#) can support individuals when personal violence, including sexual harassment and sexual assault, may have occurred. The [Counsellor \(Violence Response and Prevention\)](#) is responsible for coordinating priority access to counselling, and referral to other specialist services (medical, legal etc.).
- Harassment and Discrimination Contact Officers ([HDCOs](#)) can support students and staff when harassment, bullying and discrimination may have occurred. [HDCOs](#) provide information about the University's harassment, bullying and discrimination and policies and procedures and promote a discrimination free University 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.

- Student organisations – the Griffith University Gold Coast Student Guild, Griffith Student Representative Council (SRC), Griffith University Postgraduate Student Association (GUPSA), and the Gold Coast Association of Postgraduate Students (GCAP) – are able to provide assistance and information to students throughout the process.

### 4.1 Self-help

An individual may review their options and choose to attempt to resolve an incident without formally reporting or disclosing their concern.

While the University encourages affected individuals to choose whichever course of action is best for them at the time, it recognises that self-help may be inappropriate in circumstances such as sexual assault and sexual harassment.

#### 4.1.1 Attempting resolution

In appropriate circumstances and when the individual subject to the behaviour feels confident and safe to do so, they may contact the alleged perpetrator to tell them that the behavior is unwelcome and requesting it cease. This may be done orally or in writing. The alleged perpetrator may recognise and cease the behaviour to the complainant's satisfaction. This option is not appropriate for incidents relating to sexual violence.

If an individual engages in self-help and the alleged perpetrator continues the offending behaviour, they can seek further information through informal disclosure, or lodge a formal concern.

#### 4.1.2 Seeking assistance

The individual may request a relevant staff member or an appropriate student representative organisation to raise the matter with the alleged perpetrator on their behalf.

Staff are encouraged to refer the matter to a [HDCO](#) or contact the [Counsellor \(Violence Response and Prevention\)](#) if they are approached by a student with a matter that they are not equipped to deal with.

#### 4.1.3 Further resources

To support students wanting to engage in the self-help option the University provides additional information in the form of a [Self-help website](#).

### 4.2 Informal disclosure

If an individual does not wish to engage in self-help, or self-help has been insufficient in dealing with the issue, they may wish to disclose the incident to the University without taking action against the alleged perpetrator.

Informal disclosures are to inform the University of risks and events and will not result in an investigation or referral of an alleged perpetrator under the *Student Misconduct Policy* or *Student Misconduct Procedures*.

#### 4.2.1 Verbal disclosure

The individual may choose to provide a verbal account of the incident to a staff member, fellow student or other entity such as their student organisation or [HDCO](#) in order to gain information about their support and reporting options.

#### 4.2.2 Online disclosure

An individual may choose to record an informal disclosure online, providing relevant details about the incident via the *Report a Concern Form*. The form provides the option to select 'informal disclosure'.

A staff member or other responder may lodge a form on behalf of another individual, at their request. The individual can choose to disclose their identity or remain anonymous.

An anonymous disclosure is appropriate if the individual 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.

Each online disclosure will be provided with a unique identifying number, which can be used at any time following an incident should a complainant choose to raise a formal concern and where the alleged perpetrator remains a student of the University.

#### 4.2.3 University response to a disclosure

The University's response to an informal disclosure will, to the extent possible, be guided by the wishes of the complainant. In this regard, the affected individual may request the University provide incident related supports and resources, facilitate reasonable academic adjustments, and/or implement precautionary actions.

If the complainant wishes action to be taken in relation to the alleged perpetrator then a formal concern should be lodged in order to give the alleged perpetrator the opportunity to respond to the allegations, ensuring procedural fairness.

### 4.3 Formal concern

At any time, an individual may lodge a formal concern through the *Report a Concern Form*. A staff member, student, representative of a student organisation or other entity may lodge a form on behalf of another individual, on their request. The complainant can disclose their identity or remain anonymous.

In lodging a formal concern, individuals are asked to provide as much information as possible about the incident, including:

- specific details of the incident (what, when, where and any relevant background information);
- actions they have taken to resolve the issue (if appropriate);

- contact the individual has had with the student who is the subject of the concern;
- contact the individual has had with University staff regarding the incident and any outcomes;
- whether they want the University to investigate the issue with the alleged perpetrator, bearing in mind procedural fairness considerations (the perpetrator will be given the opportunity to defend and respond to the allegation); and
- outcome/s sought as a result of the concern.

#### 4.3.1 Rules of procedural fairness

Individuals should be aware that the alleged perpetrator will be given the opportunity to defend the allegation under the rules of procedural fairness in the *Staff Guidelines for Decision-Making in Student Cases*.

#### 4.3.2 Timeframes

Timelines are monitored and managed via a business system through the Academic Registrar's office.

On receipt of a formal concern via the *Report a Concern Form*, the Academic Registrar will nominate a coordinator to oversee the concern and the complainant will receive written acknowledgement within three working days of formal lodgement.

With the complainant's consent, the Academic Registrar's office will undertake an investigation for the purpose of determining the action to be taken and may implement precautionary actions as outlined in section 5 of the *Policy – Reporting and disclosing incidents*.

Written advice concerning the outcome of a formal concern will normally be provided within 10 working days of receipt of the concern form where possible. Complainants will be notified of any unforeseen delays in finalising consideration of a formal concern.

### 4.4 Reporting to external agencies

In cases of bullying, harassment and discrimination, complainants may choose to refer their concern to an external body, such as the Anti-Discrimination Commission Queensland, the Australian Human Rights Commission or the Queensland Ombudsman. If such steps are taken, any relevant University procedures being applied at the time will cease and the individual will no longer have access to these procedures for that particular matter.

#### 4.4.1 Reporting sexual assault to police

A survivor may choose to report an alleged incident of sexual assault to the police at any time, requesting the police to investigate the matter. The lodgment of a complaint to the Queensland Police Service (QPS) will prompt an investigation by police.

Alternatively, a survivor may choose to report the matter anonymously to QPS utilising [alternative reporting options](#) (ARO). ARO provides an opportunity to provide police with the full circumstances of the assault with the option of remaining anonymous. The ARO may be used as a healing strategy for the survivor and can be an effective investigative strategy for law enforcement agencies. Survivors may feel empowered by knowing that the information they possess and provide could be used to solve reported offences of a similar nature. An individual may choose to use this service at any stage of the University reporting process.

### 4.5 Students under the age of 18

Where the complainant is under the age of 18 the [Child Protection Act 1999 \(Qld\)](#) requires mandatory reporting by doctors and nurses of sexual abuse to Child Safety on 1300 682 254.

### 4.6 Anonymous Concerns

It is recognised in some instances complainants may choose to report an incident anonymously. While the University treats all concerns seriously, it may be unable to either properly or fully investigate such a concern or provide a decision or take action to resolve the concern when the source of the concern is unknown.

### 4.7 Student Cohort Concerns

Where a student cohort or several students have the same concern, those students may act as a group in reporting a concern, provided that each student is seeking the same outcome.

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## 5. ACTIONS ARISING FROM FORMAL CONCERNS

When an individual submits a formal concern, the Academic Registrar's office shall conduct an investigation for the purpose of determining the action to be taken.

### 5.1 Actions from an Investigation

Appropriate actions will be determined by the Academic Registrar's office. Reasons for any action taken or not taken will be explained to all parties at the conclusion of the process. Actions from an investigation will depend on the nature and seriousness of the alleged behaviour and may include (however are not limited to):

- mediation or facilitation;
- further monitoring of the situation;
- apology or statement of regret;
- finding the concern was not substantiated or only substantiated in part;
- referral to support services;
- training;
- academic support such as special consideration;
- requirement to change processes or procedures;
- recommendation that the matter be managed under the *Student Misconduct Policy* and *Student Misconduct Procedures* or other University policy; and/or
- referral to external providers such as police.

#### 5.1.1 Mediation

Mediation is a conflict resolution mechanism that presumes all parties have an equal role in resolving a conflict. Sexual assault is not a conflict, but harm inflicted on another person. Mediation is not an appropriate action for incidents related to sexual assault.

### 5.2 Precautionary actions

Following the lodgement of a formal concern and during the process of the subsequent investigation, the Academic Registrar may direct that precautionary actions be put in place for the affected individuals (complainant and alleged perpetrator) to minimise the impact on their learning, work and academic progress. Precautionary actions can include (but are not limited to):

- providing counselling, peer and learning support to facilitate continued engagement with studies;
- extending opportunities for special consideration in respect of their course/s and any assessment item/s in their courses as specified in Section 9.1.1 of the [Assessment Policy](#);
- providing an extension of time to submit assessment as specified in Section 3.8 of the [Assessment Submission and Return Procedures](#);
- providing opportunities for deferred assessment as specified in Section 9.3 of the [Assessment Policy](#);
- limiting participation in or discontinuing a professional practice activity or alternately where possible, providing a simulated practice activity suitable to the learning outcomes;
- limiting contact between the victim and alleged perpetrator by methods such as facilitating the alleged perpetrator's transfer to an alternate class, another campus or to complete the course in another learning mode.

Precautionary actions may only be put in place for the teaching contact (face to face and online) component of a teaching period, normally a maximum of 60 working days. In extenuating circumstances, the Senior Deputy Vice Chancellor may provide approval to extend this timeframe.

## 6. ACCESSING ACADEMIC SUPPORT

The student is primarily responsible for determining the types of academic support they require to minimise the impact of these behaviours on their learning and academic progress towards their degree.

Following the lodgement of a concern, the Academic Registrar will nominate a coordinator from Academic Administration who will oversee the concern and guide staff and students through liaison and referral with other parts of the University and with relevant external agencies as appropriate.

The nominated coordinator will act as a central contact point for the student, establishing and maintaining a liaison relationship with responsible staff members. This might include the Course Convenor, Placement Officer, Program Director, Program Advisor, the Director, Campus Life, Griffith International Student Advisors, the Griffith Graduate Research School or, the Academic Registrar, to ensure support of the student's continued participation in their studies.

At the request of a student, the University may make reasonable adjustments to the learning environment to provide access to a safe environment, minimising their exposure to risk and risk to others. The [Counsellor \(Violence Response and Prevention\)](#) and the nominated coordinator will support the student in liaising with Course Convenors and the Program Director in making such requests.

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## 7. CONFIDENTIALITY AND RECORD KEEPING

All documentation relating to the *Student Sexual Assault, Harassment, Bullying and Discrimination Policy* and the *Procedures for Reporting and Responding to Student Sexual Assault, Harassment, Bullying and Discrimination* will be kept confidential and shall be disclosed only to those persons who have a right to the information by virtue of their role in the process, as required by law, or as determined by limits to confidentiality (e.g. risk of harm to person or persons).

Written records need not be extensive but should contain such information as is necessary for others to gain a clear understanding of the grounds upon which a concern was determined and the actions taken to address it.

In accordance with the University's [Records Management Policy](#), the *Report a Concern Form* and any other documentation related to the matter shall be maintained confidentially in a business system maintained by the Academic Registrar's office. These records are maintained to protect the rights and interests of all parties; explain and justify the actions of the University and its employees; and document and explain the decision-making of the University.

Confidentiality of records submitted to those persons who have a right to the information by virtue of their role in the process and to the student file will be upheld in accordance with the [Griffith University Privacy Plan](#).

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## 8. DEFINITIONS

Definitions of key behaviours, together with an extended glossary of terms are provided under the *Student Sexual Assault, Harassment, Bullying and Discrimination Policy*.

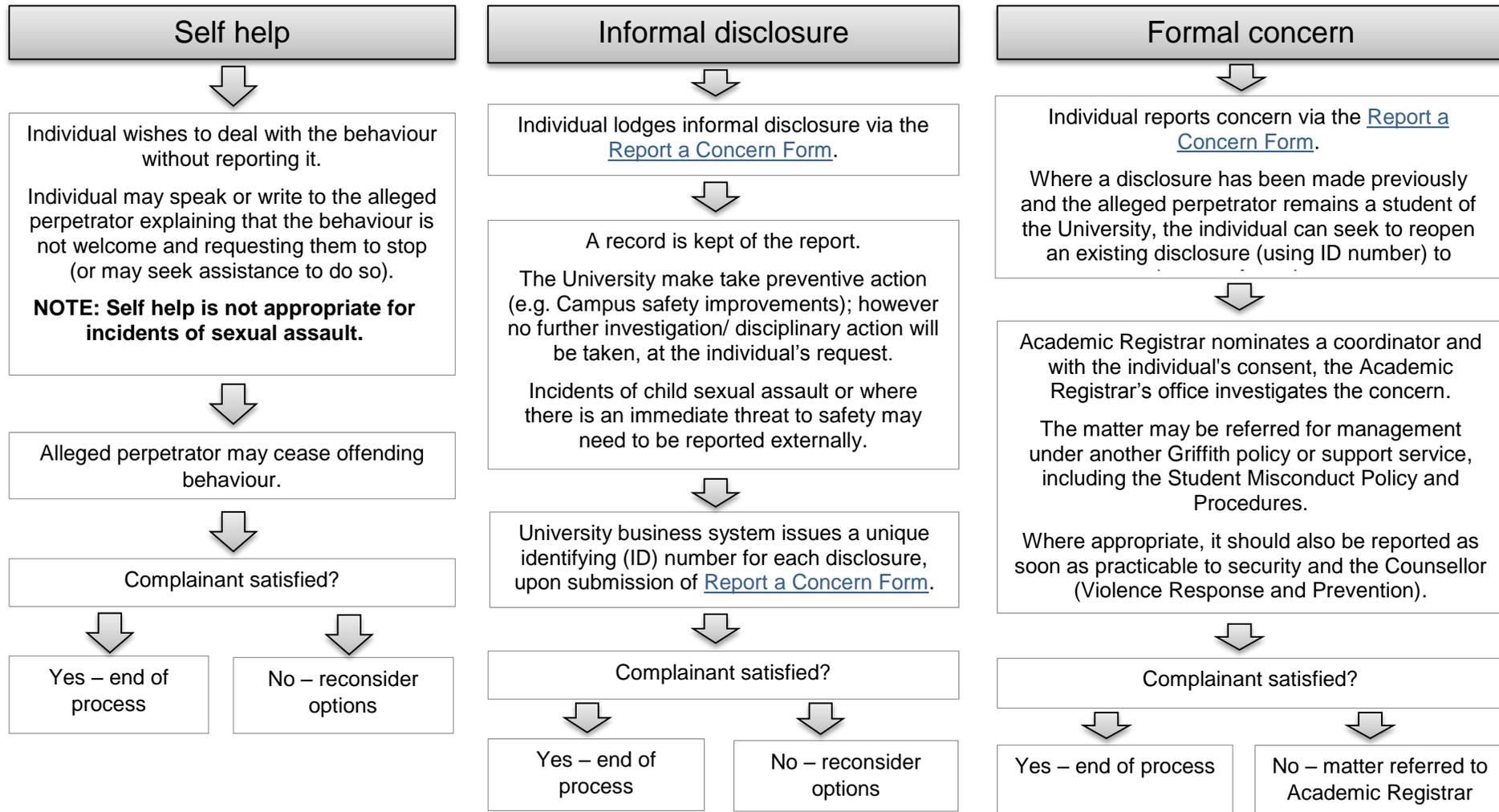
## Appendix 1 – Responding effectively to disclosures

When students or staff are in immediate danger or require urgent medical attention, call emergency services on 000 (112 from mobile phones) or if the incident occurred on campus, Griffith University security on 1800 800 707 (x7777 from any University phone).

Responding to sexual assault or sexual harassment		Responding to harassment, bullying or discrimination	
Safe and supportive environment	<ul style="list-style-type: none"> <li>✓ Recognise that the survivor has chosen to disclose to you</li> <li>✓ Provide the survivor with your full attention</li> <li>✓ Remain calm; remind the survivor that this is not their fault and that they are not alone.</li> </ul>	Privacy	<ul style="list-style-type: none"> <li>✓ Seek a private space to ensure confidentiality for the individual</li> <li>✓ Provide your full attention</li> </ul>
Listen and believe	<ul style="list-style-type: none"> <li>✓ Show empathy, respect and understanding</li> <li>✓ Acknowledge the survivor's feelings</li> <li>✓ Allow the survivor to guide the conversation</li> <li>✓ Allow the survivor to guide any follow up actions—remember that they may not wish to report the incident formally at this time.</li> <li>✗ Don't ask 'Why?' questions – these may seem to be judgemental or inflict blame (<i>Why were you wearing that? Why were you with them? Why didn't you go home earlier?</i>)</li> </ul>	Listen	<ul style="list-style-type: none"> <li>✓ Show empathy</li> <li>✓ Acknowledge the individual's feelings which may range from embarrassment to anger</li> <li>✓ Try to remain detached from the emotions – this will help you to remain calm and provide non-judgmental responses</li> <li>✓ Remember: the individual may not wish to report the incident formally at this time.</li> </ul>
Refer	<p>Support and wellbeing options:</p> <ul style="list-style-type: none"> <li>✓ <a href="#">Counsellor, Violence Response and Prevention</a> for priority appointments (phone 5552 9600)</li> <li>✓ <a href="#">Staff</a> and <a href="#">Student</a> counselling services</li> </ul> <p>Reporting and resolution options:</p> <ul style="list-style-type: none"> <li>✓ <a href="#">Report a Concern Form</a></li> <li>✓ Informal reporting (reporting an incident)</li> <li>✓ Formal concerns (seeking investigation/resolution)</li> <li>✓ External agencies (e.g. Police)</li> </ul>	Refer	<p>Support and wellbeing options:</p> <ul style="list-style-type: none"> <li>✓ <a href="#">Student</a> and <a href="#">Staff</a> counselling services</li> <li>✓ Targeted support for LGBTI+ or First Peoples students (see <a href="#">Student Services</a>)</li> </ul> <p>Reporting and resolution options:</p> <ul style="list-style-type: none"> <li>✓ <a href="#">HDCOs</a> for information on policy and resolution processes</li> <li>✓ <a href="#">Report a Concern Form</a> for informal reporting (reporting an incident) or formal concerns (seeking resolution)</li> <li>✓ Relevant staff e.g. Head of School</li> <li>✓ External agencies (e.g. Anti-Discrimination Commission Queensland)</li> </ul>
Look after yourself	<ul style="list-style-type: none"> <li>✓ Seek a confidential debrief with the <a href="#">Counsellor, Violence Response and Prevention</a></li> <li>✓ Students access support through <a href="#">Counselling and Wellbeing</a></li> <li>✓ Staff access support through <a href="#">Employee Assistance</a></li> </ul>	Look after yourself	<ul style="list-style-type: none"> <li>✓ Students access support through <a href="#">Counselling and Wellbeing</a></li> <li>✓ Staff access support through <a href="#">Employee Assistance</a></li> </ul>

## Appendix 2 - Options for reporting and responding to incidents of Student Sexual Assault, Harassment, Bullying or Discrimination

In cases of sexual assault, or when students or staff are in immediate danger or require urgent medical attention, consider calling emergency services on 000 (112 from mobile phones) or call Griffith University security on 1800 800 707 (extension 7777 from any University phone).



Individuals are reminded that support is available to assist in understanding the options for reporting, responding and wellbeing.