

SEXUAL ASSAULT AND SEXUAL HARASSMENT PREVENTION AND RESPONSE FRAMEWORK

WHS-02

1	Policy statement and principles	2
1.1	Disclosure of sexual assault or sexual harassment	2
2	Scope	3
3	Roles and responsibilities	3
4	Definitions	4
5	Procedures.....	5
5.1	Communication and training	5
5.2	Disclosure of an incident	5
5.3	Formal report of an incident.....	6
5.4	Confidentiality.....	6
5.5	External reporting	6
6	Support contacts and resources.....	7
6.1	Internal	7
6.2	External.....	7
	<i>Mental health support services</i>	<i>8</i>
	<i>Other support services.....</i>	<i>8</i>
	<i>For international students.....</i>	<i>8</i>
7	Document status and governance	8
8	Document history	9

This document may be varied, withdrawn or replaced at any time. Printed copies, or part thereof, are regarded as uncontrolled and should not be relied upon as the current version. Anyone printing this document should refer to the website/College policy suite for the latest version.

ABN: 50 360 319 774 TEQSA PRV12064 CRICOS Provider Code: 02664K

Objects of Excelsia College

Motivated by the Christian faith, as expressed by the Apostles' Creed and Nicene Creed, with fidelity to the Scriptures as the Word of God, the objects of the College are the advancement of the Christian faith and higher education.

1 Policy statement and principles

The purpose of this Sexual Assault and Sexual Harassment Prevention and Response Framework is to clearly set out Excelsia College's (the College) position in relation to sexual assault and sexual harassment. The policy framework includes the Disclosing Sexual Assault and Sexual Harassment Procedure which sets out what to do in the event of an incident of sexual assault and/or sexual harassment.

The College will:

- i. implement and maintain a procedure to ensure the provision of immediate and effective support to any member of the College community who discloses sexual assault and/or sexual harassment
- ii. use educative approaches for the prevention of sexual assault and sexual harassment, to support awareness of rights and responsibilities, and to encourage disclosure and formal reporting of behaviour that breaches this policy
- iii. provide dedicated support services for staff and students who have experienced sexual assault and/or sexual harassment to support their wellbeing and continued participation in education or employment
- iv. if a formal report of sexual assault or sexual harassment is made, investigate and act in accordance with its policies and procedures and any applicable Commonwealth and State legislation, and take action against any perpetrator of sexual assault or sexual harassment in accordance with the College's misconduct and disciplinary processes.

The College expects:

- i. all members of its community to treat one another with respect and dignity and behave in accordance with the College's Codes of Conduct (staff and students)
- ii. all members of its community to comply with this policy.

1.1 Disclosure of sexual assault or sexual harassment

- i. Any member of the College community who has experienced sexual assault and/or sexual harassment is encouraged to disclose the incident in accordance with the procedure outlined in this framework.
- ii. If a person does not wish to disclose the matter in accordance with the procedure, they are nevertheless encouraged to access the internal and external resources and support services that are available to them.

- iii. When a formal report of sexual assault is made against a student in accordance with this policy and process, the allegation shall be dealt within the parameters of the Misconduct and Serious Misconduct Policy and Procedure located in the Integrity and Respect Framework.

Non-compliance with this policy framework may result in disciplinary action in accordance with Excelsia College by-laws.

2 Scope

This policy framework applies to all College staff and students.

3 Roles and responsibilities

The following stakeholders have a responsibility in relation to this policy framework.

Role	Responsibility
Chief Operating Officer (COO)	<ul style="list-style-type: none"> • Implement and maintain a procedure to ensure the provision of immediate and effective support to any member of the College community who discloses sexual assault and/or sexual harassment • Use educative approaches for the prevention of sexual assault and sexual harassment, to support awareness of rights and responsibilities, and to encourage disclosure and formal reporting of behaviour that breaches this policy • Provide dedicated support services for staff and students who have experienced sexual assault and/or sexual harassment to support their wellbeing and continued participation in education or employment • If a formal report of sexual assault or sexual harassment is made, the College will investigate and act in accordance with its policies and procedures and any applicable Commonwealth and State legislation; and the COO will oversee this process
Support Officer	<ul style="list-style-type: none"> • Manage disclosures of sexual assault or sexual harassment • Be always willing to listen to any disclosure of an incident involving sexual assault or sexual harassment • Provide appropriate support for the person making the disclosure • Ensure the person making the disclosure is treated with compassion, empathy, understanding and respect • Act in accordance with the College’s policies and procedures

4 Definitions

For the purpose of this policy framework, the following definitions apply.

Term	Definition
consent to sexual activity	<p>Occurs when two people agree to engage in a sexual act. It is mutual, freely given, informed, certain and clear, enthusiastic, reversible, specific and required throughout the activity. Consent cannot be given by people who are:</p> <ul style="list-style-type: none">• incapacitated due to intoxication or the influence of drugs• incapacitated due to their age or intellectual capacity• unconscious or asleep• under threat of or actual force• intimidated, coerced or threatened• unlawfully detained or held against their will• tricked or manipulated into providing consent due to the other person being in a position of trust. <p>In New South Wales, the age at which a person is able to legally consent to sexual activity is 16. Any sexual contact with someone under 16 years is a crime in New South Wales and the other person can be charged with an offence.</p>
disclosure	The disclosure by a student or staff member of sexual assault or sexual harassment.
formal report	A formal allegation of sexual assault or sexual harassment under the College's incident report, misconduct or disciplinary processes.
sexual assault	Occurs when a person is forced, coerced or tricked into sexual acts against their will or without their consent, including when they have withdrawn their consent.
sexual harassment	<p>Any unwelcome sexual behaviour that causes a person to feel offended, humiliated or intimidated. Sexual harassment may include:</p> <ul style="list-style-type: none">• staring or leering• unnecessary familiarity, such as deliberately brushing up against a person or unwelcome touching• suggestive comments or jokes• insults or taunts of a sexual nature• intrusive questions or statements about someone's private life• displaying posters, magazines or screen savers of a sexual nature• sending sexually explicit emails or text messages• inappropriate advances on social networking sites• requests for sex or repeated unwanted requests to go out on dates• behaviour that may also be considered to be an offense under criminal law, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications.

5 Procedures

5.1 Communication and training

- i. The [Wellbeing and Safety](#) webpage of the College website contains information on the College's approach to responding to sexual assault and sexual harassment (SASH), where to get help and how to report an incident using an online form. All SASH incident forms submitted by a person are sent to one email inbox to be actioned by the COO. The forms on the website provide an alternative SASH reporting method, in addition to directly contacting Excelsia's Support Officers. The Wellbeing and Safety webpage is updated on an annual basis at the first Work Health and Safety Committee (WHSC) meeting.
- ii. A link to the Wellbeing and Safety webpage is available to be viewed by students on ExO, the College online learning platform.
- iii. The College developed a video on consent with the assistance of students. This video is available on the [Sexual Assault and Sexual Harassment](#) webpage and is used to train staff and students at induction on how to ask for consent. The COO led the development of the video and is responsible for further changes to the video.
- iv. To train staff and students on SASH documentation and response, the College has a variety of training initiatives:
 - a. WHS induction online and face-to-face module for staff and students, developed, implemented and reviewed by People and Culture
 - b. SASH Risk Assessments, reviewed annually by the WHSC, Management Committee and the Board of Directors, are used to train staff on onboarding
 - c. SASH policy and procedure training, developed, implemented and reviewed by People and Culture and completed annually by staff
 - d. The online module 'Respect at Excelsia', developed, implemented and reviewed by an external provider. It is completed at onboarding by staff and students and refreshed bi-annually
 - e. 'Responding with Compassion' training for Support Officers, conducted by external provider onsite bi-annually
 - f. Workshops and drills for Support Officers, developed and implemented by COO annually for Support Officers on site.

5.2 Disclosure of an incident

- i. If any member of the College community has experienced sexual assault or sexual harassment, they are encouraged to disclose the matter by completing the [SASH Incident Form](#) or by speaking directly to a [SASH Support Officer](#).
- ii. If a disclosure is made to a Support Officer, the Support Officer will:
 - a. assess and ensure the immediate safety and security of the person involved in an incident and/or any other members of the College community

This document may be varied, withdrawn or replaced at any time. Printed copies, or part thereof, are regarded as uncontrolled and should not be relied upon as the current version. Anyone printing this document should refer to the website/College policy suite for the latest version.

ABN: 50 360 319 774 TEQSA PRV12064 CRICOS Provider Code: 02664K

- b. encourage and assist the person to contact the College Counselling Service
- c. provide information to the person about other internal support options (including campus pastoral care and academic support options)
- d. provide information to the person about external support and reporting options (including police, health and emergency services)
- e. provide information to the person regarding the making of a formal report of sexual assault or sexual harassment under the College's Misconduct and Serious Misconduct Policy
- f. for international students, provide information regarding the Commonwealth Ombudsman
- g. provide the person with a copy of the Sexual Assault or Sexual Harassment Prevention and Response Framework
- h. provide information regarding update of the investigation every 10 working days as it progresses.

5.3 Formal report of an incident

- i. If a formal report of sexual assault or sexual harassment is made, the College will investigate and act in accordance with its policies and procedures and any applicable Commonwealth and State legislation, and take action against any alleged perpetrator of sexual assault or sexual harassment in accordance with the Staff Code of Conduct and Student Code of Conduct and Staff Misconduct and Serious Misconduct Policy and Procedure, located within the Integrity and Respect Framework.
- ii. If a person does not wish to make a formal report, the College will nevertheless provide support and guidance as outlined in this policy framework.
- iii. If the College becomes aware of an incident of sexual assault or sexual harassment that has occurred on campus, at a College event, or involving an alleged perpetrator who is a member of the College community, the College may instigate its own action in accordance clause 5.3.i above.
- iv. The College monitors the number of SASH incidents reported through Work Health and Safety Committee, Management Committee and the Board of Directors.

5.4 Confidentiality

- i. Any disclosure or formal report of sexual assault or sexual harassment will be treated confidentially in line with the *Privacy Act 1988* (Cth) and the College's Information Management and Privacy Framework.
- ii. Information disclosed or reported may be shared on a confidential basis with relevant College staff, as necessary, to ensure the safety of the person making the report as well as the broader College community, and to ensure that coordinated support is provided.

5.5 External reporting

- i. A person who has experienced sexual assault is given the option to report the matter directly to the police. The College must let the person making the disclosure decide if they wish to report to

This document may be varied, withdrawn or replaced at any time. Printed copies, or part thereof, are regarded as uncontrolled and should not be relied upon as the current version. Anyone printing this document should refer to the website/College policy suite for the latest version.

ABN: 50 360 319 774 TEQSA PRV12064 CRICOS Provider Code: 02664K

the police and regardless of their decision, must continue to provide support and guidance as outlined in this Framework.

- ii. If the report is about a person under the age of 18 years who was subject to a SASH incident, mandatory reporting applies, and the Support Officer must inform NSW Police. The College will notify the person immediately and the College may choose to participate in the police enquiry.
- iii. The College is required to report information externally and/or contact emergency services if there is a threat or physical harm or danger to any person.
- iv. If a report is made to both the College and the police, the College may be required to suspend any internal investigation pending the outcome of the police investigation.
- v. In the case of a person visiting the College from another tertiary education institution, the College may be required to comply with reporting obligations established by the 'home' institution. Before a report is made, the College will work with the student or staff member and the 'home' institution to determine how the required report should be made.

6 Support contacts and resources

6.1 Internal

- Emergency contacts are located on the [Wellbeing and Safety page](#) of the College website.
- Campus Security Office: 02 9819 8825
- [Student Support Centre and Counselling](#) provide support in the following areas:
 - academic support
 - English language support
 - counselling
 - chaplaincy – pastoral care
 - disability support
 - career support
 - Indigenous support

6.2 External

If you have experienced sexual assault or sexual harassment and would like to speak to someone for support or information, [1800RESPECT](#) (Phone: 1800 737 732) can provide counselling 24 hours a day, 7 days a week.

If you are feeling unsafe right now, call 000.

If you have experienced sexual assault and would like to make a complaint or report to the police, [click here](#) for the relevant state and territory police contacts.

If you have experienced sexual harassment, you can make a complaint to the [Australian Human Rights Commission](#).

Mental health support services

Lifeline

13 11 14

Beyondblue

1300 224 636

Suicide Call Back Service

1300 659 467

Other support services

NSW Rape Crisis Centre

(02) 9819 6565 or 1800 424 017 (outside Sydney)

Domestic Violence Line

Department of Community Services

1800 656 463 (24 hours)

Bravehearts NSW

(02) 9810 5898

For international students

Commonwealth Ombudsman

7 Document status and governance

Responsible Officer	Chief Operating Officer	Date created: October 2023 Date of last review: October 2023
Approving Authority	Board of Directors	Meeting date: 7 December 2023 Agenda item number: 7D
Endorsement	Management Committee	Meeting date: 13 October 2023 Agenda item number: 8.7
Publication	Version 1 (Public)	December 2023
Related documents and references	External documents Australian Human Rights Commission Privacy Act 1988 (Cth) TEQSA Good Practice Note: Preventing and responding to sexual assault and sexual harassment in the Australian higher education sector	

This document may be varied, withdrawn or replaced at any time. Printed copies, or part thereof, are regarded as uncontrolled and should not be relied upon as the current version. Anyone printing this document should refer to the website/College policy suite for the latest version.

ABN: 50 360 319 774 TEQSA PRV12064 CRICOS Provider Code: 02664K

	Internal documents GOV-STA-04 Information Management and Privacy Framework HR-STA-03 Integrity and Respect Framework Incident Report Form SASH Incident Form TOR-21 Work Health and Safety Committee Terms of Reference WHS-01 Health and Safety Framework	
HESF	1.3, 2.1, 2.3, 2.4, 3.2, 4.1, 4.2, 6.1, 6.2, 7.2, 7.3	
Review date	Review of Version 2	December 2026

8 Document history

This policy framework has been amended as follows:

Version	Approved by and date	Sections amended