

USC Response to Managing Sexual Assault and Sexual Harassment (SASH) of Students

Background

In 2016, Universities Australia commissioned the Australian Human Rights Commission to conduct a national, independent survey of university students to gain greater insight into the nature, prevalence and reporting of sexual assault and sexual harassment at Australian universities.

The Australian Human Rights Commission (AHRC) released the findings of this research in the *Change the Course: National Report on Sexual Assault and Sexual Harassment in Australian Universities in August 2017*. *Change the Course* outlined nine recommendations for universities to ensure they were providing students with a safe, supportive learning environment that prevented and responded to incidents of sexual assault and sexual harassment as effectively as possible.

In response, the then Minister for Education and Training requested that all Australian universities inform TEQSA of their approach to addressing the issues raised in the report with specific focus on preventative education; training and information, policy and governance; investigation and reporting procedures; consequences of misconduct; provision of a safe environment; and support for students who have been assaulted or harassed on campus, in student accommodation, travelling to campus, online or at home. TEQSA analysed written responses from universities and reviewed the websites of higher education providers and reported the findings to the Minister in 2018. Since that time, TEQSA has used a framework to review providers' responses to sexual assault and harassment as part of the renewal of registration process. TEQSA has also recently published a Good Practice Note on preventing and responding to sexual assault and sexual harassment in the Australian higher education sector.

USC's Response to the Recommendations from the *Change the Course* report

At the one-year anniversary of the release of the AHRC 'Change the Course Report', Universities Australia released new guidelines to Australian Universities, containing 13 key points.

The first point sets out the guiding principles for policy responses: Universities should be guided by the principles of compassion, providing support and assistance, protecting confidentiality and privacy, cultural competency and natural justice. USC's implementation status against each of the remaining 12 points is summarised below. The UA guidelines are shown in bold.

1. Universities should consider creating a standalone policy to address sexual assault and sexual Harassment

USC has implemented standalone policies to address sexual harassment and assault. The policies are the Sexual Harassment Prevention Governing Policy and the Anti-Discrimination and Freedom from Bullying and Harassment (Students) policies. Both were approved by USC Council in April 2017.

2. Universities should ensure the majority of staff with student-facing roles have the skills to respond to disclosures and reports of sexual assault and sexual harassment with compassion and care.

USC has delivered face-to-face training developed in conjunction with the local sexual assault service, 'Responding to Disclosures', and additionally 'Recognising and Support Students in Distress' training modules have been delivered that provide skills and awareness training for front line staff, both professional and academic on how to respond to students with compassion and care.

3. Universities should consider providing a specialist-trained single point of contact for students making reports to ensure processes are compassionate, consistent and robust.

Following an extensive site visit of Victorian universities, USC established a dedicated SafeUSC Unit in early 2018 to support the identification and management of students with concerning behaviour. Within this unit is a specialist trauma informed sexual assault counsellor who provides single point contact for all students who wish to make a report of sexual assault ensuring a compassionate, consistent and robust response. The Unit also provides resources, training and workshops of specialised topics to staff and students and assists with risk assessments and referrals to the Behavioural Assessment and Management team. The Unit's core objective is the safety of students, staff and community within USC, and strives for a preventative approach, within the relevant legislative frameworks.

4. Universities should minimise the number of times a student needs to recount a traumatic experience

USC supports and has adopted a trauma informed approach across all USC campuses. Responses to student making disclosures are trauma informed and victim/survivor centric, ensuring that throughout the support/reporting and response stages of intervention, students are engaging with the least amount of staff as a possible. The single point trauma informed specialists case manages all reports, minimising times students must repeat their story.

5. Universities should streamline arrangements for academic special consideration.

As part of the procedures in responding to disclosures, students receive an assessment of all support requirements including the need for academic adjustments, and the provision of a Learning Access Plan (where appropriate), without the student re-presenting to multiple areas of the University. This is achieved through the single point case management approach and has been USC's business practice for several years.

6. Universities consider a data collection mechanism that captures de-identified disclosures and formal reports.

USC has developed appropriate data collection mechanism that support both de-identified and formal reports for student sexual assaults and harassment cases. The de-identified data collection mechanism was developed in consultation with the USC Student Wellbeing team and summary de-identified reports will be provided to the Vice-Chancellor and President each Semester.

7. Universities should consult with stakeholders, including students, in the development of any relevant policy.

Stakeholder engagement with local specialist service Laurel Place and USC students occurred during the development of USC policies (Sexual Harassment Prevention Governing and the Anti-Discrimination and Freedom from Bullying and Harassment (Students) policies) prior to their approval by USC Council.

8. Universities should offer multiple ways to make a formal report, including through online reporting tools and safety apps.

USC offers options for students to lodge a formal report, online or in person. Examples include:

- face-to-face confidential, consultation sessions with Student Wellbeing staff;
- online via the complaints/grievance website and the incident reporting tool; and
- a SafeZone app that has been released and offers capacity for students to seek immediate support and provides contact details for telephone reporting.

9. Universities should clearly communicate the university's formal reporting process and misconduct procedures, including timeframes.

USC has clear communication plans for students on how to make reports, available through:

- USC Website
- Student newsletter
- Posters / digital media
- Training on reporting and support to student leaders / staff
- Embedded content in curriculum

In addition, specific campaigns occur at regular intervals to raise student awareness of these topics.

10. Universities should communicate to students the option to report the incident to police and respect their decision.

As per policy and subsequent communications to students, USC students are encouraged and supported to report all incidents to police. USC has developed formal links with police liaison officers, who are able to provide advice and support to students making reports.

11. Universities should offer an interpreter for students who prefer to provide information in their native language.

USC organises interpreters for students who require this support.

12. Universities should engage with colleges and residential halls — including those that are managed independently of the university — to ensure consistency in responses, reporting and investigation approaches.

USC has a Memorandum of Understanding with local private student accommodation providers relating to the disclosure of sexual assault and harassment. Additionally, the managers and director of the student accommodation are key members of USC local Safer Community Network who meet regularly to discuss collaborative initiatives to address issues presenting, including sexual harassment and assault.

Independent External Review

The Pro Vice-Chancellor (Students) commissioned an independent review of USC's sexual assault and harassment policies and procedures in February 2020. Following a tender process, Code Black was commissioned to undertake the review of USC's policies and pathways for managing sexual harms in line with the recommendations from *Change the Course* to ensure that USC's approach to prevention and responding to sexual assault and sexual harassment are consistent with sector best practice.

The review was completed in May 2020 and the final report received 31 May 2020. TEQSA was advised that the independent review had been commissioned during the re-registration process. TEQSA subsequently requested a copy of the final report prepared by Code Black as well as the University's response to the Code Black recommendations and TEQSA's findings with respect to the University's policy framework and processes for preventing and responding to sexual assault and sexual harassment to be submitted to TEQSA by January 2021.

The Code Black review reported that feedback from staff and students consistently noted the professionalism of the USC Student Wellbeing staff along with the quality of the material they have produced to support victim/survivors of sexual assault and sexual harassment. The report noted that overall, USC has delivered on its commitment to ensuring the safety of students and staff and that

the recommendations for improvement should be viewed as building upon the good work being undertaken.

There were several areas identified that would assist USC to build on the strategies already implemented. These include:

- Establishing a SASH Task Force to guide implementation of strategies addressing recommendations and to monitor progress.
- Streamlining the handling of sexual assault and sexual harassment disclosures that involve staff.
- Improving the visibility of sexual assault and sexual harassment information on the website.
- Expanding jurisdiction to cover student conduct when off-campus, such as privately-run accommodation, where the safety risk can translate onto the University campus or work-integrated learning (WIL).
- Identifying first responders and key support staff across campuses and faculties, providing training in trauma-informed responses, especially for the smaller campuses.
- Identifying academic and support staff to be nominated for first responder training and who can work together to provide the 'joined up' pathways required by victim/survivors.
- Simplifying SASH related policies and procedures.

USC SASH Action Plan 2020-2022 - Students

USC has developed a SASH Action Plan (Students), which is based on four key pillars informed by the recommendations set out in the AHRC *Change the Course Report* (2017), Universities Australia *10-Point Action Plan* (2017) in response to the national student survey on sexual assault and sexual harassment, TEQSA *Good Practice Note: Preventing and responding to sexual assault and sexual harassment in the Australian higher education sector* (2020) and the recommendations from an independent review of USC's policies and pathways for managing sexual harms conducted by Code Black in December 2019.

Underpinning this work is the role that senior leadership will play in fostering a positive institutional culture that promotes the open and transparent prevention of, and response to, sexual assault and sexual harassment.

The Action Plan takes a whole of University approach and recognises that change is complex and requires actions to be both proactive and reactive and be embedded across all areas of an organisation, school or community. A SASH Taskforce is being established, which will be responsible for the implementation of the Action Plan. This plan will be updated progressively, and as other matters become apparent. The action plan adopts a trauma informed approach.

The pillars of the USC SASH Action Plan are as follows:

Leadership and Governance

This pillar arises from recognition that university leaders are central to the organisational culture and need to take responsibility for the transparent prevention of, and response to, sexual assault and sexual harassment (TEQSA, 2017) including decision-making and monitoring and evaluation of actions taken. To assist and advise universities in this respect, it is recommended that universities establish an advisory body or task force within their institution, which has responsibility for guiding the implementation of the SASH Action Plan.

Prevention, Awareness and Culture

It is recommended that universities develop a plan for addressing the drivers of sexual assault and sexual harassment, which provides students and staff with education about behaviours that constitute sexual assault and sexual harassment, consent and respectful relationships, 'violence supportive attitudes' and bystander intervention, and identifies existing resources and communications campaigns that reinforce key messages of education programs for dissemination to staff and students. Education programs and communications should target all levels of the organisation and be based on best practice and research.

Service, Support and Safety

To ensure students and staff know about supporting and reporting processes for sexual assault or sexual harassment, universities should widely disseminate information about university reporting avenues to staff and students. Further, it is expected that information about internal and external reporting procedures and support services is accessible to all students and staff, including people with disability and people from culturally and linguistically diverse backgrounds, and develop relationships with external service providers (local sexual assault service, local hospital) to enable referral of students to these services where necessary.

Monitoring, Evaluation and Research

Universities should monitor and evaluate the activities undertaken to increase awareness of support services and reporting processes to ensure that these measures have been effective in increasing awareness among staff and students. It is therefore recommended that universities collect and evaluate data on individual disclosures and reports of sexual assault and sexual harassment and monitor performance against established key performance indicators. It is further recommended that universities should engage an independent body to conduct the national university student survey of sexual assault and sexual harassment at three yearly intervals to track progress in reducing the prevalence of these incidents at a sector-wide level. Data and analysis of this data (noting appropriate confidentiality) should be reported at least every six months to the Executive team with a view to considering and implementing improvements where required. Universities should also conduct regular audits of counselling services to assess their capacity to respond to students' requests for counselling in an appropriately timely manner.

There are 15 identified actions detailed in the Action Plan with associated timelines. Several of these actions have been completed, the majority will be implemented by the end of January 2021 with the remaining three actions requiring wider stakeholder input to be implemented by December 2021.

Thereafter, the Task Force will provide ongoing monitoring of USC's response to managing sexual harms in line with best practice principles.