

STUDENT SEXUAL MISCONDUCT AND SEXUAL HARASSMENT POLICY AND PROCEDURES 2021

The Joint Venture Board of the University of Sydney Foundation Program Pty Limited (USFP), as the governing authority of the University of Sydney Preparation Programs, by resolution adopts the following policy.

Dated: 30 July 2021

Last amended: N/A

Signature:

Position:

CONTENTS

Contents	1
PART 1 - STUDENT SEXUAL MISCONDUCT AND SEXUAL HARASSMENT POLICY	2
1 Name of policy	2
2 Commencement.....	2
3 Policy is binding	2
4 Overview	2
5 Application	2
6 Definitions	3
7 Consent.....	7
8 General principles	7
9 General responsibilities of staff and students	8
10 Breach of policy	8
11 Reporting options.....	8
12 Procedural fairness	9
13 Anonymous complaints.....	9
14 Vexatious complaints	10
15 Records Management	10
PART 2 - SEXUAL MISCONDUCT AND SEXUAL HARASSMENT RESPONSE PROCEDURES	10
16 Emergency contact details.....	10
17 Responding to and reporting sexual misconduct and sexual harassment	10
18 Investigation of sexual misconduct and sexual harassment	11
19 Board reporting and analysis	13
20 Education, information and awareness programs	14
21 External complaints	14
22 Rescissions and replacements	14
Notes	15
APPENDIX A – emergency contacts and support services	17

PART 1 - STUDENT SEXUAL MISCONDUCT AND SEXUAL HARASSMENT POLICY

1 Name of policy

This is the Student Sexual Misconduct and Sexual Harassment Policy and Procedures 2021.

2 Commencement

This policy commences the day after the day on which it is registered.

3 Policy is binding

- (1) Except to the extent that a contrary intention is expressed, this policy binds The University of Sydney Foundation Program Pty Limited (CRICOS Provider Code: 00026A), staff, students and affiliates and visitors.
- (2) All of these procedures apply to any sexual misconduct or sexual harassment incident involving an international student in connection with their study within Australia for the duration of their enrolment. When a student is under the age of 18, these procedures also apply from the end of their final term of study with the College until the day before they commence studies at the University of Sydney.
- (3) Former students may disclose or make a formal complaint about sexual misconduct or sexual harassment to the College. The College will respond under this policy, but former students should note that once they, or the respondent, are no longer enrolled, the College may be limited in any actions it can take and the penalties it can apply.

4 Overview

This policy (and its procedures) prohibits sexual misconduct and sexual harassment by members of the College community. It involves educating, preventing, addressing and responding to sexual misconduct and sexual harassment incidents affecting students enrolled in University of Sydney Preparation Programs (USPPs), including in compliance with the requirements of the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (The National Code). This policy is informed by the Universities Australia Guidelines for University Responses to Sexual Assault and Sexual Harassment. This policy supports the College's values of diversity, inclusion and respect.

5 Application

This policy (and its procedures) applies to students enrolled in the USPPs delivered on behalf of the University of Sydney by Navitas Australia Pty Limited (formerly named Student Group Australia) (CRICOS Provider Code: 01682E) trading as Taylors College Sydney (the College), to former students and to staff of the College.

For the avoidance of doubt, the rights and obligations of students under this policy are in addition to the rights and obligations set out in the Student Code of Conduct.

Sexual Misconduct and Sexual Harassment Policy and Procedures 2021

6 Definitions

Affiliates	means consultants and contractors to the College; members of the Board of USFP; members of College committees; and any other persons appointed or engaged by USFP to perform duties or functions on its behalf.
Active Bystander	means seeing and recognising a potentially harmful situation and choosing to respond in a safe way that could prevent or stop the harm from happening or continuing.
The College	means Taylors College Sydney.
College Director	means the most senior staff member for the College (or their delegate).
College-related conduct	means any conduct that is connected to the College, including conduct that: <ul style="list-style-type: none">• refers or relates to the College, its activities, or its staff, affiliates or students in their status as a staff member, affiliate or student of the College;• occurs on, or in connection with College premises or College affiliated student accommodation;• occurs using, or is facilitated by, College information, communications and technology resources or other College equipment;• occurs during, or relates to the performance of duties for the College; and• occurs during or in connection to any College-related function or event (whether sanctioned or organised by the College or not) or when representing the College in any capacity.
Consent	for the purpose of this policy, consent means the free, clear, obvious and voluntary agreement to engage in a sexual act, and the continued agreement to engage in the act.
Complaint	means a complaint of sexual misconduct or sexual harassment by a student or former student who wants the College to investigate or to take specific action in response to the incident.
Complainant	means a student who discloses they have been subjected to sexual assault and/or sexual harassment in accordance with this Policy and Procedures.
CRICOS	means Commonwealth Register of Institutions and Courses for Overseas Students.

Department of Home Affairs (DHA)	means the Australian Government department responsible for issuance of student visas and provision of student visa services (www.homeaffairs.gov.au).
Disclosure	means a disclosure of sexual misconduct or sexual harassment by a student or former student who does not want the College to investigate or to take any specific action in response to the incident.
International student/overseas student	means a person (whether physically located within or outside Australia) who holds or needs a visa with rights to study in Australia, and who has the right to enrol at the College.
Report	means a report is made when a student discloses to the College they have been subjected to sexual assault and/or sexual harassment or when a witness reports to the College that they saw or became aware of sexual assault and/or sexual harassment
Reportable conduct	means reportable conduct as defined under the Children's Guardian Act 2019: <ul style="list-style-type: none">• a sexual offence• sexual misconduct• ill-treatment of a child• neglect of a child• an assault against a child• an offence under s 43B (failure to protect) or s 316A (failure to report) of the Crimes Act 1900; and• behaviour that causes significant emotional or psychological harm to a child.
Respondent	means the person whose conduct is the subject of a complaint of sexual assault and /or sexual harassment.
SARO	means a sexual assault reporting option , which provides information to the Police without the matter being formally investigated.
Sexual misconduct	For the purposes of this policy, sexual misconduct means any sexual act that a person does not consent to, including: <ul style="list-style-type: none">• rape (also called sexual assault) – the forced penetration of the vagina or anus of any person with any part of the body of another person (including their fingers), or with any object, without the first person's consent;• unwanted oral sex – insertion of the penis into the mouth of another person, or use of the tongue or lips on the vagina, penis, scrotum or anus of another person, without their consent;



- sexual touching – kissing or touching a person’s body in a sexual manner, without their consent. This includes unwanted touching of a person’s breast, bottom or genitals;
- sexual acts – doing an act of a sexual nature with or towards another person without their consent, or making another person do an unwanted act of a sexual nature. This includes:
 - (a) a person showing another person their genitals (‘flashing’);
 - (b) a person sending another person an unwanted still or moving image of their own or someone else’s genitals;
 - (c) making a person show another person their breasts, bottom or genitals;
 - (d) masturbating in front of another person;
 - (e) pretending to masturbate in front of another person;
- voyeurism – for the purpose of obtaining sexual arousal or sexual gratification, observing a person without their consent who is:
 - (a) in a state of undress;
 - (b) using the toilet, showering or bathing; or
 - (c) engaged in a sexual act;
- recording or distributing an intimate image of another person without their consent, whether in person or by electronic, digital or other means, including a still or moving image of:
 - (a) a person’s breast, bottom or genitals, whether bare or covered by underwear;
 - (b) a person in a state of undress;
 - (c) a person using the toilet, showering or bathing;
 - (d) a person engaged in a sexual act.

For the purposes of this policy, a person will be considered to have engaged in sexual misconduct towards another person if:

- the other person did not consent to the first person’s actions; and
- the first person:
 - (a) knew that the other person did not consent;
 - (b) was reckless as to whether the other person consented; or
 - (c) should reasonably have known, having regard to all the circumstances, that the other person did not consent.

For the purposes of this policy, attempting or threatening to engage in any of the above conduct may also constitute sexual misconduct.

Sexual harassment	<p>means an unwelcome sexual advance, unwelcome request for sexual favours or other unwelcome conduct of a sexual nature which, in the circumstances, a reasonable person, aware of those circumstances, would anticipate the possibility that the person would be offended, humiliated, or intimidated. Examples of sexual harassment include:</p> <ul style="list-style-type: none">• unwelcome touching, hugging, or kissing• staring or leering at a person in a sexual manner• deliberately standing too close to someone or brushing against someone• sexual jokes or comments• requests for sexual favours• repeated unwanted requests to go out on dates• sexually explicit conversations• sending sexually explicit online messages• sexual insults or taunting• displaying of sexual images or content,• intrusive questions or suggestive comments about a person's body, appearance or private life,• recording or distributing an intimate image of another person without their consent,• if a child is exposed to sexual activities. <p>Sexual harassment can occur in person or online via email, text messaging, social media posts, direct messages and other forms of electronic communication.</p> <p>Behaviour that is consensual, welcome and reciprocated, and based on mutual attraction, friendship and respect is <u>not</u> sexual harassment.</p>
Student	<p>means, for the purpose of this policy, a person who is currently an enrolled student, or former student, in a University of Sydney Preparation Program.</p>
Transactional sex	<p>means the exchange of money, employment, goods or services for sex, including sexual favours.</p>
University of Sydney Preparation Programs (USPP)	<p>means the non-award pathway programs offered by The University of Sydney and delivered by Navitas Australia trading as Taylors College Sydney. They include the University of Sydney Foundation Program (USFP) and the High Achievers Preparation Program (HAPP)</p>
Victimisation	<p>means any unfavourable treatment, or threats of unfavourable treatment against a person because they have reported or propose to report sexual assault and/or sexual harassment.</p>
Vexatious complaint	<p>means a complaint that is malicious, of ill-intent, knowingly false and/or misleading, and is primarily made to cause damage or harm/reputational harm to the College, the University of Sydney, or to the person against whom the complaint is made.</p>

Voluntary reporting

means when the College Director or delegate makes a voluntary report to the NSW Department of Communities and Justice that they consider a student aged 16 or 17 to be at risk of significant harm.

7 Consent

Regarding consent to a sexual act, for the purposes of this policy:

- (a) a person is free to withdraw their consent to a sexual act at any time prior to or during a sexual act, and for any reason.
- (b) consent to a sexual act must be clear and obvious. The fact that a person does not say 'no' to a sexual act, does not say 'no' to a sexual act clearly and obviously, or does not physically resist being involved in a sexual act, does not of itself mean that they consent to a sexual act.
- (c) a person is not able to freely, clearly, obviously and voluntarily consent to a sexual act when:
 - (i) they are asleep or unconscious
 - (ii) they are significantly intoxicated or affected by drugs and/or alcohol
 - (iii) they are intimidated, coerced or threatened, including when they are afraid of harm to themselves or others
 - (iv) they are unclear about the identity of the person performing the sexual act
 - (v) they are tricked into doing something they do not want to do
 - (vi) they are detained or held against their will
 - (vii) they are under 16 years of age
 - (viii) they are under 18 years of age and the person performing the sexual act is a staff member
 - (ix) they are a person who is incapacitated mentally or physically, or
 - (x) they are pressured to engage in a sexual act by a person who is in a position of power or authority.

8 General principles

- (1) The College upholds both Commonwealth and NSW laws. This policy prohibits any form of sexual misconduct and sexual harassment.
- (2) The College will take all reasonable steps to ensure that all students are treated in accordance with the College's values, policies and procedures.
- (3) The College acknowledges that students who are complainants and respondents have a right to procedural fairness, including an opportunity to be heard and access to quality support services.
- (4) Reasonable steps are taken to provide safe, inclusive learning, living and working environments, such as deploying security guards and CCTV networks on campus, and obtaining working with children clearances on staff and accommodation providers. The College will be vigilant in supporting student safety and responding to threats to the safety of any student.

- (5) The College procedures for handling reports of sexual assault and/or sexual harassment recognise the importance of confidentiality, risks of re-traumatisation and risks to student wellbeing. The College will ensure that all parties are treated with dignity, sensitivity and respect and are given protection from victimisation.
- (6) To ensure effective communication, education, and implementation of this policy, the College provides sexual misconduct and/or sexual harassment awareness sessions and information to students that is age and culturally appropriate, and delivers training and awareness sessions for staff on a regular basis.

9 General responsibilities of staff and students

- (1) Students and staff are responsible for:
 - (a) modelling appropriate behaviour
 - (b) reporting any sexual misconduct and/or sexual harassment that they have experienced or witnessed, by following this policy and procedures
 - (c) ensuring that a person is not victimised for reporting or being subjected to sexual misconduct and/or sexual harassment.
- (2) Staff are responsible for:
 - (a) monitoring the teaching and learning environment and the working environment more broadly to ensure as far as is practicable that acceptable standards of conduct are maintained at all times and that sexual misconduct and/or sexual harassment is not tolerated
 - (b) treating complaints and behaviour which may constitute sexual misconduct and/or sexual harassment seriously and taking immediate action in accordance with this policy
 - (c) treating complaints of sexual misconduct and/or sexual harassment with appropriate confidentiality
 - (d) participating in any training provided on sexual misconduct and/or sexual harassment.

10 Breach of policy

- (1) Sexual misconduct and sexual harassment is prohibited by the College.
- (2) If any student commits, condones or encourages any form of sexual misconduct and/or sexual harassment, they will be subject to disciplinary, penalty and/or criminal procedures.
- (3) Any person may report a breach of this policy, including students, staff or members of the public. Reports are encouraged to improve the overall safety of students and ensure the campus is free from sexual misconduct and sexual harassment acts of violence.

11 Reporting options

- (1) A complainant has five options:
 - (a) make a formal complaint to the College, which will be investigated and responded to by the College

- (b) make a disclosure to the College, without seeking an investigation or a specific response
- (c) make a formal external complaint to the Police
- (d) complete a [sexual assault reporting option](#) (SARO) with the Police without the matter being formally investigated
- (e) in the case of sexual harassment, contact the [NSW Anti-Discrimination Board](#) or the [Australian Human Rights Commission](#) to make a formal complaint under anti-discrimination legislation.

In all of the above cases, complainants can seek support from the College and/or from the external support services listed in Appendix A.

- (2) A complainant may make a complaint to the College and also make an external complaint. If they opt to make a Police report, it is strongly advised that they also make a complaint to the College to enable the College to take support safety and wellbeing while the Police matter is underway.
- (3) The College will endeavour to support the complainant in their preferred course of action, and will provide assistance in lodging a complaint if this is helpful to and wanted by the person. In some limited circumstances, the College may need to report an incident of sexual misconduct to the Police against a student's wishes, to ensure their safety or the safety of other members of the College community, or to meet its legal obligations. The College will assist the University of Sydney to meet its reportable conduct obligations, as set out in the Child Protection and Safeguarding Policy and Procedures. The College Director or delegate may make a voluntary report to the NSW Department of Communities and Justice if they consider a student aged 16 or 17 to be at risk of significant harm:
 - (a) with the consent of the student, or
 - (b) without the consent of the student if staff have a reasonably held belief that voluntary reporting would lessen or prevent a serious threat to the life, health or safety of the student.
- (4) Staff can make a formal complaint to the College Director.

12 Procedural fairness

- (1) The principles of procedural fairness will be applied when dealing with all matters concerning application of this policy and its procedures. A fair, transparent and appropriate approach will be taken to assessments and investigations, information provision and handling, and to all processes and decisions concerning people involved with allegations of sexual misconduct and/or sexual harassment.

13 Anonymous complaints

- (1) In most circumstances, complainants will need to provide their name.
- (2) Subject only to the requirements of applicable laws and the provisions of the Student Misconduct Policy and Procedures, the College will not act on anonymous complaints unless:
 - (a) the complaint relates to a College policy or procedure generally, and not to an individual respondent(s);

- (b) it is not necessary for the respondent to be aware of the identity of the complainant in order to properly respond to the complaint; or
- (c) there is independent documentary or other evidence supporting the complaint and the allegation can be tested fairly.

14 Vexatious complaints

- (1) The College prohibits vexatious or malicious complaints (see definition) of sexual misconduct or sexual harassment to be made, which may lead to disciplinary action being taken under the provisions of the Student Misconduct Policy and Procedures.

15 Records Management

Records in association with this policy will be kept in accordance with the Records Management Policy and Procedures. Confidential documents related to the implementation of the policy will be maintained according to relevant privacy requirements.

PART 2 - SEXUAL MISCONDUCT AND SEXUAL HARASSMENT RESPONSE PROCEDURES

16 Emergency contact details

- (1) Internal and external emergency contact details and support services information are included in the Student Handbook provided at Orientation. Please refer to Appendix A: Emergency Contacts and Support Services.

17 Responding to and reporting sexual misconduct and sexual harassment

- (1) Students who feel they are in immediate danger or are concerned for someone else's safety should call emergency services on 000.
- (2) If a student has been sexually assaulted or sexually harassed, the College strongly encourages the student to seek assistance and report it immediately using one of the reporting options in Appendix A. Staff at the College will support and treat complainants with compassion and care. Formal reporting of sexual assault is encouraged by using the emergency contact numbers or via a trusted staff member. In instances of either sexual misconduct or sexual harassment, the College Director will be notified directly.
- (3) Sexual harassment disclosures to College staff members must be notified to the College Director immediately.
- (4) If a student(s) who experienced or committed acts of sexual misconduct wants support and access to services, Student Counsellor services can be accessed by calling the emergency phone line on **+61 407 663 989** or emailing studenthelp@studygroup.com. The contact details for Student Counsellors and sexual misconduct and sexual harassment services are available in the Student

Handbook. Formal reports do not need to be made to access these services. See Appendix A for emergency and other contacts.

18 Investigation of sexual misconduct and sexual harassment

- (1) The confidentiality and privacy of a complainant who discloses or formally reports sexual misconduct or sexual harassment needs to be protected.
- (2) Where the respondent is a member of staff, an affiliate, visitor or a student, they have the right to know the details of any reports about them, the opportunity to make representations to the College, and the right to be treated without bias.
- (3) Complainants and respondents must keep the following information confidential:
 - (a) the identity of the complainant, the respondent and participants in the resolution or investigation of a complaint;
 - (b) the information provided or collected during the resolution or investigation of a complaint;
 - (c) the fact that a complaint has been made;
 - (d) any interim measures taken under clause 18; and
 - (e) any report, outcome or determination of a complaint.
- (4) Complainants and respondents may disclose information in order to obtain support or advice from:
 - (a) their immediate family members;
 - (b) a qualified counsellor or psychologist;
 - (c) their student representative or lawyer;
 - (d) the Police;
 - (e) the NSW Anti-Discrimination Board or Australian Human Rights Commission.
- (5) A breach of confidentiality may result in disciplinary action including, where the person is a student, action being taken under the provisions of the Student Misconduct Policy and Procedures.
- (6) The College will conduct an investigation where:
 - (a) the incident involves a student complainant and the alleged respondent is a student, member of staff or a visitor
 - (b) the investigation will not prejudice a police investigation or court action.
- (7) The complainant may be asked for further information, such as:
 - (a) the names of other individuals who might have witnessed the sexual misconduct or sexual harassment or been subject to the same or similar misconduct or harassment
 - (b) any other information the complainant believes to be relevant
 - (c) the effect of on the complainant's ability to learn and wellbeing.
- (8) When a complaint of sexual misconduct or sexual harassment is made:
 - (a) the College Director or delegate will implement the procedures set out in the Critical Incidents Involving Students Policy and Procedures, Child Protection/Safeguarding Policy and Procedures (depending on the student's



- age and jurisdiction), the Student Code of Conduct and/or Staff Code of Conduct as relevant;
- (b) if relevant, the College Director or delegate will communicate to the complainant the option to report the incident to Police. A complainant who is 18 years of age or older has the right to decide if they want to make a report to the Police or not;
 - (c) the College Director or delegate may make a voluntary report to the NSW Department of Communities and Justice if they consider a student aged 16 or 17 to be at risk of significant harm:
 - (i) with the consent of the student, or
 - (ii) without the consent of the student if staff have a reasonably held belief that voluntary reporting would lessen or prevent a serious threat to the life, health or safety of the student;
 - (d) To minimise the potential for harm to any person, the College may take reasonable interim measures against an alleged respondent, pending the resolution and investigation of complaints and investigations. Interim measures may include, but are not limited to:
 - (i) prohibiting a student from entering, or restricting access to, the premises of the College
 - (ii) restricting a student's access to particular classes
 - (iii) prohibiting a student from speaking to or approaching another person (including by social media, email, letter or through a third party).
 - (e) the College Director or delegate, supported by senior management, will ensure that College investigations into sexual misconduct and/or sexual harassment complaints are commenced within 10 working days of the matter being formally reported and finalised as soon as practicable; and
 - (f) internal and external support services will be engaged, as needed.
- (9) If the respondent is a member of staff, Human Resources will be consulted and carry out the investigation under the Navitas Anti-Discrimination and the Prevention of Harassment Vilification and Bullying Policy
- (10) If a complainant decides to report to the Police, any investigation carried out by the College will await the finalisation of any Police criminal investigation or unless otherwise advised by police.
- (11) The standard of proof to be met in College investigations of sexual misconduct and sexual harassment is a civil standard requiring evidence that the matter is more likely to have occurred than not on a balance of probability. The College will take into account the nature and seriousness of the alleged misconduct or harassment when deciding whether the standard of proof is met.
- (12) The College is required to report information about the commission of a 'serious indictable offence' to the Police in accordance with sections 316 and 316A of the Crimes Act 1900 (NSW).
- (13) A 'serious indictable offence' is an offence that is punishable by imprisonment for five years or more, such as conduct referred to in this policy as rape (also called sexual assault) or sexual touching.
- (14) If a student or former student decides not to report an incident of sexual misconduct to the Police, the College will use its best efforts to protect the

confidentiality of information relating to their disclosure or complaint, while meeting its obligations under the Crimes Act 1900 (NSW).

- (15) In some limited circumstances, the College may need to report an incident of sexual misconduct to the Police against a person's wishes, to ensure their safety or the safety of other members of the College community, or to meet its legal obligations.
- (16) The College will inform the student or former student before reporting an incident of sexual misconduct to the Police.
- (17) Investigation will involve interviewing the respondent. Any other person(s) who may have been involved or who may have witnessed the incident(s) will be interviewed as part of the investigation.
- (18) If the investigation finds that sexual misconduct or harassment has been proven:
 - (a) if the respondent is a student, any action will be taken in accordance with the Student Misconduct Policy and Procedures;
 - (b) if the respondent is a member of staff, any action will be taken in accordance with the Respect in the Workplace Policy and may include the respondent's enrolment or employment being terminated.
- (19) Following the investigation, the complainant and respondent will be informed separately by the College Director in writing and on a confidential basis about what action (if any) is proposed to be taken.
 - (a) If the complainant is not satisfied with how the sexual misconduct or sexual harassment complaint has been handled, they may make an appeal as outlined in the Student Complaints and Appeals Policy.
 - (b) If the complainant is not satisfied with how the sexual harassment appeal has been handled, they have the right to refer the matter to the [NSW Anti-Discrimination Board](#) or the [Australian Human Rights Commission](#). If the respondent is dissatisfied with any aspect of the process the College may appoint an independent arbiter to further investigate the matter.
 - (c) All documentation in relation to a student sexual misconduct or sexual harassment complaint investigation and outcomes must be filed securely in the Sexual Misconduct and Sexual Harassment Register by the College Director (or delegate).
 - (d) The College Director or delegate is responsible for coordinating investigations, monitoring timeframes of investigations and ensuring confidentiality is maintained including with regard to information and privacy considerations.

19 Board reporting and analysis

- (1) Following an incident of sexual misconduct or sexual harassment, the College Director will provide a confidential report to the next meeting of the USFP Board of Directors. Complainants and respondents will not be identified in the report.
- (2) The College Director is responsible for providing a confidential annual summary report to the USFP Board of Directors of all sexual misconduct and/or sexual harassment complaints. Complainants and respondents will not be identified in the report. The annual report will include:
 - (a) a summary of complaints received during the previous year and an analysis of trends and identification of any systemic issues

- (b) recommendations concerning procedural or other changes that may have been made in response to findings and any recommendations for the future
- (c) education and information campaigns or security measures taken, and planned to be taken in the next calendar year.

20 Education, information and awareness programs

- (1) All staff and students will be encouraged to participate in education, training and awareness activities to increase their knowledge of how to prevent, identify and respond to sexual misconduct and sexual harassment. All information and awareness programs will be age appropriate.

21 External complaints

Persons concerned that the College has not fulfilled its obligations in managing student complaints of sexual misconduct and sexual harassment can raise a concern with:

- (1) TEQSA at <https://www.teqsa.gov.au/raising-complaint-or-concern>
- (2) The [Commonwealth Ombudsman](#) (for students with USFP offers packaged with the University of Sydney)
- (3) The [Ombudsman NSW](#) (for non-packaged USFP offers and Academic English Preparation).

22 Rescissions and replacements

This document replaces the following, which are rescinded as from the date of commencement of this document:

Nil

NOTES

Sexual Misconduct and Sexual Harassment Policy and Procedures 2021

Date adopted: 30 July 2021

Date registered: 13 August 2021

Date commenced: 13 August 2021

Administrator: Position title of the most senior person responsible for the day to day operation of the policy.

Review date: At least once every 5 years from the date of commencement.

Rescinded documents: Not applicable

Related documents:

- (1) *Anti-Discrimination Act 1977 (NSW)*
- (2) *Children and Young Persons (Care and Protection) Act 1998 (NSW)*
- (3) *Crimes Act 1900 (NSW)*
- (4) *Competition and Consumer Act 2010 (Cth)*
- (5) *Education Services for Overseas Students (ESOS) Act 2000*
- (6) *Children's Guardian Act 2019 (NSW)*
- (7) *Education Services for Overseas Students Regulations 2019*
- (8) Higher Education Standards Framework (Threshold Standards) 2021
- (9) National Code of Practice for Providers of Education and Training to Overseas Students 2018 (the National Code)
- (10) National Standards for Foundation Programs
- (11) *Privacy Act 1988 (Cth)*
- (12) *Sex Discrimination Act 1984 (Cth)*
- (13) TEQSA's Good Practice Note: Preventing and responding to sexual assault and sexual harassment in the Australian higher education sector
- (14) TEQSA's Guidance Note: Wellbeing and Safety v1.2
- (15) Universities Australia Guidelines for University Responses to Sexual Assault and Sexual Harassment.
- (16) Child Protection/Safeguarding Policy and Procedures
- (17) Critical Incidents Involving Students Policy and Procedures
- (18) Records Management Policy and Procedures
- (19) Student Code of Conduct
- (20) Student Complaints and Appeals Policy and Procedures
- (21) Student Misconduct Policy and Procedures
- (22) Student Privacy Policy

Sexual Misconduct and Sexual Harassment Policy and Procedures 2021

- (23) Student Enrolment Terms and Conditions
- (24) Navitas Anti-Discrimination and the Prevention of Harassment Vilification and Bullying Policy
- (25) University of Sydney Under 18 International Students Policy 2016
- (26) University of Sydney Under 18 International Students Procedures 2016

APPENDIX A – EMERGENCY CONTACTS AND SUPPORT SERVICES

Emergency contacts

- (1) In an emergency, students should contact emergency services by dialling **triple zero (000)**.

- (2) Students who feel unsafe on campus or are concerned for someone else's safety can call the emergency phone line on **+61 407 663 989** and email studenthelp@studygroup.com

- (3) Students who have experienced sexual assault can contact:
 - (a) NSW Rape Crisis Service on **1800 424 017**, 24 hours a day
 - (b) **1800 RESPECT** on **1800 737 732** or online via www.1800respect.org.au, 24 hours a day - The National Sexual Assault, Domestic Family Violence Counselling Service.
 - (c) Royal Prince Alfred (RPA) Hospital Sexual Assault Service on **02 9515 9040** (Monday to Friday) or **02 9515 6111** (after hours). Counselling and medical services are available for anyone who has been sexually assaulted. Campus Security can arrange transport to RPA.
 - (d) Westmead Hospital Sexual Assault Service on **02 9845 7940** (daytime) or **02 9845 5555** (24 hours)
 - (e) Blacktown/Mount Druit Sexual Assault Service, Blacktown Community Health Centre on **02 9881 8700** (daytime) or **02 9845 5555** (24 hours).
 - (f) Lifeline on **13 11 14**, a 24 hours a day helpline
 - (g) Crisis Assessment and Treatment Team (CATT) on **1800 629 354** or **02 6205 1065**, an acute mental health assessment and treatment service
 - (h) The Sexual Assault Resource Centre on **1800 199 888** for a range of free services for people affected by recent sexual violence, past sexual assault, current sexual abuse and past sexual abuse.
 - (i) Relationships Australia on **1300 364 277**
 - (j) Mental Health Line (NSW) on **1800 011 511**

Internal contact

- (1) College Emergency Helpline **+61 407 663 989**

External contacts

- (1) Emergency services (Police, Fire, Ambulance) – **Dial triple zero 000** in an emergency
- (2) NSW Police Assistance Line – contact **131 444**, 24 hours a day
- (3) Department of Home Affairs – contact **131 881**, 9am to 5pm, Monday to Friday.