Student Prevention and Response to Sexual Harm or Gender-Based Violence Procedure

Section 1 - Governing Policy

(1) This Procedure is governed by the Prevention and Response to Gender-Based Violence Policy. This Procedure and the Policy should be read together.

Section 2 - Procedure Statement

(2) This Procedure forms part of ACU's whole-of-Organisation framework to prevent and respond to gender-based violence, which includes governance oversight, workforce capability, student and staff education and training, safe physical and digital environments, evidence-based decision making, and survivor centred support systems. This framework integrates prevention, early intervention, disclosure, response, investigation and continuous improvement functions across the University, supported by defined governance, clear roles and responsibilities, and an outcomes framework to ensure accountability and ongoing improvement.

(3) Before detailing specific procedures, it is crucial to note that gender-based violence is driven by gender inequality, including unequal power relations between genders, rigid gender roles and stereotypes, and the condoning of violence. These drivers are reinforced by broader social, cultural and institutional factors and intersecting forms of inequality. ACU's approach to prevention is informed by this evidence base and is designed to address these underlying drivers through education, culture change and targeted interventions across the University community.

(4) ACU's actions are informed by national evidence and sector guidance, including the findings of the National Student Ombudsman's Can I Talk About This and Walk the Talk reports. These reports highlight the importance of accessible reporting pathways, person-centred and trauma-informed responses, and continuous improvement in institutional responses to sexual harm and gender-based violence. ACU's approach incorporates these findings through strengthened support systems, clear reporting processes, and targeted prevention and response initiatives.

(5) This Procedure outlines initiatives by the University which are aimed at preventing sexual harm and gender-based violence.

(6) ACU is committed to the primary prevention of sexual harm and gender-based violence, recognising that prevention is an essential component of student safety, wellbeing and education success. Prevention initiatives include:

a. Mandatory and optional education programs that promote respectful relationships, consent, bystander intervention and help-seeking behaviours;
b. Targeted prevention activities for cohorts with increased vulnerability or specific needs, including students in student accommodation, clinical and professional placements, international students, and First Nations Students;
c. Student-facing campaigns, communications and digital resources designed to increase awareness of gender-based violence, reporting options and available supports;
d. Collaboration with student representative bodies and student leaders to embed prevention messages within

student life and campus culture; and

e. Prevention activities will be evidence-based, trauma-informed, culturally responsive and reviewed regularly to ensure they remain effective, inclusive and aligned with best practice.

(7) This Procedure also outlines:

a. how students can make a disclosure or formal report that they have experienced or otherwise become aware of sexual harm or gender-based violence; and
b. how the University will respond in a trauma-informed and people-centred manner to any disclosures or formal reports regarding sexual harm or gender-based violence by or about University Members in connection with their status as a student of the University.

Section 3 - Disclosure and Formal Reports

(8) If a student (the Discloser) wishes to inform a member of the University community that they have experienced sexual harm or gender-based violence, they can do so by making a disclosure or a formal report:

a. a disclosure is where a student tells another student, or a staff member, that they have experienced sexual harm or gender-based violence. A student making a disclosure may simply wish to:
    i. tell someone about the experience; or
    ii. seek information about resources, academic adjustments, support services or reporting options.
b. a formal report is where a student makes a disclosure of sexual harm or gender-based violence with an intention that some form of action will be taken beyond the offer and provision of support services, including (without limitation) the commencement of an investigation or a disciplinary process in appropriate circumstances.

(9) The Discloser can:

a. make a disclosure only;
b. make a formal report only; or
c. make a disclosure first and then a formal report later.

(10) A disclosure or formal report can be made at any time. There is no time limit. However, the University encourages disclosures or reports to be made in a timely way to ensure that any delay does not impact upon the University's ability to address the situation.

(11) Subject to (8), the Discloser has autonomy and agency to decide:

a. whether or not they wish to report the matter externally, e.g. to the police;
b. how much information they wish to provide;
c. what next steps, if any, will be taken; and
d. whether they wish to discontinue a disclosure or formal report they have made. This will not result in negative consequences for the student, and a member of the Safeguarding and Student Safety team will work with the student to address any concerns they may have.

(12) In limited circumstances, the University may take action without the consent of the Discloser, or continue action despite the Discloser wishing to discontinue – for example, if:

a. there appears to be an immediate risk to the health or safety of the student making the disclosure or formal

report, or any other person;

b. the conduct disclosed is of a nature that the law requires the University to report the information, e.g. where the disclosed sexual harm or gender-based violence has happened to someone under 18 years old; or
c. a particular individual becomes the subject of disclosures or formal reports by more than one person, and the University is concerned there may be a risk to the health or safety of any person;

(13) If the University decides to take action under (8), the action taken and the reasons for it will be explained to the Discloser.

(14) If a disclosure or formal report is made by a student under 18 years old, it will be managed and responded to in accordance with the Safeguarding Children, Young People and Adults at Risk Policy and Safeguarding Children, Young People and Adults at Risk Procedure.

3.1 How to Make a Disclosure or Formal Report

(15) A student can make a disclosure or formal report:

a. online by completing the report form on the University Safeguarding and Incident Reporting site ;
b. by email to respectandsafety@acu.edu.au;
c. by telephone – by calling Safeguarding and Student Safety on 0476 852 735 ; or
d. in person by speaking with:
    i. a Safeguarding and Student Safety staff member, whose role focusses on preventing and responding to sexual harm or gender-based violence; or
    ii. a member of the Safety Support Network, a network of academic and professional staff on each campus, who have received specialised training to help support students who have experienced sexual harm or gender-based violence.

(16) The ACU National Security Centre can also be contacted on 1300 729 452 should a student require immediate assistance with respect to a matter.

(17) Additional support services available to students are set out in Appendices A and B.

(18) A University Member can complete the online report form on a student's behalf – for example, where a University Member is supporting a student through a disclosure or formal report.

(19) If a University Member witnesses or becomes aware of an incident of gender-based violence involving a student:

a. Where reasonably practicable, the University Member should seek the student's consent before making a disclosure or formal report.
b. If consent is not obtained, the University Member may submit the disclosure or formal report either:
    i. in a de-identified manner (without naming the student), or
    ii. with the student's name included, if necessary for the report.

3.2 Anonymous Disclosure or Formal Report

(20) A student can make an anonymous disclosure or formal report by completing the online report form without identifying themselves. However, where a student does not provide their name and contact details:

a. it will not be possible for the University to contact the student to offer information and support; and
b. the ability of the University to conduct an investigation or take other actions in response to the disclosure or formal report may be impacted.

(21) Regardless of any other actions taken, information from anonymous disclosures or formal reports will be incorporated into de-identified reporting. This data will be used to identify patterns and inform strategies aimed at continuously improving the University's prevention and response measures for students in relation to sexual harm or gender-based violence.

(22) A student can make an anonymous disclosure or formal report first and then identify themselves at a later date. There is no time limit on this. However, a delay in a student identifying themselves may impact upon the University's ability to respond or take further action.

3.2 Support for Staff and Students who are Responding to a Disclosure or Formal Report

(23) The University provides instruction so that staff and students know how to respond to a disclosure or formal report:

a. through student workshops, staff training sessions, campaigns and activations delivered by Safeguarding and Student Safety staff and others; and
b. on the University Responding to a Disclosure website.

(24) Where appropriate, University Members can support a Discloser by:

a. listening attentively and without judgment;
b. demonstrating kindness and empathy; and
c. being patient and allowing the student to provide as much or as little information as they wish.

(25) Where a student discloses or makes a formal report that they have sexual harm or gender-based violence, the University's priority is to ensure the safety of the student. For someone in immediate danger or requiring immediate medical attention, contact:

a. Emergency Services on 000; and
b. immediately afterwards contact the National Security Centre on 1300 729 452 or by using the Safezone App.

(26) Any staff member who receives a disclosure must:

a. must inform the Discloser that they can access support from the Safeguarding and Student Safety team, which provides specialist safety and support for students who have experienced sexual harm or gender-based violence;
b. notify the Safeguarding and Student Safety team of the disclosure to support the University's whole-of-organisation prevention and support strategies. Staff must inform the discloser of their obligation to notify the Safeguarding and Student Safety team and seek consent on what information can be shared, including anonymity preferences; and
c. if relevant, may inform the Discloser that they can also seek support from the internal and external support services listed at Appendix A.

(27) The University acknowledges that supporting someone who discloses sexual harm or gender-based violence can be a difficult experience. There is support available to assist you, ensuring that both students and those supporting them feel cared for and empowered throughout the process. The following support options are available for staff and students who are supporting a student through a disclosure or formal report:

Support option	Available to students	Available to staff
Safeguarding and Student Safety team	X	X

24 Hour ACU Mental Health Support Line	X	X
Student counselling service	X	
Employee Assistance Program (EAP) Counselling service		X

Section 4 - Initial Assessment and Interim Actions

(28) Where a disclosure or formal report is received by the Safeguarding and Student Safety team, a member of the team will engage collaboratively with the Discloser to prepare a tailored support plan which may include consideration of the following (where relevant):

a. implementing any necessary interim measures to ensure the safety of the Discloser;
b. undertaking ongoing risk assessments to manage and monitor any identified risks;
c. explaining and prioritising access to support services based on the individual circumstances of the Discloser. This may include (when needed and/or requested):
    i. referral to relevant internal support services or specialist external support services for persons who have experienced sexual harm or gender-based violence.
    ii. prioritising access to translation and interpreter services; and
    iii. prioritising access to services of an Accredited Specialist;
d. support to apply for any required academic adjustments;
e. informing the Discloser that the disclosure, formal report or any other information shared with the Safeguarding and Student Safety team will not show on their academic record;
f. if a disclosure or formal report is made by an international student, informing the Discloser that it will not affect their visa status;
g. contacting the Discloser as promptly as possible, usually within two working days or as soon as practical, to acknowledge receipt of the disclosure and/or formal report, to explain the next steps, and to offer support;
h. where necessary; or
    i. providing information about the investigation and disciplinary processes including what role the Discloser might have and the possible outcomes or actions if the allegations are proven; and letting the Discloser know about any external reporting options (such as contracting the police).
i. The University is committed to providing clear, timely, and compassionate communication throughout all stages of the matter including the prevention, disclosure, reporting and response processes, and ensuring students understand what support is available, what to expect, and how decisions are made.

Section 5 - Investigation of Sexual Harm or Gender-Based Violence

5.1 Formal Reports About Non-University Related Conduct or Non-University Members

(29) If a Discloser makes a formal report about an incident which is not university related conduct or relates to the alleged conduct of a person who is not a University Member (such as a former student, former staff member or affiliate or member of the public), the University:

a. will provide support to the Discloser in accordance with Section 4;
b. may not have the authority to take action in relation to the incident;
c. will provide the Discloser with information about, or a referral to, a relevant external agency for resolution.

5.2 Formal Reports Against a Staff Member

(30) Following receipt of a formal report which includes alleged sexual harm or gender-based violence by a staff member:

a. a member of the Safeguarding and Student Safety team will inform the student that the matter will be managed in accordance with the Staff Prevention and Response to Gender-Based Violence Procedure rather than this Procedure; and
b. the Safeguarding and Student Safety team will continue support the student including by providing the student with updates and information, where appropriate.

(31) Where the alleged sexual harm or gender-based violence is by an affiliate of the University, the matter will be referred to People and Capability for advice.

Formal Report Against a Student

(32) A Discloser who wishes to have their formal report of sexual harm or gender-based violence by another student externally investigated is encouraged to submit relevant information when making their formal report including:

a. a detailed statement of what happened to them, including details of date(s), time(s) and location(s);
b. details of any witnesses; and
c. where relevant and appropriate, supporting documentation such as emails, text messages, social media messages or other communications, documents and screen shots.

(33) A member of the Safeguarding and Student Safety team can work with a student to help them identify which information to submit.

(34) The University respects the Discloser's right to decide how much information to include in a formal report. However, if insufficient information is provided, the ability of the University to conduct an investigation or take other actions in response to the disclosure or formal report may be impacted. For example, the University may have limited ability conduct an investigation if the Discloser's identity is not provided, or if the formal report alleges sexual harm or gender-based violence by another student but does not identify that student.

(35) In such cases, the information provided will still be included in de-identified reports to help identify patterns and inform strategies for continually improving the University's prevention and response services for students in relation to sexual harm or gender-based violence.

5.4 Preliminary Assessment

(36) Where a Discloser makes a formal report and requests to proceed to an external investigation of their matter, University will carry out a preliminary assessment of the formal report to determine whether the matter should proceed to external investigation. The preliminary assessment will take into account:

a. the formal report and any supporting documentation or information which has been submitted; and
b. whether there is an apparent incident of alleged sexual harm or gender-based violence by a student; and
c. whether sufficient information has been provided to enable an external investigation to take place.

(37) Following preliminary assessment, the Director, Student Experience and Enhancement or delegate, in their discretion and on a case-by-case basis, will decide whether a matter is referred for external investigation.

(38) If the University decides not to refer the matter for external investigation, the University will:

a. notify the Discloser and advise why this decision was made (if the Discloser's identity is known);
b. continue to offer support to the Discloser as relevant.

(39) The expected timeframe for external investigations and any resulting disciplinary process is no more than 45 working days. The University will only permit extensions of time where required in a particular context.

5.5 Notice that a Formal Report Has Been Made

(40) If a decision is made to refer a matter for external investigation, the University will notify the Discloser and the Respondent. The notification will be:

a. made in writing; and
b. provided to the Discloser and the Respondent on the same day (with the notification to the Discloser occurring first).

(41) The notification to the Respondent will:

a. inform the Respondent that a formal report of sexual harm or gender-based violence has been made against them;
b. provide details of the alleged conduct which has led to the formal report of sexual harm or gender-based violence;
c. outline any University policies, procedures, guidelines or codes which may have been breached through the student's conduct, such as the Student Conduct Policy;
d. inform the Respondent that the matter is being referred for external investigation, provide the name of the external investigator, and inform the student that the external investigator will contact them to request an interview and / or a written response as part of the investigation process;
e. encourage the Respondent to receive support from the University throughout the process via ACU's Student Counselling Service, the Student Advocacy Service, and other support services; and
f. include the list of support and information services in Appendix A.

(42) A member of the Safeguarding and Student Safety team will be assigned to support the Respondent. The team member will engage collaboratively with the Respondent to prepare a tailored support plan which may include consideration of the following (where relevant):

a. implementing any necessary interim measures to ensure the safety of the Discloser;
b. undertaking ongoing risk assessments to manage and monitor any identified risks;
c. explaining and prioritising access to support services based on the individual circumstances of the Respondent. This may include (when needed and/or requested):
    i. referral to internal and/or external support services;
    ii. prioritising urgent access to translation and interpreter services; and
    iii. prioritising urgent access to services of an Accredited Specialist.
d. considering and implementing requests for reasonable academic adjustments.

(43) The same member of the Safeguarding and Student Safety team must not be assigned to support both the Discloser and the Respondent.

5.6 External Investigation

(44) Where a matter is to be referred for external investigation, the Director, Student Experience and Enhancement or delegate will appoint and instruct an appropriately qualified and experienced external investigator.

(45) Where an external investigation is underway, the University will provide the Discloser and the Respondent with regular, appropriate updates about the progress of the matter, including notification of any significant delays, while maintaining procedural fairness and confidentiality

(46) Any investigation will be conducted in a procedurally fair and transparent manner, this includes:

a. providing the Respondent with enough information about the alleged conduct to understand the allegation/s;
b. giving the Respondent an opportunity to respond to the allegations during the investigation and any subsequent disciplinary process; and
c. conducting the investigation in a timely manner.

(47) The Respondent will be given the opportunity to participate in the investigation process. However, if they fail to engage (either within the required timeframe or at all) the investigation may proceed, and findings may be made based on the information available.

(48) During the investigation process:

a. the Discloser will not be required to meet or directly engage with the Respondent unless the Discloser requests it; and
b. any person who participates in the investigation (including the Discloser, Respondent and any witnesses) will be able to have a suitable support person present at any meeting they attend, if they wish.

(49) The role of the support person is to provide moral and practical support to an investigation participant. A support person must not:

a. be connected with, or be perceived to be connected with, the matter; or
b. act as an advocate for, or speak on behalf of, the individual.

(50) Aboriginal and Torres Strait Islander students may:

a. designate an Aboriginal or Torres Strait Islander person as their support person;
b. seek cultural support of Aboriginal or Torres Strait Islander staff through ACU's Indigenous Higher Education Units.

(51) During the course of an external investigation, additional information may come to light in relation to an existing formal report leading to further allegations of sexual harm or gender-based violence If this occurs, the Director, Student Experience and Enhancement or delegate; or external investigator will send a notice to the Respondent to provide them with relevant details, including details of any new alleged sexual harm or gender-based violence allegation, and will provide the Respondent with a further opportunity to respond, in writing or by interview (or both).

(52) While investigating a matter, the external investigator may take into account any information they consider relevant. At the end of their investigation, the external investigator will provide the University with a report of their investigation which will include findings of fact and may also include recommendations about whether the Respondent has engaged in:

a. sexual harm or gender-based violence;
b. any other form of misconduct;
c. conduct in breach of the University's policies, procedures, guidelines or codes.

(53) An external investigator's report will not include any findings about whether the Respondent's conduct may amount to criminal conduct.

(54) Subject to the wishes of the Discloser, the University will inform the Discloser in writing of the outcome of the investigation (including whether a disciplinary process will be commenced) on the same day as the Respondent.

5.7 Student Discipline Process

(55) Following receipt of an external investigator's report, the University will consider the report and determine whether to commence student discipline proceedings.

(56) In making this determination, and in any subsequent student discipline proceedings, the University:

a. will consider, but is not bound by, any findings or recommendations in the external investigator's report; and
b. may take into account any other information considered relevant in the circumstances of the matter including the:
    i. seriousness of the complaint;
    ii. need to protect the safety and wellbeing of our students, staff and affiliates; and
    iii. wishes of the Discloser.

(57) If it is determined that student discipline proceedings should take place, a discipline committee will be constituted in accordance with the Student Conduct Policy subject to the following additional requirements:

a. Any member of a discipline committee which is responsible for considering and determining an allegation of student sexual harm or gender-based violence will have completed specialist training, to be provided by the Safeguarding and Student Safety team or an organisation working in the area sexual harm or gender-based violence .
b. Unless otherwise requested by the Discloser, the University will inform the Discloser of the outcome of the disciplinary process in writing on the same day as the Respondent. The notification will include information about:
    i. the disciplinary decision, the reason for the decision and any sanctions imposed; and
    ii. if relevant, any rights in relation to internal or external complaints, including to the National Student Ombudsman.

Section 6 - Appeals

(58) If the Respondent lodges an application for review or appeal, the application will be addressed in accordance with the Student Appeals Procedure subject to the following additional requirements:

a. Any staff member who is responsible for considering and determining an appeal with respect to a disciplinary decision relating to an allegation of student sexual harm or gender-based violence will have completed specialist training, to be provided by the Safeguarding and Student Safety team or an organisation working in the area of sexual harm or gender-based violence.
b. Unless otherwise requested by the Discloser, within two working days of an appeal application being lodged, the University will:
    i. inform the Discloser that an appeal application has been received; and
    ii. provide information about potential outcomes of the appeal.
c. The expected timeframe for any appeal process is no more than 20 working days. The University will only permit extensions of time where required in a particular context.
d. Unless otherwise requested by the Discloser, the University will inform the Discloser of the outcome of the appeal process in writing on the same day as the Respondent. The notification will include information about:

i. the appeal decision, the reason for the decision and any sanctions imposed; and
ii. if relevant, any rights in relation to internal or external complaints, including to the National Student Ombudsman.

Section 7 - Reports to the Police

(59) Where a student who has made a disclosure or formal report also wishes to report a matter to the police, the University will offer support to the student in that process.

(60) Where a student has made a formal report involving a sexual harm or gender-based violence allegation against a student to the University and the police, the University, in its discretion, may decide to defer or temporarily suspend its internal process while the police investigation or legal proceeding takes place. If it is decided to proceed with a concurrent process, the University will proceed with care so as not to prejudice the criminal proceeding / process.

(61) Deferral or suspension of a University investigation does not prevent the University from taking interim measures in accordance with Section 8.

(62) If any court or tribunal makes a finding that a student has engaged in sexual harm or gender-based violence against any person, the University may rely on this finding as evidence in any subsequent misconduct investigation undertaken by the University in accordance with its misconduct procedures.

Section 8 - Interim Measures for the Respondent

(63) Where the University receives a formal report which includes a sexual harm or gender-based violence allegation against a student or where the University becomes aware that a report has been made to the police which includes a sexual harm or gender-based violence allegation against a student, the University may put in place interim measures to protect the safety and wellbeing of any member of the University community. Interim measures are not a penalty and do not pre-empt the outcome of an external investigation or a police investigation.

(64) Interim measures may include, but are not limited to:

a. temporary restrictions or requirements about who a student may contact and / or how they may contact someone;
b. directions as to where and when a student can go on campus;
c. temporary changes to the student's schedule or placements; or
d. arrangements for alternative accommodation for students in University residential accommodation or on a University trip.

Section 9 - Universities Ability to take Action

(65) IIf the University becomes aware of alleged sexual harm or gender-based violence by a student in circumstances where a formal report has not been submitted, and the situation presents a potential risk of harm to any person, the University may take such action to respond to the situation as it considers appropriate, under this Procedure or otherwise.

Section 10 - Record Keeping and Confidentiality

(66) University will manage information in relation to a disclosure or formal report in accordance with its Privacy Policy and the Privacy Act 1988 (Cth).

(67) The University acknowledges and respects that information relating to a disclosure or formal report is likely to be sensitive and personal. To the maximum extent possible, the University will protect the confidentiality of such information.

(68) In limited circumstances, the University may be required to share information without the consent of a student if the conduct disclosed is of a nature that the law requires the University to report the information. For example:

a. where the conduct relates to a serious indictable offence, the University may be required to report the conduct to the police;
b. where the conduct relates to a child, young person or vulnerable adult and falls within the scope of mandatory reporting requirements of state legislation, the University may be required to report the matter to the relevant state department; or
c. where there is an imminent risk of harm to the student or another person, the University may need to share information to protect safety.

(69) The University uses information from disclosures and formal reports as a basis for de-identified reports for the Senior Executive, governance committees and regulatory reports, as required, to help identify trends and to inform strategies for continually improving the University's response and prevention services for students in relation to sexual harm or gender-based violence.

(70) The National Manager, Safeguarding and Student Safety is responsible for holding records in relation to disclosures, formal reports and investigations of sexual harm or gender-based violence allegations against students.

(71) In the case of a student visiting ACU from another University, ACU processes will apply. If the processes of a student's 'home' University should apply once an overseas student returns to their country of origin, and under those processes reporting is required from ACU, ACU will seek to work with a student to determine how the report should be made.

(72) Any student who is involved in a sexual harm or gender-based violence matter, in any capacity, is required to keep the matter confidential. This means that, except where required by law, a student:

a. must not disclose the existence of the allegation or the matter; and
b. may only discuss the matter for the purpose of receiving confidential advice from one or more of:
    i. their immediate family members;
    ii. a registered health professional such as a general practitioner, psychologist or counsellor;
    iii. a priest, spiritual leader or Elder;
    iv. a registered legal practitioner;
    v. the police; or
    vi. their support person.

(73) If a student does not have an immediate family member they can talk to, they may discuss the matter with no more than two friends for the purpose of receiving confidential advice and support. If those friends are ACU students, they must keep the matter entirely confidential and not discuss it with any other person.

(74) The University recognises that confidentiality requirements must be balanced with a student's need to seek

support, share their experience, and make informed choices. In line with sector guidance, including the National Student Ombudsman's Can I Talk About This report, ACU ensures confidentiality requirements comply with legal and regulatory obligations, are clearly explained and proportionate, and do not prevent students from accessing support or speaking about their experience, in accordance with this Procedure.

Section 11 - Adverse Consequences

(75) The following actions may result in adverse consequences, as they may constitute student misconduct under the Student Conduct Policy or staff misconduct under staff misconduct policies:

a. if a person knowingly makes a false, vexatious or frivolous formal report of sexual harm or gender-based violence against any person;
b. if a person who is involved in any capacity whatsoever in an investigation of a formal report of sexual harm or gender-based violence under this Procedure does not comply with the confidentiality requirements noted in this Procedure or any additional confidentiality arrangements which have been communicated to them; or
c. if a person who is aware of a formal report of sexual harm or gender-based violence by a student engages in victimisation or reprisal towards any person in connection with the formal report.

Section 12 - Non-Disclosure Agreements

(76) The University will not use non-disclosure agreements in relation to sexual harm or gender-based violence disclosures or formal reports unless requested by the Discloser.

(77) If a non-disclosure agreement is requested by the Discloser, it must not:

a. prevent the Discloser from sharing their experience for the purpose of seeking support;
b. prevent the University from complying with legislative or regulatory reporting requirements; or
c. require the Discloser to keep their experience of sexual harm or gender-based violence confidential.

Section 13 - Safe Environments

(78) Prospective staff (including prospective student accommodation staff) must declare whether they have previously been:

a. investigated for an allegation of sexual harm or gender-based violence; or
b. determined by a previous employer or in a legal process to have committed sexual harm or gender-based violence.

(79) When deciding if a person is suitable for employment the hiring manager must consider:

a. any information provided under clause (71); and
b. any resulting risks.

(80) When deciding if a staff member is suitable for promotion, recognition or reward, managers must consider any finding by the University that they have committed sexual harm or gender-based violence in the course of their employment.

(81) Staff must declare any existing or previous intimate personal relationship with:

a. another staff member: if one of them has, or is likely to have, any supervisory, oversight or decision-making responsibilities in relation to the other;
b. a student: if the employee has, or is likely to have, any decision-making responsibilities in relation to the student.

(82) If an employee provides information under clause (74), their manager must implement an appropriate plan to manage any potential conflict of interest pursuant to the Declaration of Interest Policy and the Declaration of Interest Procedure.

(83) All current and prospective staff must comply with the University's Safeguarding Children, Young People and Adults at Risk Policy.

Section 14 - Student Accommodation

(84) The University is committed to maintaining safe student accommodation for all residents and staff.

(85) Where a disclosure or formal report involves a resident in University-owned, managed, or operated accommodation, the University will take immediate and proportionate action to manage any risk and ensure the safety of the Discloser, other residents, and staff. Actions may include relocating the Respondent to alternative accommodation or arranging urgent support services for the Discloser and Respondent.

(86) Within 48 hours of receiving the disclosure or formal report the University will:

a. Conduct a risk assessment that:
    i. takes into account and seriously considers the views of the Discloser; and
    ii. identifies safety measures to protect the Discloser and other residents, which may include relocating the Respondent.
b. develop and implement a support plan in collaboration with the Discloser; and
c. develop and implement a support plan in collaboration with the Respondent.

(87) If, after considering the Discloser's views, the University determines that permanent removal from student accommodation is necessary to protect residents' safety, it may remove a person who has a proven allegation of sexual harm or gender-based violence against them.

(88) The processes in this Procedure will apply in relation to any disclosure or formal report relating to University-owned, managed, or operated accommodation.

(89) For student accommodation which is not owned, managed and/or operated by the University (that is, an affiliated student accommodation provider) the University will ensure those providers have appropriate processes for preventing and responding to sexual harm or gender-based violence. Where a disclosure or formal report relates to an affiliated provider, the University will assist the Discloser in accessing the provider's process and continue to provide support to both the Discloser and Respondent throughout.

(90) All student accommodation providers (including affiliated student accommodation providers) must provide de-identified data on disclosures and formal reports. This data will inform reports to the Senior Executive, governance committees, and regulatory bodies, and will be used to identify trends and improve the University's prevention and response strategies.

Section 15 - Student Voice

(91) In reviewing and continuously improving ACU’s prevention and response to gender-based violence, the University will seek and consider student voice including through:

a. De-identified insights from disclosures and reports;
b. Feedback from students with lived experience (where they choose to participate);
c. Consultation and engagement with student representative bodies;
d. Engagement with diverse student cohorts to ensure responses remain inclusive and effective; and
e. Student engagement activities will be conducted in a trauma-informed, voluntary and ethically appropriate manner.

Section 16 - Review

(92) In line with the University's Policy Development Policy, this procedure will be reviewed in line with the governing policy and is scheduled for review every three years or more frequently if appropriate.

Section 17 - Definitions

(93) The following words and expression have the meanings listed below:

Term	Definition
Accredited Specialist	means a person who meets the following criteria: 1. a psychologist, social worker or counsellor registered or accredited with their relevant industry body; 2. has undertaken formal training in supporting people affected by Gender-based Violence, including Trauma-informed practice; and 3. has undertaken training to build competency in working with specific cohorts including First Nations people, culturally and linguistically diverse communities, people with disability and people of diverse sexual orientation and gender identity.
ACU or the University	Australian Catholic University.

Term	Definition
Affiliate	Non-University staff or students that include: 1. religious members; 2. members of affiliates institutions performing work for ACU; 3. volunteers; 4. contractors and consultants performing work for ACU; 5. a contractor engaged by the University or an individual employed by a contractor engaged by the University; 6. agency staff, e.g. temporary staff; 7. committee members who are not ACU employees; 8. honorary members; 9. visiting members; or 10. guests of University Members.
Affiliated Student Accommodation Provider	means a provider of accommodation to Students that is not directly owned, managed, operated or controlled by the University but is nevertheless affiliated with the University.
Code	means the National Higher Education Code to Prevent and Respond to Gender-based Violence.
Detriment	does not include reasonable management action to protect a person from detriment (for example, reallocating duties or reporting lines) or to manage unsatisfactory performance of a person who is or may be a Discloser.
Discloser	means a person who has shared information about their experience of sexual harm or gender-based violence
Disclosure	Disclosure has the meaning given in Clause (4)a) of these Procedures.
Formal report	Formal Report has the meaning given in Clause (4)b) of these Procedures.
Gender-based Violence	means any form of physical or non-physical violence, harassment, abuse or threats, based on gender, that results in, or is likely to result in, harm, coercion, control, fear or deprivation of liberty or autonomy.
Non-disclosure Agreement	means an agreement, including a deed of release or settlement agreement, that requires particular details to be kept confidential as part of reaching a settlement.
Person	includes a singular person or multiple people, as relevant.
Person-centred	means ensuring that the Discloser's needs and preferences are at the centre of decisions made in response to the Disclosure. The response systems, Policies and Procedures affirm the Discloser's dignity and support their healing by genuinely considering their wishes and the impact that decisions may have on them, while at all times ensuring the safety and wellbeing of the Discloser and other University Members.
Sexual Harm	Any unwanted behaviour of a sexual nature (whether online or in person), including: 1. sexual assault; 2. rape; 3. sexual harassment; 4. sex-based harassment; and 5. any other unwanted sexual behaviour. The harm may result in a person feeling uncomfortable, frightened, distressed, intimidated or harmed either physically or psychologically.

Term	Definition
Sexual Assault	Sexual assault occurs when a person is forced, coerced or tricked into sexual acts against their will, without their consent, or after their consent has been withdrawn. Examples include: 1. forced, unwanted sex or sexual acts, including oral sex; 2. kissing or touching a person's body in a sexual manner; 3. doing an act of a sexual nature with or towards another person, or making another person do an unwanted act of a sexual nature, e.g. 'flashing', 'sexting', or masturbating in front of another person; 4. 'stealthing', i.e. non-consensual removal of a condom during sex; 5. observing a person to obtain sexual gratification where they are in a state of undress, using the toilet, showering, or bathing, or engaged in a sexual act; 6. recording or distributing an intimate or sexual image of another person; 7. inflicting bodily harm, or threatening to do so, on a person with an intent to engage in sexual acts with that person or with another person; and 8. compelling a person to engage, or to continue to engage, in a sexual act.
Sexual Harassment	Sexual harassment is a form of sex discrimination. It involves any of the following: 1. an unwelcome sexual advance; 2. an unwelcome request for sexual favours; or 3. other unwelcome conduct of a sexual nature directed towards a person, In circumstances where a reasonable person, considering all the circumstances, would anticipate that the person harassed may feel offended, humiliated, or intimidated. Sexual harassment does not include mutual or consensual interactions, flirtation, or relationships. Examples of sexual harassment include: 1. staring or leering; 2. unnecessary familiarity, e.g. deliberately brushing up against a person or unwelcome touching; 3. suggestive comments or jokes; 4. insults or taunts of a sexual nature; 5. intrusive questions or statements about a person's private life; 6. displaying posters, magazines, or screen savers of a sexual nature; 7. sending sexually explicit emails or text messages; 8. inappropriate advances on social networking sites; 9. accessing sexually explicit internet sites; 10. requests for sex or repeated unwanted requests to go out on dates; and 11. behaviour that may also be an offence under criminal law, such as indecent exposure, stalking or obscene communications.
Staff	An employee who has a current contract of employment with the University
Student	A person who is enrolled in any program, unit of study or research or non-award study offered by or at the University
Student Accommodation	means accommodation offered or provided to a Student by: 1. the University directly; 2. a Student Accommodation Provider; or 3. an affiliated Student Accommodation Provider.
Student Accommodation Provider	means a provider of Student Accommodation that is not itself directly owned, managed and/or operated by the University but is nevertheless under the Control of the University.
Student Accommodation Staff	means pastoral care leader, residential student advisers and equivalents employed or engaged by the University, a Student Accommodation Provider or an affiliates Student Accommodation Provider, including in a non-paid capacity.
Trauma informed	means an approach that applies the core principles of safety (physical, psychological and emotional), trust, choice, collaboration and empowerment. This approach aims to minimise the risk of re-traumatisation and promote recovery and healing to the greatest extent possible.
University leadership	Of the University includes: 1. a member of the governing body of the University (Senate) or of any committee of Senate; or 2. a member of Australian Catholic University Limited.
University Members	means the students, staff and affiliates of the Australian Catholic University.

Term	Definition
University related activity	Any activity that is connected to the University, including activity that: 1. refers or relates to the University, its activities, or its Staff members, students, volunteers; and 2. contractors engaged to perform University activities; 3. occurs on, or in connection with University land; 4. occurs using, or is facilitated by, University information technology resources or other University; 5. equipment; 6. occurs during, or relates to, the performance of duties for the University; 7. occurs during, or in connection to, any University related function or event (whether sanctioned; or 8. organised by the University or not) or when representing the University in any capacity.
University related conduct	Any conduct that is connected to the University, including conduct that: 1. refers or relates to the University, its activities, or its staff, Members, Affiliates or students in their student accommodation; 2. status as staff, Members, Affiliates or students of the University; 3. occurs on, or in connection with, University land; 4. occurs using, or is facilitated by, University information technology resources or other University equipment; 5. occurs during, or relates to, the performance of duties for the University; 6. occurs during, or in connection to, any University-related function or event (whether sanctioned or organised by the University or not) or when representing the University in any capacity; 7. occurs during any event run by or affiliated with Campus Student Associations or other Student Associations or organisations (whether sanctioned or organised by the University or not); 8. occurs during Student clinical, practicum, internship or work experience placements; or 9. occurs while a University student is participating in an overseas exchange, study abroad or another approved program.
Victimisation	means any conduct which causes any detriment to another person or that constitutes the making of a threat or to cause detriment to another person.

Section 18 - Appendecies

Part A - Appendix A

ACU 24 Hour Mental Health Support Line	https://www.acu.edu.au/student-life/student-services/counselling-services
ACU Medical Centres	https://www.acu.edu.au/student-life/student-services/medical-centres

ACU Security	ACU National Security Centre 24/7 Phone: 1300 729 452 Mobile app: SafeZone	
Access and Disability Service	https://www.acu.edu.au/student-life/student-services/disability-support	
Ally Network	https://staff.acu.edu.au/people_and_capability/ally-network	
Campus Ministry	https://campusministry.acu.edu.au/	
Counselling Service	https://www.acu.edu.au/student-life/student-services/counselling-services	
First Peoples Directorate	https://www.acu.edu.au/about-acu/faculties-directorates-and-staff/directorates/first-peoples-directorate	
Indigenous Higher Education Units	Yalbalinga (Blacktown, North Sydney, and Strathfield) Email: yalbalinga@acu.edu.au Phone: 02 9701 4258	Dhara Daramoolen (Canberra) Email: dharadaramoolen@acu.edu.au Phone: 02 6209 1231
	Jim-baa-yer (Melbourne and Ballarat) Email: jimbaayer@acu.edu.au Phone: 03 9953 3004	Weemala (Brisbane) Email: weemala@acu.edu.au Phone: 07 3861 6122
Global Engagement	https://www.acu.edu.au/international-students/contact-international-student-support/international-student-advisers Phone: 02 9465 9273 or 1800 180 391 (after hours)	
Legal Advice Service	Wisewould Mahoney Lawyers - Note: restrictions on the nature and extent of the advice may apply. www.studentportal.acu.edu.au/legal Request form: https://acu.wisewouldmahony.com.au	
MensLine Australia	A telephone and online counselling service for men with emotional health and relationship concerns, including issues of violence. https://mensline.org.au/ or call 1300 78 99 78	
Men's Referral Service	A men's family violence telephone counselling, information and referral service for men using or at risk of using violent or controlling behaviour. https://ntv.org.au/get-help/ or phone 1300 766 491	
Safety Support Network	Safety Support Network | ACU	
Safeguarding and Student Safety team	Email: respectandsafety@acu.edu.au	
Student Advocacy Service	https://www.acu.edu.au/student-life/student-services/student-advocacy	

Part B - Appendix B

Lifeline	Crisis support and suicide prevention 13 11 14 www.lifeline.org.au
13 YARN	13 92 76 (for Aboriginal and Torres Strait Islander community members)
1800 RESPECT	1800 RESPECT (1800 737 732) https://www.1800respect.org.au/ National service available 24/7 providing confidential information, counselling and support for people impacted by sexual assault, domestic or family violence and abuse. Webchat and interpreters available.
inTouch	1800 755 988 (for migrant and refugee community members)

Reachout.com	Reachout.com provides information about what is sexual assault, including myths and facts around sexual assault, and can assist with support. https://au.reachout.com
Full Stop Australia (formerly Rape & Domestic Violence Services Australia)	National Sexual Abuse and Redress Support Service – 1800 211 028 Rainbow Sexual, Domestic and Family Violence Helpline – 1800 497 212 Online counselling available https://fullstop.org.au/ A free 24/7 telephone and online crisis counselling service for anyone who has experienced sexual assault or is a family member or friend of someone who has experienced violence. Telephone interpreters available.
QLife	National LGBTIQA+ helpline and webchat – free and anonymous peer support and referral service 1800 184 527 www.qlife.org.au
Survivors and Mates Support Network (SAMSN)	1800 472 676 https://www.samsn.org.au/ A dedicated service for men who have experienced child sexual assault in Australia
AUSTRALIAN CAPITAL TERRITORY (ACT)	
Canberra Rape Crisis Centre (CRCC)	(02) 6247 2525 (7am – 11pm) https://crcc.org.au/ CRCC supports women, children and men who have experienced sexual assault, or people who are supporting others who have experienced sexual assault. They provide free and confidential crisis and ongoing counselling, support, advocacy, and information about medical and legal processes.
Domestic Violence Crisis Service (DVCS)	(02) 62 800 900 (24/7 ACT crisis line) DVCS – Domestic Violence Crisis Service Canberra DVCS is a non-government, not-for-profit organisation committed to providing specialist domestic and family violence support services to anyone in the ACT region.
NEW SOUTH WALES (NSW)	
NSW Sexual Violence Helpline (formerly NSW Rape Crisis)	1800 424 017 https://fullstop.org.au/get-help/our-services A free 24/7 telephone and online crisis counselling service for anyone who has experienced sexual assault or is supporting a family member or friend of someone who has experienced violence. Interpreters are available.
NSW Health Sexual Assault Services Directory	https://www.health.nsw.gov.au/parvan/sexualassault/Pages/health-sas-services.aspx NSW Health Sexual Assault Services offer free information, counselling, court support, medical treatment, and forensic examinations at various locations in NSW: • Northern Sydney Sexual Assault Services: Call (02) 9462 9477 (After hours: Royal North Shore Hospital, call (02) 9926 7111) • Eastern and Central Sydney Sexual Assault Service: Call (02) 9515 9040 (After hours: Royal Prince Alfred Hospital, call (02) 9515 6111) • Westmead Sexual Assault Service: Call (02) 8890 7940 (After hours: Westmead Hospital, call (02) 9881 8000)
QUEENSLAND (QLD)	
State-wide Sexual Assault Helpline	1800 010 120 (7:30am – 11:30pm), 7 days https://qsan.org.au/ The Sexual Assault Helpline offers emotional support and referral pathways to anyone who has or thinks they may have been sexually assaulted or abused. It is also for those who are concerned someone they care about might have been assaulted or abused.
VICTORIA (VIC)	
Centre Against Sexual Assault (CASA)	1800 806 292 https://casa.org.au/ A free confidential 24-hour emergency or crisis care service for victim / survivors who have recently been sexually assaulted. Services also include counselling support and may include access to medical care and legal processes.

Section 19 - Associated Information

(94) For related legislation, policies, procedures and guidelines and any supporting resources please refer to the Associated Information tab.

Status and Details

Status	Current
Effective Date	25th May 2026
Review Date	25th May 2029
Approval Authority	Governance Officer
Approval Date	25th May 2026
Expiry Date	Not Applicable
Responsible Executive	Tania Broadley Chair, University Learning and Teaching Committee
Responsible Manager	Renae Strand National Manager, Safeguarding and Student Safety
Enquiries Contact	Renae Strand National Manager, Safeguarding and Student Safety