



Process Maps for the Management of Gender-based Violence Disclosures and Formal Reports for Students and Staff

Guidelines for Understanding the Gender-Based Violence Prevention and Response Policy



University Response to Gender-based Violence Disclosures and Formal Reports Process Map (Students)

Disclosure made about an incident/s of Gender-based Violence by a Discloser

A student who experiences Gender-based Violence (a Discloser) can make a Disclosure via the online portal (the GBV Case Management System (Advocate)), a phone call, email or in-person. The Disclosure may be anonymous or include contact details.

If contact details are available, the Discloser is offered counselling and support from Student Wellbeing.

If the Disclosure was not made via the online portal, the Discloser is asked if they want the Disclosure recorded in the GBV Case Management System (Advocate) and to meet with the Senior GBV Caseworker. If the Discloser provides consent to record their Disclosure it is entered into the GBV Case Management System (Advocate) by the Senior GBV Caseworker.

If the Discloser does not give consent to record the Disclosure, the case does not proceed beyond Wellbeing support. If at any time the Discloser wishes to pursue the matter, the case can be reopened.

The Senior GBV Caseworker meets (in-person, via Teams or a phone call where required) with the Discloser (this can include a Third Party) to gather further information regarding the Disclosure.

The Senior GVB Caseworker records case details in the Student Wellbeing Case Management System (PracSuite).

The Senior GBV Caseworker informs the Discloser of their rights to lodge a Formal Report to the University, including information about a Preliminary Assessment and/or Formal Investigation, as well as external reporting options such as NSW Police, and asks what are their wishes in response to the Disclosure.

If action is required to maintain the safety of the Macquarie University community, the Senior GBV caseworker consults the Pro Vice-Chancellor (Dean of Students) regarding the implementation of safety measures.

Disclosure by a Reporter

A Disclosure can be made by a Reporter on behalf of the Discloser, for example, another Macquarie University student, staff member, or other third-party person.

The Reporter can submit their Disclosure via the online portal (the GBV Case Management System (Advocate)), a phone call, email or in-person. The Disclosure may be anonymous or include contact details.

If contact details are available and the Reporter indicates the Discloser has provided consent to be contacted by the University, the Senior GBV Caseworker will contact the Reporter to confirm the Discloser's consent before contacting the Discloser.

If the Reporter indicates the Discloser has not provided consent to be contacted by the University, the Senior GBV Caseworker will advise the Reporter about reporting and support options.

The Senior GBV Caseworker will provide support options for both the Discloser and the Reporter.

Discloser decides not to make a Formal Report

Either during or after the meeting with the Senior GBV Caseworker, the Discloser decides whether they want to formalise their Disclosure to the University through a Formal Report.

If the Discloser chooses not to make a Formal Report to the University, a confidential summary of the Disclosure remains in Student Wellbeing Case Management System (PracSuite) and the case in the GVB Case Management System (Advocate) is closed by the Senior GBV Caseworker. No further action is taken. However, the Discloser can later request to have the case reopened.

NOTE: If the Discloser chooses not to formalise their Disclosure or wishes to remain anonymous, depending on case details, the Senior GBV Caseworker may consult with the Head of Student Wellbeing to determine if any action should be taken while protecting the anonymity of the Impacted Student.

Discloser decides to report to Police

Where a potential criminal offence has been identified in relation to the Disclosure, the Discloser has the option to be supported by the Senior GBV Caseworker to make a report to police.

If the Discloser wishes to report to police, no further investigation will be made within the University while the police investigation is underway, but support from Student Wellbeing will be ongoing.

Interim measures and other safety measures may be put in place while the police investigation is underway.



Discloser decides to make a Formal Report

The Discloser makes a Formal Report to the University.

Formal Report made by a third party

Formal Reports may be made by a third party about an Impacted Student. These may be made via the online portal (the GBV Case Management System (Advocate), phone call, email or in-person. They may be anonymous or include contact details.

If the third party indicates the Impacted Student has provided consent to be contacted by the University, the Senior GBV Caseworker will contact the third party to confirm the Impacted Student's consent before contacting the Impacted Student.

If the third party indicates the Impacted Student has not provided consent to be contacted by the University, the Senior GBV Caseworker will advise the third party about reporting and support options.

The Senior GBV Caseworker will provide support options for both the Impacted Student and third party.

Formal Report details recorded in the Student Wellbeing Case Management System (PracSuite)

The Senior GBV Caseworker conducts a Preliminary Assessment of the information provided in the Formal report to assess whether it is appropriate to submit to the Pro Vice-Chancellor (Dean of Students) to determine next steps. This may involve initial information/evidence gathering. Case details are recorded in the Student Wellbeing Case Management System (PracSuite) including identifiable details of the Discloser and all investigation notes.

Does not proceed to Formal Investigation

Senior GBV Caseworker assesses there is insufficient information to proceed to with a Formal Investigation. The Discloser is informed and the case is closed.

Go to Formal Report is finalised

Pro Vice-Chancellor (Dean of Students) determines the next steps

If the Senior Gender-Based Violence Caseworker assesses that it is appropriate to submit the Formal Report to the Pro Vice-Chancellor (Dean of Students), they will prepare a Preliminary Assessment report for the Pro Vice-Chancellor (Dean of Students) to review and determine next steps. Such actions might include: take no further action; resolve the matter by way of an informal resolution; refer the matter for Formal Investigation by the Complaints, Appeals and Misconduct (CAM) Unit; establish a Student Conduct Committee; and implement interim and/or safety measures.

The Gender-based Violence Investigation Procedure sets out the process for resolving the matter by way of

No further action taken in relation to the Respondent

Based on the Senior GBV Caseworker's Report and recommendations, the Pro Vice-Chancellor (Dean of Students) determines no further action is taken.

Go to Formal Report is finalised



A Formal Investigation is undertaken

Where a Formal Investigation is initiated, the Pro Vice-Chancellor (Dean of Students) will appoint an investigator from the CAM Unit. The investigator will: a. inform the Respondent that the matter will be investigated as a misconduct matter; and b. invite the Respondent to make submissions in response to the concerns raised, including any submissions as to process.

The Wellbeing Case Management Advisor will provide support to the Respondent.

The investigator will gather the evidence and prepare a written investigation report for the Pro Vice-Chancellor (Dean of Students) summarising the evidence obtained from their investigation and provide advice, including in relation to the strength of evidence and whether the conduct, if proven may constitute a breach of the Student Code of Conduct.

The investigation report is presented to the Pro Vice-Chancellor (Dean of Students) to determine next steps that might include a student conduct process to address the allegation against the Respondent.

NOTE: Every 10 business days, the Senior GBV Caseworker must update the Discloser on their Formal Report, and the Wellbeing Case Management Advisor must update the Respondent.

Further action taken in relation to the Respondent

If the Pro Vice-Chancellor (Dean of Students) determines further action is required, they will follow the process set out in the Gender-based Violence Procedure. This may include: closing the Formal Investigation on the basis that there is insufficient evidence to make a findings against the Respondent; determining that the conduct constitutes a breach of the Student Code of Conduct; determining the disciplinary sanctions to be applied, other than the suspension or permanent exclusion which must be determined by the Student Conduct Committee; and where the Pro Vice-Chancellor (Dean of Students) considers that the matter may result in the suspension or permanent exclusion of the Respondent, referring their finding together with the investigation report to the Student Conduct Committee for consideration and decision.

If the Pro Vice-Chancellor (Dean of Students) considers that the matter could reasonably result in the suspension or permanent exclusion of the Respondent, they will establish a Student Conduct Committee.

Following the process set out in the Gender-based Violence Investigation Procedure, the Student Conduct Committee will determine: a. whether there is sufficient evidence to determine, on the balance of probabilities, whether there is sufficient evidence to support a finding that the alleged conduct occurred; b. whether the conduct constitutes a breach of the Student Code of Conduct; and c. if applicable, the disciplinary sanctions to be applied.

The Student Conduct Committee will notify the Respondent of its decision within 10 business days of the hearing.

The Wellbeing Case Management Advisor is informed of the outcome of the Student Conduct Committee and provides support to the Respondent as required.

Formal Report is finalised

The Senior GBV Caseworker advises the Discloser of the outcome of the Formal Report, and provides support as required.

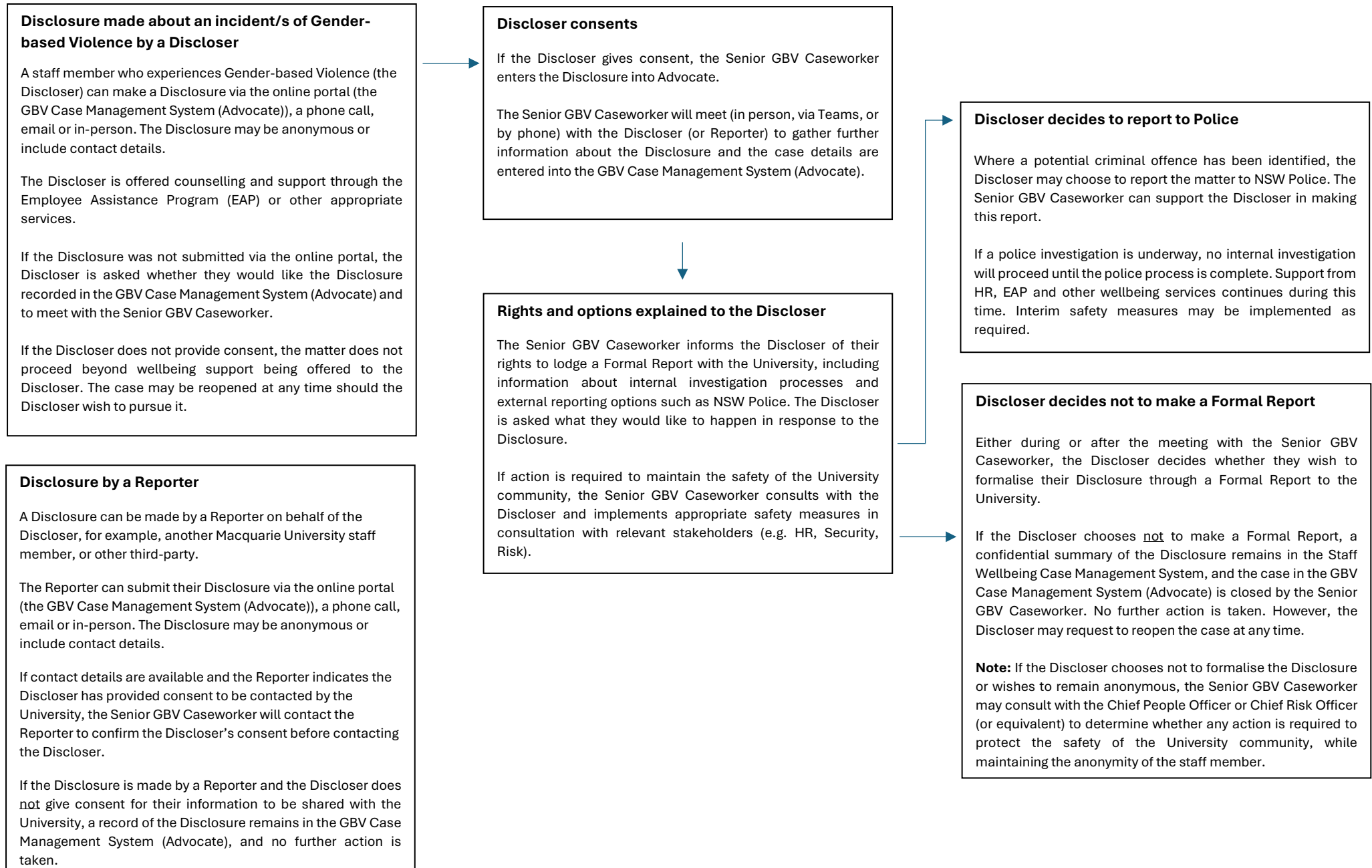
Unless the Discloser requests otherwise, the Senior GBV Caseworker provides written notice of:

1. the outcome of the Formal Report, including the decision and, if relevant, sanctions against the Respondent;
2. reasons for the outcome; and
3. rights to make an internal and/or external complaint, including to the National Student Ombudsman.

Details of the outcome of the Formal Report are recorded in the Student Wellbeing Case Management System (PracSuite) and a summary of the outcome is recorded in the GBV Case Management System (Advocate) by the Senior GBV Caseworker.

The Senior GBV Caseworker closes the case in the in the GVB Case Management System (Advocate).

University Response to Gender-based Violence Disclosures and Formal Reports Process Map (Staff)





Formal Report made to the University

The Discloser lodges a Formal Report with the University, in which they are named as the Discloser.

The Senior GBV Caseworker records the Formal Report in the Staff Wellbeing Case Management System and conducts a Preliminary Assessment in consultation with the Chief People Officer and Head, Employee Relations (or their nominee).

All relevant details, including investigation notes, are documented.

Chief People Officer determines next steps

If the Senior Gender-Based Violence Caseworker assesses that it is appropriate to submit the Formal Report to the Chief People Officer, they will prepare a Preliminary Assessment report for the Chief People Officer to review and determine next steps.

Such actions might include: take no further action; resolve the matter by way of an informal resolution; refer the matter to be managed in accordance with the Misconduct/Serious Misconduct provisions of the applicable Enterprise Agreement; and implement interim and/or safety measures.

The Gender-based Violence Investigation Procedure sets out the process for resolving the matter by way of an informal resolution and for implementing interim and/or safety measures

Does not proceed to Formal Investigation

The Senior GBV Caseworker determines insufficient information to proceed to with Formal Investigation. The Discloser is informed, and the case is closed.

Proceeds to a Formal Investigation

A suitably qualified external investigator appointed by the University (in consultation with Human Resources) undertakes a Formal Investigation, gathering relevant information and evidence.

Where the Respondent is a staff member, a suitably qualified staff member from Human Resources will contact the Respondent named in the Formal Report and explains the details of the Formal Report to them, and their rights and responsibilities in respect of formal investigations, including the right to have a support person present for any required meetings. If a meeting is required, Human Resources and/or the Investigator meets with the Respondent (in-person, via Teams or a phone call where required) to present the reported case and to obtain the Respondent's input.

NOTE: Every 10 business days, the Discloser and the Respondent must be updated on the status of the investigation.

Go to Formal Report is finalised



Investigation Report and Outcomes

The investigator will gather the evidence and prepare a written investigation report for the Chief People Officer (or their nominee) summarising the evidence obtained from their investigation and may include recommendations (if relevant).

The Investigation Report will be submitted to the Chief People Officer (or their nominee), for determination of appropriate next steps.

Where further action is warranted, the matter will be managed in accordance with the relevant Enterprise Agreement.

Further action taken in relation to the Respondent

If the Chief People Officer (or other senior officer in accordance with the relevant industrial instrument) determines further action is required, they will follow processes set out in the relevant Enterprise Agreement.

Outcomes may include disciplinary action (up to termination of employment), training, or other appropriate measures.

The Senior GBV Case Worker is informed of the outcome of any disciplinary process and provides support to the Discloser as required.

No further action taken in relation to the Respondent

Based on the Investigation Report and recommendations, the Chief People Officer determines no further action is taken. The Discloser is informed of the outcome, the reasons for the outcome and provided with information about their right to request a review or lodge an external complaint.

(Go to **Formal Report is finalised**)

Formal Report is finalised

Details of the outcome are recorded in the Staff Wellbeing Case Management System, and a summary is recorded in the GBV Case Management System (Advocate).

Unless the Discloser requests otherwise, they are provided with written notice of:

- The outcome of the disciplinary process, including any decisions and sanctions
- The reasons for the outcome
- Their rights to make an internal or external complaint

No further action taken in relation to the Respondent

Based on the Senior GBV Caseworker's Report and recommendations, the Chief People Officer determines no further action is taken.

Go to Formal Report is finalised