

# Student Sexual Assault and Sexual Harassment Procedure

## Support Services Contact Information

(1) For someone in immediate danger or requiring immediate medical attention, contact Emergency Assistance.

<p>Emergency assistance</p> <p>On campus - (02) 9850 9999 For immediate help on campus</p> <p>Off campus - 000 For immediate help off campus</p>
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(2) Support on campus:

Service	Contact Information
<p>For Students Student Wellbeing</p> <p>Urgent matters: Phone or ask at Reception for a same day appointment</p>	<p>T: (02) 9850 7497</p> <p>E: <a href="mailto:wellbeing@mq.edu.au">wellbeing@mq.edu.au</a></p> <p>W: <a href="#">Counselling Services</a> - online self-referral form</p>
<p>Non-urgent matters: Complete an online self-referral form. If you cannot complete the online form, can phone or drop by reception.</p>	<p>Location: Ground Floor, Australian Hearing Hub 16 University Avenue Macquarie University NSW 2019 Hours: Monday - Friday 9:00am - 5:00pm.</p>
<p>After hours (7 days a week)</p>	<p>MQ Care Line 1800 227 367</p>
<p>For University staff Benestar</p> <p>24 hours, 7 days</p>	<p>T: 1300 360 364 W: <a href="#">Employee Assistance Program</a></p>

(3) Support outside the University:

Service Name	Contact Information
<p>NSW Rape Crisis Free 24/7 telephone and online crisis counselling service for anyone who has experienced sexual assault.</p>	<p>Phone and online counselling (24/7) T: 1800 424 017 W: <a href="#">Rape &amp; Domestic Violence Services Australia</a></p>
<p>Northern Sydney Sexual Assault Service Forensic and counselling service for adults.</p>	<p>T: (02) 9462 9477</p>

<p>Interpreters Free interpreters can be provided over the phone or in person. Interpreters must keep confidential information which they interpret. <a href="#">Translating and Interpreting Service</a> will need to know which service you need to call and your name. They do not need to know why you are calling the service.</p>	<p>T: 131 450 W: <a href="#">Translating and Interpreting Service</a></p>
<p><a href="#">QLife</a> Anonymous and free phone or online support for LGBTQIA+ people, available every day from 3pm-midnight</p>	<p>T: 1800 184 527 W: <a href="#">QLife</a></p>
<p><a href="#">MensLine Australia</a> Free phone or online support for men.</p>	<p>T: 1300 78 99 78 W: <a href="#">MensLine Australia</a></p>
<p><a href="#">National Relay Service</a> 24-hour service relaying information for people who are deaf or have speak impairments. There are special contacts available for emergency services – see the relay service website for more information.</p>	<p>TTY/voice calls: 133 677 Speak &amp; Listen: 1300 555 757 SMS relay: 0423 677 767 W: <a href="#">National Relay Service</a></p>

## Section 1 - Purpose

- (4) This Procedure accompanies the [Student Sexual Misconduct Prevention and Response Policy](#). It includes:
- information about seeking support for Sexual Assault or Sexual Harassment;
  - information about how to report Sexual Assault or Sexual Harassment to Macquarie University;
  - information about reporting to external organisations;
  - information about what happens when someone submits a report using [Report Inappropriate or Unwanted Behaviour](#); and
  - procedures for Macquarie staff responding to reports.
- (5) Procedures described in this document do not override:
- professional standards regarding confidentiality between clients and medical practitioners, nurses, psychologists, social workers;
  - mandatory reporting requirements according to child safety legislation, criminal law, or the [Work Health and Safety Act 2011](#); and / or
  - legal obligations applicable to Macquarie University.

## Section 2 - Policy

- (6) Refer to the [Student Sexual Misconduct Prevention and Response Policy](#).

## Section 3 - Procedures

### Support

- (7) For someone in immediate danger or requiring immediate medical attention, contact Emergency Assistance.
- (8) Confidential support for students is available at Macquarie University, or off campus. For instance, a student can

see a psychologist at Student Wellbeing, at Macquarie University or a psychologist or counsellor at an external specialist service. Student Wellbeing staff also provide information to students about support available with study, accommodation, finances and seeking referrals to legal advice. For a list of support services available, see 'Support Services Contact Information' at the start of this Procedure.

### **Study Adjustments**

(9) Seeking support can help a student to request study adjustments, such as changes to their study timetable. To discuss study adjustments, contact Student Wellbeing. Study adjustments may not include measures relating to other students. To find out more about interim measures relating to other students, see 'Interim Measures' in the [Student Sexual Misconduct Prevention and Response Policy](#) and in this Procedure.

### **Supporting Someone Who has Experienced Sexual Assault or Sexual Harassment**

(10) Students and staff responses to a disclosure of Sexual Assault or Sexual Harassment are important. For more information about supporting someone who has been affected by Sexual Assault or Sexual Harassment, see Section 1.6 of the [Guide to Sexual Assault and Sexual Harassment Policy / Procedure](#).

(11) Students and staff who would like further assistance with how best to respond to a disclosure can contact Student Wellbeing.

### **Reporting Sexual Assault or Sexual Harassment**

(12) For someone in immediate danger or requiring immediate medical attention, contact Emergency Assistance (see 'Support Services Contact Information' at the start of this Procedure).

#### **[Report Inappropriate or Unwanted Behaviour](#)**

(13) [Report Inappropriate or Unwanted Behaviour](#) can be used to report experiences of Sexual Assault or Sexual Harassment involving members of the Macquarie University Community. Reports can be made to the University anonymously or with contact details.

(14) Staff and students can also report to the University on behalf of another person using [Report Inappropriate or Unwanted Behaviour](#). Any decision to report Sexual Assault or Sexual Harassment to the University is best made with the agreement of the person who experienced the incident(s). If possible, discuss making a report with the person who experienced the behaviour.

(15) For more information about who can make a report, see Section 2 of the [Guide to Student Sexual Assault and Sexual Harassment Policy and Procedure](#).

### **Anonymous Reports**

(16) An anonymous report means the person making the report has not provided their name or contact details. The University may be limited in what action it can take after receiving an anonymous report.

(17) When an anonymous report is submitted using [Report Inappropriate or Unwanted Behaviour](#), a submission reference number is provided. This submission reference number can be provided to the University, if the person making the report decides they want to provide their contact details or follow up on their report.

### **Reports with Contact Details**

(18) A report with contact details includes the name and contact information of the person making the report and / or the person who experienced the behaviour.

(19) If a report with contact details has been submitted via [Report Inappropriate or Unwanted Behaviour](#), and there

has been no response after three (3) business days, contact [respect@mq.edu.au](mailto:respect@mq.edu.au).

## Reporting to an External Organisation

(20) Reports to external organisations, including [NSW Police](#), are not shared with the University. For the University to assess and respond to an incident, report using [Report Inappropriate or Unwanted Behaviour](#).

## How the University Responds to Reports

(21) To find out how Macquarie University manages confidentiality of reports about Sexual Assault or Sexual Harassment, see 'Privacy and Confidentiality' in the [Student Sexual Misconduct Prevention and Response Policy](#).

## How the University Responds to Anonymous Reports

(22) When an anonymous report is submitted through [Report Inappropriate or Unwanted Behaviour](#):

- a. Staff from the [Respect. Now. Always. Support](#) team and from Student Wellbeing are notified.
- b. Student Wellbeing staff identify if any immediate action is required to manage safety of the Macquarie University Community. They may contact University Security Services, Emergency Services or [Communities and Justice](#). In these situations, details from the report may be shared. If a report indicates a significant risk involving University [Accommodation](#), Student Wellbeing staff may contact staff at University [Accommodation](#) to alert them.
- c. [Respect. Now. Always. Support](#) staff will assess whether an anonymous report indicates that the University needs to take further action, such as improving security in certain locations. They may seek advice from staff in University Security Services, Governance Services, Human Resources, Workplace Health and Safety and the University's Legal Office and consult with staff from the Executive Director, Student Engagement and Registrar, and the Office of the Vice-Chancellor. Discussions with staff at University [Accommodation](#) may also occur.
- d. [Respect. Now. Always. Support](#) staff will use information from anonymous reports to monitor general trends relating to Sexual Assault and Sexual Harassment affecting the Macquarie University Community and to report to the University Executive Group. No information from reports which could identify individuals will be included in reporting on general trends.

## How the University Responds to Reports with Contact Details

(23) When a report with contact details is submitted using [Report Inappropriate or Unwanted Behaviour](#):

- a. Staff from the [Respect. Now. Always. Support](#) team, and from Student Wellbeing are notified.
- b. Student Wellbeing staff identify if any immediate action is required to manage safety of the University Community. They may contact the person who made the report, via phone or email, to check that they are safe, and to check if they require access to support services. If the report is about another person, Student Wellbeing staff will contact them if their contact details are provided. They may also alert University Security Services, Emergency Services or [Communities and Justice](#), if action from these services is required. If a report indicates a significant risk involving residents living in University [Accommodation](#), Student Wellbeing staff may also contact staff at the University [Accommodation](#) to alert them.
- c. [Respect. Now. Always. Support](#) staff will consult the person who submitted the report to discuss their wishes regarding a response to the report, including investigation. If the report is on behalf of another person, staff will consult with the person who directly experienced the behaviour, if their contact details are provided. [Respect. Now. Always. Support](#) staff may seek advice from staff in Governance Services, Human Resources and the Legal Office at Macquarie University, in relation to any University response.

(24) [Respect. Now. Always. Support](#) staff will also assess whether a report indicates that the University needs to take further action, such as improving security in certain locations. They may seek advice from University Security

Services, Governance Services, Human Resources, Workplace Health and Safety and the University Legal Office, and consult with the Executive Director, Student Engagement and Registrar, and the Office of the Vice-Chancellor. Discussions with staff at University [Accommodation](#) may also occur.

(25) [Respect. Now. Always. Support](#) staff also use information from reports with contact details to monitor general trends relating to Sexual Assault and Sexual Harassment affecting the Macquarie University Community, to report to the University Executive Group. No information from reports which could identify individuals will be included in reporting on general trends.

## **Investigative Processes**

### **University Investigation of Reports about Students**

(26) Reports about students which are investigated by the University are managed in accordance with the [Complaints Resolution Policy for Students and Members of the Public](#). The report, including contact details, will be shared with staff who manage student investigations. The student or student organisation being investigated will receive written notice that an allegation of sexual assault or sexual misconduct is being investigated. The notice will include information about the allegation, based on information provided in the report.

(27) The aim of any University investigation is to assess the report and any supporting evidence, to seek the perspective of those involved about what occurred, and assess if it seems that the report is supported by evidence, and / or those involved agree the events occurred as reported. However, the University may conclude that a student or student organisation has engaged in misconduct, as a result of an investigation, and deal with the report according to the [Student Discipline Procedure](#).

### **Delays to University Investigation**

(28) If a police investigation, or investigation by another external organisation commences, the University may delay its own investigation of a student. This is to avoid adversely affecting the external investigation. The University may delay its own investigation until:

- a. it is advised that any University investigation will not adversely affect an external investigation; or
- b. when advised that the external investigation is complete or is not continuing.

(29) Where a University investigation is delayed, interim measures against any student may be put in place by the University to reduce the potential for harm to any person.

(30) Interim measures do not anticipate the outcome of any University or external investigation and are not a sanction.

### **Interim Measures**

(31) Interim measures are temporary restrictions or requirements. Any student can be asked to comply with interim measures, if assessment indicates that this is needed to manage the safety of the Macquarie University Community.

(32) For instance, the University may stop a student from entering specific University buildings, facilities or accommodation, restrict access to classes, or prohibit a student from speaking to or approaching another person.

(33) Any staff at the University can contact someone in the roles listed below to discuss applying for interim measures, if they believe interim measures are needed in relation to a report of Sexual Assault or Sexual Harassment.

(34) Interim measures can be recommended by the following staff:

- a. Disability Support Lead;

- b. Associate Director, Student Wellbeing;
- c. Manager, Student Equity and Diversity;
- d. Manager, Complaints, Appeals and Misconduct;
- e. Director, Governance Services
- f. Senior Clinical Psychologist, Student Wellbeing;
- g. Student Care and Trauma Lead, Student Wellbeing;
- h. Pro Vice-Chancellor (Indigenous Strategy)
- i. Deputy Director, Human Resources and Head, Human Resources Client Services or their delegate.

(35) Any interim measure must be approved by the Registrar, or their nominee. The Registrar can ask appropriately qualified staff at the University to provide advice regarding whether the proposed interim measures should be varied, removed, or approved.

(36) A student who is subject to interim measures has the right to ask for the measures to be removed or varied. A student requesting a review of interim measures must provide information to the Registrar about why the interim measures should be removed or varied.

(37) Where possible, a student will have the opportunity to request a review once interim measures have been proposed, but before the measures are approved by the Registrar. However, if this is not possible, a student may request a review of the interim measures after they have been approved.

(38) A student can write to the Registrar via [disciplinecommittee@mq.edu.au](mailto:disciplinecommittee@mq.edu.au) to request a review of interim measures. Any review of interim measures needs to be completed in a reasonable timeframe.

## Section 4 - Guidelines

(39) Refer to the [Guide to Student Sexual Assault and Sexual Harassment Policy and Procedure](#).

## Section 5 - Definitions

(40) Commonly defined terms are located in the University [Glossary](#). Definitions specific to this Procedure are contained in the [Student Sexual Misconduct Prevention and Response Policy](#).

## Status and Details

<b>Status</b>	Historic
<b>Effective Date</b>	17th September 2021
<b>Review Date</b>	1st October 2021
<b>Approval Authority</b>	Deputy Vice-Chancellor (Academic)
<b>Approval Date</b>	15th September 2021
<b>Expiry Date</b>	29th August 2022
<b>Responsible Executive</b>	Rorden Wilkinson Deputy Vice-Chancellor (Academic)
<b>Responsible Officer</b>	Penelope Huisman Manager, Student Equity and Diversity +61 2 9850 7380
<b>Enquiries Contact</b>	Penelope Huisman Manager, Student Equity and Diversity +61 2 9850 7380