



University of
South Australia

**RESPECT.
NOW.
ALWAYS.**

**Supporting people
who have experienced
sexual assault or harassment**

**A guide
for staff**



RESPECT. NOW. ALWAYS.

SEXUAL HARASSMENT IS NEVER OK.



Our intent

This Guide summarises our approach to supporting anyone who discloses or reports sexual assault or sexual harassment. It outlines expectations of managers, supervisors and bystanders who witness inappropriate behaviours and provides advice to staff who are approached by someone who wishes to disclose or report such experiences. It complements and offers pointers to additional information on UniSA's:

- [Sexual Assault and Sexual Harassment student website](#) &
- [Sexual Assault and Harassment staff website](#).

¹ Government of South Australia Commissioner for Victims Rights (undated) [What choices do I have? Information for people who have experienced sexual assault](#), p.5

² More information, including the Australian Human Rights Commission's [Change the Course Report](#) that highlighted the perceived extent of sexual assault and sexual harassment of students in our universities can be found [here](#).

A safe place to work and study

UniSA is committed to developing a high performing, enterprising culture and a university where everyone feels safe and supported to achieve their full potential.

The safety and wellbeing of our students and staff are our highest priorities. That is why we have policies to underpin a respectful, inclusive workplace and learning environment, free from harassment, bullying, discrimination or assault, in which everyone in our University community can thrive. Our core staff attributes highlight that all of our people can play a part and have an active role in building and sustaining an inclusive, enabling environment, where we do not tolerate behaviours that fall short.

Behaviours with no place in our workplace

Sexual harassment and assault are violations of trust, an exploitation of vulnerability and an abuse of power and there are simply no excuses for such behaviour¹. It can have a disproportionate and devastating impact on those who experience it and it is essential that we all take responsibility to ensure that these are *not* experienced at UniSA.

Informed by Respect. Now. Always

UniSA is an active supporter of Universities Australia's [Respect. Now. Always.](#) (RNA) initiative² which aims to prevent sexual harassment and sexual assault at our universities and share best practice to improve support for those who have experienced it.

Sexual Assault and Harassment

Sexual assault and sexual harassment may be experienced by all people regardless of their sexuality or gender identity. However, it is most commonly experienced by women. For the purposes of this guide sexual assault, consent and sexual harassment are defined as follows:

Sexual assault is a criminal act that covers a range of forced and/or coerced sexual behaviours that are unwanted and have not been consented to or consent has been withdrawn.

Consent is key to understanding sexual assault. Consent is freely and verbally given by a person with the cognitive capacity to do so. It is not freely given when a person:

- is forced;
- is unconscious or asleep;
- is intoxicated to the point of incapacity;
- is under threat or intimidation;
- is in fear of bodily harm.

A person is not regarded as having consented to a sexual act just because they do not protest or physically resist.

Sexual harassment is conduct of a sexual nature, where it is reasonable to expect that the other person would be offended, humiliated or intimidated. It can include:

- sexual jokes, lewd suggestions, leering, obscene gestures;
- comments about a person's anatomy;
- unwanted requests for dates or for requests for sex;
- intrusive questions about a person's private or sex life;
- promise of a 'reward' for sexual favours;
- unwanted physical contact including touching, brushing, kissing;
- sexually explicit pictures, screen savers, posters;
- sexually offensive written, telephone or electronic communications; (for more visit www.esafety.gov.au/)
- Intentional and unwelcome acts of physical intimacy.

Sexual harassment isn't always unlawful but is likely to be considered misconduct in almost all employment and study-related situations.

UniSA's policies, describing the prohibited behaviours that constitute sexual assault and sexual harassment are available [here](#).

Consent in the workplace: close personal relationships between staff and students

The conduct of UniSA staff whose duties place them in a position of trust with students, needs to be based on the principles of recognising their professional and ethical responsibilities. This is to protect the interests of students and to recognise the constraints and obligations inherent in that responsibility.

It is not appropriate to be in a relationship with a student that you teach or supervise. This is considered unethical and is a breach of the Code of Good Practice.

Staff are expected to remove themselves from any supervisory, teaching or assessment roles involving a student that they are related to or that they have embarked in (or have had) a sexual or close personal relationship with.

Staff should declare the conflict of interest immediately to their supervisor, Executive Dean or Director. This process will remain confidential.

For more information please refer to the *Code of Good Practice: [Relationships between staff and students](#)*.

Stay informed

Find out more about the [Universities Australia Initiative](#) to prevent and address sexual assault and harassment across the sector.

**RESPECT.
NOW.
ALWAYS.**



**SEXUAL HARASSMENT IS NEVER OK.
SUPPORT IS AVAILABLE.
FIND OUT MORE.**



Effective support is our priority

How we respond when someone discloses experiences of sexual violence or harassment can influence how they proceed, the decisions they make and it can also be key to their recovery.³

Minimising their experience, expressing doubt or scepticism, shifting blame onto the person and/or seeking to normalise non-consensual activity, can create a climate in which sexual assault and harassment is more likely to occur, and less likely to be recognised and reported.⁴

Despite common perceptions, false reporting is extremely rare and under-reporting is the norm.

³ Universities Australia (2018). Guidelines for University Responses to Sexual Assault and Sexual Harassment. p.5

⁴ Connecting the Dots (January 2017). Executive Summary p.2

⁵ If a disclosure of sexual assault is received from someone under the age of 18, the University is legally obliged to report the matter to the Child Abuse Report Line (CARL)

⁶ External reporting of instances of sexual assault need to be made to the police in the location where the sexual assault is alleged to have occurred.



**BELIEVED.
INFORMED.
SUPPORTED.**



Our approach to handling disclosures or reports:

- **Believe** – take the person disclosing seriously and recognise the courage it takes to disclose;
- **Listen** – provide a supportive environment to talk;
- **Contain curiosity** – focus on how they are feeling and what their current concerns are / what they want to do, only ask questions that enable assistance rather than feed curiosity;
- **Validate** – focus on their emotional response and needs (not the listener's anger or disgust at what has happened) and that the offender is 100% responsible;
- **Safe** – ask them what would assist them to feel emotionally and physically safe;
- **Give information** – referral options, what support is available and how to report (if they choose);
- **Control** – ask what they would like to happen next; and
- **Confidentiality** – explain that their disclosure is confidential (only those who need to know will be told) and that nothing further will be done without their permission (unless we have a duty of care, such as a concern for the person's safety).

Providing natural justice for all parties in the management of any reports is also a guiding principle.

Disclosure and reporting are distinct steps:

- **Disclosure** is telling someone about an incident of sexual assault or sexual harassment and/or seeking advice or support without initiating a formal report with the University or externally to another agency⁵;
- **Reporting** an incident of sexual assault or sexual harassment is a formal process, requiring a response from the University, in line with relevant policies and procedures. This can mean taking the appropriate action in conjunction with the police, professional bodies or other government agencies, such as the Equal Opportunity Commission.

A person who experiences sexual assault or harassment also has the option to report an incident directly to the police⁶ or Equal Opportunity Commission or to do so with our support. More on disclosure and reporting options are available [here](#) and at the end of this guide.

Managing confidentiality and privacy

Protecting the privacy of people who disclose or report is of paramount importance. Information will be treated confidentially and is shared only with those on a need to know basis. However, there are exceptions, where the University may need to do further reporting, which is our legal statutory responsibility, including:

- when we believe someone is in danger;
- when a person aged under 18 years is involved, which could be a suspicion of child abuse or neglect;
- to assist in making safety plans;
- to arrange support for such special considerations or extension for an assessment, modify workplace arrangements or when the state or federal law requires it.

Information can be disclosed or reported anonymously through [UniSA's online reporting system](#).

Although UniSA is limited in the follow-up action it can take and it is unlikely to commence a formal investigation based upon anonymous reports. However, if a number of anonymous reports or confidential disclosures highlight particular activities or areas of risk, we will take steps to respond.

We have trained 'first responders'

A group of 'first responders' has been identified who can provide a first point of contact and assistance for anyone who has been subjected to sexual assault or harassment:

- [Campus Security](#) are available 24 Hours a day, 7 Days a week on **1800 500 911**.

During Office Hours:

- [Student Counsellors](#)
- [Access and Inclusion Advisors](#)
- [UniSA Equity Contacts](#)
- [Wurringka Staff](#)
- [People Talent and Culture Senior Business Partners](#).

First responders are trained to provide information about support and reporting options (more on this can be found [here](#)).

The process for dealing with a complaint to resolution is set out in our [sexual harassment and sexual assault policy and procedures](#). First responders do not provide an emergency response or counselling service. Details of specialist support appears on the final page of this guide.



If someone is in immediate danger, contact

Campus Security

1800 500 911

or the Police

000

If the person disclosing is under 18 you are obliged to report this to the

Child Abuse Report Line

13 14 78

Available 24 hours a day,
7 days a week.

What if someone discloses to me and I'm not a first responder?

Students or staff may disclose an experience of sexual assault or harassment to a trusted colleague, tutor, lecturer or supervisor rather than a [first responder](#). In the event a staff member, who is not a first responder, becomes aware of or has observed, an incident of sexual assault or sexual harassment in relation to a member of the University community, they are required to encourage the person to speak with a first responder and provide support to the person. All staff are required to use the online [Sexual Assault & Sexual Harassment Form](#) to document the details of what occurred as a disclosure, recording your details but not necessarily the identities of the other individuals.



How should I proceed?

If someone discloses to you, it is important that you listen, express your support and let them know where they can obtain [further assistance](#). It isn't your responsibility to offer detailed solutions or investigate the incident. UniSA has trained staff to provide this support.

Start by finding a safe, quiet and private location to talk. Remain calm and simply listen without judgement. Try not to interrupt or ask too many questions. Allow them to tell as much or as little as they want. Give them time and space to talk. Silence is ok; don't rush them. Remember to be compassionate.



Let the person stay in control

Experiencing sexual assault or sexual harassment can make people feel powerless, ashamed and not in control. The person needs to feel they can be in charge of their lives again and it is important to resist the temptation to take over by arranging and doing things that you think are best. Instead, ask the person what they would like to do next, and what support they would like from you. The person may need more time, information or support before feeling ready to take another step.



Be aware of heightened sensitivity to possible judgment or blame

Reactions to sexual assault will vary from person to person; they may be angry, numb or have feelings of guilt. It is helpful not to have any preconceived expectations of how they will look and act, as this could affect your ability to empathise fully. In particular, they may fear that they will be disbelieved, that their experiences will be minimised or trivialised, or that they will be blamed for what has happened to them. You should be careful about saying anything that could be heard as minimising such as 'at least you weren't seriously hurt'; or; 'this is a common student experience' or which could be heard as accusatory, 'did you scream/fight back?' or 'why didn't you say something sooner?'



What if they require immediate care?

If, after listening to them, you feel there is an immediate danger from the person who has perpetrated the assault or harassment, or there is an immediate medical or physical emergency, seek their agreement, if possible to report the incident to emergency services and/or Campus Security (contact details above and on final page). If they don't want anyone else to know you can't force them to report or to seek medical help. Although they need to be advised that seeking medical care can be done without the requirement to notify the Police.



What if they don't want the experience shared?

As a staff member you are required to provide information about support options within the University and to document incidents observed or disclosed to you via the online [Sexual Assault & Sexual Harassment Form](#), recording your details but not the identities of the other individuals involved. You can also provide the person with information about free community based support services such as [1800 RESPECT](#) (Emergency contacts listed on final page).



What if the person disclosing is under 18?

Unless the person disclosing is under the age of 18 years (in SA), the decision to report an incident of sexual assault or sexual harassment is entirely up to them. If a UniSA student or staff member aged under 18 years has informed you that they were sexually assaulted, or if throughout any report or disclosure a suspicion of child abuse or neglect of any child or children is raised, you have an obligation to report this to the Child Abuse Report Line on **13 14 78**. More can be found [here](#).

What should I avoid doing?

- *Making assumptions.* For example, same-sex sexual assault happens, and you need to be mindful of assuming the gender of the individual or the perpetrator;
- It is possible that the person may not know how to label their experience as 'sexual assault' or as 'harassment' or 'stalking'. They can make a complaint regardless. It is important that you allow them to use the language they are comfortable with at this time. You can encourage them to explore information available on the website that might allow them to gain a better understanding of what they experienced and to build their confidence around making a report;
- Trying to "fix" the problem for them. It is important that they receive the support from those who have received appropriate training in provide care and advice. Recognise the value of listening as a key part of your support;
- If you feel a need to provide comfort by giving them a hug or placing a hand on their shoulder, always ask if it is okay before touching them. Avoid unexpected and unwelcome physical contact as it can be extremely distressing to someone who has recently experienced sexual violence.



Look after yourself

Offering support to someone who has experienced sexual assault or harassment can be emotionally distressing and you may find that you need support yourself. Look after your own mental health and talk to a trained counsellor if you need it. Staff can contact UniSA's [Employee Assistance Program](#) provider or speak with their line manager or local (PTC) [Business Partner](#).



In seeking support, please ensure you maintain confidentiality. This means speaking to someone who is bound by confidentiality (e.g. a counsellor) or ensuring you do not include any names or details which could identify those involved when speaking to friends or family. Immediate assistance can be obtained via the National Sexual, Domestic and Family Violence Counselling Service ([1800 RESPECT](#)) on **1800 737 732** (24 hours a day/7 days a week). Further general advice is available on the [website](#). Confidential advice on handling a disclosure can be obtained from the [Coordinator: SASH Response](#) P: **+61 (0)8 8302 8305** M: **0468 577 401** (during business hours) Email: anna.fulwood@unisa.edu.au, our [Consultant: Sexual Assault and Sexual Harassment \(SASH\)](#) P: **+61 (0)8 8302 0856** Email: tahlia.vu@unisa.edu.au, or PTC [Business Partners](#) and [Employee Relations](#).



Obligations of managers & supervisors

As a Manager or Supervisor, you must make every effort to ensure that the workplace and/or study environment is respectful, safe and free from sexual harassment or assault. You need to be familiar with the new [sexual assault and sexual harassment policy](#) and the processes it supports, and:

- ensure everyone in the work area you are responsible for is aware of this policy;
- that you reinforce that sexual assault and sexual harassment will not be tolerated;
- provide or support initiatives to raise awareness of respectful behaviour and the procedures for dealing with sexual harassment;
- model the behaviour and conduct that is at the heart of a [Respect. Now. Always](#) culture;
- participate in any investigation process when required; and
- take prompt and responsible action to any complaint of victimisation.

Where you observe inappropriate sexual behaviour in your workplace you must report the incident to a first responder and take reasonable steps to stop it or prevent it from happening again. This can include advising those involved that the behaviour could give offence and that the behaviour should cease immediately. Any subsequent behaviour should be monitored and further action taken in accordance with the University's policy if it persists. Sexual assault, which is a criminal act, must be acted on immediately by the line manager. Advice, if required, can be sought from People, Talent and Culture's (PTC) [Business Partners](#) and [Employee Relations](#).

If someone alerts you that sexual assault or sexual harassment may be occurring in your workplace or area of responsibility, you should monitor it and/or seek further advice from a (PTC) [Business Partner](#) or [first responder](#) on an appropriate response.



What if I observe something happening to another person?

A safe and respectful environment means that if we see something then we need to be an active bystander and take steps to speak up or step in to disrupt the situation to keep it from escalating. If someone is vulnerable and someone is taking advantage of that, then we need to make sure that the person is safe and that the other person knows that it is NOT OK to take advantage.

When we witness behaviour that makes us uncomfortable, such as verbal, physical or sexual harassment, most of us want to do the right thing but sometimes knowing what to do and feeling confident enough to step in can be difficult. The following web resources provide further information on how you can be an active bystander:

- <https://knowtheline.humanrights.gov.au/>
- [Step Up](#) is an award-winning bystander intervention program;
- [Who are you?](#) a short 8 minute film on bystander awareness from New Zealand.

If you witness behaviour that you believe crosses the line, you must report it to someone who can act on it, either directly or through the University's [online reporting system](#).



Critical contacts:

1800 737 732
or
1800 RESPECT

Sexual, Domestic and Family Violence Counselling Service

If someone is in immediate danger, they can contact the police on **000**, Campus security on **1800 500 911** or the National Sexual, Domestic and Family Violence Counselling Service ([1800 RESPECT](#)) on **1800 737 732** (24 hours a day/7 days a week).

(08) 8226 8787

SA Health's Yarrow Place Rape and Sexual Assault Service

They can also contact Yarrow Place Rape and Sexual Assault Service 24 hours a day/7 days a week on **(08) 8226 8787** if they have been the victim of a recent sexual assault. If they need to see a counsellor, contact UniSA's [Counselling Service](#) for students or our [EAP Provider](#) if staff.

(08) 8645 8233

Whyalla

Free and confidential counselling is available via Centacare located at 28 Head Street, Whyalla. For an appointment call **(08) 8645 8233**. Students must provide their identification number to the counselling service.

(08) 8723 1999

Mount Gambier

Free and confidential counselling is available from Liz Moriarty and Associates located at 10 Eleanor Street, Mount Gambier. For an appointment call **(08) 8723 1999**. Students must provide their identification number to the counselling service.

1300 107 441
or sms
0488 884 163

Out of hours Crisis Line

Contact can also be made via UniSA Out-of-Hours Crisis Line on **1300 107 441** or text/sms **0488 884 163** from 5pm to 9am on weekdays, 24 hours on the weekends and public holidays.

(08) 8302 8305
or mobile
0468 577 401
(during business hours)

Advice on managing a matter

Confidential advice on managing a matter is available from our [First Responders](#) or the [Coordinator: SASH Response](#) P: **+61 (0)8 8302 8305** M: **0468 577 401** (during business hours) Email: anna.fulwood@unisa.edu.au.

or email
anna.fulwood@unisa.edu.au

Information and advice is available 24/7 on our [Sexual Assault and Sexual Harassment website](#).



If someone is in immediate danger, contact

Campus Security

1800 500 911

or the Police **000**

External reporting options:

External reporting of instances of sexual assault need to be made to the police in the location where the sexual assault is alleged to have occurred. If the alleged sexual assault occurred in South Australia this can be reported to the South Australian Police but if it occurred interstate or overseas then it will need to be reported to the police department of that location.

Sexual Assault Reporting Options:

(08) 8172 5555

South Australia Police (SAPOL)

Reports of sexual assault can be made to any local police station in South Australia. The Victim Management Section of the Special Crime Investigation Branch, SAPOL (P: **(08) 8172 5555**) can give advice about police reporting options for any sexual assaults that have occurred elsewhere in Australia or in another country. For more detailed information regarding legal options following a sexual assault please see the Yarrow Place Rape and Sexual Assault Service [website](#).

(08) 8207 1977

Sexual Harassment Complaint Options:

Reports of sexual harassment which have occurred within South Australia can be made to the Equal Opportunity Commission P: **(08) 8207 1977**. For details of the definitions of sexual harassment and the process for making complaints visit the [website](#).

Reports of sexual harassment which have occurred in other states or territories within Australia can be made to the Australian Human Rights Commission. For more information visit the [website](#).

If the person disclosing is under 18 you are obliged to report this to the

Child Abuse Report Line

13 14 78

Available 24 hours a day,
7 days a week.



University of
South Australia



UniSA respects the Kaurna, Boandik and Barngarla peoples' spiritual relationship with their country.