

# Sexual Harm Response Policy & Procedures

## 1. Introduction

Burgmann College is committed to providing a safe and respectful community for all residents. One way this is achieved is by providing training and awareness-building activities to prevent sexual harm from occurring. When an incident of sexual harm is brought to the attention of the College, safety and support are the paramount focus.

Defined terms are outlined in Section 12.

## 2. Purpose

This Policy outlines how Burgmann College will respond to incidents of sexual harm and describes the process for resolving Disclosures and/or Reports. This policy has a focus on safety and support, and takes a trauma-informed approach to managing allegations of sexual harm.

## 3. Scope

This Policy applies to residents of Burgmann College who have signed a current and valid Occupancy Agreement.

## 4. Policy Principles

- 4.1 All residents have the right to expect respectful behaviour from others and have the personal responsibility to behave respectfully towards others.
- 4.2 All residents are required to attend comprehensive training on the Sexual Harm Response Policy & Procedures to ensure they fully understand the procedures, support mechanisms, and their responsibility under the policy.
- 4.3 Instances of sexual harm will be handled by the College with sensitivity, discretion, fairness, and objectivity.
- 4.4 When responding to Disclosures and/or Reports of sexual harm, the College will take a victim-centred approach and respond in a manner that aims to cause no further harm.
- 4.5 Residents who Disclose and/or Report an allegation of sexual harm are provided with agency, they will not be pressured to decide on the course of action they wish to take, rather, will be provided with clear, transparent and accurate information to make informed decisions.
- 4.6 The College will provide support to all parties involved including the resident who has made the Disclosure or Report, the resident whom the Disclosure or Report has been made about, witnesses or first responders.
- 4.7 Care for a residents' safety and wellbeing is the primary focus of the College in responding to Disclosures and/or Reports of sexual harm. The College can support residents who are seeking to make a Disclosure or make a Report by referring them to relevant authorities including the Australian National University (the University) or police.
- 4.8 The College will respect the decision of the resident regarding whether to Report an alleged experience of sexual harm to the police. Limitations to this include when a resident is under 18 years of age.



- 4.9 The College is committed to managing Disclosures and Reports of sexual harm in a timely manner. The College will initiate an initial response within 48 hours of a Disclosure or Report being made, ensuring that safety and support measures are promptly put in place.

## **5. Support available**

- 5.1 Residents who have experienced or witnessed sexual harm are encouraged to seek assistance or support.
- 5.2 Support at College includes speaking with Residential Advisors who are trained first responders, the College Dean, Deputy Principal or Principal (this includes contacting the Duty RA and/or backup senior staff member after hours).
- 5.3 The College is able to offer professional psychological support to all residents who experience or witness an act of sexual harm.
- 5.4 The College can support residents to access University support services and external health and community services.
- 5.5 The College can support residents to explore their options to Report sexual harm to relevant authorities.

## **6. Deciding to make a Disclosure or Report**

- 6.1 Any resident may make a Disclosure of sexual harm to the College.
- 6.2 A resident who has experienced, or witnessed directly can make a Report of sexual harm.
- 6.3 Residents can make a Disclosure or initiate a Report by contacting the College Dean, the Deputy Principal or Principal, and can do so in-person, over the phone, or via email. They can also speak to a Residential Advisor in the first instance who will notify the College Dean, Deputy Principal or Principal.
- 6.4 Residents who make a Disclosure or initiate a Report to the College will be supported through regular contact with the College Dean or Deputy Principal, this support will be assessed on a case-by-case basis.

## **7. Making a Disclosure**

- 7.1 A Disclosure involves sharing of information about an alleged incident of sexual harm with another person. A person who makes a Disclosure may not wish for follow-up action to be taken, they may be undecided, and may instead be seeking information about resources, support options, and reporting options.
- 7.2 When a Disclosure is made, the College can assist with information and referral to available support services, advise the resident of options for possible further action, provide information about College and University policies, or facilitate mediation between parties if requested and appropriate.
- 7.3 A confidential record of the Disclosure will be kept on file.
- 7.4 A resident who has made a Disclosure may later make a Report regarding the same incident.
- 7.5 Unless deemed essential for safety reasons, the College will take no other action unless a Report is made to the College. If there are safety concerns, the Principal can initiate a



College-initiated Report and put in place precautionary measures (refer to Section 9. Precautionary measures).

## **8. Making a Report**

- 8.1 A Report provides a formal account/complaint about an alleged experience of sexual harm where the resident making the report would like action to be taken and a resolution to be found.
- 8.2 If a resident decides to make a Report, the College will support them and implement any necessary precautionary measures (refer to Section 9. Precautionary measures).
- 8.3 A Report to the University will be investigated according to the University's Discipline Rule.
- 8.4 Following an outcome of a Report to the University, the College may impose additional sanctions internally to ensure safety and harmony. Sanctions may include, but are not limited to separation of parties, suspension from the College, exclusion from College grounds and activities, a direction to resign or stand down from leadership positions.
- 8.5 Serious Breaches of community standards have broader implications for the safety and well-being of the University campus. For this reason, Reports of Sexual Harm or serious breaches of community standards including physical assault, harassment and vilification will be formally reported as misconduct to the University and assessed under the University's processes and policies. All other Reports will be assessed under the College's Disciplinary process.
- 8.6 In addition, under Clause 12 of the Australian National University (Residential Colleges Affiliation) Statute 2021, the Principal "must provide to the Registrar of the University a copy or notice of any complaint from or about its residents that may result in suspension or exclusion from the Affiliated College or by the University under the Discipline Rule or the Academic Integrity Rule including all sexual assault and sexual harassment complaints, within five (5) days of receipt of complaint."

## **9. Precautionary measures**

- 9.1 When an allegation of sexual harm is received the College will consider if precautionary measures should be put in place pending the commencement or outcome of a Report.
- 9.2 In determining these measures, the College will consider whether there is a risk to the safety of any person based on the alleged behaviour (recognising that the allegation has not been investigated and may not be substantiated).
- 9.3 Precautionary measures include but are not limited to separation of parties, suspension from the College, exclusion from College grounds and activities, a direction to resign or stand down from leadership positions.
- 9.4 Precautionary measures do not in any way prejudice the outcome of an ANU Report.
- 9.5 If the person about whom the Report is made declines to cooperate with a proposed precautionary measure, further action may be taken under the Colleges Breach of Community Standards Policy.
- 9.6 The College will comply with any interim measures which are directed by the University under the Discipline Rule.



## 10. Confidentiality and privacy

The confidentiality and privacy of parties involved in a Disclosure or Report will be protected where possible, noting that the College may need to inform key personnel at the College, the University, or the police to progress a matter. This is to ensure the safety of individuals and the wider community, and to comply with mandatory reporting requirements and University reporting obligations.

If a resident is under 18 years of age when they allege that they have experienced sexual harm, the College may be bound by mandatory reporting requirements in line with the National Principles for Child Safe Organisations.

## 11. Policy Review and Approval

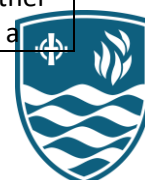
This Policy & Procedure will be reviewed annually to ensure its effectiveness, relevance and compliance with best practices.

This Policy must be approved by the College's Board of Management before any amendments or updates are finalised.

Approved By	Date Approved	Next Review Date
Board of Management	17 April 2025	No later than April 2026

## 12. Definitions

College	The College refers to Burgmann College, including its staff, leadership, board of management and council who are responsible for implementing this policy.
Disclosure	Involves the sharing of information about an alleged breach of community standards that would not result in a formal investigation or Disciplinary Process.
Mandatory Reporting	Mandatory Reporting is a legal requirement for some professionals to alert authorities about suspected cases of abuse, neglect, or harm concerning children (under 18 years of age).
Mediation	A negotiation facilitated by the College Dean, Deputy Principal or Principal. It is a structured, interactive process that assists disputing parties in resolving conflict.
Report	A Report provides a formal account/complaint about a breach of community standards that seeks the College undertake a formal investigation or initiate a Disciplinary Process.
Sexual Harm	Any unwanted behaviour of a sexual nature. Sexual harm includes sexual assault, rape, sexual harassment, sex-based harassment and any other unwanted sexual behaviour, whether online or in person. The harm may result in a



	person feeling uncomfortable, frightened, distressed, intimidated, or harmed either physically or psychologically.
Serious Breach	Is a breach that if substantiated, may result in suspension or exclusion from the College.
Trauma-informed approach	Trauma-informed approach involves understanding, anticipating, and responding to the needs of victim-survivors. This includes active listening, projecting empathy and providing the person with agency.
Victim-centred approach	Focuses on ensuring the safety, rights, wellbeing and expressed needs and choices of victim-survivors when responding to sexual harm.

Approved By	Date Approved	Next Review Date
Board of Management	17 April 2025	No later than April 2026

