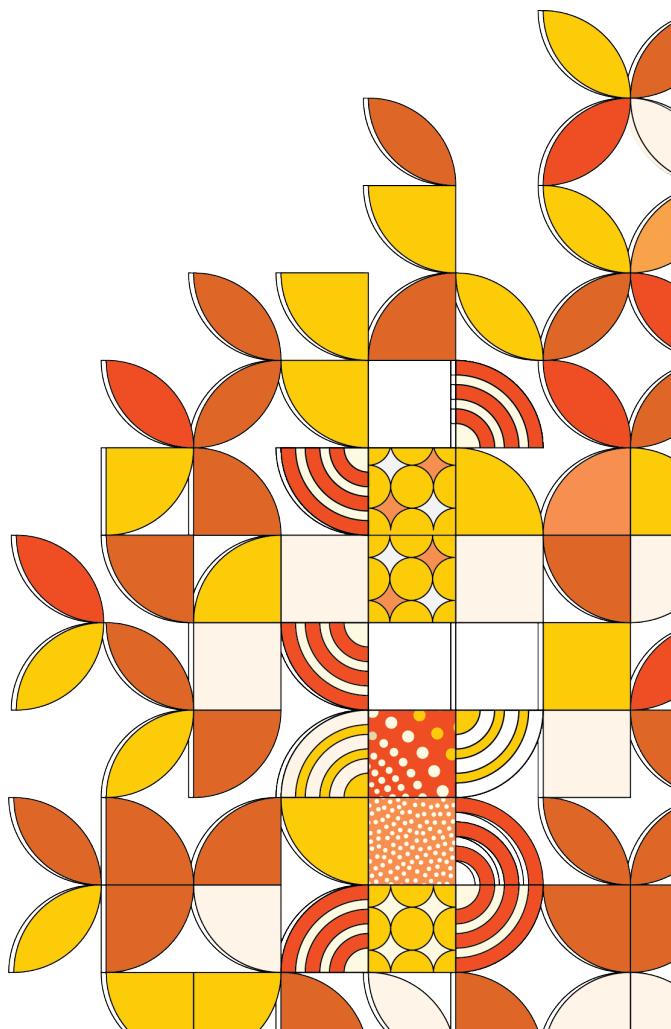


# Sexual Assault and Harassment Prevention and Response Policy



## SECTION 1

### Purpose

1. This Policy describes the Institute of Health and Management's (IHM's) principles, responses and actions in providing a positive, safe, and supportive study and work environment for students, staff, and visitors and reducing and eliminating sexual assault and sexual harassment (SASH). This Policy sets out the Institute's principles and commitment to preventing and responding to incidents of sexual assault or sexual harassment.
2. This Policy aligns with sector best practices, including TEQSA's *Good Practice Note: Preventing and Responding to Sexual Assault and Sexual Harassment 2020*, and meets the requirements of the Higher Education Standards Framework (Threshold Standards) 2021, Standard 2.3 (Wellbeing and Safety), the Education Services for Overseas Students Act 2000 and the National Code of Practice for Providers of Education and Training to Overseas Students 2018.

### Scope

3. This Policy applies to:
  - 3.1 To all IHM staff, students, contractors, business partners, interns, volunteers and visitors participating in online, on-campus and offshore activities, regardless of the location or environment in which the incident occurs.
  - 3.2 To current and historical reports of sexual assault and sexual harassment.
  - 3.3 This policy is concerned with any form of inappropriate behaviour which includes (but is not limited to):
    - 3.3.1 Sexual gestures, indecent exposure, or pictures.
    - 3.3.2 Unwelcome hugging, touching, or other inappropriate physical contact.
    - 3.3.3 Sexual assault, rape, or abuse.
    - 3.3.4 Intrusive questions about physical appearance or personal matters.
    - 3.3.5 Suggestive comments, emails, or text messages.
4. Sexual assault and harassment reported outside the scope of this Policy (e.g., at a private venue or unrelated event) will not be investigated by IHM as a non-academic misconduct matter, but appropriate support, referrals, and guidance on external reporting will be provided to affected students and staff.

### Definitions

5. For the purpose of this Policy:
  - 5.1 **Active bystander intervention:** Active bystanders recognise potentially harmful situations, including behaviours that could lead to or constitute sexual assault or sexual harassment, and choose to respond in a safe, lawful, and respectful way to prevent or stop harm.

5.2 **Complaint:** A verbal or written communication from students or staff who believe they have encountered sexual assault or sexual harassment, either by another student or staff of the Institute, or a related Institute stakeholder or third party. A complaint may take the form of either a disclosure or a report of an incident of sexual assault or sexual harassment.

5.3 **Consent:** Freely and voluntarily agreeing to sexual activity that involves taking responsibility for ensuring the other person is comfortable and agrees to engage in sexual activity. Examples of circumstances in which someone is automatically considered unable to give consent include when a person is drunk, drug-affected, asleep, or unconscious, unable to understand the sexual nature, submitted because of force, fear or harm or mistaken about the identity of another person.

5.4 **Criminal offence:** An action that is punishable under the law.

5.5 **Disclosure:** Involves the sharing of information about an incident with another person. Disclosures can be made to anyone, but usually to someone known and trusted. Disclosures do not necessarily involve formal reporting of the incident but usually seek information and support.

5.6 **Interim measures:** Temporary restrictions or requirements regarding who a student or staff member can contact, how they can make contact, where they can go on campus and at what time(s). These restrictions are instituted to minimise the potential for harm to a student or staff member.

5.7 **Intrusive:** A person who constantly tends to invade private/personal space, e.g., someone who comes to your desk uninvited, and offers unsolicited life advice and engages in overly personal conversations.

5.8 **Intrusive question:** An unwelcome and/or overly personal question.

5.9 **Sexual assault:** Any unacceptable physical behaviours where a person is forced or tricked into sexual acts against their will or without their consent, which are criminal offences. These can include behaviours that involve the use of force, threats, coercion, or control towards a person.

5.10 **Sexual gestures:** Any obscene hand motions/gestures, movements of the tongue, lips, or mouth, that may also include suggestive facial expressions, leering, or staring.

5.11 **Sexual harassment:** An unwelcome sexual advance or request for sexual favours or conduct of a sexual nature made in a physical and/or virtual environment by verbal, nonverbal or technology-facilitated means, including images that make a person feel offended, humiliated, intimidated, or degraded.

5.12 **Sexual misconduct:** Includes incidents of sexual harassment, sexual gestures, and sexual assault.

5.13 **Vexatious complaint:** A disclosure or report made or pursued without reasonable grounds or made to harass or annoy, cause delay or detriment, or for any other wrongful purpose.

6. For definitions of other terms used in this Policy, refer to IHM's [Glossary of Terms](#).

### Suite documents

7. This Policy is linked to the following document:
  - 7.1 Sexual Assault and Harassment Prevention and Response Procedure.
  - 7.2 Student Non-Academic Misconduct Procedure.
  - 7.3 Staff Complaints and Grievances Procedure.
  - 7.4 Other documents as listed in the 'Related Internal Documents' in Section 3 below.

## SECTION 2

### Policy Principles

8. IHM has zero tolerance for sexual assault and sexual harassment and prohibits all forms of sexual misconduct.
9. IHM is committed to providing a culturally safe environment where students and staff can study and work in an environment that is free from sexual assault and harassment.
10. All students and staff have a right to expect professional standard behaviour from others, and a corresponding responsibility to always behave professionally towards others.
11. IHM is committed to the provision of guidance in navigating accessible, comprehensive, and clear information for the prevention of and responding to sexual assault and sexual harassment, including:
  - 11.1 Formal reporting and misconduct investigation processes.
  - 11.2 Contact details for internal and external support persons and services, such as counselling and interpreter services.
  - 11.3 Special consideration processes, including workload adjustment, flexible work arrangements and study arrangements, and extension to academic and/or assessment deadlines.
12. The Institute is responsible for protecting the well-being and safety of victims/survivors of sexual assault and sexual harassment and the well-being and safety of persons who disclose or report sexual assault and sexual harassment incidents, including victims or those who disclose on behalf of a victim.
13. Any staff member who has concerns about, or becomes aware of, conduct that may constitute sexual harassment has an obligation and a duty of care to intervene actively and to promptly prevent such conduct from continuing.
14. Appropriate security provisions will be implemented during Institute events, on-campus activities, and the online environment.
15. IHM will not tolerate any victimisation or adverse action against a person for making a disclosure or report of sexual assault or sexual harassment, or for participating in an investigation or complaint process.

16. IHM recognises that certain groups (including women, LGBTQI+ people, international students, people with disabilities, and Aboriginal and Torres Strait Islander peoples) may be at heightened risk of sexual assault or harassment.
17. The assessment of an anonymous disclosure may lead to information being shared with the police or other relevant authorities, but the information will be shared in accordance with the law.
18. All complaints and reports will be documented and securely stored in the Institute's recordkeeping system. All persons involved in a report or investigation (complainants, respondents, witnesses) will be treated fairly and with compassion and will be provided with information about available support services.

### **Institutional Commitment and Responsibility**

19. IHM authorities, including the Board of Directors, Academic Board, and senior leaders/executives, are committed to preventing sexual assault and harassment by modelling respectful behaviour and fostering a culture of safety and respect.
20. The Institute accepts institutional responsibility for the well-being and safety of its community and will ensure that preventing and responding to sexual misconduct is a strategic priority. This includes allocating appropriate resources and staff to SASH prevention and response initiatives.
21. IHM will maintain a Sexual Assault and Sexual Harassment Prevention and Response Taskforce that oversees the implementation of this Policy, coordinates prevention and response strategies, and regularly reports to the Institute's governing body and governance committees on SASH matters.
22. The IHM SASH Taskforce consist of the following members:
  - 22.1 Chief Operations Officer (COO).
  - 22.2 Director, Quality Management.
  - 22.3 Academic Dean.
  - 22.4 Head of School (depending on the student involved).
  - 22.5 Manager, People and Culture (Applicable for Staff).
23. If the Taskforce does not have any female members, the Chief Executive Officer (CEO) will appoint at least one female member (who can be an academic or a representative from the People and Culture).
24. IHM will ensure compliance with all relevant legal and regulatory requirements in its approach to preventing and responding to sexual assault and harassment, including the Threshold Standards 2021 and the National Code 2018.

### **Prevention, Education and Training**

25. IHM safeguards individuals from sexual assault and sexual harassment by educating, informing, and training all stakeholders to:

- 25.1 Assess the risk of harm and implement preventative measures.
- 25.2 Articulate and demonstrate clear and uncompromising standards of respectful behaviour.
- 25.3 Address underlying disrespectful attitudes and behaviours.
- 25.4 Be able to define and recognise sexual assault and sexual harassment.
- 25.5 Respond appropriately to incidents of sexual assault and sexual harassment.
- 25.6 Collaborate and consult with relevant, skilled external agencies.
26. IHM also promotes a respectful culture and a safe environment to prevent sexual harassment and assault.
27. IHM provides education and training on this Policy through its Student Orientation and Staff Induction procedures and other professional development opportunities.
28. Regular refresher training, both to staff and students, will be provided to ensure ongoing awareness, including training on cultural sensitivity, active bystander intervention, and updates to legal responsibilities.

### Active Bystander Intervention

29. All members of the IHM community are encouraged and empowered to be active bystanders. Students and staff are expected to take reasonable and safe action to intervene or report if they witness sexual assault or harassment, in line with training and their level of capability
30. IHM promotes and values safe active bystander intervention as a vital part of creating a respectful and safe community.
31. This approach empowers members of the IHM community to:
  - 31.1 Be aware of your surroundings and notice any behaviours or situations that seem unsafe or inappropriate.
  - 31.2 Consider whether someone may need help and, if you are unsure, check with others.
  - 31.3 Take responsibility for acting instead of assuming someone else will step in.
  - 31.4 Choose a safe way to respond that prioritises everyone's safety, such as stepping in directly, creating a distraction, or getting help from the appropriate authorities, without using aggression or putting yourself or others in danger.
32. Through awareness, shared responsibility, and timely action, active bystanders play a crucial role in preventing harm, interrupting inappropriate behaviour, and reinforcing IHM's zero-tolerance stance on sexual assault and sexual harassment.

### Disclosure, Reporting, and Responses

33. Individuals who directly experience sexual misconduct involving IHM staff or students have the right to choose what information they disclose and whether they make a formal report.

34. IHM will respond promptly to any concern raised and take necessary action, in line with the Sexual Assault and Harassment Prevention and Response Procedure, which outlines the detailed steps for disclosure, reporting, and institutional response.

### **Data Collection, Confidentiality and Record Keeping**

35. IHM will collect and maintain de-identified data on disclosures and formal reports of sexual assault and sexual harassment, including the number and type of incidents, response times, and outcomes. This data will be used to inform prevention strategies, targeted interventions, and education.

36. Periodic summary reports will be provided to the Audit and Risk Committee to ensure transparency, accountability, and effective risk management.

37. IHM will comply with all external reporting obligations for critical incidents and sexual misconduct, including requirements under the ESOS Act 2000, the National Code 2018, and cooperation with law enforcement and relevant regulators.

38. All disclosures, reports, investigations, and outcomes will be managed with strict confidentiality.

39. Personal information will be protected in accordance with privacy laws and IHM's privacy policies, and information will only be shared on a need-to-know basis or as required by law.

40. Records of incidents, complaints, and actions will be securely maintained in a confidential system with access restricted to authorised personnel.

41. Any data used for reporting or analysis will be de-identified unless express consent is provided or disclosure is required by law.

### **Monitoring, Review and Continuous Improvement**

42. IHM will monitor the effectiveness of this Policy and procedures on an ongoing basis.

43. A formal review will occur at least every three years, or sooner if required by legislative changes or significant incidents.

44. Feedback from students and staff will be sought regularly to identify opportunities for improvement in preventing and responding to sexual assault and harassment.

45. De-identified incident data will be analysed to identify systemic issues or trends, with findings used to update training, procedures, and this Policy.

46. IHM will continuously improve its strategies and education programs in line with best practices, sector guidance, and regulator expectations.

47. The Board of Directors and Audit and Risk Committee will review regular reports on implementation and incidents, and act on recommendations to strengthen safety, support, and governance.

## SECTION 3

### Associated information

<b>Related Internal Documents</b>	<ul style="list-style-type: none"> <li>• Bullying and Harassment Prevention Policy</li> <li>• Bullying and Harassment Prevention Procedure</li> <li>• Critical Incident Response Policy</li> <li>• Critical Incident Response Procedure</li> <li>• Cyber Safety and Security Policy</li> <li>• Cyber Safety and Security Procedure</li> <li>• Privacy Policy</li> <li>• Privacy Procedure</li> <li>• Sexual Assault and Harassment Prevention and Response Procedure</li> <li>• Social Media Policy</li> <li>• Social Media Procedure</li> <li>• Staff Code of Conduct</li> <li>• Staff Complaints and Grievances Procedure</li> <li>• Student Code of Conduct</li> <li>• Student Code of Conduct Implementation Guidelines</li> <li>• Student Complaints and Appeals Policy</li> <li>• Student Complaints and Appeals Procedure</li> <li>• Student Non-Academic Misconduct Policy</li> <li>• Student Non-Academic Misconduct Procedure</li> </ul>
<b>Related Legislation, Standards, and Codes</b>	<ul style="list-style-type: none"> <li>• Tertiary Education and Quality Standards Agency Act 2011</li> <li>• Higher Education Standards Framework (Threshold Standards) 2021, Domain 2 (Learning Environment), Standards 2.3 (Wellbeing and Safety)</li> <li>• Education Services for Overseas Students Act 2000</li> <li>• National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018)</li> <li>• TEQSA Guidance Note: Wellbeing and Safety, 2018</li> <li>• TEQSA Good Practice Note: Preventing and responding to sexual assault and sexual harassment in the Australian higher education sector, 2020</li> <li>• Sex Discrimination Act 1984 (Cth)</li> <li>• Workplace Gender Equality Act 2012 (Cth)</li> <li>• Fair Work Act 2009 (Cth)</li> <li>• Fair Work Amendment Act 2013 (Cth)</li> <li>• Work, Health and Safety (National Uniform Legislation) Act 2011</li> <li>• Criminal Code Act 1995 (Cth)</li> <li>• Different States and Territories' Work, Health and Safety Legislation and Guidelines</li> <li>• Privacy Act 1988 (Cth)</li> <li>• Racial Discrimination Act 1975 (Cth)</li> <li>• Disability Discrimination Act 1992 (Cth)</li> <li>• Australian Human Rights Commission Act 1986 (Cth)</li> <li>• Anti-Discrimination Act 1977 (NSW)</li> <li>• Equal Opportunity Act 2010 (Vic)</li> <li>• Gender Equality Act 2020 (Vic)</li> </ul>

<b>Date Approved</b>	06/11/2025
<b>Date of Effect</b>	07/11/2025
<b>Date of Next Review</b>	30/10/2028
<b>Approval Authority</b>	Academic Board (endorsed by Board of Directors)
<b>Responsibility for implementation</b>	Chief Operations Officer (for students) Head of People and Culture (for staff)
<b>Document Custodian</b>	Chief Operations Officer
<b>IHM Doc ID</b>	IHM-SAHPR1-2.0

### Change history

<b>Version Control</b>		<b>Version 2.0</b>
<b>Change Summary</b>	Date	Short description of the change, including version number, changes, who considered, approved, etc.
Version 1.0	17/05/2022	New Policy.
Version 2.0	13/05/2025	<ul style="list-style-type: none"> <li>• Updated in the new template and logo, and full review after the life cycle.</li> <li>• Revised to function as a standalone staff/student policy and align with sector good practices.</li> <li>• Added Active Bystander Intervention</li> </ul>