



SEXUAL EXPLOITATION, ABUSE, ASSAULT AND HARASSMENT (SEAAH) POLICY

Policy Number:	COR 4.07
Name of Policy:	Sexual Exploitation, Abuse, Assault and Harassment (SEAAH) Policy (Issue Two)
Applicability:	All Bond University Students, Staff and Visitors to BU Campus
Policy Owner:	Vice-Chancellor & President
Contact Person:	University Registrar or Director, Human Resources
Policy Status:	Approved Policy
Date created:	24 July 2019
Date last amended:	16 June 2021
Date last exposed:	3 November 2020
Date of last reviewed:	
Date of next review:	16 June 2022
Related policies:	Student Charter Student Code of Conduct (Schedule B of Discipline Regulations) Discipline Regulations Privacy Policy (COR 1.01) Social Media Policy (COR 4.03) Working with Children Policy (COR 1.02) Public Interest Disclosure Policy (COR 4.04) Code of Conduct Policy (HRP 3.05) Bullying & Harassment Policy (HRP 3.01) Professional Staff Grievance Policy (HRP 5.01) Professional Staff Workplace Investigation Policy (HRP 5.02) Academic Staff Workplace Investigation Policy (HRP 5.08) Support for Victims of Domestic Violence Policy (HRP 4.05) Disability Policy (COR 1.07)

1. OVERVIEW

Bond University (BU) is committed to fostering a healthy culture of respect and responsibility that provides safe and supportive work and study environments, free from all forms of [Sexual Exploitation](#), [Abuse](#), [Assault](#) and [Harassment](#) (SEAAH) for all members of the [Bond Community](#).

2. POLICY SCOPE

This Policy applies to all members of the Bond Community, including all students, staff and visitors to Bond Campus and extends to Bond University run off-campus activities.

Breaches of this Policy will be dealt with under the *Discipline Regulations* (students) or the *Bond University Code of Conduct Policy* (staff).

3. THE POLICY

These principles reflect the University's commitment and responsibility to provide safe and supportive work and study environments:

- 3.1. Bond University has zero-tolerance to sexual exploitation, abuse, assault and harassment and will act on every allegation in a fair and reasonable manner with due regard for [Procedural Fairness](#).
- 3.2. Our values of respect and equality will be embedded within all aspects of our University life, including our academic and extracurricular pursuits, and our events, activities, and messages, both within the University and externally.
- 3.3. The University acknowledges that education and awareness are important aspects of prevention and has committed to embedding relevant content into our academic curriculum to ensure that our students are well informed as to the issues our community faces and the importance of personal responsibility for action and change.

- 3.4. The University will coordinate and align the advisory and support services available to students and staff, including counselling, medical services, interpreter services and [security services](#), whilst remaining respectful of students' and staff's rights to privacy and confidentiality. Our approach will prioritise the rights, needs and wishes of a victim/survivor, while ensuring Procedural Fairness to all parties.
- 3.5. Care and consideration for a person's wellbeing is the primary focus when responding to any [Disclosure](#), when seeking a resolution and addressing any formal complaint of Sexual Assault or Sexual Harassment.
- 3.6. The safety, welfare and [Support](#) of the Bond Community is paramount. The University recognises that sexual exploitation, abuse, assault, and harassment is likely to have an adverse impact on members of the Bond Community and is committed to appropriately supporting those affected including the coordination of [Reasonable Measures](#) for students and staff.
- 3.7. Members of the Bond Community, particularly security staff, supervisors, managers, and residence staff are expected to respond in a respectful, supportive, and sensitive manner when they are made aware of information regarding sexual exploitation, abuse, assault, and harassment. (Refer to the [Staff Protocol for Responding to an Allegation of SEAAH](#).)
- 3.8. The University will work with the Queensland Police Service and other external agencies, where appropriate, to ensure individuals reporting incidents are treated with sensitivity and professionalism.
- 3.9. The University aims to streamline and simplify incident reporting procedures, to ensure they are accessible and available through multiple avenues and minimise the number of times a student or staff member needs to recount a traumatic experience. Response to reports of incidents will be impartial, timely and effective. Any case under formal resolution will be managed promptly, fairly, and confidentially, ensuring Procedural Fairness to all parties.
- 3.10. The University will not tolerate [Victimisation](#). Adverse action taken against a [Discloser](#) may be unlawful under the *Fair Work Act 2009 (Cth)* and the *Whistleblowers Protection Act 1994 (QLD)*. The University will not tolerate Victimisation of a Discloser, [Respondent](#), or person legitimately associated with the resolution of a grievance.
- 3.11. Policies supporting this Policy aim to adopt a respectful, supportive, and sensitive approach and afford Procedural Fairness.
- 3.12. The University recognises that where significant power imbalances are at play, the potential for exploitative [Transactional Sex](#) and [Fraternisation](#) is heightened. Power imbalances based on the distinctions of student or staff/beneficiary; ability/disability; ethnic and Indigenous status; religion; gender identity and sexual orientation; age; health and poverty will be taken into consideration when responding to incidents.
- 3.13. The University is committed to ongoing innovation, evaluation and improvement of prevention and response measures to sexual exploitation, abuse, assault, and harassment.

4. Reporting and Monitoring

4.1. Investigation and Management of Incidents

All incidents and reports of SEAAH will be investigated and managed by the Office of the Registrar.

4.2. External Reporting Obligations

Bond University has a legal obligation to contact the Police on behalf of all minors (under 18 years of age) who report experiencing a Sexual Assault. Contact with Police in these circumstances will be managed by Security.

Legal adults (18+) may make their own choice in regard to Police involvement, except when evidence brought forward indicates that the broader safety of the community could be in jeopardy. Such instances may invoke Bond University's Duty of Care and the University reserves the right to identify risks and implement appropriate actions to ameliorate that risk to provide a safe work and study environment. The University will comply with any mandatory legal reporting obligations.

4.3. Monitoring

The University Student Wellbeing & Safety Advisory Committee will monitor information regarding sexual exploitation, abuse, assault, and harassment including:

- 4.3.1. the number and types of [Disclosures](#) made;
- 4.3.2. the number and types of [Formal Reports](#) made;
- 4.3.3. the number of Disclosures and Formal Reports also reported to the Police or other external agency;

- 4.3.4. whether further action was taken in response to Formal Reports, including the number referred for a disciplinary process;
- 4.3.5. the types of Support provided by the University and the number of instances of each;
- 4.3.6. the types of Reasonable Measures implemented and the number of instances of each;
- 4.3.7. a summary of any patterns that emerge from the monitoring conducted, including any recommendations for further improving the University's relevant policies and procedures; and
- 4.3.8. any further statistics it considers necessary from time to time.

The University will report to the Vice Chancellor, semesterly through the Student Wellbeing & Safety Advisory Committee.

5. DEFINITIONS

Bond-related Conduct Means any conduct that is connected to Bond University, including conduct that:

- occurs during, or in connection with, any function, activity or event related to BU (whether sanctioned by BU or otherwise);
- occurs when a person is representing BU in any capacity;
- occurs during, or in connection with, the performance of duties for BU;
- occurs using, or is facilitated by, BU ICT resources or other BU equipment; or
- occurs on, or in connection with, any property owned, leased, or occupied by BU (or any entities it controls) or any lands or roads within any BU campus.

Bond Community Means current students (enrolled and visiting), alumni, staff, other workers, volunteers, official visitors, recognised individuals, honorary position holders, adjunct academic and support position holders, suppliers of academic placements or official suppliers of academic-related activity, and anyone else contractually bound to comply with this Policy.

Consent Consent can only be freely and voluntarily given by a person with the cognitive capacity to do so.

“Consent” is the voluntary agreement to the act or acts in question and to continue to engage in the act or acts. Voluntary agreement to engage in the activity or to continue to engage in the activity must be communicated through words or conduct.

- Consent can be withdrawn at any time during the act or acts in question.
- Consenting to a sexual activity with an individual or individuals does not mean that consent is given for another sexual activity with an individual or individuals, and consent only applies to each specific instance of sexual activity.
- Circumstances in which a person does not consent to an act or acts include:
 - a) the person is asleep or unconscious;
 - b) the person is incapable of consenting, such as where they are affected by alcohol or another drug;
 - c) the person submits to the act because of force or the fear of force; threats or intimidation; fear of harm; exercise of authority; or false or fraudulent representations about the nature or purpose of the act; or
 - d) the person submits to the act because of false or fraudulent representation of identity.
- Consent cannot be given by a person under the age of 16 years.

Discloser A person who makes a Disclosure or a Formal Report on their own behalf. It also includes a person on whose behalf a Disclosure or Formal Report is made by a [Third-Party Reporter](#).

Disclosure For the purposes of this Policy, the sharing of information regarding sexual exploitation, abuse, assault, and harassment either verbally or through the *Report an incident* button on the *Bond_Safety. Respect. Care. Consent* website (<https://bond.edu.au/respect>).

Formal Report Providing a formal statement regarding sexual exploitation, abuse, assault, and harassment. A formal statement regarding sexual exploitation, abuse, assault, and harassment given to the police or another external agency is a Formal Report, provided that the University is also made aware of its existence and it is referred by the Discloser or Third-Party Reporter to a member of the Serious Incident Report Group ([SIRG](#)).

Fraternisation Any relationship that involves, or appears to involve, partiality, preferential treatment or improper use of rank or position including but not limited to voluntary sexual behaviour. It could include sexual behaviour not amounting to intercourse, a close and emotional relationship involving public displays of affection or private intimacy and the public expression of intimate relations.

Procedural Fairness	Respondents are entitled to procedural fairness including: (a) a fair opportunity to participate in the investigation and to understand and respond to adverse material which emerges in the investigation; (b) if the investigation reaches adverse findings against the Respondent, a fair opportunity to respond to those allegations before a final decision is made in relation to disciplinary action.
Reasonable Measures	Arrangements or adjustments that may be implemented on a case-by-case basis where a Disclosure or Formal Report has been made. (Refer to the <i>Interim Measures, Investigation, and Resolution</i> tab on the Response to Sexual Misconduct website.)
Respondent	A person about whom a Disclosure of sexual exploitation, abuse, assault and harassment is made as part of a Formal Report.
Serious Incident	Unacceptable behaviour that causes serious and imminent risk to the health or safety of a person including sexual exploitation, abuse, assault and harassment, bullying, discrimination, and violence.
Serious Incident Report Group (SIRG)	The SIRG is comprised of: Vice-Chancellor & President; Campus Security Manager; Coordinator, Counselling & Medical Services; University Registrar; Director, Students & Academic Services; Director, Commercial Services; and Executive Assistant to the University Registrar; and is responsible for coordinating the University's responses to Disclosures or Formal Reports of Serious Incidents within the Bond Community,
Sexual Abuse	The actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. It covers sexual offences including but not limited to: attempted rape (which includes attempts to force someone to perform oral sex); and Sexual Assault (which includes non-consensual kissing and touching). All sexual activity with someone under the age of consent (in the law of the host country or under Australian Capital Territory law [16 years], whichever is greater), is considered to be sexual abuse.
Sexual Assault	Sexual Assault includes a range of behaviours, all of which are unacceptable and constitute a crime. Sexual Assault occurs when a person is forced, coerced or tricked into sexual acts against their will or without their consent, including when they have withdrawn their consent.
Sexual Exploitation	Any actual or attempted abuse of a position of vulnerability, differential power, or trust for sexual purposes. It includes profiting monetarily, socially, or politically from sexual exploitation of another.
Sexual Harassment	<p>The 14 behaviours considered to be sexual harassment by the Australian Human Rights Commission are:</p> <ul style="list-style-type: none"> ▪ Unwelcome touching, hugging, cornering or kissing; ▪ Inappropriate staring or leering that made you feel intimidated; ▪ Sexual gestures, indecent exposure or inappropriate display of the body; ▪ Sexually suggestive comments or jokes that made you feel offended; ▪ Sexually explicit pictures, posters or gifts that made you feel offended; ▪ Repeated or inappropriate invitations to go out on dates; ▪ Intrusive questions about your private life or physical appearance that made you feel offended; ▪ Inappropriate physical contact; ▪ Requests or pressure for sex, or other sexual acts; ▪ Other unwelcome conduct of a sexual nature (excluding online); ▪ Sexually explicit emails or SMS messages; ▪ Repeated or inappropriate advances on email, social networking websites or internet chat rooms; ▪ Inappropriate commentary, images or film of you distributed on some form of social media without your consent; ▪ Other unwelcome conduct of a sexual nature that occurred online. <p>Sexual harassment is unlawful when it falls within the relevant statutory definition under the <i>Anti-Discrimination Act 1991</i> (Qld) and/or the <i>Sex Discrimination Act 1984</i> (Cth).</p> <p>Sexual harassment may also in certain circumstances be a criminal offence.</p>

Support	All reasonable steps to support all parties affected by sexual exploitation, abuse, assault and harassment, which will normally be coordinated by the SIRG. (Refer to the <i>Supporting your physical wellbeing</i> and <i>Supporting your emotional wellbeing</i> tabs on the Response to Sexual Misconduct website.)
Third-Party Reporter	A person who makes a Disclosure or Formal Report on behalf of or in relation to another person.
Transactional Sex	The exchange of money, employment, goods or services for sex, including sexual favours.
Victim/Survivor	A person who is, or has been, sexually exploited, harassed or abused.
Victimisation	Happens when a person does an act, or threatens to do an act against a person because: <ul style="list-style-type: none"> ▪ they have made a Disclosure, (Discloser), or are associated with a person who has made a Disclosure, under this Policy, or ▪ they have had a Disclosure made against them (Respondent) or are associated with a person who has had a Disclosure made against them, under this Policy.

6. RELATED PROCEDURES AND GUIDELINES

Safety. Respect. Care. Consent website (<https://bond.edu.au/respect>)

[Safety.Respect.Care.Consent Student Support Strategy](#)

[Staff Protocol for Responding to an Allegation of SEAAH](#)

[Student Housing Handbook](#)

[TEQSA Good Practice Note: Preventing and responding to sexual assault and sexual harassment in the Australian higher education sector](#)

Staff Protocol for Responding to an Allegation of SEAAH

The information contained within this protocol document aims to guide Bond staff through the process they are required to follow when a Bond student or staff member discloses to them that they have been personally sexually exploited, abused, assaulted, or harassed.

The Sexual Exploitation, Abuse, Assault & Harassment (SEAAH) Policy COR 4.07 provides clear definitions for exploitation, abuse, assault, and harassment.

Bond University recognises the need for a staff protocol to assist in responding to incidents of SEAAH. This protocol aims to assist staff to respond in a consistent, effective, and timely manner to a disclosure of SEAAH.

PRINCIPLES

The University respects the rights of all adult victims/survivors of SEAAH to be in control of the decisions affecting them, including the student's or staff member's right to decide whether to seek counselling, medical services, police and legal intervention, as will be offered to them.

The University carries additional responsibilities under law where the person who is reporting SEAAH is under 18 years of age – see Step 2 below.

Supporting a person who discloses an act of SEAAH (Discloser) can have a major influence on their recovery, and to seek medical and counselling services. It is important to assist the Discloser to begin to feel safe. This will help them to begin the process of working out what they want to have happen next. Action to address SEAAH is underpinned by a “do no harm” approach, prioritising the rights, needs and wishes of the victim/survivor, while ensuring Procedural Fairness to all parties.

If someone discloses an instance of alleged SEAAH to you, you should:

- Establish if there is an immediate risk to the safety of the Discloser or anyone else;
- Treat the Discloser with dignity and respect;
- Display empathy and reassure the Discloser you will exercise privacy and confidentiality.
- Be supportive and non-judgemental;
- Enable the Discloser to be in control of decisions about seeking assistance and/or reporting an incident;
- Provide options, not opinions; and
- Provide accurate referral information.

You are not expected to be an expert or counsellor, and are in fact **strongly encouraged to guide the Discloser to a person who is skilled in managing** incidents of SEAAH, **but in the interim**, there are **3 Key things to say**:

- I am sorry for what has happened to you.
- I will do what I can to help.
- I don't have special training in helping people with experiences like yours, but I can give you contact details for people who do.

You should not

- Ask “why” or attempt to investigate;
- Try to fix the situation;
- Provide counselling;
- Ask questions about the incident;
- Assume that a person disclosing an incident wishes to make a Formal Report; or
- Discriminate based on gender, age, race/ethnicity, ability, sexual orientation, or other characteristics.

IF A STUDENT OR STAFF MEMBER TELLS YOU THAT THEY HAVE BEEN SEXUALLY EXPLOITED, ABUSED, ASSAULTED, OR HARASSED:

Step 1: Establish immediate safety

Your primary concern should be to ensure the immediate safety and welfare of the Discloser.

If you or another person are at immediate risk:

- call 000 now and report the incident to emergency services
- then call Bond Security (07) 5595 1234.

Immediate risks to the person's safety might include an imminent danger from the alleged perpetrator or an immediate medical emergency.

Step 2: Establish whether the victim is under 18 years of age

Under the *Child Protection Act*, Bond University has a legal obligation to report all Sexual Abuse of minors (a child or young person under 18 years of age) to the Police.

- Ensure the Discloser has someone with them for support at all times so they are not left unattended.
- Take the Discloser to Security who will ensure they receive the appropriate counselling, and access to medical treatment and legal assistance.

Step 3: If the student or staff member is over 18 years of age

- Ensure that the Discloser has someone with them for support at all times so they are not left unattended.
- Advise the Discloser that they are able to access a support person of their choice and facilitate contact. This may also include contact with services listed below.

Assistance can be given as listed below. Ensure all reasonable steps to accommodate the Discloser's expressed preference for female or male personnel are considered.

ON CAMPUS

Office Hours (M-F, 8.30am-5.00pm):

Bond University Medical, Psychological and Disability Services ph: (07) 5595 4002

After Hours:

Bond University Campus Security 24/7 ph: (07) 5595 1234

OFF CAMPUS

After Hours:

Bond University Campus Security 24/7 ph: (07) 5595 1234

Police/Ambulance: ph: 000

Robina Police Station ph: (07) 5656 9111

Robina Hospital ph: (07) 5668 6000

Gold Coast Mental Health Services Acute Care Team ph: 1300 642 255

1800 Respect National Counselling Helpline 24/7 ph: 1800 737 732

Step 4: Provide information and facilitate access to medical, counselling, and legal support

Advise the Discloser of the support available to them. If the incident has only just occurred, the Discloser should consider medical support as a priority.

Medical Support

Medical attention for SEAAH victims, and in particular, Sexual Assault survivors, is vital for detecting and treating a range of medical concerns, including sexually transmitted infections, pregnancy, and injuries. Ideally individuals who have experienced a Sexual Assault or other SEAAH incident should be seen as soon as possible to address these health concerns.

Individuals who have been sexually assaulted, abused or harassed may wish to preserve evidence for legal purposes and should go to a hospital or medical facility immediately to seek medical examination and evidence collection. Local Hospitals can perform a forensic examination (i.e., rape kit) as well as treat and document injuries.

The Bond University Medical, Psychological and Disability Services ph: (07) 5595 4002 can facilitate access to medical care and should be the first point of contact in office hours (see above). For after-hours incidents, take the Discloser to Security who will liaise with the hospital.

Robina Hospital
Emergency Department
2 Bayberry Lane, Robina
Ph: (07) 5668 6000

Gold Coast University Hospital
Emergency Department
Hollows Way, Southport
Ph: 1300 744 284

John Flynn (Private) Hospital
Emergency Department
42 Inland Drive, Tugun
Ph: (07) 5598 9000

Pindara (Private) Hospital
Emergency Department
Allchurch Avenue
Benowa
Ph: (07) 5588 9000

Counselling

Communicate the availability of counselling services to the Discloser and encourage them to seek assistance. Even if some time has passed or the alleged incident happened a long time ago, it is still worth speaking to a medical and mental health professional to seek assistance.

Our team of Psychologists are available to help students and staff members access useful resources on and off campus, to inform the student or staff member of their options (i.e., medical, psychological, and legal), and to offer assistance regarding academic allowances where needed (deferred examinations, change of class, or whatever is deemed appropriate) or staff leave.

- Bond University's counselling service on [\(07\) 559 54002](tel:0755954002)
- National Hotline for Domestic Violence and Sexual Assault on [1800 737 732](tel:1800737732)
- Lifeline Telephone Counselling 24 Hrs Line on [131 114](tel:131114)
- Crisis Counselling Service / Beyond Blue on [1300 224 636](tel:1300224636)
- Acute Care Service on [\(07\) 5537 0660](tel:0755370660)
- Sexual Assault Helpline on [1800 010 120](tel:1800010120)

Police and Legal Support

You should accompany the Discloser to Security if they want to report an incident of SEAAH to the Police.

Bond University has a legal obligation to contact the Police on behalf of all minors (under 18 years of age) who report experiencing a Sexual Assault. Contact with Police in these circumstances will be managed by Security.

Legal adults (18+) may make their own choice regarding Police involvement, except when evidence brought forward indicates that the broader safety of the community could be in jeopardy. Such instances may invoke Bond University's Duty of Care responsibilities and the University reserves the right to take a case forward to the Police.

With the exception of minors, and cases where the broader safety of the community may be in jeopardy, the victim/survivor should be free to decide whether to report an incident to the Police without pressure or prejudice.

Provide information containing referral numbers for assistance

Even if the student or staff member does not want assistance at this time, provide referral information in case it is needed subsequently.

Bond University Emergency Contacts:

<https://bond.edu.au/current-students/services-support/university-safety-and-security/emergency-contacts>

Safety. Respect. Care. Consent (<https://bond.edu.au/respect>)

Step 5: Reporting the incident

Advise the person that they can report the incident, either directly to the Security Office in person, or via the "Report an Incident" button accessible on the Bond University Safety and Security website:

Report an Incident

(<https://bond.edu.au/files/3128/Report%20an%20incident.pdf>)

There are many reasons why a person may not want to report the incident. They may be worried about not being believed, fear of reprisal, not wanting family or others to know, humiliation, shame, and lack of faith in the Police and justice system, or they may have made a positive decision to protect their privacy. In any case, no judgment should be made where a person does not want to report the incident. It is important that you respect the confidential nature of the information that has been disclosed and the privacy of the Discloser.

Security will assess whether there are any serious health or safety issues to the student or staff member, or the wider community (see Step 4 Police and Legal Support above).

Security will keep a secure record of all incidents of sexual exploitation, abuse, assault, and harassment, and produce regular, deidentified reports for senior management to help the University to monitor occurrences, identify and respond to systemic issues, and continually improve our pro-active and responsive systems.

Primary contacts for Bond University's Critical Incidents:

Bond Security

(07) 5595 1234

Safety and Security supports students, staff and the Bond community 24/7

Medical, Psychological & Disability Services

(07) 5595 4002 Front Desk or Nurse

Between 9.00am to 5.00pm weekdays. Closed on Public holidays

Medical support, information and referral

Director, Student Business Services

(07) 5595 2024

Academic and personal support, referral and information regarding internal discipline processes

Human Resources Office

Chris Andrews, Director of Human Resources

(07) 5595 1100

candrews@bond.edu.au

Gina Coetzee, Deputy Director of Human Resources

(07) 5595 1203

gcoetzee@bond.edu.au

Support, referral, and information regarding internal discipline processes

Step 6: Debriefing for you

Debriefing for any staff member or student who has had an allegation of SEAAH disclosed to them is available through the Bond Medical, Psychological & Disability Services (ph: (07) 5595 4002).

Step 7: Follow-up

The person who has been the primary student(s) contact should arrange a follow-up welfare check with student(s) involved within a 3-month period. The check should ensure the student(s) still has adequate support in place including being able to continue their studies.