



SEXUAL ASSAULT AND SEXUAL HARASSMENT POLICY AND PROCEDURE

1. Overview

Kingsford Institute of Higher education ("KIHE" or "the Institute") has no tolerance for sexual assault or sexual harassment. The Institute supports the right of every student and staff member to feel safe and respected, irrespective of the mode of study or employment status with the Institute. The Institute is committed to supporting students and staff affected by sexual assault or sexual harassment, regardless of where and when it takes place.

2. Sexual assault

2.1. Definition

- 2.1.1. Sexual Assault is a general term used to describe a broad range of sexual crimes committed against a person.
- 2.1.2. These crimes include sexual intercourse without consent, aggravated sexual assault, indecent assault and acts of indecency (these offences generally involve inappropriate touching, including genitals or other intimate areas or forcing a person to touch the genitals or intimate areas of another person). An offence is aggravated if there is a threat, whether actual or implied, or it is done in the company of other people, or is committed upon a person under a certain age or under authority of a person (teacher/relative/carer) or involves the use of a weapon, force or threat. Sexual Assault is a crime of violence. It aims to humiliate and degrade the victim and can occur within marriage. It can be a frightening experience that may have long term effects. These effects occur regardless of a person's age, gender, status, culture, ability or sexuality¹.
- 2.1.3. Some people blame victims or make victims feel that they somehow 'asked' to be sexually assaulted because of how they looked or dressed, or where they were at the time.
- 2.1.4. This is not right. It is never a victim's fault. Sexual assault is always a crime.

2.2. Procedure

If someone does something to make you feel that you have been assaulted, you should report this immediately to your teacher, the Student Support Officer, the Dean or the CEO. They may advise you to:

- a. Report a non-academic grievance under the Institute's *Student Grievance Handling Policy and Procedure*; or
 - b. Seek support or counselling; or
 - c. Report the matter to the Police.
- 2.3. You can always seek help from health and counselling services, including sexual assault services. This applies even when you don't want to report to the Police, or if you have reported to the Police but they do not believe that a crime has been committed. If you are not sure whether you have been sexually assaulted, there are specially trained

¹ For definitions and more information about sexual assault, refer to:
<https://www.aihw.gov.au/getmedia/0375553f-0395-46cc-9574-d54c74fa601a/aihw-fdv-5.pdf.aspx?inline=true>



people who can help you understand what has happened to you and what your options are:

- a. If you or someone else is in immediate danger call **000**.
- b. You have access to the Student Support Officer for guidance and advice. Where they believe that further support is required, they will organise a referral to appropriate support services.
- c. You may also talk to a specialist counselling service as listed in Section 4 of this document.

3. Sexual harassment

3.1. Definition

3.1.1. Sexual harassment is defined as:

- a) Unwanted sexual advances, or unwelcome requests for sexual favours; or
- b) Other unwelcome conduct of a sexual nature.

3.1.2. Sexual harassment is any unwelcome sexual behaviour which is likely to offend, humiliate or intimidate. It has nothing to do with mutual attraction or friendship. A reasonable person would have expected you to be offended, humiliated or intimidated by this behaviour.

3.1.3. Examples include:

- a. unwelcome physical touching including deliberately brushing up against a person;
- b. uninvited kisses or embraces;
- c. requests for sex;
- d. staring or leering;
- e. sexually explicit conversation;
- f. suggestive comments or jokes;
- g. unwanted requests to go out on dates, especially after prior refusal;
- h. emailing pornography or rude jokes;
- i. sending sexually explicit texts;
- j. intrusive questions about your private life or body;
- k. displaying posters, magazines or screen savers of a sexual nature;
- l. making promises or threats in return for sexual favours;
- m. "flashing" (exposing private parts of the body) or sexual gestures;
- n. sex-based insults, taunts, teasing or name-calling;
- o. touching or fiddling with a person's clothing e.g. lifting up skirts, flicking bra straps;
- p. offensive phone calls or letters;
- q. stalking, sexual insults or taunting; and
- r. offensive messages through new technologies such as mobile phone cameras, social networking websites, emails or electronic communications.



3.2. Procedure

- 3.2.1. If someone does something to make you feel that you have been harassed, you should report this to your teacher, the Student Support Officer, the Dean or the CEO. They may advise you to report a non-academic grievance under the Institute's *Student Grievance Handling Policy and Procedure* or may advise you to seek support or counselling.
- 3.2.2. You can always seek help from health and counselling services. If you are not sure whether you have been sexually harassed, there are specially trained people who can help you understand what has happened to you and what your options are:
- If you or someone else is in immediate danger call **000**.
 - You have access to the Student Support Officer for guidance and advice. Where they believe that further support is required, they will organise a referral to appropriate support services.
 - You may also talk to a specialist counselling service as listed in Section 4 of this document.

4. Specialist counselling services

Sydney, New South Wales	
a.	1800 Respect (1800 737 732) national telephone line for victims of sexual assault and family violence (available 24 hours)
b.	NSW Rape Crisis 1800 424 017 or www.nswrapecrisis.com.au
c.	Bravehearts on 1800 272 831 or www.bravehearts.org.au
d.	Victims Support Line 1800 633 063 Aboriginal Contact Line 1800 019 123 www.lawlink.nsw.gov.au/vs
e.	Helping Victims of Sexual Assault: http://www.victimsservices.justice.nsw.gov.au/sexual assault/
f.	Sexual Assault Services Contact via your local hospital or go to https://www.health.nsw.gov.au/parvan/sexualassault/Pages/info-sexual-assault-victims.aspx

5. Related documentation

- Student Grievance Handling Policy and Procedure

6. Version history

Version	Approved by	Approval Date	Sections modified
1.0	Board of Directors	20 July 2023	Document creation and initial approval

Document owner: CEO