

Swinburne University of Technology

Sexual Harm Prevention and Management Review

Internal Audit Report

June 2024

Table of Contents

1. EXECUTIVE SUMMARY	1
1.1 Overview	1
1.2 Background	1
1.3 Scope	2
1.4 Approach	5
1.5 Summary of Findings	6
1.6 Acknowledgement	7
1.7 Limitation of our Work	7
2. DETAILED FINDINGS AND SUGGESTED IMPROVEMENTS	8
APPENDIX 1: Benchmarking - Sexual Harm Response Guidelines 2023 and Other Universities' Policies	19
APPENDIX 2: Limitations of our Work	23

1. EXECUTIVE SUMMARY

1.1 Overview

In accordance with the 2024 Internal Audit Plan endorsed by Swinburne University Technology's ("SUT") ARC, BDO reviewed the processes and controls associated with SUT's Sexual Harm Prevention and Management within its Australian operations. This includes but is not limited to the following:

- Review of SUT's policy framework, processes and risk assessment that address sexual harm;
- Assessment of SUT's alignment with the TEQSA standards and the University of Australia Sexual Harm Response Guidelines 2023;
- Assessment of SUT's incident management and reporting processes;
- Evaluation of the Safer Community promotion programmes and preventive education programmes offered to staff and students; and
- Review of support systems and processes in place for staff and students impacted by sexual harm.

For avoidance of doubt, our scope of audit/review excluded any considerations related to international operations or international legislation compliance requirements pertaining to SUT's offshore operations.

1.2 Background

SUT has a Safer Community team in place who are primarily responsible for handling incidents related to sexual harm and related misconduct. The team assists in handling and escalating cases and supporting victim survivors throughout the process. SUT also has an "Action Plan" in place enforced by their "Respect. Now. Always." Taskforce which is an advisory body that is responsible for overseeing the University's commitment to the prevention of sexual harassment and sexual assault both on and off campus experienced by their students. The Action Plan is developed with a focus on improving awareness, education, service provision and gaining further insights for continuous improvement on sexual harm response. SUT focuses on addressing instances of sexual harm through the following policies in place:

1. Responding to Sexual Harm Incidences work instruction
2. Sexual Harm Response Guidelines - Staff procedure
3. Helping a student after a sexual harm incident - Staff process flow
4. Complaints Management Guidelines
5. Child Safety Reporting process flowchart
6. Factsheet - Reporting child safety concerns
7. Factsheet - Responding to disclosures from children and young people
8. Responding to child safety concerns framework
9. Sexual Assault and Sexual Harassment- Student Factsheet

10. Unacceptable behaviour
11. Student General Misconduct Regulations
12. Support for Students Policy
13. Improper conduct and whistleblowing guidelines

The Sexual Assault and Sexual Harassment- Student Factsheet is available on the “Sexual assault and sexual harassment” page on the SUT website which provides guidelines and support available on and off campus for victim-survivors, along with steps to consider if anyone wishes to make a report to the police. A Behavioural Risk Assessment Management (BRAM) Committee is in place who are responsible for receiving reports on incidents of inappropriate, concerning or threatening student behaviour. Safer Community team report to BRAM on a quarterly basis on trends, concerns and primary prevention initiatives.

The Sexual Harm Response Guidelines 2023 state that all Australian universities have a duty of care to ensure the safety and wellbeing of their students, staff, and other members of their university community. Underlying values of respect and inclusion should be prioritised when coordinating policy, response, and prevention. Universities should seek to be properly resourced to meet their duty of care obligations, while providing support and responding with empathy to those who experience sexual harm. SUT has actions and procedures in place to ensure positive duty and a “victim-centric” approach is taken. Students and staff alike are across all services and support available via learning modules on sexual harm for students and training for staff.

SUT provides access to the following support and services as per the need and circumstance of the victim survivor:

1. Urgent Help:
 - Swinburne Security
 - Swinburne 24/7 Wellbeing Support Line
 - International student assistance line
 - Emergency services
 - Victorian sexual assault crisis line
2. Support:
 - Safer Community
3. Report:
 - Swinburne Health service
 - Eastern Centre Against Sexual Assault (ECASA)
 - Free from Family Violence (FVREE)
 - Safer Community
 - Victoria Police - Sexual Offences and Child Abuse Investigations Team (SOCIT)
 - eSafety Commissioner (online sexual harm)

1.3 Scope

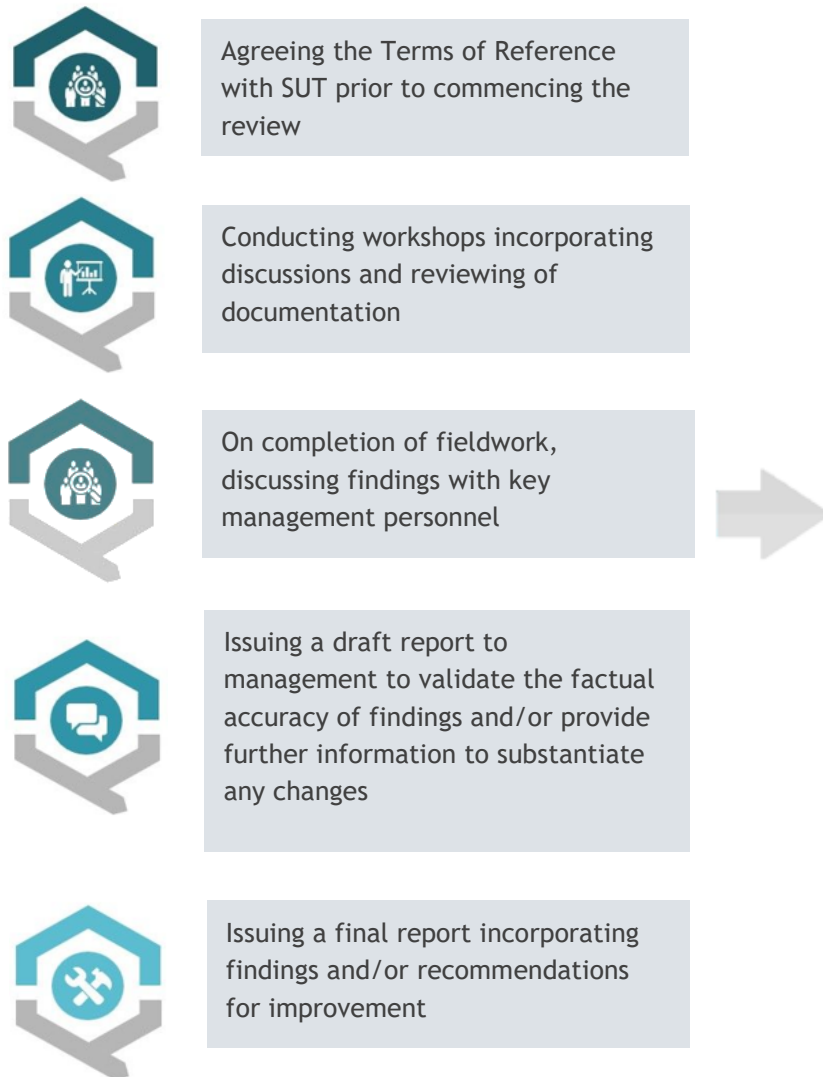
The scope of the internal audit included assessing the following:

Business process	Risk focus area
Governance and Compliance	- Understand whether: - There are policies and procedures in place addressing sexual harm - Roles and accountabilities are clearly defined 24-hour security service is in place - Evaluate the alignment of policies with TEQSA HESF Standards and Universities Australia's Sexual Harm Response Guidelines 2023 - Assess if these policies are easily accessible to students, staff and other relevant stakeholders - Check if there are specific policies for students under the age of 18 - Review policies and procedures if it clearly specifies culturally appropriate practices - acknowledging diversity (i.e., women, students with a disability, culturally, religiously, and linguistically diverse students, Aboriginal and Torres Strait Islander students, students who identify as LGBTIQ+, and postgraduate students)
Complaint Mechanisms and Investigation Procedures	- Assess the SUT's response protocol and action plan and check against Universities Australia's Sexual Harm Response Guidelines 2023 principles (including procedures for the person against whom the report is made) - Examine the channels available for reporting sexual harm complaints, ensure aligned with "no wrong door" model - Assess the accessibility, confidentiality, and effectiveness of the complaint process - Evaluate the protocols for investigating sexual harm allegations - Assess the timeliness of investigations including procedures to assess satisfaction of relevant parties - Review the qualifications and training of personnel conducting investigations
Confidentiality and Privacy	- Evaluate the process to ensure the protection of confidentiality and privacy of reporters and information disclosed - Review the documentation and record-keeping practices for complaints
Natural Justice	- Ensure there are proper procedures in place to apply the principles of natural justice and procedural fairness to the person about whom the report is made - Review the procedures in managing the interactions with the person about whom the report is made and verify if these are fair and impartial

Business process	Risk focus area
Support Services	- Examine the availability and accessibility of support services for victims of sexual harm - Assess the coordination with external support organisations and resources
Incident Management	- Assess if an incident register is maintained to log the incidents including types and severity of incidents, assessment and escalation steps undertaken, and investigation and resolution processes implemented. - Ensure that these incidents are followed up on and post-incident reviews are conducted to identify areas for improvement in the incident management process
Training and Awareness	- Review the frequency, content, and effectiveness of sexual harm training programs - Assess the participation and completion rates of training by employees and students - Evaluate the efforts to raise awareness about sexual harm prevention and reporting
Monitoring and Reporting	- Assess the mechanisms in place for monitoring the number and handling of sexual harm complaints - Assess the mechanisms in place for reporting on the sexual harm incidents that might have occurred over a certain period of time (monthly, bi-monthly, annually etc.)
Risk Assessment	Review risk assessment process performed and mitigation actions undertaken to address any non-compliance areas relating to the guidelines

1.4 Approach

The key steps of our project are outlined in the diagram below:



Key Stakeholders / Interview Listing

Name	Position Title & Department / Line of Business
Tanya Xu	Manager, Safer Community
Matt Smith	Manager, Regulatory & Integrity
Bec McLeod	Associate Director, Facility Management
Jyothi Chaganti	Director, Enterprise Bargaining, Organisational Development and Transformation
Kirsten Ryan	Acting Director Workplace Relations, People & Culture



Testing Conducted and Information Provision

BDO made enquiries of management, review certain information and testing a sample of documentation. Required documentation was provided electronically and an assessment of control operating effectiveness was undertaken for a limited sample.



Audit Period and Sample Details

Audit Period	12 months (March 2023 to March 2024)
Samples Tested	A maximum of 2 sexual harm incidents was reviewed by BDO during our work

1.5 Summary of Findings

Our review of SUT's Sexual Harm Prevention and Management highlighted a number of findings, the details of which are set out in Section 2 of this report. A summary of the findings and recommendations are provided below:

Risk Category Explanation and Suggested Timeframe for Treatment	Number of Issues	Summary of Findings Raised
 <u>HIGH RISK / HAZARD</u> Significant breakdown in controls exposing the organisation to risk, requiring urgent management attention and resolution	N/A	N/A
 <u>MEDIUM RISK / HAZARD</u> Breakdown in controls requiring timely management attention and resolution	2 of 5	Finding 1: Sexual Misconduct Draft Policy to be completed and finalised Finding 2: Post-traumatic care and recovery support to be established
 <u>LOW RISK / HAZARD</u> Process inefficiencies or non-compliance with policies and procedures of a housekeeping nature	3 of 5	Finding 3: Perspective Audit User Logs to be reviewed Finding 4: Student training related to Sexual Harm should be made mandatory and monitored Finding 5: Safer Community Team KPIs should be established
 <u>IMPROVEMENT OPPORTUNITY</u> May represent sub-optimal performance or potential for a foregone gain to occur	N/A	N/A

1.6 Acknowledgement

We would like to take this opportunity to thank SUT's management and their staff for their co-operation and assistance during the course of our work.

1.7 Limitation of our Work

Please refer to Appendix 2.

2. DETAILED FINDINGS AND SUGGESTED IMPROVEMENTS

Our findings have been derived from our review of policies, processes and controls in accordance with Section 1 of this report and are based on testing performed on sample cases associated with Sexual Harm.

FINDING / RECOMMENDATION 1	Control Rating	Medium Risk / Hazard 
Sexual Misconduct Draft Policy to be completed and finalised		
Background		
In 2018, Universities Australia (UA) launched the Guidelines for university responses to sexual assault and sexual harassment (the 2018 Guidelines). The first of its kind in Australia, the 2018 Guidelines aimed to drive and guide a consistent, whole-of-institution approach to responding to disclosures and reports of sexual assault and sexual harassment, adopting a person-centred approach. Reflecting on developments in practice and the law since 2018, the 2018 Guidelines have been updated and a revised 2023 Guidelines for University Responses to Sexual Harm (the Guidelines) have been introduced. The Sexual Harm Response Guidelines 2023, produced by Universities Australia, identifies principles to guide universities' response and key actions to promote student safety and wellbeing and prevent and adequately respond to sexual harm. SUT has various policies and procedures in place which directly or indirectly address sexual harm. A dedicated Safer Community team is in place who are responsible for responding to sexual harm complaints, escalating and managing these incidents and providing support to victims through co-ordinating access to services, investigating concerns, identifying risk, and establishing risk mitigation plans which is distinct from counselling support. The following policies (internal staff and publicly available documents) address sexual harm and response in varying degrees: For staff: 1. Responding to Sexual Harm Incidences work instruction 2. Sexual Harm Response Guidelines - Staff procedure 3. Helping a student after a sexual harm incident - Staff process flow 4. Complaints Management Guidelines 5. Child Safety Reporting process flowchart 6. Factsheet - Reporting child safety concerns 7. Factsheet - Responding to disclosures from children and young people 8. Responding to child safety concerns framework For Students: 9. Sexual Assault and Sexual Harassment student factsheet 10. Unacceptable behaviour 11. Student General Misconduct Regulations 12. Support for Students Policy 13. Improper conduct and whistleblowing guidelines		

Findings

In addition to the current policies in place relevant to sexual harm, SUT is also establishing a standalone policy (now drafted and titled as “Sexual Misconduct Draft Policy”). This draft policy is underway. BDO benchmarked this draft policy with the UA Sexual Harm Response Guidelines 2023 and practices of other universities and noted the following areas for potential improvement and inclusion:

1. The draft policy has not made references to relevant State and Federal legislation prohibiting behaviours that amount to sexual harm, including grooming and other predatory behaviour as required by the Sexual Harm Guidelines 2023.
2. The draft policy does not cover procedures for students who are also staff members.
3. The draft policy does not provide clear and transparent information about privacy and confidentiality obligations, explaining when and if confidentiality might need to be waived or when there may be mandatory reporting obligations (though this policy is included in another SUT policy).
4. The draft policy does not cover procedures for students under the 18 years of age (though this policy is included in another SUT policy).
5. The draft policy does not include information on potential sanctions that may be imposed on an alleged perpetrator if the university determines that misconduct has occurred (though this policy is included in another SUT policy).

BDO also benchmarked the “Sexual Misconduct Draft Policy” with other Universities’ Sexual Harm Response Policies and Procedures and noted the following opportunities for potential enhancement:

6. Clearly defining roles, responsibilities and procedures for various complaints against different stakeholder groups within SUT.
7. Distinguishing between disclosures and complaints and reporting options for each, as well as the support and help available throughout the reporting process.
8. Providing support mechanisms available for both parties involved in an alleged complaint or disclosure to ensure fair and impartial process adhering to principles of natural justice.
9. Including sections addressing a “No Victimisation” approach and provisions for “Raising a Grievance” if an employee feels victimised.
10. Specifying the different kinds of support available to a diverse set of student and staff population in the SUT’s website and draft policy.

Refer to Appendix 1 for details of the benchmarking.

Implications

- Lack of a standalone Sexual Harm Response Policy can increase risks of inconsistent practices being applied within SUT for handling sexual harm incidents. It increases risk of stakeholders not having information readily available to them at one location when needed to report, manage or escalate sexual harm cases.
- Potential non-compliance with the Sexual Harm Response Guidelines 2023 which has been established to advise best practices for preventing and managing sexual harm cases.
- Increased risk of reputational damage.

Recommendations

Management should consider the following:

1. Finalising the Sexual Misconduct Draft Policy as soon as possible and address all the gaps and improvement opportunities identified the findings above (and in Appendix 1).

2. Making the Sexual Misconduct Draft Policy publicly available on the SUT website.
3. Conducting periodic surveys and workshops to receive feedback from all SUT stakeholders regarding the Sexual Harm Response Policy and Procedures for continuous improvement and relativity.
4. Management should consider addressing the improvement opportunities noted when finalising their Sexual Misconduct Policy.

Management Comments / Responsible Person / Anticipated Completion Date

Management Comments	Responsible Person	Anticipated Completion Date
Agreed. The University will finalise the Sexual Misconduct Draft Policy but will rename it 'Sexual Harm Response Policy' by the end of Q3-2024, addressing timelines for response and case management, as well as all gaps and improvement opportunities identified in this audit. The Policy will be made publicly available on the SUT website. An annual process will be adopted to review the Policy, which will include engagement with relevant SUT stakeholders to receive feedback and enable continuous improvement and relativity.	Laura-Anne Bull & Rachel Russell	September 2024

FINDING / RECOMMENDATION 2		Control Rating	Medium Risk / Hazard	
Post-traumatic care and recovery support to be established				
Background				
The Safer Community team’s internal policy, “Responding to Sexual Harm Incidences work instruction” indicates the procedure to be performed by the team when a sexual harm disclosure or complaint is made. This included the following: 1. Case allocation: Rostered Duty Officer from the Safer Community team allocates cases within team members as soon as practical, ensuring an even distribution of workload where possible. 2. Record the incident: Team creates file on Perspective system as soon as possible to avoid information being lost. 3. Triage: Team member assesses level of risk involved and categorises the incident as low, medium or high. 4. Refer out if there is an immediate threat to safety: If a report indicates a live event or someone is hurt or an immediate threat to themselves or others, then appropriate referrals are made. 5. Where appropriate - advice and closure: Team member documents the outcome and closes the case if no further follow-up is necessary.				
Findings				
BDO noted that currently, there is no documented procedure in place to follow-up or check on the victim-survivor as well as the alleged perpetrator after a case is closed. Such a procedure should aim to check on the well-being of the victim-survivor, assess if they require any further assistance (e.g., access to counselling services, academic support, etc.) and provide appropriate support for their recovery process.				
Implications				
Without access to appropriate counselling, mental health services, and support resources, survivors of sexual harm (as well as the alleged perpetrator) may experience an exacerbation of their trauma symptoms, such as anxiety, depression, post-traumatic stress disorder (PTSD), and other mental health issues. This can significantly impair their ability to cope, recover, and function in their academic and personal lives.				
Recommendations				
SUT should consider establishing post-traumatic care and recovery procedures to support individuals who have experienced sexual harm incidents.				
Management Comments / Responsible Person / Anticipated Completion Date				
Management Comments		Responsible Person	Anticipated Completion Date	
Agreed.		Rachel Russell	September 2024	

Management Comments	Responsible Person	Anticipated Completion Date
SUT note that the Safer Community team currently refer victim-survivors to post-traumatic care resources, with the consent of the victim-survivor, however, follow-up with victim survivors and alleged perpetrators after a matter is closed is not represented in existing work instructions. The University will update existing work instructions within the Safer Community team to ensure that the following information is included: • After a case is considered closed, the level of follow-up with victim-survivors to facilitate referrals to post-traumatic care services. • The timeframe for which the follow-up with the victim survivor must occur after a case is considered closed. SUT notes that Counselling team at the Swinburne Health service is responsible for providing post traumatic counselling support to victim survivors. As such, the University will update existing work instructions within the Swinburne counselling service to ensure the following information is included: • The process Safer Community follows to refer victim survivors to the counselling service. • The timeframe for which the counselling team needs to follow-up with the victim survivor after they are referred by the Safer Community team. • The level of follow-up with victim survivors if they do not respond to an initial check in from the counselling team.		

FINDING / RECOMMENDATION 3		Control Rating	Low Risk/ Hazard	
Perspective Audit User Access and Logs to be reviewed				
Background				
The Perspective system is used for record-keeping practices for all SUT complaints including Sexual Harm incidents. All Sexual Harm complaints are given a unique case number and all documentation related to that case is stored within that file. The system has different levels of access ranging from 1 - 5, where level 5 is the highest level and can view all the sexual harm incident case logs in the system. All team members from the Safer Community Team, Security Managers and System Administrators have a level 5 access. Audit trails can also be generated from the system whereby last logins and types of logins are recorded.				
Findings				
1. BDO noted that the audit trail logs and activities are not monitored by the Safer Community Lead to ensure only appropriate personnel accessed the sexual harm case logs. 2. BDO also noted that "Student Residences" with Level 1 access had been kept "Unlocked" and active in the database though student residences administrators do not need to access the system.				
Implications				
Increased risk of breach of privacy and sensitive information of victim survivors and respondents, potentially leading to non-compliance to privacy regulations and reputational damage for SUT.				
Recommendations				
Management should consider the following: 1. Ensuring Perspective system User Logs are periodically reviewed by the Safer Community Lead to ensure appropriate use of Level 5 access. 2. Removing Student Residences administrative staff access from the system or ensuring that the access is kept locked in case deletion is not possible.				
Management Comments / Responsible Person / Anticipated Completion Date				
Management Comments		Responsible Person	Anticipated Completion Date	
Agreed. The Perspective system lead will provide access to the Safer Community lead to conduct quarterly reviews of User Logs to ensure appropriate use of Level 5 access. This will be updated in relevant work instructions.		Laura-Anne Bull & Rachel Russell	September 2024	

Management Comments	Responsible Person	Anticipated Completion Date
The University will review access for Student Residences administrative staff and staff access either removed or 'locked' as required.		

FINDING / RECOMMENDATION 4	Control Rating	Low Risk/ Hazard 
Student training related to Sexual Harm should be made mandatory and monitored		
Background		
Training on Sexual Harm Response is provided to staff through training modules released via the “ELMO” system, which is also used to monitor and report on training attendance for staff. These training materials cover topics on sexual harm, child safety and how to respond to an incident of sexual harm for staff and security staff. ELMO modules are assigned to all staff upon induction and have a 2-year recompletion required. Slide decks on Child Safety, Sexual Harm, Maintaining professional boundaries with young people and other misconducts are presented by the Safer Community Team during various workshops. The Child Safety ELMO Module includes training materials covering the 11 Child Safe Standards. All students are automatically enrolled into the "Talking About Consent" module on Canvas (student learning management system) and workshops on Consent are also provided during Orientation. Posters on sexual harm and consent are installed all over Melbourne campuses, and the SUT website has information regarding the Safer Community team and reporting options for any sexual harm incident. Regular workshops are also facilitated by the Safer Community team to raise awareness of sexual harm. Training/Workshops have also been facilitated for Student Residential Advisors for students living on campus and other Student Leaders at SUT.		
Findings		
BDO noted that the student compliance module “Talking About Consent” is not mandatory, and escalations and potential sanctions for students not completing this training has not been formalised yet.		
Implications		
Increased risk of student not completing the training materials on time could lead to them not being aware of the support available at campus, which in turn could also lead to under-reporting and an increased risk to their health and safety.		
Recommendations		
Management should consider the following: 1. Ensuring that all training materials on sexual harm response and support is made mandatory for both students and staff alike. 2. Monitor completion rates and in the case of low completion rates, investigate reasons for the same and sending out reminders to facilitate completion requirement. 3. Considering formalising escalation steps including potential sanctions when students do not complete their trainings modules. 4. Considering setting KPIs to monitor the training completion rates by students and staffs alike and reporting these KPIs on rates to the BRAM on a periodic basis		

Management Comments / Responsible Person / Anticipated Completion Date		
Management Comments	Responsible Person	Anticipated Completion Date
Agreed. The University are piloting mandatory “Talking About Consent” completion, where sanctions in the form of withholding results will be applied to students who do not complete this as required. Following the review of this pilot, all students from S1-2025 will be required to complete this mandatory module. The 2025 rollout of this module to all students will include a Communications Plan, and escalation steps including sanctions for students who do not complete this module. The University will establish targets for module completion rates for “Talking about Consent” and sexual harm training for staff and a process by which completion rates are monitored and reported through the Behavioural Risk Assessment Management (BRAM) Committee.	Laura-Anne Bull & Rachel Russell	January 2025

FINDING / RECOMMENDATION 5		Control Rating	Low Risk/ Hazard	
Safer Community Team KPIs should be established				
Background				
The Safer Community team is primarily responsible for handling and managing complaints and disclosures related to sexual harm. Their scope of work also includes establishing preventative measures for sexual harm such as training, workshops for students, etc. A Behavioural Risk Assessment Management (BRAM) Committee is in place to oversee and monitor student behavioural risk trends and incidents. The Safer Community team reports to BRAM on “Case Trends” on a quarterly basis, highlighting total referrals received for the quarter, the top 3 most reported behavioural risk categories and peak reporting months during the quarter. These numbers are also compared with the prior quarter’s numbers to show any trends. With respect to response timelines for sexual harm complaints, all referrals made to Safer Community must be responded to within 24 hours during Safer Community operational hours (Monday - Friday 9am - 5pm, excluding public holidays and university shut down periods). The Perspective database is used to record all data related to sexual harm complaints and disclosures. The Safer Community team is required to record information on Perspective within 2 working days of receiving a complaint.				
Findings				
1. BDO noted that the Safer Community team does not have established / formalised measurable KPIs. 2. The turnaround time for responding to complaints by the Safer Community team is not publicly available for students and staff to access.				
Implications				
Increased risk of: • Lack of clarity and focus on the team’s strategy and objectives. • Inefficient resource allocation, reduced individual accountability, and difficulty in tracking progress. • Students and staff not having an idea of the process for managing a sexual harm complaint, resulting in resistance in reporting and underreporting. • The Safer Community team not responding to cases in a timely and effective manner, affecting the overall welfare of victim-survivors.				
Recommendations				
Management should consider the following: 1. Ensuring that measurable KPIs are established for the Safer Community team. 2. Reporting on the KPIs established to BRAM on a periodic basis. Regularly monitor and review these KPIs to ensure that goals are being met, resources are allocated effectively, and continuous improvement efforts are focused on the right areas. 3. Considering including the timelines to respond and manage sexual harm cases in the Sexual Misconduct Draft Policy, which is to be made public, for access by all SUT stakeholders.				

Management Comments / Responsible Person / Anticipated Completion Date		
Management Comments	Responsible Person	Anticipated Completion Date
Agreed. The University will review KPIs for the Safer Community team and ensure measurable targets are identified and set. These will be periodically reported to the Behavioural Risk Assessment Management (BRAM) committee. The draft Sexual Harm Response Policy will include timelines for response and management of sexual harm cases and will be publicly available for all SUT stakeholders.	Laura-Anne Bull & Rachel Russell	December 2024

APPENDIX 1: Benchmarking - Sexual Harm Response Guidelines 2023 and Other Universities' Policies

Sexual Harm Response Guidelines 2023 Requirements	SUT Sexual Misconduct DRAFT Policy	Gaps Identified	Included in Other SUT Policies?	Other Universities' Policy Items	Improvement Opportunity
Policy covers the following: - Convey the importance of understanding that students' experiences and response to sexual harm may be diverse - Provide an effective response, prevention, and policy framework to address sexual harm. - Take into account universities' role in educating the workforce of today and into the future.	Section-Principles	No	Yes - Guidelines for Responding to Sexual Harm - Handling disclosures process flow- Staff process flow	Benchmarked policy further defines the following: - Complaints against employees - Complaints against vice-chancellor or member of council - Disciplinary action against employees covered by the enterprise agreement - Disciplinary action against employees covered by common law contracts - Complaints and decisions against students	Opportunity to clearly define roles, responsibilities and procedures for various complaints against different types of SUT stakeholders.
Apply trauma-informed care and practice principles.	Section-Principles	No	Yes - Guidelines for Responding to Sexual Harm - Responding to Sexual Harm Incidences work instruction	Covered under procedures.	-
Provide clear and transparent information about supports available to a student who reports or discloses an allegation that they have experienced sexual harm.	To be covered under Procedures but not detailed out yet.	No	Yes - Guidelines for Responding to Sexual Harm - Handling disclosures process flow- Staff process flow - Responding to Sexual Harm Incidences work instruction	Covered under Support and advice.	-

Sexual Harm Response Guidelines 2023 Requirements	SUT Sexual Misconduct DRAFT Policy	Gaps Identified	Included in Other SUT Policies?	Other Universities' Policy Items	Improvement Opportunity
Apply a 'no wrong door' approach.	Section-Principles	No	Yes - Guidelines for Responding to Sexual Harm - Handling disclosures process flow- Staff process flow - Responding to Sexual Harm Incidences work instruction	Covered under procedures.	
Provide all reporting options available to a student who alleges that they have experienced sexual harm: - Any anonymous reporting option. - Informal options. - Formal reporting options, including to - Police, and whistleblowing or protected - External options to the Australian Human Rights Commission, Fair Work Ombudsman or local state/territory bodies. - Compliance with mandatory reporting obligations if a student is under the age of 18 years.	To be covered under Procedures but not detailed out yet.	No	Yes - Guidelines for Responding to Sexual Harm - Handling disclosures process flow- Staff process flow	Benchmarked policy procedure categorised into: - Support and advice - Making a disclosure - Making a complaint - Managing disclosures - Managing complaints	Opportunity to distinguish between disclosures and complaints and reporting options for the same, and the support and help available throughout the reporting process.
Provide clear and transparent information about privacy and confidentiality obligations, explaining when and if confidentiality might need to be waived or when there may be mandatory reporting obligations.	Not covered	Yes	Yes - Guidelines for Responding to Sexual Harm - Responding to Sexual Harm Incidences work instruction	Benchmarked policy covered it under "Transparency, Limited Confidentiality and Use of information".	Opportunity to mention confidentiality obligations at SUT and specify exceptions where confidential information could be disclosed either to comply with law or other exceptions.
Procedures for Students under the 18 years of age	Not covered	Yes	Yes	Covered under "Managing Complaints" and "Reports to the	Opportunity to specify the difference in

Sexual Harm Response Guidelines 2023 Requirements	SUT Sexual Misconduct DRAFT Policy	Gaps Identified	Included in Other SUT Policies?	Other Universities' Policy Items	Improvement Opportunity
			- Guidelines for Responding to Sexual Harm - Responding to Sexual Harm Incidences work instruction - Child Safety Reporting process flowchart - Factsheet - Responding to disclosures from children and young people - Responding to child safety concerns framework	police and other external regulatory bodies".	approach and mandatory reporting obligations for students underaged students.
Procedures for Students who are staff members	Not covered	Yes	No	Covered under "Preliminary assessment and investigation".	Opportunity to specify procedures in case of complaints against students who are also staff members.
Positive duty- proactive approach which aims to prevent sexual harm.	Section-Principles	No	No	Covered under "Policy" section.	-
Natural justice to include procedures for: - The person against whom a formal report or disclosure has been made - The person who has made a formal report or disclosure	Section-Principles	No	Yes - Guidelines for Responding to Sexual Harm - Responding to Sexual Harm Incidences work instruction	Covered under "Preliminary assessment and investigation". This policy also outlines support available for both complainant and respondents under "Support for those involved in a disclosure or complaint". The policy also provides for "No victimisation" whereby an employee can access "raise a grievance" if they feel victimised.	Opportunity to provide support available for both parties involved in an alleged complaint or disclosure to apply fair and natural justice. Opportunity to include sections for "No Victimisation" approach and provisions for "Raising a Grievance" if an employee feels victimised.

Sexual Harm Response Guidelines 2023 Requirements	SUT Sexual Misconduct DRAFT Policy	Gaps Identified	Included in Other SUT Policies?	Other Universities' Policy Items	Improvement Opportunity
Key information in a sexual harm policy- refer to relevant state and federal legislation prohibiting behaviours that amount to sexual harm, including grooming and other predatory behaviour.	Not covered in the Draft Policy yet.	Yes	No	Benchmarked policy specifies all relevant acts and university legislations.	Opportunity to make references to all relevant acts and legislations.
Key information in a sexual harm policy- Include information on potential sanctions that may be imposed on an alleged perpetrator should the university determine that misconduct has occurred.	Not covered in the Draft Policy yet.	Yes	Yes - Integrity- People, Culture & Integrity Policy	Benchmarked policy specifies all "Decisions made under this policy" regarding any sanctions.	Opportunity to mention all sanctions applicable to the alleged preparator should the outcome be in favour of the victim.
Key information in a sexual harm policy- Be publicly available and readily accessible.	Not finalised yet	Yes	N/A	Benchmarked policies are publicly available.	Opportunity to make the policy public when finalised.
The difference between a disclosure and a formal report.	To be covered under Procedures but not detailed out yet.	No	Yes - Guidelines for Responding to Sexual Harm - Responding to Sexual Harm Incidences work instruction	Benchmarked policy clearly specifies the different procedures for complaints and disclosures.	Opportunity to clearly specify the different procedures in place for managing and escalating complaints and disclosures.
Acknowledging diversity and prioritising the needs of the student population (women, Students with disability, Students from culturally and religiously diverse backgrounds, Aboriginal and Torres Strait Islander students, LGBTIQ+ students and Postgraduate students).	Section- Principles	No	Yes - Guidelines for Responding to Sexual Harm - Responding to Sexual Harm Incidences work instruction	Universities' Misconduct webpage provides for all help available to students, which has been divided into: - Safer Community Program - Counselling and Psychological Services - Student Equity and Disability Support - Trans and gender diverse support	Opportunity to include and specify different kinds of support available to a diverse set of student and staff population in the SUT's website and Draft policy.
Keeping records	To be covered under Procedures but not detailed out yet.	No	Yes - Responding to Sexual Harm Incidences work instruction	Covered in "Information, Reports and Record-keeping".	N/A

APPENDIX 2: Limitations of our Work

The Services BDO have provided are advisory in nature and have not been conducted in accordance with the standards issued by the Australian Auditing and Assurance Standards Board and consequently no opinions or conclusions under these standards will be expressed.

Because of the inherent limitations of any internal control structure, it is possible that errors or irregularities may occur and not be detected.

The matters raised in our report are only those which have come to our attention during the course of performing our procedures and are not necessarily a comprehensive statement of all the weaknesses that exist or improvements that might be made.

Our work is performed on a sample basis; we cannot, in practice, examine every activity and procedure, nor can we be a substitute for management's responsibility to maintain adequate controls over all levels of operations and their responsibility to prevent and detect irregularities, including fraud.

Any projection of the evaluation of the control procedures to future periods is subject to the risk that the systems may become inadequate because of changes in conditions, or that the degree of compliance with them may deteriorate.

Recommendations and suggestions for improvement should be assessed by management for their full commercial impact before they are implemented.

We believe that the statements made in this report are accurate, but no warranty of completeness, accuracy, or reliability is given with respect to the statements and representations made by, and the information and documentation provided by SUT.

This report is intended solely for the information and internal use of SUT in accordance with our contract and is not intended to be and should not be used by any other person or entity. No other person or entity is entitled to rely, in any manner, or for any purpose, on this report.

We do not accept or assume responsibility to anyone other than SUT for our work, for our report, or for any reliance which may be placed on our report by any party other than SUT.

1300 138 991

www.bdo.com.au

AUDIT • TAX • ADVISORY

NEW SOUTH WALES

NORTHERN TERRITORY

QUEENSLAND

SOUTH AUSTRALIA

TASMANIA

VICTORIA

WESTERN AUSTRALIA

BDO Services Pty Ltd ABN 45 134 242 434 is a member of a national association of independent entities which are all members of BDO Australia Ltd ABN 77 050 110 275, an Australian company limited by guarantee. BDO Services Pty Ltd and BDO Australia Ltd are members of BDO International Ltd, a UK company limited by guarantee, and form part of the international BDO network of independent member firms. Liability limited by a scheme approved under Professional Standards Legislation.

