

Swinburne University

Independent review responding to AHRC Change the Course report recommendations

Swinburne University

September 2018

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1 Executive summary

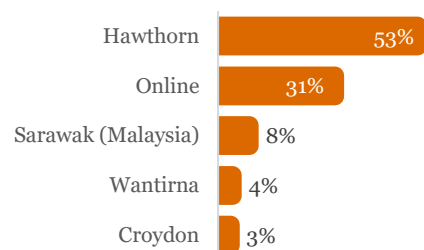
1.1 Background & context

Swinburne University

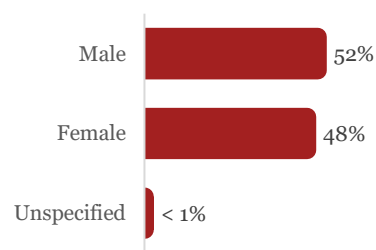
Swinburne University ('Swinburne') was founded over 100 years ago as the Eastern Suburbs Technical College, and has grown to become one of Victoria's leading universities. Throughout this review we have considered Swinburne's unique features, including:

- Three major campus location in Hawthorn, Croydon and Wantirna. In addition, Swinburne operate a significant online campus, as well as a campus in Sarawak, Malaysia
- A total of approximately 2,500 (FTE) academic and professional staff members
- A total student headcount of approximately 60,000 students across all campuses, including approximately 600 students housed in residences at the Hawthorn campus
- A diverse student population across two main teaching areas; higher education, and vocational education. Swinburne offer courses in a broad range of disciplines, from apprenticeships to PhDs
- Approximately 5,000 onshore international students.

Student enrolment by campus



Student breakdown by gender



Source: Swinburne University Annual Report 2017.

Focus on Sexual Assault and Sexual Harassment at Swinburne

Following from the *Change the Course* report which was released by the Australian Human Rights Commission (AHRC) in 2017, the prevention of, and response to sexual assault and sexual harassment is an area of national focus across Australian universities.

Key findings of the *Change the Course* report included:

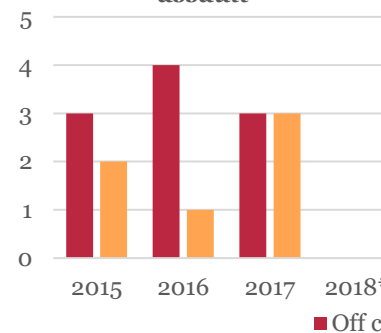
- The prevalence of sexual harassment and sexual assault in university settings is unacceptably high
- There is significant underreporting of sexual harassment and sexual assault to universities, and
- Universities need to do more to prevent incidents from occurring, and respond appropriately.

Key findings of the *Change the Course* report specific to Swinburne included:

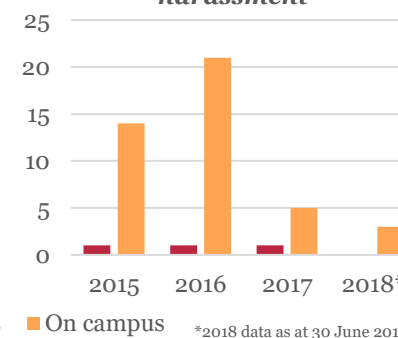
- 56% of Swinburne students who participated had experienced some form of sexual harassment in the last year, including both on and off campus settings
- 17% of respondents had experienced sexual harassment at Swinburne in a university setting in 2016
- 3.8% of respondents were the victim of a sexual assault off campus in 2015-16
- 0.2% of respondents were the victim of a sexual assault in a university setting in 2015-16.

Separate to the *Change the Course* report survey, Swinburne record all reported incidents of sexual assault and sexual harassment. The graph below shows the number of reported incidents of sexual violence at Swinburne since 2015.

Reported incidents of sexual assault



Reported incidents of sexual harassment



*2018 data as at 30 June 2018

Source: Swinburne University website, 'Preventing sexual assault and sexual harassment'.

1.2 Scope & approach

The *Change the Course* report included a series of recommendations for university Vice-Chancellors to consider and action to help address the issues that were highlighted in the report. All of these recommendations were accepted by Swinburne. PwC were engaged by Swinburne to respond to two of these recommendations, as follows:

- Recommendation 4 - Conduct an independent, expert-led review of university policies and response pathways in relation to sexual assault and sexual harassment, and make specific recommendations about best practice responses
- Recommendation 9 – Review factors which contribute to sexual assault and harassment in residences.

A summary of the agreed scope of the review is outlined below:

 1. Planning & Scoping	➤ Agree on the vision of success for the review ➤ Refine and agree project approach and scope, as well as relevant student and staff stakeholders ➤ Identify relevant policies and procedures for review
 2. Policy and Pathway Review	➤ Review available AHRC survey data and Swinburne data ➤ Review Swinburne policies, procedures and guidance documentation (Refer to Appendix A for a list of Swinburne policies and procedures included in the review) ➤ Perform walkthroughs with key Swinburne staff stakeholders to understand and assess practical implementation and experience of policies, procedures and guidance (Refer to Appendix B for a list of Swinburne staff stakeholders who participated in interviews as part of the review)
 3. Qualitative consultations	➤ Develop and launch online student feedback form ➤ Undertake focus groups with Swinburne residential stakeholders and relevant staff (including staff and Residential Advisors)
 4. Report Development	➤ Follow up and synthesise key findings from the policy and pathway review and qualitative consultations ➤ Draft observations and areas for improvement and socialise with key stakeholders ➤ Present final report to Swinburne stakeholders

Our review has been conducted with reference to a range of external reports and good practice guidance documentation, including:

- Australian Human Rights Commission (AHRC), *Change the Course* report, 2017
- UNSW, *On Safe Ground (good practice guide for Australian Universities)*, 2017.

1.3 Key observations

Alignment with good practice guidance

Swinburne have undertaken significant work to date in improving their processes for the prevention of, and response to sexual assault and sexual harassment, and aligning with good practice guidance.

Positives observations and examples of Swinburne's alignment with good practice include:

- Demonstration of a commitment to improvement, including committing to implementation of all recommendations from the AHRC *Change the Course* report
- Collaboration with other Victorian universities and Victoria Police to share insights and knowledge, through the Victorian Vice Chancellor Committee (VVCC) Safe Campus Working Group
- Regular engagement with external, specialist support services, to enhance the level of support that the University is able to offer to victim/survivors
- Creation of committees and advisory bodies, including a Respect. Now. Always (RNA) Taskforce, focused on driving change, and promoting education and awareness
- Safer Community – a unit dedicated to preventing and responding to sexual assault and safety issues, which plays a case management role for sexual violence incidents
- Health & Wellbeing services – provision of access to medical professionals, as well as counsellors who have specialist training in sexual assault and domestic violence.
- Confidential and independent student advocacy services providing advice to students and advocating for them when navigating Swinburne's policies and procedures
- Further specialist support is available to students who may have specific and complex needs, provided by Academic Coordinators and International Student Advisors
- Swinburne operate an out-of-hours crisis line, with access to qualified crisis support workers, as well as a separate urgent assistance line for international students
- Swinburne staff recognise the benefits of synchronised response services, and seek to ensure a co-ordinated response to sexual violence, through formal and informal collaboration and communication between different support services
- Engaged staff who embody Swinburne's values and guiding principles. During our stakeholder interviews, staff consistently demonstrated a commitment to supporting improvement and change
- Delivery of a suite of training modules to students and staff, supported by additional awareness and education initiatives
- Compulsory training for Swinburne student residents has been strictly and proactively enforced through the residential licence agreement. This has resulted in a 99% completion rate as at July 2018

Executive summary

- Regular trend analysis over reported incidents of sexual violence is used by Safer Community to inform decision making and allocation of resources
- Development of policies and procedures to support Swinburne's processes. These documents are victim-centric, and free from engendering
- Definitions of sexual assault and sexual harassment are provided in Swinburne's formal documentation. These are consistent and aligned with good practice guidance
- Swinburne Student Residences have taken a clear and strong stance in relation to alcohol on residences, in order to reduce the risks associated with alcohol consumption
- Swinburne have developed a university-wide communications strategy in response to the Respect. Now. Always. initiative. This provides a framework for spreading awareness and understanding of the initiative at Swinburne
- A range of physical security controls and measures, including 24 hour presence of security staff for residences and the Hawthorn campus.

Further details of the ways in which Swinburne's prevention of, and response to sexual assault and sexual harassment are aligned with good practice are provided in Section 2.

Areas for improvement

Our review has identified a number of key areas for improvement for Swinburne, as well as further, additional opportunities to better align with leading practice (see table below). These have been categorised with reference to the key elements of Swinburne's prevention of, and response to sexual assault and sexual harassment (refer to section 1.4).

Key areas for improvement identified through this review include:

- The approach towards investigations of allegations of sexual assault and sexual harassment can vary between staff
- Lack of clarity over the role of Swinburne's Safer Community and Health & Wellbeing services. Further, the *Change the Course* report identified that 55% of participants from Swinburne knew nothing or very little about where to seek support at Swinburne
- Training modules available to students are not universally accessible. In addition, our engagement with students highlighted that misconceptions around sexual assault and sexual harassment persist even for students who have completed Swinburne's training modules
- Low completion rates of mandatory and voluntary staff training modules. Further, enhanced awareness and education of staff could be achieved through delivery of targeted training modules
- Stakeholders indicated that they have experienced difficulty in navigating and implementing Swinburne's policies, procedures and guidance documents due to the fragmented nature of the documentation

- Whilst Swinburne does not have direct control over nightlife venues near to campuses, students report that a number of these are 'hot spots' for sexual harassment. There is an opportunity for Swinburne to work with these venues in order to identify and mitigate the risk of sexual assault or sexual harassment.

A full list of the areas for improvement which have been identified is as follows:

Primary prevention
➤ Primary prevention planning
➤ Accessibility of student training
➤ Student awareness and preparedness
➤ <i>Additional opportunity - International student training</i>
Early intervention
➤ Trend analysis and risk identification
➤ <i>Additional opportunity – Relationships with nightlife venues</i>
Incident/ emergency response
➤ Off-site trips and travel
➤ Anonymous reporting of incidents
Counselling, support and recovery
➤ <i>Additional opportunity – Support for domestic students</i>
Investigation/ disciplinary processes
➤ Initial investigation and fact gathering
➤ Reporting to Police
➤ General misconduct in Student Residences
Continuous improvement
➤ <i>Additional opportunity – Feedback on University response services</i>
Recording & reporting
➤ Systems for data capture and reporting
➤ Reporting to the Executive Leadership Team
Policies & procedures
➤ Policies, procedures and supporting guidance
➤ Definitions of key concepts
➤ Express prohibition of sexual assault and sexual harassment
Roles & responsibilities
➤ Safer Community and Health & Wellbeing services
Culture and capabilities
➤ Staff training completion
➤ Staff training and awareness
➤ <i>Additional opportunity – Shared accountability</i>

Further details of the identified areas for improvement are provided in Section 3.

Our observations are based on:

- Review of Swinburne's formal documentation and guidance relating to sexual assault and sexual harassment (refer to Appendix A)
- Interviews and a focus group with key Swinburne staff members (refer to Appendix B), all of whom are based at the Hawthorn campus
- Face to face student engagement using a focus group. We provided multiple opportunities for Swinburne residential students to engage with us face to face. In total, twenty residential students participated in the focus group
- An online voluntary student feedback form (completed by 163 students).

It was not within the scope of this work to test the operation of the policies and procedures in practice, however this could be a worthwhile investment for Swinburne to make in the future. Each of the recommendations made in this report are important to Swinburne improving their policies, pathways and procedures for the prevention of, and response to, sexual assault and sexual harassment. Therefore, we have not prioritised the recommendations in this report.

We would like to thank all of the Swinburne staff and other stakeholders who were involved with this review, for their considerable time and effort in assisting our review activities.

Each of our observations and recommendations have been identified through our assessment of the policies, pathways and procedures at Swinburne and discussed and agreed with the Vice President (Students).

Julie McKay

1.4 Prevention of, and response to, sexual assault and sexual harassment

In order to assist us in developing our understanding of the challenges facing Swinburne with regard to sexual assault and sexual harassment, the following model was used to categorise and describe the key elements involved in the prevention of, and response to sexual assault and sexual harassment at Swinburne.



This model identifies the key elements that comprise the way in which Swinburne seeks to prevent and respond to instances of sexual assault and harassment:

- Primary prevention of sexual assault and sexual harassment through formal and informal training, and other awareness and prevention initiatives
- Early identification of warning signs or risk indicators (eg through referrals or via trend analysis of aggregate data), and appropriate intervention by qualified staff
- Emergency response processes which prioritise ensuring the safety and security of students and staff. This may include the involvement of emergency services
- Ongoing counselling and other support for affected individuals, including in the immediate aftermath of an incident and as part of long term recovery
- All incidents are investigated by an appropriate body (eg Authorised Misconduct Officers, Safer Community, Student Residences staff, etc), and disciplinary action is taken where required
- Lessons learnt from individual incidents or trend analysis are used to continuously improve Swinburne's approach
- Appropriate records are maintained and used for regular reporting and analysis.

The key component parts of this model are supported by a suite of policy and procedure documentation, formally assigned roles and responsibilities, management of cases by key stakeholders, and a collaborative culture supported by trained and qualified staff, all of which drive Swinburne's victim-centric approach.

The areas for improvement, and associated recommendations that have been identified in Section 3 below have been aligned to the key component parts of this model.

2 Alignment with good practice

Our review has noted instances where Swinburne's key processes and activities are aligned with good practice guidance. These positive observations, as well as opportunities for further alignment with good practice, are detailed below.

No.	Observation	Further opportunities
1.1	Commitment to improvement Swinburne has demonstrated a commitment to the prevention of, and response to, sexual assault and sexual harassment. This includes: • Swinburne's Vice- Chancellor has publicly committed to implement all of the recommendations in the AHRC <i>Change the Course</i> report • Swinburne have committed to the Respect. Now. Always. initiative, a national initiative which seeks to prevent sexual assault and sexual harassment by raising awareness, supporting students and staff requiring assistance and giving bystanders the confidence to speak up • Engagement of an independent expert to review policies, pathways and processes relating to sexual assault and sexual harassment, as well as the factors which contribute to sexual assault and sexual harassment (focussing on residences) in order to further develop the University's prevention and response mechanisms • Swinburne's commitment is recognised by students, who responded positively to the inclusivity of the Swinburne culture, and their general experience as a student.	Continue to build on the significant progress to date, and maintain commitment to further improvement. This should include implementation of all recommendations of the AHRC <i>Change the Course</i> report.
1.2	Collaboration with external agencies Swinburne is an active member of the Victorian Vice Chancellor Committee (VVCC) Safe Campus Working Group. The group acts as a forum for Victorian universities to share information, practices and policies in promoting safe university campuses. In addition, Swinburne has used the VVCC to build a relationship with Victoria Police. This has allowed Swinburne to gain valuable insight. Swinburne have used input from Victoria Police in training and awareness sessions delivered to staff. The engagement with Victoria Police extends beyond the leadership level, with the Health and Wellbeing service and Safer Community Unit stating that they have established strong collaborative working relationships with Victoria Police.	Continue to facilitate discussion and collaboration with other universities, and with Victoria Police. Management should seek out opportunities to use the expertise of Victoria Police to improve case management, share valuable resources (eg for training and awareness of students and staff), and build on information.

No.	Observation	Further opportunities
1.3	External support services External support agencies are used to enhance the level of support that Swinburne is able to offer to victim/survivors. These include: • 1800 RESPECT • Women's Information (WIRE) • Access Health (Headspace) • State Government advice and support • Eastern Centre Against Sexual Assault (ECASA) • Eastern Domestic Violence Service (EDVOS) • Victorian legal aid Details of available services are communicated to staff and students through training modules, online guidance, policies and procedures, and other awareness initiatives.	Continue to ensure that staff and students are aware of the external support agencies that they can contact. Swinburne should continue to build relationships with external support agencies. Collaboration with external agencies can enhance the management of cases of sexual assault and sexual harassment.
1.4	Internal committees and advisory bodies Swinburne has developed a number of internal committees and advisory bodies to facilitate internal communication and ensure a continued focus on response to, and prevention of, sexual assault and sexual harassment. These include: • RNA Taskforce, an advisory body to guide the implementation of the AHRC recommendations and related University actions, and to promote education and awareness of the Respect. Now. Always. initiative across the University • Complex Case Management Team, a panel made up of key University stakeholders who share information and discuss the approach to serious cases, to ensure the University implements an informed, consistent and appropriate response.	Continue to utilise the identified committees and advisory bodies, in order to ensure that there is continued focus on response to, and prevention of sexual assault and sexual harassment. Management should ensure that committees are appropriately diverse and representative of the University community, including sufficient representation of all key stakeholders (eg gender, cultural background, sexual orientation, etc).
1.5	Safer Community Swinburne has created a unit, Safer Community, which is dedicated to preventing and responding to sexual assault and other safety issues. Safer Community is responsible for case management of incidents of sexual assault and sexual harassment, and seek to ensure that the response to all referrals and incident reports is effective and appropriate in accordance with the nature of the incident. Members of the Safer Community team have all undertaken substantial training to prepare them for this role.	Continue to support and promote the work of Safer Community. With reference to Observation 2.19, ensure that staff and students have a clear understanding of the role and remit and accessibility of Safer Community.
1.6	Health and Wellbeing services Swinburne's Health and Wellbeing service provides students with access to medical professionals, as well as counsellors who have specialist training in sexual assault and domestic violence. The service also has expertise working with people from culturally and linguistically diverse backgrounds, mental health, drug and alcohol abuse and dual diagnosis. The health service has also organised for the local specialist family violence service to operate within their service one day a week. The service was restructured in 2017 to combine health and counselling services, in order to reduce waiting times and provide a more integrated and efficient service. In addition, the Health and Wellbeing service have implemented an out-of-hours crisis line for any students or staff members requiring immediate support.	Continue to prioritise provision of specialist professional support for staff and students. Management should ensure that staff and students have a clear understanding of the role and remit of the Health and Wellbeing service, in order to ensure that the support available is used in practice by stakeholders who require it (refer to Observation 2.19).

No.	Observation	Further opportunities
1.7	Student advocacy services Swinburne's Student Life team provides a free, confidential and independent advocacy service for all current students. The service is in place to provide advice to students to assist them in navigating Swinburne's policies and procedures and advocate for them during any formal processes. This service aligns with good practice; the <i>On Safe Ground</i> guidance identifies advocacy as a key element to be considered as part of any institutional plan to address sexual assault¹.	Continue to provide independent advocacy services. Management should seek to ensure that Swinburne's formal documentation is clear and consolidated, so that navigating through key processes is as straightforward as possible (refer to Observation 2.15).
1.8	Further support services In addition to the support offered by Safer Community, Health and Wellbeing Services and Student Advocacy, further Swinburne support services are available to students, in order to address specific student needs. This includes: • Access to an Academic Development Coordinator • Access to International Student Advisors for international students	Continue to offer support to those that require it. Consider feedback of victim/survivors or others who have required support, in order to identify further opportunities to improve the level of support that is available.
1.9	Out-of-hours crisis support Swinburne operate a crisis phone line for students, available 24 hours a day on weekends and public holidays, and outside business hours on weekdays. The service is equipped to provide immediate, short-term help from qualified crisis support workers when callers need support to deal with current problems in living that are overwhelming their capacity to cope, and may be threatening their safety. In addition, a separate phone line is available for international students, also available 24 hours a day on weekends and public holidays, and outside business hours on weekdays. This may be used for any urgent issues faced by an international student.	Ensure that the availability of out-of-hours support phone lines are advertised and promoted to the student population, in order to maintain a strong level of awareness of the support that is available.
1.10	Co-ordinated support services Our stakeholder interviews highlighted that staff who are involved in providing support to students recognise that there may be links between behavioural issues, mental health issues and incidents of sexual assault and sexual harassment. As such, whilst a broad range of support services may be involved in supporting a student (Safer Community, Health and Wellbeing services, student residence staff, student advisors, etc), staff seek to ensure a co-ordinated response through formal and informal collaboration and communication between different support services.	Continue to recognise the value of a co-ordinated response, particularly for students with diverse and complex support needs, as well as a culture of collaboration and communication between support services.

¹ UNSW, *On Safe Ground (good practice guide for Australian Universities)*, 2017, pg. 37.

No.	Observation	Further opportunities
1.11	Staff engagement Swinburne regularly seek to engage staff and students (eg through training and awareness initiatives). Our review involved interviewing a range of University stakeholders. We noted that staff were engaged and had a good understanding of key policies and procedures, as well as the challenges faced by the University. Staff demonstrated a willingness to drive change and improve Swinburne's processes.	Continue to engage staff and promote a collaborate culture which seeks to actively drive change and improvement of Swinburne's response to, and prevention of, sexual assault and sexual harassment.
1.12	Staff training and awareness Staff capability has been improved through a range of mandatory and voluntary training modules as a means of educating staff and raising awareness of the importance of prevention of, and response to, sexual assault and sexual harassment. This includes: - Mandatory <i>Working Together</i> module for all staff, including a focus on sexual harassment - Mandatory <i>Consent Matters</i> training for all Student Life staff - Mandatory training on prevention, bystander and response procedures for Residential Advisors Further voluntary training for staff including responding to disclosures and bystander training.	Continue to drive training and awareness initiatives for staff, to ensure a continued focus in this area. The uptake of some training modules has been low. Swinburne should focus on increasing uptake through the recommendations in Observation 2.20.
1.13	Student residents training In 2018, the induction module and the <i>Consent Matters</i> training module was made compulsory for all residents as part of their residential licence agreement. Strict and proactive enforcement resulted in a 99% completion rate of <i>Consent Matters</i> for current residents as at July 2018. In addition, further (non-mandatory) training modules are available for residents and students. Residential Advisors indicated that they were satisfied with the quality of training they had received, and appeared to be proud and proactive leaders.	Continue to drive training and awareness initiatives for residents and students more broadly to ensure a continued focus in this area.
1.14	Risk identification and trend analysis Safer Community carry out detailed trend analysis on reported incidents of sexual assault and sexual harassment (as well as on other incidents reported to Safer Community) on a monthly basis. The outcomes are used to inform decision-making and allocation of resources.	Continue to analyse recorded data. Further, management should ensure that analysis is performed over aggregated data for the University, rather than in isolation (refer to Observation 2.5).
1.15	Policies and procedures Swinburne has developed a suite of policies and procedures, which clarify and formalise Swinburne's key processes. In addition, our review noted: - Policies and procedures are victim-centric in nature, in accordance with good practice guidance - Documentation is free from engendering	Further consolidation and clarification of policies and procedures is required to ensure that Swinburne's key policies and procedures are clear and accessible to all users. Refer to the Observations in Section 2 below.

No.	Observation	Further opportunities
1.16	Definitions of key terms Where definitions of sexual assault and sexual harassment are provided in Swinburne's formal documentation or online guidance, the definitions are consistent, and aligned with good practice guidance. Definitions are taken from relevant state legislation, or from the AHRC <i>Change the Course</i> report.	Continue to educate staff and students about the definition of sexual assault and sexual harassment, and ensure that other key concepts are also defined in line with good practice (refer to Observation 2.17).
1.17	Alcohol consumption Swinburne Student Residences have taken a clear and strong stance on alcohol on residence, including: - Banning parties and private functions in residences - Banning alcohol in common/ public spaces in the residences during revision week (SWOTVAC) and exam periods - On-site events where alcohol is available undergo a risk assessment, and have a physical security or staff presence. In addition, responsible and safe management of the campus bar is the responsibility of the Swinburne Student Union. Swinburne strictly control and monitor the use of the bar through the Occupancy Licence Agreement. Based on our engagement with a limited number of students, it appeared that while drinking and partying does exist among students and within residences, there is not a dominant culture of binge drinking or peer pressure to drink excessively. Students indicated that this has existed previously. A recent cultural shift, partly due to initiatives introduced by Swinburne since management of residences was brought in-house in 2015, has promoted a moderated and responsible approach to drinking. Through our online feedback form, some students still reported experiencing pressure to drink during their time at Swinburne.	Continue to take measures to ensure that students and residents have a clear understanding of the University's expectations in relation to alcohol, and of the risks that arise in association with alcohol consumption.
1.18	Communication strategy As part of Swinburne's response to the Respect. Now. Always. initiative, Swinburne developed a university-wide communications strategy in 2016. This strategy provides a framework to guide Swinburne's involvement in the initiative, and identifies key audiences, messages and activities to be used to support the initiative. The communication strategy incorporates a wide range of measures to be used to raise awareness of the initiative including regular communications to students and staff, media coverage, merchandise, awareness events, posters and digital signage.	Continue to support and promote the Respect. Now. Always. initiative. In addition, management should review the outcomes of implementation of the communications strategy on a regular basis, and assess benefits realisation.

No.	Observation	Further opportunities
1.19	<i>Physical security measures</i> Swinburne has introduced a number of physical security measures aimed at cultivating a safe and secure University environment. This has included: • A 24/7 security presence available for residences and on the Hawthorn campus • A security escort service for any students who feel unsafe • A night bus service at the Hawthorn campus which will take students safely to their destinations • The 'Safe@Swin' mobile application, which provides access to contacts for campus security and student support services, links to report emergencies and safety issues, personal safety tools, and campus maps • Based on our engagement with a limited number of students, it appeared that there is general satisfaction with Swinburne security staff, although there are some concerns in relation to the overall safety and security of campuses at night (particularly when walking between Swinburne's Hawthorn campus and Glenferrie Station).	Continue to invest in physical security measures and security staff, and seek to introduce further safety and security measures where risk areas are identified. This should be informed by reports of historic incidents and trend analysis.

3 Areas for improvement

Primary Prevention

Primary prevention	Early intervention	Incident/emergency response	Counselling, support & recovery	Investigation/disciplinary processes	Continuous improvement	Recording & reporting	Policies & procedures	Roles & responsibilities	Case management	Culture & capabilities
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No.	Observation	Recommendation
2.1	Primary prevention planning Primary prevention involves education and awareness raising including the implementation of preventative strategies, and delivery of training and awareness initiatives. The <i>On Safe Ground</i> guidance recognises that “educating and challenging young people about healthy relationships, abuse and consent is critical.”² A range of sexual assault and sexual harassment awareness and training sessions are administered each year by Safer Community, Health and Wellbeing Services, Residences and other key University stakeholders. Our review noted: - Whilst individual departments or units (eg Safer Community, Health and Wellbeing Services, etc) are responsible for their own training and awareness programs, there is a lack of a co-ordinated or consolidated plan for the University (eg for each academic year). - Management advised that a significant number of training and awareness sessions are delivered on an ad-hoc basis, often in response to a particular incident or request for training - A co-ordinated plan for the University’s training and awareness sessions should consider the most effective and efficient ways to use University resources in order to ensure: - Number of students and staff who have access to training and awareness sessions is maximised - Collaboration between individual departments or units, to minimise duplication of training and awareness sessions and focus on high risk areas - Sufficient resources are dedicated to all University campuses - Risk of ‘overloading’ students and staff with information at certain times of the year (eg O-week) is minimised.	- In conjunction with key stakeholders responsible for training and awareness initiatives, implement processes for development of a primary prevention plan for the University (eg on an annual basis). This plan should be used to facilitate a coordinated University approach, and should consider the most effective and efficient use of University resources. - Develop and implement processes for regular monitoring and review of progress against the formal primary prevention plan.

² UNSW, *On Safe Ground (good practice guide for Australian Universities)*, 2017, pg. 41.

Primary prevention	Early intervention	Incident/emergency response	Counselling, support & recovery	Investigation/disciplinary processes	Continuous improvement	Recording & reporting	Policies & procedures	Roles & responsibilities	Case management	Culture & capabilities
No.	Observation						Recommendation			
2.2	Accessibility of student training As part of Swinburne's framework for sexual assault and sexual harassment prevention and awareness, a suite of mandatory and voluntary training modules for staff and students have been introduced. This includes the <i>Consent Matters</i> training module, which is compulsory for all Student Life volunteers and residential students, as well as for all Student Life staff. Our review noted: - Training modules (including <i>Consent Matters</i>) have not been adapted for students with particular needs, including those with disabilities - Whilst assistance from translators is available, training modules (including <i>Consent Matters</i>) are not available in any languages aside from English. As a result, modules are less accessible to students who do not have English as their first language. - There does not appear to be strong awareness of available training modules (eg <i>Consent Matters</i>) among students who are not residents or student leaders.						- Take appropriate measures in order to ensure that key training modules can be accessed and understood by all students and staff, including those with particular needs. - Conduct a review of the effectiveness of existing training modules, including consideration of the need to update or enhance Swinburne's training or supplement it with other activity - Based on the outcomes of the review in (2) above, take appropriate measures to encourage training completion among students where there is not a current mandatory obligation to complete training modules. This could include introduction of mandatory training to a wider cohort of students than just residential students in order to increase the awareness and preparedness of the broader student population.			
2.3	Student awareness and preparedness Whilst Swinburne have introduced mandatory and voluntary training modules for students, particularly targeted at residential students (refer to Observation 1.12), our engagement with students highlighted inconsistent levels of understanding and awareness. Specifically: - Some students indicated that there are misconceptions within the University about what constitutes sexual assault and sexual harassment, even amongst residential students who have completed the <i>Consent Matters</i> training module. While students appeared to understand the concepts provided in the training modules, there appeared to be a disconnect in recognising sexual harassment or sexual assault in real life. Feedback from the student focus groups indicated a level of acceptance and/or lack of recognition of the behaviours that constitute sexual harassment and sexual assault (except for serious instances of rape). - The most common reason given for why students who had experienced sexual assault or sexual harassment did not report the incident or seek support was "I did not feel it was serious enough," followed by "I felt too ashamed or embarrassed." - A significant number of students who had witnessed sexual assault or sexual harassment stated that "I did not take any action." The most common reason for this inaction was, "I did not know what to do."						- With reference to the recommendations in Observation 2.2, review the content of existing training modules that are administered to students to ensure that these are comprehensive and understandable. - With reference to the recommendations in Observation 2.2, take appropriate measures to encourage training completion among students where there is not a current mandatory obligation to complete training modules. This could include introduction of mandatory training to a wider cohort of students than just residential students, in order to increase the awareness and preparedness of the broader student population.			

Areas for improvement

Primary prevention	Early intervention	Incident/emergency response	Counselling, support & recovery	Investigation/disciplinary processes	Continuous improvement	Recording & reporting	Policies & procedures	Roles & responsibilities	Case management	Culture & capabilities
No.	Observation						Recommendation			
Additional opportunities for ‘value add’ improvement										
2.4	International student training The <i>On Safe Ground</i> guidance recognises international students as a sub-section of the student base that is more likely to experience incidents of sexual assault and sexual harassment. ³ A pilot training program was implemented in 2016 by the International Student Advisory and Support division, in collaboration with Student Life, as well as with The City of Boroondara. A Crime Prevention Grant from the Victorian Government Community Safety Fund was used to establish the training program, which included a student survey, focus groups and role-play exercises used to demonstrate acceptable and unacceptable behaviours to international students. Management advised that upon completion of the pilot program, there was no formal review or evaluation of its benefits. The pilot program was not continued, and no further training was delivered after its completion.						1. Review the pilot training program in order to consider benefits realisation and effectiveness of the program, and decide whether a program of this nature should be implemented on a permanent basis. When planning further training for international students, management should consider the need to take a coordinated University approach, and should consider the most effective and efficient use of University resources (refer to Observation 1).			

³ UNSW, *On Safe Ground (good practice guide for Australian Universities)*, 2017, pg. 11.

3 Areas for improvement

Early Intervention

Primary prevention	Early intervention	Incident/emergency response	Counselling, support & recovery	Investigation/disciplinary processes	Continuous improvement	Recording & reporting	Policies & procedures	Roles & responsibilities	Case management	Culture & capabilities
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No.	Observation	Recommendation
2.5	<i>Trend analysis and risk identification</i> Trend analysis can be used to support early identification of risk areas, so that proactive action may be taken prior to escalation. A range of data sets are recorded by Swinburne stakeholders that could support this analysis. Safer Community carry out trend analysis of records of reported incidents of sexual assault and sexual harassment on a monthly basis, and the outcomes are used to inform decision-making and allocation of resources. Our review noted: - Trend analysis is carried out by Safer Community in isolation. Outcomes are not formally communicated to other stakeholders, and there is no reconciliation or comparison with records maintained by other University stakeholders (eg Governance, Health and Wellbeing Services, etc) - Whilst Safer Community perform analysis over their internal records, there is no regular formal trend analysis of aggregated University data (maintained by Governance and Integrity) - There is an opportunity to complete formal trend analysis (eg monthly or bi-annually) of aggregated data for the whole University, including consideration of: - Number of incidents reported (including spread across campuses) - Identification of individuals who are involved in multiple reported incidents, and who may require additional focus - Identification of specific events or times of year which present a higher risk of reported incidents - Analysis of the number of the punitive actions or sanctions taken by the University in response to reported incidents. Management advised that the ability of University stakeholders to carry out trend analysis is limited in some instances by the level of resource that can be made available.	- Develop formal procedures for regular trend analysis of aggregated University data (maintained by Governance and Integrity). This should include an assessment of the identified considerations. Outcomes should be shared with relevant University stakeholders, and used to inform decision-making. - Review existing resource arrangements in place for early intervention and risk identification, and consider the need to allocate additional resources to ensure that sufficient resources are available.

Primary prevention	Early intervention	Incident/emergency response	Counselling, support & recovery	Investigation/disciplinary processes	Continuous improvement	Recording & reporting	Policies & procedures	Roles & responsibilities	Case management	Culture & capabilities
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No.	Observation	Recommendation
<i>Additional opportunities for 'value add' improvement</i>		
2.6	Relationships with nightlife venues The <i>On Safe Ground</i> guidance highlights the key elements to be considered as part of any institutional plan to address sexual assault against students, which includes a “coordinated campus and community response.” Our review noted: - Whilst Swinburne has engaged with the community by developing relationships with the Police and with a number of external charities, relationships have not been developed with local nightlife venues. Regular communication with nightlife venues which are in close proximity to Swinburne’s campuses would allow staff to better understand the nature and extent of sexual assault and sexual harassment involving students that occurs off campus, in order to enhance processes for prevention and response. - Students reported regular experiences of sexual harassment, sexual assault and unsafety at local nightlife venues. Students reported that these incidents were perpetrated by patrons and venue staff. - Residents highlighted some concerns of safety when travelling between venues and residences. - Students with night classes on evenings that coincide with popular nights at these venues also reported safety concerns: on campus, at the station and at carparks.	- Develop relationships with local nightlife venues that are frequently attended by students, and develop processes for regular communication with these venues. - Identify opportunities for increased security and support for students who attend, or are in close proximity to nightlife events, particularly at venues where sexual assault and sexual harassment is known to have taken place historically.

3 Areas for improvement

Incident/emergency response

Primary prevention	Early intervention	Incident/emergency response	Counselling, support & recovery	Investigation/disciplinary processes	Continuous improvement	Recording & reporting	Policies & procedures	Roles & responsibilities	Case management	Culture & capabilities
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No.	Observation	Recommendation
2.7	Off-site trips and travel In accordance with Swinburne's <i>People, Culture and Integrity Policy</i>, "the workplace can extend beyond the University campus... likewise sexual harassment can occur in any study related location including the classroom, at conferences, on field trips and excursions." This includes incidents that occur on University affiliated off-site trips, camps and travel, including Uni Games, O-Week Camps, exchanges, overseas trips and other inter-university events. Whilst the University may not be directly responsible for activities occurring off-site, strong planning regarding prevention strategies and response processes can only assist with the University's ability to protect its students and staff. Our review noted the following gaps or omissions in relation to Swinburne's documented policies and procedures for prevention of, and response to, sexual assault or sexual harassment occurring during off-site trips and travel: - Whilst we note that there are a number of controls that may be implemented to reduce risks associated with off-site trips (eg risk management plans, staff attendees, mandatory training for attendees of Student Life trips), detailed requirements and processes that should be undertaken have not been formally documented - Lack of detailed guidance or instructions on responding to incidents (eg of sexual assault) which occur during off-site trips. This includes guidance for victim/survivors, as well as for staff or student leaders on: - Who to contact in the event of an emergency or report of sexual assault or sexual harassment - Requirements for fact gathering and recording of details of an incident - Processes for escalation and reporting to relevant staff - Resources (at Swinburne or externally) that should be called upon to ensure that all students and staff are sufficiently supported. - All Student Life staff and students who attend off-site trips facilitated by Student Life must complete the Consent Matters training module prior to the trip. However, there is no minimum standard of training for staff or students who attend off-site trips that are not facilitated by Student Life. Management advised that travel safety has been identified as an area of focus for the Health, Safety and Wellbeing team (within People and Culture), and a review of student travel procedures is currently underway.	- Update Swinburne's formal documentation in order to formalise the processes and controls that are undertaken to reduce risks associated with off-site trips. Updates should be communicated to relevant students and staff. - Develop detailed guidance or instructions relating to how to respond to incidents of sexual assault or sexual harassment on off-site trips. This should be formally documented and distributed to relevant staff and students. - Establish minimum standard of training or qualification requirements for staff or student leaders who oversee or attend off-site trips which are not facilitated by Student Life. These should be formally documented and communicated to relevant students and staff.

Primary prevention	Early intervention	Incident/emergency response	Counselling, support & recovery	Investigation/disciplinary processes	Continuous improvement	Recording & reporting	Policies & procedures	Roles & responsibilities	Case management	Culture & capabilities
No.	Observation						Recommendation			
2.8	Anonymous reporting of incidents The <i>On Safe Ground</i> guidance states that, “The [Australian Human Rights] Commission’s report referred to many submissions that indicated that the absence of an anonymous reporting mechanism discouraged students from reporting their experiences. A centralised, accessible reporting mechanism that guarantees anonymous and confidential disclosures, allows students to make a report at a time and place where they feel comfortable and secure.” Our review noted: - Whilst Swinburne’s website includes links to an online incident reporting form, this form requires the complainant to provide their name and contact details in order to submit the form to Swinburne’s Safer Community team - Management advised that there is currently no mechanism to facilitate anonymous reporting of sexual assault or sexual harassment.						- With reference to the guidance on anonymous reporting mechanisms in the <i>On Safe Ground</i> guidance, develop and implement an accessible mechanism to allow anonymous online reporting of sexual assault and sexual harassment. Appropriate measures should be taken to promote the existence and use by students of the anonymous reporting mechanism. - Develop formal guidance over the use of online reporting mechanisms. This should include processes for review and investigation of incidents, management of confidential information, and undertakings regarding secure storage of such information.			

3 Areas for improvement

Counselling and support

Primary prevention	Early intervention	Incident/emergency response	Counselling, support & recovery	Investigation/disciplinary processes	Continuous improvement	Recording & reporting	Policies & procedures	Roles & responsibilities	Case management	Culture & capabilities
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No.	Observation	Recommendation
<i>Additional opportunities for 'value add' improvement</i>		
2.9	Support for targeted student cohorts Swinburne's International Student Advisory and Support division provide access to International Student Advisors for all international students. International Student Advisors are able to provide a range of assistance and support services, including for issues arising as a result of involvement with an allegation of sexual assault or sexual harassment, such as: - Private and confidential advice on managing personal needs and issues - Extensive critical incident support - Advice about a student's course and studies - Support and advice through University complaint or misconduct processes Our review noted that whilst similar support is available to other, domestic students, it may not be as clear where this support may come from and how it should be accessed. This includes other cohorts of students who have different experiences of sexual assault and sexual harassment.⁴ Examples include female students, Aboriginal and Torres Strait Islander students, students with disabilities, and LGBTIQ students. Swinburne should ensure that the support available to these student groups is easily accessible and well-promoted. Our online student feedback form highlighted the following: - Some students who experienced sexual assault or sexual harassment did not formally report to services including international and LGBTIQ students - Some diverse students had low levels of confidence that reporting through formal University processes would lead to a satisfactory outcome.	1. Consider the opportunity to provide support and assistance (including for issues arising as a result of involvement with an allegation of sexual assault or sexual harassment) to at-risk student cohorts. In particular, management should consider the level of support that is currently available for cohorts of students who may have different experiences of sexual assault and sexual harassment (eg LGBTIQ students, female students, Aboriginal and Torres Strait Islander students, students with disabilities).

⁴ UNSW, *On Safe Ground (good practice guide for Australian Universities)*, 2017, pg. 11.

3 Areas for improvement

Investigation/ disciplinary processes

Primary prevention	Early intervention	Incident/emergency response	Counselling, support & recovery	Investigation/disciplinary processes	Continuous improvement	Recording & reporting	Policies & procedures	Roles & responsibilities	Case management	Culture & capabilities
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No.	Observation	Recommendation
2.10	Initial investigation and fact gathering Investigations of allegations of sexual assault or sexual harassment commence when a report is made to a Swinburne staff member who gathers information about the incident, and decides upon the appropriate university response. Staff members involved in this initial investigation are dependent on the nature of the incident, and may include: • Security staff • Student Residences staff (if required) • Health & Wellbeing staff • Student Misconduct Authorised Officers • Safer Community staff • International Student Advisory & Support staff Our review noted: • Staff involved in incident investigation (identified above) have varying levels of investigation experience. Further, no formal investigation guidelines are in place, and no training is mandated or facilitated by Swinburne. This presents a risk of an inconsistent or incomplete approach • A theme from our staff interviews was that varying approaches may be taken towards investigating reported incidents of sexual assault and sexual harassment across University and Residential staff. This included: - A strict zero-tolerance approach - A non-punitive and supportive approach to interactions with all affected individuals including both alleged perpetrator and victim/survivor as there is 'no proof that sexual harassment or sexual assault has occurred' - A legal approach with high burden of proof required to take any action, i.e. punitive action may only be taken where clear physical evidence is available (eg witnesses, CCTV footage, etc) • Engagement with students through our focus group and online feedback form highlighted the following themes: - Some students indicated they had low confidence that matters reported formally would be handled in a satisfactory manner - Some students had low confidence that formal reporting would be handled confidentially - Insufficient information sharing of disciplinary outcomes in student residence. For example, Residential Advisors reported that they are not informed when residents are excluded from residences or the University, and therefore are unable to report on breaches of this exclusion.	1. Clarify requirements for incident investigations, (including roles & responsibilities, reporting and escalation processes, minimum training requirements, and key considerations for staff investigating or gathering facts). These requirements should be formally documented and communicated to staff. Management should refer to relevant guidance and reference materials, which could include guidelines published by Universities Australia on responding to reports of sexual assault and sexual harassment. 2. Develop clear and accessible guidance for students about what will occur should a student report an incident, to reduce barriers to reporting and improve confidence in University processes. The guidance should also direct students to options for anonymous reporting. 3. Clarify for students and staff that action can be undertaken by the University without a victim/survivor reporting if there is perceived to be a broader risk to safety of students, staff or the public (eg a perpetrator of sexual assault or sexual harassment on campus). This includes instances where the incident has occurred within a public space. 4. Develop formal processes in order to share information with Residential Advisors and Security relating to the students that are currently banned from entering residences in order to appropriately manage safety.

Primary prevention	Early intervention	Incident/emergency response	Counselling, support & recovery	Investigation/disciplinary processes	Continuous improvement	Recording & reporting	Policies & procedures	Roles & responsibilities	Case management	Culture & capabilities
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No.	Observation	Recommendation
2.11	Reporting to Police Swinburne's Health and Wellbeing website states that the University cannot report a matter to Police on behalf of the victim, and that Swinburne would only report to the Police on behalf of a victim if the involved persons are under 18 years of age. Our review noted: - During staff interviews, management advised that through the process of responding to a reported incident of sexual assault or sexual harassment, staff consider whether there is a broader safety risk to other students, staff at Swinburne or the public. Where this is perceived to be the case, the University may report the incident to the Police even when the victim/survivor has not provided consent for this to occur. Management advised that this does not happen frequently, and the identity of the victim/survivor is not shared, however the identity of the alleged perpetrator may be passed to Police. - The above approach is not documented in Swinburne's formal documentation or online guidance, and therefore may not have been communicated to all students and staff. Further, there is no detailed guidance available to staff on how to decide whether to involve Police when consent has not been given by a victim/survivor.	Clarify the requirements and processes for reporting of incidents to the Police. This should include details of any specific circumstances that will be reported to Police, and guidance for staff on how to decide whether reporting to Police is appropriate. Requirements and processes should be formally documented and communicated to staff and students.
2.12	General misconduct in Swinburne Student Residences Formal disciplinary proceedings for general misconduct within Swinburne Student Residences are administered in accordance with the <i>Swinburne Student Residences Code of Conduct 2018</i>. The document provides a definition of general misconduct, which is taken from the <i>Swinburne University Student General Misconduct Regulations</i>. Our review noted: - Whilst the definition of general misconduct in the <i>Swinburne Student Residences Code of Conduct 2018</i> is taken from the broader University misconduct regulations, management advised that in practice, general misconduct in Student Residences is categorised into three levels (depending on the severity of the incident) - The three levels used by Student Residences to categorise a misconduct incident are referred to in training materials developed by Student Residences for Residential Advisor. However, there is no formally documented definition of each incident level (eg included in the Code of Conduct) - The nature and extent of available sanctions for each level of misconduct has not been formally documented - Students that we engaged with reported inconsistent implementation and enforcement of the code of conduct and misconduct regulations (eg inconsistent enforcement of requirements for students to formally sign in guests, failure to enforce restrictions on the number of people allowed in a room or apartment, etc).	In conjunction with Student Residences staff, review the <i>Swinburne Student Residences Code of Conduct 2018</i>, and update where required, in order to ensure that the formal documentation is reflective of current practice. This should include clear definitions of the different categories of misconduct, along with illustrative examples and details of the available sanctions for each category. Any updates to the code of conduct should be formally documented and communicated to staff and residents.

3 Areas for improvement

Continuous improvement

Primary prevention	Early intervention	Incident/emergency response	Counselling, support & recovery	Investigation/disciplinary processes	Continuous improvement	Recording & reporting	Policies & procedures	Roles & responsibilities	Case management	Culture & capabilities
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No.	Observation	Recommendation
<i>Additional opportunities for 'value add' improvement</i>		
2.13	Feedback on University response services Swinburne's Health and Wellbeing service seeks feedback from users of their services as part of an annual survey about the student experience administered to all students. In addition, a physical feedback form can be completed and submitted into a physical box located at the office of the Health and Wellbeing service. Safer Community seek feedback on a case-by-case basis (usually for complex cases requiring ongoing management). Our review noted: - Whilst we note the mechanisms in place to gain feedback over services provided by Health and Wellbeing and Safer Community (see above), these mechanisms do not allow Swinburne to consistently obtain immediate feedback about their response services in an effective and efficient manner - Use of a physical feedback box (see above) may act as a barrier to providing feedback. Users of Swinburne's Health and Wellbeing services may not wish to be observed providing feedback - Swinburne's Health and Wellbeing service do not have formal processes in place for regular formal review of any feedback that is received.	- Develop processes for the Health and Wellbeing and Safer Community services to gather immediate feedback about the services and support provided to affected individuals. This may include a digital solution, eg feedback via a smart application or online portal. - Develop processes for regular formal review of feedback that is received. This should be used to inform decision-making. Processes developed by Swinburne should be formally documented and communicated to all relevant staff.

3 Areas for improvement

Recording and Reporting

Primary prevention	Early intervention	Incident/emergency response	Counselling, support & recovery	Investigation/disciplinary processes	Continuous improvement	Recording & reporting	Policies & procedures	Roles & responsibilities	Case management	Culture & capabilities
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No.	Observation	Recommendation
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2.14 Systems for data capture and reporting

Throughout the processes of responding to an incident of sexual assault or sexual harassment, a number of IT systems and databases are used to capture details of reports, complaints and incidents including:

IT System/ Database	Swinburne Stakeholder Use
Perspective	Safer Community, Security
StarRez	Student Residences
Manual spreadsheets (eg Excel)	Governance & Integrity, Health & Wellbeing, Student Advocacy
I-SEMS	International Student Advisory & Support

Our review noted:

- There are no processes in place for regular comparison or reconciliation of recorded data between systems. Whilst data maintained by Governance & Integrity acts as a 'source of truth' for the University, there is a lack of formal processes and controls to ensure that this data is complete
- The use of multiple, standalone systems may result in sub-optimal tracking, monitoring and reporting of incidents. Specifically:
 - Manual spreadsheets may not be fit for purpose for secure storage of sensitive information. This presents risk of data loss, privacy breaches and manual data entry errors
 - Trend analysis of data may be carried out over incomplete or inaccurate data
 - Inability to respond promptly and accurately to information requests (eg Freedom of Information (FoI) requests)
 - Reliance on multiple manual data entry points increases the chance of errors or omissions.

Management advised that Swinburne's Health and Wellbeing team are preparing to implement a dedicated counselling and health services system, Point and Click, in December 2018.

1. Assess the existing systems used for data capture and reporting in relation to sexual assault and sexual harassment, and consider the introduction of a system based solution that will address the identified issues relating to the use of multiple, standalone systems for data capture and reporting.

Where integration and reconciliation of data cannot be automated, formal processes for regular manual reconciliation and consolidation of information should be developed.

Areas for improvement

Primary prevention	Early intervention	Incident/emergency response	Counselling, support & recovery	Investigation/disciplinary processes	Continuous improvement	Recording & reporting	Policies & procedures	Roles & responsibilities	Case management	Culture & capabilities
No.	Observation					Recommendation				
2.15	<i>Reporting to the Executive Leadership Team</i> Whilst a number of IT systems and databases are used to capture details of incidents of sexual assault or sexual harassment, data maintained by Governance & Integrity acts as a 'source of truth' for the University. Incidents are reported to Swinburne's Vice Chancellor and/ or Vice-President (Students) on a case-by-case basis when it is deemed to be necessary (ie rather than through regular formal reporting). Our review noted: - Whilst incidents of sexual assault and sexual harassment are escalated to the Swinburne's Executive Leadership Team on an ad-hoc basis (see above), there are no formal processes for regular aggregated reporting - Formal reporting to the Executive Leadership Team on a regular basis could be used to inform decision-making, and to assess the implementation of recommendations from the AHRC <i>Change the Course</i> report and the Respect. Now. Always. initiative. Reporting should include: - Aggregated reporting of the number of incidents of sexual assault or sexual harassment - The University response and the outcome (including sanctions) - High-level trend analysis over the available data.					Develop processes for regular formal reporting to Swinburne's Executive Leadership Team (eg bi-annually) of aggregated recorded data on incidents of sexual assault and sexual harassment. This should include the number of incidents reported, as well as the University response, the outcome (including sanctions), and high-level trend analysis over the available data. Processes should be formally documented and communicated to all relevant staff.				

3 Areas for improvement

Policies and procedures

Primary prevention	Early intervention	Incident/emergency response	Counselling, support & recovery	Investigation/disciplinary processes	Continuous improvement	Recording & reporting	Policies & procedures	Roles & responsibilities	Case management	Culture & capabilities
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No.	Observation	Recommendation
2.16	Policies, procedures and supporting guidance The AHRC <i>On Safe Ground</i> good practice guidance indicates that good practice is for “stand-alone, clearly identified sexual assault and harassment policies and procedures.”⁵ Our review noted: - Whilst Swinburne have developed a number of formal policy and procedure documents which relate to sexual assault or sexual harassment, there is no formal, stand-alone document. Further, in some cases formal documents do not include references or links to other relevant documents. - Guidance relating to sexual assault and sexual harassment is included across a number of different sections of the Swinburne website. This includes separate online pages, including: - A subsection of the Health and Wellbeing site on assault reporting and help - A subsection of the Student Services and Support site on personal safety on campus - A Safer Community site including details of support services offered by Safer Community - A subsection of the Strategy and Initiatives site relating to safety and equity (preventing sexual assault and harassment) The online guidance (listed above) is presented as separate sections, and in some cases these sections do not include reference or links to other relevant University guidance. This presents a risk of lack of clarity and accessibility for users of the guidance material - A key theme from staff interviews was that stakeholders have experienced difficulty in navigating Swinburne’s formal documentation or online guidance, due to the fragmented nature of available material. In addition, it is noted that 46% of participants from Swinburne of the AHRC national student survey on sexual assault and sexual harassment stated that they had no knowledge or very little knowledge of University policy on sexual harassment, and 47% had no knowledge or very little knowledge of University policy on sexual assault.	- Align with good practice by consolidating Swinburne’s formal documentation relating to sexual assault and sexual harassment into stand-alone, clearly identified sexual assault and harassment policies and procedures. At a minimum, all formal documentation relating to sexual assault or sexual harassment should include references or links to other relevant documents. - Consolidate Swinburne’s online guidance so that the University’s support and response services are presented in a manner that is accessible and clear to users. This could involve creation of a subsection of the Swinburne website that incorporates all available guidance relating to sexual assault and sexual harassment.

⁵ UNSW, *On Safe Ground (good practice guide for Australian Universities)*, 2017, pg. 54

Primary prevention	Early intervention	Incident/emergency response	Counselling, support & recovery	Investigation/disciplinary processes	Continuous improvement	Recording & reporting	Policies & procedures	Roles & responsibilities	Case management	Culture & capabilities
No.	Observation						Recommendation			
2.17	Definitions of key concepts Definitions of sexual assault and sexual harassment are provided in Swinburne's formal documentation, as well as in supporting documentation, such as online guidance and training materials. Our review noted the following: - Contrary to good practice guidance⁶, key concepts relating to sexual assault or sexual harassment are not defined in any formal documentation. This includes: - Definition of consent - Standard of proof used in misconduct or disciplinary hearings (for both University and Residential proceedings) - Scope and extent of University policy, including over online communications.						Formally document definitions of the key concepts identified across Swinburne's documentation so that definitions of key concepts are accessible, consistent and aligned with good practice, and communicate updates to relevant staff and students.			
2.18	Express prohibition of sexual assault and sexual harassment The UNSW <i>On Safe Ground</i> good practice guidance provides details of the content and language to be used in University policy, and states that, "policies should expressly prohibit sexual assault and sexual harassment to reduce any ambiguity and convey a clear message about the serious nature and consequences of such conduct."⁷ Swinburne's <i>People, Culture and Integrity</i> policy states that sexual harassment "will not be tolerated by the University in workplace and study environments." Our review noted: Whilst Swinburne's <i>People, Culture and Integrity</i> policy expressly prohibits sexual harassment (see above) there is no formal policy or procedure which expressly prohibits sexual assault.						Update relevant formal documentation (eg Swinburne's <i>People, Culture and Integrity</i> policy) to include specific prohibition of sexual assault. Amendments to policies and procedures should be communicated to relevant students and staff.			

⁶ UNSW, *On Safe Ground (good practice guide for Australian Universities)*, 2017, pg. 55

⁷ UNSW, *On Safe Ground (good practice guide for Australian Universities)*, 2017, pg. 54

3 Areas for improvement

Roles & responsibilities

Primary prevention	Early intervention	Incident/emergency response	Counselling, support & recovery	Investigation/disciplinary processes	Continuous improvement	Recording & reporting	Policies & procedures	Roles & responsibilities	Case management	Culture & capabilities
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No.	Observation	Recommendation
2.19	<i>Safer Community and Health & Wellbeing services</i> Safer Community plays a key role in supporting students, and in co-ordinating Swinburne's response to sexual violence. Similarly, Swinburne's Health and Wellbeing service (offering health and professional counselling services) may be heavily involved in supporting individuals affected by sexual assault or sexual harassment. Our review noted: - Whilst some high level information is available on the Safer Community website, a detailed description of the role and remit of Safer Community has not been formally documented. This includes: - Guidance on when Safer Community should be engaged. A theme from our staff interviews was that some staff members are uncertain when Safer Community should be engaged (eg for all reported incidents of sexual assault or sexual harassment, or only when consent from the victim is provided) - Details of how Safer Community will respond to a report of sexual assault or sexual harassment (including case management, escalation, reporting and referrals) - A key theme from our staff interviews was that there is a lack of certainty over the distinction between the roles of Safer Community and Swinburne's Health and Wellbeing Services. This has resulted in: - Lack of clarity over who to report to for individuals who wish to report an incident or seek support - Duplication of services provided by Safer Community and Health Services (eg support, advice, referrals) - Of students who participated in our online feedback form and had experienced sexual assault or sexual harassment at Swinburne, a low level reported this to University staff, with none reporting directly to Safer Community. Some students confided only in their friends. In addition, it is noted that 55% of Swinburne participants of the AHRC national university student survey on sexual assault and sexual harassment stated that they knew nothing or very little about where to seek support or assistance at the University in relation to sexual assault.	- In conjunction with Safer Community and Health Services, formally document the roles and responsibilities of Safer Community and Health and Wellbeing Services, and communicate this to students and staff, including: - Key roles and responsibilities - Guidance on when Safer Community should be engaged, and when Health and Wellbeing Services should be engaged - Details of how Safer Community may respond to reported incidents When making updates to formal documentation, management should ensure that information is accessible and sufficiently consolidated.

3 *Areas for improvement*

Case management

<i>Primary prevention</i>	<i>Early intervention</i>	<i>Incident/emergency response</i>	<i>Counselling, support & recovery</i>	<i>Investigation/disciplinary processes</i>	<i>Continuous improvement</i>	<i>Recording & reporting</i>	<i>Policies & procedures</i>	<i>Roles & responsibilities</i>	<i>Case management</i>	<i>Culture & capabilities</i>
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No.	Observation	Recommendation
N/A – no observations were noted with regard to case management.		

3 Areas for improvement

Culture and capabilities

Primary prevention	Early intervention	Incident/emergency response	Counselling, support & recovery	Investigation/disciplinary processes	Continuous improvement	Recording & reporting	Policies & procedures	Roles & responsibilities	Case management	Culture & capabilities
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No.	Observation	Recommendation
2.20	Staff training completion Upon employment by Swinburne, all staff (including casuals) are automatically enrolled in a number of mandatory online training modules. Swinburne's online training system tracks completion and sends reminders to staff at regular intervals to enforce completion. Our review noted the following: - As at July 2018, Swinburne's mandatory <i>Working Together</i> training module, which focuses on workplace discrimination, harassment (including sexual harassment) and bullying, had a completion rate of 55% of staff - Swinburne's <i>Responding to Disclosures of Sexual Violence</i> training module, which focuses on equipping first responders to identify and respond to signs of sexual violence, is optional for all staff, including for staff members who are more likely to receive a disclosure of sexual assault or sexual harassment (eg staff who engage with students on a regular basis) - As at July 2018, Swinburne's <i>Responding to Disclosures of Sexual Violence</i> training module had been completed by a total of 16 staff members (<1% completion rate).	- Implement further measures to enforce completion of mandatory staff training modules (including <i>Working Together</i>). This could include additional communications to staff, formal completion deadlines, and sanctions for non-completion. - Identify staff members who may be more likely to receive a disclosure of sexual violence, and enforce mandatory completion of the <i>Responding to Disclosures of Sexual Violence</i> training module for these staff members.
2.21	Staff training and awareness Whilst a range of existing training and guidance materials are available to students and staff, further awareness and education of staff members could be achieved through delivery of targeted training modules and guidance materials, in order to target specific risks. This may include: - Investigation training for staff members involved in incident investigation and/or fact gathering (refer to Observation 2.9) - Training or guidance for staff and students on use of technology and social media (refer to Observation 2.15) - Specialised training for security staff to help them provide good practice responses to any sexual assault or sexual harassment incidents or disclosures on campus - Training or awareness initiatives targeted at Swinburne's Executive Leadership team, to ensure that they are sufficiently engaged and aware of risks relating to sexual assault and sexual harassment at Swinburne - Training for appropriate staff on how to respond to, and work with, perpetrators of sexual violence	Review existing training that is administered to staff to identify any gaps (including consideration of the identified areas). Based on the outcomes of this review, develop and administer targeted training or guidance in order to address any identified risks that are not mitigated by existing training or guidance that is available.

Areas for improvement

Primary prevention	Early intervention	Incident/emergency response	Counselling, support & recovery	Investigation/disciplinary processes	Continuous improvement	Recording & reporting	Policies & procedures	Roles & responsibilities	Case management	Culture & capabilities
No.	Observation						Recommendation			
Additional opportunities for ‘value add’ improvement										
2.22	Shared accountability The AHRC <i>Change the Course</i> report identifies the "opportunity for universities to create an institution-wide culture based on inclusiveness, gender equality, respectful behaviour and accountability." ⁸ All staff and students can contribute towards cultivating a safe and secure university environment, where sexual assault and sexual harassment is not tolerated, and where victim/survivors feel safe and supported to report incidents. This can occur through staff and students recognising their collective responsibility for ending sexual violence. Our review noted: - Whilst Swinburne’s online <i>Personal Safety on Campus</i> guidance states that “Safety on campus is everyone's responsibility,” this message does not specifically relate to sexual violence, and is not pervasive throughout Swinburne’s formal documentation and training materials - Swinburne’s formal documentation does not recognise the collective responsibility or shared accountability of all staff and students in relation to sexual assault and sexual harassment - Whilst noting the above, there is an opportunity for Swinburne to further communicate to all students and staff a shared responsibility for ending sexual violence, by upholding Swinburne’s values and guiding principles, increasing their awareness of the extent and nature of sexual violence in the university community, and reporting incidents or concerns about student or staff behaviour.						1. Consider updating Swinburne’s formal documentation and training materials in order to recognise collective responsibility or shared accountability of all staff and students in relation to prevention of sexual assault and sexual harassment.			

⁸ Australian Human Rights Commission, *Change the Course' report 2017*, pg. 5.

4 Appendices

Appendix A – Swinburne policies, procedures and guidance

Swinburne's sexual assault and sexual harassment related policies, procedures and guidelines considered as part of this review are listed below:

<i>Subject Matter</i>	<i>Swinburne University Documentation/ Resource</i>
University Policy	<i>Swinburne People, Culture and Integrity Policy</i>
	<i>Swinburne Complaints Management Guidelines</i>
	<i>Swinburne Management of University Records Guidelines</i>
	<i>Swinburne People and Culture Manual</i>
	<i>Swinburne Student General Misconduct Regulations</i>
University Guidelines	<i>Swinburne Student Charter</i>
	<i>Swinburne Records Management Charter</i>
	<i>Swinburne Social Media Guidelines</i>
	<i>Swinburne Travel Procedures</i>
	<i>Swinburne Professional Placements - Handbook for Students Undertaking Placements</i>
Student Residences documentation	<i>Swinburne Respect. Now. Always. Communications Strategy</i>
	<i>Swinburne Student Residences Code of Conduct</i>
	<i>Swinburne Student Residences Handbook</i>
	<i>Swinburne Student Residences Resident Advisors Code of Conduct</i>
Student Life documentation	<i>Swinburne Student Life Volunteer Request Guidelines</i>
	<i>Swinburne Student Life Volunteer Supervisor Guidelines</i>
	<i>Swinburne Student Life Club Governance & Management Policy</i>

In addition to the above, our review also considered the guidance provided on the Swinburne University website in relation to prevention of, and response to sexual assault and sexual harassment.

Appendix B – Stakeholder interviewees

The Swinburne staff members who were engaged as part of this review are listed below. Staff stakeholders were engaged through various means, including face-to-face interviews, discussions and a focus group.

<i>Swinburne stakeholder title</i>
<i>Vice President (Students)</i>
<i>Director, Media and Communications</i>
<i>University Secretary and Director, Governance and Integrity</i>
<i>Director, Facilities and Services Group</i>
<i>Channel Communications Specialist</i>
<i>Team Leader – Advocacy</i>
<i>Associate Director, International Student Advisory and Support</i>
<i>Manager, Safer Community</i>
<i>Associate Director, Health and Wellbeing</i>
<i>Academic Development Coordinator</i>
<i>Residential Life Coordinator</i>
<i>Counselling and Psychological Services Manager</i>
<i>Safer Community Advisor</i>
<i>Associate Director, Student Housing and Finance</i>

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