Submission to TEQSA consultation for sexual harm good practice note

13 July 2023

Recommendations:

1. Increase the focus on case studies to help institutions implement the guidance.

2. Stress the importance of implementing measures that support both staff and students.

3. Improve practice guidance and provide case studies relating to circumstances in which the complainant and/or perpetrator is both a staff member and a student, or affiliated with more than one organisation.

Q1: Which (if any) proposed sections for a reworked good practice note are logical and useful, and why?

The proposed sections align well with the Respect@Work framework, as intended. We support this alignment, as it encourages institutions to follow standards for good practice that are consistent with broader equity, diversity and inclusion frameworks in the organisation, such as SAGE Athena Swan.

We also support the proposal to remove Appendices A to D. The good practice note will be more concise and will feel more user-friendly if the content is focused on case studies. Readers can be directed to the Respect@Work website for further information and resources.

Q3: Which elements are missing from the 2020 good practice note and should be included in the reworked version, and why?

The proposed sections suggest that the reworked version will feature good practice on preventing and responding to sexual harm to staff and students. The good practice note should stress the importance of organisational measures that address these groups together, not in separate silos, as the overlaps and close interactions between both groups make it difficult – if not counterproductive – to treat them separately.

SAGE subscribers and stakeholders have repeatedly raised questions around managing situations where a person involved:

- is considered a staff member **and** a student; and/or
- is affiliated with more than one organisation.

For example, these scenarios may occur when the complainant and/or the perpetrator is:

- a student undertaking a work placement as part of their degree requirements
- a postgraduate student who is co-supervised by a government or industry collaborator, and conducts all or parts of their research at the partner organisation
- a staff member who is primarily employed by one organisation, but holds an adjunct appointment (or similar) at another
- a staff member who enrols in further study as part of their employment

- a student who is also employed by the university, for example as a tutor or research assistant

We acknowledge that there is one example of this in the 2020 good practice note:

> r) Where students experience sexual assault or sexual harassment on placement, the local procedures at the site of the placement will apply, in addition to AAPoly's policy and procedure.
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> Source: Academies Australasia Polytechnic Pty Limited. Sexual Assault and Sexual Harassment Policy (date accessed 1/5/2020).

Figure 1. Excerpt from Good Practice Example 1: Focus on wellbeing and safety is stipulated in the sexual assault and sexual harassment policy and procedure at Academies Australasia Polytechnic Pty Limited.

Revisions to the practice note should therefore provide further examples of how the above cases should be handled in practice, specifically:

- measures taken by the enrolling/employing organisation **and** host organisation to prevent sexual harm from befalling, or being inflicted by, staff/students while they are working at the host organisation
- what complaints and support options are available to staff/students, and through whom
- should an incident occur, the responsibilities of each organisation and under what circumstances, such as:
  - who conducts the investigation
  - who becomes the case manager
  - how the process (and potential outcomes) might differ based on the complainant and perpetrator's main affiliations, where the incident occurred and which reporting channel(s) the complainant used
  - what measures are taken to protect the complainant from further harm or retraumatisation during and after the investigation (including, for example, changes to their working or supervisory arrangements)
  - what information is shared between the organisations and with the complainant, and how
  - whether the incident is counted by one or all of the organisations in their reporting on sexual harm

About Science in Australia Gender Equity (SAGE)

"SAGE is the only transformative gender equity program of its kind in Australia designed to achieve sustained cultural change via a national accreditation framework. Measures to enable SAGE to be adopted by all higher education and research institutions across Australia would bring unparalleled impact."

— Women in STEM Decadal Plan

SAGE was founded in 2014 as a partnership between the Australian Academy of Science and the Australian Academy of Technology and Engineering to advance the careers of women, trans and gender diverse people in Science, Technology, Engineering, Mathematics and Medicine (STEMM).

We became a fully independent entity in 2020 and expanded our remit to all genders and all disciplines in higher education and research, including non-STEMM disciplines.

As of July 2023, SAGE has 43 participating organisations across Australia. **31 of these are universities**, and the remainder are medical research institutions and publicly funded research agencies.

We enable organisations to achieve meaningful systemic, structural and cultural change by:

- accrediting and granting awards for gender equity, diversity and inclusion. We are the only Australian organisation licensed to grant awards under the internationally recognised Athena Swan Charter;

- raising awareness of and building capacity to improve gender equity, diversity and inclusion; and

- collaborating with like-minded organisations to support initiatives aimed at addressing systemic barriers to gender equity, diversity and inclusion.

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