

## Sexual Assault and Sexual Harassment Policy (SASH)

### 1. Purpose

The Adelaide College of Divinity (ACD) is committed to:

- Ensuring each member of the ACD community has a safe and respectful study and work environment in which each person is treated with dignity, and courtesy;
- Providing responsive, clear, compassionate, appropriate and accessible mechanisms for reporting incidents of sexual assault and sexual harassment.

### 2. Scope

This policy applies to all people who are members of the ACD community including staff/students and volunteers of affiliated colleges in any context relating to:

- Study or work related activities at any ACD location including online environments;
- Supervised field education and field trips;
- Where the person is representing the ACD or affiliated college;
- Social activities at any ACD location including online environments.

### 3. Policy Statement

#### 3.1. Policy

- 3.1.1 Sexual assault and sexual harassment against any person is unlawful and is not acceptable in any circumstance.
- 3.1.2 All incidents of sexual assault and sexual harassment will be treated as misconduct or serious misconduct and any such behaviours will not be tolerated by the ACD.
- 3.1.3 The ACD will provide sensitive/compassionate and appropriate reporting mechanisms so that all members of the ACD community are supported if they experience any sexual assault and or harassment.
- 3.1.4 The ACD will ensure that any person reporting or participating in the reporting process will not be disadvantaged nor suffer recrimination in any way.
- 3.1.5 The ACD will provide access to training and awareness programs in the area of SASH for members of the ACD community.
- 3.1.6 The ACD will nominate SASH contact officers and inform members of the ACD community of the contact details of these persons
- 3.1.7 The ACD will ensure that SASH Contact officers are suitably trained.

### **3.2 What is sexual assault?**

Sexual assault is a crime which carries serious penalties. It covers a range of sexual acts, including but not limited to, those identified within Division 11 of the *Criminal law consolidation Act 1935 (SA)*, which take place without a person's consent, or where their consent has been obtained through deception or coercion, or where consent is withdrawn.

### **3.3 What is sexual harassment?**

Sexual harassment is any unwelcome behaviour of a sexual nature that makes a person feel offended, humiliated or intimidated, and which a reasonable person, having regard to all the circumstances, would have anticipated as likely to cause offence, humiliate or intimidate. Sexual harassment also includes behaviour that creates a sexually inappropriate work or study environment.

Sexual harassment laws apply equally to all genders, including same gender harassment.

### **3.4 Reporting sexual assault and sexual harassment**

3.4.1 If any member of the ACD community experiences or witnesses any incident of sexual assault or harassment within the scope of the policy, they are strongly encouraged to report the incident to the ACD nominated SASH contact officers.

3.4.2 Reports may be anonymous.

3.4.3 There is no set time within which incidents must be reported.

3.4.4 Reports are disclosures and are not treated as a complaint until the person proceeds with making a formal complaint.

3.4.5 If the report is made by or involves a person aged under 18 years refer to the *Child Safe Environment Policy* –; the mandatory procedure must be followed.

3.4.6 The procedures for receiving and responding to incidents are found in the Sexual Assault and Sexual Harassment Response Procedures

### **3.5 Interim Actions**

3.5.1 If the ACD deems it necessary interim measures may be taken to protect the safety and wellbeing of all parties and the ACD community, These arrangements will be monitored and regularly reviewed while an internal or police investigation is ongoing The aim of any interim measure will be to minimise further trauma to the one who has experienced sexual assault and or sexual harassment, in the context that no determination has been and will be without prejudice to any person who is the subject of a disclosure or report; these may include but are not limited to:

- suspension from the ACD as a student
- suspension of academic status with the ACD
- a temporary ban on attending campus
- suspension from ACD online environments
- suspension from contact with ACD students and or including any person teaching or working with them

### 3.6 Breaches of this policy

3.6.1 Reported incidents/complaints of sexual assault and or harassment that have been substantiated as a breach under this policy may have the following sanctions applied, these may include but not limited to:

- counselling/mandatory training course
- a temporary ban on attending campus
- suspension from ACD online environments
- suspension from the ACD as a student
- suspension from contact with ACD students and any person teaching or working with ACD students
- expulsion from the ACD as a student
- termination of academic status with the ACD
- termination from ACD Online environments
- from contact with ACD students and any person teaching or working with ACD students
- criminal investigation

## 4. Legislation/Standards

- Equal Opportunity Act 1984 (SA)
- Work Health and Safety Act 2012 (SA)
- Sex Discrimination Act 1984 (Cth)
- Racial Discrimination Act 1975 (Cth)
- Australian Human Rights Commission Act 1986 (Cth)
- Disability Discrimination Act 1992 (Cth)
- Age Discrimination Act 2004 (Cth)

## 5. Related Policies and Procedures

- Child Safe Environments
- Privacy Policy
- ACD Code of Practice
- Equal Opportunity
- Sexual Assault and Sexual Harassment Response Procedures
- Grievance Procedures

## 6. Authorities

<b>Approval Authority</b>	Council
<b>Responsible Officer</b>	Executive Officer
<b>Approval date</b>	20 May 2021
<b>Review Date</b>	Default is 3 years after approval date
<b>Replaces Policy (if applicable)</b>	