



University of Melbourne

Sexual Misconduct Annual Report 2021

20 May 2022*

* Re-issued with corrections to the 'Complaints about Staff' section (pages 8-9)

Introduction

Like so many members of our University community, we couldn't feel more strongly about the importance of addressing and eliminating sexual misconduct. The extensive body of work undertaken by the University of Melbourne over recent years has been an important part of delivering on this commitment, and ensuring a victim-centred, trauma-informed approach to responding to these issues.

This work has involved many staff and students across the University. Importantly, it was informed by a willingness to openly acknowledge where mistakes were made, or where processes didn't work as they should. We know that we have not always got this right, so we are taking proactive steps to support the culture change that is required.

We have made good headway as a University in 2021, with significant changes implemented to our policy and governance frameworks and improved management of disclosures and complaints, as well as significant investment in skills and capabilities. The development of a comprehensive Respect Action Plan is a key priority for the coming year, which will integrate our reporting, education, culture change and engagement activities for preventing, intervening in, responding to, and ultimately eliminating sexual misconduct.

The newly created Respect at Melbourne Committee, chaired by the Provost, is providing the requisite strategic oversight of the implementation of this program of work, with feedback and support from academic divisions, services, student organisations and affiliated colleges provided through a Respect at Melbourne Reference Group. These new groups are ensuring we get the right mix of people within our University community working together on this issue.

And in addition to the University's new, stand-alone Sexual Misconduct Prevention and Response Policy, a university-wide education program is well underway, equipping everyone at the University to play an active role in identifying, responding to and preventing sexual misconduct.

We want all students and staff to feel confident to raise any concerns, and to know that issues will be handled in a way that is respectful, fair, and confidential. There is much more to be done to achieve this. Our community has justifiably high expectations, and it is now up to University leaders collectively to deliver on this clearly and unambiguously. This Report reflects our commitment to change, and to build trust within our community through greater transparency on these matters.

We thank the victims-survivors in our community who have found the courage to come forward, often at personal cost, so that we can take action and do the right thing. We acknowledge your experiences and the experiences of everyone who has experienced sexual misconduct in our community.

Professor Duncan Maskell
Vice-Chancellor

Professor Nicola Phillips
Provost

Dr Julie Wells
Vice-President Strategy and Culture

1. Recent Background: 2017-2021

In 2017, following the Australian Human Rights Commission's *Change the Course: National Report on Sexual Assault and Sexual Harassment at Australian Universities*, the University of Melbourne made a number of commitments to reduce sexual harm on campus.

These included:

- Formation of the Respect Taskforce, chaired by Professor Richard James, Deputy Vice-Chancellor, to develop strategies to improve further the University's culture, policies, and practices;
- Rolling out online training modules to all students in 2018 covering key areas including communication and relationships, bystander intervention and – importantly – sexual consent;
- Strengthening existing Research Higher Degree supervisor training to align with these new training materials;
- Making the fact that the University finds sexual assault and sexual harassment unacceptable more visible on campuses;
- Initiatives to increase student confidence in making disclosures and understanding of processes and possible outcomes; and
- Improving overall accountability for and transparency about the prevention and handling of sexual misconduct allegations.

The Respect Taskforce, which continued until its re-formation as the Respect at Melbourne Committee in 2021, oversaw the University's strategies to improve further our culture, policies, and practices towards preventing sexual assault and sexual harassment.

The University contributed to the *'Report to the Minister for Education: Higher education sector response to the issue of sexual assault and sexual harassment'*, published by the Tertiary Education Quality and Standards Authority in 2019, and took further learnings from its review of best practice across the sector.

The underreporting of sexual harm was noted by the Respect Taskforce as a potentially significant issue in recent years, as was the need to improve the quality of data, the number of formal reports on disclosures of sexual misconduct received by the University (as a proportion of the informal reports of such experiences), and how reports and disclosures are handled.

In 2018, the University committed to introduce an information escrow and anonymous reporting system as a part of:

- improving complainants' reporting experiences;
- gathering data of better quality about sexual misconduct incidents and issues raised by victim-survivors;
- understanding the extent of sexual misconduct within University environments, including identifying risk factors and environments where sexual misconduct is more prevalent; and
- encouraging open and transparent discussion of the extent of sexual misconduct and our shared responsibility to prevent it.

As an interim measure, the [Anonymous Register for Inappropriate Behaviour](#) was launched in March 2019, based on the model in use at the University of Cambridge. The Anonymous Register collects data, but does not allow for support or follow-up with anonymous reporters.

Concurrently, the [Inappropriate Workplace Behaviour Line](#) was developed for the University by independent provider, Worklogic. This confidential information and reporting service provides a channel for employees and students to receive confidential, impartial information about their options to raise concerns and to access support, as well as lodge a formal report of inappropriate behaviour including unlawful discrimination, sexual harassment, sexual assault, stalking, bullying, victimisation or vilification, and other behaviour contrary to the University's Appropriate Workplace Behaviour Policy.

Employees and students who have experienced or witnessed such behaviour can lodge a report online or via a telephone operator, including on an anonymous basis.

2. 2021 Review

In 2021, the University undertook a comprehensive review of our end-to-end policies and procedures on sexual harassment and sexual assault.

The University of Melbourne engaged Allen + Clarke (A+C), an independent consultancy firm with expertise in this area, to help us develop a best practice, stand-alone policy on sexual harassment and sexual assault (collectively, 'sexual misconduct').

To support this process, A+C conducted a thorough review of our existing policy framework for dealing with sexual misconduct and, with the UoM Project Team, consulted extensively with stakeholders across the University community.

The Review identified a number of areas where the University's approach and systems were deficient. The key findings, which can be found at Appendix 1, helped inform the University's response. The findings of this review were reinforced by an independent, privileged review of historic cases overseen by the University's General Counsel, which have also informed changes to process and practice.

3. Response

3.1 Development of a new stand-alone policy

Over an intensive eight-week period in 2021 the University's *Sexual Misconduct Prevention and Response* (SMPR) policy was developed, addressing the key findings of the A+C review. The intention was to ensure that the University's commitment to eliminating sexual misconduct and developing a victim-centred and trauma-informed approach was made clear, in a statement applicable to students, staff and other members of the University community. The policy provided a basis for improvements to processes for managing disclosures and complaints and the support provided to victim-survivors.

Prior to releasing a draft of the SMPR Policy for University-wide input, consultation was held with a targeted cross-section of the University community. Our aim was to reach those with responsibilities for oversight and management of these matters, and those who have lived experience of sexual misconduct and/or engagement in University processes, as well as student and staff organisations.

Consultation included Murrup Barak, graduate and early career researchers, academic and professional staff within faculties, HR managers, University Colleges, Academic Board officers, the Pride in Action Network, University of Melbourne Student Union, Graduate Student Association,

International students, Safer Communities and HR, National Tertiary Education Union, University Executive and Council. We also consulted with several academic staff with expertise on these matters.

The draft was then disseminated within the University and to our key partners and affiliates for input before finalisation and publication in the University's [Policy Library](#) on 14 October 2021.

The benefits of a stand-alone sexual misconduct policy are well documented. This approach offers an opportunity to affirm the commitment to ending sexual misconduct at a whole-of-organisation level, provides a single reference point for those seeking information, and demonstrates that preventing and responding effectively to sexual misconduct are high priorities for the organisation. A stand-alone policy should also promote clearer communication, by bringing together the approach towards students, staff and stakeholders in one document with links to supporting processes and resources.

The policy provides a clear statement of intent and is principles-based. It delineates roles, responsibilities and processes for responding appropriately and efficiently to disclosures of sexual misconduct. It also confirms to those relying on the policy how, and by whom, matters will be handled, making clear:

- The University's commitment to eliminating sexual misconduct;
- The fact that this commitment extends to all University activities, whether undertaken on campus, off campus or online;
- Adherence to this policy as an expectation for partners and others working with the University (contractors, etc);
- Definitions of sexual misconduct, sexual harassment and sexual assault;
- What it means for a complainant if they choose to disclose or make a formal complaint, in terms of process to be followed;
- Where participants in the process can seek support, including LGBTQIA staff and students and those from culturally and linguistically diverse backgrounds;
- The steps to be taken in the investigation and resolution of complaints;
- Who the decision-makers are at each step of the process and the timeframes involved;
- Privacy, confidentiality requirements and reporting; and
- What outcomes/resolutions can be expected for matters that are substantiated.

Publication of the policy was accompanied by a revised [landing page](#) for people seeking information about sexual misconduct, to bring together advice and information for all sections of our community. The policy is a live document. We are committed to external review on a regular basis, which does not preclude updating and amending the policy and linked processes as needed.

3.2 Building capacity

The Safer Community Program (SCP) provides support and advice to members of the University community about inappropriate, concerning or threatening behaviour.

As part of the implementation of the SMPR policy, this program has been strengthened with additional positions and its scope clarified to establish it as a central point of triage and support for people making disclosures, and for advice on support services to staff as well as students.

This includes the provision of support for disclosures, wellbeing support during the complaints process, and referrals to other services. The team has been strengthened with the inclusion of dedicated HR support, to ensure that complainants and respondents receive wellbeing support throughout investigations and complaints-handling processes.

The Human Resources team has also been augmented and strengthened in relation to this work.

During 2021, the University's Human Resources function was redesigned as part of an organisation-wide review of professional services. The re-design included clarifying the role of Human Resources in the prevention of sexual assault and harassment in the workplace, the fair and effective handling of complaints, and the maintenance of a respectful environment. Changes include:

- All Human Resources staff now report through to the Chief Human Resources Officer, whereas previously Division-based HR teams reported into Divisional leadership.
- The Chief Human Resources Officer now has responsibility for the end-to-end management of sexual misconduct investigations as they relate to staff, removing local areas from decision-making. This supports consistency of practice and impartiality and mitigates risk of local power imbalances influencing decision-making.
- A new role of Associate Director, Workplace Investigations & Complaint Resolution was appointed to the Workplace Relations team in November 2021 to strengthen case management. The role is responsible for conducting and overseeing investigations of allegations of misconduct, as well as culture reviews and mediations. It brings into the organisation contemporary industry expertise in workplace investigations and mediation, building internal capability while drawing on external expertise when required. This has continued to build our practice in, amongst other things:
 - Victim-centred complaints management;
 - Improved internal capability for investigations and mediation;
 - Cross-functional case management in support of the individuals involved; and
 - Continuous improvements in process-mapping, reporting and records management.
- Creation of new teams within Human Resources – Governance, Risk and Policy, and Strategic People Initiatives – to support the delivery of workplace culture and values initiatives such as the Respect at Melbourne program of work, and to deliver improvements in policy and practice.

3.3 Strengthened Governance structures

The Respect at Melbourne Committee, chaired by the Provost, was established at the end of 2021 to provide strategic oversight for the implementation of the SMPR Policy (Terms of Reference attached at Appendix 2) and its associated program of work, including education, communications, and other culture change initiatives, are captured under the new Respect Action Plan.

The Committee is informed by advice from the Respect at Melbourne Reference Group, a new consultative forum for academic divisions, services, student organisations and affiliated colleges to provide input and feedback on the University's approach to eliminating sexual misconduct. This Group will be chaired by the Deputy Vice-Chancellor, People and Community (Terms of Reference attached at Appendix 3).

The Respect at Melbourne Reference Group builds on the work of the previous Respect Community of Practice, which supported implementation of the University's first Respect Action Plan. The program of work will be informed by a new Primary Prevention Framework. Further detail is included in Section 5 of this report.

3.4 Respect Education and leadership development

In 2021, the University commenced work on an ambitious and comprehensive University-wide education program to build capability and confidence in all our staff to prevent, call out and respond to incidences of sexual misconduct in our community.

The '*Respect*' Education program is a significant whole-of-institution learning project. For all our leaders and members of the Professoriate, it forms an important leadership development requirement, and provides an opportunity to unify all academic and professional leaders around their role in driving a respectful culture. It also promotes a consistent approach across the University in how we prevent and respond to issues of sexual misconduct and ensure clarity of roles and responsibilities. As the program continues to be delivered in 2022 to all staff, we will look to incorporate the program into induction of new staff and new leaders to the University.

This program commenced with an immersive leadership development program for our most senior 120 leaders and the professoriate, together with additional supporting and enabling initiatives to embed the change and learning. In the workshops, leaders are asked to commit to their role in setting the standard of respectful behaviour and demonstrate commitment and ownership to leading a culture of respect. In 2021, the program delivered:

- 2-day Pilot workshop;
- 2-day workshop for University Executive;
- 1.5-day workshop for the most senior University leaders;
- 1-day workshop for Professoriate (~800 eligible); and
- 1-day workshop for Human Resources, Workplace Relations and Safer Community specialists.

All the University Executive have completed the program, and approximately 95% of other University leaders and the Professoriate, including four members of the University Council, had completed it by December 2021, with final workshops being delivered in early 2022.

With significant sponsorship from the Vice-Chancellor, the Vice President Strategy and Culture, the Provost and Deans, there has been a high level of engagement with the program. Feedback and program evaluation data highlights:

- A significant self-reported improvement in participants' understanding and capacity to manage matters related to sexual misconduct;
- Increased understanding of their role as leaders in supporting the case management processes;
- Increased confidence to engage in respectful conversations with those who behave inappropriately at work; and
- Increased awareness of leadership obligations under our policy and the law, and how leaders can support those making disclosures and complaints.

Specific ongoing feedback from participants continues to inform program improvements and the design of Phase 2 of the program roll-out to all fixed-term and continuing staff. Delivery will reach the entire University workforce, including those employed on a sessional basis, by 2023.

In addition, a follow-up leadership workshop is being created to support Professors in embedding and building on this learning, with a focus on developing participants' skills in leadership that builds a safe and equitable workplace and managing difficult conversations and conflict.

The roll-out of Respect Education will continue until every staff member – including permanent, honorary, casual and contract staff – has completed the program. The program will then transition to ongoing education of all new members of our community.

3.5 Bystander Initiative

An email campaign, entitled '*Take action against sexism and sexual harassment at the University of Melbourne*,' ran throughout Semester 2 2021.

The campaign was co-designed with Vic Health to support, encourage and empower bystander intervention against sexist and sexually harassing behaviours in a university setting. The detailed intervention was designed by an external provider, the Behavioural Insights Team, in collaboration with both staff and students from the University.

The result was a series of five evidence-based email communications delivered weekly which aimed to encourage and empower all staff and students to respond actively, safely and effectively, by providing practical information and tools to help recognise and address inappropriate behaviours within our community. Throughout the program, recipients were provided with a range of information and resources to assist them to identify inappropriate behaviours and the actions they can take as a bystander to intervene in a safe way.

4. Formal complaints and their handling in 2021

4.1 Complaints Data

Complaints Against Staff

9 reports of alleged wrongdoing by staff members were made to the University during 2021, and 5 staff members left the University as a result of sexual misconduct. In some cases this included alleged wrongdoing from prior years. Of the 9 reported complaints:

- 5 reports were (or are being) formally investigated;
- For 1 report, the respondent admitted the allegations of wrongdoing;
- The respondent exited engagement or employment of the University in 4 cases. 1 respondent resigned, 1 respondent's fixed-term contract was not renewed due to serious misconduct, and 2 respondents' employment was terminated without notice for serious misconduct;
- 1 case did not progress after a preliminary assessment was undertaken;
- 1 case was not substantiated after formal investigation;
- 1 case was withdrawn by the complainant after requests for further information; and
- 1 case is on hold until the complainant decides about their options.

In two of the four instances above where the respondent exited engagement or employment, the University's decision was initially contested by the respondent via the Fair Work Commission. Both matters were withdrawn by the respondent without any form of settlement. It was made clear at conciliation that the University would not settle (either on a monetary or non-monetary basis) and was prepared to invest in defending the matter.

A fifth employee's employment was terminated for sexual misconduct during 2021, following a complaint that was lodged in December 2020.

Complaints Against Students

Four reports were made to the University during 2021 of alleged wrongdoing by students. Of those four:

- There was insufficient evidence to make a finding in one case. However the respondent was directed to participate in a specialist training workshop and directed not to contact the complainant, and the complainant was provided with support and advice;
- 1 recommendation was made to the Vice-Chancellor for suspension, with conditions placed on re-enrolment;
- 1 recommendation was made to the Vice-Chancellor for immediate expulsion; and
- 1 Suspension Order was made by Vice-Chancellor on recommendation by the Academic Registrar while the matter is under investigation.

In relation to complaints against students, a variety of actions is available to the University if the allegations are admitted or substantiated. In every case, a trauma-informed approach is taken. The complainant is always provided with options and supports, as well as advice about reporting the matter to Victoria Police in matters involving potentially criminal conduct. Follow-up risk assessment and wellbeing checks are routinely undertaken.

4.2 Disciplinary decisions as they relate to staff

Commonwealth Government amendments to the Fair Work Regulations on 10 July 2021 explicitly include sexual harassment in the definition of serious misconduct. This is an important and helpful development as it reinforces the seriousness of sexual harassment and removes any question of whether such an offence constitutes serious misconduct.

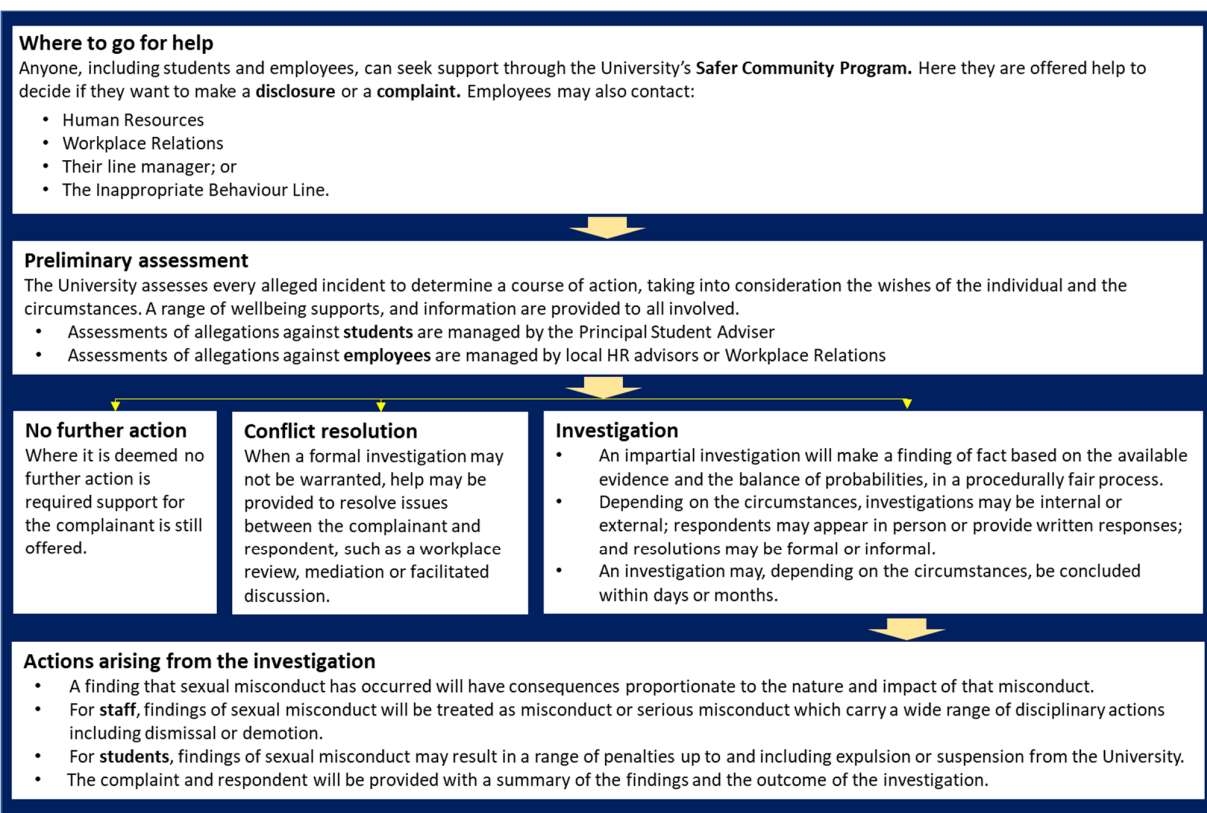
Although a finding of serious misconduct does not automatically lead to dismissal, the regulatory, policy and organisational changes saw a shift in decision-makers' deliberations. There has been a nuanced but important shift where the emphasis is not on the case for dismissal, but rather upon why sexual harassment should *not* result in dismissal.

The Provost (for Academic Divisions) and the Vice-President Strategy and Culture and Chief Operating Officer (for professional and administrative staff in non-academic Divisions) are the decision makers regarding action arising from sexual misconduct findings. This change has addressed ambiguity by creating a single point of accountability for these decisions, and reduced the capacity for conflict of interest. It has substantively contributed to swift action on findings of sexual harassment.

The Provost has attended all disciplinary discussions to directly convey the University's concerns, standards and actions to the staff member (noting there were no matters in 2021 requiring Vice-President Strategy and Culture or Chief Operating Officer's attendance). Where a decision to dismiss has been challenged, the University's position is and will continue to be to contest the challenge rather than to reach a settlement.

The University has also sought to be more open with our communication about findings on breach of our sexual misconduct policy and subsequent dismissals arising from serious misconduct. Importantly, we have engaged complainants about the timing and content of such communications to ensure that they are comfortable with the proposed approach.

Table 1: Improved reporting and investigation process



4.3 Disciplinary decisions as they relate to students

Allegations of student sexual misconduct are considered in accordance with the SMPR Policy and the Student Conduct Policy. Cases of sexual assault or serious sexual harassment by a student result in strong penalties wherever appropriate. However, a student discipline committee finding of student sexual misconduct does not automatically lead to a recommendation to the Vice-Chancellor for expulsion or suspension of the student. As is the case with staff, decisions on appropriate outcomes are made based on a careful assessment of the circumstances.

In 2022, additional capacity will be added to the Academic Registrar’s office to deal more effectively with high-risk conduct including sexual assault and sexual harassment. The new position will commence in 2022 and will work more closely with academic divisions and student organisations in relation to the process for reporting sexual misconduct and to support students through the process.

The Academic Registrar publishes potential penalties for student misconduct, web-linked from the University’s Student Conduct Policy. These penalties have been reviewed and strengthened to reflect the principles of the University’s new SMPR Policy.

5. 2022 Priorities

Our ambition is for the University of Melbourne to be a place where all students, staff and visitors are safe and treated with absolute respect, and where there is no place for any form of sexual assault or sexual harassment. In 2022, staff and students are working together to strengthen and sustain this respectful environment, at all levels of the institution.

5.1 Encouraging disclosure and reporting

In 2021, the University employed more than 9,000 staff (calculated on a full-time equivalent basis). In a survey of employees carried out by the University in early 2022, as part of the *Workplace Gender Audit 2021*, 181 respondents reported that they had experienced sexual harassment in the last 12 months, of whom 143 are women. 9 staff lodged a formal complaint of sexual harassment during 2021.

In 2021, the University joined all Australian universities to undertake the 2021 National Student Safety Survey. This was designed to present a comprehensive picture of the experience of sexual harassment and sexual assault among university students.

Of the more than 54,000 students (equivalent full time student population) enrolled at the University in 2021, 1,481 students participated in the survey. In the last 12 months, 7.5% of respondents had experienced sexual harassment and 1.3% had experienced sexual assault. In contrast, only 1.9% of students who experienced sexual harassment made a formal complaint to the University with 20.7% of students who experienced sexual harassment seeking support or assistance. Four students lodged a formal complaint of sexual harassment during 2021.

These figures suggest a widespread reluctance to formally disclose or lodge complaints regarding incidents of sexual misconduct. Work during 2021 to improve trust in our complaints-handling systems, to increase resourcing of complaints-handling and supports available to victim-survivors, to bring central oversight to disciplinary decisions, and to improve leaders' understanding and support of respectful behaviours, should reduce the incidence of sexual misconduct at the University, while at the same time encouraging staff and students to report any such incidents. We will continue to gather data and track trends in student and staff experiences, to measure the impact of our culture change efforts and to inform continuous improvement.

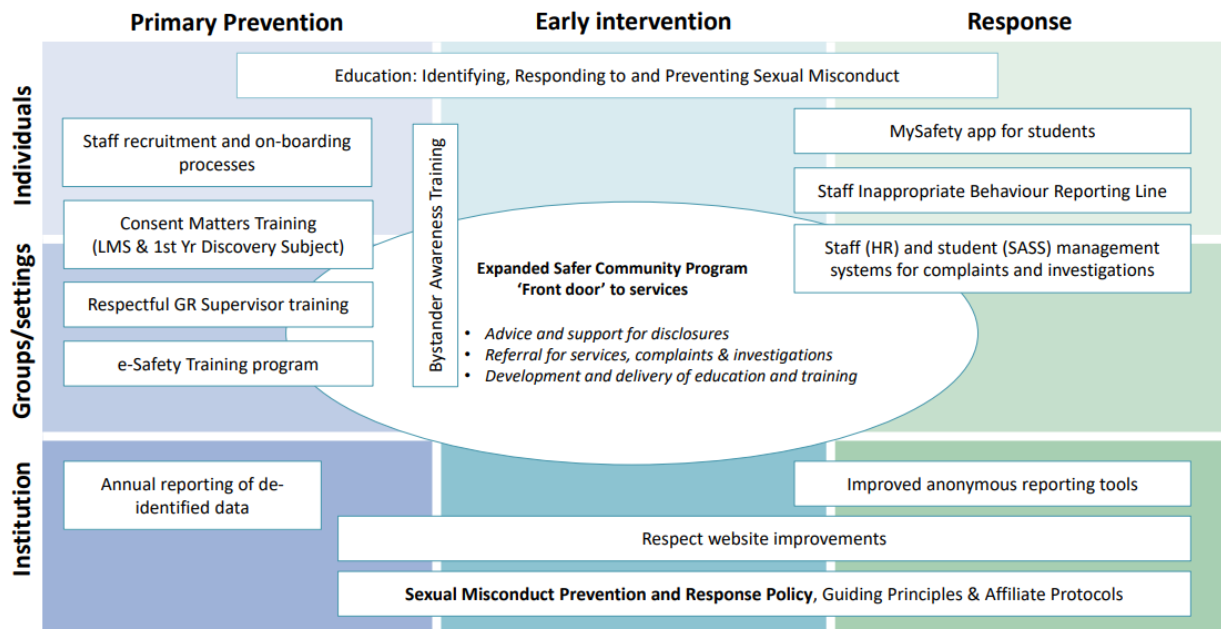
5.2 Strengthening governance

'Respect at Melbourne' is a program of work designed to eliminate all forms of sexual misconduct from our University community. It is underpinned by our standalone SMPR Policy and uses a Primary Prevention Framework.

The Primary Prevention Framework is widely recognised as an evidence-based, best practice approach to (i) preventing, (ii) intervening early in, and (iii) responding to sexual harassment and sexual assault. The framework addresses the relationships between individuals and the settings in which they work, including interventions delivered at an individual, group and whole-of-institution level to eliminate sexual misconduct.

The Primary Prevention Framework (outlined in Table 2 below) is guiding the development of our new Respect Action Plan, which includes delivering education and training programs, increasing support services for students and staff, updating recruitment and orientation activities, and developing a new approach to reporting de-identified University data, amongst other things.

Table 2: Key areas of Respect Action Plan mapped onto the Primary Prevention Framework



5.3 Respect at Melbourne Committee

In 2022, the Respect at Melbourne Committee's focus will include:

- Reviewing the University's performance in preventing and responding to sexual misconduct through monitoring agreed data and performance measures;
- Overseeing the development of the Respect Action Plan which integrates reporting, education, training, and communications initiatives for preventing, intervening early in, and eliminating sexual misconduct, aligned to the Primary Prevention Framework;
- Advising on strategy, resources, and specific interventions as necessary to improve the culture, policies, and practices of the University in relation to sexual assault and sexual harassment;
- Identifying and addressing emerging issues in relation to sexual assault and sexual harassment and related matters; and
- Reporting to University Executive on the development and monitoring of the Respect Action Plan, to improve the University's approach to eliminating sexual misconduct.

5.4 Introduction of Speak Safely platform

An external provider (Elker) was chosen to develop a new reporting pathway, linked to the University's implementation of a new whistleblowing platform. It was launched in April 2022.

The 'Speak Safely' platform supports staff, students, and external people who wish to lodge details of concerns and to make identified or anonymous reports of sexual assault or sexual harassment. It enables triage, support, advice and action in one dashboard, with strict levels of privacy protection. It will also improve data quality and reporting on sexual misconduct.

Introduction of the platform will increase support for victim-survivors who may be reluctant to report or engage through existing channels and encourage them to engage with support services and complaints processes.

5.5 Widening awareness and building capability

Delivery of the Respect Education program (outlined above) will reach the entire workforce by 2023, including all casual, contract and honorary staff. Detailed delivery planning is underway. The target audience for 2022 includes all fixed-term and continuing staff, with specific programs being designed to meet the needs of the various cohorts.

There is ongoing work to strengthen and expand communication around the University's refusal to tolerate sexual misconduct, including developing material that specifically takes into consideration different cultural norms and sensitivities as well as communication activity targeted to Indigenous students, international students and other culturally and linguistically diverse groups.

We also need to strengthen our approach to confidentiality, to achieve a balance which assures integrity of process and privacy for participants but also enables areas affected by sexual misconduct to receive a debrief on case outcomes. This should help teams rebuild and recover, and build trust in the University's processes and its commitment to eliminating sexual misconduct.

A review of the University's recruitment practices and procedures is being carried out in the first half of 2022. It includes consideration of police checks for all preferred candidates, candidate references, as well as interview questions exploring values alignment.

Appendices

Appendix 1: Key findings of Allen + Clarke review of the University's current policy framework for sexual harassment and sexual assault (as at May 2021)

- The University's policy and processes were considered not sufficiently victim-centred nor trauma-informed. Action was needed to build confidence and trust within the University's community, and improve the experience of those wishing to make reports and lodge complaints, from the time a disclosure is made through to the conclusion of a complaint.
- University policy and processes were perceived as disconnected and not readily accessible, with different policies and procedures for staff and for students. Investigation and decision-making processes flowing from policy were found to be not sufficiently clear, and not effectively communicated. Decision-makers and their accountabilities needed to be more clearly specified.
- A better understanding was needed of power imbalances and their role in sexual misconduct. There was insufficient consideration of how real or perceived power differentials within Departments or smaller teams may result in a reluctance to report sexual misconduct and even adversely affect the course of an inquiry. This was identified as an area for urgent and ongoing action.
- There needed to be greater recognition of, and support for, our culturally and linguistically diverse community. An appreciation of intersectionality was also considered lacking in our approach to managing sexual misconduct and supporting victim-survivors.
- Strengthening our commitment to eliminating sexual misconduct requires significant investment in education, leadership development and capacity building. Issues identified included: improving our community's understanding of what constitutes sexual misconduct, building understanding of the policy and the processes which support it, educating all staff and students in how to support respondents, including understanding the responsibilities of 'first responders' and 'bystanders'.
- A need for greater transparency was identified as essential to building confidence of potential complainants. Feedback was received that confidentiality requirements are sometimes poorly understood by managers and participants in complaints-handling misconduct processes. While confidentiality is important to protect the privacy of everyone involved in a disclosure or complaint around sexual misconduct, and to ensure the integrity and fairness of the process, feedback also suggested that lack of communication by the relevant Divisions and Faculties around factual decisions taken and decisions about disciplinary actions following investigation are sometimes perceived as protecting the subject of a complaint. At the same time, some leaders reported that they did not feel empowered to discuss such outcomes with their staff.
- Clear guidance was needed on how disclosures and complaints regarding historic cases should be managed.
- Greater clarity was needed about the scope/jurisdiction of the University's policy, particularly in relation to affiliates, partners, visitors, and where people have dual roles. This requires discussion with affiliates and potentially the development of, or amendments to, affiliation agreements.
- Demonstrated commitment and responsibility on the part of the University leadership was seen as important in building trust and confidence. Measures to address this range from

benchmarking the University's policy externally and ensuring regular external reviews of its efficacy, to demonstrated leadership on this issue being seen as integral to the role of all leaders within the university.

Appendix 2: Respect at Melbourne Committee – Terms of Reference

Respect at Melbourne Committee

Terms of Reference

1. Purpose

The Committee will be chaired by the Provost and will provide strategic oversight for the implementation of the Sexual Misconduct Prevention and Response Policy (SMPRP), and associated initiatives under the Primary Prevention Framework.

This will include:

- Reviewing the University's performance in preventing and responding to sexual misconduct through monitoring agreed data sources and performance measures.
- Overseeing the development of an integrated Action Plan of reporting, education, training and communications initiatives for eliminating sexual misconduct, aligned to the Primary Prevention Framework.
- Advising on strategy, resources, and specific interventions as necessary to improve the culture, policies and practices of the University in relation to sexual assault and sexual harassment.
- Identifying and addressing emerging issues in relation to sexual assault and sexual harassment and related matters.
- Receiving advice and feedback from the Respect at Melbourne Advisory Group.

2. Membership

- Provost (Chair)
- Deputy Vice-Chancellor, People and Community
- Vice-President Strategy & Culture
- Pro Vice-Chancellor (Student Life)
- Chief Human Resources Officer
- Executive Director, Student and Scholarly Services and Academic Registrar
- President, University of Melbourne Student Union
- President, Graduate Student Association.

3. Reporting

The Provost will report to University Executive on the development and monitoring of an annual Respect Action Plan approved by University Executive to improve the University's approach to eliminating sexual misconduct.

4. Executive Support

Executive Support will be provided by the Associate Director, Respect Initiatives and team based in Chancellery Academic.

Appendix 3: Respect at Melbourne Reference Group – Terms of Reference

Respect at Melbourne Reference Group

Terms of Reference

1. Purpose:

- The Respect at Melbourne Reference Group will provide a consultative forum for academic divisions, services, student organisations and affiliated colleges to provide input and feedback on the University's approach to eliminating sexual misconduct.
- It will be chaired by a member of the Respect at Melbourne Committee (DVC People and Community) to ensure alignment with the University's Respect Action Plan, and report back to that Committee on its activities to ensure a co-ordinated University-wide approach.

2. Membership:

- Deputy Vice-Chancellor (People & Community) – Chair
- Pro Vice-Chancellor (Graduate Research) or nominee
- Nominee from each Academic Division
- Nominee/s from the Diversity & Inclusion Subcommittee
- Associate Director, Campus Community
- Director, Student Success/SASS nominee
- Nominee/s of the Chief Human Resources Officer
- Nominee of University and affiliated colleges
- Director MU Sport
- Women's Office Bearers, UMSU and GSA
- Three experts as nominated by divisions or student organisations (at the discretion of the chair).

3. Executive Support

Executive support will be provided by the Associate Director, Respect Initiatives and team based in Chancellery (Academic).

