

Policy Against Sexual Abuse and Sexual Harassment



SECTION 1

1. Purpose

- 1.1 This policy sets out the principles and commitment to preventing and responding to incidents of all forms of sexual abuse, including exploitation, assault and harassment for students, staff and visitors at the Institute of Health and Nursing Australia (IHNA).
- 1.2 To ensure a safe study and workspace which is free from all types of sexual abuse, and sexual harassment (SASH), (including exploitation), for all stakeholders.
- 1.3 To ensure that all stakeholders are aware of their responsibilities if involved in an incident, in any capacity.

2. Scope

- 2.1 This policy applies to all students, staff and other stakeholders engaged in activity on Institute of Health and Nursing campuses, participating in online and offshore activities regardless of the location or environment in which the incident occurs.

3. Definitions

- 3.1 Refer to IHNA's Glossary of Terms.

SECTION 2

4. Principles

- 4.1 The principles outlined in this policy exemplify the Institute of Health and Nursing Australia's commitment to cultivating a secure and nurturing environment for both staff and students.
- 4.2 IHNA upholds a strict zero-tolerance stance against all forms of sexual abuse, ensuring that every allegation is addressed with impartiality and procedural objectivity.
- 4.3 Preventative measures are integral to our approach, with educational programs and awareness training seamlessly integrated into student and staff resource materials to empower stakeholders as advocates for change.
- 4.4 IHNA manages counselling internally and externally by Relationship Australia medical services (external hospitals and clinics), and an interpreter service (external-Australian Government, Department of Home Affairs-Translating and Interpreting Service), with utmost confidentiality and respect for privacy. Survivors' rights, needs and wishes are paramount, balanced with procedural fairness for all involved.
- 4.5 The primary consideration in managing disclosure is maintaining the well-being of all parties involved.

- 4.6 It is expected that IHNA's students and staff, particularly executive members, coordinators, and faculty, will respond to incidents of sexual abuse, assault, and harassment with sensitivity and support.
- 4.7 IHNA collaborates with support services such as Victoria Police Service and other external organisations to ensure adherence to correct protocols and professional, sensitive management of disclosures.
- 4.8 Our incident reporting procedures are designed for efficiency and accessibility, minimising the need for survivors to repeatedly recount their experiences.
- 4.9 Taking adverse action against parties who report incidents may breach the Fair Work Act 2009 (Cth.) and the Protected Disclosure Act 2021 (VIC). Any form of discrimination related to grievance resolution is also strictly prohibited.
- 4.10 Recognizing the potential for power imbalances to foster abusive behaviour, particularly in cases of transactional sex and inappropriate associations, IHNA considers factors such as seniority and power differentials across various dimensions (e.g. ethnicity, gender orientation, religion, age, socioeconomic status) when addressing reported incidents.

5. Disclosure, Monitoring and Review

- 5.1 In instances where a party under the age of 18 (a minor) reports a sexual assault, IHNA is mandated by law to liaise with the respective state and territory Police. The coordination of all communication with the relevant police personnel will be overseen by the Academic Director.
- 5.2 Individuals over the age of 18 who have experienced sexual misconduct or other more serious incidents have the right to decide what information they want to disclose.
- 5.3 A process of providing information and support will be commenced once a student or staff member makes a disclosure.
- 5.4 An internal investigation may be initiated as required if the incident was not reported by the victims or witnesses to the police.
- 5.5 IHNA will not take any further action on any disclosure which is under police investigation.
- 5.6 A critical incident form is used to report a sexual misconduct incident and a detailed report is to be completed within 5 working days.
- 5.7 IHNA's Executive Management Committee is responsible for gathering and analysing the data related to sexual abuse, assault and harassment which will inform the development of procedures aimed at minimising future incidents. Key aspects to be considered include:
 - a. The number and types of reported incidents, including those reported to external authorities.
 - b. The progress of each incident, including any disciplinary measures taken.

- c. Analysis of incident data to identify trends or patterns.
- d. Recommendations for additional education initiatives to prevent future incidents.

5.8 The Executive Management Committee will provide regular reports to the Board of Directors, facilitated by the Chief Executive Officer. Additional reports may be generated in response to critical incidents.

6. Responsibility

6.1 The National Training Managers and Campus Managers have the overall responsibility for this policy.

SECTION 3

7. Associated Information

<p>Related Internal Documents</p>	<ul style="list-style-type: none"> • Bullying and Harassment Policy • Bullying and Harassment Procedure • Business Code of Conduct • Critical Incident Response Policy • Critical Incident Response Procedure • Critical Incident Report Form • Sexual Assault and Sexual Harassment Procedure • Student Code of Conduct • Student Complaint and Appeals Policy • Student Complaint and Appeals Procedure
<p>Related Legislation, Standards, and Codes</p>	<ul style="list-style-type: none"> • Victorian Equal Opportunity and Human Rights Commission-Guidance Note-2020 • Safe Work Australia for preventing workplace sexual harassment • Australian Human Rights Commission- Ending workplace sexual harassment: A resource for small, medium and large employers • Worksafe Victoria-Guides for Employers • Australia- Guidelines for The Institute Responses To Sexual Assault And Sexual Harassment • Equal Opportunity Act 2015 (Vic.) and/or the Sex Discrimination Act 1984 (Cth).” https://humanrights.gov.au/our-work/sexual-harassment-code-practice-what-sexual-harassment • “Crimes Act 1958 No 6231 of 1958 (1)For the purposes of Subdivisions (8A) to (8E), https://www.legislation.vic.gov.au/in-force/acts/crimes-act-1958/294 • Corporations Act • Crimes Act (1958) Victoria • National Vocational Education and Training Regulator Act 2011 • Enrolled Nurse Accreditation Standards 2017
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8. Change History

Version Control		Version 2.0
Version No.	Date	Brief description of the change, incl version number, changes, who considered, approved, etc.
V.1.0	14/02/2024	Prepared, and revised new policy
V.2.0	14/07/2024	Updated in new template and logo, Moved definitions into the Glossary of Terms