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STUDENT GUIDE FOR HARASSMENT & DISCRIMINATION

ANU College of
Engineering &
Computer Science

STUDENT GUIDE FOR HARASSMENT & DISCRIMINATION

From the College of Engineering and Computer Science Leadership Team

Each of us have taken on our leadership roles because of our collective belief that a good university experience can transform lives and societies. As a College we are committed to ensuring that staff and students are treated with integrity and respect. The behaviours outlined within will not be tolerated under any circumstances.

This guide will outline the support and reporting mechanisms that are available to you should you witness or experience harassment at the College. We acknowledge that experiencing, witnessing or reporting incidents can each be a distressing experience. We are committed to ensuring that reports of inappropriate behaviour are dealt with in a serious, but compassionate way. Any reports will be treated in the strictest possible confidence.

If you are experiencing harassment we urge you to reach out through any of the contacts listed. We are each committed to ensuring that your university experience is as rich, rewarding and safe as it can be.

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Dean

Prof. Thushara Abhayapala,
Deputy Dean, Associate Dean (Research)

Prof. Alistair Rendell,
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Our commitment to respectful workplace/‘study place’

ANU is committed to ensuring students are treated with integrity and respect. All members of ANU have the right to work and study in an environment free from discrimination and harassment.

ANU will NOT tolerate these behaviours - whether they be intentional or otherwise - and will take action against any student or staff member found to have engaged in unacceptable conduct.

We encourage you to make contact with us if you have any concerns regarding discrimination and harassment in our College or at the ANU, as feedback from our students allows us to actively address inappropriate behaviour and out-dated beliefs which will make our campus a more safe and inclusive environment for everyone.

The ANU is committed to ensuring complaints of this nature are addressed quickly and in fair manner.

What is Harassment and Discrimination?

What is harassment?

The ANU considers harassment to be behaviour, comments or images that are unwelcome, offensive, humiliating or intimidating to a person, and that, in the circumstances, a reasonable person should have expected would be offensive or intimidating, and also includes sexual harassment (ANU Discipline Rule 2017).

Harassment can come from any person affiliated with the University. This includes other students, your lecturers and tutors, contractors or other service providers on campus.

It does NOT matter if the harasser does NOT INTEND to offend, intimidate, or humiliate you. If the behaviour is unwelcome and makes you feel this way, it is still harassment.

You do NOT need to tell the harasser that their behaviour is unwelcome. Even if you don't communicate this to them, their behaviour can still be considered harassment. For example, in some cases, you may feel like you need to 'go along' with unwelcome offensive/intimidating/humiliating behaviour because you are worried that you might be victimised or disadvantaged if you don't.

What is sexual harassment?

Sexual harassment is ANY unwanted, unwelcome, or uninvited sexual behaviour that makes the recipient reasonably feel offended, intimidated, or humiliated. This could take the form of sexually suggestive comments or jokes, intrusive questions about your private life, inappropriate staring, unwelcome or inappropriate physical contact or sexually explicit messages or images.

Sexual harassment can be physical or verbal, in person or online, ongoing or one-off, and/or perpetrated by males or females to recipients of the same or opposite sex. However, sexual harassment is not behaviour that is mutual or consensual.

What is discrimination?

The ANU considers discrimination to be unfair or inequitable treatment on the basis of a person's race, colour, sex, sexual preference or orientation, marital status, pregnancy or potential pregnancy, status as carer, age, disability, ethnic or national origin, breastfeeding requirements, religious, political or union affiliation, or any other attributes applied by or set out in any Commonwealth, State, Territory or University legislation that applies in relation to a University activity (ANU Discipline Rule 2017).

Resolution Methods: What are your options if you experience harassment or discrimination?

The experience of harassment or discrimination can be overwhelming, disempowering and stressful. We understand that figuring out the actions you can take to resolve the situation may cause you additional anxiety and stress. The College of Engineering and Computer Science is committed to making this process as clear and simple as possible for you. Our goal is to help resolve the situation for you and all involved.

This section gives you some details about the possible avenues you can pursue to achieve a resolution.

Initial support networks

First and foremost, it is essential to get some support. Find someone who you feel safe talking to – this might be friends, a family member, a trusted member of staff in the College or any of the contacts for support listed on page 6-7.

Informal resolution

You may want to try to resolve the issue yourself in an informal way. The following are some informal resolution options:

1. You could seek the advice from a trusted person, i.e. a contact listed in on page 6-7. This person can help you to develop strategies and appropriate responses if you are the recipient of or witness to further harassment or discrimination.
2. You could also try speaking directly to the person concerned about the issue. In many instances, the perpetrator does not realise the effect of their actions and may change their behaviour once an issue has been pointed out to them.
3. Alternatively, you could try speaking with an independent person, such as the ANU Dean of Students, who can give you confidential advice external to the College.

Formal complaints at ANU

You may not be able to successfully resolve the issue informally, or you may feel that it is not possible or safe to do so. In these cases, you can opt to make a formal complaint.

We understand that the prospect of making a formal complaint can be daunting. These are the steps involved in making a formal complaint in line with ANU processes:

DECIDING TO MAKE A COMPLAINT

Seek advice and support from any of the College contacts listed on page 6 or the ANU Dean of Students. These contacts can talk with you about your options – including support services available to you - and can help you navigate the ANU policies and procedures, if you do decide to make a formal complaint.

WHAT DO I NEED TO KNOW ABOUT MAKING A FORMAL COMPLAINT

The College and the ANU respect your right to privacy and we understand that instances of harassment or discrimination can be deeply painful or embarrassing and that victims may prefer to remain anonymous. Currently, formal complaints can be made anonymously, however, it's important to note that with due regard to procedural fairness, confidentiality and the potential for victimisation, anonymous complaints cannot be appropriately verified and pursued under misconduct or disciplinary rules.

Procedural Fairness is concerned with the procedures used by a decision maker and not the decision itself. Procedural Fairness is achieved via:

- > a hearing appropriate to the circumstances,
- > lack of bias,
- > evidence to support the decision and
- > a reasonable enquiry into the matter in dispute.

Investigating claims of harassment and discrimination in adherence with Procedural Fairness is essential, as the impact of a lack of Procedural Fairness could result in:

- > Decisions overturned on Appeal or by external bodies
- > Alleged perpetrators returned or reinstated
- > Potential to prejudice external proceedings

Complaints made anonymously are still taken very seriously and claims are investigated discretely, with a view to implementing broader interventions to combat negative and damaging behaviours and attitudes. You can choose to make your initial complaint anonymously and then identify yourself at a later date, if you decide you would like the College to investigate the circumstances you have disclosed in more detail (with a view to making an official finding).

There may also be instances where some information that you have provided in the course of making a complaint needs to be provided to other appropriate areas of the university (or to the police) so the situation can be appropriately investigated and

actions put in place to support you and to avoid harm coming to other students or staff. This will not be done without your knowledge and any issue raised is treated with confidentiality and sensitivity.

AFTER YOU MAKE A FORMAL COMPLAINT

- > You will be contacted and offered further support and a face-to-face meeting with an independent staff member. The immediate priority is your safety and the safety of other members of our community. We recognise that you may be worried about confidentiality and future repercussions. We want to reassure you that it is safe for you to raise your concerns, and meetings will be confidential. In some cases, however, where there is concern for your immediate safety or the safety of others or if an alleged criminal offense has been disclosed, the College may be required to escalate the matter. In these situations, you will be kept informed of who has become involved and where each step of the process is up to.
- > While mandatory reporting to the university (typically high-level, de-identified information pertaining only to the nature of the complaint) or subpoenaed evidence may require us to report your disclosure, the vast majority of disclosures will be kept confidential.
- > In general, an independent investigator from within ANU will be assigned to investigate your complaint. This person will conduct interviews and the findings of these interviews will be discussed with the Dean of the College (or her appointed representative). You will also be given the opportunity to provide input into the outcome that you feel is appropriate.
- > If the complaint is substantiated, immediate action will be taken to address the conduct of the perpetrator and your input (with regard to the outcome of this process) will be taken into consideration.
- > The ANU College of Engineering and Computer Science takes harassment and discrimination very seriously. Depending on the nature of the incident, consequences may include (but are not limited to) training, counselling, suspension or exclusion of students or suspension or termination of a staff member's employment.
- > Either party can appeal the findings if they feel this is warranted.
- > If any aspect of the complaint possibly constitutes a criminal act, the investigator can, in consultation with you, refer the matter to the relevant agency (usually the Australian Federal Police). In this case, the investigator will give you further information on that process.
- > If you are involved in making a formal complaint, you are asked to:
 - Follow the resolution process outlined in this guide as far as practical, remembering that every situation will be different.
 - Actively participate in attempts to resolve the issue.
 - Avoid victimising or harassing the alleged perpetrator, or others involved in resolving the issue.
 - Recognise that the principles of procedural fairness must be followed for all parties.

FURTHER AVENUES FOR HELP

After the completion of the formal complaint process, if you do not believe the situation has been adequately or appropriately resolved, there are further avenues you can pursue:

1. You can refer the matter to the Deputy Vice-Chancellor (Academic). However, you will need to seek advice from the Dean of Students before this happens.
2. If the harassment or discrimination is based on sexuality, gender identity, intersex status, disability, race or age, you can make a complaint directly to the Australian Human Rights Commission (1300 656 419), or visit the webpage: www.humanrights.gov.au
3. You can also contact the ACT Ombudsman, who investigates complaints of unreasonable administrative actions taken by ANU towards students. Complaints can be made online: www.ombudsman.act.gov.au

ANONYMOUS REPORTING AT ANU

The College of Engineering and Computer Science has a duty of care to ensure the welfare of students. As stated previously, anonymous reporting by its nature prevents continued support and follow-up, and impedes natural justice for the victim and the alleged perpetrator. However, if you feel that none of the options described above will work, please still seek support during this difficult time, and consider contacting the key contacts list on page 6-7, either confidentially or anonymously or through a third person. Our primary concern is your welfare, and we want to make sure you get the support that you need.

Reasons you may not report harassment and discrimination, and the reasons you should

Why you may be reluctant to report:

“I didn’t want to cause trouble in the peer group/ make things awkward and uncomfortable for others/ have people taking sides/ blame me for what’s happened/ change group dynamics/ think I’m an attention-seeker or trouble-maker”

Although experiencing harassment or discrimination can be a humiliating and isolating experience, you’re not alone. In all likelihood, there are other people in your social circles who feeling just like you, hoping that someone will speak up and put a stop to the behaviour. By reporting the behaviour, you can empower other students and staff to speak up about how they are feeling and this will have a positive impact on our community. You will also have access to a strong network within the university who can provide you with support and advice, as needed.

“I didn’t think it was bad enough to warrant any action”

It’s not uncommon for victims to question and second-guess themselves about what they’ve experienced or witnessed or even

to down-play or justify the perpetrator's behaviour in some way. If you have seen or experienced behaviour from someone that has caused you to feel unsafe in any way but you're unsure of whether you should report it, talk through the situation with a friend or a trusted ANU representative for a fresh perspective.

"I'm scared reporting will affect my study or work prospects in the future"

This is a common fear for both victims and their trusted friends or family, and can discourage reporting, but is rarely true. Complaints are managed confidentially which means that those not directly involved with an investigation will not have access to the details of your complaint, even after you graduate.

"I suspect no action will be taken, so what's the point?!"

ANU and the College of Engineering and Computer Science have a zero-tolerance policy for harassment and discrimination. All complaints must be investigated and if substantiated, will have consequences for perpetrators.

"I saw something happen but I didn't want to break anyone's confidentiality or cause trouble for anyone by saying anything"

Supportive bystanders should look for ways to speak up safely and respectfully. Exactly how, will differ according to the situation. But it shouldn't be up to victims alone to speak out. Try to support the person who is being harassed or discriminated against and, if appropriate, offer to help them report it. You can also use the same informal and formal complaint processes whilst maintaining the confidentiality of the victim.

Why you should consider reporting:

Regain control of your life - Fear of negative consequences is a major barrier to victims coming forward, however if you are the victim of harassment or discrimination, it is likely that the behaviour is already having a devastating effect on you in both your personal life and your academic performance. Although it is extremely difficult to do, by coming forward you have the opportunity to break this painful cycle and regain control.

Make ANU safer for everyone – Our College can only address problems it is aware of. By reporting harassment and discrimination, you are helping to make ANU a fairer and more supportive learning environment for everyone.

What do you do if you experience or witness harassment or discrimination?

1. Informal resolutions

There are different options:

- > Seek advice from a trusted person:
 - A friend or family member,
 - Student Experience Coordinators
 - CECS Student Services
 - Sub-Dean Engaged Learning
 - ANU Dean of Students
 - Another contact person you feel comfortable speaking with, including those on page 6-7.
- > Speak directly to the person concerned.

If the matter remains unresolved, consider a formal complaint.

If informal resolutions have not worked, you feel unsafe, or the behaviour is serious.

2. Formal complaint

Contact either:

- > Student Experience Coordinators
- > CECS Student Services
- > Sub-Dean Engaged Learning
- > ANU Dean of Students
- > Another contact person you feel comfortable speaking with, including those on page 6-7.

This person will support you and tell you more about your options. Together you can decide if you want to the formal complaint process to proceed and what options are available to you.

3. Still not resolved?

Hopefully informal resolution strategies or a formal complaint will resolve the issue. However if not, there are still options available:

- > ANU Deputy Vice-Chancellor (Academic)
- > ACT Ombudsman
- > Australian Human Rights Commission (for complaints relating to discrimination)

What do you do if you think you have harassed or discriminated against someone?

If you think you may have been directly or indirectly involved in harassing or discriminating against someone, the same contacts and resources are available to you. We urge you to reach out to one of the contacts listed on pages 6-7, for support and advice about your resolution options.

List of contacts for support

There are a number of resources you can access for more information, help, or advice on reporting:

Student Contacts:

CECS ANUSA Representatives

sa.cecs@anu.edu.au

CECS PARSA Representative

parsa.cecs@anu.edu.au

ANUSA/PARSA Student Assistance Officers

6125 2444 (ANUSA)

6125 4187 (PARSA)

sa.assistance@anu.edu.au

ANU College of Engineering and Computer Science Contacts:

Sub-Dean Engaged Learning

Dr Matthew Doolan,
matthew.doolan@anu.edu.au

RSEng Student Experience Coordinators

Dr Fiona Beck, fiona.beck@anu.edu.au
Dr Nan Yang, nan.yang@anu.edu.au)

RSCS Student Experience Coordinators

Dr Qing Wang, qing.wang@anu.edu.au
Dr Ben Swift, ben.swift@anu.edu.au

Associate Dean (Education)

Jochen Trumpf, jochen.trumpf@anu.edu.au

Associate Dean (HDR)

Dan MacDonald, daniel.macdonald@anu.edu.au

Associate Dean (Access and Inclusion)

Genevieve Bell, Genevieve.bell@anu.edu.au

Student Services

Paul Melloy,
Student Services Manager,
paul.melloy@anu.edu.au

Natalie Young,
Deputy Manager,
natalie.young@anu.edu.au

Contacts outside the ANU College of Engineering and Computer Science:

ANU Dean of Students

6125 4184, dean.students@anu.edu.au

The Dean of Students is available for confidential advice and reporting external to the College. The Dean of Students can act as a neutral intermediary between the students and the University and help to determine the best way of addressing complaints within the University

ANU Counselling Centre

6125 2442, counselling.centre@anu.edu.au

The Counselling Centre offers free and confidential counselling to all ANU students.

Canberra Rape Crisis Centre counsellors at ANU

6247 2525, crcc@rapecrisis.org.au

Counsellors are located on campus in an equivalent full-time role. Both female and male counsellors are available.

ANU Security

6125 2249, security@anu.edu.au

Security maintains a 24 hour patrol, responding to emergency situations and providing first aid.

Heads of Residential Halls & Colleges- if you live on campus, you can contact the Head or senior pastoral care staff at your residence for academic and personal support, referral and information.

Your GP

Can provide confidential advice and referral to specialised support services.

For emergency counselling support

Dealing with harassment and discrimination can take a significant toll on your mental health and physical wellbeing. If you do experience significant mental anguish, please reach out to someone you trust. If support is needed urgently there are 24 hour services available including:

Beyond Blue Support Service

1300 224 636

Lifeline crisis support and suicide prevention

13 11 14

Canberra Rape Crisis Centre (7am-11pm)

(02) 6247 2525, After hours- 13 14 44

Australia wide 24/7 University Support Line (24 hours)

1800 572 224

1800RESPECT (24 hours)

1800 737 732

If you experience a sexual assault

There are people who can give you specialist advice and support. Even if you are not ready to report the assault, you should seek medical assistance as soon as possible after the event.

Canberra Rape Crisis Centre (7am-11pm)

(02) 6247 2525

NSW Rape Crisis Centre (24 hours)

1800 424 017

Service Assisting Male Survivors of Sexual Assault

6287 3635

Canberra Sexual Health Centre

(02) 6244 2184

Forensic & Medical Sexual Assault Care (FAMSAC), Canberra Hospital

(02) 6244 2222

AFP Sexual Assault Team

13 14 44

NSW Police Assistance Line

13 14 44

Feedback

If you identify information that is incorrect, or additional information that you think needs to be included in this document, don't keep it a secret. Please provide your feedback and ideas surrounding the content of this resource to CECS Student Services – studentadmin.cecs@anu.edu.au

References

Policy: Student Complaint Resolution https://policies.anu.edu.au/ppl/document/ANUP_000468

Procedure: Student Complaint Resolution https://policies.anu.edu.au/ppl/document/ANUP_000540

Policy: Student Critical Incident https://policies.anu.edu.au/ppl/document/ANUP_002606

Procedure: Student Critical Incident https://policies.anu.edu.au/ppl/document/ANUP_002607

Procedure: Prevention of discrimination, harassment and bullying https://policies.anu.edu.au/ppl/document/ANUP_000623

ANU Discipline Rule (2017) <https://www.legislation.gov.au/Details/F2017L01196>

ANU College of Medicine, Biology & Environment, Bullying, Sexual Harassment, and Discrimination guide

CONTACT US

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