



BULLYING, HARASSMENT AND DISCRIMINATION PREVENTION POLICY 2015

The Vice-Chancellor as delegate of the Senate of the University of Sydney, adopts the following policy.

Dated: 10 December 2015

Last amended: 1 August 2018

23 March 2019 (administrative amendments only)

20 November 2019

4 February 2020 (administrative amendments only)

25 September 2020 (commencing 6 October 2020)

1 January 2022 (Administrative amendment only)

1 February 2023 (Administrative amendment only)

18 December 2023 (administrative amendment only)

21 December 2023 (administrative amendment only)

2 July 2024 (administrative amendments)

14 October 2024 (administrative amendments)

Position: Vice-Chancellor

Acting Vice-Chancellor

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1 Name of policy

This is the Bullying, Harassment and Discrimination Prevention Policy 2015.

2 Commencement

This policy commences on 1 January 2016.

3 Policy is binding

Except to the extent that a contrary intention is expressed, this policy binds the University and all staff, students, workers and affiliates.

4 Statement of intent

This policy:

- (a) affirms the University's commitment to:
 - (i) provide a safe and healthy workplace and learning environment that is free from bullying and unlawful harassment and discrimination; and
 - (ii) provide workers with information and training in relation to bullying, unlawful harassment and discrimination;
 - (iii) support the wellbeing of all those involved in a bullying, harassment or discrimination matter.

Note: Emergency or crisis contact details are listed in schedule one and support services available to students and staff are listed in schedules two and three to this policy.

Note: See the [Bullying, Harassment and Discrimination Resolution Procedures](#) and [Student Complaints Procedures](#).

- (b) reflects the University's values of:
 - (i) respect and integrity; and
 - (ii) inclusion and diversity;



and

(c) supports the University's strategic goal of a culture built on our values.

Note: See the [University's Strategy 2032](#).

5 Application

- (1) This policy applies to the University and any staff member, worker, affiliate or student in relation to University related conduct:
 - (a) between staff members;
 - (b) between affiliates;
 - (c) between staff members and affiliates;
 - (d) by staff or affiliates towards students;
 - (e) between students;
 - (f) by students towards staff or affiliates;
 - (g) in respect of bullying, between workers, between workers and affiliates, by workers towards students, between students and by students towards workers; and
 - (h) in respect of unlawful discrimination and harassment, by staff and affiliates towards members of the public.
- (2) For the avoidance of doubt:
 - (a) the obligations of staff and affiliates under this policy are in addition to obligations set out in the [Staff and Affiliates Code of Conduct](#);
 - (b) the obligations of students under this policy are in addition to the obligations set out in the [Student Charter](#); and
 - (c) the obligations of workers under this policy are in addition to, and to be read in conjunction with, the responsibilities of workers for work health and safety (as provided in the [Work Health and Safety Policy](#) and the [Work Health and Safety Procedures](#)) and the responsibility to work within the parameters as set out in the University's Safety Management System and Safety Management Standards.



6 Definitions

affiliate	<p>has the meaning given in the Staff and Affiliates Code of Conduct.</p> <p>At the date of this policy this is:</p> <p>means a person appointed or engaged by the University to perform duties or functions on its behalf, including but not limited to:</p> <ul style="list-style-type: none">• an honorary title holder engaged under the Honorary Titles Policy;• a consultant or contractor to the University; and• an office holder in a University entity, a member of any University committee, board or foundation. <p>An affiliate is not an employee of the University.</p>
Agreement	<p>means the University of Sydney Enterprise Agreement 2023-2026 or any successor or replacement Agreement.</p>
award course	<p>means a course approved by the Senate, on the recommendation of the Academic Board, that leads to the award of a degree, diploma or certificate.</p>
characteristic	<p>means a feature or quality that identifies a particular person or group of people, that is protected by applicable legislation. For the purpose of this policy these characteristics include:</p> <ul style="list-style-type: none">• race, colour, religious belief, ethnic or ethno-religious background, descent or nationality;• sex, intersex (diverse physical or biological sex characteristics)• pregnancy, child birth and breastfeeding;• marital, relationship or domestic status;• carers' responsibilities;• transgender experience, gender identity;• homosexuality (actual or presumed), sexual orientation;• disability, which includes physical, intellectual, psychiatric or psychological, learning or cognitive disabilities, and any virus or bacteria that can cause disease, such as HIV. It also includes any disability a person had in the past, has now, or may have in the future;• age
complainant	<p>means the person who made the complaint, or in the case of complaints made on behalf of another person, the person who is alleged to have been the subject of bullying, harassment or discrimination.</p>



- complaint** includes all of the ways in which any instances of bullying, harassment and discrimination might be identified, raised or reported including orally and in writing (including email).
- General inquiries, feedback and comments (including on social media sites) will not normally be considered a complaint, unless the relevant manager, delegate, Workplace Relations or the Student Affairs Unit deem otherwise.
- If in doubt, the complainant should be asked to confirm whether they wish to categorise their inquiry, feedback or comment as a complaint.
- delegate** **in respect of individuals covered by the [Agreement](#):** has the meaning set out in [clause 3](#) of the [Agreement](#), which at the date of this policy is
- the holder of an office to which authority has been:
- delegated by the University Senate in relation to the management of matters pertaining to staff employment, performance and/or conduct; or
 - delegated under a University policy or Code of Conduct, including the University's Reports of Wrongdoing Investigation Procedures and the Research Code of Conduct.
- in respect of individuals not covered by the [Agreement](#):** means the person with appropriate delegated authority under the [University of Sydney \(Delegations of Authority\) Rule](#)
- in respect of students or applicants or in situations where Senate has made no formal delegation of authority,** the Head of the Student Affairs Unit.
- exchange student** means a person who is:
- not admitted to an award course at the University;
 - admitted to a formally approved program of study at an overseas institution with which the University has an exchange arrangement; and
 - enrolled in one or more units of study at the University.
- health support co-ordinators** means the group of rehabilitation and return to work, and workers' compensation specialist staff within Safety Health and Wellbeing Unit who assist staff and their managers in cases of ill health and work related injury.



manager

means:

- **in the case of a staff member:** the person nominated by the University from time to time as the staff member's supervisor or such other person nominated by the University to act as the manager for a particular matter;
- **in the case of a clinical title holder or an adjunct, conjoint or honorary appointee:** the Dean of the relevant faculty;
- **in the case of a contractor to the University:** the University officer nominated as responsible for their engagement;
- **in the case of an office holder in a University entity or a member of a University committee:** the Chair of the relevant entity or committee;
- **in the case of any other affiliate:** the University officer nominated as responsible for their engagement.

**Residential
College**

means one or more of:

- Mandelbaum House;
- Sancta Sophia;
- St Andrew's College;
- St John's College;
- St Paul's College;
- Wesley College;
- Women's College.

respondent

means the person who is alleged to have engaged in conduct inconsistent with this policy.

**staff or staff
member**

means an employee of the University, including a casual employee.

student

means a person who:

- is currently admitted to candidature in an award course at the University;
- is a non-award student, exchange student or study abroad student enrolled in a unit of study at the University; or
- is currently enrolled in a course offered by the Centre for English Teaching.

For the purpose of commencing a complaint under the [Student Complaints Procedures](#) only, a person who is not currently admitted to candidature or enrolled may be considered a student if:

- they were admitted or enrolled in the University within the two years prior to the complaint being made; and
- the respondent is a current staff member, student, affiliate or worker of the University.



- Student Affairs Unit** means the specialist staff within the office of the Deputy Vice-Chancellor (Education) who assist with the resolution of student complaints and reports of student misconduct in accordance with University policies and procedures.
- study abroad student** means a person who is:
- not admitted to an award course at the University;
 - admitted to a formally approved program of study at an overseas institution with which the University does not have an exchange arrangement; and
 - enrolled in one or more units of study at the University.
- unit of study** means the smallest stand-alone component of an award course that is recordable on a student's transcript.
- University entity** means any entity established by or with the authority of the Senate.
- University lands** means has the meaning given in the [Campus Access Policy](#).
- That is:
- includes any land or road occupied or used by, or in connection with, the University. This includes:
- all or part of any building or structure; and
 - any land used or occupied in connection with a building or structure.



- University related conduct** has the meaning given in the [Student Sexual Misconduct Policy](#).
At the date of this policy that is:
- means any conduct that is connected to the University, including conduct that:
- refers or relates to the University, its activities, or its staff, affiliates or students in their status as staff, affiliates or students of the University;
 - occurs on, or in connection with, University lands or other property owned by the University;
 - occurs at, or in connection with, a Residential College;
 - occurs at or in connection with University owned or affiliated student accommodation;
 - occurs using, or is facilitated by, University ICT resources or other University equipment;
 - occurs during, or relates to, the performance of duties for the University;
 - occurs during, or in connection to, any University related function or event (whether sanctioned or organised by the University or not) or when representing the University in any capacity;
 - occurs during, or in connection to, any event run by or affiliated with student representative organisations, student clubs or student societies (whether sanctioned or organised by the University or not);
 - occurs during, or in connection to, students' clinical, practicum, internship or work experience placements; or
 - occurs while a University of Sydney student is participating in an overseas exchange, study abroad or other approved program.

For the purposes of this policy staff includes worker.

- worker** means a person who carries out work in any capacity for the University including work as:
- a staff member;
 - a contractor or subcontractor;
 - an employee of a contractor or subcontractor;
 - an employee of a labour hire company who has been assigned to work in the University or a University entity;
 - an outworker;
 - an apprentice or trainee;
 - a student gaining work experience or performing work on a voluntary basis; or
 - a volunteer.

An affiliate of the University may, in relevant circumstances, be a worker under this policy.



Workplace Relations means the specialist staff and affiliates of Human Resources who assist managers to resolve workplace issues in accordance with the Agreement (where applicable) and University policies and procedures.

7 What is bullying

- (1) Bullying is repeated and unreasonable behaviour directed towards a person or group of people that creates a risk to health and safety.
 - (a) Repeated behaviour is behaviour which occurs more than once and may involve a range of behaviours over time.
 - (b) Unreasonable behaviour is behaviour that a reasonable person, having regard for the circumstances, would see as unreasonable, including behaviour that is victimising, humiliating, intimidating or threatening.
- (2) If the criteria in subclause 7(1) are met, the following may be considered to be examples of bullying:
 - (a) verbal abuse or threats, including yelling, insulting or offensive language;
 - (b) unjustified criticism or complaints;
 - (c) deliberately excluding someone from activities;
 - (d) withholding information that is essential to perform a task properly;
 - (e) assigning impossible tasks, or meaningless tasks unrelated to the job or unit of study, or giving someone the majority of unpleasant tasks;
 - (f) spreading misinformation or rumours;
 - (g) denying access to information, supervision, consultation or resources to the detriment of a person;
 - (h) physical abuse.
- (3) If the criteria in subclause 7(1) are met, the following may also be considered to be examples of workplace bullying in relation to workers:
 - (a) setting unreasonable timelines or constantly changing deadlines;
 - (b) assigning too much or too little work;
 - (c) making threats or comments about job security without foundation;
 - (d) changing work arrangements, such as rosters or leave, to deliberately inconvenience a worker;
 - (e) excessive scrutiny at work.
- (4) The behaviours referred to in subclause 7(2) and subclause 7(3) may:
 - (a) occur through any form of contact or communication, including:
 - (i) in person;
 - (ii) by telephone or email;
 - (iii) through another person; or
 - (iv) by any other meansprovided that, in connection to workplace bullying in relation to workers, the alleged conduct must occur at work;



- (b) be directed at a single person or group of people and be carried out by one or more person;
 - (c) occur from managers to workers, between workers or students, or from workers or students to managers.
- (5) For the purposes of this policy, bullying also includes stalking, which means:
- (a) following, watching or contacting a person without their consent, including by phone, text, email or social media;
 - (b) with the intention of annoying, intimidating or causing them to fear physical or mental harm.

Note: Stalking or intimidating another person with the intention of causing them to fear physical or mental harm is a criminal offence. See the [Crimes \(Domestic and Personal Violence\) Act 2007](#).

8 What is not bullying

- (1) The following behaviours do not constitute bullying.
- (a) A single incident of unreasonable behaviour. However, single or one-off incidents of unreasonable conduct can also cause a risk to health and safety and may breach other University policies and should not be ignored.
 - (b) Reasonable management practices.
 - (c) Low-level conflict as defined in subclause 8(3).
- (2) Reasonable management practices include (but are not limited to):
- (a) a direction to carry out reasonable duties and instructions;
 - (b) a direction to comply with University rules, protocols, policies and procedures;
 - (c) setting reasonable goals, standards and deadlines;
 - (d) providing reasonable comment and advice (including relevant negative comment or feedback) on the work or academic performance of an individual or group;
 - (e) rostering and allocating reasonable working hours;
 - (f) transferring a worker for operational reasons;
 - (g) deciding not to appoint or promote a worker for reasonable reasons;
 - (h) performance managing workers or instituting action against students in accordance with the University's policies and procedures;
 - (i) providing informal and formal feedback about behaviour and conduct in a reasonable way;
 - (j) implementing organisational change or restructuring; or
 - (k) terminating a worker's employment or instituting other disciplinary measures in accordance with the Agreement and the University's policies and procedures.
- (3) Low-level conflict is interpersonal conflict or disagreement which is not sufficient to constitute bullying. People can and will disagree with each other.
- (a) What differentiates low level conflict situations from bullying is whether there is a risk to health and safety and the reasonableness of the behaviour overall.



- (b) Low-level conflict situations should not be ignored and should be resolved if possible in accordance with clause 6 of the [Bullying, Harassment and Discrimination Resolution Procedures](#).

9 What is unlawful direct discrimination

- (1) Unlawful direct discrimination occurs when a person, or a group of people, is treated less favourably than another person or group because of one or more characteristics.
- (2) If the criteria in subclause 9(1) are met, direct discrimination can occur in decisions such as those relating to:
 - (a) recruiting, selecting or promoting staff;
 - (b) offering particular terms, conditions or benefits as part of employment;
 - (c) offering and providing training, including selecting who is offered training and the kind of training offered;
 - (d) offering redundancy;
 - (e) determining dismissal;
 - (f) offering access to educational services.
- (3) Direct discrimination can also occur if assumptions are made which result in a person or group being treated differently on the basis of one or more characteristics. The following examples of assumptions may be considered to constitute direct discrimination:
 - (a) that an older worker won't 'fit in' with a predominantly younger team;
 - (b) that a woman should not be sent on a training program because she might get pregnant soon and leave;
 - (c) that a person with a disability or of an older (or certain) age will not be able to use a computer or complete the requirements of a particular course;
 - (d) that an intersex person is not able to join a lunchtime sporting team as it might make other team members uncomfortable;
 - (e) that a transgender woman is not permitted to join a women's network or mentoring program;
 - (f) that a gay man is refused membership of a University club because of his sexual orientation.

10 What is unlawful indirect discrimination

- (1) Indirect discrimination occurs when there is a rule or requirement that disadvantages one group more than another on the basis of one or more characteristics, unless it can be shown that the particular rule or requirement is reasonable in all the circumstances or is required to perform the inherent requirements of the job.
- (2) If the criteria in subclause 10(1) are met, indirect discrimination can occur in decisions such as those relating to:
 - (a) having a particular height restriction when this is not related to the inherent requirements of the job, as a height restriction may discriminate against women, some ethnic groups and some people with a disability;



- (b) requiring an applicant to speak and write fluent English when this is not required to carry out the essential requirements of the job or course.

11 What is unlawful harassment

- (1) Unlawful harassment occurs when a person, or a group of people, is intimidated, insulted or humiliated because of one or more characteristics. Unlawful harassment can arise as the result of a single incident as well as repeated incidents.
- (2) If the criteria in subclause 11(1) are met, harassment can occur through behaviour such as:
 - (a) telling jokes about particular racial groups;
 - (b) sending explicit or sexually suggestive emails or texts;
 - (c) displaying offensive or pornographic websites or screen savers;
 - (d) making derogatory comments or taunts about someone's race or religion, gender, sexual orientation or disability;
 - (e) making jokes and innuendos, or threats to a person based on their sexual orientation;
 - (f) referring to a transgender person as 'him' although she identifies as female and has asked to be addressed accordingly;
 - (g) forcing a student or staff member with an intersex variation to use separate facilities such as a unisex, gender neutral or all gender toilet;
 - (h) asking intrusive questions about someone's personal life, including their sex life or disability;
 - (i) creating a hostile working environment, for example, where the display of pornographic materials or crude conversations, innuendo or offensive jokes are part of the accepted culture.

12 What is unlawful sexual harassment

- (1) Sexual harassment occurs if a person:
 - (a) makes an unwelcome sexual advance, or an unwelcome request for sexual favours, to the person harassed; or
 - (b) engages in other unwelcome conduct of a sexual nature in relation to the person harassed;

in circumstances in which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated.

- (2) Sexual harassment is prohibited by the [Student Sexual Misconduct Policy](#) and the [Staff Sexual Misconduct Policy](#).
- (3) Disclosures and complaints by current and former students of sexual harassment are handled in accordance with the [Student Sexual Misconduct Response Procedures](#).
- (4) Disclosures and complaints by current and former staff and affiliates of sexual harassment are handled in accordance with the [Staff Sexual Misconduct Response Procedures](#).

13 What is not unlawful harassment or discrimination

The following conduct does not constitute unlawful harassment or discrimination:

- (a) a person receives reasonable comment and advice (including relevant negative comment or feedback) from managers and supervisors on the work or academic performance of an individual or group;
- (b) a person is not offered a job because, notwithstanding that reasonable adjustments have been made, they cannot meet the inherent requirements of the job;
- (c) a student with a disability does not pass the requirements of a course, notwithstanding that reasonable adjustments have been made;
- (d) a transgender student is not accepted for enrolment into a course based on not meeting the minimum eligibility criteria;
- (e) a gay, lesbian or bisexual academic staff member is unsuccessful in their application for promotion because they have failed to meet either or both of the criteria and minimum standards;
- (f) an intersex staff member is not granted swipe access to a secure building in which they do not work;
- (g) another applicant was preferred in a recruitment and selection or promotion process where they have better demonstrated the skills and experience to meet the required criteria of the job;
- (h) the University has gained an exemption, or the law otherwise permits the University, to target a job at a particular group of people to help redress disadvantages that group may have experienced in the past;
- (i) the University implements specific equal employment opportunity or 'affirmative action' strategies, plans or programs designed to ensure genuine equal opportunities in the workplace, particularly in relation to groups that have been disadvantaged in the past.

14 Application of other laws and policies

- (1) Incidents of physical abuse or assault may also be illegal under criminal law. They should be reported to the Campus Security Unit or police, as appropriate.
- (2) Conduct constituting bullying, and a person's response to allegations of bullying, may also breach work, health and safety legislation.
- (3) Where bullying, discrimination or harassment leads to a diagnosed injury or ill health, this may give rise to an entitlement under workers' compensation legislation.

15 Entitlements and responsibilities

- (1) All workers, affiliates and students have:
 - (a) an entitlement to work or study in a safe and healthy environment free of bullying, harassment and discrimination;
 - (b) subject to sub-clause 15(c), an entitlement to make a complaint about any bullying, harassing or discriminatory behaviour they are subjected to, or witness, in accordance with:



- (i) for workers: the [Bullying, Harassment and Discrimination Resolution Procedures](#);
 - (ii) for students: the [Students Complaints Procedures](#).
- Note:** See clauses 14 and 15 of the [Resolution of Complaints Policy](#), in relation to confidentiality and disclosure of information.
- (c) a responsibility not knowingly to misuse this policy, including making a vexatious or malicious accusation of bullying, harassment or discrimination;
 - (d) a responsibility to ensure they do not promote or engage in bullying, harassment or discrimination;
 - (e) a responsibility to comply with any reasonable instruction given by the University regarding the prevention of bullying, discrimination and harassment including complying with this policy;
 - (f) a responsibility not to victimise any person who raises a complaint of bullying, harassment or discrimination in accordance with the [Bullying, Harassment and Discrimination Resolution Procedures](#) or the [Students Complaints Procedures](#).
- (2) In respect of workers, managers have an additional responsibility to:
- (a) treat staff members and affiliates under their supervision fairly and reasonably in compliance with the [Staff and Affiliates Code of Conduct](#) and other policies and to lead by example;
 - (b) intervene actively to prevent hostile working environments or stop bullying, harassing or discriminatory behaviour where it may occur, whether or not a complaint is received; and
 - (c) report any such behaviour in accordance with the [Bullying, Harassment and Discrimination Resolution Procedures](#).
- (3) In respect of workers, managers, with the support of the relevant Human Resources partner and health support coordinator (where appropriate), are responsible for:
- (a) monitoring patterns of absenteeism, sick leave, staff turnover, grievances, injury reports and other such records to establish any regular patterns or sudden unexplained changes;
 - (b) recognising any changes in workplace relationships between workers and or managers;
 - (c) with the support of the relevant health support coordinator, monitoring, and where appropriate addressing in accordance with University policies and procedure:
 - (i) hazard and incident reports;
 - (ii) workers compensation claims; and
 - (iii) issues raised by health and safety representatives.
- (4) Managers, with the support of HR Partners, may hold exit interviews when workers leave the University in order to receive feedback.

16 Training

The Chief Human Resources Officer is responsible for implementing training to workers in relation to this policy.



17 Breach of policy

- (1) Breach of this policy may have the following consequences.
 - (a) For staff or affiliates: disciplinary action, up to and including termination of employment, engagement or affiliation.
 - (b) For students: breach of this policy may constitute misconduct for the purposes of the [University of Sydney \(Student Discipline\) Rule](#).
- (2) Other actions that may result from a breach of this policy include, but are not limited to:
 - (a) the complainant receiving an oral or written apology from the respondent with a commitment to cease the bullying behaviour;
 - (b) the parties being required to participate in some form of counselling, mediation or conciliation;
 - (c) the respondent undertaking training in relation to their behaviour; and
 - (d) drawing up a management plan to document agreed or proposed actions by the parties.

18 Procedures

- (1) The Chief Human Resources Officer is the administrator of this policy as it relates to complaints initiated by or about University staff, workers and affiliates and the Deputy Vice-Chancellor (Education) is the administrator of this policy as it relates to complaints initiated by or about students and complaints made by applicants. Formal policy reviews are the responsibility of, and must be initiated by, both jointly.
- (2) The Chief Human Resources Officer may determine procedures relating to complaints initiated by or about University staff, workers and affiliates.
- (3) The Deputy Vice-Chancellor (Education) may determine procedures relating to complaints initiated by or about students and complaints made by applicants.

19 Rescissions and replacements

This document replaces the following, which are rescinded as from the date of commencement of this document:

- (1) *Workplace Bullying Prevention Policy 2014*, which commenced on 10 March 2014 and its associated procedures.
- (2) *Harassment and Discrimination Prevention Policy and Resolution Procedure*, which commenced on 1 January 2001.

NOTES

Bullying, Harassment and Discrimination Prevention Policy 2015

Date adopted: 10 December 2015

Date commenced: 1 January 2016



Date amended: 20 November 2019
25 September 2020 (commencing 6 October 2020)
1 January 2022 (administrative amendment only)
1 February 2023 (administrative amendment only)
18 December 2023 (administrative amendment only)
21 December 2023 (administrative amendment only)
2 July 2024 (administrative amendments only)
14 October 2024 (administrative amendments)

Policy owners: Chief Human Resources Officer;
Deputy Vice-Chancellor (Education)

Review date: 10 December 2020

Rescinded documents: *Workplace Bullying Prevention Policy 2014*
Harassment and Discrimination Prevention Policy and Resolution Procedure

Related documents: *Age Discrimination Act 2004 (Cth)*
Disability Discrimination Act 1992 (Cth)
Human Rights and Equal Opportunity Commission Act 1986 (Cth)
Racial Discrimination Act 1975 (Cth)
Sex Discrimination Act 1984 (Cth)
Sex Discrimination Amendment (Sexual Orientation, Gender Identity and Intersex Status) Act 2013 (Cth)
Anti-Discrimination Act 1977 (NSW)
Work Health and Safety Act 2011 (NSW)
Crimes (Domestic and Personal Violence) Act 2007
Work Health and Safety Regulation 2011 (NSW)
Dealing with Workplace Bullying – a Workers Guide (Safe Work Australia)
Guide for Preventing and Responding to Workplace Bullying (Safe Work Australia)
University of Sydney (Delegations of Authority) Rule
University of Sydney Enterprise Agreement 2023-2026
University of Sydney (Student Discipline) Rule
Staff and Affiliates Code of Conduct



Student Charter

Injury and Illness Management Policy

Staff Sexual Misconduct Policy

Student Sexual Misconduct Policy

Resolution of Complaints Policy

Work Health and Safety Policy

Bullying, Harassment and Discrimination Resolution Procedures

Injury and Illness Management Procedures

Staff Sexual Misconduct Response Procedures

Student Sexual Misconduct Response Procedures

AMENDMENT HISTORY

Provision	Amendment	Commencing
11(d)	Administrative amendment – change to terminology	15 February 2017
6	Updated references to <i>University of Sydney (Delegations of Authority – Administrative Functions) Rule 2016</i> and <i>University of Sydney (Delegations of Authority – Academic Functions) Rule 2016</i>	7 June 2017
5(2); related documents	Updated references to internal policy documents	7 June 2017
17(1)(b)	Replaced <i>University of Sydney By-Law</i> and replaced with <i>University of Sydney (Student Discipline) Rule 2016</i>	7 June 2017
4(b)-(c)	Subclauses added	22 September 2017
5(e)	References and links to other documents updated	22 September 2017
6	Definitions for exchange student, non-award student, Residential College, study abroad student, unit of study added. References to Case Management Group changed to Workplace Relations throughout. Amendment to definition of delegate, student and University related conduct. References and links to other documents updated	22 September 2017
11(2)(d)	Minor amendment	22 September 2017



Provision	Amendment	Commencing
15(3), 15(4), 16, 18	Minor amendments to position titles	22 September 2017
17(1)(b)	References and links to other documents updated	22 September 2017
6, related documents	Updated to reference the Enterprise Agreement 2018-2021	27 April 2018
6	Remove reference to International House in definition of Residential College	1 August 2018
6	Addition of 'student complaints and reports of student misconduct in accordance' in definition of Student Affairs Unit	1 August 2018
6	Addition of bullet point 'occurs at, or in connection with, University owned or affiliated student accommodation', in definition of University related conduct	1 August 2018
7(4)(e)	Addition of subclause	1 August 2018
7(5)	Addition of clause 7(5) and subclauses (a), (b) and note	1 August 2018
12	Addition of note and hyperlink to Student Sexual Assault and Sexual Harassment Policy 2018	1 August 2018
15(1)(b)(ii)	Addition of subclause and note	1 August 2018
18(1); 18(3)	Replace Deputy Vice-Chancellor (Registrar) with Deputy Vice-Chancellor (Education)	1 August 2018
Notes, Related Documents	Update references to Crimes (Domestic and Personal Violence) Act 2007, University of Sydney Enterprise Agreement 2018-2021, Student Sexual Assault and Sexual Harassment Policy 2018, Student Sexual Assault and Sexual Harassment Response Procedures 2018	1 August 2018
6	Replace Deputy Vice-Chancellor (Registrar) with Deputy Vice-Chancellor (Education) in definition of Student Affairs Unit	23 March 2019
4(a)(iii)	New subclause in relation to supporting wellbeing	20 November 2019
6, 15(3), 15(3)(e)	Updated injury management coordinators to health support coordinators	20 November 2019
9(3)(d), (e), (f)	Added additional examples of direct discrimination in relation to intersex, transgender and gay individuals	20 November 2019



Provision	Amendment	Commencing
11(2)(e), (f), (g)	Added additional examples of harassment in relation to sexual orientation and transgender and intersex individuals	20 November 2019
schedules	Added schedules one, two and three detailing emergency and support services for students and for staff.	20 November 2019
4(a)(iii)	Added note to reference schedules one, two and three.	20 November 2019
10(2)(b), 11(2)(d) & (h)	Added reference to “people with a disability”	20 November 2019
6	Administrative amendment to update the definitions of intersex and transgender under “characteristic”.	4 February 2020
5(2)(b); Related Documents	Updated Student Code of Conduct to Student Charter 2020	4 February 2020
Schedule 1	Schedule updated at (3).	25 September 2020
Schedule 2	Schedule updated to remove (1) and include University of Sydney Safer Communities Office.	25 September 2020
Schedule 3	Schedule updated to include University of Sydney Safer Communities Office	25 September 2020
6 – Definition of affiliate	Definition updated to refer to <i>Staff and Affiliates Code of Conduct 2021</i>	1 January 2022
6 – definition of University related conduct	Definition updated to refer to <i>Student Sexual Misconduct Policy 2018</i> .	1 January 2022
6 – definition of Workplace Relations	Definition updated to include affiliates for consistent application to the <i>Resolution of Complaints Policy 2015</i>	1 February 2023
4(c)note	Reference to University strategy updated to ‘University 2032 Strategy’	18 December 2023
6; related documents	Replaced ‘Enterprise Agreement 2018 – 2021’ with ‘Enterprise Agreement 2023 – 2026’	18 December 2023
12(2); related documents	Replaced ‘Staff Sexual Misconduct Policy 2020’ with ‘Staff Sexual Misconduct Policy 2023’; and ‘Student Sexual Misconduct Policy 2018’ with ‘Student Sexual Misconduct Policy 2023’	18 December 2023
12(3); related documents	Replaced ‘Staff Sexual Misconduct Response Procedures 2020’ with ‘Staff Sexual Misconduct Response Procedures 2023’	18 December 2023



Provision	Amendment	Commencing
12(4); related documents	Replaced 'Student Sexual Misconduct Response Procedures 2018' with 'Student Sexual Misconduct Response Procedures 2023'	18 December 2023
6 Definitions	Updated definition of University related conduct to align with the Student Sexual Misconduct Policy 2023, and to note that the definition used in this policy includes worker.	21 December 2023
6	revised definition of 'University lands'	2 July 2024
6	'University of Sydney (Campus Access) Rule' replaced with 'Campus Access Policy'	2 July 2024
throughout	Administrative amendments to remove the year in policy references	2 July 2024
Schedule 3	Updated Employee Assistance Program contact number and hours of operation	14 October 2024



SCHEDULE 1 – EMERGENCY CONTACTS

- (1) In an emergency, students and staff should contact **emergency services** by dialling triple zero (000).
- (2) Students or staff who feel unsafe on campus or are concerned for someone else's safety can also contact **Campus Security** on **9351 3333**, 24 hours a day.
- (3) Students and staff who have experienced sexual misconduct or domestic violence can contact:
 - (a) **NSW Rape Crisis Service 1800 424 017** or www.rape-dvservices.org.au, 24 hours a day, online counselling service available;
 - (b) **1800RESPECT 1800 737 732** National Sexual Assault, Domestic Family Violence Counselling Service or online via www.1800respect.org.au, 24 hours a day;
 - (c) **Lifeline 13 11 14** (online chat or video also available 7pm - midnight);
 - (d) **Mental Health Line (NSW) 1800 011 511**;
 - (e) **Suicide Callback Service 1300 659 467** (online chat or video also available 24 hours);
 - (f) **Blueknot Helpline 1300 657 380** (Available Mon-Sun, 9am-5pm AEST) or email on helpline@blueknot.org.au;
 - (g) **NSW Health Sexual Assault Services**
<https://www.health.nsw.gov.au/parvan/sexualassault/Pages/health-sas-services.aspx>;
 - (h) **Royal Prince Alfred (RPA) Hospital Sexual Assault Service** on **9515 9040** (Monday to Friday) or **9515 6111** (after hours). Counselling and medical services are available for anyone who has been sexually assaulted. Campus Security can arrange transport to RPA.
 - (i) **Westmead Hospital Sexual Assault Service** on **9845 7940** (daytime) or **9845 5555** (24 hours).
 - (j) **Blacktown/Mount Druitt Sexual Assault Service, Blacktown Community Health Centre** on **9881 8700** (daytime) or **9845 5555** (24 hours).



SCHEDULE 2 – UNIVERSITY SUPPORT FOR STUDENTS WHO HAVE EXPERIENCED BULLYING, HARASSMENT OR DISCRIMINATION

Students have access to a range of University [support services and assistance](#), including:

- **University of Sydney Safer Communities Office** 8627 6808, 1800 SYD HLP (1800 793 457) (option 2, then option 1), safer-communities@sydney.edu.au;
- **security services** - contact Campus Security on **9351 3333**, 24 hours a day;
- **health services** - contact the University Health Service on **9351 3484**, 8:30am to 5pm, Monday to Friday;
- **counselling services** – contact Counselling and Psychological Services (CAPS) on **8627 8433**, 9am to 4:30pm, Monday to Friday;
- **disability support** - contact Disability Services on **8627 7422**, 9am-4pm, Monday to Friday;
- **academic support** - [special consideration](#) for examinations and assessments; and
- **student advocacy services** – undergraduate students: contact the [Student Representative Council](#) (SRC) on **9660 5222**, 10am-5pm, Monday to Friday; postgraduate students: contact the [Sydney University Postgraduate Representative Association](#) (SUPRA) on **9351 3715**, 9am to 5pm (closed 12-1pm), Monday to Friday.



SCHEDULE 3 – UNIVERSITY SUPPORT FOR STAFF WHO HAVE EXPERIENCED BULLYING, HARASSMENT OR DISCRIMINATION

Staff have access to a range of University [support services and assistance](#), including:

- **University of Sydney Safer Communities Office** 8627 6808, 1800 SYD HLP (1800 793 457) (option 2, then option 1), safer-communities@sydney.edu.au;
- **security services** - contact Campus Security on **9351 3333**, 24 hours a day;
- **health services** - contact the University Health Service on **9351 3484**, 8:30am to 5pm, Monday to Friday;
- **counselling services** – contact the [Employee Assistance Program](#) (EAP) on **1300 687 327**, available 24 hours a day;
- **staff health support coordinators** – contact your [health support coordinator](#) in Safety Health and Wellbeing.