

The University of Queensland Union College Sexual Misconduct Prevention and Response Policy

Introduction and purpose

We want Union College to be a community where you can stay, study, and socialise in a safe, respectful environment free from sexual misconduct and gender-based violence. This policy guides and governs conduct within and affecting Union College that falls within the definitions of sexual misconduct, sexual assault, and sexual harassment.

This policy:

- Sets out the expected standards of behaviour in addition to the Resident Code of Conduct
- Clearly explains the concepts of sexual assault, sexual harassment and sexual misconduct in plain language.
- Encourages you and visitors to seek help for yourself or others if any situation makes you feel uncomfortable or unsafe, and to report any concerns or breaches
- Guides you in creating a community where informed consent, respect and equality are actively upheld
- Explains the procedures we will follow when responding to disclosures or reports
- Makes you aware of the support available on and off campus.

Where conduct constitutes sexual misconduct as defined in this policy, this policy prevails over the Resident Code of Conduct to the extent of any inconsistency.

We will act on all reports of sexual misconduct and, where reasonably possible, take appropriate, proportionate action with impartiality, sensitivity and a trauma-informed, survivor-focused approach, consistent with the national Action Plan and the forthcoming National Higher Education Code to Prevent and Respond to Gender-Based Violence.

Scope

This policy covers behaviours that constitute sexual misconduct, sexual harassment and sexual assault, as well as the procedures we follow when such incidents are reported.

It applies to conduct by residents or visitors that:

- Occurs on land or property owned or occupied by Union College
- Occurs during or in connection with any function, activity or event we sanction
- Occurs online or in digital spaces (for example, social media, messaging platforms) that connect to Union College or members of our community. Online sexual misconduct on social media

platforms is specifically addressed in our Acceptable Use of Social Media Policy (RES0402), which complements this policy.

Non-consensual sharing of intimate images via any IT resource is covered in both

- Our Acceptable Use of IT Resources Policy (RES0401) and this policy.
- Occurs off campus and has a clear connection to the college community or significantly affects safety, wellbeing, study or participation.

Principles and expected conduct

This policy is based on the principles that:

- All forms of sexual assault, sexual harassment and gender-based violence are unacceptable
- Everyone has the right to be and feel safe where they stay, study, socialise, and work
- Gender equality, respect and inclusion are essential to preventing gender-based violence
- We will respond to disclosures and reports in ways that prioritise safety, support, choice, and procedural fairness.

You are expected to:

- Treat others with respect and dignity in all interactions
- Obtain and maintain free, informed, enthusiastic and ongoing consent for any sexual activity
- Respect others' decisions and boundaries, including "no" and withdrawal of consent at any time
- Refrain from any behaviour that constitutes sexual assault, sexual harassment or sexual misconduct
- Be aware of your partner's level of intoxication and consider not engaging in sexual activity if they are intoxicated. For detailed information about alcohol, intoxication and informed consent, see our Responsible Consumption of Alcohol Policy (RES0301). See also our Drugs Other Than Alcohol Policy (RES0302) regarding the impact of other substances on the capacity to consent
- Be an active bystander by recognising risks, intervening safely where you can, and seeking help when you or others feel unsafe.

Definitions

Sexual assault:

- Any sexual act performed against a person's will without their free and informed consent, including when they are asleep, unconscious, affected by alcohol or other drugs, or coerced through threats, force, intimidation or abuse of power.

Sexual harassment:

- Unwelcome sexual advance, request for sexual favours, or other unwelcome conduct of a sexual nature that a reasonable person would expect to cause offence, humiliation or intimidation. This can be verbal, physical, written, visual or online.

Sexual misconduct (broader term):

- Includes sexual assault and sexual harassment
- Also covers other inappropriate sexual behaviours, including non-consensual sharing of intimate images, voyeurism, technology-facilitated abuse, sexually explicit comments or jokes that create a hostile environment, and behaviour that undermines safety or equal participation.

Active bystander intervention

We encourage you to be an active, ethical bystander.

This means:

- Noticing situations that may be unsafe or escalating (for example, someone very intoxicated being led away or persistent unwanted advances)
- Taking responsibility for doing something safe and reasonable, such as checking in with the person, distracting, getting friends or staff to help, or calling emergency services if needed
- Volunteering to be the sober friend who keeps others and their drinks safe
- Reflecting on your own assumptions and behaviour and being prepared to challenge harmful attitudes or comments.

We recognise that your safety matters too. You should never put yourself at serious risk. Seeking help from staff or emergency services is a valid and essential form of bystander action.

Legal context and our role

We acknowledge that sexual misconduct under this policy may constitute criminal conduct under Queensland and Commonwealth law, including offences such as sexual assault, image-based abuse, stalking, and other forms of gender-based violence.

We:

- Encourage you and visitors to report any possible crimes to Queensland Police Service (QPS)
- Will support any resident or staff member who chooses to make a police report at any time, including by helping you access information and by accompanying you where appropriate
- Will not compel anyone to make a police report if they do not wish to, except where we are legally required to act to protect safety.

We cannot and will not decide whether a crime has been committed. That is the responsibility of the justice system.

We can, however, investigate allegations of sexual misconduct as a potential breach of the Code of Conduct and as behaviour contrary to our values. We will act on violations of our rules, policies and procedures, including this policy and the Resident Code of Conduct.

Findings under this policy are made on the balance of probabilities (that is, whether it is more likely than not that the behaviour occurred).

Reporting, investigations and confidentiality

Investigation, Support and Procedures

All reports of sexual misconduct will be investigated in accordance with the procedures outlined in our Addressing Concerns and Complaints Policy (RES0102), guided by the framework outlined below and that policy.

If you experience, witness or become aware of sexual misconduct, you are encouraged to:

- Seek support as soon as you feel able
- Make a disclosure (sharing information to seek support) and/or a report (asking us to act).
- You can make a disclosure/report (anonymously or using your name) of what you have witnessed via
 - RespectX; via a Reporting Form – found in the Office
 - in person to the Resident Wellbeing Lead or the Deputy Head of College/Deputy CEO
 - Or to the On-call team member (if reporting is made in-person and out of business hours).

They will listen without judgement, provide support, explain options, and help you access internal and external services. You can choose:

- Whether to make a formal report to Union College
- Whether to report to the police, your university or other bodies
- Whether you want informal support, formal action, or time to decide.

We handle information as confidentially as possible, sharing it only with those who need to know to provide support, manage risk, or meet legal and regulatory obligations. If there is a serious or immediate risk to you or others, we may need to act even if you do not request it. We will explain what we are doing and why, as far as we can safely do so.

No victimisation; acting honestly and with integrity

You must not victimise or retaliate against anyone because they:

- Make a disclosure or report of sexual misconduct

- Participate in a process as a witness, support person or respondent
- Support someone else to seek help or report.

Any victimisation may result in serious consequences under this policy and the Addressing Concerns and Complaints Policy (RES0102).

You are expected to act honestly and with integrity.

Vexatious or malicious complaints—those that are knowingly false or made with the intention of harming another person or Union College—are serious breaches and may be dealt with under this policy and the Resident Code of Conduct.

Consequences and safety measures

If we determine that your conduct has breached this policy, we may implement consequences, considering:

- The seriousness of the conduct
- Any pattern of previous behaviour
- The impact on others
- Safety and risk considerations.

Possible consequences include, but are not limited to:

- Removal of rights or privileges (for example, access to facilities or activities, or eligibility for leadership or other positions of responsibility)
- Relocating you within the college to create physical separation and improve safety
- Reprimand or written warning, with clear expectations for future behaviour and, where appropriate, an apology to affected persons
- Compel you to undertake further training, at your expense
- Suspension from Union College for a defined period
- Expulsion from Union College, including permanent removal from residence and loss of alumnus/alumna privileges.

For former residents, invited guests, or other visitors, consequences may include a permanent ban from Union College grounds and events.

Any action we take does not replace or prevent separate action by the police, universities or other authorities.

Support and external referrals

We encourage anyone who has experienced or witnessed sexual misconduct to seek support as early as they feel able.

The Resident Wellbeing Lead can:

- Listen and provide immediate emotional support
- Help you access counselling, medical care and other supports
- Help you consider study arrangements or safety plans (for example, room changes or adjustments).

We provide referrals for both complainants and respondents to external services, which may include:

- University counselling and wellbeing services
- Sexual assault support services
- Medical and mental health services
- Legal advice services.

If you feel unsafe at College, we recognise you may also feel unsafe in other settings (for example, on your university campus). We can support you in informing your university or other relevant organisations, if you wish.

Examples of trauma-informed, survivor-focused phrases

When responding to disclosures, we are committed to using language that:

- Centres your experience and choices
- Avoids blame or judgment
- Acknowledges the courage it takes to speak
- Is consistent with trauma-informed, victim-survivor-centred practice in the Action Plan.

Examples of phrases we might use include:

- “Thank you for telling me this. It takes a lot of courage to share something like this.”
- “I am sorry that this happened to you. You did not deserve this.”
- “What you are feeling is understandable. There is no ‘right’ or ‘wrong’ way to feel after something like this.”
- “You are in control of what happens next. We can talk through your options, and you can choose what feels safest and most helpful for you.”
- “You are not to blame for someone else’s decision to harm you.”

- “You can stop this conversation at any time or take a break if you need to.”
- “Would you like a support person with you, or for us to move to a different space that feels more comfortable?”
- “I will keep what you have shared as private as I can. There are some situations where I may need to share information to keep you or others safe, and if that happens, I will explain what I am doing and why.”
- “If and when you want to talk to police or your university, we can help you understand what that might involve and support you through the process.”

These examples can be adapted to different roles and situations and will be supported by staff training and supervision to ensure consistent, sensitive practice across the College.

Review and continuous improvement

We will review this policy regularly, and sooner if:

- Laws, regulations or regulatory expectations change
- New requirements arise from the Australian Universities Accord, the National Plan to End Violence against Women and Children, the National Higher Education Code to Prevent and Respond to Gender-Based Violence or related frameworks
- Feedback, data or experience show that improvements are needed.

Document Number: RES0202

Topic: Behaviour when engaging in sexual activities, informed consent, sexual harassment, sexual assault, sexual misconduct

Approval Authority: Head of College

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Review Date: December 2026 (or earlier if legislation or sector expectations change)

Audience: Current and future residents, parents and carers, Union College workers and Board, key stakeholders and regulators

DISCLAIMER: Union College’s policies and procedures for the prevention of and response to gender-based violence, including sexual misconduct, are designed to be consistent with and aligned with The University of Queensland’s Sexual Misconduct Prevention and Response Policy and associated procedures, as well as UQ’s broader frameworks and commitments relating to gender equality, respect, and safe, inclusive campus communities.