

Navigating Disclosures and Reporting Concerning Behaviour: a guide for University of Melbourne Student Union (UMSU) staff and students

UMSU has zero-tolerance for any form of violence, harassment, abuse or discrimination. UMSU's number one priority is the safety and wellbeing of its elected student representatives, staff, volunteers, members and others who engage with us.

We take a trauma-informed and person-centred approach to all disclosures, reports and resolution processes. This means that people with concerns are at the centre of our response.

This guide is intended to give you a simple explanation of UMSU's approach to responding to disclosures, reports and complaints. There is more information and a range of resources available on the [UMSU Complaints Portal](#).

What is concerning behaviour?

The UMSU [Workplace Conduct](#) and [Prevention of Sexual Misconduct](#) policies outline UMSU's priorities of safety and respect and establish the basic standards of conduct and behaviour at UMSU required to maintain a safe and healthy environment.

Concerning behaviour includes (but is not limited to):

- Bullying and harassment;
- Unlawful discrimination;
- Sexual misconduct, including sexual harassment and sexual assault;
- Use of derogatory, violent or abusive language; and
- Any criminal conduct.

This guide is intended to be a helpful resource to share information with a victim/survivor, or a bystander who may wish to report something concerning, about their options for reporting the issue.

Key term: bystander

Someone who witnesses concerning or unacceptable behaviour, including but not limited to sexual misconduct, bullying, verbal abuse or discrimination.

Key term: victim/survivor

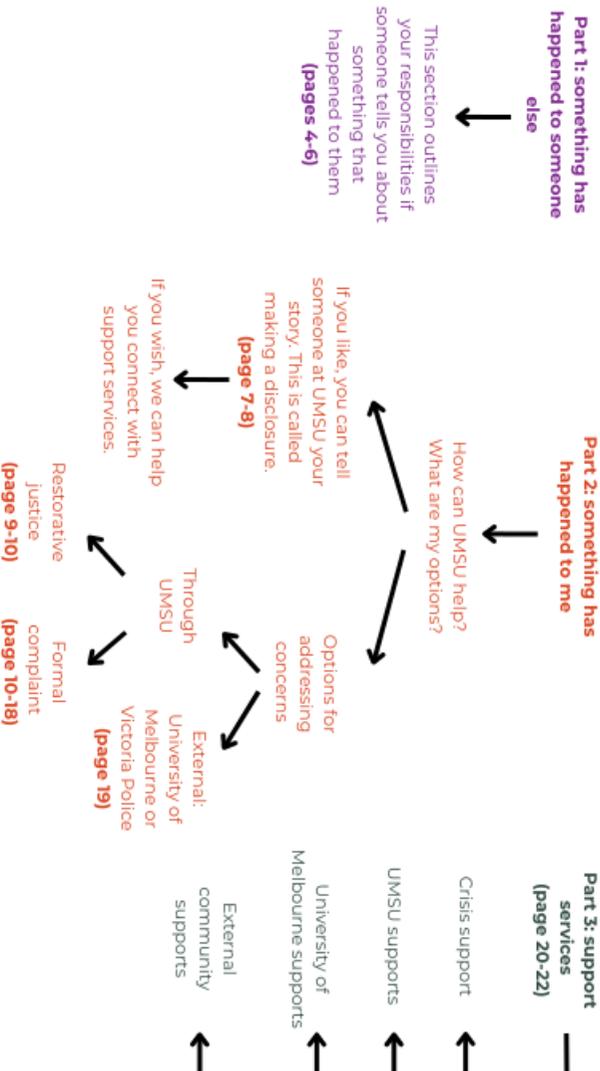
A victim/survivor is someone who has experienced sexual misconduct, such as sexual assault or sexual harassment.

If you are not sure – please get in touch with an [UMSU Contact Officer](#) or the [Human Resources Team](#) who can sensitively and confidentially assist you to work out what to do.

*Please do not ignore your concerns.
We are here to help or connect you with other
people who can help.*

Navigating this guide

Contents page for plain language guide - new complaints process



Part 1: Something has happened to someone else. How do I respond? How can I help?

If someone chooses to share their story with you, they have likely identified you as someone they trust and feel safe around - take confidence in being yourself.

What information do I need to provide?

If you receive a disclosure of sexual misconduct or other concerning behaviour, you have two key responsibilities.

- 1) You need to ensure the person reporting or disclosing knows where they can go to [access support](#).
- 2) You need to provide information about reporting pathways, without any form of pressure or expectation for a that individual to make a report.

Always remember, if you are supporting someone who has disclosed, it's vital you don't pressure them to do anything they are not comfortable doing.

Never try to convince someone to report (or not to report) or to take (or not take) any particular course of action. We hope to provide the information people need to make informed choices, as well as support through the process.

Safety

Make sure to ask if the person disclosing to you feels safe, or if any immediate measures may need to be taken to ensure their physical, emotional and psychological safety.

For the implementation of any temporary measures required to ensure a safe environment (interim measures), please contact UMSU

Human Resources. A Human Resources case manager is responsible for the implementation of any interim measures.

Privacy

Maintaining confidentiality and protecting people's privacy is important to ensure you don't cause further harm to someone reporting or disclosing an issue by breaking their trust or making them feel unsafe.

UMSU is committed to protecting the integrity of anyone making a report or disclosure. Everyone should feel safe to report a concern or disclose something without the fear that anyone else will spread rumours or unnecessarily tell others about what has been shared with them.

UMSU's approach to protecting privacy and confidentiality is set out in the UMSU [Complaints Policy](#), our [Prevention of Prevention of Sexual Misconduct Policy](#) and the UMSU [Privacy Policy](#).

While maintaining confidentiality and respecting other's privacy is important, there are some exceptions, and you can confidentially discuss the issue when you:

- 1) want to debrief with or receive advice from a professional (such as a counsellor or psychologist),
- 2) want to seek support from a friend or family member, or
- 3) have a legal responsibility to report the disclosure (e.g. Child Safety or other reportable conduct).

When do I need to escalate a disclosure?

There are specific circumstances where you are required to tell the UMSU Human Resources Manager about a disclosure you have received.

1

Someone discloses potentially criminal allegations, such as rape, sexual assault, physical assault, or stalking.

Please contact the **UMSU Human Resources manager**
Email: hr@union.unimelb.edu.au

2

The issue raises general concerns for an individuals or communities safety, such as ongoing perpetration.

Please contact an **UMSU Child Safety Officer**

3

You receive a disclosure involving someone under the age of 18. This is a child safety concern and must be reported immediately under the UMSU Child Safety Policy.



Naomi Smith, Senior Sexual Harm Response Coordinator.
naomi.smith@union.unimelb.edu.au

Sara Pheasant, CEO.
ceo@union.unimelb.edu.au

Lachlan James, Volunteering Manager.
lachie.james@union.unimelb.edu.au

If you are ever unsure if you need to escalate a disclosure or not, please reach out for confidential advice from the [UMSU HR Team](#), [Sexual Harm Response Coordinators](#) or one of UMSU's trained [Contact Officers](#).

Part 2: something happened to me, how can UMSU help?

You have the right to take your time to consider your options and what is best for you. It is completely your choice who you talk to and what steps you'd like to take.

This may involve seeking support or making a report to a relevant body such as UMSU or the University, or it may not.

You can take as long as you need to make this decision, and you can change your mind at any time.

Making a disclosure or report

Making a disclosure means sharing your story with someone.

Making a report means telling someone at UMSU about something you have witnessed.

Afterwards, you can receive advice and connect with support services if you wish.

You can make a disclosure or report and not proceed with making a complaint.

If you have concerns for your own or other's safety, it is very important that you get some advice straight away.

Who can I talk to?

I'd like to share my story with someone at UMSU.

This is called making a disclosure or report.

It is entirely confidential.

You can talk to:



UMSU Sexual Harm Response Coordinators

Located within the Advocacy and Legal department, the SHRCs provide trauma-informed support and can assist with referrals to other support services.

UMSU Contact Officer

A network of trained staff and students who are there to listen to concerns, and help you access support services.

You will be listened to, validated and believed.

No matter who you talk to, you can get assistance accessing further support services if you wish.

You can make a disclosure or report and not proceed with making a formal complaint.

More information and contact details for both the Contact Officers and Sexual Harm Response Coordinators are on the last page of this guide.

What if I feel unsafe or need something to happen immediately?

Temporary arrangements may be implemented where necessary to maintain a safe environment. Even if a complaint or investigation has been made or started, someone can access measures to ensure safety.

Human Resources can implement these measures, or you may choose to access these via talking with a Contact Officer (who can then contact HR).

Depending on the level of risk, interim measures may include:

- Temporary suspension of the respondent from UMSU spaces, activities and events;
- Different workspace arrangements;
- Working from home arrangements for the respondent; or
- Changes to work or role duties.

Options for addressing Concerns

To address your concern through UMSU, there are two possible pathways: **restorative justice** or a **formal complaint**.

What if I'm not sure what I want to do, and I want to talk to someone about my options?

To help you make an informed choice about your next steps, UMSU's [Contact Officers](#) or the [Sexual Harm Response Coordinators](#) can provide more information about what making a formal complaint to UMSU involves and other resolution options which don't involve a formal complaint.

Restorative Justice

UMSU has partnered with [Transforming Justice Australia](#) to provide a survivor-centred restorative justice pathway.

Restorative justice involves a victim-survivor, the perpetrator, and any other appropriate individuals, actively participating to acknowledge and resolve any matters arising from the incident - with the support and guidance of an of a facilitator experienced in this type of process.

There are many options for restorative justice including:

- Conversation circles;
- Shuttle dialogue;
- Indirect communication with the help of a facilitator;
- Written apologies or agreements;
- Support circles; and/or
- Community accountability.

Restorative justice facilitators take time to build trust and explore what would feel safe and best suit the person harmed. Time is taken to ensure a safe, supported and fair process that can lead to meaningful justice.

Restorative justice may be considered when someone wants to take an active role and participate in constructive dialogue regarding the impact of the behavior and responsibility for the person who caused harm, for example.

This avenue is typically most effective when the survivor feels safe and supported, and when the harm involved is not of a nature that requires legal intervention.

If you would like more information about restorative justice processes, you can talk to an UMSU Contact Officer or the Human Resources team.

Making a Formal Complaint

Making a formal complaint to UMSU means you are letting UMSU know what you have experienced, and you would like to have your report investigated with the potential for a disciplinary outcome for the respondent.

Regardless of who your complaint is about (the respondent), complaints are dealt with under the [UMSU Complaints Policy](#).

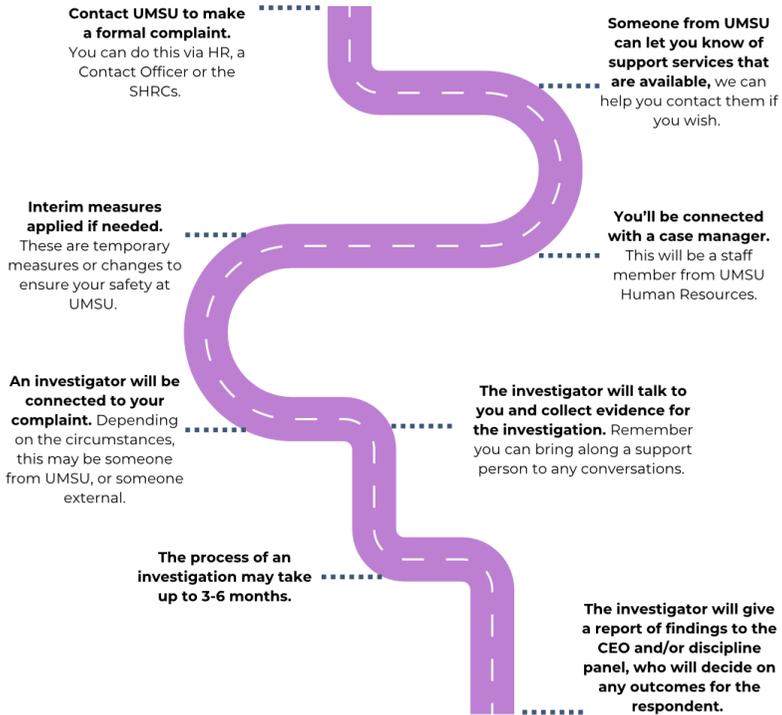
Key term: complainant

Someone who makes a report to UMSU alleging they experienced misconduct.

Key term: respondent

Someone who is alleged to have perpetrated misconduct.

Overview of formal complaints process



If you decide to make a complaint to UMSU, you will be respected, listened to, and be provided with trauma-informed support throughout the process.

Who might be involved in the process?

Case Manager

A Human Resources team member who coordinates all aspects of the complaint management process. They are the point of contact for the complainant for the duration of the investigation. They are also responsible for implementing any interim measures (immediate action required to ensure safety).

They will ensure you are provided with information about what you can expect to happen at each stage, as well as the status of your complaint where possible.

Investigator

Depending on the nature of the complaint, they will either be a member of the UMSU Human Resources team or an externally appointed workplace investigator engaged from a list of pre-approved firms.

Who can I make a formal complaint to?

If you'd like to make a complaint about an UMSU staff member, an UMSU elected student representative, an UMSU volunteer, or a contractor engaged by UMSU, there are a range of ways you can do this.

I'd like to make a formal complaint.

This means you'd like to have what happened to you investigated with the potential for a disciplinary outcome for the person that caused harm.



UMSU Sexual Harm Response Coordinators

Located within the Advocacy and Legal department, the SHRCs can assist you to make a formal complaint to UMSU HR.

Email: umsu-shrc@union.unimelb.edu.au
Please use [this form](#) to book an appointment.



UMSU Human Resources

HR is the team that manages complaints and investigations.

Their office is on level 2 of building 168 at the Parkville campus.

Email: hr@union.unimelb.edu.au



UMSU Contact Officer

Contact officers can provide information and support regarding making a formal complaint to UMSU.

You can speak to any Contact Officer, you do not need to choose someone who is in your same work area or department.

There is more information about the Contact Officers [here](#).

***You will be listened to, validated and believed.
No matter who you talk to, you can get assistance accessing further support services if you wish.***

You can also fill out [this form](#) to make a complaint. Once you make a complaint, if you have included your contact details, a member of the Human Resources Team will contact you generally within **1 business day** (or as soon as possible) and discuss next steps.

Scope of complaints

What is the scope of complaints at UMSU?

The UMSU [Workplace Conduct](#) and [Prevention of Sexual Misconduct](#) policies apply to all UMSU staff, elected student representatives, volunteers and contractors.

UMSU has scope to investigate a complaint that occurs:

- On UMSU premises,
- During any UMSU operations,
- At work-related activities, including social contact with other UMSU staff, elected student representatives or volunteers outside of work hours.

If UMSU is not able to respond to any part of your complaint, we will provide advice regarding who you can contact to have this addressed, and support for that process if you wish.

What if the allegation is in the scope of both UMSU and the University to investigate?

UMSU and the University are separate organisations, however enrolled students at the University could be covered under both policies.

The scope of complaints that the University will investigate is different to the scope of UMSU's policies, but there is a significant overlap. Importantly, there are different outcomes available under the two different policies. This may mean that someone might want to make a complaint under one or both policies to get the outcome they are seeking.

If someone wishes to have their complaint investigated by both the University and UMSU, the University will complete an investigation first. After this, with the consent of the complainant, the findings from the University investigation will be shared with UMSU.

Any further disciplinary actions will then be implemented from UMSU's perspective and scope.

Confidentiality and privacy

Is the process confidential?

The process of reporting and investigating an incident is as confidential as possible.

Information will be shared only on an absolute *need-to-know* basis. Where possible, your identity will be kept confidential, and information will only be shared with your consent.

Key term: *need-to-know basis*

This means only people who are directly involved in the investigation are provided with information, when they need to know.

This includes the investigator, case manager, and disciplinary board.

Information may only need to be shared without your consent if there are immediate concerns for someone's safety or a child safety concern.

For example, allegations of intimate partner violence or family violence can pose a higher risk to safety. UMSU may seek external advice to appropriately assess risk in such circumstances.

Types of complaints

Can my complaint be anonymous?

Yes, you can make an anonymous formal report to UMSU.

In all cases, your complaint will be taken seriously.

There are some differences between a complaint being **de-identified vs completely anonymous.**



Deidentified formal complaint

A deidentified complaint may involve you speaking in person to someone at UMSU, with **your name removed/withheld from documentation regarding your complaint.**

Investigation options

Where you prefer your identity is not made known to the respondent, it may be possible to investigate providing there is sufficient detail to ensure the respondent can understand the allegation enough for them to respond.

If this cannot be done without including details which would allow a respondent to identify you, we can help you explore other options to address the complaint.

Anonymous formal complaint

You may wish to fill out the complaints form without providing your name or any contact details. **This means no one at UMSU will know your identity.**

Investigation options

Where possible, there will be a preliminary investigation to see what can be done without knowing your identity.

In many cases, UMSU can still take important steps such as reminding people of their responsibilities or providing training or education even if we don't have your contact details.

Does UMSU ever progress with an investigation if a victim/survivor does not want to participate?

As an organisation, UMSU has positive duty to provide a safe and healthy organisational community.

Where the safety of the community is at risk, UMSU may need to investigate a disclosure or a formal report even if a victim/survivor does not want to be involved in the investigation process. i.e., a victim/survivor does not want to meet with the investigator to share their experience.

Support during the process

What if I want someone to support me through the process?

You have the right to nominate an impartial individual or someone from an external organisation, to assist or represent you throughout the entire process. You can nominate someone at any time throughout the process.

For example, a support person could be a:

- friend who is not involved in the complaint;
- family member;
- counsellor; or
- social worker.

A support person can support you to share your story and give you moral and emotional support. Their role is to prioritise your emotional and psychological wellbeing and safety.

Interim measures to protect your safety while an investigation is taking place

Temporary arrangements may be implemented during an investigation if necessary to maintain a safe and healthy environment. These will be in response to a victim/survivors emotional, psychological and physical safety needs, as indicated.

Depending on the level of risk, interim measures may include:

- Temporary suspension of the respondent from UMSU spaces, activities and events.
- Different workspace arrangements
- Working from home arrangements for the respondent.
- Changes to work or role duties.

The investigation process

Who investigates the complaint?

Depending on the circumstances, an internal or external independent investigator will be appointed.

An internal investigator would be a trained UMSU HR staff member. An external investigator is appointed from a list of possible lawyers or HR specialists.

The investigator will have no prior relationship with either the complainant or respondent and will remain completely impartial during the investigation.

How is information for the investigation collected?

All evidence gathered is to determine if it is more likely, on the balance of probabilities, the incident did or did not happen.

Verbal evidence:

As the complainant, you will be invited to meet with the investigator so they can understand the nature of the allegation and complaint. You can bring your support person to this meeting and interpreter services will be provided if needed.

During the conversation, you can decline to answer a question or request to either have a break or stop at any time. Any comments made will be included in the investigation if relevant.

Other:

The investigator may collect further evidence such as written information, emails, posts on social media or complete an inspection of workspaces.

How long does an investigation take?

Generally, a formal investigation will run for **between 3-6 months**.

However, this timeframe is dependent on many factors. For example, if an investigation is initially completed through the University of Melbourne with findings, then passed onto UMSU, the entire process including the University's investigation could extend beyond 6 months.

Potential outcomes of complaints

Elected student representatives

A report with findings from the investigator will be provided to the discipline panel. The discipline panel decides on any disciplinary action for the respondent.



Potential outcomes may include:

- Removal from a leadership position;
- Suspension from a leadership position for a certain period;
- Required training or education;
- A formal behavioural warning and a clear and formal outline of expectations of future behaviour.

The discipline panel is made up of:

- A student representative appointed by the students' council.
- A student office bearer appointed by the students' council.
- A staff member appointed by the CEO.



UMSU staff members

If the respondent is employed by UMSU, there is a process to determine disciplinary outcomes under the UMSU Enterprise Bargaining Agreement.



Potential outcomes may include:

- Termination of employment;
- Demotion from a position or restrictions against promotion;
- Removal from positions of responsibility;
- Requirement not to attend campus;
- Formal or final written warnings;
- Formal requirement to undertake training or educative counselling;
- Prevention of further contact with students or employees.

UMSU volunteers

Where a volunteer at UMSU is the respondent to a complaint, any outcome will be determined under the UMSU [Volunteer Policy](#).



Potential outcomes may include:

- Engagement with UMSU in alternative capacity, i.e., change of role.
- Termination of Volunteers engagement with UMSU.

We don't have any authority to discipline volunteers beyond terminating their engagement with UMSU.

Contractor engaged by UMSU

Someone contracted to do work by UMSU.



UMSU will contact the contractor's employer to make the complaint. When you seek advice from a Contact Officer or the UMSU Human Resources team, they can talk you through these processes.

Other pathways to report or make a complaint

Reporting to the University of Melbourne (UoM)

A report and investigation through the University has the potential to result in outcomes that affect a respondent's relationship with the university, such as educative outcomes, suspension or expulsion.

The UMSU Sexual Harm Response Coordinators (see last page) can assist you to make a formal report to the University.

Alternatively, you may also wish to contact the Safer Community Program (see last page), which is part of the University.

Reporting to Victoria Police

Some forms of sexual misconduct are criminal in nature, such as sexual assault, rape, physical assault or stalking. UMSU supports the right of anyone affected by this type of behaviour to report to Victoria Police if they wish.

The Sexual Offences and Child Abuse Investigation Team (sometimes referred to as SOCIT) is the police team that investigates both sexual assault and child abuse allegations.

UMSU encourages anyone considering reporting to Victoria Police to first contact the Centre Against Sexual Assault (CASA; see last page). CASA can provide victim/survivors with a personal counsellor to assist them through this process in a trauma-informed way.

Part 3: support services

Crisis Support

If you think there is an immediate risk to yourself or another person, please call:

- University of Melbourne Campus Security on 834 46666
- Emergency services on 000

UMSU Supports

UMSU Sexual Harm Response Coordinators (SHRCs)

If you are unsure about your options and would like to receive advice, the SHRCs can talk through support and complaint options. The SHRCs can also assist you to make a complaint within UMSU, to the University, reporting to the police and referrals to other support services.

Please note on Tuesdays the University Psychology and Counselling services utilises the SHRC office. The SHRC's will be located inside the adjacent Advocacy and Legal space on Tuesdays.

Email: umsu-shrc@union.unimelb.edu.au

Please use [this form](#) to book an appointment

UMSU 's Network of Contact Officers

UMSU trains and supports several Contact Officers who can provide advice and support regarding disclosures, reports from bystanders and the process of making a formal complaint under UMSU's policies and procedures.

You can speak to any of UMSU's Contact Officers, you do not need to choose someone who is in your same work area or department.

There is more information on UMSU's Contact Officers [here](#).

UMSU Human Resources Team

UMSU HR oversees manages the complaints process at UMSU and organises any investigations that are undertaken. If you wish, you may contact them directly to make a formal report.

You can visit HR in person on level 4 of building 168, at the Parkville Campus.

Email: hr@union.unimelb.edu.au

NTEU delegates

The NTEU is the National Tertiary Education Union, representing staff members of universities. If you are a member, you can receive advice and support via the [help@work page](#) in the member portal.

NTEU has an office in building 166 at the Parkville campus. Please note this is not always staffed.

The University of Melbourne supports

Safer Community Program (SCP)

The SCP provides support and advice to members of the University community about inappropriate, concerning or threatening behaviour, including sexual misconduct.

Call via 03 9035 8675

Email via safer-community@unimelb.edu.au

Visit the SCP at Stop 1, 757 Swanston Street, Parkville, 3052

Counselling and psychological support (CAPS)

University of Melbourne students can access free, confidential, short-term psychological counselling. They can support applications for academic special consideration. There are two dedicated international student counsellors and a dedicated LGBTQIA+ counsellor.

To book or contact:

Call via [03 8344 6927](tel:0383446927)

Or visit the website <https://services.unimelb.edu.au/counsel>

External to the University

CASA (Centre Against Sexual Assault)

A network of 15 centres across Victoria that provide survivors with support and resources. They provide advocacy for victim/survivors to support a range of needs that may arise following a sexual assault. This may include navigating the legal system, contacting the police or accessing financial or housing services.

Call 1800 806 292 to speak to a counsellor for crisis support after a recent sexual assault.

Their website <https://www.casahouse.com.au/contact-us> has further contact details for various services.

13YARN

A free crisis support line, run by Aboriginal and Torres Strait Islander peoples, for Aboriginal and Torres Strait Islander peoples. This line provides a culturally safe, non-judgmental, private and confidential space to yarn about any needs, worries or concerns.

Call via 13 92 76 (24 hours a day, 7 days a week)

Rainbow Door

A specialist helpline for LGBTQIA+ people, their friends and family regarding sexual health, harassment and relationship issues.

Call via 1800 729 367 (10am-5pm, 7 days a week)

Email via support@rainbowdoor.org.au

Sexual Offences and Child Abuse Investigation Team (SOCIT)

Within Victoria Police, this is the specialist team that investigates both sexual assault and child abuse.

You can find the contact details for your local police station [here](#).

Part 4: appendix

Bystander

Someone who witnesses concerning or unacceptable behaviour, including but not limited to sexual misconduct, bullying, verbal abuse or discrimination.

Victim-survivor

A victim/survivor is someone who has experienced sexual misconduct, such as sexual assault or sexual harassment. We use this language as some people consider themselves a victim, and others consider themselves a survivor.

Disclosure

Making a disclosure means sharing your experiencing unacceptable conduct with someone.

Report

Making a report to UMSU means you let UMSU know you have witnessed concerning or unacceptable behaviour.

Formal complaint

Making a complaint means you let UMSU know what you have experienced, and you would like to have this investigated with the potential for a disciplinary outcome for the respondent.

Complainant

Someone who makes a report to UMSU alleging they experienced concerning or unacceptable behaviour.

Respondent

Someone who has a formal complaint made about them, alleging they have perpetrated misconduct under UMSU policy.