
Sexual Harassment Response Procedures

1. Purpose and Organisational Scope

- 1) These Procedures: (a) give effect to the Sexual Harassment Response Policy; and (b) apply to all Disclosures or Complaints made under the Policy.

2. Responding to emergencies

- 1) If Students or Staff Members are concerned for their immediate safety or the immediate safety of someone else they should contact the Police on 111.
- 2) Campus Security also maintain a 24 hour presence on campus to ensure safety and security. To report an emergency, Campus Security can be contacted on 0800 842 8888 from an external phone or 888 from an internal phone.

3. Difference between Disclosures and Complaints

- 1) The difference between Disclosures and Complaints is set out at clause 7 of the Sexual Harassment Response Policy.

4. Making a Disclosure of sexual harassment

Disclosures by Students

A Student can make a Disclosure to the Student Interest and Conflict Resolution team by emailing studentinterest@vuw.ac.nz or calling 04 463 5023 or online at www.wgtn.ac.nz/sexual-harm-students.

- 1) Any Member of the University Community (including Staff Members, the VUWSA Student Advocate, Heads of Hall and the Student Support Coordinators in the Halls) may assist a student to make a Disclosure .

Students may make Disclosures anonymously by: asking a Member of the University Community to make a Disclosure on their behalf; calling from a private number; or making a Disclosure through www.wgtn.ac.nz/sexual-harm-students.

Disclosures by Staff Members

A Staff Member can make a Disclosure to an Authorised Staff Disclosure Officer or online at www.wgtn.ac.nz/sexual-harm-staff.

Staff Members may make Disclosures anonymously by: calling an Authorised Staff Disclosure Officer from a private number; or by making a Disclosure through www.wgtn.ac.nz/sexual-harm-staff.

Note: A Student or Staff Member who chooses to make a Disclosure may later decide to make a Complaint to the University about the same incident. See clause 7(3) of the Sexual Harassment Response Policy.

Note: The University will not investigate a Disclosure except in certain limited circumstances. See clause 8(3) of the Sexual Harassment Response Policy.

- 2) If the University needs to investigate a Disclosure, a member of the Student Interest and Conflict Resolution Team or an Authorised Staff Disclosure Officer may contact the person who made the

Disclosure to ask whether they would be prepared to make a Complaint or to participate in an investigation process.

5. Making a Complaint of sexual harassment

Student Complaints

A Student can make a Complaint to the Student Interest and Conflict Resolution team by emailing studentinterest@vuw.ac.nz or calling 04 463 5023 or online at www.wgtn.ac.nz/sexual-harm-students.

- 1) Any Member of the University Community (including Staff Members, the VUWSA Student Advocate, Heads of Hall and the Student Support Coordinators in the Halls) may assist a student to make a Complaint. Any person may make a Complaint on behalf of a Student, if the Student has given their explicit consent and permission to the Complaint being made on their behalf.
- 2) A Student who has made a Complaint is free to withdraw it at any time. However, if the University has already commenced misconduct proceedings, or taken interim measures, as a result of the Complaint, those proceedings may be completed.
- 3) The making, investigation or resolution of a Complaint under these procedures must be in accordance with the Sexual Harassment Response Policy and the Student Conduct Statute.

Staff Member Complaints

A Staff Member who has experienced sexual harassment can make a Complaint to the University online anytime at www.wgtn.ac.nz/sexual-harm-staff. Staff Members can also contact an Authorised Staff Disclosure Officer.

- 4) Any person may make a Complaint on behalf of a Staff Member, if the Staff Member has given their explicit consent and permission to the Complaint being made on their behalf and must make it clear when lodging the Complaint on whose behalf the Complaint is being made.
- 5) A Staff Member who has made a Complaint is free to withdraw it at any time. However, if the University has already commenced disciplinary proceedings as a result of the Complaint, those proceedings may be completed.
- 6) The making, investigation or resolution of a Complaint under these Procedures must be in accordance with the Sexual Harassment Response Policy and the Staff Conduct Policy.

6. Supporting Members of the University Community

Support for Students

- 1) Students who have experienced or have been accused of sexual harassment can seek support from the services set out in the attached Appendices.
- 2) Students will be supported during the Complaint process by a member of the Student Interest and Conflict Resolution team. Students can also be supported during the process by the VUWSA student advocate or any other support person.

Support for Staff Members

- 3) Staff Members who have experienced or have been accused of sexual harassment can seek support from the services set out in the attached Appendices.

How to support Students and Staff Members who have experienced sexual harassment

- 4) Members of the University Community can seek advice and assistance with supporting a Student or Staff Member who have experienced sexual harassment by contacting the Student Interest and Conflict Resolution team or an Authorised Staff Disclosure Officer.

- 5) Members of the University Community should:
 - (a) refer Members of the University Community who have experienced sexual harassment to the available support services, and
 - (b) advise Students and Staff Members of their right to make a Disclosure or Complaint.
- 6) Members of the University Community can support a Student or a Staff Member who has experienced sexual harassment by:
 - (a) listening without interrupting;
 - (b) letting them express how they feel and respecting the words they use in reference to the incident;
 - (c) acknowledging the Student's or Staff Member's distress and that it may be difficult for them to discuss it;
 - (d) letting the Student or Staff Member know that the incident they are reporting was not their fault;
 - (e) respecting their decisions;
 - (f) letting them know that the University takes sexual harassment seriously;
 - (g) directing them to the available support services and reporting options.

Note: When an individual has experienced sexual harassment, they may express a range of emotional and physical symptoms. The HELP Wellington website provides information in this regard: <https://www.wellingtonhelp.org.nz/friends-family-of-survivors.html>

7. Student Complaints

- 1) The Student Interest and Conflict Resolution Team receives all Complaints made by Students in the first instance, whether that Complaint relates to a report of conduct by a Student, Staff Member or other Member of the University Community.

(i) Student Complaints about Student conduct

Informal process

- 2) If the Student indicates that they would like their Complaint dealt with on an informal basis, the Student Interest and Conflict Resolution Team will be able to assist in discussing different options for informal resolution of the Complaint and providing support during the informal resolution process. Options for informal resolution of a Complaint can include:
 - (a) Students addressing an issue themselves (with or without support of the Student Interest and Conflict Resolution team).
 - (b) The Student Interest and Conflict Resolution team speaking to the Student complained about on an informal basis.
 - (c) Mediated discussion between the complainant and the Student complained about.

Formal process

- 3) Where a Student's Complaint refers to the conduct of another Student, and the complainant wishes to make a formal Complaint the procedures set out in the Student Conduct Statute will apply.
- 4) If a Complaint about a Student is referred to a decision-maker under the Student Conduct Statute, the Student Interest and Conflict Resolution Team will update the complainant regularly on the progress of the misconduct procedures under the Student Conduct Statute.

(ii) Student Complaints about Staff Member conduct

- 5) Where a Student's Complaint refers to the conduct of a Staff Member, the Student Interest and Conflict Resolution Team will refer the Complaint to the Deputy Director, Human Resources or a Faculty Human Resources Manager in the first instance.
- 6) Following the referral of a Complaint, the Deputy Director, Human Resources or the Faculty Human Resources Manager will take the steps set out in the Guidelines for Resolving Alleged Misconduct in relation to the Complaint.
- 7) The Deputy Director, Human Resources or a Faculty Human Resources Manager will update the Student Interest and Conflict Resolution Team regularly on the process that is being taken and with any information to report. The Student Interest and Conflict Resolution Team will provide these updates to the complainant.

Note: where the Complaint refers to the conduct of a Student in their role as a tutor, the Complaint may be dealt with under the Student Conduct Statute if the Student's employment relationship with the University as a tutor has ceased, and if the conduct has a sufficient connection with the individual's activities as a Student of the University.

8. Staff Member Complaints

- 1) All Complaints by Staff Members should be sent to the Deputy Director, Human Resources or a Faculty Human Resources Manager in the first instance whether that Complaint relates to a report of conduct by a Student, Staff Member or other Member of the University Community.
- 2) In the event that the Complaint is not made directly to the Deputy Director, Human Resources or a Faculty Human Resources Manager, it should be promptly referred to either the Deputy Director, Human Resources or a Faculty Human Resources Manager by the Staff Member who initially received the Complaint.

(i) Staff Member Complaints about Student conduct

- 3) Where a Staff Member's Complaint refers to the conduct of a Student, the Deputy Director, Human Resources or the Faculty Human Resources Manager will refer the Complaint to the Student Interest and Conflict Resolution Team.
- 4) The Student Interest and Conflict Resolution Team will update the Deputy Director, Human Resources or the Faculty Human Resources Manager on the progress of the complaints process as there is information to report. These updates will then be provided to the complainant.

(ii) Staff Member Complaints about Staff Member conduct

Informal Processes

- 1) If the Staff Member indicates that they would like to deal with their Complaint on an informal basis, the Deputy Director, Human Resources or the Faculty Human Resources Manager will refer the Complaint to the appropriate Manager, in accordance with the Guidelines for Resolving Alleged Misconduct.
- 2) Method of seeking informal resolution include, but are not limited to:
 - (a) Direct discussions between the parties.
 - (b) Where the misconduct involves a Complaint:
 - i. the complainant discussing the issue with a third party but not proceeding further;
 - ii. a third party representing the complainant's concerns on her or his behalf;
 - iii. the complainant writing a letter to the other party.

- (c) Discussions between the parties and mediated by a third party. Where a third party is involved the role of the third party will be to:
- i. assist the parties to a dispute or disagreement to find constructive solutions using a co-operative problem solving process;
 - ii. be even-handed to all parties and allow each party equal opportunity to participate;
 - iii. promote respectful dialogue between the parties;
 - iv. respect the confidentiality and privacy of all parties and deal with any issues sensitively to maintain the dignity and respect of the individuals involved, and to encourage them to accord each other the same respect; and
 - v. allow the parties to make their own decisions, including who will be informed of the outcome.
- (d) One or both of the parties (and depending on whether it is appropriate given the nature of the misconduct) choosing to change their own circumstances to avoid any repetition of the misconduct.

Note: An informal process will not normally be appropriate where the alleged misconduct may warrant some form of disciplinary penalty.

Formal Complaint Process

- 3) If the Staff Member indicates that they would like their Complaint dealt with on a formal basis, the Deputy Director, Human Resources or the Faculty Human Resources Manager will follow the process for investigating alleged misconduct set out in the Guidelines for Resolving Alleged Misconduct
- 4) Prior to making a formal Complaint, the Staff Member may wish to seek advice. Persons who can be approached for this advice include, but are not limited to:
 - (a) Human Resources
 - (b) The complainant's Manager
 - (c) The Manager of the person complained about
 - (d) A Senior Manager
 - (e) The complainant's Union Representative, lawyer or other representative.

9. Information about the outcome of a Complaint

- 1) The outcome of a Complaint will be determined by the findings of any investigation, the seriousness of the Complaint and, to the extent that is possible, the wishes of the complainant.

Note: If the complainant does not provide sufficient detail or evidence of a Complaint, a finding of misconduct may not be able to be made and the University will be unable to take disciplinary action against the person complained about.

Student Complaints

- 2) For Complaints that result in misconduct proceedings, and a subsequent finding of misconduct, the Student Conduct Statute sets out the process for establishing penalties for, and appeal rights from, findings of misconduct against a student.
- 3) The Student Interest and Conflict Resolution Team will inform student complainants of the outcome of misconduct proceedings against Students or Staff Members on a confidential basis.
- 4) Where possible, this information will be delivered in person, to allow the complainant to ask questions and seek clarification about the effect of the outcome.

Staff Member Complaints

- 5) For Complaints that result in disciplinary proceedings, and a subsequent finding of misconduct or serious misconduct, the Staff Conduct Policy and Guidelines sets out the process for establishing penalties for findings of misconduct against a Staff Member.
- 6) The Deputy Director, Human Resources or the Faculty Human Resources Manager will inform staff complainants of the outcome of disciplinary proceedings against Students, Staff Members or affiliates on a confidential basis.
- 7) Where possible, this information will be delivered in person, to allow the complainant to ask questions and seek clarification about the effect of the outcome.

10. Interim Measures

- 1) Interim measures may be taken following the receipt of a Complaint in accordance with the Staff Conduct Policy or Student Conduct Statute.

11. Definitions

For the purposes of this Policy, the following definitions will apply:

Authorised Staff Disclosure Officer	The Deputy Director, Human Resources, a Faculty Human Resources Manager, or the Director, Risk and Assurance.
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Related Documents and Information

12. Related Documents

Conflict of Interests Statute

Sexual Harassment Response Policy

Staff Conduct Policy

Staff Guidelines for Resolving Alleged Misconduct

Student Conduct Statute

Education Act 1989

Employment Relations Act 2000

Human Rights Act 1993

Privacy Act 1993

Document Management and Control

Approval Agency	Vice-Chancellor
Approval Date	2 December 2019
Last Modified	2 December 2019
Review Date	31 December 2020
Sponsors	Provost and Director, Human Resources
Contact Person	Manager, Student Interest and Conflict Resolution Extension 5023 Deputy Director, Human Resources Extension 5198

Appendix 1: University support for Students and Staff Members who have experienced sexual harassment

Support services for Students

Student Interest and Conflict Resolution

Email: Student-Interest@vuw.ac.nz

Telephone: 04 463 5023 (business hours only)

Student Health and Counselling (Mauri Ora)

<https://www.victoria.ac.nz/student-health>

Telephone: 04 463 5308

Mauri Ora provides non-urgent health care for Students who have experienced sexual harassment. Clinics are based on campus. If a Student would like to see a doctor at Mauri Ora who has specialist training in sexual assault, please ask to see the triage nurse and they will arrange a non-urgent appointment. Mauri Ora GPs and Nurses are also available for Monday to Friday 8.30am until 4.45pm. In the case of a non-acute (ie > 7 days ago) sexual assault, or to get advice, Mauri Ora has GPs trained in sexual assault care, and can ensure Students' health and safety, and provide follow up care as needed.

ACC Find Support Programme

ACC's Find Support programme helps Students access ACC-funded support following sexual abuse or assault, in your time, on your terms.: <https://findsupport.co.nz/>

The Student Interest and Conflict Resolution team has worked with ACC to provide a specialist sexual assault counsellor on campus.

Alternatively, Students may make direct contact with ACC's Sensitive Claims Unit.

Disability Services, Student Support

Email: disability@vuw.ac.nz

Telephone: 04 463 6070

Disability services works in partnership with students to strengthen the University's culture of inclusion and ensure students can fully participate and achieve their aspirations

Maori Student Support

Email: awhina@vuw.ac.nz

Website: www.victoria.ac.nz/awhina

The Awhina team are on campus holistic whanau support available to Maori students.

Pasifika Student Support

Email: pasifika@vuw.ac.nz

Website: www.victoria.ac.nz/pasifika

The Pasifika Student Support team are on campus holistic support available to Pasifika students.

Postgraduate Students' Association

Email: pgsa@vuw.ac.nz

Telephone: 04 463 6973

The Postgraduate Students' Association (PGSA) is the representative organisation for postgraduate students at Victoria University of Wellington responsible for advocacy, community building, and student representation

Rainbow Student Support

Email: georgia.andrews@vuw.ac.nz

Telephone: 04 463 6712

Our Rainbow and Inclusion Advisor works with our community to ensure that the University is a safe and inclusive environment for Students of all sexualities, genders and sex characteristics.

Victoria International, Student Support

Email: vi-support@vuw.ac.nz

Telephone: 04 463 5350

The International Student Support team can support international Students who have experienced sexual harassment through any meetings or conversations.

Support services for hall residents

Student Support Coordinators

The Student Support Coordinators (SSCs) are registered health professionals who provide a confidential service for hall residents experiencing any health or wellbeing issues that may impact on their ability to manage the demands of their living and academic environments. The SSCs liaise with faculties, student support services, and community services to ensure that residents can access the support required.

Contact Details

Weir House, Victoria House, 222 Willis and Uni Hall: emma.wareing@vuw.ac.nz

Boulcott Hall, Katherine Jermyn Hall and Everton Hall: hester.reich@vuw.ac.nz

Capital Hall, Helen Lowry and Willis Street Halls including Cumberland House and Education House: jasmine.daniel@vuw.ac.nz

Stafford House, Te Puni Village and Joan Stevens Hall: [appointment pending – in the meantime residents at these halls can contact any of the student support coordinators listed above].

Residential Advisors

Residential Advisors (RAs) support residents' transition into tertiary study, to develop and maintain the hall community and to provide leadership. RAs live on site and are assigned a group of residents. They will often be the first point of contact for residents needing assistance or support.

Contact Details

Boulcott Hall: 463 4743 / 021 285 4743

Capital Hall: 022 563 3720

Joan Stevens Hall: 463 6834 / 021 966 834

Katharine Jermyn Hall: 022 563 9080

University Hall: 0800 UNIHALL

222 Willis: 022 563 3099

Weir House: 027 563 3700

Willis St. Halls: 027 563 4770

Everton Hall: 027 472 1026

Helen Lowry Hall: 027 240 2766

UniLodge: Stafford House: 027 469 4620

Te Puni Village: 027 563 9220

Victoria House: 027 440 9249

Support services for Staff Members

Authorised Staff Disclosure Officers

Authorised Staff Disclosure Officers are available to talk to staff about options for support, reporting to Police and informal and formal reporting through the university.

Website: <https://intranet.wgtn.ac.nz/staff/your-university/sexually-harmful-behaviours/authorised-disclosure-officers>

Staff Support

Manager, Staff Wellness

Email: trish.knight@vuw.ac.nz

Phone: 04 4636845

Mobile: 027 563 6845

Employee Advisory and Resolution Service (“EARS - Te Rauawa”)

EARS—Te Rauawa is a confidential, impartial and informal service that is independent of Human Resources at the University. This service provides staff with the opportunity to discuss their workplace concerns with an independent party and to obtain advice and support on a confidential and off-the-record basis.

University staff can contact EARS Te Rauawa anonymously through the EARS Te Rauawa Staff Intranet page or by email to ears@vuw.ac.nz.

Counselling and support

Benestar provides counselling and support to the University's staff. They are a national counselling service that provide Employee Assistance Programmes (EAP) to support staff.

Telephone: 0800 360 364

Website: <https://www.benestar.com/>

For further information see: <https://intranet.victoria.ac.nz/staff/human-resources/health-wellbeing/emotional-and-social-wellbeing/counselling-and-support>

Appendix 2: University support for Students and Staff Members who have been accused of sexual harassment

Support services for Students

Student Interest and Conflict Resolution

<https://www.victoria.ac.nz/students/support/admin/conflict-resolution/student-interest-and-disputes-advisor>

Email: Student-Interest@vuw.ac.nz

Telephone: 04 463 5023 (business hours only)

Student Health and Counselling (Mauri Ora)

<https://www.victoria.ac.nz/student-health>

Telephone: 04 463 5308

Disability Services, Student Support

Email: disability@vuw.ac.nz

Telephone: 04 463 6070

Maori Student Support

Email: awhina@vuw.ac.nz

Website: www.victoria.ac.nz/awhina

Pasifika Student Support

Email: pasifika@vuw.ac.nz

Website: www.victoria.ac.nz/pasifika

Postgraduate Students' Association

Email: pgsa@vyuw.ac.nz

Telephone: 04 463 6973

Rainbow Student support

Email: rainbow@vuw.ac.nz or Georgia.andrews@vuw.ac.nz

Telephone: 04 463 6712

Support services for hall residents

Student Support Coordinators

Weir House, Victoria House, 222 Willis and Uni Hall: emma.wareing@vuw.ac.nz

Boulcott Hall, Katherine Jermyn Hall and Everton Hall: hester.reich@vuw.ac.nz

Capital Hall, Helen Lowry and Willis Street Halls including Cumberland House and Education House: jasmine.daniel@vuw.ac.nz

Stafford House, Te Puni Village and Joan Stevens Hall: [appointment pending – in the meantime residents at these halls can contact any of the student support coordinators listed above].

Victoria International, Student Support

Email: vi-support@vuw.ac.nz

Telephone: 04 463 5350

Support services for staff members

Authorised Staff Disclosure Officers

Authorised Staff Disclosure Officers are available to talk to staff about options for support, and the processes that will be followed by the University.

Website: <https://intranet.wgtn.ac.nz/staff/your-university/sexually-harmful-behaviours/authorised-disclosure-officers>

Staff Support

Manager, Staff Wellness

Email: trish.knight@vuw.ac.nz

Phone: 04 4636845

Mobile: 027 563 6845

Employee Advisory and Resolution Service (“EARS - Te Rauawa”)

EARS—Te Rauawa is a confidential, impartial and informal service that is independent of Human Resources at the University. This service provides staff with the opportunity to discuss their workplace concerns with an independent party and to obtain advice and support on a confidential and off-the-record basis.

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For further information see: <https://intranet.victoria.ac.nz/staff/human-resources/health-wellbeing/emotional-and-social-wellbeing/counselling-and-support>