

Sexual Harassment - What To Do If You Think You Have Been Sexually Harassed?

Equity and Diversity have developed the following guidelines to assist staff and students deal with sexual harassment. These guidelines should be read in association with the [Sexual Harassment Prevention Policy](#).

What is sexual harassment?

The University's definition of sexual harassment reflects the legal definition.

Sexual harassment is any unwelcome behaviour of a sexual nature that makes a person feel offended, humiliated or intimidated, and which a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person would be offended, humiliated or intimidated

Examples of sexual harassment

A wide range of behaviours can constitute sexual harassment under the [Sexual Harassment Prevention Policy](#).

What do I need to know about it?

The first thing that you need to know is that you have a right to learn and work in an environment that is free from sexual harassment.

You also need to know that:

- someone can sexually harass you without meaning to, that is, sexual harassment can be unintentional;
- it is possible to be harassed by an individual or by a group of people; and
- it is possible to be harassed by someone with whom you have been intimate, or with whom you had an ongoing relationship.

Even mild forms of sexual harassment can make you feel uncomfortable and detract from your studies and work. This can be particularly true if the person who harassed you has authority over you.

Whether you are harassed by:

- someone of equal status (e.g. an employee harassed by an employee of equal status); or
- someone over whom you have authority (e.g. a lecturer harassed by a student); or
- someone who has authority over you (e.g., an employee harassed by manager/supervisor or a student harassed by a tutor or lecturer)

You can do something about it


- Speak to the person harassing you

- Write the person harassing you a letter
- Obtain advice and support
- Keep confidential records about the harassment

Internal Formal Complaints

If it is not possible to resolve the issue yourself, you can make a formal complaint to the [Complaints Resolution Unit](#).

The University's procedures for handling complaints are based on confidentiality, impartiality, procedural fairness, protection from victimisation and prompt resolution.

Processes for handling complaints are outlined in the [Complaints Handling and Resolution Policy](#) (opens in new window) .

Will the alleged harasser be 'punished' if the complaint is substantiated?

Disciplinary action may be taken against students or staff who are found to have sexually harassed other students or staff.

Breaches of the policy will be considered to be misconduct or serious misconduct in the case of employees, and "non-academic misconduct" in the case of students, and may result in the most serious cases in permanent expulsion (for students) or dismissal (for staff).

External Complaint and Advisory Bodies.

[The Australian Human Rights Commission](#) (opens in new window) 

[The NSW Anti Discrimination Board](#) (opens in new window) 

[Fair Work Australia](#) (opens in new window) 

Acknowledgements

These Guidelines have been developed based on the University of Melbourne's document "So You Think You Have Been Sexually Harassed" and the Australian Human Rights Commission publications "Know Your Rights: Sex Discrimination and Sexual Harassment" and "Effectively Preventing and Responding to Sexual Harassment."