

Managing the risk of sexual harassment and sex or gender-based harassment at work

Prevention plan template

All persons conducting a business or undertaking (PCBUs) **must** prepare and implement a **prevention plan** to manage identified risks of sexual harassment and sex or gender-based harassment in the workplace. PCBUs have a duty to prevent sexual harassment and sex or gender-based harassment from occurring, not only to respond to incidents that have already occurred.

The prevention plan must focus on managing identified risks to the health and safety of workers, or other persons, in the workplace. PCBUs must ensure that the plan complies with the requirements in section 55H of the Work Health and Safety Regulation 2011 (WHS Regulation).

The risk management process is set out in the Managing the risk of psychosocial hazards at work Code of Practice 2022 (the Code) and involves:

- **identifying the risk of sexual harassment and sex or gender-based harassment** - find out what could cause harm
- **assessing risks** - understand the nature of the harm, how serious the harm could be and the likelihood of harm occurring
- **controlling risks** - implement the most effective control measures that are reasonably practicable in the circumstance
- **reviewing control measures** - to ensure they remain effective.

All of these steps must be supported by consultation. The prevention plan must be communicated to workers.

This document provides PCBUs with a template that can be used to satisfy the requirements under the WHS Regulation to develop and implement a prevention plan. The template is not mandatory but exists as a tool for PCBUs who may need support in preparing a prevention plan.

WORKPLACE:	AUTHOR:	DATE:	DATE OF NEXT REVIEW:
Southern Cross University	Workplace Health and Safety	18.02.25	February 2028

Consultation

Sections 46, 47, 48 and 49 of the *Work Health and Safety Act 2011* (WHS Act) and section 55H(2)(e) of the WHS Regulation 2011

REQUIREMENT 	CONSIDERATIONS  	ACTIONS TAKEN  
PCBUs must consult with workers and others as part of the development of a prevention plan.	• Have you consulted with your workers? • How did you consult with your workers? • Have you included other parties as part of your consultation process (for example, unions, representatives, shared duty holders)? • Have you protected your workers' privacy and anonymity, where possible? • Are you using consultation as an opportunity for improvement?	Risks identified (as per the psychosocial hazard of harassment including sexual harassment) have been consulted throughout 2024 through staff workshops (open to all staff) and also Health and Safety Representative (HSR) meetings. Students and Staff representatives are included in the Student Experience Committee which monitors the Student Safety Action Plan. The plan was originally developed in consultation with staff and students following the release of the National Student Safety Survey, which focused on student experience of sexual assault and sexual harassment. Privacy obligations are recognised and followed whenever data is shared/presented during consultation. eg. de-identified RiskWare reports, workers compensation claims. Consultation methods including organisational Town Halls, psychosocial identification workshops, RiskWare reporting system and HSR meetings are all opportunities for employees to provide feedback. This feedback is always considered an opportunity for improving support systems at SCU.

Characteristics of workers and the workplace

Sections 46, 47, 48 and 49 of the WHS Act 2011 and section 55H(2)(e) of the WHS Regulation 2011

REQUIREMENT 	ACTIONS TAKEN  
PCBUs must have regard to the characteristics of workers, the workplace and the work environment when assessing, identifying, and controlling the risks for sexual harassment and sex or gender-based harassment.	- The Southern Cross University (SCU) employee group is made up of: 2065 Staff members - Predominantly female (69% female and 31% male) 3% identifying as First Nations People 3% identifying with a disability 14% identifying that their home language is Non- English. 75% of group is aged between 26 - 59. Continuing and fixed group breakdown: 1166 Staff members - Predominantly female (65% female, 35% male) 3% identifying with a disability 4% identifying as First Nations People 14% identifying that their home language is Non- English. 83% of group is aged between 26 - 59. Casual group breakdown: 943 Staff equating to 46% of workforce - Predominately female (75% are female and 25% male) 3% identifying with a disability 2% identifying as First Nations People 14% identifying that their home language is Non- English. 70% of group is aged between 26 - 59.
CONSIDERATIONS	
- What are the characteristics of your workers? For example, number of workers, gender, age of workers, employment status (casual, part- time), isolated workers, LGBTIQ+, diversity of workers, etc. - What are the characteristics of your workplace and/or work environment? - Do direct observations of the workplace indicate any risks?	As per the Australian Human Rights Commission Fact Sheet series (August 2023) Causes and Risk Factors of Sex Discrimination, Sexual Harassment and Other Unlawful Behaviours, risk factors were considered against the SCU employee group characteristics with the below observations made: - Interacting with third parties e.g. high number of students - from diverse backgrounds/cultures/ages/genders, student placement providers, public facing organisation and sites. - Employ casual staff - 46% of SCU staff are currently casual. - Workplace is very hierarchical - nature of large student group, very distinct academic and professional staff groups, hierarchical position titles. - Isolated or remote workplace - already identified as a critical risk at SCU both on campus and in the field, large online component for students studying and staff working remotely e.g. work from home. STUDENTS SCU has a diverse student population, with a notable presence of non-recent school leavers, regional, remote, Aboriginal and Torres Strait Islander (ATSI), and from low socio-economic backgrounds (low SES), with higher proportions of these groups compared to most Australian universities. - Nearly 70% of SCU students are female. - The median age for bachelor's students is 24, while for Postgraduate students, it is 35. - SCU attracts students from all over Australia and internationally, with 89% residing in New South Wales (NSW) or Queensland (QLD). - The student body comprises 79% domestic and 21% international students. - Many students opt for part-time study, with 41% enrolled in online courses. - Consequently, SCU students typically take longer to complete their degrees compared to the national average, with bachelor's students averaging 3.26 years and Postgraduate students averaging 1.93 years. - We have our main onshore campus locations on the Gold Coast in QLD, Northern Rivers, and Coffs Harbor in NSW. - Our onshore metro campuses are located in Brisbane, Sydney, Melbourne and Perth. - Our off-shore educational partners are in Papua New Guinea and China.

Identification of other risks and psychosocial hazards

Sections 55D(2), 55F, 55H(1) and 55H(2)(b) of the WHS Regulation 2011

REQUIREMENT 	CONSIDERATIONS  	ACTIONS TAKEN  
PCBUs must identify and assess any other risks and psychosocial hazards.	• Have risks been identified in the workplace? • How long are workers and others exposed to the risk and hazards? • How often are workers and others exposed? • How does exposure to the risk or hazard affect workers (for example, distress, stress, physical safety)? • How does the hazard interact with or combine with other hazards? • Have you consulted with workers to assess risks? • Is there data to assess the risks?	Identification methods: • RiskWare reporting system has a dedicated "Psychosocial hazard - Harassment including sexual harassment" reporting category • Workers compensation data review. • People & Culture Sexual Misconduct policy and reporting process • Raising an issue with a supervisor. Identified cause considerations (following consultation with all staff via workshops and HSR meetings): • Single or repeated incidents of forms of harassment by colleagues, students, others around an individual's race, religion, gender, age, disability etc. • Aging workforce at SCU, staff from different cultural backgrounds. Exposure to these causes could lead to a lost time injury. STUDENTS SCU Student Critical Incident Management Policy and Procedures identify sexual harassment and sexual assault as critical incidents. Incidents are reported via RiskWare, or the University's complaints process. Quarterly analysis of student critical and non-critical incidents is undertaken, with reports provided to the University Executive. These reports identify themes of incident type, location, gender, etc in order to identify and respond to risk with a preventative focus, as well as proactive education and support initiatives.

Control risks

Section 17 of the WHS Act 2011 and sections 55D(2), 55F(1), 55H(2)(c) and 55H(2)(d) of the WHS Regulation 2011

REQUIREMENT 	CONSIDERATIONS  	ACTIONS TAKEN  
PCBUs must implement control measures in accordance with the hierarchy of controls, aiming to eliminate then minimise the risk of sexual harassment.	• What control measures have been implemented, or will be implemented, to manage each identified risk? • Consider control measures based on the workers, workplace and work environment. • How will control measures be recorded and reviewed to ensure that they are, and that they remain, effective?	Organisational controls developed in consultation with employees via workshops and HSR meetings: • Implementation of procedures and policies including: Harassment, bullying and discrimination policy, Employee Guide - Preventing, Workplace Bullying, Manager and Supervisor Guide - Preventing and Responding to Workplace Bullying, and Code of Conduct. • STEMM program. • Indigenous Workforce Strategy. • Mandatory training program (Sexual Harassment Awareness module on SCOUT) • Training options via SCOUT e.g. Respect @ SCU and Understanding Gender and Sexual Diversity. • Process of reviewing policies and controls after incidents. • Manager/supervisor training. • Availability of reporting mechanisms to raise safety concerns, including RiskWare to manager or WHS, Complaint Policy, HSRs and HR Business Advisors or Business Partners. • Provision of security on campus including 24/7 Security, duress alarms in identified high-risk areas, CCTV surveillance and restricted access via swipe card. • Work Unit psychosocial risk assessment/tool implementation e.g. The Wellbeing Continuum. Staff in areas assessed to be at risk of possible disclosures undertake professional supervision, responding to disclosure training or how to refer training. It is recognised that further controls may be needed for work group and or individual events. Additional controls are developed and considered for these circumstances following consultation with affected work groups and/or individual employee/s. STUDENTS SCU has implemented the RESPECT@SCU on-line module which deals with sexual embarrassment and assault and behavioural expectations. Module completion is mandatory for students participating in university activities assessed to be at higher risk. For example student accommodation, tours and sports events, after hours access to library facilities or participating in paid of volunteer activities. Student awareness raising campaign work is undertaken, reminding students about behavioural expectations and how to report. RiskWare reporting has increased, which is evidence of the success of "how to report" campaigns and training initiatives.

Reporting

Part 5, Divisions 5 and 7A of the WHS Act 2011 and section 55H(2)(f) of the WHS Regulation 2011

REQUIREMENT 	CONSIDERATIONS  	ACTIONS TAKEN  
The prevention plan must detail the procedures for dealing with reports of sexual harassment and sex or gender-based harassment at work, including: • how a person may make a report • how the report will be investigated • that the person who made the report may be represented by a health and safety representative • how the person who made the report and other parties will be informed of the result of the investigation • that the person who made the report may also use the issue resolution procedures and the dispute resolution process in part 5, divisions 5 and 7A of the <u>WHS Act</u>.	• What are the procedures for dealing with reports? • Consider the following in developing procedures: ○ ensure clear and well-communicated reporting processes ○ offer multiple formal and informal reporting pathways, where available ○ educate workers on external reporting pathways ○ offer anonymous reporting options and manage confidentiality ○ provide accessible support systems for affected persons ○ provide training and support for workers handling reports ○ communicate timeframes and decision points to parties ○ ensure fairness and impartiality in investigations ○ review report-handling procedures to assess effectiveness.	Relevant SCU policies and procedures that include definitions and information on the reporting, investigation, outcomes and issue resolution process include: Harassment, Bullying and Discrimination Prevention Policy (https://policies.scu.edu.au/view.current.php?id=00039) Sexual Misconduct (Prevention and Response) Policy (https://policies.scu.edu.au/document/view-current.php?id=433#major3) Student Critical Incident Management Policy and Procedure. SCU reporting systems: STAFF • - RiskWare • - Work Health and Safety Team • - Direct supervisor • - Complaints Assistance Officer, by telephone or email • - Fair Work Commission and other relevant anti-discrimination tribunals STUDENTS • Student Support Triaging Officers by telephone or email • Work Health and Safety Team • RiskWare • Complaints Assistance Officer by telephone or email • A trusted member of staff who can refer to support services • The National Student Ombudsman

Communicate and implement

Sections 55H(3) and 55H(4)(a) of the WHS Regulation 2011 (maximum penalty—60 penalty units)

REQUIREMENT	CONSIDERATIONS	ACTIONS TAKEN
The prevention plan must be implemented. Reasonable steps must be undertaken to ensure workers are aware of the prevention plan and how to access it.	- How has the prevention plan been implemented? - Is the prevention plan set out and expressed in a way that is readable, accessible and understandable to workers? - What reasonable steps have been taken to ensure workers are aware of the prevention plan and how to access it (for example, communicated plan clearly and consulted with workers during implementation)?	Plan publicly accessibly via the WHS A-Z webpage - https://www.scu.edu.au/staff/hr-services/workplace-health-and-safety/a--z-of-whs/ STUDENTS Should go : https://www.scu.edu.au/current-students/services-and-support/

Reviewing the prevention plan and control measures

Sections 55G and 55H(4)(b) of the WHS Regulations 2011 (maximum penalty—60 penalty units)

REQUIREMENT	CONSIDERATIONS	ACTIONS TAKEN
The prevention plan must be reviewed: • if a report is made—as soon as practicable after the report is made • if a health and safety committee or a health and safety representative requests a review of the plan—as soon as practicable after the request is made • otherwise—every three years.	How will the prevention plan be reviewed and evaluated? • review controls during workplace changes, when the controls become ineffective or after serious incidents • review controls when new hazards are identified, a health and safety representative requests a review or on agreed review dates • evaluate controls after serious incidents, injuries or psychological harm have occurred • assign responsibility for reviewing controls • record evaluation processes with documentation (for example, feedback, reports, consultation notes).	SCU's Prevention Plan will be reviewed: • As soon as practicable after a Health and Safety Representative asks for the plan to be reviewed • Or otherwise every three years. STUDENTS • Student incidents are reviewed quarterly and annually with reporting to the Executive. • The Student Safety Action Plan is reviewed annually by the Student Experience Committee. • The Support for Students Policy is reviewed annually. • Review of the Prevention Plan can be added to the Annual Work plan of the Student Experience Committee.