

Procedure	<p>1. Identifying signs of sexual assault and sexual harassment</p> <p>1.1. Was the contact consensual?</p> <ul style="list-style-type: none">a. For the purposes of this procedure, 'contact' may be physical, verbal, written or any other contact that may cause apprehension, offence, humiliation or intimidation.b. Consent or permission is defined as unequivocal and voluntary agreement for the purposes of this policy.c. Consent can be withdrawn at any moment by all parties concerned in a relationship.d. Consent should be freely given and not be pressured into giving, by any party in a relationship. <p>1.2. Was there a quid pro quo?</p> <ul style="list-style-type: none">a. 'Quid pro quo' or 'this for that' occurs when a person of authority or peer offers or hints that they will trade an advantage in return for a satisfaction of a sexual demand.b. This may also occur when a person of authority or peer threatens to harm, humiliate, or cause a disadvantage in a student's studies or an employee's status in the workplace unless they complied with a sexual favour. <p>2. Confidentiality and Privacy</p> <p>2.1. BPP Institute will protect the confidentiality and privacy of the complainant who lodges an informal or formal complaint of sexual assault and sexual harassment.</p> <p>2.2. The Chief Executive Officer will be responsible for the disclosure of relevant information to key personnel to ensure the complainant's safety, the safety of the BPP Institute community and provide adequate support to the complainant.</p> <p>2.3. The Chief Executive Officer will also keep the complainant informed of such disclosures and the complainant may object to the disclosure at any time.</p> <p>2.4. BPP Institute reiterates the rights of complainants to pursue legal action or lodge a police report if they choose to do so.</p> <p>2.5. In order to safeguard the privacy and confidentiality of all parties involved in an investigation, BPP Institute will not impose or alter routines such as classes, study and work arrangements unless it is requested and necessary.</p> <p>3. Reporting Procedures for Students</p> <p>3.1. Informal complaints are disclosures about incidents of sexual assault or sexual harassment from another person.</p> <p>3.2. Informal complaints from students can be made to the Student</p>
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	<p>Experience Department and the Chief Executive Officer. When a student makes a sexual assault and sexual harassment disclosure, the first responder, should explain the full range of options available to them, including accessing support services and the process of making a formal complaint to the Chief Executive Officer as stipulated in the Student Complaints and Appeals Policy and Procedure.</p> <p>3.3. Informal complaints do not necessarily result in a formal complaint, but it may instead be an effort to seek more information on the topic.</p> <p>3.4. Complaints can be made at any time.</p> <p>3.5. Complainants have the right to disclose as much information as they wish and pursue the matter to the extent they want to.</p> <p>3.6. Complainants may lodge an informal complaint or a formal complaint of sexual assault or sexual harassment in person or via email to the Student Experience Department or the Chief Executive Officer.</p> <p>3.7. Alternatively, complainants may choose to report incidents of sexual assault or sexual harassment directly to external authorities including the police.</p> <p>3.8. Informal Complaints</p> <p>a. Upon receiving an informal complaint, the Student Experience Department under the supervision of the Chief Executive Officer, will refer all available information about appropriate emergency health, counselling, security and accommodation providers to the student.</p> <p>b. The Student Experience Department will provide the necessary assistance to ensure understanding of the available options, including reporting to the police, pursue legal action, and making a formal complaint. Complainants will also be provided with information about and assistance with navigating through BPP Institute's formal complaints process.</p> <p>c. Where applicable, the Chief Executive Officer will also provide support in navigating the process of applying for special consideration.</p> <p>3.9. Formal Complaints</p> <p>a. All formal complaints shall be referred to the Chief Executive Officer immediately upon receipt.</p> <p>b. Complainants may lodge a formal complaint by stating their intention clearly to do so in an email addressed to the Chief Executive Officer, and by completing the Student Complaint</p>
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- c. The Chief Executive Officer shall make all necessary arrangements for support and assistance available. This includes making available all information about appropriate emergency health, counselling, security and accommodation providers; and providing assistance to guide the complainant towards the range of options available.
- d. The Chief Executive Officer will proceed to inform the Dean (where applicable) of the formal complaint, keeping with all necessary confidentiality arrangements.

4. Reporting Procedures for Staff

- 4.1. Informal or formal complaints from staff should be reported to Senior Management in accordance with the Staff Grievance Policy.

5. Natural Justice Principles

- 5.1. BPP Institute is committed to adhering to the principles of natural justice and procedural fairness in the assessment of any complaints.
- 5.2. BPP Institute will ensure that both the complainant and the defendant are treated fairly in all investigations.
- 5.3. BPP Institute acknowledges that formal reports of sexual assault and sexual harassment will affect both parties in the complaint.
- 5.4. To ensure procedural fairness is observed, BPP Institute will not enforce arrangements that may significantly affect the routines of both parties in a complaint unless under exceptional circumstances.

5.5. Complainants

- a. Complainants may opt to pursue or rescind their reports at any stage. BPP Institute will not hinder or restrict students' right to do so or conduct the matter in a manner contrary to their wishes.
- b. In any stage of the investigation, BPP Institute will keep the complainant in regular and timely communication regarding the process and its possible resolution.
- c. The streamlined process of handling complaints under this procedure are designed to minimise the number of times complainants need to recount their experience and not imposing significant changes to their routine.
- d. If the alleged perpetrator is a student in the complainant's class, the Chief Executive Officer, in consultation with the

	<p>Dean, will make alternate study arrangements.</p> <p>e. If the alleged perpetrator is a BPP Institute staff member, the Chief Executive Officer will have discretion to determine appropriate work arrangements.</p> <p>5.6. Defendant</p> <p>a. The defendant is afforded the same rights and support services as the complainant to ensure the matter is handled without bias.</p> <p>b. The defendant has the right to know the details of any reports made against them.</p> <p>c. The defendant shall also have the opportunity to make representations to BPP Institute in the matter.</p> <p>6. Cooperation with Relevant Authorities</p> <p>6.1. BPP Institute acknowledges that it has no authority to determine whether a crime or civil wrong has occurred; BPP Institute will only determine whether someone has breached the Institute's policies.</p> <p>6.2. BPP Institute will cooperate fully with any relevant authorities where a criminal or civil complaint has been lodged.</p> <p>6.3. The Institute will not attempt to collect any forensic evidence as it is not within BPP Institute's expertise or authority to do so.</p> <p>6.4. BPP Institute will provide full cooperation and turn over any evidence or documentation to the investigative authority.</p> <p>7. Sanctions</p> <p>7.1. BPP Institute will not impose any sanctions on either party until the investigation is concluded and an outcome determined.</p> <p>7.2. However, BPP Institute recognises the sensitive nature and seriousness of sexual assault and sexual harassment reports for all parties involved. Where applicable, BPP Institute will ensure that both parties can continue with their routines in separate environments.</p> <p>7.3. Students</p> <p>a. If the allegations against a student defendant are proven, the Chief Executive Officer shall submit a recommendation to the Dean. Depending on the severity of the offence, the recommendations may be:</p> <ul style="list-style-type: none">• Suspension of studies; or• Expulsion. <p>7.4. Staff</p> <p>a. If the allegations against a BPP Institute staff defendant are</p>
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SEXUAL ASSAULT AND SEXUAL HARASSMENT PROCEDURE

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	<p>proven, The Chief Executive Officer shall determine the outcome. Depending on the severity of the offence, the decision may be:</p> <ul style="list-style-type: none">• A period of unpaid leave; or Termination of employment.
Related Documents	<p>Critical Incident Policy Critical Incident Procedure WHS Framework Staff Grievance Policy Student Support, Wellbeing and Safety Policy Student Support, Wellbeing and Safety Procedure Student Code of Conduct Policy Student Code of Conduct Procedure Sexual Assault and Sexual Harassment Policy</p>
<i>For Administrative Use Only</i>	
Responsible Officer	Chief Executive Officer
Contact Officer/s	Chief Executive Officer
Approved by	Chief Executive Officer
Definitions	See BPP Institute's Glossary of Terms and Acronyms

Version History

Version No.	Approval Date	Amendment/s
1.	May 2025	<p>First iteration</p> <ul style="list-style-type: none">• For BPP Institute