

POLICIES, PROCEDURES AND GUIDELINES

CODE OF CONDUCT

Sancta Sophia College is an academic community founded in values of respect, integrity, ethical decision-making and care for others.

Sancta Sophia College recognises that everyone in our community has the right to live, study and work in a safe and supportive environment. All members of the College community have a role in creating and maintaining a safe and respectful environment.

The Sancta Sophia Code of Conduct requires familiarity with and adherence to College Policies and Procedures. While most issues are dealt with pastorally, students need to be aware that serious breaches of this Code of Conduct and with associated Policies can result in disciplinary action, up to and including suspension or expulsion from the College.

Required conduct:

Sancta requires all members of the Sancta community (students, staff, Council members and guests) to:

1. Act honestly and with integrity
2. Treat all people with dignity and respect
3. Be respectful of property
4. Uphold the academic purpose of the College
5. Abide by Sancta policies and procedures
6. Act in accordance with the requirements of the University and the laws of the land
7. Uphold Sancta as a safe and supportive community

Acting honestly and with integrity

Honesty and integrity are attributes that enable trust and confidence. Acting with integrity means being accountable for your own actions and taking responsibility when you make poor choices. It means openly advocating for what you would like to see in the College environment and expressing your views honestly and in good faith.

Treating people with dignity and respect

Sancta is a home-away-from-home for students from across NSW, Australia and the world. It is known for the sense of community and positive relationships it engenders in all. This is because there is no tolerance within the community for transgressing anyone's entitlement to dignity and respect. Sancta does not tolerate any form of discrimination, bullying, harassment or hazing of any person, for any reason, at any time.

Being respectful of property

Many people over many years have worked to create the beautiful environment of Sancta that we enjoy today. Sancta recognises that we all have a responsibility to be stewards of our environment, and to protect and preserve it for our fellow community members, and for those who will join our community in years to come.

Uphold the academic purpose of the College

Everyone at Sancta is investing in their future through their academic endeavours. Pursuing an academic goal is not always easy and we are all challenged to maintain balance and focus. Upholding the academic purpose of the College requires all residents to take studies seriously, meet course requirements, and attend class. It also means supporting the academic efforts of others within the College, minimising distractions or disruptions, and using study spaces as intended. Sancta supports a culture that is curious, open to rigorous discussion and debate, respectful and challenging.

Abiding by Sancta policies, procedures and guidelines

Sancta's policies, procedures and guidelines are designed to maximise a positive student experience, promote respect and dignity for all, and support the safety and wellbeing of everyone. Sancta's policies and procedures are reviewed annually, and all students are invited to provide feedback to aid in the review process.

There are key policies which all students are required to be familiar with and to uphold. To act contrary to these policies would represent a major breach of this Code of Conduct and result in disciplinary action. These policies are:

- The Sancta Sophia College Sexual Misconduct Policy
- The Sancta Sophia College Bullying, Harassment, Discrimination and Hazing Policy
- The Sancta Sophia College Alcohol and Other Drugs Policy

These policies are supported by The Sancta Sophia College Complaints and Grievances Policy, which articulates the process to be followed by students and staff in the event of a complaint, grievance, or breach of the Sancta Sophia Code of Conduct and related Policies.

Guidelines and other policies are published in Sancta's Walk in Wisdom Guide. Serious, repeated or wilful breaches of such guidelines may also attract a disciplinary response.

Act in accordance with the requirements of the University and the laws of the land

Sancta Sophia College supports and requires students to act in accordance with the policies of The University of Sydney and other learning institutions where applicable. This includes matters of conduct and behaviour, academic integrity, and health and safety issues. It also includes conduct and behaviour in relation to Intercollege events and activities. Students need to be aware that the Principal may be obliged to refer serious breaches of University codes or policies by any College student to the University, as well as investigating or taking disciplinary action herself.

All members of the Sancta community, wherever they are, are also subject to the law, which applies in College as it does in the wider community. Students need to be aware that serious indictable offences must be reported to NSW Police under Section 316 of the NSW Crimes Act 1900.

Uphold Sancta as a safe and supportive community

Sancta has a strong reputation for being a safe and supportive environment for the students who call it home.

This reputation has been earned over many years and is the result of the culture embedded by our founders, strong leadership at both student and management level, and our continued zero tolerance approach to behaviour that sits outside of broader community expectations.

Students, their families and the university community have confidence in Sancta because our culture does not tolerate the mistreatment or endangerment of others: this is parallel to their knowledge that our students and staff will take action should they become aware of any conduct contrary to our values. It is the responsibility of every single community member to ensure that this culture continues.

It is important that students do not conduct themselves in a manner that brings the College into disrepute, because it undermines the sense of security to which our students are rightly entitled.

Internally and externally, Sancta has access to a broad range of supports and services that can help students manage physical and mental health issues, academic challenges, and just about anything else that may arise. Students are encouraged to seek help for themselves and each other when it is needed.

SEXUAL MISCONDUCT POLICY

1. Principles

Sancta Sophia College recognises that everyone in our community has the right to live, study and work in a safe and supportive environment. All members of Sancta Sophia College (including students, staff and Council) have a role in creating and maintaining a safe and respectful environment.

Any form of sexual misconduct, including sexual harassment and sexual assault, is not tolerated and is a breach of Sancta Sophia College rules.

2. Scope

This policy covers behaviours that constitute sexual misconduct, sexual harassment and sexual assault (actual or attempted), and the procedures followed by the College when such incidents are reported.

3. Definitions of terms

3.1 Consent

Consent: Sexual activities with another person must be by free agreement. A person seeking consent has the responsibility to take steps to ascertain consent exists. Consent may be withdrawn at any time. Passivity does not equal consent.

A person does not consent to sexual intercourse or sexual activity if the person:

- does not have the capacity to agree (e.g. if they are intoxicated or otherwise impaired)
- has the capacity but does not have the freedom to choose (e.g. if they are under pressure from those around them)

- has the capacity and freedom to consent but does not agree to the sexual activity

3.2 Sexual assault

Sexual assault and indecent assault are legal terms used to describe a range of sexual offences, from showing indecent images to another person, to kissing or touching them without consent, as well as penetration of the person's body with a body part or object without consent.

A person who has sex with another person without the consent of the other person and who has no reasonable grounds for believing that the other person consents to sexual intercourse is guilty of an offence and may be punished by the law.

3.3 Sexual harassment

Sexual harassment is any unwanted or unwelcome sexual behaviour, which makes a person feel offended, humiliated or intimidated. Sexual harassment is not interaction, flirtation or friendship which is mutual or consensual.

Sexual harassment can be obvious or indirect, physical or verbal, repeated or one-off. It can be perpetrated against people of the same or opposite sex. Sexual harassment in a College context is unlawful.

Sexual harassment may include:

- Staring or leering
- Unnecessary familiarity, such as deliberate brushing up against a person or unwelcome touching
- Suggestive comments or jokes
- Insults or taunts of a sexual nature
- Intrusive questions or statements about someone's personal life
- Displaying posters, magazines or screen savers of a sexual nature
- Sending sexually explicit emails or text messages
- Inappropriate advances on social networking sites
- Requests for sex or repeated unwanted requests to go out on dates
- Unwanted and/or clandestine voyeurism

3.4 Sexual misconduct

Sexual misconduct is an umbrella term for any misconduct of a sexual nature, including sexual harassment and sexual assault. It may also be used to describe activity of a sexual nature that is not in and of itself harassment or assault, but is inappropriate in the circumstances (for example, consensual sexual activity between an employer and an employee is often regarded as sexual misconduct). Where the term is used within this document, it should be taken to encompass any inappropriate behaviour, conduct or activity of a sexual nature, including sexual harassment and sexual assault.

4. Reporting

Sancta is committed to promoting a culture of preventing and responding to incidents of sexual harassment or sexual assault. Should a member of the Sancta community experience sexual harassment and/or sexual assault, they are encouraged to speak to a College staff member (including Resident Assistants). With some exceptions (see Section 7: Limits of Confidentiality), disclosures or reports of incidents will be kept confidential.

Following receipt of a report of sexual harassment or sexual assault, Sancta will work with the reporter to explore options of support and follow-up e.g. to access support, counselling and health services; and to identify procedures for investigation if desired.

If an incident of sexual harassment or sexual assault involves members of the Sancta community only, the matter will be followed up in line with the procedures noted in this document (Section 5: Investigations), and which are explained in greater detail in the Sancta Sophia College Complaints and Grievances Procedure.

Should a Sancta student raise an allegation of sexual harassment or sexual assault against a person outside the Sancta community, Sancta will support the student to utilise such policies or avenues available to them, such as University policies and procedures, other College policies and procedures, police reporting etc.

Should an allegation against a Sancta student be raised by a person external to the Sancta community, Sancta will:

- respond to reasonable requests for information within the limits of privacy legislation from NSW Police, the University of which the student is a member, or other institution. Decisions to provide or withhold information may only be made by the College Principal
- provide the complainant with information as to where they may receive advice and support
- ensure the student against whom the allegations are made, has access to advice and support
- investigate the allegation within the limits of its powers

Sancta encourages any person who has been a victim of sexual misconduct, harassment or assault to report incidents promptly under these procedures. Sancta will seek to facilitate the efficient handling of any complaint made. Insofar as matters are within the control of Sancta, the College will ensure reports are dealt with sensitively and expeditiously and that parties to a complaint are advised of progress and outcomes.

5. Investigations

Sancta will investigate allegations of sexual harassment and sexual assault in cases where both the complainant and respondent are members of the College community; and where an investigation does not risk interference with a criminal investigation or process.

Investigations will be conducted in a fair and balanced manner, in accordance with the Sancta Sophia College Complaints and Grievances Procedure.

Every effort will be made to support both complainant and respondent through this process. In some cases, respondents may be asked to leave the College during an investigation, or otherwise modify their movements within the College so as to minimise contact with the complainant. Such requests in no way pre-empt a finding.

It is important to note that the standard of proof in making findings is different to those used in criminal proceedings. The standard of proof in criminal trials is 'beyond reasonable doubt'. Within the context of internal investigations at Sancta, findings may be made 'on the balance of probabilities'. This lower standard requires satisfaction on the evidence that the matter was more likely to have occurred than not.

6. Consequences

Notwithstanding any legal or criminal processes that may ensue from sexual misconduct, Sancta will apply serious consequences for breaches of this policy, up to and including expulsion from the College.

7. Limits of confidentiality

Sancta will work with the complainant in a sensitive and confidential manner, and in accordance with the complainant's wishes.

In some limited circumstances, Sancta may need to report an incident of sexual assault to the Police against a student's wishes, to ensure the safety of the student or other members of the College or wider community.

Decisions to share information without the consent of the alleged victim may only be made by the College Principal. In such circumstances, the complainant will be informed and given every possible support by Sancta.

It is also noted that Sancta may be obliged to report serious criminal conduct to Police, under Section 316 of the NSW Crimes Act 1900. Again, if such a circumstance were to arise, the alleged victim will be advised and given every possible support by Sancta.

8. Vexatious complaints

A student must not make a vexatious or malicious complaint of sexual misconduct, sexual assault or sexual harassment.

For the purpose of this policy a complaint will be considered vexatious or malicious if a student makes it:

1. knowing it to be false, and
2. for the primary purpose of damaging Sancta or the person against whom the complaint is made.

Making a vexatious complaint will result in disciplinary action, up to and including expulsion from the College.

9. Resources available to complainants and respondents

Sancta will provide both complainants and respondents with referrals for support externally.

Resident Assistants, the College Vice Principal and Principal and other staff of the College are provided with First Responder training each year to assist them to support victims of sexual misconduct, harassment and assault. First Responders are not counsellors, but are trained to provide an appropriate initial response. They will listen non-judgementally, provide support, respect any decisions for action and to guide victims to the right services.

First Responders at Sancta Sophia College are the Principal, Vice Principal, Dean of Admissions and Studies, and Resident Assistants.

After hours, students can call the RA Duty phone, Principal or Vice Principal directly if required:

Undergraduate Duty RA: 0419 479 832
Postgraduate Duty RA: 0428 661 157
Principal (Fiona Hastings): 0418 459 583
Vice Principal (Brigid Carrigan): 0447 821 371

Resources offered by the University of Sydney

Campus Security
9351 3333
24 hours

Confidential helpline (for sexual assault)
1800 SYD HLP (1800 793 457)
9am – 5pm; Monday to Friday

Counselling and Psychological Services
8627 8433
9am – 4:30pm; Monday to Friday
Jane Foss Russell Building

University Health Services
9351 3484
8:30am – 5pm; Monday to Friday
Wentworth Building

Student Support Services
8627 6808 or email
safer-communities.officer@sydney.edu.au
9am – 5pm; Monday to Friday

Other resources

NSW Rape Crisis Centre
1800 424 017
24 hours

1800RESPECT
www.1800respect.org.au
1800 737 732
24 hours

Royal Prince Alfred Hospital Sexual Assault Service
(Ground Floor, KGV Building, RPAH)
9515 9040 (Monday to Friday business hours)
9515 6111 (after hours)

NSW Police
Emergency 000

Newtown Police
222 Australia St, Newtown, 2042
9550 8199

Glebe Police
1 Talfourd St, Glebe, 2037
9522 8099

Sancta Sophia College is grateful to Dr Tiffany Donnelly and The Women's College for the assistance given in the development of this policy.

BULLYING, HARASSMENT, DISCRIMINATION AND HAZING POLICY

1. Principles

Sancta Sophia College recognises that everyone in our community has the right to live, study and work in a safe and supportive environment. All members of Sancta Sophia College (including students, staff and Council) have a role in creating and maintaining a safe and respectful environment.

Any form of bullying, harassment, discrimination or hazing, is not tolerated and is a serious breach of Sancta Sophia College rules.

2. Scope

All members of the Sancta Sophia College community have a responsibility to ensure they do not promote or engage in behaviours that constitute bullying, harassment, discrimination and hazing. Disciplinary action will be taken against any student, employee or other member of the community who breaches this policy.

In addition to this policy, the following NSW and Australian laws apply to all members of the Sancta community:

- a. Anti-discrimination Act 1977 (NSW)
- b. Racial Discrimination Act 1975 (Commonwealth)
- c. Sex Discrimination Act 1984 (Commonwealth)
- d. Disability Discrimination Act 1992 (Commonwealth)
- e. Human Rights and Equal Opportunity Commission Act 1986 (Commonwealth)
- f. Age Discrimination Act 2004 (Commonwealth)
- g. Sex Discrimination Amendment (Sexual Orientation, Gender Identity and Intersex Status) Act 2013 (Commonwealth)
- h. Work Health and Safety Act 2011 (NSW)
- i. Work Health and Safety Regulation 2011 (NSW)

3. Definitions of terms

3.1 Bullying

Bullying is repeated behaviour towards an individual or group that:

- Belittles, intimidates or threatens
- Creates a risk to health and safety
- A reasonable person, having regard for the circumstances, would see as unreasonable, offensive, humiliating or threatening

Bullying can occur face to face, over the phone, via email, text, or social media. Some examples are:

- Verbal abuse, threats, intimidation
- Shouting, ordering, belittling
- Swearing at person, putting down, humiliating
- Deliberately excluding or isolating someone, being particularly cold or distant

- Name calling, insulting jokes, rumours, gossip, innuendo
- Pressure to change personal life, beliefs, opinions
- Continually ignoring or dismissing someone's contribution

3.2 Harassment

Harassment is any type of behaviour that:

- The other person does not want; and
- Offends, embarrasses, insults, humiliates, intimidates or frightens them;
- Targets them because of their race, gender, marital status, sexual preference or orientation, disability, illness, age, family or carer responsibility, social origin, political belief (or absence of political belief), religious belief (or absence of religious belief); and
- In the circumstances, a reasonable person would consider offensive, embarrassing, insulting, humiliating, intimidating or frightening.

Sexual harassment is defined as:

- Unwanted sexual advances or unwelcome requests for sexual favours; or
- Other unwelcome conduct of a sexual nature; and
- Behaviour that, in the circumstances, a reasonable person would consider offensive, embarrassing, insulting, humiliating, intimidating or frightening.

Harassment can occur in the form of verbal, non-verbal and physical behaviour. Although harassment is often repeated, a single action can be enough to amount to harassment. Examples include:

- Sexual or suggestive remarks or actions;
- Making fun of someone because of their race, disability, age, sex, sexuality etc.;
- Spreading innuendo, gossip, rumours, including about someone's sexual relationships or practices;
- Imitating someone's accent or disability;
- Unwanted sexual propositions;
- Repeated, unwanted or unwelcome invitations to go out with someone/sleep with someone etc.;
- Offensive jokes;
- Repeated, unwelcome questions about someone's personal or sexual life;
- Obscene, racist, sexist, homophobic etc. phone calls, emails, text messages, social media posts or other communication;
- Displaying or sharing pornographic, sexually suggestive, racist or other offensive, degrading or insulting materials;
- Unnecessary physical contact such as pinching, patting, hugging, touching, kissing or brushing up against a person against their will
- Offensive hand or body gestures.

Some types of harassment, as well as being against Sancta policy, are also illegal under criminal law. For example:

- Indecent, sexual or physical assault of any type
- Displaying the sexual parts of one's body, and unwanted touching of the sexual parts of someone else's body); and
- Stalking.

Note: Sancta also has a policy that specifically addresses sexual misconduct, assault and harassment. Please refer to this document (Sancta Sophia College Sexual Misconduct Policy) for further information, definitions, processes and available supports in the event of an incident of this nature.

3.3 Discrimination

Discrimination is any practice that makes a distinction between individuals or groups so as to disadvantage some people and advantage others. Discrimination may be direct or indirect.

- Direct discrimination is treating any person less favourably because of their sex, race, disability, etc. than a person without that characteristic is treated in the same or similar circumstances;
- Indirect discrimination occurs when a requirement, rule, policy or practice that appears to treat everyone the same, has a disproportionately unfair impact on particular people or groups of people when it is applied.

3.4 Hazing

Hazing is defined as:

"Any action taken, or any situation created intentionally that causes embarrassment, harassment or ridicule and risks emotional and/or physical harm to members of a group or team, whether new or not, regardless of a person's willingness to participate." (1) and...

"An activity that a high status member orders other members to engage in or suggests that they engage in, that in some way humbles a newcomer who lacks the power to resist, because he or she wants to gain admission into a group." (2)

An activity may be deemed to be hazing even though there is willingness to participate or the giving of consent. In many situations, individuals may be told they do not have to participate in an activity; however, group dynamics and a desire to fit in can make refusal or opting out a seemingly impossible option.

To assess whether a practice is hazing, the following will be considered, noting that not all conditions have to be present for a behaviour or practice to be deemed as hazing:

- Is there a real or perceived power imbalance between those proposing the activity and the participants in the activity? Is there anything in the activity that strengthens the power or authority of one over another?

- Do participants feel a degree of pressure to go along with the activity? Does the participant have to risk their sense of belonging to say 'no'?
- Does this activity stand up to the scrutiny of a reasonable person outside the situation?
- Does the activity have a reasonable probability of causing emotional, physical, reputational or other harm to participants either in the moment or at a later point in time?

Often the word "tradition" is used to justify conduct or behaviour that would otherwise be identified as hazing. While traditions have their place in any community, at Sancta this is not an acceptable excuse for hazing behaviour.

4. Sancta's response to incidents of bullying, harassment, discrimination and hazing

Bullying, harassment, discrimination and hazing are not tolerated at Sancta Sophia College.

Sancta is committed to the provision of an environment in which bullying, harassment, discrimination or hazing does not occur. If an instance of bullying, harassment, discrimination or hazing is reported, it will be investigated, and action taken (including, but not limited to, disciplinary action) to prevent its reoccurrence.

Allegations of bullying, harassment, discrimination or hazing will be responded to by the College Principal or Vice Principal or appointed delegate in accordance with the Sancta Sophia College Complaints and Grievances Procedure.

Disciplinary action will be taken against students who have been found to have engaged in bullying, harassing, discriminatory or hazing behaviours, up to and including expulsion from the College.

5. Resources available to support students

Students are actively encouraged to report concerns they have to their Resident Assistant, Vice Principal, Principal or any other member of staff.

In the event that a student raises concerns regarding bullying, harassment, discrimination or hazing the processes above (and further described in the Sancta Sophia College Complaints and Grievances Procedure) will be followed in consultation with the student alleging the behaviour and with reference to that student's needs.

Resident Assistants, the College Vice Principal and Principal and other staff of the College are provided with First Responder training each year to assist them to support victims of sexual misconduct, harassment and assault. First Responders are not counsellors, but are trained to provide an appropriate initial response. They will listen non-judgementally, provide support, respect any decisions for action and to guide victims to the right services.

SEE PAGE ## for Resources available to students

1. Hazing prevention n.d., What hazing looks like, Available at <http://hazingprevention.org/home/hazing/facts-what-hazing-looks-like> Cited in Broderick & Co, Cultural Renewal at the University of Sydney Residential Colleges, 2017, and accessed 6 February 2019.

2. Nuwer, H 2001, Wrongs of passage: Fraternities, sororities, hazing, and binge drinking. Bloomington: Indiana University Press. Cited in Broderick & Co, Cultural Renewal at the University of Sydney Residential Colleges, 2017. **24**

ALCOHOL AND OTHER DRUGS POLICY

Intent

The intent of this policy is to provide a framework for the effective management of alcohol at Sancta Sophia College. Sancta Sophia College seeks to promote a safe and healthy learning environment for students and recognises the adverse effects of alcohol on self and others. The aim of this policy is to prevent and reduce harm associated with alcohol within Sancta Sophia College.

Principles

Sancta Sophia College recognises that everyone in our community has the right to live, study and work in a safe and supportive environment. All members of Sancta Sophia College (including students, staff and Council) have a role in creating and maintaining a safe and respectful environment.

Consumption of alcohol at Sancta Sophia College must be seen in the wider context of community standards and concern. The service and consumption of alcohol needs to align with Commonwealth and State laws and The University of Sydney Alcohol Policy.

Responsible consumption of alcohol is permitted at Sancta Sophia College. It is recognised that alcohol consumption is part of the College's social environment, but Sancta Sophia College will not condone alcohol consumption that has harmful physical, behavioural or social outcomes.

Only students and their guests over the age of 18 years may consume alcohol. It is a criminal offence in NSW to supply alcohol to a person under the age of 18 years. There are no circumstances in which a person of 17 years or younger may be offered or may consume alcohol – to do so is considered a major breach of this policy and will result in disciplinary action for all parties involved, up to and including expulsion from the College.

Smoking and the use of any drugs other than alcohol is strictly prohibited at Sancta.

1. Liquor license

1.1 At Sancta Sophia College, alcohol may only be served and supplied under the terms of the liquor license held by our caterers, Sodexo. Alcohol may only be sold or served to students (and their guests) under that license.

1.2 All service of alcohol at Sancta must comply with the requirements of the Liquor Act 2007 (NSW) and the University of Sydney Liquor Accord.

1.3 All students (and guests) will be required to present identification (proof of age) on every occasion should they wish to be served alcohol.

2. Availability, sale & promotion of alcohol

2.1 Any Sancta Sophia College event that includes alcohol must have the prior approval of the College Vice Principal or Principal. In addition, all events:

2.1.1. must adhere to the liquor license held by Sodexo on behalf of the College

2.1.2. must include the provision of free water as a minimum, and other non-alcoholic drinks must be available for free or for sale (as the context of each event dictates)

2.1.3. must have appropriate security and risk mitigation procedures in place.

2.2 The following alcoholic beverages may not be served without the express permission of the College Vice Principal or Principal:

2.2.1 spirits that are served straight or mixed on site

2.2.2 ready-mixed drink products with more than 5% alcohol.

2.3 Any promotion of alcohol products or brands is prohibited at Sancta. Sancta events may not receive sponsorship that entails the promotion of alcohol products or brands.

2.4 The consumption of alcohol must be ancillary to, and not the primary purpose of any Sancta event.

2.5 House Committee and Senior Common Room funds may not be used for the purchase of alcohol without the express permission of the Vice Principal or Principal. If approval is granted for HC and SCR funds to be used, all alcohol must be purchased through Sodexo.

2.6 Strict Responsible Service of Alcohol guidelines will be applied to any event involving alcohol, to be exercised by Sodexo, supported by College Management. The Principal or Vice Principal may, at their discretion, impose additional oversight or limitations on the provision or consumption of alcohol to promote safety and wellbeing.

3. Physical spaces where alcohol may be served

3.1 Alcohol may not be consumed in any public area within the College without the express permission of the Vice Principal or Principal. A public area is defined as any area outside of student bedrooms, such as corridors, dining areas, the Quadrangle and the rooftop of Graduate House.

3.2 Students may drink in their bedrooms as this is considered private space.

3.2.1 Students may not transgress any rules pertaining to the safety and security of themselves, others or property while drinking in their bedrooms

3.2.2 Should students wish to host more than five friends in their bedroom on an occasion where alcohol will be consumed, permission must be obtained in advance.

4. Standards of behaviour

4.1 The following standards around the consumption of alcohol apply to all students of Sancta and their guests. Failure to meet the following standards will result in disciplinary action up to and including exclusion from the event or College grounds, or suspension or expulsion from the College.

- 4.1.1 Students (or their guests) under the age of 18 will not consume alcohol
- 4.1.2 Students (or their guests) will not drink with the aim of becoming intoxicated
- 4.1.3 Students (or their guests) who are intoxicated will not continue drinking
- 4.1.4 No-one will provide or serve alcohol to anyone who is intoxicated irrespective of the context
- 4.1.5 Students (or their guests) will not be subjected to pressure of any kind to drink alcohol
- 4.1.6 Students (or their guests) will not be involved in drinking games or competitions within Sancta

5. Alcohol & disciplinary matters

5.1 Intoxication will not be considered as a defence or as a mitigating factor in any disciplinary action against a student.

5.2 All students are expected to comply with College policies and respect the College ethos. The Vice Principal or Principal may apply disciplinary consequences for the good order and conduct of the College. How these consequences are applied is determined by the nature of the behaviour in question. Serious breaches of these rules will result in disciplinary consequences up to and including expulsion from the College.

6. Roles and responsibilities

6.1 As a student of Sancta Sophia College, you are responsible for:

- 6.1.1 Managing your consumption of alcohol, and limiting it to appropriate occasions and activities;
- 6.1.2 Acting appropriately before, during and after the consumption of alcohol, and ensuring your behaviour does not cause harm to yourself or others;
- 6.1.3 Being free of the influence of alcohol (or its after-effects) when it may impact your academic performance;
- 6.1.4 Referring yourself to appropriate support if your use or consumption of alcohol impedes your ability to work or study or presents a risk to yourself or others;
- 6.1.5 Confidentially seeking advice from College staff when you become aware of other students being harmed by their consumption of alcohol.

7 Drugs other than alcohol

7.1 The inappropriate use of drugs is strictly prohibited at Sancta.

7.2 Inappropriate drug use should be understood to be:

- 7.2.1. Any drug prohibited under NSW or Australian Law
- 7.2.2. Any prescription medication not used as prescribed or used by someone other than the person to whom it was prescribed
- 7.2.3. Any over-the-counter drug, product or substance not used in accordance with medical advice, the manufacturer's instructions and/or for its officially promoted purpose;

7.3 The provision, supply, trafficking, selling or possession of any drug is strictly prohibited at Sancta

7.4 The possession or use of any drug related paraphernalia is prohibited at Sancta

7.5 Smoking is prohibited at Sancta

7.6 Any breaches of Sancta's policy regarding drugs other than alcohol will result in disciplinary action, up to and including expulsion from the College.

8. Changes to this policy

8.1 The College reserves the right to alter this policy or associated procedures as it sees fit. Additional alcohol restrictions will be introduced should it be found that the above is not serving the interests of the College or its students.

9. What to do when things go wrong

9.1 From time to time, a student or guest of the College might consume of alcohol (or other substances) to a degree necessitating medical attention. It is essential that everyone in the College recognises that the safety and wellbeing of the individual concerned is of primary importance. Students should not hesitate to seek assistance from College staff (including Resident Assistants) or emergency services in times of need.

9.2 When in doubt, staff (including Resident Assistants) will call an ambulance to ensure student safety.

10. Sancta resources available to assist students

10.1 The College Vice Principal, Principal, Dean of Admissions and Studies, and Resident Assistants are equipped to support students who are experiencing difficulties (whether immediate or longer term) related to alcohol or other drugs.

10.2 After hours students can call the RA Duty Phone, Vice Principal or Principal directly if required:

Undergraduate Duty RA: 0419 479 832
Postgraduate Duty RA: 0428 661 157
Vice Principal (Brigid Carrigan): 0429 030 041
Principal (Fiona Hastings): 0418 459 583

11. External resources available to assist students
11.1 Resources offered by The University of Sydney:

NSW Mental Health Line
1800 011 511

NSW Rape Crisis Centre
1800 424 017
24 hours

1800RESPECT
www.1800respect.org.au
1800 737 732
24 hours

Beyond Blue Telephone Counselling
1300 224 636

Lifeline Telephone Counselling
13 11 14

Royal Prince Alfred Hospital Sexual Assault Service
Ground Floor, KGV Building, RPAH
9515 9040 (Monday to Friday business hours)
9515 6111 (after hours)

NSW Police
Emergency 000

Newtown Police
222 Australia St, Newtown, 2042
9550 8199

Glebe Police
1 Talfourd St, Glebe, 2037
9522 8099

Campus Security
9351 3333
24 hours

Counselling and Psychological Services
Jane Foss Russell Building
8627 8433
8:30am – 5pm; Monday to Friday

University Health Services
Wentworth Building
9351 3484
8:30am – 5pm; Monday to Friday

Student Support Services
8627 6808 or email:
safer-communities.officer@sydney.edu.au
9am – 5pm; Monday to Friday

Disability Support
8672 7422
9am – 4pm; Monday to Friday

11.2 Other resources:

Alcohol and Drug Information Service (ADIS)
1800 250 015

Family Drug Support
1300 368 186

COMPLAINTS AND GRIEVANCES PROCEDURE

1. Introduction

Sancta Sophia College recognises that everyone in our community has the right to live, study and work in a safe and supportive environment. All members of Sancta Sophia College (including students, staff and Council) have a role in creating and maintaining a safe and respectful environment.

This procedure provides a framework:

- To assist Sancta students to know what to do if they have a grievance, or complaint, against another student or a staff member;
- To assist Sancta in responding to inappropriate behaviour such as discrimination, bullying, harassment, hazing or sexual misconduct;
- To ensure a common understanding of the consequences of breaches of Sancta policies and Code of Conduct;
- To provide students with information as to raising a grievance against someone outside of the Sancta Sophia College community.

As inappropriate behaviour can range from relatively minor through to extremely serious and/or criminal in nature, Sancta's responses need to be appropriate to the circumstances. Following are a range of options and steps for students to follow should they have a grievance (or complaint) in respect of another member of the College community. The intention of these options is not to suggest that each one must be tried before moving on to a further step: rather, they are presented as options for students to consider. Not all options are appropriate in all situations. For example, it is not reasonable for a student who has been assaulted by another to take Option 1. Likewise, it is not reasonable (and usually not helpful) to commence a formal investigation because two students have had a minor disagreement.

In cases where issues of concern come to the attention of College staff, the Principal or Vice Principal will work through options with the student and take an agreed upon course of action, in accordance with any reporting obligations that may exist.

2. Options to consider

2.1 Option 1 – Personal approach

If the student feels comfortable, they should approach the individual whose behaviour is of concern and communicate in an appropriate way with them why their behaviour is of concern and ask them to stop. While it is not always the right strategy, dealing with the problem directly is often the quickest and most effective solution. While it can be uncomfortable, advocating for one's own needs is an important skill and will prove useful throughout life.

If the matter is serious, or if the student does not feel comfortable approaching the individual concerned, or if they have tried this and it didn't help, or if they wish to raise the matter with College staff, they should consider other Options.

2.2 Option 2 – Seek advice or talk it over

Students may find it helpful to talk over a problem with their Resident Assistant, counsellor or staff member before deciding what to do next. RAs, counsellors and staff may be able to offer advice or tips for dealing with some difficult situations and can explain options and avenues for help and support.

2.3 Option 3 – Raise the matter with staff in a more formal way

Students may raise a grievance with the College Vice Principal, as the Vice Principal is responsible for discipline in the College. Contacting the Vice Principal does not automatically trigger an investigation or disciplinary process: through discussion, the complainant and Vice Principal may agree on an alternate strategy for resolving the issue.

Various options may be considered such as joint discussions, counselling, staff explaining the impact of the behaviour to the student against whom the allegation is made etc.

Generally, conversations with the Vice Principal are confidential, but may, in some cases, require the Vice Principal to consult with the Principal or refer the matter to other relevant authorities.

If, after discussion, the student would like to pursue the matter in a formal way, an investigation will take place.

From time to time, the College may need to formally investigate a matter (or refer a matter for investigation by an external authority) without the agreement of the complainant or in the absence of a complainant.

Examples include occasions where a serious issue comes to the attention of staff, which, if found to have occurred, represents a serious breach of the Code of Conduct or other College policy, or is criminal in nature, or represents a threat to a person or group of people.

3. Formal investigations

If a formal investigation is warranted, it will proceed in accordance with the following steps. While these steps will generally be followed in the order given below, the order of steps may be altered in accordance with the need of the investigation.

Steps to be followed:

a. The Principal will be notified that an investigation is required. The Principal will consider whether the matter needs to be referred to Police under Section 316 of the NSW Crimes Act 1900. If this is the case, any internal investigation by Sancta will be suspended until Police advise it may be resumed. In some cases, Sancta would also suspend its investigation if the University or other authority is investigating the same matter.

b. When it is determined that an investigation by Sancta is appropriate, the Principal will appoint an investigator. This may be the Vice Principal or other member of the Sancta Executive Team, or may be an external investigator, independent of the College.

c. The Principal and investigator will conduct an initial risk assessment to determine what measures need to be put in place to ensure the best possibility of a just outcome, while preserving the dignity and safety of all involved. If assessed as necessary, the Principal may require the respondent (the person against whom the allegation is made) to leave the College temporarily – this in no way should be taken to pre-empt a finding. This risk assessment will be revised as needed throughout the investigation process.

d. The investigator will meet with the complainant, taking detailed notes to:

- i. Understand the nature of the alleged incident;
- ii. Gather any information that may assist the investigator undertake the investigation;
- iii. Understand the desired outcome of the complainant;
- iv. In some instances, the complainant may be asked to detail the complaint in writing. The investigator may go through the written document with the complainant, checking all details.

e. The complainant will be asked to keep the matter confidential during the investigation.

f. The investigator may interview witnesses and/or gather information from other sources as appropriate.

g. The Principal or investigator will formally advise the respondent that an investigation into allegations about their conduct or behaviour is taking place. The respondent will also be given sufficient detail as to the allegation to enable them to respond. While respondents must be given enough information to enable a response, the timing and detail supplied will be at the discretion of the investigator. The principles at play here include due process, safety of all parties, and integrity of the investigation.

h. The respondent will be required to keep the matter confidential during the investigation.

i. The Principal and investigator will seek to ensure that the complainant and the respondent have avenues of support during the investigation, and, if appropriate, access to people with whom they can appropriately discuss the matter.

j. Both complainant and respondent are asked to immediately advise the investigator or Principal of any related victimisation before, during or after the investigation process. Both will be advised that any victimisation may result in suspension or expulsion from the College.

k. The investigator assesses all information and makes a finding. Findings are made "on the balance of probabilities" i.e. find whether the alleged behaviour is more or less likely to have occurred than not.

l. The investigator advises the Principal of the finding, and provides a report documenting the allegation, the investigation process, the evidence and the findings

m. The Principal notifies both complainant and respondent of the outcome of the investigation, insofar as is possible under privacy legislation, including advice as to the finding, and what is to happen from this point, including possible disciplinary action.

n. Any disciplinary action implemented is the decision of the Principal.

4. Timeliness

Timeliness is an important principle of any investigation. Every effort will be made to provide a speedy resolution to the matter, notwithstanding challenges that may arise in the collection of evidence (e.g. availability of a witness to provide testimony). Both complainant and respondents will be kept informed of the progress of the investigation and advised of any delays in the process that may arise.

5. Disciplinary action

Disciplinary action is determined on the basis of the seriousness of the allegation, the past conduct and behaviour of the respondent, the impact on the complainant, and principles of natural justice.

Disciplinary action includes, but is not limited to:

- Reprimand
- Warning
- Removal or rights or privileges
- Moving of rooms
- Suspension
- Expulsion

6. Following an investigation

The Vice Principal and Principal monitor activities to ensure that things have returned to normal and no further issues or retaliation of any kind has resulted.

The Vice Principal and Principal will also consider what else can occur to prevent the likelihood of a similar matter arising again in the College. Further training, communication with the College community, and policy updates are the types of things that may be considered.

7. Other avenues to raise a complaint

The University of Sydney has readily accessible complaint resolution mechanisms to resolve concerns between students and staff of the University. Where the complainant and respondent are both students of the University of Sydney, these may be used instead of this grievance process.

Other universities also have complaint resolution mechanisms to address complaints between students.

Complaints may also be taken to external bodies such as Police, the Anti-Discrimination Board of New South Wales and the Australian Human Rights Commission.

8. Appeals

If a respondent disagrees with a finding made through investigation, or with any disciplinary action taken, they may appeal, in writing, to the Sancta Council Chair, Ms Cathleen Crossley, at one of the following addresses:

Level 16, Tower 2 Darling Park
201 Sussex Street, Sydney NSW 2000

GPO Box 1615, Sydney NSW 2001

9. Complaints or grievances regarding a member of staff

If the complaint relates to a staff member of the College, the matter should be raised directly with the Principal.

Should the complaint relate to the College Principal, it should be put, in writing, to the Sancta Council Chair, Ms Cathleen Crossley, at one of the following addresses:

Level 16, Tower 2 Darling Park
201 Sussex Street, Sydney NSW 2000

GPO Box 1615, Sydney NSW 2001

10. Complaints about people outside of Sancta Sophia College

College staff will do their best to assist and support students to raise complaints with the appropriate body should the allegation relate to someone outside of Sancta.

Each College within the University has its own Policy for responding to grievances and allegations and shares a willingness to resolve complaints quickly and effectively. Where a complaint is about a member of another College, that College may appoint one or more investigators, mediators or conciliators depending on the complaint or grievance raised.

11. Vexatious complaints

A student must not make a vexatious or malicious complaint.

For the purpose of this policy a complaint will be considered vexatious or malicious if a student makes it:

- i. knowing it to be false, and
- ii. for the primary purpose of damaging Sancta or the person against whom the complaint is made.

Making a vexatious complaint will result in disciplinary action, up to and including expulsion from the College.