



POLICY NUMBER:	2.22	VERSION NUMBER:	4.1
DATE LAST REVIEWED:	February 2026	NEXT REVIEW DATE:	February 2027
RELATED POLICIES:	Complaints and Appeals Policy Complaints and Appeals Policy - International Student Code of Conduct Non-Academic Misconduct Policy	RESPONSIBILITY: Academic Council	
RELATED PROCEDURES:	Complaints and Appeals Procedure Complaints and Appeals Procedure - International		

STUDENT EQUAL OPPORTUNITY AND FAIR TREATMENT POLICY

1.0 Purpose

The purpose of this Policy is to provide guidelines and resources in relation to students in terms of equal opportunity, fair treatment, harassment and discrimination matters. It will cover specifically the areas of discrimination, bullying, harassment and sexual assault.

2.0 Scope

- All higher education students
- All staff (including contractors) when relating to higher education students

3.0 Policy Statement

- 3.1 As an education provider the College is committed to providing a safe learning environment free from discrimination, bullying, harassment and / or sexual assault or misconduct with equal opportunity for and fair treatment of all students. This commitment is based, in part, on the need to ensure that the College complies with Federal and State equal opportunity and anti-discrimination laws, but also is an extension of the College's organisational values and its commitment to providing a safe, happy, authentic and student-centric learning environment.
- 3.2 The College recognises the right of all students and staff to a College environment where equality of opportunity, inclusion and diversity are valued, promoted and practised.
- 3.3 The College has zero tolerance for sexual assault, harassment, sexual harassment, bullying and discrimination and expects that students regardless of background or intrinsic characteristics, are able to participate fully in College activities and will feel their contribution is welcomed, valued and supported.
- 3.4 In accordance with the *Student Code of Conduct*, all students are expected to observe reasonable standards of behaviour with respect to all College activities and College property, thereby refraining from harassment (including sexual harassment), discrimination, bullying and other forms of intimidating or unlawful behaviour including sexual assault, against other students and staff.
- 3.5 Behaviour that is intimidating, abusive, disrespectful or threatening, including sexual assault and harassment, is not acceptable and will not be tolerated. Students who behave in a manner that is intimidating, abusive, disrespectful or threatening and in a manner that contradicts the *Student Code of Conduct* may be liable for student misconduct and subsequent disciplinary action enforced as per the *Non-Academic Misconduct Policy*.



- 3.6 The College is committed to providing access to support services and referrals to individuals affected by these behaviours via student and staff counselling support programs through Talk Campus, 24/7 peer-to-peer support platform and Access EAP - Employee Assistance Program. The College may also refer students to specialist external support counselling services.
- 3.7 The College will take all reasonable steps to identify and eliminate unequal opportunities, unfair treatment, harassment, bullying and discrimination from its practices in order to create an inclusive culture that fosters acceptance and respect of all students at the College.
- 3.8 This policy on discrimination, bullying, harassment and /or sexual assault and misconduct applies to all activities in which higher education students may participate while a student at the College or potential student including:
 - Admission and enrolments
 - Teaching and learning
 - Student management
 - Course development and delivery
 - Training and instruction
 - Assessment and examination
 - Access to resources and facilities
 - Course related placements
 - College supported internal and external events and activities
 - College culture

4.0 Equal Opportunity

- 4.1 Equal opportunity in student education is a principle of non-discrimination which emphasises that opportunities in education should be freely and equally available to all students irrespective of their personal characteristics or attributes which are unrelated to their ability, performance, knowledge, skill or competence (e.g.: race, gender, religion, disability etc.).

5.0 Discrimination

- 5.1 Discrimination in student education occurs when a student is denied a benefit or the equal opportunity outlined above, or treated less favourably than another student, on the grounds of a personal characteristic or attribute(s) (e.g.: race, gender, religion, disability etc.).
- 5.2 Discrimination can be either direct or indirect. Direct discrimination occurs when unlawful distinctions are made between individual students and student groups based on any of the discriminatory grounds. Indirect discrimination occurs when a seemingly harmless policy, rule or practice has a discriminatory effect on an individual student or student group.
- 5.3 The following discriminatory grounds apply under various Federal and State legislative instruments:
 - age
 - breastfeeding
 - carer status
 - family responsibilities
 - impairment/disability (past, present or future)



- industrial activity
 - lawful political belief or activity
 - lawful religious belief or activity
 - lawful sexual activity
 - marital status/relationship status
 - parental status
 - physical features
 - pregnancy or potential pregnancy
 - race, colour, nationality, ethnic or national origin
 - sex
 - sexual orientation/gender identity/intersex status
 - personal association with a person identified by reference to one of the above attributes
- 5.4 Vilification on the grounds of race, religion, sexuality or gender identity is also unlawful. Unlawful harassment can be verbal, written or physical, and has the intent or effect of creating an intimidating, hostile or offensive environment.
- 5.5 Behaviours that can be considered discriminatory:
- 5.5.1 spreading gossip or rumours about a person based on an attribute
 - 5.5.2 refusing to work as a group with a person because of an attribute (for example because a student was older or younger, a particular nationality or sexual orientation)
 - 5.5.3 deliberately excluding a person from a study group because of a perception they may be slower than other students due to an attribute such as age, impairment or sex
 - 5.5.4 telling jokes about racial groups
 - 5.5.5 posting to social media ridiculing a person on the basis of an attribute such as gender identity, sexual orientation or race
 - 5.5.6 subjecting a person to humiliating initiation ceremonies to be accepted into a group, where an attribute made them a target for initiation.
- 5.6 Behaviours that can be considered not discriminatory:
- 5.6.1 making a complaint about another student on the basis of their contributions to a group assessment task
 - 5.6.2 behaviour that may be considered bullying but is not directed to a person because of an attribute
 - 5.6.3 providing peer review feedback that is critical of the quality of another student's work
 - 5.6.4 having a one-off conflict with a person of a different race when the conflict is not due to that person's race
 - 5.6.5 adjusting to accommodate another student such as changing a meeting day or location to accommodate a student with a religious commitment, family responsibility or disability requiring a change of location

6.0 Sexual Discrimination

- 6.1 Sexual Discrimination is when a person is treated less favourable than that of a person of the opposite sex would be treated in a same or a similar circumstance.
- 6.2 The following sexual discriminatory grounds apply under various Federal and State legislative instruments:
- sexual orientation
 - gender identity
 - intersex status
 - lawful sexual activity
 - personal association with a person identified by reference to one of the above attributes.
- 6.3 The College does not tolerate any discrimination and higher education students who believe they may be subject to unlawful discrimination should initially discuss their concerns with the perpetrator (if appropriate and safe to do so), or raise their concerns via Student Services to



discuss their concerns with the National Student Services Coordinator and / or the National Student Affairs Coordinator or Academic staff. The College provides a confidential case submission process and email address for students to use for all matters of a sensitive nature or if they are not confident in approaching Student Services or an Academic staff member. All student feedback can be lodged through:

- the Student Portal > Complaints and Appeals > select the relevant category and submit. OR
- by emailing safecampus@endeavour.edu.au, all cases that require investigation will be submitted as a case via the Student Portal to ensure case management and due process.

- 6.4 All case submissions are managed by the National Student Affairs Coordinator (or delegated authority) and are private and confidential.
- 6.5 All feedback lodged is monitored and all allegations will be investigated in a manner that is fair, impartial, equitable and with compassion and empathy, while adhering to the principles of natural justice (procedural fairness) in making decisions related to concerns. All higher education students can also lodge a complaint as per the [Complaints and Appeals Policy](#) for domestic higher education students or the [Complaints and Appeals Policy - International](#) for international higher education students.
- 6.6 It must be highlighted that not all discrimination is unlawful, and in some instances discrimination on certain educational grounds may be necessary and fair, such as entry age; language requirements; supplying special services or facilities for a person with an impairment that would impose an unjustifiable hardship on the College, etc.
- 6.7 Unforeseen discrimination exemptions will be decided on a case-by-case basis by the Director of Student Operations (or delegated authority), who may consult with the Dean - Higher Education and/or the Head of Regulation and Accreditation to support an outcome.

7.0 Harassment

- 7.1 Harassment is repeated behaviour that is directed at an individual or group of students or staff and is offensive, humiliating, intimidating or threatening. The behaviour is often unwelcome and makes it difficult for effective work or study to be conducted.
- 7.2 Harassment occurs in circumstances where a reasonable person would have expected that the behaviour was going to be offensive, humiliating or intimidating and may be based on gender, race, disability, sexual orientation or a range of factors listed in the Age Discrimination Act 2004, Disability Discrimination Act 1992, Racial Discrimination Act 1975, Sex Discrimination Act 1984 and Australian Human Rights Commission Act 1986.
- 7.3 Harassment is perceived or actual unwelcomed conduct that humiliates, offends or intimidates people. Harassment is bullying conduct that is neither appropriate nor relevant to a situation. This includes words, as well as acts, pictures and images that create a hostile or threatening atmosphere.
- 7.4 Behaviours that can be considered harassment include:
- sending offensive comments or pictures, via emails, text messages or via social media or electronic platforms
 - continually displaying offensive signs, posters, images or screen savers
 - making derogatory comments or taunts about a person or group of people
 - telling insulting jokes or using insulting language about particular racial groups
 - sabotaging a person's study or work
 - abusing someone verbally in relation to an attribute such as calling someone a name that mocks them



- asking repeated intrusive questions about someone's personal life
- verbal abuse
- offensive gestures
- ignoring or segregating a person or group.

7.5 Harassment is not:

- behaviours that arise from a relationship of mutual consent
- gestures or remarks that arise from a relationship of mutual consent such as giving a friend a hug or a compliment
- a single or isolated conflict or remark
- an isolated conversation where the people involved may have differing opinions
- intellectual disagreements related to academic freedom
- a direction to comply with College rules, regulations and policies
- legitimate and reasonable actions taken by College staff around teaching and learning outcomes and policies and procedures carried out and applied in a fair and objective way
- legitimate and reasonable actions taken by College staff around non-academic standards of behaviour that may require actions or investigation under the [Student Code of Conduct](#) and the [Non-Academic Misconduct Policy](#).

7.6 The effect of harassment is to make a person feel insulted, offended, intimidated and unable to perform a task effectively or ultimately safely.

7.7 Harassment in this Policy in any form (including sexual harassment and bullying) refers to student matters only.

8.0 Sexual Harassment

8.1 Sexual harassment is unwanted or unwelcome conduct of a sexual nature or sexual behaviour, whether verbal, physical or electronically communicated which makes a person feel offended, humiliated, intimidated or threatened. Sexual harassment is unlawful under the Sex Discrimination Act 1984.

8.2 Sexual harassment occurs in circumstances where a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated.

8.3 Behaviours that can be considered sexual harassment include:

- staring or leering at a person or parts of their body
- unwelcome physical contact, such as deliberately brushing up against a person, massaging a person without invitation or unwelcome touching
- uninvited kisses or embraces or touching
- sexually suggestive comments or jokes or sharing stories of a sexual nature
- insults or taunts of a sexual nature
- propositioning someone for sex
- making comments or threats in return for sexual favours
- intrusive questions or statements or persistent questions about a student's personal life
- making remarks or insinuations about another person's sex life
- making sexual gestures
- editing images of a person to depict an image of a sexual nature
- displays of sexually graphic material including posters, pin-ups, cartoons, graffiti, computer screen savers or messages left on notice boards, desks or common areas (including distribution by email, internet, photographs, text messaging, social media platforms)
- sending sexually explicit emails or text messages
- inappropriate advances on social networking sites
- accessing sexually explicit internet sites



- requests for sex or repeated unwanted requests to go out on dates
- offensive phone calls, letters or sending sexually explicit information or images in electronic form
- behaviour that may also be considered to be an offence under criminal law, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications.
- Sexual harassment may also include:
- reluctant consent, where there is a disparity in relative authority of power or where a person is in a position to make a decision more or less favourable
- 'consent' that is based on fear; or
- intimidation or other circumstances relating to the relative status of those involved. For example, a student may find it difficult to refuse an advance from a lecturer, or an academic staff member out of fear of a potential impact on future results. In these circumstances, a perceived consensual relationship may be found to be sexual harassment.

8.4 Sexual harassment is not:

- interaction, flirtation or friendship which is mutual or consensual
- behaviour which is based on mutual attraction, friendship and respect
- an interaction that is welcomed and reciprocated
- flirting that is invited and not unwelcome
- attraction or friendship that is invited and not unwelcome
- sexual contact that has been engaged in with consent of the recipient, when the consent has not been obtained through fear, intimidation, threats or force or where there is a power imbalance in the relationship

9.0 Sexual Assault

9.1 Sexual assault is any unwanted or forced sexual act or behaviour that occurs without consent. Sexual assault occurs when a person indecently assaults another person or procures another person, without their consent, to commit a sexual act (Criminal Code Act 1899 (Qld) s. 265).

9.2 Consent must be freely and voluntarily given by a person with the cognitive capacity to do so. Consent is not freely and voluntarily given if a person is:

- forced to engage in a sexual act
- unconscious or asleep
- under the influence of drugs or alcohol
- threatened or intimidated
- in fear of bodily harm; or
- under a mistaken belief that the person was their sexual partner

9.3 Sexual assault means any sexual act that a person does not consent to, including:

- sexual intercourse without consent
- oral sex without consent
- anal sex without consent
- groping and inappropriate touching of a sexual nature without consent
- indecent assault – kissing or touching a person's body in a sexual manner without their consent
- acts of indecency – doing an act of a sexual nature with or towards another person without their consent, or making another person do an unwanted act of a sexual nature
- Voyeurism – for the purpose of obtaining sexual arousal or sexual gratification, observing a person who is in a state of undress, using a bathroom, showering or bathing or engaged in a sexual act without their consent
- Recording or distributing an intimate image of another person without their consent, whether in person or by electronic, digital or other means including still or moving images of another person of a voyeuristic nature without their consent



- 9.4 For the purposes of this Policy, a person will be considered to have sexually assaulted another person if:
- The other person did not consent to the first person's actions; and
 - The first person:
 - knew that the other person did not consent
 - was reckless as to whether the other person consented; or
 - should reasonably have known, having regard to all the circumstances, that the other person did not consent
- 9.5 For the purpose of this Policy stalking or intimidating another person with the intention of causing them to fear physical or mental harm is also a criminal offence (Crimes (Domestic and Personal Violence) Act 2007 (NSW) s. 13). Threatening to engage in any of the above conduct may also constitute sexual assault.
- 9.6 Sexual assault is NOT:
- a consensual sexual act or behaviour
 - when a person consents freely and voluntarily to a sexual act
- 9.7 The College does not tolerate any harassment or assault and higher education students who believe they may be subject to unlawful harassment or assault should initially discuss their concerns with the perpetrator if appropriate and safe to do so, or raise their concerns via Student Services to discuss their concerns with the National Student Affairs Coordinator and / or the National Student Services Coordinator or Academic staff.
- 9.8 The College provides a confidential case submission process and email address for students to use for all matters of a sensitive nature or if they are not confident in approaching Student Services or an Academic staff member. All student feedback can be lodged through:
- the Student Portal > Complaints and Appeals > select the relevant category and submit.
 - by emailing safecampus@endeavour.edu.au, all cases that require investigation will be submitted as a case via the Student Portal to ensure case management and due process.
- 9.9 All case submissions are managed by the National Student Affairs Coordinator (or delegated authority) and are private and confidential.
- 9.10 The College may reference the [Non-Academic Misconduct Policy](#) and / or the [Complaints and Appeals Policy](#) protocols for cases that require escalated case management and referrals to law enforcement. Refer to the [Complaints and Appeals Policy](#) or the [Complaints and Appeals Policy – International](#) (for international students) and the [Non-Academic Misconduct Policy](#).
- 9.11 All feedback lodged is monitored and all allegations will be investigated in a manner that is fair, impartial, equitable and with compassion and empathy, while adhering to the principles of natural justice (procedural fairness) in making decisions related to concerns.

10.0 Bullying

- 10.1 Bullying is repeated unreasonable verbal, physical, social or psychological behaviour that is harmful and involves the misuse of power by an individual or group towards one or more persons. Bullying is a form of harassment and is when a person or group of people misuse this power in a relationship to repeatedly and intentionally harm others. The outcome is the victim feels distressed, less powerful or helpless and there is a risk to their wellbeing.
- 10.2 'Repeated behaviour' refers to the persistent nature of the behaviour and can refer to a range of behaviours over time. 'Unreasonable behaviour' means behaviour that a reasonable person, having regard for the circumstances would see as victimising, humiliating, undermining or



threatening. Except in the case of sexual harassment, a single incident of unreasonable or harassing behaviour does not, of itself, constitute bullying.

- 10.3 Bullying can be intentional, where the actions are intended to humiliate, offend, intimidate or distress. Bullying can also be unintentional, where actions which, although not intended to humiliate, offend, intimidate or cause distress and should reasonably have been expected to cause that effect.
- 10.4 Sometimes people do not realise that their behaviour can be harmful to others. In some situations, behaviours may unintentionally cause distress and be perceived as bullying.
- 10.5 A single incident of unreasonable behaviour is not bullying, although it may have the potential to escalate into bullying and therefore should not be ignored.
- 10.6 Bullying can involve many different forms of unreasonable behaviour and can be obvious (direct) such as physical, verbal, or cyber harassment, or subtle (indirect) such as social exclusion or intimidation. Bullying can occur through many means including face-to-face, over the phone, via email, through text messaging, instant messaging and on social media platforms.
- 10.7 Examples of direct bullying behaviour include:
 - abusive, insulting or offensive language
 - spreading misinformation or malicious rumours
 - behaviour or language that frightens, humiliates, belittles or degrades, including criticism that is delivered through yelling or screaming
 - displaying offensive material
 - teasing or regularly making someone the brunt of pranks or practical jokes
 - unfair and excessive criticism
 - repeated inappropriate comments about a person's appearance, lifestyle, or their family.
- 10.8 Examples of indirect bullying may include:
 - deliberately excluding, isolating or marginalising someone from a group as part of a College activity or learning assessment (including online or in person)
 - repeatedly ignoring a person's point of view
 - constantly changing or setting unrealistic targets for a person
 - undervaluing the efforts of a person
 - intentionally and repeatedly hurting a person physically
 - stalking a person
 - taking advantage of any power over some-one else.
- 10.9 Bullying is not:
 - mutual arguments, disagreements or dislikes
 - a one-off offensive comment about a person that is never repeated and is not of a sexual nature
 - having an argument, conflict or disagreement with another student (where there is no power imbalance)
 - constructively critiquing another student's work
 - having a difference of opinion and expressing it to others in an inappropriate way
 - being rejected socially by an individual or group of students
 - legitimate actions taken by College staff that support teaching and learning outcomes and policies and procedures which are carried out and applied in a fair and objective way while adhering to the principles of natural justice (procedural fairness) in making decisions, or
 - legitimate actions taken by College staff around non-academic standards of behaviour within policies and procedures which are carried out in a fair and objective way while



adhering to the principles of natural justice (procedural fairness), that may require actions or investigation under the [Student Code of Conduct](#) and the [Non-Academic Misconduct Policy](#).

- 10.10 It must be also highlighted that harassment is not legitimate comment or advice (including negative comment or feedback) from others, such as genuine assessment feedback.
 - Academic staff at the College are responsible for undertaking assessment of students' work and making a judgement about their attained knowledge and competency in a particular subject.
 - They are also expected to provide academic guidance and advice to students to complement their assessment and may have to instruct them about academic policy, processes and timeline provisions. In itself, the act – including repeated acts – of correcting students or pointing out inadequacies of performance does not constitute harassment or bullying in an educational environment.
- 10.11 Similarly, invoking unsatisfactory performance procedures or misconduct procedures, or applying student progress procedures, academic integrity procedures or assessment due dates do not in themselves constitute harassment or bullying of students.
- 10.12 The College does not tolerate any bullying and higher education students who believe they may be subject to unlawful bullying should initially discuss their concerns with the perpetrator if appropriate and safe to do so or raise their concerns via Student Services to discuss their concerns with the National Student Affairs Coordinator and / or the National Student Services Coordinator or Academic staff.
- 10.13 The College provides a confidential case submission process and email address for students to use for all matters of a sensitive nature or if they are not confident in approaching Student Services or an Academic staff member. All student feedback can be lodged through;
 - the Student Portal> Complaints and Appeals > select the relevant category and submit.
 - by emailing safecampus@endeavour.edu.au, all cases that require investigation will be submitted as a case via the Student Portal to ensure case management and due process.
- 10.14 All case submissions are managed by the National Student Affairs Coordinator (or delegated authority) and are private and confidential.
- 10.15 The College may reference the [Non-Academic Misconduct Policy](#) and / or the [Complaints and Appeals Policy](#) protocols for cases that require escalated case management and referrals to law enforcement. Refer to the [Complaints and Appeals Policy](#) or the [Complaints and Appeals Policy – International](#) (for international students) and the [Non-Academic Misconduct Policy](#).
- 10.16 All feedback lodged is monitored and all allegations will be investigated in a manner that is fair, impartial, equitable and with compassion and empathy, while adhering to the principles of natural justice (procedural fairness) in making decisions related to concerns.

11.0 Vexatious or Malicious Complaints

- 11.1 A student must not make vexatious or malicious complaints of discrimination, bullying, harassment, sexual harassment and or sexual assault or misconduct.
- 11.2 A complaint will be considered vexatious or malicious if the student makes it:
 - knowing it to be false, dishonest or contains intentionally misleading information; or
 - for the primary purpose of damaging the College or the person (student or staff member) against whom the complaint is made; or
 - without merit or without reasonable cause; or



- when the college has determined that all policies and procedures have been followed, the student has been consulted, an outcome has been determined and communicated, and the student remains unaccepting of the outcome and continues to raise the complaints through multiple channels for a different outcome.

11.3 Making such a complaint may result in a student misconduct investigation and disciplinary action as per the [Non-Academic Misconduct Policy](#).

12.0 Responsibilities - College

- 12.1 It is the College's responsibility to ensure that unlawful discrimination, bullying and harassment and or sexual assault and misconduct does not occur. If it does occur, the allegation will be investigated in a manner that is fair, impartial, equitable and with compassion and empathy, while adhering to the principles of natural justice (procedural fairness) in a confidential and timely manner according to the [Complaints and Appeals Policy](#) or the [Complaints and Appeals Policy - International](#) or the [Non-Academic Misconduct Policy](#) and their associated Procedures.
- 12.2 If a higher education student informs the College of allegations of harassment or discrimination that involves persons who are not staff members or students at the College, the College will consider on the appropriateness of the College's intervening or assisting. The College will not become involved in external case investigations that may have arisen due to misadventure outside of the campus and College environment, except to support compliance with law enforcement requests aligned to State legislative requirements. All requests will align with the Privacy Policy protocols at the College and will be managed by the Director of Student Operations.
- 12.3 The College will take all reasonable steps to ensure that it does not engage in discriminatory, bullying or harassing behaviour (sexual or other) towards students including not vilifying or victimising a student who has voiced a discrimination, bullying or harassment complaint.
- 12.4 All academic and non-academic staff are responsible for implementation of this Policy.
- 12.5 Directors, National Managers, Heads of Departments and Managers / Coordinators are responsible for monitoring the compliance of their staff with this policy.
- 12.6 Where appropriate, the College has a responsibility to:
- provide a safe environment for all members of the College community
 - act on inappropriate behaviour observed
 - take claims of sexual harassment, harassment, bullying, discrimination seriously and conduct and investigate allegations of staff or student misconduct
 - treat all information regarding the claim in confidence and with sensitivity
 - treat all parties with respect
 - ensure all parties receive due process and natural justice; and
 - attempt to achieve a non-adversarial and non-judgemental resolution.
- 12.7 When appropriate, in the allegations of sexual harassment or sexual assault, the College will engage an external investigator to conduct and conclude the case to support the principles of natural justice (procedural fairness) being upheld, and to determine an independent, confidential, and timely outcome.

13.0 Responsibilities - Staff

- 13.1 It is part of the role and a legal obligation of academic and non-academic staff to take reasonable steps to ensure that the educational environment at the College is free from discrimination, bullying, harassment and or sexual assault and misconduct of students. All staff



at the College have a responsibility to take appropriate action if concerns about discrimination, bullying, harassment and / or sexual assault or misconduct are brought to their attention by a student or personally witnessed.

- 13.2 Staff must ensure they do not engage in discriminatory, bullying, harassing and or sexual assault or other forms of intimidating or unlawful behaviour towards students themselves including ensuring that a student is not vilified or victimised unfairly by a staff member for making a discrimination or harassment complaint.
- 13.3 All staff are expected to uphold professional standards of behaviour towards all persons they interact with in their capacity as a staff member of the College. These professional standards are outlined in the Employee and Contractor Code of Conduct.
- 13.4 Any staff member found to be engaging in contravening behaviour may be subject to consequential disciplinary action both by the College and through legal avenues.
- 13.5 All employees of the College are expected to:
 - lead by example by following policies and procedures and acting in a professional and non-offensive way
 - immediately refer any complaints of sexual harassment or sexual assault to the National Student Affairs Coordinator, who will liaise with the Director of Student Operations and the Dean – Higher Education.
 - treat any claims of sexual harassment confidentially by only discussing them with the appropriate parties
 - report any instances of sexual harassment they may witness or that have been disclosed.
- 13.6 All staff have a responsibility to behave professionally and with respect for each other and are accountable for ensuring that harassment, bullying and discrimination are prevented or dealt with effectively at the element level.

14.0 Responsibilities - Students

- 14.1 All students are expected to observe reasonable standards of behaviour with respect to all College activities and College property, thereby refraining from discrimination, bullying, harassment and or sexual assault or misconduct or other forms of intimidating or unlawful behaviour against other students and staff; and uphold professional standards of behaviour towards all persons they interact with in their capacity as a College student. These professional standards are outlined in the [Student Code of Conduct](#).
- 14.2 The College requires all higher education students to behave responsibly by complying with the [Student Code of Conduct](#), this policy and related policies / procedures, and to report unacceptable behaviour to staff at the College private and confidential.
- 14.3 All feedback lodged is monitored and all allegations will be investigated in a manner that is fair, impartial, equitable and with compassion and empathy, while adhering to the principles of natural justice (procedural fairness) in making decisions related to concerns. Higher education students can also lodge a complaint as per the [Complaints and Appeals Policy](#) or the [Complaints and Appeals Policy - International](#).
- 14.4 All higher education students are responsible for their own behaviour and how they act and must ensure they do no;



- engage in discriminatory, bullying, harassing (sexual or other) and or sexual assault or misconduct or other forms of intimidating or unlawful behaviour towards other students or staff members; or
- raise frivolous or vexatious cases against a staff member or fellow student.

14.5 All cases raised will be investigated to determine an outcome, while case allegations are under investigation a student / students may be suspended from their studies due to an ongoing investigation and may be subject to consequential disciplinary action by the College applied through the [Non-Academic Misconduct Policy](#) and through legal avenues.

15.0 Support

15.1 The College is committed to providing accessible support for individuals who are affected by discrimination, bullying, harassment, sexual harassment or sexual assault. At all times the College respects an individual's rights to privacy and confidentiality when providing support services ([Student Support Services Policy](#)).

16.0 Consequences of Discrimination, Bullying, Harassment and/or Sexual Assault and Misconduct

16.1 Consequences for the College may include:

- Poor public image
- Excessive absenteeism
- Increased attrition rates
- Poor retention rates
- Litigation and compensation
- Breakdown in communications.

16.2 Consequences of discrimination and harassment for the student may include:

- Low morale
- Low productivity
- Poor academic results
- Excessive absenteeism
- Withdrawal from studies
- Stress related illnesses
- Loss of confidence, reduced self-esteem, depression and suicide
- Thoughts of suicide
- Social isolation.

16.3 The College will appropriately discipline any person (student or staff) if it is proven through the investigation, grievance or complaint process that their behaviour was inappropriate and they have discriminated against, bullied or harassed or sexually assaulted another person within the College.

17.0 Procedure for Reporting and Acting on Allegations of Discrimination, Bullying, Harassment or Sexual Assault

17.1 If discrimination, bullying, harassment, sexual harassment and or sexual assault and misconduct occurs, the higher education student is encouraged to act according to the processes set out in the [Complaints and Appeals Policy](#) or the [Complaints and Appeals Policy – International](#) and their associated Procedures.

17.2 The College provides a confidential case submission process and email address for students to use for all matters of a sensitive nature or if they are not confident in approaching Student Services or an Academic staff member. All student feedback can be lodged through;



- the Student Portal > Complaints and Appeals > select the relevant category and submit OR
 - by emailing safecampus@endeavour.edu.au, all cases that require investigation will be submitted as a case via the Student Portal to ensure case management and due process.
- 17.3 All case submissions are managed by the National Student Affairs Coordinator (or delegated authority) and are private and confidential.
- 17.4 All feedback lodged is monitored and all allegations will be investigated in a manner that is fair, impartial, equitable and with compassion and empathy, while adhering to the principles of natural justice (procedural fairness) in making decisions related to concerns.
- 17.5 The College will ensure that:
- The above policy and procedure advise students of available support, such as Talk Campus if required when making a complaint or lodging a grievance.
 - The student is not vilified or victimised for making a complaint or lodging a grievance.
 - The complaint or grievance process will be dealt with in a professional and sensitive manner and will adhere to the principles of privacy and confidentiality.
 - Support is offered to the student if required, and the student is able to have a third party of their choosing present at all meetings. A support person should not be a lawyer.
 - The matter is referred to the College's legal representatives if required, at which time students will be advised that legal representation may be required if they have not already sought this.
 - The matter is referred to a third-party provider to support the principles of natural justice in investigation of any allegations to support procedural fairness in determining an independent outcome.
- 17.6 The higher education student is to ensure that they maintain confidentiality of information when making a complaint or grievance.
- 17.7 If the student is dissatisfied with the initial outcome after the initial case submission, they may raise an appeal through the Student Portal > Complaints and Appeals > Appeal
- 17.8 If the student remains dissatisfied with the appeal outcome of the College's internal investigation process, they may refer the matter to a relevant external body (depending on the situation), such as:
- Resolution Institute <https://www.resolution.institute/contactus>
 - Australian Human Rights Commission <https://www.humanrights.gov.au/about/contact-us>
 - Australian Competition and Consumer Commission (ACCC), <https://www.accc.gov.au/>
 - Overseas Students Ombudsman (for international students only) <http://www.ombudsman.gov.au/about/overseas-students>
- 17.9 Students may also refer to the Government Study Assist website for further information: <https://www.studyassist.gov.au/support-while-you-study/higher-education-student-complaints>
- 17.10 If the complaint or grievance is substantiated that a student has behaved in a discriminative, bullying, harassing (sexual or other) or other forms of intimidating, misconduct or unlawful behaviour occurs towards another student, the College can initiate the Student Misconduct Policy - Higher Education and associated procedures, or the Deferring, Suspending or Cancelling Enrolment Policy - International and Deferring Suspending or Cancelling Enrolment Procedure - International for international students to deal with the outcome of this matter. The consequential actions of such behaviour can include, but are not limited to:
- requested apology to those involved
 - a formal warning on student perpetrator's file
 - probationary enrolment for a period up to 12 months, subject to the perpetrator student's ongoing good behaviour



- suspend the perpetrating student from the College for a specified period of time, not exceeding 12 months
- cancel credit or enrolment for any subject of the perpetrating student
- exclude the perpetrating student from the College permanently
- refer the matter to an external agency for action (e.g.: Police)

17.11 If the complaint or grievance is substantiated that a staff member has behaved in a bullying, discriminative, harassing manner (sexual or other), sexual assault and or misconduct towards a student, the College can initiate action under the Employee and Contractor Code of Conduct, the Equal Employment Opportunity and Anti-Discrimination Policy and / or the Employee and Contractor Grievance Procedure which can include:

- performance monitoring (which could include enforced peer review of teaching)
- formal warning on perpetrator's staff file
- dismissal and / or termination of contract of the perpetrating staff member.

18.0 Definitions

Bullying - Is repeated, unreasonable behaviour directed towards a person or a group of people. It includes behaviour that intimidates, offends, degrades or humiliates a person.

College –The Australian College of Natural Medicine Pty Ltd (ACNM) trades as Endeavour College of Natural Health and Endeavour Wellness Clinic. For the purpose of this policy, any reference to 'College' or 'the College' should be considered a reference to each or any of these respective trading names / entities.

Complaint - A statement that a situation is unsatisfactory.

Cyberbullying - Is bullying that occurs through the use of technology e.g.: online.

Discrimination - Student is denied a benefit or the equal opportunity outlined above, or treated less favourably than another student, on the grounds of a personal characteristic or attributes (e.g., race, gender, religion, disability etc.).

Grievance - An official statement of a complaint over something believed to be wrong, which has resulted in what is believed to be by the Claimant, unfair treatment.

Harassment - Harassment is repeated behaviour that is directed at an individual or group of students or staff and is offensive, humiliating, intimidating or threatening. The behaviour is often unwelcome and makes it difficult for effective work or study to be conducted.

Reasonable person - Is a person who exercises average care, skill and judgement in making a decision.

'Repeated' behaviour - Refers to the persistent nature of the behaviour and can refer to a range of behaviours over time.

Sexual Assault - Sexual assault is any unwanted or forced sexual act or behaviour that occurs without consent. Sexual assault occurs when a person indecently assaults another person or procures another person, without their consent, to commit a sexual act.

Sexual Harassment - Is unwanted or unwelcome conduct of a sexual nature or sexual behaviour, whether verbal, physical or electronically communicated which makes a person feel offended, humiliated, intimidated or threatened.

Staff - Refers to anyone employed and being paid by the College either on an ongoing basis or as a casual contractor.

Student - Is an individual person who is formally enrolled to study at the College. The individual person is that who appears on the College's documents such as enrolment, admission and payment documents, and who is assigned an individual student ID. Student may also refer to a prospective, current or former student of the College.



Unlawful harassment - Can be verbal, written or physical, and has the intent or effect of creating an intimidating, hostile or offensive environment.

‘Unreasonable behaviour’ - Means behaviour that a reasonable person, having regard for the circumstances, would see as victimising, humiliating, undermining or threatening.

Victimisation - Means punishing or threatening to punish someone because they have made a grievance or complaint.

Vilification - is behaviour that incites hatred, serious contempt for, or revulsion or severe ridicule of a person because they made a grievance or complaint.

19.0 Relevant Legislative and Regulatory Documents

- Age Discrimination Act 2004 (Cth).
- Anti-Discrimination Act 1977 (NSW).
- Anti-Discrimination Act 1991 (Qld).
- Anti-Discrimination Act 1992 (NT).
- Anti-Discrimination Act 1998 (Tas).
- Australian Human Rights Commission Act 1986 (Cth).
- Crimes (Domestic and Personal Violence) Act 2007 (NSW).
- Disability Discrimination Act 1992 (Cth).
- Discrimination Act 1991 (ACT).
- Equal Opportunity Act 1984 (SA).
- Equal Opportunity Act 1984 (WA).
- Equal Opportunity Act 2010 (Vic).
- ESOS Act 2000 (Cth).
- Racial Discrimination Act 1975 (Cth).
- Sex Discrimination Act 1984 (Cth).

22.0 Version Control History

Version	Date Approved	Approved By	Summary of Changes
1.0	November 2014	Director of Student Services & Retention (c/o CEO)	Policy created
2.0	July 2015	CEO	Added CRICOS code to footer; added ESOS Act 2000 in Legislation; updated student definition; Updated to HE-specific policy – VET split to separate policy; updated titles to be HE-specific.
3.0	January 2019	College Council	Formatting updated; grammar updates; email addresses updated; subheading “discrimination, bullying, harassment, and sexual assault” added to title; Dean and Operations Director added to key stakeholders; purpose updated; legislation reviewed.
3.1	March 2020	College Council	Rebranded template; formatting updated; title subheading removed and incorporated in Purpose; removed hyperlinked Endeavour documents; updated role titles;
4.0	March 2023	Academic Council	Staff roles updated; student support offerings updated to include TalkCampus; process updates based on new student management system and student portal; feedback and case submission process added;
4.1	March 2026	Academic Council	Formatting updated; role titles updated.

