Gender-Based Violence Response Procedure - Vietnam

Section 1 - Purpose

(1) This procedure documents how RMIT Vietnam will support people who experience gender-based violence and respond to matters involving gender-based violence.

(2) This procedure should be read in conjunction with the Gender-based Violence Prevention and Response Policy, and other applicable RMIT policies regarding behavioral standards and conduct. Policies and procedures from relevant third parties may also apply in some circumstances (for example, the policies of industry partners hosting students on placement).

(3) While people of all genders can experience gender-based violence, harm, or abuse, the terms are most often used to describe violence against women, girls, and LGBTIQA+ people.

(4) This procedure is part of a policy suite that demonstrates RMIT's commitment to addressing gender-based violence (including sexual assault and sexual harassment, intimate partner violence, domestic and/or family violence, and other related forms of violence and harm). This commitment includes building a culture of respect, collective care and safety to address the intersecting forms of inequality and disrespect that contribute to violence.

(5) RMIT acknowledges that intersectionality can compound the impact of discrimination and that certain groups of people will be more vulnerable to the effects of discrimination and harassment than other groups.

Section 2 - Authority

(6) Authority for this document is established by the Gender-based Violence Prevention and Response policy.

Section 3 - Scope

(7) This procedure applies to all members of the RMIT Vietnam community, including staff, Other Workers, students and associates (governing body members, representatives, and volunteers) of RMIT Vietnam.

(8) The conduct of third parties is within the scope of this policy where there is a connection with RMIT Vietnam such as licensees or lessees, service providers, visitors, international education agents and delivery partners, and partner organizations in Australia or overseas acting for or on behalf of RMIT Vietnam in relation to our students and staff.

(9) RMIT Vietnam will require that other individuals, organisations or entities that conduct activities on RMIT Vietnam's behalf (including but not limited to businesses and organisations that operate on, use or lease RMIT Vietnam's land and facilities) and affiliated organisations comply with this procedure.

(10) The Child Safe Policy takes precedence over this procedure to the extent of any inconsistency regarding harm to children.

This document may be varied, withdrawn or replaced at any time. Printed copies, or part thereof, are regarded as unauthorised and should not be relied upon as the current version. It is the responsibility of the reader to refer to RMIT's Policy Register for the latest version of this document.

Section 4 - Procedure

Making a disclosure or formal report

(11) A disclosure refers to the sharing of information with RMIT Vietnam about an experience of gender-based violence. Disclosures can be made to any trusted RMIT Vietnam employee; however, RMIT Vietnam encourages disclosures to be made to Safer Community wherever possible, to ensure that support can be provided as soon as possible.

(12) Anyone connected to RMIT Vietnam is supported to make a disclosure about gender-based violence that they have experienced, or that has happened to someone else, without fear of sanction or inaction. This includes third parties where the conduct occurred in connection with RMIT Vietnam, or the person engaging in the conduct was an RMIT Vietnam student, staff member or other worker. RMIT Vietnam's timely response and available resolution options may depend on the impacted person's willingness to participate in the process.

(13) A disclosure will not necessarily lead to an investigation or a formal process. RMIT Vietnam will seek and consider the views of the discloser and determine what action is appropriate in response to any disclosure. RMIT Vietnam will provide support to any person who makes a disclosure, which may include referrals to specialist support services as appropriate.

(14) A formal report is a report made through formal channels of information about a person's experience of gender-based violence. A formal report requires RMIT Vietnam to consider taking steps beyond the offer and provision of support services, including but not limited to the commencement of an investigation and/or a disciplinary process where appropriate.

Ways to make a disclosure or formal report

(15) In an emergency or in circumstances of immediate danger on campus, please contact RMIT Vietnam 24/7 Security Hotline: 1800 2233.

a. If the support is needed during Safer Community working hours (Monday-Friday, 9am-4pm), contact RMIT Vietnam Safer Community Hotline (028) 362 24449
b. If the support is needed after Safer Community working hours, contact International SOS: (028) 3829 8520https://www.rmit.edu.vn/students/support/wellbeing-support/safer-community

(16) Individuals wanting to make a disclosure or considering whether to make a formal report of gender-based violence are encouraged to contact Safer Community. Safer Community provides specialist trauma-informed, safety first, inclusive and intersectional support and advice, regardless of:

a. where or when the violence or harm occurred, and
b. whether the person wants to make a disclosure of violence but not a formal report, or
c. whether they want to make a formal report about it.

(17) Safer Community offers information on reporting procedures, which may vary depending on the individual's status (student, staff or other worker, or third party) and the status of the respondent.

Disclosures

(18) Disclosures can be made by any person directly to Safer Community (in person, via email or over the phone) or using the online support form. Disclosures can be made anonymously, although this may impact the level of support RMIT Vietnam can provide to the discloser, and the action that can be taken in response to the disclosure.

(19) All RMIT Vietnam employees receiving a disclosure must inform the discloser about support from Safer Community. Employees must contact Safer Community to seek advice on whether any further steps are required of RMIT Vietnam. Employees must inform the discloser of the employee's obligation to contact Safer Community to seek advice and discuss with the discloser what information they consent to being shared, including anonymity preferences.

(20) All disclosures and formal reports made in accordance with this Procedure including through Safer Community and the Complaints portal in Vietnam, will be acknowledged by RMIT within 1 business day.

Formal Reports

(21) Individuals who disclose gender-based violence may choose to make a formal report, but it is not mandatory. A formal report involves providing information about the incident and seeking a formal, timely response and resolution from RMIT Vietnam. A formal report can be made as follows:

a. Students can make a formal report by contacting Safer Community or by directly reporting to Student Complaints.
b. Staff, other workers (including employees and contractors), and third parties can make a formal report by contacting Safer Community. Third parties may also make a formal report through the Complaints portal.

(22) Formal reports may be made through the reporting channels outlined in paragraph (18), including anonymously. Anonymous reporting may impact the level of support RMIT Vietnam can provide and the action that can be taken in response to the report.

Support Services

(23) Safer Community offers support to all persons who are affected by gender-based violence, including persons who make disclosures or formal reports, as well as the person about whom a report is made.

(24) Safer Community will undertake a risk assessment in response to all disclosures and formal reports, which considers the threat posed to the discloser and the broader RMIT Vietnam community.

(25) Safer Community will also work collaboratively with the discloser and, where relevant, the respondent, to develop a tailored support plan, which may include:

a. offering information, resources, and support to minimise the need for the discloser repeatedly share their story. This includes sharing information on incidents of gender-based violence between higher education providers and student accommodation providers.
b. listening to the discloser and advising on the supports available, including options associated with informal or formal processes
c. providing information and support in how to report directly to police
d. providing information and referrals to specialist services outside of RMIT Vietnam to ensure all relevant parties have access to expert-led support specific to their experiences
e. referring a person to a relevant representative body or support organisations, student counselling services, privately sourced counselling services, and Safer Community.
f. where the discloser is a student, facilitating the discloser's access to academic adjustments to support them to continue their studies.
g. other support mechanisms or facilities as appropriate.

(26) External specialist support and advice services are listed on the Safer Community website.

Reporting to Police

(27) If a person who has experienced gender-based violence wants to make a report to the police, Safer Community can support a person to make a police report. However, Safer Community cannot make a police report on that person's behalf.

(28) In certain circumstances, RMIT Vietnam may have a duty to notify the police in its own name, even if the individual does not wish to do so. This may occur where RMIT Vietnam considers it necessary to report the matter to police to ensure the safety of the discloser or others in the RMIT Vietnam community, or to meet RMIT Vietnam's legal obligations.

(29) A notification to the police by RMIT in its own name must be approved by the Chief Operating Officer or delegate (if the respondent is a staff member, other worker or a third party) or the University Secretary and Academic Registrar (if the respondent is a student), taking into account:

a. evidence of an unacceptable risk to RMIT Vietnam's community, or the public
b. the number of disclosures, formal reports, or complaints made about similar conduct by the same person (although a single incident may warrant reporting to police)
c. advice from the Critical Incident Management Team (or equivalent) in accordance with the Business Resilience Policy, and other relevant groups including Health, Safety and Wellbeing, Risk Management, Security, Legal & Compliance and the University Secretary and Academic Registrar.
d. advice from Safer Community.
e. the wishes of the person who has experienced the gender-based violence or who initially made the disclosure or formal report.

(30) Safer Community will advise the person who has disclosed or reported the gender-based violence about RMIT Vietnam's decision to notify the police and, to the extent possible, will keep the person informed of any actions that result from that notification. Any disclosure of personal information to police will comply with applicable Vietnamese law, including personal data protection requirements.

(31) A decision to report an incident of gender-based violence to the police will not necessarily preclude RMIT Vietnam from investigating or otherwise responding to the conduct. Where a police investigation or other criminal process is underway, RMIT Vietnam will assess whether it is appropriate to suspend its own investigation or response until those processes are completed.

Responding to a disclosure or formal report

(32) In determining what action to take in response to a disclosure or formal report, RMIT Vietnam will take into account matters including the wishes of the discloser, and the potential risk to the health, safety and wellbeing of the discloser and other members of the RMIT Vietnam community.

(33) In responding to any disclosure or formal report, RMIT Vietnam will adopt an approach that is trauma-informed and person-centred. This means that RMIT Vietnam prioritises safety and wellbeing and ensures the voices and needs of people who have experienced gender-based violence guide all support efforts, fostering an environment of compassion and respect. This also means that RMIT Vietnam will consult the person who has experienced the gender-based violence before making decisions about how to address the relevant conduct.

(34) Where appropriate, RMIT Vietnam may utilise processes that focus on the resolution of the issue rather than the substantiation of the reported conduct through a full investigation.

(35) Persons who make a disclosure or formal report will be provided with information about the steps involved for any formal or informal resolution process, and they will be kept appropriately informed about the progress and outcome of

those steps.

(36) All parties (including the discloser and respondent) are entitled to be accompanied by a support person during meetings or interviews relating to a disclosure or formal report. A support person may include a legal professional. The role of the support person, including any limitations on their participation, is governed by the Complaints Governance Policy and the Managing Conduct Procedure, as applicable.

(37) This Procedure will prevail to the extent of any inconsistency with other RMIT Vietnam policies and procedures in relation to the management of disclosures or formal reports of gender-based violence. Where a disciplinary process is required, the process and any resulting disciplinary action will be managed in accordance with the Internal Labour Regulations (ILR) and relevant RMIT Vietnam policies and procedures.

Precautionary Measures

(38) Safer Community may recommend certain temporary or precautionary safety measures in response to a disclosure or formal report of gender-based violence whilst a resolution process is undertaken, to protect the wellbeing and safety of all students, staff and other workers, and third parties, and where there may be an ongoing risk to the broader RMIT Vietnam community. Precautionary measures are not a punitive measure and do not indicate that RMIT Vietnam has concluded that the conduct has occurred and/or that the student, staff member or other worker has breached an applicable code of conduct or policy.

(39) Safer Community will consult with the relevant areas of RMIT Vietnam in implementing appropriate precautionary measures, including Health, Safety and Wellbeing, Risk Management, Compliance, the University Secretary and Academic Registrar, HR People Partnering and Legal Services.

(40) Examples of precautionary measures that may be recommended include:

a. in respect of students, interim safety measures under the Student Safety Measures Procedure, which may include but are not limited to:
    i. changes to class timetables and class locations
    ii. temporary remote learning arrangements
    iii. temporary restriction of access to campus
    iv. academic adjustments
    v. ‘no contact’ directives
    vi. a recommendation regarding an executive suspension, in accordance with the Student Conduct Policy and the Student Conduct Regulations.
b. in respect of RMIT Vietnam staff members and other workers, interim measures under the Managing Conduct Procedure, including temporary workplace adjustments in accordance with the Flexible Work Policy.

(41) In managing a response to a critical incident, the Safer Community team will provide expert advice and guidance to the Critical Incident Management Team (or equivalent) to inform the management of risks and issues associated with gender-based violence.

Managing Disclosures

(42) There are some circumstances where RMIT Vietnam may take formal action in relation to a disclosure, even if the discloser does not want to make a formal report or does not want any further action to be taken. This may occur where, for example, there is a serious or imminent risk to the safety of another person or persons, there have been repeated disclosures or formal reports of similar conduct by the same person, or to meet RMIT Vietnam’s legal obligations. RMIT Vietnam will seek and consider the views of the discloser before taking formal action (such as an

investigation) in response to a disclosure. To the extent possible, RMIT Vietnam will take measures to avoid identifying the discloser in any formal process (including an investigation), if that is the discloser's preference.

(43) If RMIT Vietnam determines that it is necessary to investigate a disclosure, RMIT Vietnam will explain to the discloser why the matter is being investigated and provide them an opportunity to be involved in the investigation process if they wish to do so. RMIT Vietnam will also provide information relating to support for the discloser.

(44) Other options for managing a disclosure include:

a. a facilitated discussion or mediation between the discloser and the respondent (where it is safe to do so and provided all parties agree to participate). Where the discloser is also the victim, consider and carefully assess reasonableness of mediation before proceeding;
b. proposing an approach to the discloser and respondent regarding future interaction, where appropriate and safe to do so. This may include communication and behaviour support plans or other practical workplace arrangements;
c. providing support to the discloser to manage their safety; and/or
d. training, coaching or counselling.

Managing Formal Reports

(45) RMIT Vietnam will manage formal reports as follows:

a. formal reports about staff and other workers will be managed in accordance with the Managing Conduct Procedure and any applicable enterprise agreement or award; and
b. formal reports about students will be managed in accordance with the Student Conduct Policy.

(46) If a respondent is both a student and a staff member or other worker, RMIT Vietnam will determine whether the formal report should be considered under the policies and procedures applying to students, and/or those applying to staff and other workers. Processes may proceed concurrently, where necessary.

(47) RMIT Vietnam will investigate all formal reports where the respondent is a student, staff member or other worker, regardless of the context in which the gender-based violence occurs. If the formal report has no connection to RMIT Vietnam other than the status of the respondent, RMIT Vietnam will consider the safety and wellbeing of students, staff and other workers when determining the scope of the investigation or any other action.

Investigations

(48) Where an investigation is required, the investigation will be undertaken by a Safer Community or HR Employee Relations staff member with necessary knowledge, expertise and experience. During an investigation, Safer Community can also provide support.

(49) An investigation will usually include:

a. gathering relevant information in relation to the conduct, which could include speaking with the discloser, other people who may have witnessed the conduct, and obtaining documentary and other records;
b. providing the respondent with an opportunity to respond to the allegations about their conduct; and
c. making findings of fact about whether the conduct occurred.

(50) For the avoidance of doubt, RMIT Vietnam cannot require any person to provide physical evidence relating to a disclosure or formal report.

(51) Following an investigation, RMIT Vietnam may determine and take appropriate action, which may include:

a. implementing an appropriate resolution, having regard to the views and circumstances of the discloser and respondent;
b. the implementation of safety measures without progressing to a disciplinary process; or
c. a decision on whether or not to proceed to a disciplinary process.

(52) RMIT Vietnam will continue to provide appropriate and reasonable assistance and support to prioritise and protect the safety and wellbeing of all parties after the conclusion of any investigative process or disciplinary action, including the recovery of any person who experienced gender-based harm or violence.

Timeframes

(53) RMIT Vietnam will complete investigations, disciplinary actions, and associated outcomes as expeditiously as possible, having regard to the nature and complexity of the matter. Timeframes may vary depending on the circumstances of each case. Where necessary, RMIT Vietnam may extend the time to complete an investigation or disciplinary process, including for one or more of the following reasons:

a. to allow additional time for coordination and communication with external parties;
b. to afford the respondent procedural fairness;
c. to allow RMIT Vietnam sufficient time to investigate (having regard to the availability of key participants), consider the relevant material and make a decision, or obtain legal advice;
d. because the conduct the subject of the formal report is also the subject of legal proceedings or a court process;
e. where necessary for the health, safety or wellbeing of participants, including where required to ensure the process is trauma-informed; or
f. to comply with an industrial instrument.

(54) A disclosure or formal report may be investigated and managed by RMIT Vietnam notwithstanding that the matter falls outside the timeframes specified in this Procedure. The fact that an investigation or decision occurs outside these timeframes does not, of itself, invalidate the investigation or action taken. Where the respondent is a staff member and disciplinary action is contemplated, RMIT Vietnam will comply with the applicable statutory limitation periods for disciplinary action under Vietnamese labour law.

(55) Disclosers and respondents will be kept informed of the progress of the disclosure or formal report where possible and in accordance with their wishes, including being advised of any delays that may arise.

Privacy, Confidentiality and Record-keeping

(56) Disclosures and formal reports of gender-based violence will be handled confidentially in accordance with RMIT Vietnam's Privacy Policy. Information may be shared on a need-to-know basis with appropriate RMIT Vietnam officers or external authorities as part of RMIT Vietnam's duty of care obligations, to inform future prevention strategies, to enable an appropriate response to the disclosure or formal report, or as required by law.

(57) All parties will be required to maintain confidentiality while an investigation is undertaken and any related disciplinary or appeals process, to maintain the integrity and procedural fairness of the process and to protect the privacy, safety and wellbeing of all parties. This confidentiality requirement is protective and not punitive. It applies to the conduct of the investigation, disciplinary or appeal process and its outcomes – including the identities of the parties and any witness, investigation materials, evidence, correspondence and findings. It does not, and is not intended to, prevent any person from speaking about their own experience of gender-based violence. RMIT Vietnam will only treat a failure to maintain confidentiality as potential misconduct where the disclosure was not for a purpose permitted below, was made with the intention of prejudicing the process or a party or created a risk to the safety of a person; seeking support, advice or external recourse in accordance with this clause is never a breach. However, individuals will not be precluded from disclosing confidential information related to the investigation either during the

investigation or any disciplinary or appeal process, for the purposes of:

a. obtaining support, including from family members, close friends, legal advisers, medical practitioners, mentors, counsellors or psychologists, or student or union representatives;
b. reporting any matter to Police, or making a complaint or report to any external regulatory body or external complaint-handling or recourse body, including the National Student Ombudsman, the Tertiary Education Quality and Standards Agency and the Australian Human Rights Commission; or
c. for a student, seeking academic adjustments including special consideration or variation to their enrolment status.

(58) For the avoidance of doubt, confidentiality requirements never apply to a person's own experience of gender-based violence, and the release of parties from process-related confidentiality does not affect RMIT Vietnam's separate obligations to handle personal information in accordance with the Privacy Policy.

(59) Disclosers will be entitled to receive written notification from RMIT Vietnam of the following matters, if they so choose:

a. the commencement of an investigation (prior to any notification to the respondent);
b. the outcome of the investigation, including whether a disciplinary process will be executed;
c. the outcome of the disciplinary process, including the decision, any relevant sanctions, reasons for the outcome, subject to RMIT Vietnam Internal Labour Regulations and the right to make an internal and/or external complaint, including to the National Student Ombudsman (on the same day the respondent is notified);
d. the lodgement of any appeal (within two business days of lodgement); and
e. the outcome of any appeal, including the decision, any relevant sanctions, reasons for the outcome, and the right to make an internal and/or external complaint, including to the National Student Ombudsman.

(60) Safer Community maintains a confidential register of disclosures and formal reports. All information will be collected, stored, and accessed in accordance with RMIT's Privacy Policy and applicable laws. RMIT Vietnam will also use de-identified, collated data from disclosures and formal reports to provide high-level reports on known incidents of gender-based violence.

Internal Reporting and Continuous Improvement

(61) RMIT Vietnam will use de-identified data from disclosures and reports to inform preventive interim safety measures, if necessary, to focus on the level and nature of the risk as part of assessment and proactive ongoing monitoring. For example, de-identified data is reported every six months to Council via NRPPC and the Vice-Chancellor's Advisory Group on Addressing Gender-based Violence and other areas of RMIT as required. Access to this information will be managed in accordance with RMIT's Privacy Policy. The reports:

a. identify trends and systemic issues
b. contribute to evaluation of prevention programs,
c. identify opportunities for improvements and preventative actions aligned with RMIT's Whole-of-Organisation Prevention and Response Plan.

(62) Information may also be provided to the Chief Operating Officer or a delegate to inform internal decision-making, including where serious sexual assault has occurred on campus, emergency services have been involved or a staff member or other worker has been temporarily stood down from duties for the purposes of an investigation. Where possible, identifying details of the impacted parties will be protected by Safer Community.

(63) There are some limited circumstances, such as where RMIT Vietnam is required by law to report an incident to the police or a regulator, in which RMIT Vietnam may be required to share identifying information about a person who has

made a disclosure or report of gender-based violence or about whom the disclosure or report has been made. This will only be done where necessary for the safety and wellbeing of the RMIT Vietnam community, including for the safety of the person identified.

External Reporting

(64) RMIT Vietnam may provide information to a third party, such as a regulator, where required by law.

(65) RMIT may provide de-identified data to external agencies or bodies, where required, to ensure compliance with legislated reporting requirements.

(66) If disclosed or reported incidents indicate material breaches in safety or preventative controls, including recurring incidents of gender-based violence, Safer Community will notify the Director, Education Regulation immediately to determine if it is appropriate to notify the Tertiary Education Quality and Standards Agency (TEQSA). If deemed appropriate, a recommendation will be made to the Deputy Vice-Chancellor Education that TEQSA be notified within 14 days of the incident in accordance with the Higher Education Standards Framework 2021 and TEQSA's Material Change Notification Policy.

(67) If disclosed or reported incidents occurred in relation to an activity funded in whole or in part by the Department of Foreign Affairs and Trade (DFAT), Safer Community will notify the Executive Director, Health, Safety and Risk, who will determine if it is appropriate to notify DFAT. If deemed appropriate, a recommendation will be made to the Chief People Officer that DFAT be notified in accordance with the Department of Foreign Affairs and Trade (DFAT) Preventing Sexual Exploitation, Abuse and Harassment Policy (2019). This notification must be made within two working days of RMIT becoming aware of an alleged incident.

Section 5 - Compliance

(68) Breaches of this procedure are reportable via the Organisational Breach Reporting Form and are managed in accordance with the Compliance Breach Management Procedure.

(69) A breach of this procedure may result in disciplinary action, subject to RMIT Vietnam Internal Labour Regulations if the respondent is an employee. Depending on the nature and impact of the breach, other actions may also be instigated, including legal action.

(70) In cases where non-compliance issues arise, RMIT will utilise various investigative tools to actively monitor and address these issues. This may include:

a. conducting proactive audits
b. undertaking investigations when non-compliance is suspected

(71) This procedure supports RMIT's obligations under:

a. Charter of Human Rights and Responsibilities Act 2006 (Vic)
b. Child Wellbeing and Safety Act 2005 (Vic)
c. Gender Equality Act 2020 (Vic)
d. Protected Disclosure Act 2012 (Vic)
e. Sex Discrimination Act 1984 (Cth)
f. Department of Foreign Affairs and Trade (DFAT) Preventing Sexual Exploitation, Abuse and Harassment Policy (2019)
g. Higher Education Standards Framework 2021

h. Education Services for Overseas Students (ESOS) Framework
i. Occupational Health and Safety Act 2004
j. Fair Work Act 2009
k. Equal Opportunity Act 2010 (Vic)
l. Universities Accord (National Higher Education Code to Prevent and Respond to Gender-based Violence) Act 2025 (Cth) and National Higher Education Code to Prevent and Respond to Gender-based Violence 2025.

(72) Vietnam Specific:

a. The revised Law on Prevention and Combat Against Domestic Violence (2022)
b. 2006 Law on Gender Equity (No.73/2006/QH11 dated 29/11/2006)
c. Viet Nam Code of Conduct on Sexual Harassment in the Workplace International Labour Organization - A Code of Conduct paper issued by the Ministry of Labour Invalids and Social Affairs (MOLISA) on preventing sexual harassment.

Section 6 - Other Relevent Policies

(73) RMIT policy suites regarding behavioural standards and conduct that are relevant to this policy include:

a. Student Conduct Policy
b. Student Conduct Procedure
c. Code of Conduct
d. Workplace Behaviour Policy
e. Workplace Behaviour Standard
f. Managing Conduct Procedure
g. Child Safe Policy, Child Safe Code of Conduct, and Child Safe Reporting Procedure-Vietnam
h. Health, Safety and Wellbeing Policy
i. Inclusion, Diversity and Equity Policy.

Section 7 - Definitions

Term	Definition
Child	In Vietnam, a person who is under the age of 16 years. For the purpose of this policy, RMIT Vietnam has internal guidelines that extend the child safe duty of care to individuals under the age of 18 years.
Consent	Consent cannot be assumed. Consent must be ongoing and mutual. It must be present every time, including for the duration of any sexual act. Consent can be withdrawn at any time. Consent to one act does not mean consent is agreed to in any other act. Consent to an act with one person does not mean consent is agreed to in an act with a different person, or with the same person on a different occasion.
Disclosure	Where a person first makes known an incident of gender-based violence to RMIT (e.g., by telling a staff member or Safer Community). This may or may not lead to a formal report being made.
Formal report	The provision to RMIT, through formal reporting channels, of information about a person's own experience of gender-based violence, which requires RMIT to consider taking steps beyond the offer and provision of support services, including (without limitation) the commencement of an investigation and/or a disciplinary process in appropriate circumstances.

Gender-based violence	Any form of physical or non-physical violence, harassment, abuse or threats based on gender that results in or is likely to result in harm, coercion, control, fear or deprivation of liberty and autonomy. Violence or harm can be physical, sexual, emotional, psychological, social, cultural, spiritual, financial and technology-facilitated abuse (including image-based abuse), and stalking.
Intersectionality	The ways in which different aspects of a person's identity can expose them to overlapping forms of discrimination and marginalisation. Intersectionality addresses and acknowledges gender, sexual orientation, Indigeneity, race, economic status, ability, or other factors can compound the impact of gender-based violence, resulting in certain groups of people being more vulnerable and/or disproportionally impacted than other groups to the effects of gender-based violence, harm, discrimination or harassment.
Other workers	Any person who carries out work in any capacity for RMIT, including employees; officers; contractors and subcontractors; employees of a contractor or subcontractor; employees of a labour hire company who have been assigned to work at RMIT; outworkers; apprentices or trainees; students gaining work experience; and volunteers. 'Other workers' in this policy includes associates of the RMIT Group, such as RMIT University Council members, representatives, and volunteers.
Person-centred	Ensuring that the needs and preferences of the person who made a disclosure or formal report are at the centre of decisions made in response to the disclosure or formal report, including by genuinely considering their wishes and the impact that decisions may have on them, while at all times ensuring their safety and wellbeing, and the safety and wellbeing of other students, staff and other workers.
RMIT Group	RMIT University and its controlled entities (RMIT Europe, RMIT Online, RMIT Vietnam and RMIT University Pathways).
Sexual assault	When: 1. a person (A) intentionally touches another person (B) and the touching is sexual 2. person (B) who was touched did not agree or consent to the touching, and 3. person (A) did not reasonably believe that person (B) consented. If person (A) knew that (B) was not consenting, this will be sexual assault; and if person (A) did not believe on reasonable grounds that (B) was consenting, this will also be sexual assault. For the purposes of this policy, RMIT also includes the following acts defined in the Crimes Act 1958 (Vic): (i) rape, (ii) rape by compelling sexual penetration, (iii) sexual assault by compelling sexual touching, (iv) assault (being the non-consensual application of force) with intent to commit a sexual act, and (v) threat to commit a sexual assault or rape. For succinctness, the specific elements of each are not set out separately in this policy. Additional examples and explanations are set out in Schedule 1 – Explanations and Examples. RMIT cannot make findings of criminal responsibility, including whether a person has engaged in sexual assault under criminal law. However, RMIT can and will determine whether alleged conduct breaches RMIT's policies and procedures.
Sexual Harassment	Sexual harassment means unwanted or unwelcome sexual behaviour by one person towards another person at the workplace. Sexual harassment may take physical, verbal or non-verbal forms, including: Physical conduct, such as sexual or sexually suggestive touching, gestures or physical contact; Verbal conduct, such as sexual or sexually suggestive comments or conversations, including through telephone or electronic communications; and Non-verbal conduct, such as sexually suggestive body language or displaying, describing or sharing sexual content or materials, including electronically. Sexual harassment may include physical, verbal or non-verbal conduct and may include conduct involving a request, demand, suggestion, threat or coercion for sexual activity in exchange for work-related benefits. Sexual harassment is prohibited under Vietnamese labour legislation and RMIT Vietnam's Internal Labour Regulations. The Internal Labour Regulations set out the applicable workplace requirements, reporting and handling arrangements, and disciplinary measures in accordance with Vietnamese law. The examples above are not exhaustive. Additional examples and explanations are set out in Gender-based Violence Prevention and Response Policy Schedule 1 – Explanations and Examples. RMIT may also consider conduct to constitute a breach of this Policy where it does not meet the elements of a criminal offence or other legal threshold but is inconsistent with RMIT's standards of respectful and safe behaviour.

Workplace	Article 84(3) of Decree 145/2020/ND-CP already gives a broad legal meaning to “workplace.” It includes the locations where an employee actually works and work-related spaces such as social activities, conferences, training, business trips, meals, telephone conversations, electronic communications, employer-provided transport, employer-provided accommodation, and other locations specified by the employer. The application of this definition is not limited to conduct occurring during normal working hours or on RMIT premises.

Status and Details

Status	Current
Effective Date	2nd November 2026
Review Date	22nd October 2031
Approval Authority	Manager, Central Policy
Approval Date	22nd October 2026
Expiry Date	Not Applicable
Policy Owner	Mish Eastman Interim Chief Operating Officer & Vice-President
Policy Author	Khanh Le Deputy General Director, RMIT Vietnam
Enquiries Contact	Prevention and Respect Team