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DOCUMENT REVISION HISTORY

Revision Date	Revision Made By	Description of Changes	Revision No.



1. PURPOSE

The purpose of the *University Behaviour Policy* is to:

- Set out the values, standards and expectations for appropriate behaviour that characterise and apply to our University community; and
- Be clear about the behaviours and conduct that are not accepted by our University community.

2. SCOPE

2.1 Who does this policy apply to?

- All employees of the University (full-time and part-time employees)
- Members of University Council and its committees;
- Contractors and consultants engaged by the University,
- Volunteers,
- Interns,
- Visitors and agents of the University,
- All students at the University.

(together "**our University community**" or "**University community members**" or "**our community**").

This policy seeks to acknowledge the diversity of our community, including the experiences, needs and perspectives of all our members, regardless of gender, gender identity, intersex status, sexual orientation, race, religion, cultural background or disability.

2.2 Where does this policy apply?

This policy applies to University community members engaged in any activity on BUV campus, it also applies to activities that extend or occur away from BUV campus that are reasonably connected to the University and our activities, including (but not limited to) field trips, University-related social activities, student placements and exchanges, and to behaviour and conduct that takes place via electronic communication (including social media) and in virtual environments.

3. OUR UNIVERSITY COMMUNITY

This policy recognises universities are a distinct form of community.

Our University community members work and study in close proximity, regularly interact and often depend on one another, requiring high levels of trust and respect.



People are the heart of our community. We want you to be safe, feel valued and actively contribute to our mission.

Our University is committed to a values-based culture. When members of our community behave in a manner that is not aligned to this culture, our focus will be on early intervention and restoration, providing an opportunity to understand the implications of inappropriate behaviour and to rebuild responsibility and accountability (referred to as a “restorative approach”).

In circumstances where the inappropriate behaviour is of a more serious nature and risks to health and safety is apparent, we will act swiftly and decisively to ensure safety for our community and to maintain our values-based culture.

4. APPROPRIATE BEHAVIOUR AND EXPECTATIONS

4.1 Our University values

As members of the University community the operational and social behaviours we value are: putting students first; participating in innovation processes and practices; facilitating open collaboration and teamwork; acting with integrity; striving for excellence; appreciating all forms of diversity; facilitating self-empowerment and autonomy; treating others with respect; facilitating a learning workplace environment.

We expect the behaviour of all University community members to be consistent with these values as explained below.

Behaviour that is inconsistent with our these social and operational values is considered to be inappropriate behaviour. In some circumstances, it may be serious misconduct, unlawful behaviour or a criminal act.

Putting students first

We always put students first. We make all aspects of learning relevant and engaging. We encourage all students to share with us anything that impacts their studies so that we can work with them to maximise their ability to successfully complete their degree. We press students to acquire knowledge and to develop a life of purpose; we challenge students to obtain and improve competencies and to “know themselves”. We provide personalised support to any student who may be having problems with university life, mental or physical health, wellbeing or who needs academic support to make their time here successful. Our university community is characterised by behaviour where we:

- Help students own and control their learning outcomes, helping to personalize the learning experience for each individual student;



- Maintain a professional, ethical, and respectful code of conduct;
- Maintain an agreed dress code;
- Adhere to ethical and responsible teaching practices and behaviour;
- Respect students' ideas and contributions;
- Promote collegiality and work collaboratively with stakeholder to achieve constructive outcomes for students.
- Act in a polite manner, demonstrating respect for all stakeholders of the university including colleagues, students and parents;
- Maintain appropriate boundaries with students and refrain from unprofessional and inappropriate engagement.

Participating in innovation processes and practices

We always explore new ideas and commercialise new ideas quickly and are ready to collaborate with our partners inside and outside our organization to create breakthrough achievement and solutions. Our University community is characterised by behaviour where we:

- Leverage full range of expertise by building collaboration across our ecosystem, both internally and externally;
- Displays an ongoing commitment to learning and self-improvement that adds value to the University;
- Demonstrate initiative in exploring and experimenting with new ideas, technologies, and services;
- Encourage Freedom of Expression;
- Consult and share openly;
- Encouraging the generation of ideas without fear of rejection or failure;
- Participating in problem-solving exercises;
- Value diversity and inclusion;
- See failure as a learning experience.

Facilitating open collaboration and teamwork

We promote diversity, cooperation, collaboration and flexibility in team-based work. We value multiple viewpoints and manage conflict constructively without punitive measures to increase levels of trust, encourage a more engaged workforce and improve performance through learning. Our university community is characterized by behaviour where we:

- Work in a cooperative and collaborative manner within work units and across the university;
- Appreciate and leverage the strengths of others to accomplish goals;
- Share relevant information accurately and appropriately;
- Support the success of team members;



- Manage interpersonal conflicts constructively;
- Earn the trust and respect of team members.

Acting with Integrity

Integrity involves acting with honesty and professionalism in our activities - teaching and learning, research and administrative functions. Our university community is characterised by behaviour where we:

- Adhere to University policies, procedures, ordinances and rules;
- Disclose and appropriately manage all conflicts of interest;
- Are straightforward, sincere and transparent in our dealings;
- Undertake our work with diligence and acknowledge the input of others;
- Respect and maintain confidentiality;
- Tell the truth and are honest in all dealings;
- Keep promises and commitments made to others;
- Do the right thing, even when it is difficult;
- Do not yield to pressure to show bias or manipulate others;
- Take responsibility for our own work, including problems or issues.

Striving for excellence

We take every challenge as an opportunity to exceed expectations when striving for business excellence. Our university community is characterised by behaviour where we:

- Take every challenge as an opportunity.
- Take every rejection as a learning experience and a challenge.
- Rise to meet every challenge that is in our best interest and continue to push ourselves and our business to excel.
- Take action relative to strategy and planning.
- Bring a service mindset to everything we do.
- Challenge ourselves to excel all the time.

Appreciating Diversity

Diverse perspectives, viewpoints and background bring increase the richness of knowledge and potential ideas and outcomes. Our diversity helps us identify unseen opportunities that can contribute to the richness of our learning and decision making. It gives us an edge in attracting and retaining talented people and meeting our strategic priorities. Our University community is characterised by behaviour where we:

- Encourage a range of ideas, perspectives, and styles
- Are aware and value cultural and other differences
- Communicate effectively with people from different cultures



- Act without bias
- See differences in people as valuable and potential assets
- Encourage open dialogue on diversity and share personal experiences and learnings
- Seek opportunities to work across levels and functions
- Make development decisions considering input, talent, and desire to mentors others
- Help diverse teams work together
- Take risks and challenge the norm
- Deal with conflict and inappropriate behaviour
- Make reasonable adjustments to studying or working environments to account for any non-standard needs of individuals

Striving for self-empowerment and autonomy

Our values are aimed at creating a learning environment that facilitate self-empowerment and autonomy. While structures of authority, accountability and responsibility designate formal power relations, they are designed to facilitate decision making and provide direction, they are not punitive. We allow individuals to develop and encourage them to apply their skills and competencies in a supportive an encouraging environment. Our University community is characterised by behaviour where we:

- Delegate responsibility for decision making
- Share responsibility in a team based work environment
- Encourage problem solving at all levels of the university
- Develop monitoring and reporting systems give people the information they need to make informed decisions about their job
- Increase the sense of ownership that people have for their work and their organization
- Let teams manage themselves and share responsibility

Treat others with respect (Respect for all)

Respect is valuing others, their difference and diversity and also oneself. A respectful community begins with being a safe community. Our University community is characterised by behaviour where we:

- Do not tolerate any forms of unlawful discrimination, bullying or sexual harassment;
- Behave and communicate in a manner that does not degrade, humiliate or unreasonably offend;
- Respect each other's ideas and contributions;
- Promote collegiality and work collaboratively to achieve outcomes.

Facilitating a learning environment.

Our University community is characterised by behaviour where we effectively support change, interrogate old habits and entrenched ways of thinking, and facilitate new ways of engaging and working together. We strive to learn to think, behave, and perceive differently irrespective of the beliefs, behaviours and assumptions held at an the individual or organizational level.

- Stay open to different ways of getting things done;
- Listen more attentively to other peoples' viewpoints;
- Be aware of how our knowledge and habits prevent us from seeing and appreciating alternative ideas and viewpoints;
- Take ownership of the problems;
- Identify and define learning needs;
- Develop action plans and timelines to guide learning activities;
- Plan and select learning strategies;
- Take conscious control of learning;
- Monitor and evaluate the effectiveness of learning strategies through self-assessment and review;
- Reflect on learning.

4.2 Professional behaviour and conduct expectations

To be a community that upholds and lives our values day-to-day we need to engage with each other in a respectful and professional way.

Staff/Student personal relationships

The relationship between staff and students is based on mutual respect and trust. Students rely on staff to deliver quality academic teaching and supervision, and to support them in their studies, research and University life.

A close personal or intimate relationship between staff and students with whom the staff member has a direct teaching, research or administrative professional relationship is not appropriate. It compromises the position of mutual respect and trust and there is considerable power imbalance between staff (as a student's supervisor) and a student.

If a close personal or intimate relationship develops between a staff member and a student, it needs to be declared in accordance with the Conflict of Interest Policy. Appropriate management strategies are required to be put in place to avoid or mitigate the risks of power imbalance or other consequences, for example, changing the supervisor on a project or arranging for a colleague to assess work.

Staff/Staff Personal Relationships



Similarly, a close personal or intimate relationship between staff, with whom there is a direct line management responsibility (or other relevant professional relationship) needs to be declared and managed in accordance with the Conflict of Interest Policy.

The University does not tolerate coerced or exploitative relationships for any of our University community.

Interpersonal conflict

Sometimes conflict between University community members exists, for a variety of reasons.

Interpersonal conflict is not in itself inappropriate behaviour, however in the interests of resolving this conflict as quickly as possible, benefiting all parties, the University expects its community members to openly communicate and resolve concerns together in a calm, respectful and professional manner.

Where interpersonal conflict involves or develops into inappropriate behaviour, community members are encouraged to seek advice to resolve the issue or concern informally. Formal avenues for resolution are also available. The Grievance and Reconciliation Procedures in BUV's Labor Code explains the process for informal and formal resolution.

Speaking up

We expect our University community members to speak up and raise concerns or report incidents of inappropriate behaviour.

As community members, we need to hold each other accountable for our actions and actively support those who experience inappropriate behaviour which breaches this policy, when it is safe to do so.

This may include (but is not limited) to:

- *Reporting incidents of bullying by a colleague to a manager, lecturer, Human Resources or the Vice Chancellor and President, as appropriate.*
- *Supporting a fellow student during a tutorial when you witness another student making racist, sexist or other inappropriate comments to them.*
- *Seeking assistance from a manager or others if you are concerned that an intoxicated person is being sexually harassed or sexually assaulted at a party.*
- *Raising a concern or suspicion of fraudulent activity to your manager or to the Director of Human Resources.*

5. UNACCEPTABLE BEHAVIOR AND CONDUCT

Certain behaviour and conduct (set out in this policy) is not accepted in our University community. In some cases, certain behaviour and conduct may be serious misconduct, unlawful, or even a criminal act.



A community member engaging in unacceptable behaviour and conduct may face consequences for their employment, engagement, appointment and/or study continuation, as applicable.

For employees, such consequences may include termination of employment. For students, such consequences may include termination of their studies.

Community members alleged to have engaged in inappropriate behaviour may be the subject of a complaint. They could also be exposed to personal liability under applicable legislation.

5.1 Disruptive behaviour

Disruptive behaviour refers to any behaviour that negatively impacts on the ability of others to study, work or take part in other activities of the University.

It may include (but is not limited to):

- *Inappropriate or inordinate demands for workspace, time and/or attention.*
- *Inappropriate behaviour in classes or meetings such as calling out, distracting others by talking, monopolising discussions, unreasonable constant questioning or interruptions.*
- *Raising one's voice or acting with aggression during a meeting or when working with others.*
- *Inappropriate use of equipment or materials.*
- *Wilfully ignoring others.*
- *Inappropriate behaviour arising from the consumption of alcohol or illicit drugs.*

5.2 Unlawful discrimination

Our University community does not unlawfully discriminate against any other community members.

Unlawful discrimination means treating a person or group less favourably.

Unlawful discrimination can occur in a single event or be repeated behaviour.

Contravention of this legislation is unlawful. Unlawful discrimination can lead to personal liability for a University community member and vicarious liability for the University.

Assumed attributes

A person can be subjected to unlawful discrimination based on an assumption they have a protected attribute, even if they do not.



For example, it is unlawful to discriminate against a person because they have a particular sexual preference. It is also unlawful to discriminate against a person on an assumption the person has a particular sexual preference.

Discrimination can be direct or indirect

Discrimination may take the form of either direct or indirect discrimination.

Direct discrimination occurs when a person treats or proposes to treat another person unfavourably because of one or more protected attributes.

Examples of direct discrimination include (but is not limited to):

- *Refusing to employ or promote a person because of their age.*
- *Mocking, teasing or harassing a person because of their disability.*

Indirect discrimination occurs if a person imposes or proposes to impose a requirement, condition or practice:

- *That on the surface may appear neutral;*
- *That has, or is likely to have, the effect of disadvantaging a person or persons who have a particular protected attribute; and*
- *The requirement, condition or practice is not reasonable.*

Examples of indirect discrimination could be (but is not limited to):

- *Requiring a group of people to attend a training or study event that is held on a day of great religious significance to some people.*
- *Regularly holding staff meetings at school bus drop-off or pick-up times.*

5.3 Other prohibited conduct (which offends, humiliates, intimidates)

Our University community does not behave in a way that offends, humiliates or intimidates other community members, on the basis of certain protected attributes.

This includes, offending, humiliating, intimidating, insulting or ridiculing a person on the basis of their race, age, sexual orientation, lawful sexual activity, gender and gender identity, intersex, marital and relationship status, pregnancy and breastfeeding, parental status and family responsibilities, and disability.

This conduct is based on circumstances in which a reasonable person would have anticipated that the person would be offended, humiliated, insulted, ridiculed or intimidated.

This conduct is also unlawful under legislation.

Generally, this conduct is not unlawful if it is a public act done in good faith for academic, artistic, scientific or research purposes or any purpose in the public interest.



Examples of this prohibited conduct may include (but is not limited to):

- *Mocking or teasing someone because of their disability.*
- *Emailing or using social media to send jokes to someone about a particular racial group, to which that person belongs.*

5.4 Vilification

Our University community does not vilify any other community members.

To vilify a person or group of persons is a public act that incites hatred, serious contempt or severe ridicule towards that person or group of persons on the basis of race, disability, sexual orientation, religious belief, affiliation or activity; gender identity and intersex status and also HIV/AIDS status.

Vilification can take many forms including hate speech, verbal abuse, graffiti, online conduct and distribution of propaganda or forms of literature.

Vilification must occur in public, which includes the University. Matters that take place during private conversations may not be considered vilification but could amount to other inappropriate behaviour.

Generally, vilification is not unlawful (in the case of race or ethnic origin or religion) if it is done reasonably and in good faith and/or in the course of a genuine academic, artistic or public discussion, publication or debate.

Vilification may include (but is not limited to):

- *Publishing claims that a racial or religious group is involved in serious crimes without any proof.*
- *Repeated and serious verbal remarks about the race or religion of another person.*
- *Encouraging people to hate a racial or religious group using flyers, stickers, posters, a speech or publication, or using websites or email.*

5.5 Bullying

Our University community does not bully any other community members.

Bullying is repeated, unreasonable behaviour directed towards one or more persons, which creates a risk to health and safety.

Bullying is a health and safety hazard and has the potential to seriously damage people's lives, careers and reputations, and create toxic workplace or learning environments.



Bullying can occur unintentionally. A person's intention or motive is not relevant when determining whether the alleged behaviour constitutes bullying.

It can lead to personal liability and even criminal sanctions under applicable workplace health and safety legislation.

Unreasonable behaviour

Unreasonable behaviour is behaviour which a reasonable person, having regard to all the circumstances, would expect to victimise, humiliate, undermine or threaten the recipient of the behaviour.

It can include actions of individuals or a group. Aiding, abetting, encouraging or condoning other University community members to engage in bullying is likely to also constitute bullying.

Bullying may include (but is not limited to):

- *Abusive, insulting or offensive language or comments*
- *Unjustified criticism or complaints*
- *Deliberately excluding someone from workplace activities*
- *Withholding information that is vital for effective performance;*
- *Setting unreasonable timelines or constantly changing deadlines; or*
- *Spreading misinformation or malicious rumours*

What is not bullying

“Reasonable management action” is not bullying. This can include:

- Setting reasonable performance goals, standards and deadlines in consultation with staff;
- Transferring a staff member for legitimate operational reasons;
- Deciding not to promote a staff member, following a fair and documented process;
- Performance management processes; and
- Implementing organisational changes or restructuring.
- Similarly, academic staff have a right to instruct students in their studies and to provide feedback on their performance.

“Reasonable academic action” can include:

- Setting reasonable standards of work for students;
- Fairly scheduling classes and deadlines;
- Informing a student of their performance in a constructive and consistent way; and



- Informing a student about inappropriate behaviour or unsatisfactory conduct in accordance with this policy.
- Further, having a mere difference of opinion or a personality clash with someone else in the University community does not (of itself) mean bullying is occurring.

Single incidents

Single incidents of unreasonable behaviour will not usually constitute bullying. However, single incidents of such behaviour may still constitute inappropriate behaviour - including discrimination, sexual harassment, vilification or victimisation.

Responsibility for reporting and dealing with bullying

All University community members have a legal duty under work health and safety legislation to not only ensure they do not engage in bullying but to also take appropriate action in response to bullying.

The University Behaviour Procedure sets out the process for reporting or making a complaint about inappropriate behaviour, including bullying.

5.6 Victimization

Our University community does not victimise any other community member.

Victimization occurs when a community member who has made a complaint or who acts as a witness or support in relation to the complaint, is threatened or harassed by others involved in the complaint.

Victimization can include physical, visual, verbal and non-verbal behaviour, and includes electronic communication or online conduct.

Victimization is unlawful under anti-discrimination legislation.

Examples of victimisation include (but is not limited to):

- *A student sending a rude and aggressive note to another student because that student has complained about the behaviour of a friend of theirs.*
- *A supervisor humiliating a staff member because that staff member gave evidence in support of a colleague in relation to a complaint against the supervisor.*

A person may be found liable for victimisation even though the original allegation is not proven.



- *For example, even if an original complaint of bullying is not substantiated, it may constitute victimisation for a lecturer to give a student a poor assessment because that student previously made a complaint against the lecturer.*

A person does not have to be the subject of the complaint to have victimised another person, so long as the victimisation is because of a complaint against a person.

- *For example, it is victimisation if a manager refuses to provide work to a staff member who has made a complaint of sexual harassment against another staff member in the workplace, if the reason for not providing the work was the making of the complaint.*

5.7 Vexatious, malicious and/or frivolous complaints

Our University community does not make vexatious, malicious or frivolous complaints regarding inappropriate behaviour of other community members.

Complaints often have a detrimental impact on those involved, both personally and professionally.

A complaint is vexatious, malicious or frivolous where the complaint is:

- Without merit, misconceived or lacking in substance;
- Intended to cause harm;
- Dishonest or contains intentionally misleading information; or
- Pursued in an unreasonable manner.

‘Unreasonable manner’ includes one or more of the following behaviours:

- Unreasonable persistence, demands, arguments;
- Unreasonable lack of co-operation;
- Displaying confronting behaviour for example rudeness or aggression;
- Threats or harassment; or
- Displaying manipulative or overly ingratiating behaviour.

5.8 Sexual misconduct

Our University community does not engage in sexual misconduct.

In this policy, “sexual misconduct” is used to describe both sexual harassment and sexual assault.

Sexual misconduct is prohibited in our University community. We take this behaviour very seriously and have a zero-tolerance for it.

Our priority is to ensure a complainant of sexual misconduct is provided with appropriate support and guidance and is safe.

Sexual harassment

Sexual harassment is any unwanted or unwelcome sexual behaviour or conduct, which makes a person feel offended, humiliated, insulted, ridiculed or intimidated - in circumstances in which a reasonable person would have anticipated that the person would be offended, humiliated, insulted, ridiculed or intimidated.

Sexual harassment can take many forms. It can be obvious or indirect, physical or verbal, via online and be a one-off occurrence or ongoing. Intent or motive is irrelevant.

For behaviour to constitute sexual harassment, it is not necessary for the person who has been harassed to have told the harasser that the behaviour was unwanted or unwelcome.

Sexual harassment is unlawful under Vietnamese legislation.

Examples of sexual harassment may include (but is not limited to):

- Staring or leering at a person in a sexual manner
- Standing deliberately too close to someone or deliberately brushing against someone as you walk past
- Displaying pornographic or sexually explicit material (posters, screen savers etc)
- Sending sexually explicit emails, SMS messages
- Inappropriate advances on social networking sites
- Sexual insults or taunting
- Requests for sex or repeated unwanted requests to go out on dates
- Making promises or threats in return for sexual favours
- Intrusive questions or remarks about a person's sexual activities

Sexual assault

The term sexual assault covers a range of sexual acts (or attempted acts) directed towards or committed upon another person, without their consent.

It includes both penetrative and non-penetrative sexual acts performed with any part of the body or with an object. It includes rape and unwanted sexual behaviour such as kissing or touching.



Sexual assault is a criminal offence and the University encourages and will support community members to report this matter to the police.

Consent

Consent has a specific legal meaning but in general terms, it means to agree freely. A person cannot give free agreement where they are:

- Bullied, threatened, manipulated or tricked;
- Asleep, unconscious or so affected by drugs or alcohol as to be unable to form a rational opinion;
- Overborne by the nature or position of another; or
- If they are silent (ie do not say or do anything to communicate consent)

Consent can be revoked at any time. This means that even though a person may have initially consented to sex, they can change their mind during sex.

Examples of sexual assault may include (but is not limited) to:

- *Two people in a relationship start engaging in sexual activity but Person A changes their mind and asks to stop. Person B refuses to stop and forces sexual activity.*
- *A student taking advantage of another intoxicated student at a party by encouraging them back to their room and engaging in sexual activity when the student is unable to give consent due to being affected by alcohol.*
- *A research supervisor manipulates a student to engage in sexual acts in exchange for better marks.*
- *A staff member who has been continually making advances towards another staff member proceeds to force themselves onto that staff person while they are alone in a meeting room, attempting to kiss and touch them under their clothing.*

6. MAKING A DISCLOSURE AND MAKING COMPLAINS OF SEXUAL MISCONDUCT

Choice as to options

A person who is personally subject to sexual misconduct has a choice as to their disclosure and complaint and/or reporting options.

Making a disclosure

A disclosure is simply telling or advising someone. You may not wish to take any other action.

The University is committed to supporting its community members who disclose incidents of sexual misconduct. Support services are available to all community



members, including counselling and access to an employee assistance program. There may also be consideration of your study and performance obligations.

Disclosures can be made to anyone in our University community. There is also an ability to make a disclosure via an online reporting site.

Disclosures will be treated confidentially wherever possible. Sometimes the University:

- May need to take appropriate action if there appears to be an imminent risk to the health and safety of the person making the disclosure, or other community members (particularly if there are other disclosures naming the same alleged perpetrator);
- May also need to inform key personnel within the University (only on an as required basis), who will treat the information with sensitivity; and
- In some cases, mandatory reporting obligations for sexual assault will mean that the University is legally obligated to report a matter to external authorities, such as the police.

De-identified disclosure information will be maintained by the University for identifying trends and monitoring the prevention and response to sexual misconduct in our community.

Anonymous disclosures of sexual misconduct can be made via email to Vice Chancellor and President or Director of Human Resource. The ability for the University to provide support, ensure safety or take any action, will be limited, however.

Making a complaint

A complaint is a formal process that means you wish action to be taken against the alleged perpetrator.

It is the choice of the complainant whether they make a complaint to the University about sexual misconduct. Complaints can be made to the Human Resources Department.

The University Behaviour Procedure sets out the process that applies to complaints of sexual misconduct.

Allegations of sexual misconduct against a university community member will be investigated and action will be taken in accordance with the University Behaviour Procedure.



The University is only able to investigate whether a person has engaged in sexual misconduct in breach of this policy. We will not investigate or determine whether a civil wrong in the case of sexual harassment, or a criminal act, in the case of sexual assault, has occurred. These matters can only be determined by an external process.

The University will determine whether on the balance of probabilities, the community member has breached this policy, that is, the inappropriate behaviour more likely than not did occur.

Report to police or external agency

A complainant or witness to sexual assault are encouraged to report the matter to the police. Sexual assault is a crime.

Parallel proceedings

Where a matter has been reported to police or an external agency and is undergoing a criminal investigation or other process, the University will exercise its discretion as to whether to not to proceed with their own investigation or may suspend an investigation, seeking advice from police or external agency as appropriate.

Where an investigation is suspended, appropriate support and guidance will continue to be provided to the complainant. Where necessary, the University will also put in place safe arrangements, ensuring the safety and wellbeing of our community members.

Following the conclusion of a police or other investigation and/or a criminal justice process, the University may choose to conduct an investigation in accordance with the University Behaviour Procedure.

Sexual misconduct involving third parties

Generally, we are unable to conduct investigations into sexual misconduct involving alleged perpetrators outside the University community.

Regardless of whether the University can undertake an investigation, University community members are encouraged to utilise support services, and guidance on reporting options, including police, can be provided.

7. OTHER MATTERS

Seeking assistance or raising a concern or complaint

University community members who believe they have experienced or witnessed behaviour that is inconsistent with the expected behaviour set out in this policy, or those behaviours which are not tolerated, are encouraged to make a report to the Human Resources Department.



Human Resources Officers are also available to assist community members with behavioral concerns.

The University Behaviour Procedure sets out the process for raising a concern or making a complaint about a University community member who exhibits or engages in inappropriate behaviour.

Wherever possible, we will focus on a restorative process to realign behaviours, or in more serious cases, “make safe” arrangements will be the priority and immediate action may be necessary.

External reporting

University community members may also report incidents or make a complaint to an external agency, as set out in the University Behaviour Procedure.

Impact upon study or work performance

Where a University community member has been impacted directly from inappropriate behaviour (for example if they are a complainant of sexual assault or bullying), they may ask the University to take this into consideration in respect to their study or work performance and expectations. Any concessions or adjustments will be at the discretion of the University.

Performance under this policy

The University will periodically report incidents of inappropriate behaviour under this policy to management and to University Council.

This information, which will be de-identified, will assist in measuring our performance in maintaining our University community values and will support continuous improvement initiatives.

8. RESPONSIBILITIES UNDER THIS POLICY

University community members

Familiarise themselves with the terms of this policy
Understand, support and act in accordance with the positive behaviours outlined in this policy
Not engage in behaviour or conduct in breach of this policy
Report incidents of inappropriate behaviour to the Safe and Fair Community Unit
Support other community members who have experienced inappropriate behaviour
Speak up when you witness or experience inappropriate behaviour when it is safe to do so



**BRITISH
UNIVERSITY
VIETNAM
BUV**

**HUMAN RESOURCE
DEPARTMENT**

**UNIVERSITY BEHAVIOUR
POLICY**

Doc. Ref. : BUVHR-082020-A
Approved by: Ray Daniel Gordon
Approved Date: 1 Apr 2021
Effective Date: 1 Apr 2021
Revision No :

Human Resources Department	Receive reports of inappropriate behaviour from the University community and members of the public Triage and assess the nature of the incident, concern or complaint and decide the next course of action Engage with relevant personnel at the University for assistance in a matter Provide support and guidance to the University community on matters of inappropriate behaviour
Human Resources Officers	Provide support and guidance to University community members who have experienced or witnessed inappropriate behaviour

9. SUPPORTING DOCUMENTATION

BUV Statement of Values
University Behaviour Procedure
Conflict of Interest Policy
Confidential Undertaking Policy

10. DEFINITIONS

Protected attribute includes:

race;
age;
sexual orientation or lawful sexual activity;
gender, gender identity, intersex;
marital or relationship status;
pregnancy or breastfeeding;
parental status or family responsibilities;
disability;
political belief, affiliation or activity;
religious belief, affiliation or activity;
irrelevant criminal or medical record;
and association with a person who has, or is believed to have, any of these attributes.

Student means a person who:

has been admitted as a student of the University but who has not yet enrolled in any program or unit of study or research;
is enrolled in a unit of study or research provided by the University;
is enrolled in a course of study but is not actively enrolled in a unit of study or research and has not sought a leave of absence nor has withdrawn;
is enrolled in a program or unit of study or research at or offered by an educational institution affiliated with the University which is approved as an award program or a unit of study or research by the University;
has completed a program or unit of study or research at the University but has not yet been awarded the applicable academic award;
is on leave of absence from or who has deferred enrolment in a program or unit of study or research offered by the University or by an affiliated educational institution which is approved as an award program or unit of study or research by the University;
and
was a student at the time of any alleged inappropriate behaviour.

