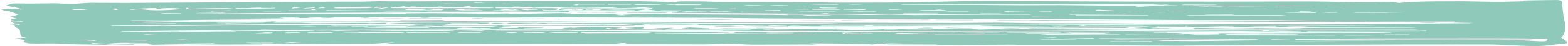
June 2024

Submission in response to the National Higher Education Code to Prevent and Respond to Gender-based Violence Issues Paper



Our Watch

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# Acknowledgement of Country

Our Watch acknowledges the Traditional Owners of the land across Australia on which we work and live. We pay respects to Elders past and present and recognise the continuing connection Aboriginal and Torres Strait Islander people have to land, culture, knowledge and language for over 65,000 years.

As a non-Indigenous organisation, Our Watch understands that violence against Aboriginal and Torres Strait Islander women and children is not an ‘Aboriginal and Torres Strait Islander problem.’ As highlighted in Our Watch’s national resource Changing the picture, there is an intersection between racism, sexism and violence against Aboriginal and Torres Strait Islander women.

Our Watch has an ongoing commitment to the prevention of violence against Aboriginal and Torres Strait Islander women and children, who continue to experience violence at a significantly higher rate than non-Indigenous women. We acknowledge all Aboriginal and Torres Strait Islander people who continue to lead the work of sharing knowledge with non-Indigenous people and relentlessly advocate for an equitable, violence-free future in Australia.

# About Our Watch

[Our Watch](https://www.ourwatch.org.au/) is a national leader in the primary prevention of violence against women and their children in Australia. We are an independent, not for profit organisation established by the Commonwealth and Victorian Governments in 2013. All Australian governments are members of Our Watch.

Our vision is an Australia where women and their children live free from all forms of violence. We aim to drive nation-wide change in the culture, behaviours, attitudes and social structures that drive violence against women. Guided by our ground-breaking national frameworks, [*Change the story*](https://www.ourwatch.org.au/resource/change-the-story-a-shared-framework-for-the-primary-prevention-of-violence-against-women-in-australia)(2nd ed 2021)[[1]](#endnote-2), *Changing the picture* (2018)[[2]](#endnote-3) and *Changing the landscape* (2022),[[3]](#endnote-4) we work at all levels of our society to address the deeply entrenched, underlying drivers of violence against women. We work with governments, practitioners, and the community, at all levels of Australian society, to address these drivers of violence in all settings where people live, learn, work, and socialise.

# Our work in higher education settings

As one of the five big reach settings identified in *Change the Story*, primary prevention in higher education represents a key activity area for Our Watch under the [*National Plan to End Violence Against Women and Children 2022-2032*](https://www.dss.gov.au/sites/default/files/documents/11_2022/national_plan_to_end_violence_against_women_and_children_2022-2032.pdf) (National Plan).

The Commonwealth Government has funded Our Watch under the National Plan to undertake prevention work in universities over the life of the First Action Plan as part of the National Plan. Our Watch is currently connected with 34 universities and 5 TAFEs nationally to support implementation, providing tailored expert advice and facilitating capacity development and engagement activities, such as communities of practice. Future work will see expanded engagement with universities and TAFEs and scaling up prevention activity and learning options in tertiary education, including through the implementation of [*Educating for Equality*](https://media-cdn.ourwatch.org.au/wp-content/uploads/sites/2/2021/03/03162916/1.1-Educating-for-Equality.pdf)*,* [*Respect and Equality in TAFE*](https://tertiaryeducation.ourwatch.org.au) and [*Upskilling Pre-service Professionals*](https://tertiaryeducation.ourwatch.org.au/resource/upskilling-pre-service-professionals-to-support-the-prevention-of-gender-based-violence-an-overview/).

Our Watch has also engaged in a 5-year partnership with Victoria University that aims to test and learn from implementation of [*Educating for Equality*](https://www.ourwatch.org.au/universities/resources/educating-for-equality) and [*Respect and Equality in TAFE*](https://media-cdn.ourwatch.org.au/wp-content/uploads/sites/2/2021/06/30104804/Respect-and-Equality-in-TAFE-National-Guide.pdf) in Victoria University as a dual sector institution. The partnership activity operates learning, teaching, research and workplace functions of the university and be undertaken as a shared and intersectional approach to preventing gender-based violence. It models the ability of dual institutions to implement whole of institution approach to primary prevention as mapped out in Educating for Equality.

The Commonwealth Government has also funded Our Watch to undertake prevention work in TAFEs over the life of the current action plan as part of the National Plan. Our Watch are currently engaged with 5 TAFEs in the ACT, NT, SA, and Tasmania, to test the [*Respect and Equality in TAFE framework*](https://media-cdn.ourwatch.org.au/wp-content/uploads/sites/2/2021/06/30104804/Respect-and-Equality-in-TAFE-National-Guide.pdf) in new jurisdictions. Our Watch will broaden to a national focus once this phase of testing and implementation has completed in December 2024.

Our Watch CEO Patty Kinnersly was appointed in August 2024 as Expert Adviser to the Commonwealth-led Universities Accord governance Working Group on the development of the Action Plan to Prevent Gender-Based Violence in Higher Education. Our Watch has been engaging regularly with the Department of Education on the development and rollout of the recommendations under the Action Plan, including provision of advice on prevention related aspects of the Action Plan and National Higher Education Code to Prevent and Respond to Gender Based Violence.

Claire Tatyzo (Manager Prevention Implementation – University & TAFE) and Cara Gleeson (Director Our Watch Institute and Prevention in Action) are members of the National Higher Education Code Expert Reference Group.

# Executive summary

Our Watch commends the Australian Governments’ commitment to ensuring higher education and student accommodation providers are accountable for addressing gender-based violence so they can provide safe and thriving education, work and residential environments.

We welcome the opportunity to provide this submission in response to the [National Higher Education Code to Prevent and Respond to Gender-based Violence](https://www.education.gov.au/action-plan-addressing-genderbased-violence-higher-education/resources/national-higher-education-code-prevent-and-respond-genderbased-violence-issues-paper) Issues Paper released by the Australian Government. In line with Our Watch’s expertise and evidenced-based frameworks, this submission addresses consultation questions one, three, four, seven and ten from the Issues Paper, grounding responses in the primary prevention of violence against women and their children.

Our Watch commends the ambition of the National Code and the preceding Action Plan. We recognise that Educating for Equality offers a great base for the conceptual modelling of how a whole of institution approach can be implemented across all Higher Education institutions to address the preventative elements of the Code.

Our Watch supports the Department of Education’s (Department) definition of gender-based violence and its current framing with regards to men’s violence against women. There is an opportunity to strengthen the definition through greater reference to *what* drives this violence and *why* it disproportionately impacts some people more than others. Our Watch recommends the inclusion of the gendered drivers of violence and reference to intersectional forms of inequality and discrimination that interact with the drivers, particularly in relation to LGBTIQ+ people. This contextualisation will help to ensure that all action taken towards achieving compliance with the National Code is aligned with the evidence base to prevent gender-based violence.

The submission explores how the domains of Educating for Equality’s whole-of-university model align with the proposed standards in the Issues Paper. Whilst there is strong alignment, there are opportunities to strengthen alignment in the areas of student life and culture, research and teaching and learning. The submission provides a rationale for expanding the standards to incorporate these domains and provides suggestions for additional requirements for inclusion under each of the existing standards explored in the Issues Paper.

Whole-of-organisation approaches to preventing gender-based violence require a complex and transformative change process. The demands of coordinating a whole-of-university program of work are significant and will require commitments of time and resources as well as a significant and coordinated capability uplift across the university. To support implementation and ongoing compliance with the National Code, consideration will need to be given to resourcing, workforce development and the quality and safety of support from external providers to support capability building. This should include the recruitment of, upskilling of or engagement with, people and organisations with technical expertise in the primary prevention of gender-based violence, as well as specialist organisations to support the recovery, response and early intervention elements of the Code.

Our Watch would value the opportunity to provide further advice in relation to the issues outlined in this submission. Please contact Director Our Watch Institute and Prevention in Action, Cara Gleeson at cara.gleeson@ourwatch.org.au.

## *****Key recommendations*****

Our Watch recommends that the Department of Education:

1. Incorporate a definition and explanation of primary prevention in the National Code, or supporting guidance documents, including by:

* articulating an explanatory model for gender-based violence that explicitly references the gendered drivers of gender-based violence;
* linking the proposed whole of organisation approach to the evidence-base for primary prevention including by outlining a clear definition of a whole of organisation approach as it pertains to prevention as well as response; and
* naming the intersecting forms of inequality and discrimination that intersect with the gendered drivers to influence the prevalence, dynamics and severity of violence for some groups of people.

1. Strengthen the articulation of the whole of institution approach and what is entailed to meet the primary prevention elements, including but not limited to:

* Defining the relationship of the Code to the whole of institution – i.e. dual institutions, adjacent operations, affiliated entities and clubs etc.
* Covering all domains as listed in Educating for Equality – student life and culture, teaching and learning, workplace, research & business and operations.
* Capability building across leadership, all business areas and for academic staff through education and training.
* Establishing an enabling environment for this work to be understood, supported and delivered through internal and external communication planning.
* A focus on strategy and planning – including gender equality plans.
* Alignment across all policies and procedures that enable and promote more equitable working conditions and guide how universities operate and engage within the university and with the broader community.

1. Include the following additional requirements under their respective Standard:

* A requirement for providers to align their actions to comply with the Code to the National Plan to End Violence Against Women 2022-2032, Positive Duty legislation to prevent sexual harassment, as well as Occupational Health and Safety legislation related to the prevention of psychosocial harm.
* A requirement that ensures gender equality is central to how universities operate and engage within the university and with the broader community.
* A requirement to establish partnerships with local specialist women's, LGBTIQ+ and Aboriginal and Torres Strait Islander organisations and services to support a whole-of-organisational approach.
* A requirement for providers to develop of a whole-of-university Communications Strategy to inform and guide both internal and external communications about gender equality and the prevention of gender-based violence.
* A requirement for meaningful student participation in decision-making through governance and leadership structures.
* A requirement to adopt an intersectional approach across compliance activities, particularly through evidenced-based education and training.
* A requirement to develop an Outcomes Framework and Monitoring and Evaluation Plan to track progress and demonstrate impact.

1. Support primary prevention workforce development to meet demand for prevention activity as higher education providers work toward compliance with the National Code, including capability frameworks, guidance so that primary prevention roles across have consistent standards of quality, skill, coordination and safety.
2. Support the establishment of mechanisms for higher education providers to engage with organisations with specialist expertise that have controls around quality, safety, evidence base and consistency in delivery, such as partnerships.

# Consultation questions

## 1. For the purposes of defining gender-based violence in the context of the National Code and as part of associated compliance activities, what are key considerations for the Department?

Our Watch commends the Department’s definition of gender-based violence and its current framing with regards to men’s violence against women. There is an opportunity to strengthen the definition through greater reference to *what* drives this violence and *why* it disproportionately impacts some people more than others.

Our Watch recommends the inclusion of the gendered drivers of violence of women and reference to intersectional forms of inequality and discrimination, particularly in relation to LGBTIQ+ people.

As outlined in *Change the story*, the national evidence-based framework for prevention of violence against women, there are four gendered drivers of violence that most consistently predict violence at a population level and explain its gendered patterns.

The gendered drivers of violence include:

* Driver 1: Condoning of violence against women.
* Driver 2: Men’s control of decision-making and limits to women’s independence in public and private life.
* Driver 3: Rigid gender stereotyping and dominant forms of masculinity.
* Driver 4: Male peer relations and cultures of masculinity that emphasise aggression, dominance, and control.

In addition to the gendered drivers of violence, intersecting forms of inequality and discrimination, such as sexism, racism, colonisation, classism, heteronormativity, cis-normativity, homo-, bi- and transphobia, ableism and ageism and their corresponding systems of power and privilege, mean that for some groups of people, experiences of gender-based violence is often disproportionate and severe.[[4]](#endnote-5)

In the context of universities, *Educating for Equality* identifies the intersecting drivers of violence against LGBTIQ+ people - heteronormativity, cis-normativity, homo-, bi- and transphobia - as a priority area to address with the 2016 national student survey reporting that students who identified as bisexual or asexual were nearly three times as likely as heterosexual students to experience sexual assault[[5]](#endnote-6).

As part of establishing the context of why a National Code in Higher Education is needed, it is important gender-based violence is defined not just in relation to its impact but also in relation to the ways it can be prevented. This can be achieved through the inclusion of a definition and explanation of primary prevention.

As outlined in *Change the story*, primary prevention means stopping violence before it starts by addressing its underlying drivers. This requires changing the social conditions that give rise to this violence; reforming institutions and systems that excuse, justify or even promote such violence; and shifting the power imbalances and social norms, structures and practices that drive and normalise it.[[6]](#endnote-7)

Unlike work that responds to violence after it occurs or takes a regulatory or compliance approach, a primary prevention approach requires whole-of-population engagement and social and cultural change at multiple levels – individual, relationship, institutional, and societal.

Evidence from other fields suggests that multi-level, ecological interventions will have a greater impact on attitudes, behaviours, and social norms. A whole-of-institution approach, or whole-of-organisation approach as referred to in the National Code, is critical to the effectiveness of violence prevention education, as it:

* addresses the context and culture in which students and staff study, work, and live, in order to foster a safe and supportive environment;
* gives multiple exposures to key messages;
* engages all relevant stakeholders;
* works across the diverse settings and levels of the institution, which is necessary to effect cultural change; and
* addresses the practices, policies and processes in classrooms, departments, faculties, and services relevant to building non-violent universities.[[7]](#endnote-8)

Greater reference to primary prevention is important in contextualising why the National Code is such a critical piece of work for the higher education sector and why the proposed whole-of-organisation approach is considered best practice. It will also help ensure that all action taken towards achieving compliance with the National Code is aligned with the evidence base to prevent gender-based violence including ensuring that prevention efforts specifically address expressions of the gendered drivers of gender-based violence, the social context of gender and other inequalities, and the reinforcing factors outlined in *Change the story* within higher education settings.

**Recommendation:**

Our Watch recommends that the Department:

1. Incorporate a definition and explanation of primary prevention in the National Code, or supporting guidance documents, including by:

* articulating an explanatory model for gender-based violence that explicitly references the gendered drivers of gender-based violence;
* linking the proposed whole of organisation approach to the evidence-base for primary prevention including by outlining a clear definition of a whole of organisation approach as it pertains to prevention as well as response; and
* naming the intersecting forms of inequality and discrimination that intersect with the gendered drivers to influence the prevalence, dynamics and severity of violence for some groups of people.

## 3. Do the potential Standards cover all aspects of a ‘whole-of-organisation’ approach and what is necessary to protect and promote the safety of students and staff? Are there other standards to include? Please detail and why.

### Application of the National Code

The Issues Paper states all higher education providers registered by the Tertiary Education Quality and Standards Agency (TEQSA) will be required to comply with the National Code. Our Watch encourages further clarity on how the National Code may apply to:

* Dual sector institutions (*institutions that deliver courses from both the VET and higher education sectors)* and;
* TAFEs who offer higher education courses that may not generally be perceived as higher education providers but are technically registered as such with TEQSA.
* Entities connected to higher education providers but not registered with TEQSA such as affiliated entities, student unions and student clubs and societies

It is important that these institutions are clear about their obligations so that they can plan accordingly. In line with best practice whole-of-setting approaches to primary prevention Our Watch’s view is that the National Code should apply to all parts of an institution and thus would caution against a determination that would place obligations on some parts of an institution and not others.

***The whole of setting approach***

*Change the story* tells us that we need to work across all areas of an institution to make lasting change to reduce gender-based violence. All efforts undertaken by higher education institutions need to sit within a broader, institution-wide strategy that addresses the drivers of gender-based violence.

Our Watch has developed a number of ‘whole of setting’ frameworks to support primary prevention in higher education settings. A whole-of-setting approach recognises that higher education institutions are workplaces, places of teaching, learning and research, and spaces where people live and engage in social activities is best practice in preventing gender-based violence. A ‘whole-of setting’ model extends beyond initiatives that target individual level change to assess the gendered norms, practices and structures of the institution as a whole. As a result, Our Watch supports the proposed best-practice whole-of-organisation approach to the National Code.

***Embedding intersectionality***

Just as an intersectional analysis of gender-based violence is critical (as highlighted above), so too is an intersectional approach to preventing this violence. In the context of the National Code, this means taking account of the diversity of people’s needs and experiences and explicitly seeking to address the multiple intersecting systems of discrimination and inequality, power and privilege that shape the social context in which violence occurs. For example, by ensuring all training that discusses the drivers of violence against women, also embeds discussions about addressing racism, colonisation, classism, heteronormativity, cis-normativity, homo-, bi- and transphobia, ableism and ageism.

### Educating for Equality

[*Educating for Equality*](https://media-cdn.ourwatch.org.au/wp-content/uploads/sites/2/2021/03/03162916/1.1-Educating-for-Equality.pdf) aims to provide universities with a whole-of-university approach that can help guide, support and build upon existing work to promote gender equality and prevent gender-based violence.

Developed in collaboration with Universities Australia, and launched in 2021, *Educating for Equality* is the first of its kind in the world. The whole of university approach includes research staff, professional staff, administrators, contractors, colleges and other accommodation providers, clubs and societies, and business partners. This whole-of-university approach aims to:

* draw together the entire university community in a joint commitment to the prevention of gender-based violence
* support a primary prevention approach in universities that is holistic and underpinned by a long-term strategy and sector coordination
* highlight the role everyone within a university has to play in creating a culture where rigid gender stereotypes are challenged, gender-based discrimination is unacceptable and gender equality is actively promoted and modelled
* provide practical tools and resources to support universities.

A diagram of a key lever

Description automatically generated

Figure 1: Whole-of-university model for the prevention of gender-based violence

A whole-of-setting/sector approach to the prevention of gender-based violence means that efforts to address the gendered drivers must:

* include policy, practice and structural change within the setting and be complemented by the wider policy, regulatory or legislative change that will support and increase the effectiveness of settings-based work;
* involve all those who engage with the setting, including leadership, staff, volunteers, the audience the setting serves, and those outside the setting who provide it with services or support;
* consider the levers or mechanisms that can support and enable and systematise prevention activity across the setting or sector, beyond those that exist in individual organisations.

Educating for Equality takes a whole-of-university approach to preventing gender-based violence, because evidence tells us that we need to work across all areas of an institution to make lasting change. It is not enough to address complex issues such as gender-based violence with one activity. All efforts undertaken by universities need to sit within a broader, institution-wide strategy that addresses the drivers of gender-based violence. Our whole-of-university model recognises that universities are workplaces, places of teaching, learning and research, and spaces where people live and engage in social activities. The model assesses who holds leadership and support roles in the university and examines the gendered norms, practices and structures of the university as a whole.

Educating for Equality outlines the domains where universities can create change:

* Student life
* Teaching and learning
* Workplace
* Research
* Business and operations

These are influenced by key levers (values and behaviours, structures and policies, culture and norms). Domains are the ‘where’ and the levers are the ‘how’. A mapping of the domains of the whole-of-university model against the proposed standards shows strong alignment, however there are opportunities to strengthen alignment in the ***Evidence-based education and training*** and ***Effective organisational and polices and practice*** standardsso that they cover all aspects of a whole of organisation approach.

**Student life and culture**

The environments in which student’s study, work, socialise and live influence their attitudes towards gender-based violence, harassment and discrimination – what is seen as ‘acceptable’ behaviour for men, women, non-binary and gender diverse people. In turn, these attitudes and beliefs influence the environment in which gender-based violence occurs, both within the university itself and in the workplaces and communities that students are part of outside the university. As a result, Our Watch believe there is an opportunity to have a standard that focuses on student life and culture.

In addition to considering colleges, residences and accommodation providers (which are addressed in the ‘safe student accommodation’ standard), the ‘*Student life and culture*’ domain from Educating for Equality asks universities to consider student clubs and societies, university sports organisations, extra-curricular and social activities, study abroad/mobility opportunities and campus and building facilities and physical safety measures.

Prevention activity in this domain has significant potential to influence student norms, attitudes and behaviours. Our Watch acknowledge that a standard relating to student life and culture will likely overlap with the ‘*Effective organisational policies and practice’* standard which will include policies that oversee elements of student life however there are components that fall outside of policies and practice.

**Research**

Prevention activity in this domain recognises that addressing unconscious and structural biases in funding, decision-making and research programs can enhance women’s and LGBTIQ+ people’s representation and retention at all levels of their academic careers. Further, promoting a gendered analysis of research content can also advance gender equality across academic fields. This domain therefore also involves supporting research and evaluation on violence in order to contribute to a growing evidence base for effective prevention practice. This domain asks universities to consider:

* gender bias in internally and externally funded research programs and projects
* gender and power imbalances experiences for higher degree by research students
* gendered experiences of early, mid-career and established researchers
* research networks and centres and their focus (or lack of) on the prevention of gender-based violence
* experiences of visiting scholars and the contexts in which opportunities are granted.

There is also a need to consider how the National Code might apply to affiliated entities, such as a research institutes who host students teaching staff but may have their own governance. Even if such entities are not technically required to demonstrate compliance, there may be ways to stipulate that affiliated entities align with university policies and practice around gender equality and prevention of gender-based violence within the organisational policies and practice standard, for example through contract and partnerships agreements.

**Teaching & Learning**

In addition to the standard on education and training which focuses on the requirement for providers to build staff and student’s understanding of and capacity to address gender-based violence across the institution, there are opportunities to influence students’ understanding of respect, gender, power and consent through the curriculum that is delivered and the environment in which they learn. This can be achieved by focusing broadly on integrating a gender, gender equality and gender-based violence lens into all teaching and learning.

Gender equality can be reinforced and modelled – formally and informally – across the university if academic staff have the knowledge, capacity and support to analyse curriculum for gender bias and consider the ways they can address the drivers of gender-based violence through their teaching. All staff can model respect for all students and challenge sexism and discrimination. The *teaching and learning* domain from Educating for Equality asks universities to consider ways to embed prevention into award and non-award courses on offer, subjects/units on offer, curriculum, pedagogy, and work integrated learning – placements (clinical and non-clinical) and projects.

Through applying a gender lens to their teaching practice, academics can help to build a culture where gender stereotypes are challenged, gender discrimination is unacceptable, and gender equality is actively promoted and modelled. Professional learning on this topic can help them reflect not only on their role as educators but also their behaviours as colleagues and citizens. Therefore, a teaching and learning approach to primary prevention doesn’t just focus on a curriculum that teaches about gendered power relations, but also gives staff the opportunity to model for students what a fair and equitable workplace looks like.

It is important that educators delivering any content about primary prevention are confident to deliver the content, facilitate discussions and respond to questions and possible resistance or backlash. Student feedback indicates they are more likely to engage and take on board information about gender-based violence when they see an educator who is perceived as knowledgeable in the content area modelling appropriate behaviour. Teaching academics in each specific discipline, school or faculty will need training about the prevention of gender-based violence so they can conduct a review of their curriculum and teaching content. They can then identify the most appropriate areas for incorporating content about the prevention of gender-based violence, along with the most effective approaches. This will help create a shared understanding of what to address and key steps to take, and make sure that everyone is equipped to respond to questions, concerns and feedback from students, staff and other stakeholders.

**Upskilling Pre-Service Professionals resources:**

Upskilling Pre-Service Professionals (UPP) is a suite of resources developed by Our Watch in consultation with university academics across multiple disciplines, and under funding from the Department of Social Services.

UPP aims to build the capacity of teaching and learning staff to equip university students with knowledge and skills relating to the prevention of violence against women, and to build students capacity to integrate this knowledge into their professional practice. UPP tools include educator guides, mapping tools and teaching resources.

**Recommendation**

Our Watch recommends that the Department:

1. Strengthen the articulation of the whole of institution approach and what is entailed to meet the primary prevention elements, including but not limited to:

* Define the relationship of the code to the whole of institution – i.e. dual institution, adject operations, affiliated entities and clubs etc.
* Covering all domains as listed in Educating for Equality – student life, teaching and learning, workplace, research & business and operations.
* Capability building across leadership, all business areas and for academic staff through education and training.
* A focus on strategy and planning – including gender equality plans.
* Intersectionality.
* Establishing an enabling environment for this work to be understood, supported and delivered through internal and external communication planning.
* Alignment across all policies and procedures that enable and promote more equitable working conditions and guide how universities operate and engage within the university and with the broader community.

## 4. What additional requirements should be included for each Standard? Please detail for each standard and why?

The current Standards suggested in the Issues Paper are highly comprehensive and provide a strong foundation for primary prevention in Higher Education. Our Watch commends the Standards alignment to existing models such as Our Watch’s Educating for Equality.

There is an opportunity to strengthen the application of the Standards through the following additional requirements:

* **1. Accountable governance and leadership**

Our Watch commends the inclusion of governance and leadership as a Standard and recognition that real change can only be achieved through governing bodies and leaders taking action across all aspects of the organisation. There is an opportunity to strengthen this Standard through a clear delineation between the responsibilities of governance and of leadership respectively, and through requirements for meaningful student participation in decision-making through governance and leadership structures. This could take the form of standardising student representation on governance committees making decisions on prevention activities, ensuring students with lived experience have opportunities to participate and provide regular input, and ensuring continual feedback loops and adequate remuneration, training and support for students to enable effective and accessible involvement.

Further, Our Watch recommends a greater focus on communication, both externally and internally, to ensure leaders are clear on their expectations and actively and consciously support and model gender equality and the prevention of gender-based violence. This will also require building the skills, knowledge and confidence of leadership to undertake this work.

Communication to support the prevention of violence can come in many forms:

* Promoting gender equality and challenging rigid stereotypes in communications, both internally and externally
* Developing social marketing campaigns or educational resources that promote positive social norm and attitude changes
* Proactively using opportunities to advocate for and promote gender equality
* Ensuring students have the opportunity to co-design social marketing and violence prevention campaigns.[[8]](#endnote-9)

The development of a whole-of-university Communications Strategy to inform and guide both internal and external communications about gender equality and the prevention of gender-based violence would help support a coordinated and consistent approach, and demonstrate support from the top down.

Clear and consistent communications and messaging work alongside policies and programs can drive positive change in people’s attitudes, behaviours and norms towards violence and gender equality. Consistent communications also fosters a culture where staff and students feel condiment to speak up if they see or hear sexism, harassment, discrimination or violence.

* **2. Effective organisational policies and practice**

Our Watch recommends the inclusion of policies that do not only respond to gender-based violence or ensure performance, compliance, and accountability, but also enable and promote more equitable working conditions. This includes policies related to flexible work, recruitment, retention, promotion and ensuring working arrangements to support staff with family and caring responsibilities as well as the active promotion of their use by staff of all genders.[[9]](#endnote-10) This is critical, as noted by Workplace Gender Equality Agency (WGEA) in their Gender Equality Indicators, to supporting equal workforce participation and equal caring responsibilities.[[10]](#endnote-11)

Organisational policies and practice related to primary prevention should also consider ways to set clear expectations for staff behaviour, to enable equitable and respectful workplace cultures where staff are empowered to speak up when they witness inequality or discrimination, including sexism and sexual harassment. Our Watch supports stronger linkages between this standard and the National Plan to End Violence Against Women 2022-2032, Positive Duty legislation to prevent sexual harassment, as well as Occupational Health and Safety legislation related to the prevention of psychosocial harm.

As articulated in the ‘Business and Operations’ domain in Educating for Equality, there is an opportunity for higher education providers to influence their broader communities by showing leadership on gender equality and prevention. This includes setting clear expectations and providing training and education for industry partners, affiliate organisations and contractors, particularly those who operate on campus or engage with students (e.g. security and facilities services). Our Watch recommends including a requirement that ensures gender equality is central to how universities operate and engage within the university and with the broader community. This includes applying a gender equality and safety lens across a range of domains including the physical and built environment and campus facilities, strategic partnerships, suppliers and external contractors, industries and employers providing integrated learning for students, transport providers, community organisations and external marketing and communications.[[11]](#endnote-12)

* **3. Trauma-informed, safety-first procedures**

In addition to the existing requirements, Our Watch recommends the inclusion of an action to establish partnerships with local specialist women’s, LGBTIQ+ and Aboriginal and Torres Strait Islander organisations and services. This action aligns and strengthens the existing requirement in the National Code, to ‘provide information regarding access to services and support for all parties, including to counsellors and behaviour change programs.’ It is important noting that as awareness of gender-based violence increases and primary prevention programming improves, evidence suggests that in the short to medium term people who are experiencing violence will be more likely to seek help from formal services.[[12]](#endnote-13) Informed by the experience of victim-survivors, specialist organisations and services have the knowledge, expertise and experience working with and supporting a range of communities and are a critical element to taking a whole-of-university approach.

From a prevention perspective, it is also critical that it is not only frontline staff who receive training and education on trauma-informed approaches, and that this should be extended to staff and student leaders across all areas of the university, for example teaching staff, human resources and legal and compliance staff, and at the Dean and Director level.

It is also important that staff as well as students are considered in measures to ensure trauma-informed, safety-first procedures, including best practice staff policies and practices for reporting and investigations that are victim-centred and trauma informed.

* **4. Evidence-based education and training**

To meet the ambition of the Code, there will need to be a significant capability build across many areas of the university to have the adequate skills, knowledge and confidence to enact the Code in their roles and embed it as core business.

We recommend strengthening the articulation of this need - whether it’s through a whole of institution capability building strategy or something similar. Guidance could be provided from the Unit about how this could be done.

Our Watch has observed from similar large-scale implementations of primary prevention and/or gender and other equality initiatives, education and training on responding, recovery, early intervention and primary prevention is highly nuanced and requires skilled and specialist trainers and facilitators.

Consideration needs to be placed on cadence of training and education, prioritising leadership first and then key areas of universities, the safety measures in place for delivery, the scaffolding of complexity of learning outcomes and ensuring intersectional content is embedded throughout.

While there is a place for mixed modality including online modules, it cannot be the sole means of delivering this education and training. Our Watch has experience at designing capability uplifts in different types of organisations in recent years, including in partnership with Victoria University and invite opportunities to further support how this is articulated in the National Codes.

In relation to the reference in the Issues Paper to *respectful relationships education*, and student learnings through education and training the term respectful relationships education has been and continues to be widely used in the space of relationships and young people, for example through sporting clubs and community groups. However, the term is commonly centred solely on schools and in relation to Our Watch’s evidence base, it is used specifically to refer to a whole-of-school model. To avoid confusion and make a clearer distinction between settings, it would be better for the National Code to refer to preventing gender-based violence education, which might include content about healthy relationships, consent, gender roles and stereotypes and the gendered drivers of violence. An articulation of learning outcomes rather than naming a specific type of education or training package, and its mode of delivery might assist in how this can be realistically delivered across Higher Education.

Finally, there are a number of important considerations in relation to proposed requirement to deliver evidence-based prevention and response education and training to students. Our Watch believe to be most effective the education and training provided to students should:

* Be offered to all students, not just first year students.
* Cater to the needs and experiences of a diverse student body including mature aged students.
* Be recurring and not one off, for example annually.
* Where possible be provided face-to-face, or a hybrid model.
* Be consistent across higher education providers in its content, structure and delivery method.
* Include evaluation that collects data beyond participation numbers to measure impact including any changes in student awareness, knowledge or attitudes.
* Include opportunities for student feedback for continuous improvement.
* **5. Expert and timely support services**

In building on the recommendation under ‘Standard 3. Trauma-informed, safety-first procedures’, Our Watch notes that partnerships with women’s organisations, specialist services and community-controlled organisations who are working on women’s health, domestic/ family violence and sexual assault will ensure that prevention efforts are informed by a well-developed understanding of the complex dynamics of violence against women, gender and other social inequalities, and draw on existing prevention expertise.[[13]](#endnote-14)

These partnerships will also ensure effective referral pathways for local staff and students needing support, particularly when university-based or National or state-based services are not appropriate.

* **6. Transparent data and reporting**

Monitoring and reporting on progress towards preventing violence and advancing gender equality in higher education will contribute to providing important transparency and accountability against the Code, and to students and staff.

There is value in higher education institutions being encouraged to report on indicators beyond incidents of, and responses to, gender-based violence. Our Watch suggests that the Code include a requirement for higher education institutions to develop outcomes frameworks that include distinct indicators and outcomes related to primary prevention to measure the effectiveness of prevention efforts over time. The criteria for outcome indicator selection should be measurable and relevant for the higher education context and aligned with the gendered drivers of violence outlined in *Change the story*. There is also an opportunity for the Department to create a national outcomes framework linked to the Code which would support the wide-spread collection of data to measure, monitor and report on sector-level progress resulting from the operation of the Code.

To ensure outcomes frameworks accounts for the provider’s size, student and staff profile, it is useful for higher education institutions to reflect on existing sets of data such as:

* Staff culture surveys
* Pay equity and gender composition reports
* Use of and demonstrated support for flexible working arrangements and leave including parental leave and family and domestic violence leave
* Bullying, sexual assault and sexual harassment reports
* University counselling service use and trends
* De-identified employee assistance provider reports
* Measurements of workplace productivity and employment performance review feedback

Internal data can be supplemented by relevant external research and reports, such as the Student Experience Survey, International Student Barometer, and the Australian Bureau of Statistics (ABS) Personal Safety Survey. Disaggregating data, where possible, can help higher education institutions to better understand their community – for example, differences in experiences or outcomes between people of different genders and sexualities, age groups, modes of study, indigeneity or disability. This will help ensure that the actions institutions are taking are meaningful, accessible and responsive to the experiences of the entire student and staff community.

In addition to the development of outcomes frameworks, Our Watch also recommends the development of a monitoring and evaluation plan to help demonstrate the effectiveness of prevention work, ensure accountability and credibility, provide opportunities for improvement and contribute to the evidence base on what works to prevent gender-based violence in higher education institutions.

A monitoring and evaluation plan should include outputs; short, medium and long-term outcomes; indicators and measures; and risks and assumptions that underpin all activities and actions. It should include individual evaluations of prevention activities and ongoing collection of student and staff data noting that prevention of gender-based violence requires multiple actions across all areas of society and it is difficult to attribute outcomes to any one action or activity. For example, staff reviewing curriculum materials for gender bias, a student-led campaign to promote positive male role models, and staff training on unconscious bias can lead to an improvement in individuals’ attitudes and behaviours towards gender equality, but it can be difficult to pinpoint this change to any one activity. The change may be a cumulative result of all the above. Ensuring monitoring and evaluation is a requirement within the Code will help ensure you capture measurable outcomes that can meaningfully track progress and demonstrate impact.

**Recommendations**

Our Watch recommends that the Department:

1. Include the following additional requirements under their respective Standard:

* A requirement for providers to align their actions to comply with the Code to the National Plan to End Violence Against Women 2022-2032, Positive Duty legislation to prevent sexual harassment, as well as Occupational Health and Safety legislation related to the prevention of psychosocial harm.
* A requirement that ensures gender equality is central to how universities operate and engage within the university and with the broader community.
* A requirement to establish partnerships with local specialist women's, LGBTIQ+ and Aboriginal and Torres Strait Islander organisations and services to support a whole-of-organisational approach.
* A requirement for providers to develop of a whole-of-university Communications Strategy to inform and guide both internal and external communications about gender equality and the prevention of gender-based violence.
* A requirement for providers to develop organisation wide professional learning and development strategies to ensure staff are confident in their skills and knowledge across primary prevention of gender-based violence to support university wide implementation.
* A requirement for meaningful student participation in decision-making through governance and leadership structures.
* A requirement to adopt an intersectional approach across compliance activities, particularly through evidenced-based education and training.
* A requirement to develop an Outcomes Framework and Monitoring and Evaluation Plan to track progress and demonstrate impact.

## 7. Beyond the National Code, what additional resources and materials would be required by providers to support implementation and ongoing compliance?

Whole-of-organisation approaches to preventing gender-based violence require a complex and transformative change process. The demands of coordinating a whole-of-university program of work are significant and will require commitments of time and resources from across the university. To ensure compliance with the National Code each higher education provider will likely need to a team with broad representation and decision-making authority to guide and oversee the development and implementation of a comprehensive multifaceted program of work across the university.

Many universities will have existing structures and systems they can draw upon to implement this work including staff with expertise and knowledge across more than one of the proposed standards. For example, executive leadership and human resources staff may be able to contribute to compliance with the ‘*Governance and leadership’* and *‘Effective organisational policies and practice’* standards, and student wellbeing teams may have expertise to contribute to compliance with the ‘*Trauma-informed, safety-first procedures*’ and ‘*Expert and timely support services’ standards*.

The implementation team should include staff with gender equality and violence prevention expertise. This includes technical and content experts who hold significant depth of knowledge and experience in primary prevention. Primary prevention professionals often have substantial experience in the design and delivery of prevention activities relating to strategy, programming, policy, advocacy, research, evaluation or practice. To this end, many universities would benefit from a specialist primary prevention workforce to implement whole of organisation approaches both at a strategic level, and through day-to-day implementation.

It is critical that higher education providers focus on workforce development to ensure the skills, size and coordination of the workforce within universities is needed to ensure compliance with National Code safely and effectively, and to continue to drive the reach and uptake of prevention practice, policy and research across the organisation.

In addition to recruiting or engaging a specialist workforce, there may be a need to upskill existing staff through professional development, to lead prevention work across the university. Making the prevention of gender-based violence core business of universities means prioritising and resourcing the implementation including by ensuring that staff are prepared. This includes providing professional learning, having the right resources and specialist ongoing support. Professional learning must therefore be appropriately planned and resourced to support the long-term change processes associated with whole of organisation approach.

**Recommendations**

Our Watch recommends that the Department:

1. Support primary prevention workforce development to meet demand for prevention activity as higher education providers work toward compliance with the National Code, including capability frameworks, guidance so that primary prevention roles across have consistent standards of quality, skill, coordination and safety.
2. Support the establishment of mechanisms for higher education providers to engage with organisations with specialist expertise that have controls around quality, safety, evidence base and consistency in delivery, such as partnerships.

## 10. What are examples of good practice that can be drawn on to inform the design and implementation of the National Code?

Educating for Equality aims to provide universities with a whole-of-university approach that can help guide, support and build upon existing work to promote gender equality and prevent gender-based violence.

This whole-of-university approach aims to:

* draw together the entire university community in a joint commitment to the prevention of gender-based violence
* support a primary prevention approach in universities that is holistic and underpinned by a long-term strategy and sector coordination
* highlight the role everyone within a university has to play in creating a culture where rigid gender stereotypes are challenged, gender-based discrimination is unacceptable and gender equality is actively promoted and modelled and;
* provide practical tools and resources to support universities.

Educating for Equality draws on the national and international evidence base including Change the Story – Australia’s national framework for the primary prevention of violence against women and therefore it will be a useful framework to inform the design and implementation of the National Code.

The Our Watch [website](https://www.ourwatch.org.au/universities/take-action-in-universities) includes a range of tools and resources to support every step in the Educating for Equality process, including:

* how-to guides
* strategy design and planning tools
* communications tools
* training slides and notes for engaging staff
* teaching and learning resources for engaging students.

1. Our Watch (2021). Change the story. Retrieved from: [Change the story: A shared framework for the primary prevention of violence against women in Australia (2nd ed.). (ourwatch.org.au)](https://media-cdn.ourwatch.org.au/wp-content/uploads/sites/2/2021/11/18101814/Change-the-story-Our-Watch-AA.pdf) [↑](#endnote-ref-2)
2. Our Watch (2018). Changing the picture. Retrieved from: [Changing the picture (ourwatch.org.au)](https://media-cdn.ourwatch.org.au/wp-content/uploads/sites/2/2019/11/05233003/Changing-the-picture-AA-3.pdf) [↑](#endnote-ref-3)
3. Our Watch (2022). Changing the landscape. Retrieved from: <https://media-cdn.ourwatch.org.au/wp-content/uploads/sites/2/2022/08/01135647/Changing-the-landscape-AA.pdf> [↑](#endnote-ref-4)
4. Our Watch. (2021). [*Change the story: A shared framework for the primary prevention of violence against women in Australia (2nd ed.)*](https://assets.ourwatch.org.au/assets/Key-frameworks/Change-the-story-Our-Watch-AA.pdf)*,* p. 17. [↑](#endnote-ref-5)
5. Australian Human Rights Commission (2017). Change the course: National report on sexual assault and sexual harassment at Australian universities . [↑](#endnote-ref-6)
6. Our Watch. (2021). [*Change the story: A shared framework for the primary prevention of violence against women in Australia (2nd ed.)*](https://assets.ourwatch.org.au/assets/Key-frameworks/Change-the-story-Our-Watch-AA.pdf)*, p.55.* [↑](#endnote-ref-7)
7. Our Watch, Universities Australia and Victoria State Government. (2021). [Educating for Equality: A model to address gender-based violence, and through, Australian universities](https://assets.ourwatch.org.au/assets/Unis-resources/1.1-Educating-for-Equality.pdf). [↑](#endnote-ref-8)
8. Our Watch, Universities Australia and Victoria State Government. (2021). [Educating for Equality: A model to address gender-based violence, and through, Australian universities](https://assets.ourwatch.org.au/assets/Unis-resources/1.1-Educating-for-Equality.pdf), p. 19. [↑](#endnote-ref-9)
9. Our Watch, Universities Australia and Victoria State Government. (2021). [Educating for Equality: A model to address gender-based violence, and through, Australian universities](https://assets.ourwatch.org.au/assets/Unis-resources/1.1-Educating-for-Equality.pdf), p. 12. [↑](#endnote-ref-10)
10. Workplace Gender Equality Agency, [*What are the 6 Gender Equality Indicators?*](https://www.wgea.gov.au/pay-and-gender/6-gender-equality-indicators)*,* accessed 5 June 2024. [↑](#endnote-ref-11)
11. Our Watch, Universities Australia and Victoria State Government. (2021). [Educating for Equality: A model to address gender-based violence, and through, Australian universities](https://assets.ourwatch.org.au/assets/Unis-resources/1.1-Educating-for-Equality.pdf), p. 16. [↑](#endnote-ref-12)
12. Our Watch and ANROWS. (2017). [*Counting on change: A guide to prevention monitoring*](https://assets.ourwatch.org.au/assets/Key-frameworks/Counting-on-Change_AA.pdf), p. 3. [↑](#endnote-ref-13)
13. Our Watch. (2021). [*Change the story: A shared framework for the primary prevention of violence against women in Australia (2nd ed.)*](https://assets.ourwatch.org.au/assets/Key-frameworks/Change-the-story-Our-Watch-AA.pdf)*,* p. 108. [↑](#endnote-ref-14)