



Australian Government
Department of Education

National Higher Education Code to Prevent and Respond to Gender-based Violence

Impact Analysis

September 2025





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The document must be attributed as the National Higher Education Code to Prevent and Respond to Gender-based Violence Impact Analysis.

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Executive Summary

Gender-based Violence (GBV) is a pervasive and systemic issue in Australian higher education, undermining the safety, wellbeing, and educational outcomes of students and staff. Despite existing obligations under various regulatory frameworks, evidence from national surveys, independent reviews, and stakeholder consultations reveals students and staff continue to be let down by inconsistent and inadequate institutional responses and a lack of coordinated government action. This Impact Analysis (IA) recommends the introduction of a mandatory National Higher Education National Code to Prevent and Respond to Gender-based Violence (National Code) as the preferred policy option to address these systemic failures.

The IA identifies six core elements of the policy problem: GBV is prevalent and underreported; it has significant impacts on health, wellbeing, and educational and career outcomes; it disproportionately affects women and girls experiencing intersecting forms of inequalities and discrimination; previous efforts have been reactive and under-resourced; data availability is insufficient to support accountability; and the current regulatory framework lacks the specificity and enforceability required to drive change.

To address the policy problem, this IA outlines key objectives aligned with the ***National Plan to End Violence Against Women and Children 2022-2032***, including reducing the prevalence of GBV, embedding trauma-informed and person-centred support, addressing compounded vulnerabilities, strengthening data collection, and establishing enforceable standards.

Three policy options were considered:

1. Maintaining the status quo
2. Voluntary self-regulation through an optional National Code
3. Introducing a mandatory National Code via legislation.

Option 3 is recommended as it offers the greatest net benefit relative to implementation effort. It mandates a whole-of-organisation approach across seven key domains: accountable leadership and governance; safe environments and systems; knowledge and capability-building; safety and support services; safe and timely processes; data, evidence, and impact; safe student accommodation.

The IA estimates the total costs and benefits of the National Code to be:

- Total costs over a ten-year period are \$1.2 billion, with an average annual regulatory burden of \$173.2 million.
- Total benefits over a ten-year period are \$3.5 billion, with an average annual benefit of \$533.7 million (measured against the three economy wide benefit streams - prevention of GBV, improved responses to disclosures and formal reports, and enhanced safety within higher education environments).
- Total net benefits over a ten-year period are \$2.3 billion, with an average annual net benefit of \$355.8 million.

If all three benefit streams above are realised, the National Code will have a benefit-cost ratio of 3, meaning for every \$1 spent there is a \$3 return. The break-even analysis (BEA) determines the point at which the costs and benefits of a policy intervention are equal. It is difficult to estimate specific timeframes in which the benefits of preventing and responding to GBV will occur. Instead, what the BEA analysis can reveal is that preventing just 1.2% of physical and sexual assault cases on campus (approximately 414 cases annually across 211 providers) would be sufficient to offset the National Code's implementation costs. This represents the minimum effectiveness required for the National Code to deliver net benefit based on prevention alone.

The National Code also has broader impacts and benefits including improving women's workforce participation and leadership, improved student satisfaction and retention, increased community awareness, and the ability to change social norms. The National Code will improve the higher education sector by strengthening leadership, building the national data base of GBV, embedding trauma-informed support services, and implementing inclusive practices for groups that are disproportionately affected by GBV. The estimated costs, benefits and net benefits are supported by consultations with providers, students, staff, victim-survivors of GBV, advocacy organisations, and student accommodation providers.

The IA is informed by extensive consultation with students, staff, victim-survivors, advocacy organisations, accommodation providers, and government agencies. Stakeholders overwhelmingly support mandatory regulation, citing the failure of voluntary measures to deliver meaningful change. Evaluation will be guided by a robust framework, including annual data reporting, monitoring of institutional outcomes, independent evaluations, and public reporting to Parliament.

The introduction of a mandatory National Code represents a critical step in addressing gender-based violence in higher education. It aligns with national priorities, responds to stakeholder calls for action, and establishes a consistent, enforceable framework to ensure safety, accountability, and cultural change across the sector. The Department of Education acknowledges the contributions of the individuals and organisations that have shaped the direction of this reform.

Background

On 23 February 2024, Education Ministers endorsed a coordinated national approach to driving cultural and structural reform across the higher education sector, releasing the *Action Plan Addressing Gender-based Violence in Higher Education* (the Action Plan). The Action Plan supports the *National Plan to End Violence against Women and Children 2022–2032* (National Plan), Australia’s overarching policy framework to end GBV within a generation.

The Action Plan outlines seven actions to strengthen the performance and accountability of the higher education sector (university and non-university providers), including:

1. Establishment of a National Student Ombudsman
2. Requiring all higher education providers to implement a whole-of-organisation approach to prevent and respond to GBV
3. Introducing a National Higher Education Code to Prevent and Respond to Gender-based Violence (National Code)
4. Enhanced oversight and accountability of student accommodation services providers
5. Identifying opportunities for potential legislative/regulatory reform to ensure higher education providers can prioritise victim-survivor safety
6. Increased data transparency and scrutiny of higher education providers, student accommodation providers and governments
7. Ongoing consultation, coordination and progress monitoring.

The Australian Government has taken immediate steps to implement the Action Plan, including:

- Committing \$19.4 million over two years from 2024–25 to establish a National Student Ombudsman as a permanent function of the Commonwealth Ombudsman following the passage of the legislation on 28 November 2025.
- Committing \$18.7 million over four years from 2024–25 to develop and introduce the National Code. Legislation to provide a power for the Minister of Education to make the National Code was introduced into Parliament on 6 February 2025.

The Government has implemented the first action of the Action Plan, the establishment of National Student Ombudsman. The National Student Ombudsman is an independent and impartial pathway for higher education students to escalate complaints about their higher education provider. It has been established as a new statutory function of the Commonwealth Ombudsman and is able to receive complaints about a provider’s handling of a broad range of issues, including GBV, racism, disciplinary processes, course administration, and reasonable adjustments for students with disability or special circumstances. The National Student Ombudsman began taking student complaints on 1 February 2025.

1 Chapter 1: The policy problem

1.1 The Problem: Gender-based violence in higher education

Gender-based violence (GBV) is a systemic and persistent issue that undermines the safety, wellbeing, and educational and professional outcomes of students and staff in higher education. GBV encompasses any form of physical or non-physical violence, harassment, abuse, or threats based on gender that results in or is likely to result in harm, coercion, control, fear, or the deprivation of liberty or autonomy. GBV disproportionately affects women and girls and is driven by entrenched gender inequality and intersecting forms of inequality and discrimination.

Students and staff in higher education deserve to feel safe, supported, and respected. However, national data and sector-wide surveys consistently show GBV is occurring at unacceptable rates across higher education settings, student accommodation, and affiliated environments. Despite this, institutional responses remain inconsistent and inadequate.

Higher education providers (HEPs) are uniquely positioned to influence cultural norms and shape future generations. Yet, their failure to prevent and respond effectively to GBV not only harms individuals but also undermines the sector's broader mission to foster inclusive, respectful, and safe learning and working environments.

Without coordinated, systemic action, GBV will continue to erode trust in institutions, perpetuate inequality, and undermine the higher education sector.

1.1.1 Scale and magnitude of the problem in higher education

A growing body of evidence demonstrates that GBV is occurring in higher education communities at significant rates. In 2017, the Australian Human Rights Commission (AHRC) released the *Change the Course: National Report on Sexual Assault and Sexual Harassment at Australian Universities* report. The *Change the Course* report offered the first national dataset on the prevalence of sexual harassment and assault in universities. The report found that:

- Half of all university students (51%) were sexually harassed on at least one occasion in 2016
- 6.9% of students were sexually assaulted on at least one occasion
- Women were almost twice as likely as men to have been sexually harassed in a university setting
- Women, people with disability, and gender and sexuality diverse students were disproportionately affected.¹

¹ Australian Human Rights Commission. (2017). *Change the course: National report on sexual assault and sexual harassment at Australian universities*. <https://humanrights.gov.au/our-work/sex-discrimination/publications/change-course-national-report-sexual-assault-and>

The report also identified low reporting rates and low levels of student satisfaction with university processes and support, indicating an urgent need for reform in university approaches and processes.²

Building on this report, the 2021 *National Student Safety Survey* (NSSS) provided updated data that reinforced the findings of gender-based violence is a persistent issue in higher education. The survey found similarly alarming rates of sexual violence:

- 1 in 6 students experienced sexual harassment since starting university
- 1 in 20 students experienced sexual assault since starting university
- Only 1 in 30 students who were sexually harassed made a complaint
- 1 in 2 students knew nothing or very little about the formal reporting process
- 1 in 4 impactful incidents occurred in student accommodation
- Of those students who reported sexual assault to their provider, half said they were dissatisfied by the reporting process.³

Gender-based violence also affects staff in higher education. In 2023, the National Tertiary Education Union (NTEU) conducted a survey on sexual harassment in the workplace. The results found:

- 1 in 3 participants reported experiences of sexual harassment – an increase of 53% from 2018
- 1 in 2 participants were aware of others who had been sexually harassed in their workplace
- Only 13% of those experiencing harassment made a formal complaint
- Of those who did make a formal complaint, 52% were encouraged to drop their complaints, and 44% faced negative consequences from their employers.⁴

While the data presented here is restricted to sexual assault and sexual harassment, it is important to acknowledge that these datasets represent only a portion of the broader spectrum of gender-based violence. National research consistently highlights the prevalence of other forms of GBV, including coercive control, financial abuse, and reproductive coercion. Additionally, given well-documented patterns of underreporting and persistent barriers to formal reporting and help-seeking, these prevalent figures likely underestimate the true extent of the issue. These are explored in more detail later in this Impact Analysis.

1.1.2 Scale and magnitude of the problem in society

The scale and severity of GBV in the higher education sector is reflective of broader GBV trends in Australia. National data confirms the severity, prevalence and persistent nature of the problem:

- 1 in 3 women have experienced physical violence⁵

² Australian Human Rights Commission. (2017). Change the course: National report on sexual assault and sexual harassment at Australian universities. <https://humanrights.gov.au/our-work/sex-discrimination/publications/change-course-national-report-sexual-assault-and>

³ Social Research Centre. (2022). National Student Safety Survey. <https://www.nsss.edu.au/>

⁴ National Tertiary Education Union. (2023). Sexual harassment survey report. https://www.nteu.au/News_Articles/Media_Releases/Sexual_Harassment_Survey_Report.aspx

⁵ Australian Bureau of Statistics. (2021-22). *Personal Safety, Australia*. ABS

- 1 in 5 women have experienced sexual violence⁶
- 1 in 4 women have experienced intimate partner violence since the age of 15⁷
- On average, 1 woman is killed by a current or former partner every 10 days⁸
- 1 in 3 men have admitted to using violence in the last 12 months.⁹

The burden of GBV is disproportionately carried by First Nations women, women with disability, LGBTQIA+ communities and women from culturally and linguistically diverse (CALD) backgrounds – underscoring the compounding impacts of intersectional discrimination.

Historically, approaches to ending GBV have been reactive, fragmented, and under-resourced. Decades of leadership and action by victim survivors, advocates and the GBV sector have shone a light on the importance of a coordinated, integrated, whole-of-system approach. Several inquiries in different jurisdictions across Australia identified that inadequate system coordination, a lack of timely and appropriate support for victim survivors, weak accountability for perpetrators, and a lack of sustained, strategic investment in prevention have failed to keep women and girls safe.¹⁰ In this context, GBV must be recognised as a national emergency – one that demands more than fragmented or reactive measures.

In recognition of the scale and urgency of this problem, the Australian Government has declared GBV a matter of national priority. The National Plan sets out a shared vision for Australians to live free from violence in our communities.¹¹ Endorsed by all states and territories, the National Plan outlines that a coordinated, whole-of-government and whole-of-community response is essential to address the causes of GBV, provide effective support to victim-survivors, and hold perpetrators of GBV accountable. The Plan commits \$4.7 billion to systemic reform, including strengthening institutional responses and improving data transparency and accountability.

This Impact Analysis represents the Department of Education’s contribution to the implementation of the National Plan, focussing specifically on strengthening the prevention of and response to GBV within the higher education sector.

1.1.3 Drivers of gender-based violence

GBV in higher education is not isolated – it is deeply rooted in the same inequalities, norms and power imbalances that drive GBV in the wider community. To understand and address the policy problem, it is key to understand the drivers of GBV.

GBV is deeply rooted in gender inequality and reflects entrenched power imbalances reinforced by rigid gender roles, harmful stereotypes and social norms that perpetuate discrimination and control.¹² While there is no single cause of GBV, gender inequality creates the social conditions

⁶ Ibid.

⁷ Ibid.

⁸ Miles, H., & Bricknell, S. (2025). Homicide in Australia 2023–24 (Statistical Report No. 52). Australian Institute of Criminology. <https://doi.org/10.52922/sr77826>

⁹ O'Donnell, K., Woldegiorgis, M., Gasser, C., Scurrah, K., Andersson, C., McKay, H., Hegarty, K., Seidler, Z., & Martin, S. (2025). The use of intimate partner violence among Australian men. Insights #3, Chapter 1. Melbourne: Australian Institute of Family Studies.

¹⁰ Appendix A.

¹¹ Commonwealth Department of Social Services. (2022) National Plan to End Violence against Women and Children 2022-2032. <https://www.dss.gov.au/system/files/resources/national-plan-end-violence-against-women-and-children-2022-2032.pdf>

¹² Australian Human Rights Commission. (2017). Change the course: National report on sexual assault and sexual harassment at Australian universities. <https://humanrights.gov.au/our-work/sex-discrimination/publications/change-course-national-report-sexual-assault-and>

in which this violence is more likely to occur, proliferate and be tolerated. Systems and institutions that fail to prevent violence or hold perpetrators accountable further enable its persistence.¹³

Change the Story, Australia's national framework for preventing violence against women, identifies four drivers that most consistently predict this violence at a population level and explain its gendered patterns, including:

- the condoning of violence against women
- men's control of decision-making and limits to women's independence in public and private life
- rigid gender stereotyping and dominant forms of masculinity
- male peer relations and cultures of masculinity that emphasise aggression, dominance and control.¹⁴

GBV is not only a consequence of gender inequality; it is a barrier to achieving gender equality. The impacts on victim-survivors are both immediate and long-lasting, affecting physical and mental health, senses of safety, educational and economic outcomes, and the ability to participate fully and equally in public and private life.¹⁵

While all women and girls experience gender inequality, not all experience it in the same way or with the same impacts. Systemic and structural forms of discrimination including racism, colonialism, homophobia, biphobia, transphobia, ableism, ageism, and classism intersect with the gendered drivers of violence to shape the experience and use of violence, increase risk, and create additional barriers to accessing safety, support and justice.¹⁶ Effective strategies to address GBV therefore need to consider the multiple, intersecting systems of oppression experienced by First Nations women, women from culturally and linguistically diverse communities, LGBTQIA+ communities, and women with disability, among others.

In addition to affirming the high prevalence and underreporting of GBV, the *Change the Course* report identified several factors specific to GBV in university settings. These included harmful attitudes towards women, misunderstandings about consent, the misuse of alcohol, the abuse of institutional or peer-based power, and risks associated with residential and accommodation environments.¹⁷ Such factors reflect how university cultures and structures can actively shape conditions for GBV – where inadequate education, poor accountability, and power imbalances reinforce unsafe norms. Essentially, GBV in higher education is not merely individual misconduct, but a systemic issue that is embedded in the structures and cultures of the higher education sector.

HEPs encompass all institutions and organisations registered to deliver higher education qualifications under the Tertiary Education Quality and Standards Agency (TEQSA) framework.

¹³ Australian Government. (2024). Working for women: A strategy for gender equality. https://genderequality.gov.au/Working_for_Women:_A_strategy_for_Gender_Equality.

¹⁴ Our Watch. (2021). Change the story: A shared framework for the primary prevention of violence against women in Australia (2nd ed.). <https://www.ourwatch.org.au/resource/change-the-story-framework/>

¹⁵ Australian Government. (2024). Working for women: A strategy for gender equality. <https://genderequality.gov.au/>

¹⁶ Our Watch. (2021). Change the story: A shared framework for the primary prevention of violence against women in Australia (2nd ed.). <https://www.ourwatch.org.au/resource/change-the-story-framework/>

¹⁷ Australian Human Rights Commission. (2017). Change the course: National report on sexual assault and sexual harassment at Australian universities. <https://humanrights.gov.au/our-work/sex-discrimination/publications/change-course-national-report-sexual-assault-and>

These include universities, colleges, and other accredited institutions. HEPs are foundational institutions in Australian society, serving as environments where individuals learn, work and live, and where cultural, social, economic and political norms are both reflected and shaped. Through education, research, innovation, and global engagement, HEPs contribute significantly to workforce development, thought leadership and national progress. Their influence extends beyond the campus, shaping public discourse and informing policy, industry and community outcomes.

Universities Australia, the higher education sector's peak body, notes that "teaching and learning is a fundamental mission of Australian universities. Through educating the next generation, universities make a strong contribution to our economic prosperity, social wellbeing and our communities."¹⁸ Similarly, the Group of Eight (Go8) has highlighted the role of universities as national anchors, stating that "Australian universities are key drivers of national prosperity, societal and environmental wellbeing."¹⁹ In this context, ensuring that higher education institutions are safe, inclusive, and free from GBV is not only a matter of individual wellbeing, but is integral to achieving equality, supporting full participation, and maximising the sector's contribution to Australia's social and economic future.

Furthermore, the higher education sector has a unique opportunity to drive social change at scale. As of 2023, Australia's higher education sector encompasses approximately:

- Over 1.6 million students, including 1.075 million domestic students and 525,000 international students²⁰
- 260,000 staff²¹

Based on these numbers, the higher education sector enrolls or employs almost 7% of the Australian population. This proportion provides an unparalleled opportunity to influence attitudes and values and foster safe and supportive environments in higher education sector. While gender-disaggregated data is not included, historical trends indicate that women continue to comprise a growing proportion of the higher education workforce, particularly in professional and academic support roles.²² With significant reach in the Australian population and a pivotal role in shaping the workforce and driving national progress, HEPs have the reach, influence and responsibility to build a future where GBV is not tolerated.

¹⁸ Universities Australia. (n.d.). Teaching and learning funding. <https://universitiesaustralia.edu.au/policy-submissions/teaching-learning-funding/>

¹⁹ Group of Eight. (2023). The role of a modern Australian university system in the 21st century [Policy brief]. https://go8.edu.au/wp-content/uploads/2023/03/Go8-Policy-Brief_modern-Aus-uni-system.pdf

²⁰ Department of Education. (2024). Key findings: 2023 student data. <https://www.education.gov.au/higher-education-statistics/student-data/selected-higher-education-statistics-2023-student-data/key-findings-2023-student-data>

²¹ Deloitte Access Economics. (2025). *Cost Benefit Analysis of the Proposed National Higher Education Code to Prevent and Respond to Gender-based Violence*, prepared for the Commonwealth Department of Education.

²² Department of Education. (2024). Selected higher education statistics – 2023 staff data. <https://www.education.gov.au/higher-education-statistics/staff-data/selected-higher-education-statistics-2023-staff-data>

1.2 Elements of the policy problem

This Impact Analysis identifies six core elements of the problem:

1. GBV in higher education is prevalent, underreported, and inadequately addressed
2. GBV has detrimental effects on student and staff health, wellbeing, educational attainment and career progression
3. GBV in higher education disproportionately impacts women and girls experiencing intersecting forms of inequalities and discrimination
4. Previous measures to address GBV in higher education have been fragmented, reactive and under resourced, failing to drive lasting change
5. Insufficient data availability hinders comprehensive understanding of GBV in higher education and limits the ability to hold service providers accountable
6. The current regulatory framework is limited, posing an ongoing risk to student and staff safety.

Addressing these 6 elements is essential to ensuring that HEPs can fulfil their duty of care, uphold human rights, and contribute meaningfully to national efforts to end GBV. Below is a visual of the above policy problems.

Problem 1: GBV is prevalent, underreported & inadequately addressed

Problem 2: Gender-based violence has detrimental effects on health, wellbeing & educational/career progression

Problem 3: GBV disproportionately impacts women and girls experiencing intersecting forms of marginalisation



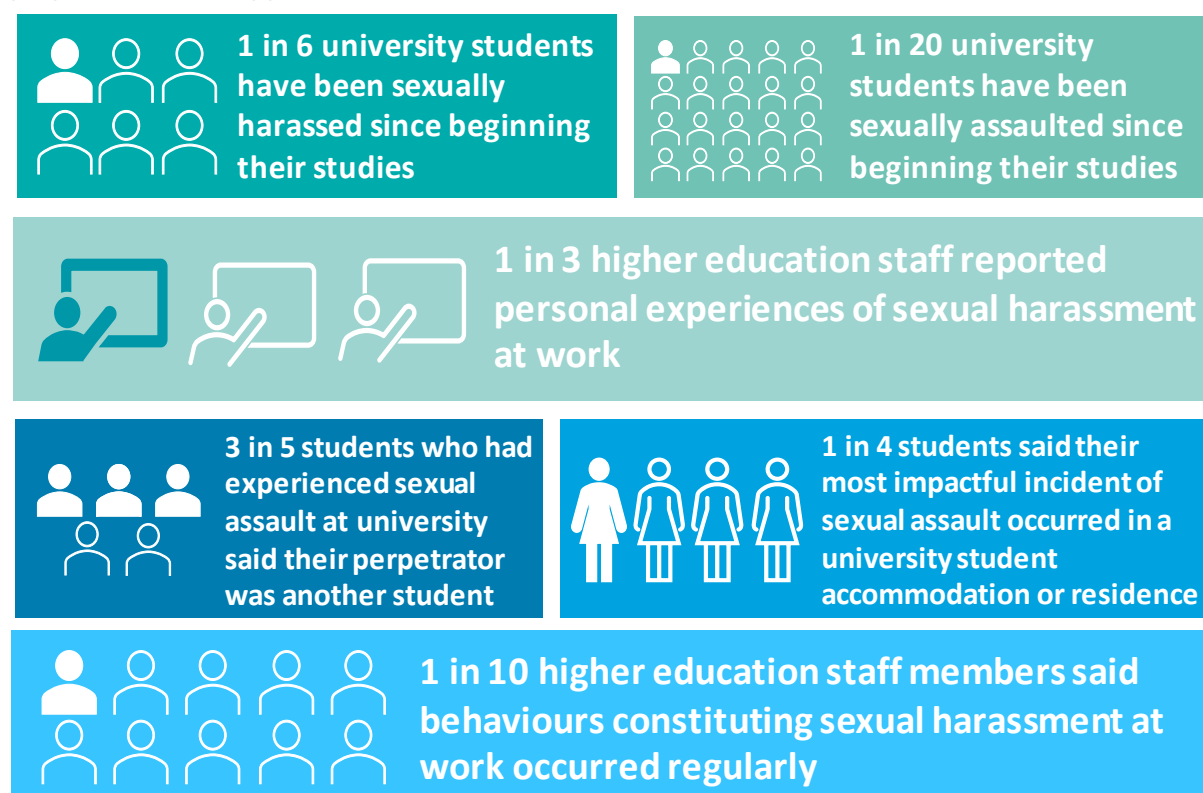
Problem 4: Previous measures to address GBV has been fragmented siloed & under resourced

Problem 5: Insufficient data hinders comprehensive understanding & limits the ability to hold HEPs accountable

Problem 6: The current regulatory framework is limited, posing an ongoing risk to safety

1.3 Problem 1: GBV in higher education is prevalent, underreported, and inadequately addressed

Despite their central role in shaping Australia's future, higher education settings remain sites where GBV is prevalent, under-reported, and inadequately addressed. Multiple inquiries and national surveys have highlighted that many providers lack the necessary investment, systems, policies and practices to effectively prevent and respond to GBV. In some cases, institutional responses have not only failed to support victim-survivors but have also compounded harm – through inconsistent complaints and grievance processes, limited accountability for perpetrators, and approaches that risk further traumatising or backlash.



Source: Deloitte Economics (2025). Cost Benefit Analysis of the Proposed National Higher Education Code to Prevent and Respond to Gender-based Violence. Prepared for the Commonwealth Department of Education. (Source: Social Research Centre (SRC), 'National Student Safety Survey.' (2022) <<https://www.nsss.edu.au/results>>; National Tertiary Education Union, 'Sexual Harassment in the Workplace.' (2023) <https://www.nteu.au/News_Articles/Media_Releases/Sexual_Harassment_Survey_Report.aspx>).

1.3.1 Student experiences of GBV

It is important to reiterate key findings from national research to contextualise the lived experiences of students affected by gender-based violence in higher education. While these points have been raised earlier in this analysis, revisiting them here helps to underscore the systemic nature of the issue and the environments in which harm occurs.

The AHRC's 2017 *Change the Course* report provided the first national dataset on sexual assault and harassment in university settings. Its findings were deeply concerning: one in five students

reported experiencing sexual harassment.²³ Further evidence from the 2021 *National Student Safety Survey* (NSSS) confirmed the persistence of GBV in higher education. Since commencing university, one in six students had experienced sexual harassment and one in twenty had experienced sexual assault.²⁴ These incidents were most prevalent in student accommodation, clubs and societies events, and on campus, with the most impactful experiences occurring during student-led social events (25.8%) and within residential settings (25.3%).²⁵

The 2017 *Change the Course* report lists 3 ‘unavoidable’ conclusions of its findings that affirm this element of the policy problem:

1. “Sexual assault and sexual harassment are far too prevalent in university settings as they are in the broader community
2. There is significant underreporting of sexual assault and sexual harassment to the university
3. Universities need to do more to prevent such abuse from occurring in the first place, to build a culture of respect and respond appropriately by supporting victims of abuse and sanctioning perpetrators”²⁶

Underreporting within higher education settings suggests a lack of trust in institutional responses, where students may feel that their experiences will not be taken seriously or handled appropriately. It also points to inadequate reporting pathways and an environment where disclosure is not actively supported or encouraged. Quantitative and qualitative findings from the *Change the Course* report reinforce this concern: one in ten students cited a lack of trust that their report would be kept confidential, while many others felt that the procedures themselves discouraged reporting or were unaware that such processes even existed.

The NSSS qualitative findings further highlight a perceived lack of genuine commitment from universities to address GBV. Students reported sensing reluctance from their institutions to take disclosures seriously and described slow or inadequate follow-up responses that made them feel their experiences were not prioritised. For some, the trauma of the original incident was compounded by inadequate institutional response, ultimately discouraging them from pursuing the reporting process to its conclusion.²⁷

Underreporting not only reflects a lack of trust in institutional systems, but it also reduces the ability of institutions to properly understand and approach the scale of the problem. When disclosures are limited, institutions may lack the necessary data to fully understand the scope and nature of gender-based violence within their communities. This absence of information can lead to underinvestment in prevention and response efforts, poorly targeted policies, and a continued failure to prioritise student safety. In turn, this cycle discourages victim-survivors

²³ Australian Human Rights Commission. (2017). *Change the course: National report on sexual assault and sexual harassment at Australian universities*. <https://humanrights.gov.au/our-work/sex-discrimination/publications/change-course-national-report-sexual-assault-and>

²⁴ Social Research Centre. (2022). *National Student Safety Survey*. <https://www.nsss.edu.au/>

²⁵ Ibid.

²⁶ Australian Human Rights Commission. (2017). *Change the course: National report on sexual assault and sexual harassment at Australian universities*. <https://humanrights.gov.au/our-work/sex-discrimination/publications/change-course-national-report-sexual-assault-and>

²⁷ Social Research Centre. (2022). *National Student Safety Survey*. <https://www.nsss.edu.au/>

from coming forward, deepening the gap between institutional responsibility and lived experience.

Different student cohorts

It is important to recognise that student experiences of GBV are not uniform. Undergraduate students report higher rates of sexual harassment and sexual assault than postgraduate students.²⁸ Generally speaking, this cohort is often younger and navigating a transitional life stage, such as leaving home, forming new social networks and exploring independence. They may begin forming intimate relationships and encounter new social dynamics that will shape their understanding of relationships, consent, and their own sense of safety in the world.

Risk factors such as alcohol consumption, cultural traditions like hazing, and peer pressure to conform to unsafe social norms can significantly increase exposure to GBV, particularly sexual violence.²⁹ New students may also lack awareness of available reporting pathways, feel uncertain about seeking help, and have not yet established trusted relationships with staff. Trust in staff helps individuals to feel safe in disclosing experiences of GBV. These factors collectively contribute to underreporting and hinder timely access to support.

The 2018 *Red Zone Report*, a landmark report into sexual violence in higher education, reported that many students, particularly first-year students, do not report experiences of sexual violence due to fear of reprisals, lack of trust in institutional processes, and uncertainty about where to seek help.³⁰ The report also notes that first-year students will seek to suppress their own boundaries to ensure they are aligned with the dominant social norms, particularly during high-risk periods like orientation week.³¹ This social pressure, combined with limited awareness of reporting pathways and support services, contributes to a culture of silence and deters students from seeking support.³²

Postgraduate students often occupy dual roles as both students and staff. This situational factor can introduce complex power dynamics, particularly in supervisory relationships, research environments, and work placements. Postgraduate students may also have dependence on their supervisor for funding to continue study, job references and general career progression. The risk of academic retaliation or reputational harm could discourage this cohort from disclosing incidences of GBV.

1.3.2 Student accommodation is a high-risk site for GBV

Student accommodation is a particularly high-risk environment for the perpetration of GBV. One in four students reported experiencing sexual harassment since starting university, and among those who had experienced sexual assault, the most common location was student accommodation or residences.³³ The proximity of students in shared living spaces, the presence of alcohol, and the lack of supervision or oversight can exacerbate risk.

²⁸ Social Research Centre. (2021). National Student Safety Survey. <https://www.nsss.edu.au/>

²⁹ Funnell, N., Hush, A., Bremner, S., & Lumby, C. (2018). *The Red Zone Report 2018*. End Rape on Campus.

³⁰ Ibid.

³¹ Ibid.

³² Ibid.

³³ Ibid.

Student accommodation is also one of the most common sites where students seek support following incidents of sexual assault or harassment. However, consultation has identified significant gaps in the responses provided by accommodation services. These include:

- A lack of staff expertise in delivering trauma-informed responses
- Inconsistent commitment to safety and accountability across providers
- Limited integration between higher education institutions and accommodation providers.

For many students, living in student accommodation represents their first experience of independence and identity formation. When these environments are unsafe, the consequences can be profound and life-altering.

Qualitative data from the NSSS also highlights that perpetrators in student accommodation settings may include not only peers, but also residence staff or student leaders in positions of authority. These informal hierarchies can create environments where GBV is normalised or overlooked, and where students may feel unsafe or unsupported in reporting incidents.³⁴

1.3.3 Staff experiences of GBV

Staff experiences of gender-based violence in higher education settings remain a significant issue, marked with prevalence, underreporting and inadequate responses. As previously stated, a survey by the National Tertiary Education Union found that 1 in 3 participants reported experiences of sexual harassment. Of those who chose to report their experiences, 52% were encouraged to drop the issue, while 48% reported that no action was taken at all. Qualitative feedback indicated that workplace cultures and gender discriminatory attitudes and behaviours allowed sexual harassment to continue, and that institutional responses were inadequate and compounded harm.³⁵ Other recent findings from an independent review have highlighted ongoing gender bias and discrimination are prevalent.³⁶

The Australian Human Rights Commission *Respect@Work: Sexual Harassment National Inquiry Report* (2020) raised concerns of the use of non-disclosure agreements (NDAs) in sexual harassment matters. An NDA is a contract that places legally enforceable obligations on confidentiality. Victim-survivors were unable to speak to the Sex Discrimination Commissioner as part of this inquiry, without having their employers waive their confidentiality obligations. The report found there were concerns that NDAs were used to protect the reputation of a business or the harasser and contribute to a culture of silence.³⁷ In the report Women's Health Victoria stated that NDAs contribute to low reporting numbers of sexual harassment.³⁸ Although this report is not specific to the higher education sector, it is relevant for all workplaces. The use of NDAs was highlighted during consultations on a proposed National Code and was said to be common for HEPs to use non-disclosure agreements to resolve matters. This is relevant to

³⁴ Social Research Centre. (2021). National Student Safety Survey. <https://www.nsss.edu.au/>

³⁵ Smithers, K., Harris, J., Heffernan, T., & Gurr, S. (2025). Decasualisation and the universities accord: an examination of university approaches. *Journal of Higher Education Policy and Management*, 47(3), 282–298. <https://doi.org/10.1080/1360080X.2025.2462128>

³⁶ Nixon, C. (2025). Report of a review into matters of gender and culture in the ANU College of Health and Medicine and its constituent Schools. The Australian National University.

³⁷ [Australian Human Rights Commission. \(2020\). *Respect@Work: National Inquiry into Sexual harassment in Australian Workplaces*.](#)

³⁸ Ibid.

students as well as staff. NDAs have the effect of silencing the victim-survivor, undermining their safety, whilst protecting perpetrators and organisations. They promote a culture of secrecy, limit access to supports, and prevent accountability.

Despite existing policies and processes, reporting rates often remain low due to fears of retaliation, lack of trust in the complaint processes and concerns of impact on careers. Qualitative survey data has brought to light common sentiments by staff that providers were more focused on reputational risk management than support.³⁹ These systemic shortcomings can contribute to a culture of silence that undermines staff wellbeing and efforts to foster safe environments. This impact on staff may also perpetuate broader underreporting. When staff do not feel supported or safe to report, they may be reluctant or ill-equipped to encourage student disclosures or navigate reporting pathways effectively. As a result, students who disclose to staff may be met with uncertainty and minimisation that will dissuade reporting.

Different staff cohorts

Similarly to students, experiences of GBV may differ between academic and professional staff contexts.

Academic staff typically have more direct and sustained interaction with students through classes, tutorials, supervision, and mentoring. As previously noted, trust in a staff member is a key factor in a student's decision to disclose experiences of GBV. This positions academic staff as likely first responders to student disclosures, making their role critical in shaping the student's experience of support and institutional response. However, this can also expose academic staff to vicarious trauma, particularly when disclosures are frequent or inadequately supported by institutional systems.

At the same time, structural issues such as casualisation and job insecurity, may discourage academic staff from reporting their own experiences of GBV. These same pressures can also inhibit their ability to act on student disclosures, especially when doing so may jeopardise their employment or professional relationships. The trust staff have with their employer has a direct impact on the broader culture of safety and accountability within higher education.

Due to the nature of higher education, the boundaries of student and staff roles are often overlapping. It is not uncommon for students to hold tutoring or research assistant positions, placing them in ambiguous power structures. The NSSS qualitative findings documents cases where young tutors sexually harassed students, underscoring the risks inherent in these dual-role arrangements.⁴⁰ Students experiencing harassment from academic supervisors face particular vulnerabilities, as their academic outcomes and career trajectories may be contingent on maintaining favour with senior figures. The one-on-one nature of supervision, often conducted off-campus or via private communication channels, can create opportunities for exploitation.

Qualitative findings from the NSSS highlighted that GBV can be perpetrated by non-academic staff, including contractors such as security and construction personnel, and that professional

³⁹ National Tertiary Education Union. (2023). Sexual harassment survey report.

https://www.nteu.au/News_Articles/Media_Releases/Sexual_Harassment_Survey_Report.aspx

⁴⁰ Ibid.

staff may also be victim-survivors themselves, and their experiences are frequently underreported and underacknowledged.⁴¹

Professional staff are often on the frontline of institutional responses to GBV. Those working in student services, human resources, and wellbeing roles are regularly tasked with supporting students and colleagues through complex disclosures and trauma. This responsibility can be emotionally demanding, particularly when staff are not adequately trained or resourced to respond in a trauma-informed manner.

Moreover, many professional staff may be navigating their own experiences of GBV, including domestic and family violence, while simultaneously supporting others. Without appropriate support structures, this dual burden can lead to burnout, vicarious trauma, and feelings of isolation.

1.4 Problem 2: GBV has detrimental effects on student and staff health, wellbeing, educational attainment and career progression

GBV has significant and enduring impacts on both students and staff in the higher education sector. These impacts are multifaceted – ranging from acute psychological trauma to long term disruptions in academic achievements and life outcomes.⁴² Students report significant mental health impacts, including an increase in stress, anxiety, depression, substance abuse, self-harm, suicidal thoughts and post-traumatic stress disorder.⁴³ Educational outcomes are impacted, such as decreased academic performance and absenteeism, with some students withdrawing from their studies altogether, often exacerbated fear of encountering perpetrators, and disbelief and inadequate support from staff and peers, can significantly heighten social isolation and psychological harm. These challenges often result in course withdrawal, deferral, or complete disengagement from study.

Barriers to academic success – such as those imposed by GBV – not only constrain individual potential but also entrench structural gender inequality across the workforce and broader society. Recent research to quantify the direct impact of domestic violence on educational outcomes shows that domestic violence decreases university attainment among victim-survivors by nearly 10% in the three years following violence, and that there is a negative effect on university attainment regardless of the kind of violence experienced or the length of time over which the violence occurs.⁴⁴ Research also shows that the gap in university degree attainment between victim-survivors and women who have not experienced domestic violence continues to increase over time.⁴⁵

This impact on educational attainment also has long-term effects on lifetime earnings, as higher education is a key pathway to financial security, labour market participation and social mobility. Educational attainment leads to higher rates of employment, higher productivity and

⁴¹ Ibid.

⁴² Australian Human Rights Commission. (2017). Change the course: National report on sexual assault and sexual harassment at Australian universities. <https://humanrights.gov.au/our-work/sex-discrimination/publications/change-course-national-report-sexual-assault-and>

⁴³ Ibid.

⁴⁴ Summers, Anne; Shortridge, Thomas; Sobeck, Kristen (2025). The Cost of Domestic Violence to Women's Employment and Education. University of Technology Sydney. Report. <https://doi.org/10.71741/4pyxbnjq.28489736.v2>

⁴⁵ Ibid.

higher lifetime earnings for individuals.⁴⁶ Recent research indicates that individuals with a university degree earn, on average, 41% more annually than those whose highest qualification is Year 12.⁴⁷ In addition, a 2018 study found that university degree was found to significantly improve employment outcomes: it increased the likelihood of being employed by approximately 2.5 times compared to not being employed, reduced the likelihood of being unemployed relative to being employed by 1.75 times, and raised the odds of securing full-time work by about 1.9 times compared to part-time or no employment.⁴⁸ Not only is higher education associated with improved employment and economic outcomes – the consequences for women who do not complete their degrees can further exacerbate this gap. Anne Summers describes that for women who leave higher education without graduating the burden of student debts remains without the financial benefits associated with a degree.⁴⁹ Therefore, if a student experiences gender-based violence that leads to withdrawal from study, the impacts are not only educational – they are economic and social, that can reinforce cycles of reduced earnings and disadvantage over a lifetime.

For staff, GBV has negative effects on working conditions and career progression. A contributing factor is the precarious nature of employment in universities, where it is estimated that 60% of staff are either employed in a casual or contract capacity.⁵⁰ This has been argued to create a workplace culture where staff feel afraid to reject or report harassment for fear of losing their jobs or harming their career prospects.⁵¹ Similarly, post-graduate students employed in insecure research assistant or tutoring positions may feel that they do not have the authority to confront the perpetrator. This, according to the National Tertiary Education Union, creates a culture of “don’t talk, don’t ask”.⁵²

A survey by the National Tertiary Education Union in 2023 indicated that among those who made a complaint, 45% indicated that they were labelled a troublemaker, and 44% said there were negative consequences from their employer (including denial of promotion, transfer, re-assignment to less favourable work and/or scheduling changes).⁵³ GBV therefore has a significant cost on the job security and career progression of staff.

⁴⁶ Commonwealth Department of Education. (2016). Integrated Data Research: Benefits of educational attainment.

<https://www.education.gov.au/integrated-data-research/benefits-educational-attainment>

⁴⁷ Leigh, A. (2024). Returns to education in Australia (IZA Discussion Paper No. 17025). Institute of Labor Economics (IZA). <https://docs.iza.org/dp17025.pdf>

⁴⁸ Marks, G. N. (2018). Do the labour market returns to university degrees differ between high and low achieving youth? Evidence from Australia. *Journal of Labour Market Research*, 52(1), Article 5. <https://doi.org/10.1186/s12651-018-0241-0>

⁴⁹ Summers, Anne; Shortridge, Thomas; Sobeck, Kristen (2025). The Cost of Domestic Violence to Women's Employment and Education. University of Technology Sydney. Report. <https://doi.org/10.71741/4pyxbnjq.28489736.v2>

⁵⁰ Smithers, K., Harris, J., Heffernan, T., & Gurr, S. (2025). Decasualisation and the universities accord: an examination of university approaches. *Journal of Higher Education Policy and Management*, 47(3), 282–298. <https://doi.org/10.1080/1360080X.2025.2462128>

⁵¹ National Tertiary Education Union. (2023). Sexual harassment survey report.

https://www.nteu.au/News_Articles/Media_Releases/Sexual_Harassment_Survey_Report.aspx

⁵² National Tertiary Education Union. (2019). Submission to the Australian Human Rights Commission: National Inquiry into Sexual Harassment in Australian Workplaces [Submission No. 325]. Australian Human Rights Commission.

https://humanrights.gov.au/sites/default/files/2019-07/submission_325_-_national_tertiary_education_union.pdf

⁵³ National Tertiary Education Union. (2023). Sexual harassment survey report.

https://www.nteu.au/News_Articles/Media_Releases/Sexual_Harassment_Survey_Report.aspx

1.5 Problem 3: GBV in higher education disproportionately impacts women and girls experiencing intersecting forms of inequalities and discrimination

The burden of GBV is not equally shared across the population. Women and girls are disproportionately impacted, with First Nations women, women with disability, LGBTQIA+ individuals, and culturally and linguistically diverse (CALD) and migrant women experiencing higher rates of GBV. This reflects the compounding effect of multiple forms of discrimination, including racism, colonialism, heteronormativity, cisnormativity and ableism. These intersecting oppressions not only increase the risk of experiencing violence but also present additional barriers to accessing safety, support and justice.⁵⁴

Both the *Change the Course* Report and the *National Student Safety Survey* reveal that in higher education disproportionately affects groups such as gender and sexually diverse students, students with disability and First Nations students.⁵⁵ For example:

- Gender and sexually diverse students were nearly twice as likely to have experienced sexual harassment compared to heterosexual and cisgender students.
- 1 in 3 students with a disability reported being sexually harassed, and 1 in 10 had been sexually assaulted in a university context.
- 1 in 5 First Nations students had been sexually harassed, and 1 in 13 had been sexually assaulted in a university context.⁵⁶

As the *Change the Course Report* states, some of the data is limited due to sample sizes of minority groups, such as First Nations students, and therefore may not fully encapsulate the experiences of these groups.⁵⁷ However, the NSSS and the *Change the Course* report are largely reflective of national data sets and affirm that groups that experience structural inequalities and discrimination are disproportionately affected by gender-based violence.⁵⁸ For example, the National Plan states that First Nations women report three times as many incidents of gendered-based violence, 64% of women with disability report experiencing gendered-based violence, and almost half of gender and sexuality diverse people report being coerced or forced into sexual acts that they did not want to engage in.⁵⁹

While there is limited data that specifically considers the impact of intersecting and compounding disadvantage on the rates of gender-based violence in higher education, the Department of Education has drawn on a broad range of research and information to further

⁵⁴ Our Watch. (2021). *Change the story: A shared framework for the primary prevention of violence against women in Australia* (2nd ed.). <https://www.ourwatch.org.au/resource/change-the-story-framework/>

⁵⁵ Australian Human Rights Commission. (2017). *Change the course: National report on sexual assault and sexual harassment at Australian universities*. <https://humanrights.gov.au/our-work/sex-discrimination/publications/change-course-national-report-sexual-assault-and>

⁵⁶ Social Research Centre. (2022). *National Student Safety Survey*. <https://www.nsss.edu.au/>

⁵⁷ Australian Human Rights Commission. (2017). *Change the course: National report on sexual assault and sexual harassment at Australian universities*. <https://humanrights.gov.au/our-work/sex-discrimination/publications/change-course-national-report-sexual-assault-and>

⁵⁸ Commonwealth of Australia (Department of Social Services). (2022) *National Plan to End Violence against Women and Children 2022-2032*. <https://www.dss.gov.au/system/files/resources/national-plan-end-violence-against-women-and-children-2022-2032.pdf>

⁵⁹ Ibid.

understand the factors that converge to increase vulnerability and shape individual experiences. Since August 2023, the Department of Education has undertaken significant consultation on potential actions to address the prevalence of gender-based violence in higher education, including consultation with advocacy groups representing people with a disability, LGBTQIA+ people, culturally and linguistically diverse (CALD) people and First Nations people. This consultation, which is discussed in greater detail in Chapter 5, combined with available data and research discussed briefly below, has informed the department's understanding of the intersecting issues impacting diverse higher education students.

First Nation students

First Nations students face different and complex barriers to higher education, such as remoteness, financial burden and cultural and community isolation.⁶⁰ Levels of educational attainment are lower for First Nations people than non-indigenous people.⁶¹ The National Agreement on Closing the Gap includes 19 national socio-economic targets across areas that have an impact on life outcomes for Aboriginal and Torres Strait Islander people, including two targets relating to education:

- By 2031, increase the proportion of Aboriginal and Torres Strait Islander people aged 25-34 years who have completed a tertiary qualification to 70%.
- By 2031, increase the proportion of Aboriginal and Torres Strait Islander youth (15-14) who are in employment, education, or training to 67%.

Higher education outcomes are crucial to closing the gap; however, Australia is not on track to meet these targets. Despite progress in participation, First Nations students remain approximately 40% below parity,⁶² and completion rates lag significantly - 47% compared to 74% for non-Indigenous students in 2019.⁶³ These disparities are rooted in historical exclusion and ongoing systemic inequality.⁶⁴ For much of the 20th century, First Nations people were excluded from higher education. Today, many First Nations students continue to face significant barriers, including cultural isolation, relocation stress, a lack of Indigenous staff and role models, and experiences of institutional racism.⁶⁵ Broader structural factors such as socio-economic disadvantage, geographic isolation, and lower Year 12 attainment further compound these challenges. The National Indigenous Australians Agency (NIAA) has stated that for First Nations students to thrive in higher education they must feel culturally safe and supported.⁶⁶ However, the NSSS found that when asked about their perceptions of university culture First

⁶⁰ Australian Institute of Health and Welfare. (2024). Aboriginal and Torres Strait Islander Health Performance Framework: Educational participation and attainment of adults. <https://www.aihw.gov.au/>

⁶¹ Ibid.

⁶² Productivity Commission. (2024). Closing the Gap Annual Data Compilation Report: July 2024. <https://www.pc.gov.au/ongoing/closing-the-gap/data>; Department of Education. (2023). *Universities Accord: Interim Report*. Australian Government. <https://www.education.gov.au/australian-universities-accord/resources/interim-report>

⁶³ Universities Australia. (2022). *Indigenous Strategy 2022–25*. <https://www.universitiesaustralia.edu.au/publications/indigenous-strategy-2022-25/>

⁶⁴ Australian Human Rights Commission. (2020). *Wiyi Yani U Thangani (Women's Voices): Securing our rights, securing our future*. <https://humanrights.gov.au/our-work/aboriginal-and-torres-strait-islander-social-justice/publications/wiyi-yani-u-thangani-womens-voices>

⁶⁵ Australian Institute of Health and Welfare. (2024). Aboriginal and Torres Strait Islander Health Performance Framework: Educational participation and attainment of adults. <https://www.aihw.gov.au/>

⁶⁶ National Indigenous Australians Agency. (2023). *Submission to the Australian Universities Accord Panel Discussion Paper*.

Nations students were less likely than other students to report feeling safe, respected by staff or respected by other students.⁶⁷

NSSS results do not discuss whether First Nations students are more or less likely than other students to formally report instances of gender-based violence, however broader estimates have suggested that around 90% of violence against First Nations women are undisclosed, and First Nations women can face a range of barriers to reporting violence and accessing formal support.⁶⁸ All of these factors contribute to First Nations students being more likely to experience gender-based violence, more likely to experience other barriers to higher education (which may be exacerbated by gender-based violence), and less likely to report or seek formal support.

LGBTQIA+

LGBTQIA+ students experience GBV in unique and disproportionate ways, driven by the intersection of gender inequality with various forms of discrimination including homophobia, biphobia and transphobia. Trans and gender diverse individuals in particular report high rates of verbal abuse, physical violence, sexual assault and social exclusion. Distinct forms of violence – such as threats to “out” someone’s identity or coercion tied to sexuality or gender expression – are prevalent and deeply harmful.⁶⁹ The NSSS found that LGBTQIA+ students were more likely to have experienced sexual harassment in an Australian University in the last 12 months than heterosexual students.⁷⁰ National data sets show that LGBTQIA+ people in Australia, particularly trans and gender diverse people, report high levels of verbal and physical abuse, harassment and sexual assault.⁷¹ LGBTQIA+ people can also experience distinct forms of gender-based violence because of their identity, including pressure to conform to gender norms; corrective rape (a hate crime in which the victim is raped because of their perceived sexual orientation); or threatening to ‘out’ a person’s gender, sexuality, HIV status or intersex status.⁷²

Mental health outcomes among LGBTQIA+ populations are also disproportionately poor, with elevated rates of anxiety, depression and suicidal ideation. These outcomes are exacerbated by exposure to violence, compounded by fears of isolation, institutional discrimination, or retribution. As a result, many gender and sexually diverse students may choose not to report incidents of violence, further entrenching underreporting and invisibility.⁷³

⁶⁷ Social Research Centre. (2022). National Student Safety Survey. <https://www.nsss.edu.au/>

⁶⁸ Australian Institute of Health and Welfare. (n.d.). *Aboriginal and Torres Strait Islander people*. <https://www.aihw.gov.au/family-domestic-and-sexual-violence/population-groups/aboriginal-and-torres-strait-islander-people>

⁶⁹ Rainbow Health Australia. (2020). *Pride in Prevention: A guide to primary prevention of family violence experienced by LGBTIQ communities*. La Trobe University. https://www.latrobe.edu.au/_data/assets/pdf_file/0003/1141833/Pride-in-Prevention-Evidence-Guide.pdf

⁷⁰ Social Research Centre. (2022). National Student Safety Survey. <https://www.nsss.edu.au/>

⁷¹ Rainbow Health Australia. (2020). *Pride in Prevention: A guide to primary prevention of family violence experienced by LGBTIQ communities*. La Trobe University. https://www.latrobe.edu.au/_data/assets/pdf_file/0003/1141833/Pride-in-Prevention-Evidence-Guide.pdf

⁷² Australian Institute of Health and Welfare. (n.d.). *LGBTQIA+ people: Family, domestic and sexual violence*. <https://www.aihw.gov.au/family-domestic-and-sexual-violence/population-groups/lgbtiqa-people>

⁷³ Australian Institute of Health and Welfare. (2024). *LGBTIQ+ Australians: Suicidal thoughts and behaviours and self-harm*. <https://www.aihw.gov.au/reports/lgbtiq-plus-people/lgbtiq-australians-suicidal-thoughts-behaviours-self-harm>.

People with disability

The Disability Discrimination Act 1992 (Cth) defines disability broadly to ensure inclusive coverage. It includes any physical, intellectual, psychiatric, sensory, neurological, or learning disability, disease or illness, or any other condition affecting a person's body or mind. This definition covers conditions that currently exist, previously existed, may exist in the future, or are perceived to exist. The breadth of the definition reflects the diversity of disability and recognises that each person's experience is unique. The social model of disability defines it not as an individual's impairment, but as a result of the societal barriers and limitations that they face. The social model acknowledges that it is the attitudes, practices and structures that are the disabling barriers themselves, and prevents individuals from exercising their rights as equal members of the community.⁷⁴

Given the broad and varied nature of disability, experiences of GBV also vary greatly. They can vary depending on the type and experience of disability, and the systems and attitudes that surround a person. For example, women with a psychological or intellectual disability are nearly three times more likely to experience violence than women with physical disability.⁷⁵ People with disability, particularly women with disability, continue to be subjected to violence, abuse, neglect, exploitation, exclusion and discrimination at significantly higher rates than people without disability.⁷⁶ Research shows that women with disability are more likely to experience GBV, including additional forms of GBV related to disability, including forced sterilisation, seclusion and restrictive practices.⁷⁷

Women with a disability also experience violence, including GBV, in broader settings and from a wider range of perpetrators than women without a disability.⁷⁸ For women with disability, violence may take place in institutional and service environments such as residential support services and aged care facilities. These environments can exacerbate GBV with power imbalances and limited oversight. People with disability face greater barriers to reporting violence and accessing support services. This can include a lack of accessible services or information on how to report, a lack of disability education within those services, and people with disability being physically or socially isolated.⁷⁹ In work environments, women with a disability are twice as likely to have experienced sexual harassment at work than those without a disability.⁸⁰

⁷⁴ Australian Government. (2021). Australia's Disability Strategy 2021–2031. Australian Government.

⁷⁵ Commonwealth of Australia (Department of Social Services). (2022) National Plan to End Violence against Women and Children 2022–2032. <https://www.dss.gov.au/system/files/resources/national-plan-end-violence-against-women-and-children-2022-2032.pdf>

⁷⁶ Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability. (2023). Final report – Executive summary, our vision for an inclusive Australia and recommendations. Australian Government.

⁷⁷ Commonwealth of Australia (Department of Social Services). (2022) National Plan to End Violence against Women and Children 2022–2032. <https://www.dss.gov.au/system/files/resources/national-plan-end-violence-against-women-and-children-2022-2032.pdf>

⁷⁸ Our Watch. (2021). Change the story: A shared framework for the primary prevention of violence against women in Australia (2nd ed.). <https://www.ourwatch.org.au/resource/change-the-story-framework/>

⁷⁹ People with Disability Australia & Domestic Violence NSW. (2021). Women with disability and domestic and family violence: A guide for policy and practice. People with Disability Australia.

⁸⁰ Australian Human Rights Commission. (2020). Respect@Work: Sexual Harassment National Inquiry Report. <https://humanrights.gov.au/our-work/sex-discrimination/publications/respectwork-sexual-harassment-national-inquiry-report-2020>

Young people with disability continue to be underrepresented in higher education.⁸¹ Data from the *Change the Course* report and the NSSS demonstrate that people with disability experience disproportionate rates of sexual assault and sexual harassment during their time in university.⁸² While there is limited research available on the experiences of higher education students with disability reporting incidences of gender-based violence to their education providers, the Department of Education heard directly from advocates during consultation that students face accessibility barriers including a lack of disability education or understanding in university complaint processes. Increasing access to education and learning for people with disability is a key outcome area identified in *Australia's Disability Strategy 2021–2031*.⁸³

Culturally and Linguistically Diverse (CALD) Students and Staff

There is currently limited data on the prevalence and experiences of GBV within CALD communities in Australia, particularly in higher education settings. However, existing national datasets indicate that CALD women experience disproportionately high rates of gender-based violence.⁸⁴ Factors such as temporary or dependent visa status, language barriers, and limited access to culturally safe support networks can heighten vulnerability and increase exposure to family, domestic, and sexual violence,⁸⁵ as well as other forms of GBV such as coercive control, financial abuse and reproductive coercion.⁸⁶

Although not specific to CALD communities in higher education, broader research provides valuable insights into the experiences of culturally diverse populations in Australian workplaces. A study conducted by Australia's National Research Organisation for Women's Safety (ANROWS) into the experiences of migrant and refugee women in Australia found that at least 46% of respondents experienced at least one form of sexual harassment in the workplace in the last 5 years.⁸⁷ The Respect@Work Inquiry also noted that CALD workers were more likely to experience sexual harassment in the workplace and acknowledged that this group is often engaged in non-standard employment arrangements, such as casual, non-ongoing, contract, or temporary arrangements, which often functions as a deterrent from reporting for fear of losing work.⁸⁸ While these findings are not specific to the tertiary education sector, they are highly relevant given the prevalence of casual and non-ongoing employment among staff in higher education. These patterns suggest that CALD staff in higher education may face similar risks and barriers.

⁸¹ Cadby, G., Pitman, T., & Koshy, P. (2024). Students with disability in Australian higher education: an overview. Australian Centre for Student Equity and Success (ACSES), Perth: Curtin University.

⁸² Social Research Centre. (2022). National Student Safety Survey. <https://www.nsss.edu.au/>

Australian Human Rights Commission. (2020). Respect@Work: Sexual Harassment National Inquiry Report. <https://humanrights.gov.au/our-work/sex-discrimination/publications/respectwork-sexual-harassment-national-inquiry-report-2020>

⁸³ Australian Government. (2021). Australia's Disability Strategy 2021–2031. Australian Government.

⁸⁴ Australian Human Rights Commission. (2017). Change the course: National report on sexual assault and sexual harassment at Australian universities. <https://humanrights.gov.au/our-work/sex-discrimination/publications/change-course-national-report-sexual-assault-and>

⁸⁵ Australian Institute of Health and Welfare. (2024). People from culturally and linguistically diverse backgrounds.

⁸⁶ Australian Institute of Family Studies. (2018). Intimate partner violence in Australian refugee communities: scoping review of issues and service responses.

⁸⁷ Australia's National Research Organisation for Women's Safety. (2023). Migrant and refugee women in Australia: A study of sexual harassment in the workplace.

⁸⁸ Australian Human Rights Commission. (2020). Respect@Work: Sexual Harassment National Inquiry Report. <https://humanrights.gov.au/our-work/sex-discrimination/publications/respectwork-sexual-harassment-national-inquiry-report-2020>

CALD students are also likely to encounter barriers that can compound their vulnerability to GBV and limit their ability to seek support. These barriers may include language difficulties, cultural stigma, and limited awareness of available services. However, it is worth acknowledging that the *Change the Course* report found domestic students who mainly spoke English at home were more likely to report experiences of sexual harassment, and that there were no substantial differences in the rates of sexual assault across language groups.⁸⁹ While this specific report does not indicate higher rates of GBV in CALD communities specific to higher education, this likely reflects underreporting rather than a lower prevalence, due to CALD communities having more barriers to reporting. These barriers can lead to underrepresentation of CALD experiences data, which skews the extent and impact of gender-based violence within this group.

International Students

Australia is one of the most popular study destinations for international students.⁹⁰ In the year-to-date December 2024, there were 1,095,298 international student enrolments, with 55% from China (22%), India (16%), Nepal (8%), the Philippines (5%) and Vietnam (4%).⁹¹ A survey into the experiences of women international students in higher education have found that over half of women international students reported experiencing sexual violence since arriving in Australia or reported experiencing intimate partner violence in the last 12 months.⁹²

For international students, financial stress, housing insecurity, low social support, and concerns about visa status can exacerbate risk and create barriers to reporting and getting help. Perpetrators may exploit a student's visa status to exert control, while fears of deportation, loss of residency or institutional inaction may deter students from reporting violence.⁹³ During consultations, stakeholders noted that international students often lack access to culturally appropriate services and may return to unsafe environments due to the absence of viable alternatives. The NSSS reported that international students were more likely to report 'I didn't want to get anyone in trouble' or 'I was worried it would affect my studies or career opportunities' as reasons for not reporting sexual harassment to their provider.⁹⁴ The *Change the Course* report also found that international students were less aware of formal pathways available for disclosure and reporting.⁹⁵ This lack of awareness, compounded by language barriers and the absence of translated or culturally appropriate procedures, can significantly hinder help-seeking and further contribute to underreporting among international students.

⁸⁹ Australian Human Rights Commission. (2017). *Change the course: National report on sexual assault and sexual harassment at Australian universities*. <https://humanrights.gov.au/our-work/sex-discrimination/publications/change-course-national-report-sexual-assault-and>

⁹⁰ Tarzia, L., Navarro Medel, C., McLindon, E., Ezer, P., Forbes-Mewett, H., Tran, L. T., Murdolo, A., & Hegarty, K. (2025). *Experiences of sexual and intimate partner violence among women international students in Australia*.

⁹¹ Australian Government Department of Education. (2025). *International student monthly summary and data tables*. <https://www.education.gov.au/international-education-data-and-research/international-student-monthly-summary-and-data-tables>

⁹² Tarzia, L., McKenzie, M., Forbes-Mewett, H., Tran, L.T., Murdolo, A., Navarro Medel, C., Ezer, P., Tran, G., Hach, M., McLindon, E. & Hegarty, K. (2025). *Preventing and addressing sexual and/or intimate partner violence against women international students: Practice guide for delivering a whole-of-community response*. The University of Melbourne. <https://www.restorecentre.org.au/resources/practical-guide-international-students>

⁹³ Segrave, M. (2017). *Temporary migration and family violence: An analysis of victimisation, vulnerability and support*. Melbourne: School of Social Sciences, Monash University.

⁹⁴ Social Research Centre. (2022). *National Student Safety Survey*. <https://www.nsss.edu.au/>

⁹⁵ Australian Human Rights Commission. (2017). *Change the course: National report on sexual assault and sexual harassment at Australian universities*. <https://humanrights.gov.au/our-work/sex-discrimination/publications/change-course-national-report-sexual-assault-and>

Supporting the above findings, the department has heard directly from advocates during consultation that international students are concerned that reporting GBV may adversely impact their visa status, and that they often return to their perpetrator due to a lack of accessible and culturally appropriate support services. Research also shows that migrant and refugee women are more likely to be impacted by the consequences of domestic and family violence and the barriers to seeking help. Stereotypes of some cultures as being inherently more oppressive or violent can serve to decrease the accountability of perpetrators and disempower victim-survivors, and women may refrain from seeking help for fear of misrepresenting and reinforcing negative stereotypes about their communities.⁹⁶

A recent study into the experiences of women international students highlights a significant gap in the current evidence base, noting that robust quantitative data on the nature, context, and prevalence of GBV among international students is largely absent.⁹⁷ This underscores the need for more comprehensive and disaggregated data collection that specifically includes international students as a distinct cohort.

1.6 Problem 4: previous measures to address GBV in higher education have been stalled, fragmented, reactive and under resourced failing to drive lasting change

Efforts to address GBV in Australian higher education have been ongoing for over a decade, yet progress remains limited, inconsistent, and largely dependent on voluntary action. While there have been moments of momentum – driven by advocacy, media attention, and landmark reports – these have not translated into sustained, system-wide change.

The release of the 2016 documentary *The Hunting Ground* and the subsequent advocacy campaign motivated a visible sector-wide response to the issue of gender-based violence in higher education settings. The campaign raised awareness of gender-based violence on campus through screenings of the documentary at universities. An evaluation report published by the Hunting Ground – Australia Project (THGAP) documents the initial resistance they encountered, which included hostility, downplaying the extent of gender-based violence at their institution, relegation of the problem as a police matter, and classifying it as a ‘grey area’. However, as the project continued, and student activism and media attention increased, universities became more willing to address student safety.

This action led to Universities Australia launching the *Respect. Now. Always* initiative to prevent sexual violence in university communities and improve how universities respond to those affected. This initiative established:

- the commissioning of the Australian Human Rights Commission to conduct a national survey of university students on their experiences of sexual assault and sexual harassment.
- a whole-of university model to prevent gender-based violence (in collaboration with Our Watch and the Victorian Government)

⁹⁶ Zark, L., Toumbourou, J. W., & Satyen, L. (2023). Help-seeking for intimate partner and family violence among tertiary students in Australia: Nature, extent, and cross-cultural differences. *Journal of Family Violence*, 38(3), 491–508. <https://doi.org/10.1007/s10896-022-00406-5>

⁹⁷ Tarzia, L., Navarro Medel, C., McLindon, E., Ezer, P., Forbes-Mewett, H., Tran, L. T., Murdolo, A., & Hegarty, K. (2025). Experiences of sexual and intimate partner violence among women international students in Australia.

- training resources and guidelines for responding to incidents, supervisor-postgraduate interactions, and guidance residential colleges staff.

The AHRC's 2017 *Change the Course Report* was a significant milestone as it provided the first national prevalence data on sexual assault and sexual harassment in Australian Universities. The report made nine recommendations – eight were directed at universities and one was directed to residential colleges and student accommodation providers. These recommendations focused on five domains of reform:

- Strengthening institutional governance and leadership
- Embedding university-wide cultural change
- Implementing primary prevention strategies
- Establishing effective monitoring and evaluation frameworks
- Ensure that student accommodation providers offer safe and supportive environment.⁹⁸

Following the release of the *Change the Course* report, the then Minister for Education and Training wrote to all universities, asking them to respond quickly and comprehensively to the recommendations and take all necessary actions to ensure that Australian universities are places of safety and respect. The report prompted the university sector to commit to strong and swift action, adopting a range of initiatives to strengthen institutional responses. This included commitments to establishing advisory bodies, reviewing policies and response pathways, increasing and reviewing support services, and providing training and education around sexual assault, sexual harassment and respectful relationships.

A review by TEQSA in 2019 found that Universities had largely implemented the recommendations of the report and were responding to the issue of sexual assault and sexual harassment, supported by University Australia's *Respect. Now. Always* campaign.

In 2019, the Tertiary Education Quality and Standards Agency (TEQSA) published an audit of higher education providers' responses to AHRC's recommendations in *Change the Course*.⁹⁹ The audit found that:

- most universities accepted the recommendations of the *Change the Course* report and were responding to the issue of sexual assault and sexual harassment.
- the response of the 126 independent and TAFE higher education providers to the issue of sexual assault and sexual harassment was not as comprehensive as that of universities.
- only 9 universities had demonstrated evidence of public reporting of data relating to sexual assault and sexual assault.

However, the review did not assess the quality or effectiveness of the interventions, therefore no conclusions were made about whether responses were best-practice, evidence based, or

⁹⁸ Australian Human Rights Commission. (2017). *Change the course: National report on sexual assault and sexual harassment at Australian universities*. <https://humanrights.gov.au/our-work/sex-discrimination/publications/change-course-national-report-sexual-assault-and>

⁹⁹ Tertiary Education Quality and Standards Agency (TEQSA). (2023). *Report to the Minister for Education: Higher education sector response to the issue of sexual assault and sexual harassment*. from <https://www.teqsa.gov.au/guides-resources/resources/sector-updates-and-alerts/report-minister-education-higher-education-sector-response-issue-sexual-assault-and-sexual-harassment>

adequately resourced. TEQSA emphasised the importance of comprehensively monitoring the sector to ensure universities are acting in alignment with their objectives.¹⁰⁰

Despite a sector-wide approach to sexual violence and investment into education and training programs, the impact has not been discernible. The follow-up *2021 National Student Survey* indicated that the prevalence of gender-based violence was still significant, and that despite voluntary steps by providers, substantive change had not occurred. The survey identified significant deficits in institutional responses:

- Fewer than 10% of victim survivors report the incident to the university.
- Of those who reported, only 47.5% felt the complaint and reporting process was adequately explained or accessible.
- Fewer than 1 in 3 (29.7%) were satisfied with the providers handling of the process.¹⁰¹

In 2023, following the NSSS and the subsequent public scrutiny, Universities Australia released a Charter on Sexual Harm which commits universities to nine actions to address gender-based violence. The Charter outlines a commitment to fostering safe, transparent, and accountable university environments by embedding trauma-informed policies (trauma-informed is an approach that applies the core principles of safety, trust, choice, collaboration and empowerment), clear reporting pathways, and culturally appropriate support services. It emphasises fairness, data transparency, and continuous improvement through evidence-based practice and collaboration.¹⁰²

While the Charter reflected an important intent to improve, its commitment is largely non-binding, lacks timeframes for implementation, and largely reiterates principles outlined in previous reports. A review of Australian university responses to campus sexual violence argued that that sector commitments, such as the Charter, are meaningless without sustained effort, long-term institutional commitment and resourcing across all universities. Furthermore, it only includes 39 universities, and over 170 private/independent HEPs are not captured.

Concerns about declining momentum were reinforced in evidence provided to the *Senate Legal and Constitutional Affairs References Committee* inquiry into sexual consent laws (September 2023), which heard that sector-wide efforts had “at best waned, and at worst, stalled”.¹⁰³ The Committee’s final report described university responses as ranging from proactive to “damaging and deeply troubling” and identified inconsistent delivery of prevention and support services.¹⁰⁴

Some providers have moved beyond minimum requirements and have taken active steps to address gender-based violence at their own discretion. Several universities have published their own reports on performance, including relevant data and progress of actions, and implemented consent education for students. A 2024 review of university responses to GBV highlighted gaps

¹⁰⁰ Tertiary Education Quality and Standards Agency (TEQSA). (2023). Report to the Minister for Education: Higher education sector response to the issue of sexual assault and sexual harassment. Retrieved August 1, 2025, from <https://www.teqsa.gov.au/guides-resources/resources/sector-updates-and-alerts/report-minister-education-higher-education-sector-response-issue-sexual-assault-and-sexual-harassment>

¹⁰¹ Social Research Centre. (2022). National Student Safety Survey. <https://www.nsss.edu.au/>

¹⁰² Universities Australia. (2023). *Universities Australia Charter on Sexual Harm*. <https://universitiesaustralia.edu.au/policy-submissions/safety-wellbeing/universities-australia-charter-on-sexual-harm/>

¹⁰³ Senate Legal and Constitutional Affairs References Committee. (2023). Inquiry into current and proposed sexual consent laws in Australia: Final report. Parliament of Australia.

¹⁰⁴ Ibid.

and inconsistencies to institutional responses to GBV.¹⁰⁵ Encouragingly, the review found that nearly all Australian universities had standalone policies on sexual violence, online reporting mechanisms with information about what will happen once a disclosure or report is made, and clear guidance on how students or staff who have experienced sexual violence can access support.¹⁰⁶ However, the report also found that only 15 universities had current action plans or strategies targeting sexual or GBV, a third of Australia's universities did not have standing governance mechanisms in place to ensure a consistent ongoing focus on sexual violence, and there was a lack of clarity in reporting procedures about the differences between concerns, disclosures, reports and complaints.¹⁰⁷ Significantly, the review also highlighted a lack of data transparency, with only 15 of 39 universities publishing consolidated information about disclosures or reports of sexual violence.¹⁰⁸ Overall, the review found that while there are pockets of good practice across the university sector, responses continue to be inconsistent and fragmented across the sector leaving staff and students who experience GBV exposed to a "postcode lottery". The report also found there is currently no Australian university that represents an exemplar of good practice.¹⁰⁹

In the absence of sector-wide benchmarks and quality indicators, individual institutional actions on sexual violence risk continuing to provide students and staff with inconsistent experiences that do not reflect good practice. Existing measures are mostly recommendations, with implementation varying by institution. The limited available data on the efforts of private HEPs to address sexual violence raises additional concerns regarding the extent and effectiveness of current practices.

Similar issues have been identified for staff. Research by the National Tertiary Education Union (NTEU) found that a substantial proportion of staff who experienced workplace sexual harassment were discouraged by their employer from making a formal report. This indicates systemic failings on ensuring appropriate support, reporting pathways, and cultural safety for victim/survivors.¹¹⁰

This evidence suggests that addressing GBV in higher education has largely been reactive, ad hoc, and fragmented, lacking cohesive, interlinked strategies from primary prevention to response. Without a comprehensive, whole-of-organisation approach across all domains of the higher education sector, including students, staff, teaching and learning, business and operations, and research and research pathways, interventions will be limited in their effectiveness and impact.

A summary of independent reports over the last decade and recommendations made to the sector to strengthen prevention and response are summarised in a table below:

¹⁰⁵ Henry, A. (2024). A snapshot of Australian university responses to campus sexual violence. *Alternative Law Journal*, 49(4), 262-268. <https://doi.org/10.1177/1037969X241284744> (Original work published 2024)

¹⁰⁶ Ibid.

¹⁰⁷ Ibid.

¹⁰⁸ Ibid.

¹⁰⁹ Ibid.

¹¹⁰ National Tertiary Education Union. (2023). Sexual harassment survey report. https://www.nteu.au/News_Articles/Media_Releases/Sexual_Harassment_Survey_Report.aspx

Table 1: Key reports and recommendations made to the higher education sector.

Key report	Key Recommendations
<i>Change The Course: National Report on Sexual Assault and Sexual Harassment at Australian Universities</i> (Australian Human Rights Commission, 2017)¹¹¹	The <i>Change the Course</i> report gave nine recommendations for Australian universities and university residential colleges to follow. These recommendations focused on structural and cultural reforms to minimise the frequency of incidences and effectively manage sexual harassment and assault in all university settings. Recommendations included: • Vice-Chancellors should take direct responsibility for the implementation of these recommendations, including decision-making and monitoring and evaluation of actions taken. • Universities develop a plan for addressing the drivers of sexual assault and sexual harassment through education. • Universities ensure students and staff know about support services and reporting processes for sexual assault or sexual harassment. • Within a year, universities should commission an independent, expert-led review of existing university policies and response pathways in relation to sexual assault and sexual harassment. • Universities should ensure that information about individual disclosures and reports of sexual assault and sexual harassment is collected and stored confidentially and used for continuous improvement of processes. • As soon as possible, universities should conduct an audit of university counselling services. • Universities should engage an independent body to conduct the National university student survey of sexual assault and sexual harassment at three-yearly intervals.
<i>Connecting the Dots: Understanding sexual assault in university communities</i> (End Rape on Campus, 2017)¹¹²	The 2017 <i>Connecting the dots</i> report by Professor Catharine Lumby, as part of the <i>End Rape on Campus Australia</i> campaign, explores the ongoing problem of sexual assault in Australian universities including the nature and extent of the issue, obstacles that students may face when reporting and accessing support and the historical context of university's failure to respond to the issue. The report also focuses on how survivors' needs can be best met and supported within tertiary institutions. Based on EROC's research and findings during the curation of the report, they made several recommendations for changes in universities and beyond. Some of these include:

¹¹¹ Australian Human Rights Commission. (2017). *Change the course: National report on sexual assault and sexual harassment at Australian universities*. <https://humanrights.gov.au/our-work/sex-discrimination/publications/change-course-national-report-sexual-assault-and>

¹¹² Lumby, C. (2017). *Connecting the dots: Understanding sexual assault in university communities*. End Rape on Campus Australia.

Key report	Key Recommendations
	• Develop the education sector to deliver on evidence-based findings and equip them with the support systems to properly manage student reports. • Implement survivor-centric policies and procedures with functional record-keeping processes. • Government commitment to funding support services and ongoing research. • Implementation of a federal complaints mechanism to escalate student concerns.
<i>The Red Zone Report: An investigation into sexual violence and hazing in Australian university residential colleges (End Rape on Campus, 2018)</i> ¹¹³	The <i>Red Zone Report</i> was a 2018 investigation into sexual violence and hazing in Australian university residential colleges conducted by End Rape on Campus. The report highlighted the risks to students during university orientation weeks, with increases in hazing, bullying, harassment and sexual assault. The report attempted to address these issues by reviewing the full breadth of available evidence, showing the normalisation of hazing and initiation rituals in university communities. The report outlined a total of 10 recommendations urging both systemic and cultural shifts to minimise sexual assault and harassment in university settings, including: • Improving oversight of respective student residences by the university and taking accountability for behaviours that occur on premises to create streamlined processes across both campus and accommodation. • Ensuring equally accessible university complaints procedures and counselling services for university and college students. • Reviewing the role of secondary schools in ‘feeding’ residential colleges to try and break systematic distribution misbehaviours and culture. • Criminalising harmful initiation practices known as ‘hazing’. • Establishing a government taskforce to oversee responses to sexual assault in the education sector and introduce mandatory reporting from universities.
<i>Combative to Collaborative: International Perspectives on Prevention Sexual Violence at Australian</i>	The 2023 <i>Combative to Collaborative: International Perspectives on Preventing Sexual Violence at Australian Universities</i> report by Camille Schoeffel focuses on the prevalence of sexual assault in Australian universities and provides guidance on appropriate prevention. The report compares Australian university approaches to counterparts in the USA, Canada and the UK. The report outlines 7 core principles for effective prevention and 61 recommendations which provide a clear path for universities to follow. The key themes of these recommendations include:

¹¹³ Funnell, N., Hush, A., Bremner, S., & Lumby, C. (2018). *The Red Zone Report 2018*. End Rape on Campus.

Key report	Key Recommendations
Universities (Camille Schloeffel, 2023)¹¹⁴	• Universities should implement structures to prevent sexual assault on campus. • Collaboration and activism are required to drive systematic and cultural change across the globe. • Increased accountability and transparency are needed across universities regarding their reporting and support structures. • government intervention is necessary to make major reforms to see long lasting change

1.7 Problem 5: Insufficient data availability hinders comprehensive understanding of GBV in higher education and limits the ability to hold service providers accountable

Regular collection of robust and consistent data is critical to understand the nature and extent of the occurrence of GBV, where prevention and response efforts are having a positive impact, and to identify areas for improvement. Without this data, change cannot be measured by providers or across the sector.

Australia lacks a comprehensive dataset on GBV in higher education. While the *National Student Safety* surveys and the NTEU survey have provided invaluable insights, these efforts are infrequent, non-standardised and do not capture the full scope or complexity of the issue to ensure transparency in the sector.

Currently, there is inconsistency in how providers define GBV, compromising the robustness and comparability of the data. Furthermore, while data is currently collected on staff and student experiences of sexual violence at the individual university and national level, there is a lack of sufficient data on all types of GBV experienced by students and staff – including intimate partner violence, domestic and family violence, technology-facilitated GBV, and coercive control. There is also inconsistency in data terminology, collection and reporting within and between providers, and between providers and national surveys. Data on incidents of GBV in student accommodation is extremely limited with no uniform data collection system.

Regular surveys of students and staff are essential to track the prevalence of GBV, to understand institutional responses, and to better understand the experiences of victim-survivors. The last survey of university students was conducted in 2021, and Universities Australia has committed to undertake another survey. Qualitative data on the experiences of victim-survivors is as critical as prevalence data. Their views on how institutions respond to disclosures, as well as their experiences of formal reporting and disciplinary processes, will enable providers to pivot where necessary and improve performance.

Institutional level data also needs to be regularly published by all providers to ensure accountability – with clear sector-wide indicators and consistent standards. Without this,

¹¹⁴ Schloeffel, C. (2023). *Combative to Collaborative: International Perspectives on Preventing Sexual Violence at Australian Universities*.

providers have operated without consistent standards or accountability. It is also unclear how providers are using existing data to inform prevention and response activities – robust monitoring and evaluation frameworks are essential to build the evidence base and to ensure activities are appropriate and effective.

1.8 Problem 6: The current regulatory framework is limited, posing an ongoing risk to student and staff safety

Higher education providers have existing obligations to provide safe learning and work environments. The *Higher Education Standards Framework* (Threshold Standards) represent the minimum acceptable requirements for the provision of higher education in or from Australia. Compliance with the Threshold Standards is monitored by TEQSA.

Under the Threshold Standards, higher education providers' obligations in relation to gender-based violence fall under Standard 2.3 (Wellbeing and Safety) and 2.4 (Student Grievances and Complaints). These standards include requirements to:

- Provide avenues and contacts for supports for students if needed.
- Ensure the availability of specific types of personal support services.
- Ensure that support services offered reflect the needs of student cohorts.
- Promote a safe environment.
- Appropriately manage critical incidents.
- Implement grievance mechanisms, policies and processes to resolve complaints promptly, fairly and confidently – including advocacy, professional advice and other support.

The Threshold Standards present several challenges to regulating responses to GBV. While the safety and wellbeing of students is covered broadly, the Threshold Standards do not provide the specificity required to effectively improve or monitor GBV prevention and response. For example, the Threshold Standards express a need to promote a safe environment but do not specify what this entails or how to implement it. They set requirements – such as the provision of information, timely advice, support services and a critical incident policy – but do not specify what safety issues and incidents these requirements relate to, or what is considered timely. Further requirements set expectations for higher education providers to have adequate grievance mechanisms, policies and processes, but do not detail specific requirements for safety and wellbeing matters. There is also no requirement for higher education providers to report publicly, regularly, or consistently on GBV incidents and responses to these incidents. Overall, the nature of the Threshold Standards means they are an unsuitable legislative tool for detailing the specific requirements that effective prevention and response to GBV requires. Higher education providers are also required to demonstrate that appropriate safety and support measures are in effect for students to meet the *Education Services for Overseas Students National Code 2018* (ESOS National Code) and the *Support for Students Policy* in the *Higher Education Support Act 2003* (HESA). Higher education providers must also provide a safe working environment for staff (under various work health and safety laws) and prevent sexual discrimination and harassment (positive duty obligations, *Sex Discrimination Act 1984*). Despite these legislative and regulatory requirements, there are no explicit requirements in relation to protecting students from gender-based or sexual violence. These requirements do not

constitute the comprehensive and targeted approach that is needed to drive substantial change in higher education settings and do not provide the Government with clear visibility of provider performance. The limitations of the current regulatory framework to address the prevalence of gender-based violence are explored in more detail in **Table 2** below.

Table 2: Current regulatory scope and limitations to regulating GBV.

Regulation	Current regulatory scope
Higher Education Standards Framework (Threshold Standards) 2021	• The Threshold Standards cover safety and wellbeing for students, but do not provide specific compliance requirements for preventing and responding to GBV, including specifics on the nature and extent of support services. • Student accommodation providers are not subject to the Threshold Standards. • There is no requirement for higher education providers to report publicly, regularly, consistently on GBV incidents and responses to these incidents.
Higher Education Support Act 2003, Higher Education Provider Guidelines 2023	• The Act and Guidelines require higher education providers to have grievance and review procedures in place for student complaints on academic and non-academic matters. However, they do not require specific information on the nature of grievance and review procedures in relation to GBV nor require those procedures to be victim-centred and trauma-informed to reduce the likelihood of further harm.
Support for Students Policy (HESA 2003, s19-43)	• The Support for Students Policy requires higher education providers to have, comply with and report on a policy that supports students to successfully complete units of study in which they are enrolled. However, these requirements only apply to HESA-approved providers – not all TEQSA approved higher education providers. • The guidelines recognise students may experience family and domestic violence, harassment, sexual harm but do not specifically include other forms of GBV.
Higher Education Support (Student Services, Amenities, Representation and Advocacy) Guidelines 2022	• These Guidelines require higher education providers who charge a student services and amenities fee (SSAF) to publicly report on how allocations are spent. SSAF revenue can only be spent on a range of non-academic support services. However, it does not prescribe support the kinds of support required for victims of GBV.
National Code of Practice for Providers of Education and Training to Overseas Students 2018	• This National Code focuses solely on the delivery of education to overseas students. Like the Threshold Standards, it outlines minimum standards for higher education providers to ensure safe environments for students.
Sex Discrimination Act 1984 - Positive duty requirements / Fair Work Act 2009	• Requires employers to take ‘reasonable and proportionate measures’ to eliminate and prevent discrimination on the grounds of sex in a work context; sexual harassment in connection with work; sex-based harassment in connection with work; conduct creating a workplace environment that is hostile on the grounds of sex; related acts of victimisation. • Applies to employees/staff but does not apply to students.

Regulation	Current regulatory scope
Work health and safety laws	- Higher education providers have a primary duty to monitor workers' health and conditions and manage health and safety risks. This includes eliminating or minimising psychosocial hazards at work, which include sexual harassment, violence and aggression. - Guidelines do not always provide specific guidance on how to achieve compliance with the WHS Duty.
Workplace Gender Equality Agency reporting requirements	- Requires higher education providers to register for the Gender Equality Program if they are standalone organisations with 100 or more employees, or a corporate structure with 100 or more employees across all entities. - Reporting is focused on gender equality and equity (which can include harassment and discrimination). - Reporting does not relate to students, student complaints, disclosures of GBV or related incident rates. - Does not apply to all registered higher education providers.

There is guidance available to the sector to support leading practice such as TEQSA's *Guidance Note: Wellbeing and Safety*, Universities Australia's *Sexual Harm Response Guidelines* and the AHRC's *Guidelines for Complying with the Positive Duty*. Collectively, these materials provide more specific guidance for higher education providers in addressing GBV, but they do not constitute the comprehensive approach that is needed to drive systemic change across the sector.

1.8.1 Student accommodation regulatory framework

The lack of a specific approach to addressing GBV is also a significant risk within student accommodation settings. There are a range of student accommodation types and legal structures, including university owned/operated, residential colleges, homestays and purpose-built student accommodation (PBSAs). As a result, there is a mixed regulatory framework which includes private contracts and Residential Tenancy Acts (RTAs). While some student accommodation providers provide pastoral care and are addressing this violence in their residences, there are no national regulations, requirements or consistent standards for providers.

At the national level, there is currently no legislative authority or regulatory powers to hold accommodation providers accountable regarding work to prevent, address and respond to GBV. While sexual assault and sexual harassment is prohibited under State and Territory anti-discrimination, equal opportunity and criminal laws, the utilisation of these statutes is reliant on individual complaints and offers limited opportunities for systemic attention or improvements. Many student accommodation services seek to work with their relevant higher education provider, but there are cases where a lack of collaboration has negatively affected victim-survivors resulting in a lack of support or poor investigation processes.

The current rates of GBV in higher education and student accommodation settings pose an unacceptable risk to student and staff safety. Policy intervention is therefore required to drive the cultural shift needed to address the systemic and long-term GBV in the higher education sector and student accommodation settings.

2 Chapter 2: What are the objectives, why is government intervention needed to achieve them, and how will success be measured?

2.1 Voluntary measures are not enough to address GBV in higher education

Despite more than a decade of research, recommendations, and sector-wide commitments, voluntary action by higher education providers has not delivered the systemic change required to prevent gender-based violence or ensure consistent and effective institutional responses. As outlined in Chapter 1, rates of gender-based violence remain unacceptably high across the sector. Progress has been slow, uneven, and difficult to measure.

While some providers have demonstrated initiative to address gender-based violence, the overall response has been fragmented and reactive. Voluntary measures, such as sector-led charters, guidance notes, and individual initiatives, have lacked enforceability, consistency, and accountability. In many cases, efforts have been siloed across HR, legal, student services, and wellbeing teams, with no overarching strategy or sustained investment. Funding is often directed toward short-term initiatives or pilot programs that, while promising, fail to scale or embed lasting change.

It is important to recognise the work that individual HEPs have undertaken in preventing and responding to GBV. Some HEPs have demonstrated strong leadership by developing tailored initiatives that reflect their context, student demographics and broader community needs. Individual actions can be powerful as they are often more agile and responsive than government intervention, allowing institutions to pilot innovative approaches and react quickly to emerging issues. More importantly, they demonstrate genuine commitment to student and staff wellbeing.

Despite pockets of good practice, in the absence of a unified, independent, and accountable framework, there will always be persistent gaps in prevention, response, and recovery. There is currently no national mechanism to monitor institutional performance, ensure compliance with leading practice, or support continuous improvement. As a result, students and staff continue to face inconsistent responses.

This approach stands in contrast to the expectations set out in the *National Plan to End Violence Against Women and Children 2022–2032*, which calls for structural reform, national leadership, and system-wide accountability.¹¹⁵ The National Plan emphasises the need for coordinated evidence-based action and comprehensive data collection. Without disaggregated data on prevalence, experience, and institutional response, efforts will remain incomplete, reactive, and poorly targeted.

¹¹⁵ Commonwealth of Australia (Department of Social Services). (2022) National Plan to End Violence against Women and Children 2022–2032. <https://www.dss.gov.au/system/files/resources/national-plan-end-violence-against-women-and-children-2022-2032.pdf>

Higher education settings, like all workplaces, have a responsibility to foster safe environments. However, they operate within a unique context that can present a different set of challenges for embedding sustained cultural change. Higher education settings experience high student turnover, with a new student cohort every few years, making sustained cultural change more difficult to embed. This cyclical nature could lead to short-term, compliance-driven responses, rather than long-term, preventative strategies.

In the absence of sector-wide benchmarks and quality indicators, even well-intentioned institutional actions risk being inconsistent and ineffective. While some providers may model best practice, there is no mechanism to ensure these approaches are shared, replicated, or scaled across the sector. Standardisation is essential - not only to reinforce existing measures, but to strengthen transparency, accountability, and trust.

Universities are not only places of learning - but they are also workplaces, communities, and formative environments for future leaders. As highlighted in Recommendation 11 of the Respect@Work inquiry, tertiary institutions have a critical role in delivering evidence-based education and training that addresses the drivers of GBV and promotes workplace rights.¹¹⁶ With large workforces and significant infrastructure, higher education providers are well-positioned to lead cultural change - but only if supported by a coordinated, enforceable framework.

Voluntary measures have laid important groundwork, but they are no longer sufficient. The scale and complexity of GBV demands a shift from good intentions to binding obligations. A national, mandatory approach is needed to ensure that all providers meet consistent standards in prevention, response, and reporting.

2.2 The government has an obligation to intervene

The Australian Government is the primary public funder and regulator of the higher education sector. Through mechanisms such as the Commonwealth Grant Scheme (CGS) and national research grants, the Government provides significant financial support to universities and other higher education providers. Under the *Higher Education Support Act 2003* (HESA), providers that receive CGS funding enter into funding agreements with the Commonwealth, which carry an expectation that publicly funded institutions will operate as safe and equitable environments for students.

Most students in Australia study in Commonwealth Supported Places (CSPs) and access government loans through the Higher Education Loan Program (HELP).¹¹⁷ These arrangements reflect a substantial public investment in education and a reciprocal obligation for institutions to uphold student safety and wellbeing as a condition of that investment.

As the primary funder, the Government is also the primary regulator of the sector. The Department of Education administers student safety responsibilities under the *Tertiary Education Quality and Standards Agency (TEQSA) Act*, the *Higher Education Support Act 2003*,

¹¹⁶ Australian Human Rights Commission. (2020). Respect@Work: Sexual Harassment National Inquiry Report. <https://humanrights.gov.au/our-work/sex-discrimination/publications/respectwork-sexual-harassment-national-inquiry-report-2020>

¹¹⁷ Department of Education. 2022. "Higher Education Loan Program (HELP)." Australian Government. 2022. <https://www.education.gov.au/higher-education-loan-program>.

and the *Education Services for Overseas Students Act 2000* (ESOS Act). These frameworks underpin the Government's role in safeguarding the integrity and safety of the sector.

As discussed in Chapter 1, the effects of gender-based violence on victim-survivors' mental and physical health, and wellbeing can negatively impact students' educational outcomes. Students may be less able to attend or participate in classes, and in some cases, will withdraw from their study. This directly challenges the core mission of universities and the rights of students to an education. For staff, the effects of gender-based violence can result in reduced performance, absenteeism, and turnover.¹¹⁸ The Government has an obligation to safeguard the rights of students, to work with providers to improve prevention and response to gender-based violence, and to hold providers to account.

Australia also has legal obligations under international human rights instruments. These include the *Convention on the Elimination of All Forms of Discrimination Against Women* and the *International Covenant on Economic, Social and Cultural Rights* (ICESCR), that protects individuals from violence, their right to physical and mental health, and ensures equal access to education. The *International Covenant on Civil and Political Rights* protects the rights to equality and non-discrimination, privacy, reputation, the right to remedy, and the right to protection against exploitation, violence and abuse. When students and staff experience GBV these rights are compromised.

Tertiary institutions cannot fulfil their core mission if students and staff are not safe. As educators of future leaders and stewards of research and innovation, higher education providers have a distinct responsibility to foster safe, respectful, and inclusive learning, living, and working environments. The Australian Government has a clear mandate to act. It must work in partnership with the sector to strengthen prevention and response measures, ensure consistent practice, and hold providers accountable for delivering on their duty of care.

2.3 Government intervention has effectively addressed gender-based violence in other sectors

The Australian Government has successfully intervened in various sectors, demonstrating the effectiveness of legislation and regulatory measures in driving systemic change. While many of the interventions are still in their early stages, evaluations have indicated early effectiveness.

Most recently, the *Anti-Discrimination and Human Rights Legislation Amendment (Respect@Work) Act 2022* (Respect@Work Act) implemented key recommendations from the Australian Human Rights Commission's *Respect@Work National Inquiry Report* (2020). That report identified the pervasive nature of workplace sexual harassment and found that existing legal and regulatory frameworks were no longer adequate. In response, the Australian Government committed to fully implementing all 55 recommendations, with the *Respect@Work Act* forming a central part of this reform.

The *Respect@Work Act* established a positive duty for employers to take proactive and preventative steps to eliminate workplace sexual harassment, sex-based harassment, hostile work environments, and victimisation. It also expanded the enforcement and investigation

¹¹⁸ Australian Human Rights Commission. 2020. *Respect@Work: Sexual Harassment National Inquiry Report* (2020).

powers of the Australian Human Rights Commission and introduced consistent national expectations for organisation through the Respect@Work Guidelines. These are structure around seven key standards: leadership, culture, knowledge, risk management, support, reporting and response, and monitoring and evaluation.

The Respect@Work reforms have been evaluated to determine their effectiveness in addressing workplace sexual harassment. A 2023 evaluation by Australia's National Research Organisation for Women's Safety (ANROWS) highlighted that the establishment of the Respect@Work Council improved coordination and consistency across legal and regulatory frameworks, enhancing prevention and response strategies for workplace culture.¹¹⁹

Similarly, the Victoria's *Gender Equality Act 2020* provides a model for how regulatory intervention can address system gender inequality and its relationship to GBV. The Act applies to public sector organisations, including universities and local council, and sets clear obligations to advance gender equality through workplace reform public policy, and service delivery.

The Gender Equality Act requires organisations to:

- develop, publish and implement a Gender Equality Action Plan (GEAP) every four years based on the results of a workplace gender audit
- make reasonable and material progress in relation to the Act's workplace gender equality indicators, and publicly report on this progress every two years
- undertake gender impact assessments on all new policies, programs and services that impact the public and publicly report this activity every two years
- take into account that gender inequality may be compounded by other forms of disadvantage or discrimination and have regard to this when developing strategies for improvement.

The Act is administered by the Commission for Gender Equality in the Public Sector, which provides oversight, guidance and capacity-building support to nearly 3000 public institutions. An evaluation of the initial workplace gender audits conducted in December 2021 revealed that many organisations were engaging in this type of data collection and reporting for first time. While the evaluation emphasised the need for further work, such as ongoing support and capacity building to meet the requirements effectively, the collection of data raised organisational awareness, provided a snapshot of progress, and enabled targeted education and engagement to advance gender equality.¹²⁰

The Work Health and Safety (WHS) framework introduced in 2022, implemented across jurisdictions, recognises psychosocial hazards – including sexual harassment and violence – as workplace risk. Amendments to WHS regulations in several states now explicitly require employers to manage these risks as part of their duty of care, reinforcing the legal obligation to provide a physically and psychologically safe workplace.

In December 2023, Safe Work Australia released the first Model National Code of Practice recognising sexual and gender-based harassment as a distinct category of workplace hazard.

¹¹⁹ Australia's National Research Organisation for Women's Safety. (2024). Evaluation of the Respect@Work Council: Key findings [Fact sheet]. ANROWS.

¹²⁰ Allen + Clarke Consulting. (2022). *Workplace Gender Audit Evaluation*. Commission for Gender Equality in the Public Sector.

The National Code mandates that Persons Conducting a Business or Undertaking (PCBUs) proactively prevent such harassment, integrating it in existing WHS risk management processes. While formal evaluations of the National Code's impact are pending, its adoption by jurisdictions such as NSW and NT signify a national commitment to address sexual harassment through the WHS mechanism.

The Commonwealth Public Sector Enterprise Agreements have also increasingly included clauses that commit agencies to prevent workplace harassment and discrimination, support flexible work, and promote safe, respectful culture. This mirrors a broader trend across jurisdictions, including SafeWork NSW, WorkSafe Victoria and WorkSafe WA, which has all released guidance to support employers in identifying and responding to workplace sexual harassment.¹²¹

In the university sector, the Fair Work Commission has also recognised the impact of workplace sexual harassment on staff through rulings that support the right to a safe working environment and remedies for unlawful conduct. However, without a sector-specific, coordinated framework, responses remain inconsistent and reactive.

These frameworks demonstrate that positive government interventions – grounded in legislation, standards and oversight – can significantly strengthen prevention, accountability and systemic change. Just as these reforms have been critical in the workplace and public service sectors, government intervention in higher education is necessary to ensure students and staff are equally protected from GBV.

2.4 International comparators in higher education

Internationally, several governments have taken varying degrees of regulatory action to address GBV in higher education and other institutions.

In Ireland, the Higher Education Authority introduced a National Framework for Consent in Higher Education Institutions (2020), which mandates institutions to embed consent education, develop actions plans, and report annually on progress.¹²² The frameworks include standards for leadership, accountability, staff training, student engagement and cultural change, supported by national oversight and funding. Since its implementation, higher education institutions have submitted annual progress reports to the Higher Education Authority (HEA). These reports have facilitated the monitoring and institutional efforts and the identification of areas requiring further attention contributing to a more coordinated national approach to consent education and GBV prevention.

¹²¹ SafeWork NSW. (2024). Sexual and gender-based harassment: National Code of Practice.

(https://www.safework.nsw.gov.au/_data/assets/pdf_file/0010/1310131/National-Code-of-Practice-Sexual-and-gender-based-harassment.pdf).

WorkSafe Victoria. (2024). A guide for employers: Work-related gendered violence including sexual harassment (2022). WorkSafe Victoria. (<https://content-v2.api.worksafe.vic.gov.au/sites/default/files/2022-11/ISBN-Work-related-gendered-violence-including-sexual-harassment-2022-11.pdf>);

WorkSafe WA. (2024). Sexual harassment at work.

https://www.worksafe.wa.gov.au/system/files/migrated/sites/default/files/atoms/files/241244_br_sexual_harassment_at_work.pdf

¹²² Department of Education and Youth, Government of Ireland. (2020). Framework for Consent in Higher Education Institutions: Safe, Respectful, Supportive and Positive – Ending Sexual Violence and Harassment in Irish Higher Education Institutions. <https://www.gov.ie/en/department-of-education/publications/framework-for-consent-in-higher-education-institutions-safe-respectful-supportive-and-positive-ending-sexual-violence-and-harassment-in-irish-higher-education-institutions/>

In the United Kingdom, the Office for Students (OfS) has issued formal Expectations for Preventing and Addressing Harassment and Sexual Misconduct.¹²³ These set expectations for institutions to implement robust policies, improve reporting processes, and demonstrate measurable outcomes. The OfS also monitors compliance and can intervene where providers fail to meet regulatory expectations. A subsequent evaluation found that while some progress had been made, the implementation of the expectations was highly variable across institutions. The evaluation recommended stronger regulatory intervention to drive sector-wide improvement. Following the evaluation, OfS has published new conditions of registration on Higher Education Providers to protect students from harassment and sexual misconduct.

In Canada, several provinces, including Ontario and British Columbia – have introduced legislation requiring universities and colleges to develop sexual violence policies, report on data and complaints, and provide trauma-informed supports services. These frameworks often include student input mandates, complaint handling standards, and period policy reviews to ensure accountability and relevance. However, recent media discussions of Canada’s approach to GBV guidance and policy in the higher education sector has been criticised.¹²⁴ These include differing degrees of specificity guiding institutional policy creation and implementation for GBV, and inconsistent provincial responses to GBV.¹²⁵

While consideration was given to the engagement rates of the above overseas schemes, they differ substantially from the proposed National Code due to variability between institutions and jurisdictions. Overall, international initiatives for preventing and responding to GBV in higher education are an indication that GBV is a widespread issue across the higher education sector that requires government engagement. The variability in the implementation of these initiatives, and the criticism they have received for their effectiveness, highlight a growing consensus that voluntary commitments are insufficient. They highlight that regulatory levers backed by enforcement powers and consistent standards, are essential to safeguard students and staff, and to build institutional cultures of safety and respect.

2.5 Ending gender-based violence is a national priority

Ending GBV is a national priority for the Australian Government. The scale, severity and impacts of GBV are unacceptable, and have led to sustained community concern and calls for stronger action by governments and institutions. It is a crisis that demands urgent, sustainable, and systemic action. The *National Plan to End Violence against Women and Children 2022-2032* (the National Plan) sets a shared vision: that all people in Australia can live free from violence in safe, respectful, and equal relationships and communities.

Endorsed by all Australian State and Territory governments, the *National Plan* outlines a comprehensive, whole-of-society approach that prioritises prevention, early intervention, response, and recovery. It recognises that achieving lasting change requires coordinated action

¹²³ Office for Students, Department of Education, United Kingdom Government (2021). Statement of expectations for preventing and addressing harassment in sexual misconduct affecting students in higher education. <https://www.officeforstudents.org.uk/media/d4ef58c0-db7c-4fc2-9fae-fcb94b38a7f3/ofs-statement-of-expectations-harassment-and-sexual-misconduct.pdf>

¹²⁴ Albert, Katelin. Perry, Nell. (2024). ‘Provincial policies on campus sexual violence are inconsistent across Canada. (<https://theconversation.com/provincial-policies-on-campus-sexual-violence-are-inconsistent-across-canada-218214>)

¹²⁵ Ibid.

across all levels of government, as well as meaningful partnership with communities, organisations, and institutions.

The *National Plan* sets out clear objectives to end violence against women in children through a coordinated, whole-of-society response. At a high level, those objectives are:

- **Prevention:** Stop violence before it starts by addressing its underlying drivers.
- **Early intervention:** identify and support individuals and families at risk to stop violence from escalating.
- **Response:** provide effective, trauma-informed support to victim-survivors and hold perpetrators accountable.
- **Recovery and healing:** support victim-survivors in long-term recovery and healing.

Under the *National Plan*, the Australian Government has committed \$4.7 billion over 5 years to strengthen prevention and early intervention, improve access to frontline and crisis services, expand legal assistance, enhance institutional response capabilities, and foster cross-sectoral collaboration and innovation. The investment represents one of the largest and most coordinated national efforts to eliminate GBV internationally and reflects the Australian Government's recognition that GBV is not inevitable – it is preventable.

In September 2024, the National Cabinet met in Canberra and reaffirmed the importance of this work. First Ministers agreed on a series of practical steps to accelerate implementation of the *National Plan* and committed to maintaining GBV as a priority. Acknowledging the scale and urgency of the issue, they emphasised the national consistency and cross jurisdictional collaboration are essential to drive meaningful and lasting change.

2.6 Higher Education as a key lever in national efforts

Higher education institutions represent a distinct and high-impact place-based setting for addressing GBV. University campuses bring together large, diverse populations of people who live, work, and study in proximity – creating both risk and opportunity. These environments provide a critical opportunity to embed prevention, strengthen institutional response, and generate data and insights that inform broader national efforts.

Higher education providers are also uniquely positioned to influence cultural and social change. As institutions that shape the next generation of leaders, workers, educators, policy makers and professionals, universities have a critical role in shaping social norms, behaviours and attitudes that either reinforce or challenge GBV. Their influence extends beyond campus boundaries into workplaces, public life, and broader community settings.

In addition, the higher education sector plays a national role in producing research, informing policy and developing evidence-based practice. This positions universities as not only implementers of reform, but as thought leaders that are capable of driving innovation and impact across the broader Australian community.

Higher education institutions have a duty of care to ensure safe, respectful, and inclusive environments for students and staff. Addressing GBV is fundamental to fulfilling this duty. Ensuring safety from GBV is also essential for upholding human rights, advancing gender equality, ensuring economic and health security, and safeguarding academic and professional success from being undermined by violence, harassment, and fear.

2.7 Commonwealth, state and territory governments have agreed on a way forward

In 2023, Education Ministers committed to a unified response, recognising the transformative potential of higher education in preventing and responding to gender-based violence. In 2024, this commitment was formalised through the endorsement of the *Action Plan to Prevent and Respond to Gender-based Violence in Higher Education*, which sets a clear and urgent objective: to create higher education communities that are safe and free from GBV. The *Action Plan* recognises the unique role that higher education providers can and must play in driving the broader social change needed to address GBV, as well as the distinct responsibilities they hold in relation to creating safe study, work, social and living environments. The Action Plan is a multi-pronged approach to create higher education communities free from GBV through 7 actions:

1. Establish a National Student Ombudsman
2. Require higher education providers to embed a whole-of-organisation approach to prevent and respond to GBV
3. Introduce a National Higher Education Code to Prevent and Respond to Gender-based Violence
4. Enhance the oversight and accountability of student accommodation providers
5. Identify opportunities to ensure legislation, regulation and policies can prioritise victim-survivor safety
6. Increase data transparency and scrutiny
7. Regular review of progress against the Action Plan.

Based on the seven actions outlined in the Action Plan, six clear sub-objectives emerge that reflect the core principles of the *National Plan* and translate them into priorities for the sector:

- **End GBV:** drive long-term cultural and systemic change to reduce the prevalence of GBV
- **Whole-of-organisation:** Ensure providers implement a coordinated systemic and resourced strategy to prevent and respond to GBV, led by leadership
- **Oversight:** strengthen accountability to hold providers accountable for preventing and responding to GBV
- **Student accommodation:** enhance safety and accountability for students in standalone student accommodation so that all students are safe where they live
- **Victim-survivors:** Ensure that policies, legislation and regulation prioritise the safety of victim-survivors in responding to GBV
- **Data:** increase data transparency and scrutiny across the higher education sector.

The Government has implemented the first action of the Action Plan, the establishment of a National Student Ombudsman. The National Student Ombudsman is an independent and impartial pathway for higher education students to escalate complaints about their higher education provider. It has been established as a new statutory function of the Commonwealth Ombudsman and is able to handle complaints about a provider's handling of a broad range of issues, including GBV, racism, disciplinary processes, course administration, and reasonable adjustments for students with disability or special circumstances. The National Student Ombudsman began taking student complaints on 1 February 2025.

2.8 Objectives of government intervention

The goal of policy intervention, as highlighted by the *Action Plan*, is to create higher education communities free from GBV. As outlined in Chapter 1, GBV in higher education is a multifaceted issue with no single cause or solution. Therefore, any effective policy response must be multi-layered, cross-sectoral, and embedded across institutional systems. The objectives below are aligned with the *National Plan to End Violence Against Women and Children 2022–2032* and respond directly to the core policy problems identified in Chapter 1.

The below table illustrates key objectives of policy intervention:

Key policy problem	Overarching objectives
GBV in higher education, including student accommodation, is prevalent and underreported, and inadequately addressed	Reduce the incidence of GBV in higher education and strengthen systems to enhance safety for students and staff
GBV has detrimental impacts on student and staff health, wellbeing, educational attainment and career progression	Minimise the impact that GBV has on victim-survivors through trauma-informed and person-centred responses (see definitions in glossary)
GBV in higher education disproportionately impacts women and girls experiencing intersecting forms of structural inequalities and discrimination	Address the compounding structural inequalities and discrimination groups to ensure prevention and response is inclusive and culturally safe/appropriate
Previous measures to address GBV in higher education have been inconsistent, fragmented, reactive and under-resourced, failing to drive lasting change	Ensure providers implement whole-of-organisation approach to ensure response to GBV is coordinated, systemic and resourced.
Insufficient data availability hinders comprehensive understanding of GBV in higher education and limits the ability to hold service providers accountable	Strengthen data collection to inform evidence-based responses and ensure accountability
The current regulatory framework is limited in addressing GBV in higher education, posing an ongoing risk to student and staff safety	Strengthen the regulatory framework to ensure consistent standards for preventing and responding to GBV in the higher education sector.

2.8.1 Success measures

The National Plan recognises that measuring progress in addressing GBV requires more than tracking changes in prevalence. Cultural and institutional change is complex, non-linear, and influenced by a range of interdependent factors. Traditional methods of evaluation relying on attributing specific objectives to specific outcomes are not suited to this context. Instead, success will be measured through an accumulative impact of actions. As such, outcomes detailed below are not mapped directly to individual objectives. To reflect the evolving nature of a policy aimed at

driving cultural change, outcomes are framed across short, medium, and long-term horizons, acknowledging that transformation occurs progressively and requires sustained, coordinated effort.

In the short term (0-3 years), the success of government intervention would be evidenced by:

- Increased awareness among students and staff of GBV, available support services and reporting pathways
- Increase in student and staff knowledge of what constitutes GBV, how to do trauma-informed practice
- Improved institutional readiness to respond to disclosures and reports
- Increase in HEPs embedding quality, evidence-based education and training to build capacity and understanding
- Greater alignment across the sector on prevention and response practice
- Consistent data collection mechanisms established across the sector to inform evaluation and monitoring
- Visible commitment from organisation leadership to drive change.

Medium-term (3-8 years), success will be evidenced by:

- Increase in student and staff disclosures and reports of GBV, reflecting improved trust in systems
- Enhanced satisfaction with support services and complaints processes across students and staff populations
- Reduction in attitudes and behaviours that enable violence
- Comparable data datasets across institutions and jurisdictions
- Increase in providers embedding a whole-of-organisation approach to prevention and response, led by leadership.

Long term (8+) success will be evidenced by:

- A sustained and measurable reduction in the prevalence and harm of GBV in higher education settings
- Consistently high institutional responses to GBV
- Contribute to broader national evidence to end violence against women and children
- Development of evidence-based prevention and response approaches informed by data.

A successful intervention to create higher education communities free from gender-based violence will also contribute to broader efforts to address gender-based violence nationally.

2.8.2 Key assumptions

The success of these measures depends on a range of interrelated factors, each underpinned by key assumptions. These assumptions vary in their relative importance and likelihood of being realised across the sector and must be actively monitored to ensure the objectives can be achieved.

Leadership commitment

Leadership commitment is one of the most critical success factors. The intervention assumes that institutional leaders will demonstrate visible and sustained commitment to addressing GBV, through championing a whole-of-organisation approach, publicly endorsing GBV efforts, collaborating with students and staff, and allocating resources. Without leadership buy-in, cultural change efforts may remain siloed and lack the strategic direction needed to drive systemic reform. Leadership commitment is likely given support during consultations (see further information in chapter 5) and the financial, reputational and moral incentives for HEPs to keep their students and staff safe.

Meaningful engagement

The intervention highlights the importance of engaging with groups that are disproportionately affected by GBV and assumes that HEPs will meaningfully engage to collaborate and co-design inclusive policies and services. Without this engagement, prevention and response efforts may risk being ineffective or harmful for those experiencing multiple forms of inequality and discrimination. This engagement will need to be inclusive, culturally safe and respectful of a diverse range of groups. It is important for ensuring equity and effectiveness, but its likelihood depends on institutional capacity, existing relationships, and willingness to prioritise co-design.

Data

The ability to assess the success of the intervention depends on HEPs establishing consistent and reliable data collection mechanisms. This data must be comparable across institutions to enable meaningful evaluation and monitoring. Without a shared approach to definitions, reporting, and analysis, it will be difficult to track progress or identify areas for improvement.

Trust in systems and reporting pathways

A key assumption is that students and staff will trust institutional systems enough to disclose experiences of GBV. Increased reporting is viewed as a positive indicator of improved system confidence. This assumption is essential for understanding experiences of GBV and measuring impact and improving responses, but trust must be earned through transparent, survivor-centred processes and consistent follow-through. Given historical underreporting and dissatisfaction with complaints processes, this is of high importance, but it may take time as robust processes must be developed, implemented and then trusted over time. Constraints and Barriers

Government intervention in addressing GBV in higher education presents a range of constraints and barriers. While there is clear evidence of the need for action, a range of factors may influence the effectiveness and uptake of proposed measures.

Communication

Interventions may be less effective if their intent and rationale are not clearly communicated. Where messaging lacks clarity, HEPs may be less inclined to engage and may perceive government action as unnecessary or overly burdensome. Early engagement and consistent communication with the sector can help build understanding, foster trust, and increase support

for the objectives of the intervention. Leveraging existing sector channels and peak bodies may assist in reinforcing messaging and promoting shared understanding.

Funding and resourcing

HEPs may face financial and operational constraints that affect their ability to implement new expectations, particularly where additional staffing, training, or infrastructure is required. Similarly, government agencies may have constraints on capacity to provide support or oversight. Exploring opportunities to align with existing initiatives, encourage resource-sharing, or support phased implementation, may help ease pressure on both HEPs and government.

Sector concerns

HEPs may perceive government intervention as an unnecessary burden. Universities may argue the sector is responding adequately to these issues as part of their commitment to the Universities Australia's *Charter on Sexual Harm*, which sets nine actions to combat sexual harm in universities. However, as discussed in Chapter 1, the Charter does not provide the comprehensive regulation required, and further intervention is needed to address the prevalence of GBV in the sector.

Sector variation

The higher education sector is marked by significant diversity, spanning institutional size, geographic location (metropolitan, regional, online), governance models, and leadership structures. This variation extends to the levels of commitment, capability, and expertise in addressing GBV, particularly in implementing trauma-informed approaches. Such disparities pose challenges to achieving consistent, sector-wide progress. To address these concerns, the department will seek to provide implementation support, such as guidance materials to assist providers of various sizes or levels of maturity.

Data Limitations

There is currently no consistent approach to collecting, defining, or reporting GBV data across the higher education sector. This lack of standardisation impedes the ability to generate reliable, comparable insights and undermines efforts to monitor progress, evaluate interventions, and identify areas for improvement. Moreover, the sensitive nature of GBV data demands trauma-informed collection practices and strict adherence to privacy laws. These ethical and legal imperatives, while essential, may result in incomplete or fragmented datasets, limiting the scope of analysis and evidence-based decision-making. Government can address this by developing data standards and support organisations in data collection.

Regulatory and Legislative Gaps

As outlined in Chapter 1, existing regulatory frameworks lack enforceable standards specific to GBV. In the absence of clear mandates and accountability mechanisms, implementation of sector-wide objectives remains largely discretionary. This risks uneven adoption, with some institutions embracing comprehensive measures while others fall short—undermining consistency and impact. Government can address this by strengthening the regulatory environment, clarify expectation, and establish mechanisms for monitoring and accountability.

Inclusive Engagement and Lived Experience

Groups that experience structural inequalities and discrimination including First Nations students, students with disability, and international students - are disproportionately affected by GBV. Meaningful engagement with these communities is essential to developing inclusive, targeted prevention and response strategies. However, barriers to access and participation persist, limiting opportunities for genuine co-design. For example, the NSSS recorded minimal participation from First Nations women, raising concerns about representativeness. Additionally, institutions risk tokenistic engagement if consultation is not adequately resourced or thoughtfully designed.

The National Plan and Action Plan emphasise the importance of centring victim-survivor voices. Yet, students and staff with lived experience may be reluctant to engage due to trauma, privacy concerns, or mistrust. Without careful, trauma-informed approaches, institutions risk further harm or failing to capture critical insights.

Cultural and Structural Resistance

Tackling GBV in higher education demands deep cultural and structural transformation. This includes confronting entrenched norms, behaviours, and attitudes that perpetuate violence and discrimination. Such change is inherently complex and may provoke resistance or backlash.

The National Code advocates for a whole-of-organisation approach – integrating prevention, early intervention, response, and recovery across all levels of the organisation. To support this, the department will provide guidance and implementation support. However, sustained commitment and leadership will be essential to overcome inertia and drive meaningful change.

3 Chapter 3: What policy options are you considering?

In line with the Australian Government Guide to Policy Impact Analysis, three policy options have been considered to address the ongoing and systemic nature of GBV in Australian Higher education sector. These options reflect a spectrum of intervention and have been assessed based on their ability to deliver measurable, systemic change that aligns with the Government's commitments under the National Plan and Action Plan.

- Option 1 – Maintain the status quo.
- Option 2 – Voluntary Self-regulation through an optional National Code.
- Option 3 – Introduce a Mandatory National Code through legislation.

3.1 Context for policy options

The context for all options considered has been a range of whole-of-government commitments and calls to actions under the National Plan to End Violence against Women and Children 2022 –2032. As discussed in Chapter 2, all education ministers committed to the Action Plan Addressing Gender-based Violence in Higher Education (The Plan), a 10-year blueprint that sets out work needed to be undertaken to achieve this vision. This impact analysis directly corresponds to Action 3 of the Plan:

*“The Australian Government will urgently strengthen provider accountability for systemic issues relating to GBV by introducing a new Higher Education National Code to Prevent and Respond to GBV”.*¹²⁶

The Plan outlines reform through some high-level rules and principles, such as whole-of-organisation approach, evidence-based prevention, respectful relationships education, trauma-informed and culturally support services and clear procedures for managing disclosures and investigations.

Option 1 – Maintain the Status Quo

This option was included in accordance with the Office of Impact Analysis (OIA) requirements, which mandate that the status quo be considered as a baseline for comparison. It provides a benchmark against which the costs, benefits, and effectiveness of alternative policy options can be assessed.

Option 2 – Voluntary Self-Regulation via an Optional National Code

This option reflects the recommendations outlined in the Action Plan and aims to minimise regulatory burden on the sector. It aligns with OIA guidance to include at least one non-regulatory alternative, offering a flexible approach that encourages industry-led change while preserving autonomy.

¹²⁶ Commonwealth of Australia (Department of Education). (2024) Action Plan Addressing Gender-based Violence in Higher Education. <https://www.education.gov.au/action-plan-addressing-genderbased-violence-higher-education/resources/action-plan-addressing-genderbased-violence-higher-education>

Option 3 – Mandatory National Code via Legislation

This option directly responds to the Action Plan’s recommendations and represents a more robust regulatory intervention. It seeks to balance the potential regulatory impact with the anticipated benefits of reducing gender-based violence. These options represent an extensive range of feasible interventions available to government, including non-legislative and legislative pathways.

3.2 Summary of each policy option against policy problems

This impact analysis will consider each policy option against each element of the policy problem outlined in Chapter 1. Below is a high-level comparative assessment summary.

Policy Problem	1: Maintain status quo	2: Voluntary self-regulation	3: Mandatory National Code
GBV is prevalent, underreported, and inadequately addressed	Not addressed	Encourages providers to adopt leading practices for prevention and response. Promotes safer environments and improved systems.	Mandates comprehensive prevention and response across all HEPs and enforceable, to ensure it is adequately addressed and positioned to drive cultural change
GBV impacts health, wellbeing, education and career outcomes	Not addressed	Recommends trauma-informed, person-centred policies and access for students and staff. Promotes risk assessments and support planning following disclosures.	Embeds trauma-informed, person-centred responses in all support services and policies. Requires risk assessments, support plans, timely outcomes, aiming to reduce harm and support recovery
GBV disproportionately affects women and groups impacted by structural inequality	Not addressed	Encourages inclusive practices and culturally safe responses. Providers may choose to engage with diverse communities and co-design policies and training.	Requires inclusive practices tailored to the needs of those disproportionately affected and to a HEPs unique context. Providers must collaborate with students and staff, ensuring that prevention and response reflect their community.
Past measures have been reactive, inconsistent and failed to drive change	Not addressed	Promotes a whole-of-organisation approach, accountable leadership and collaboration. Encourages providers to develop prevention plans and report progress.	Establishes a whole-of-organisation approach with clear governance, planning, and evaluation requirements. Accountability sits with senior leadership. Compliance is monitored through mandatory reporting to internal governing bodies and the department.
The lack of data limits understanding and accountability	Not addressed	Recommends trauma-informed data collection and voluntary reporting of de-identified data. May improve transparency for participating providers. Does not establish a consistent national evidence base	Mandates comprehensive data collection and annual reporting to the department. Builds a national dataset to monitor provider conduct and inform policy, ensuring transparency and comparability.

Policy Problem	1: Maintain status quo	2: Voluntary self-regulation	3: Mandatory National Code
The current regulatory framework is inadequate to ensure safety	Not addressed	This option does not introduce new regulatory mechanisms, but instead relies on guidance, partnerships and voluntary adoption.	Introduces a legally enforceable regulatory framework with strong powers. Ensures consistent standards across the sector and strengthens the regulatory environment to protect students and staff.

3.3 Option 1 – Maintain the status quo

Option 1 maintains existing legislative and regulatory arrangements and is included in accordance with OIAs requirements. It serves as a baseline for comparison and reflects the current operating environment for higher education providers. Providers would continue to operate under existing frameworks, including:

- **Higher Education Standards Framework (Threshold Standards)**, which include broad requirements to promote a safe environment, ensure support services are offered and appropriately managed critical incidents.
- **ESOS National Code**, which obliges providers to take all reasonable steps to provide a safe environment on campus and advise overseas students on actions they can take to enhance their personal security and safety.
- **Sex Discrimination Act** including Positive Duty obligations.
- **Work Health and Safety legislation (WHS)**

Providers will also continue voluntary initiatives such as Respect.Now.Always and Universities Australia's Charter on Sexual Harm. While these instruments and initiatives establish minimum obligations and promote safety, they do not comprehensively or consistently address the systemic nature of GBV. Nonetheless, this option does engage with the policy objectives to a limited extent by maintaining existing protections and sector-led efforts. From 1 February 2025, students can make a complaint to the National Student Ombudsman (NSO), designed for students to escalate their complaints about a HEP. The NSO is a key action of the *Action Plan Addressing Gender-based Violence in Higher Education*, but is limited in its capacity to address GBV alone, as the NSO:

- only relates to student complaints and does not include staff members
- is designed for general complaints, not for GBV specific complaints (although it can receive complaints related to GBV)
- lacks enforcement powers and can only make recommendations
- can only act on complaints received by individual students
- does not address prevention of GBV, rather it acts in response to a particular complaint that has already occurred.

While these instruments and the NSO establish minimum legal obligations and a pathway to resolve complaints related to GBV, they lack the specificity, consistency and enforceability needed to effectively address the complex and systemic nature of GBV in the higher education sector. As discussed in Chapter 1, progress under the current legislative environment has been limited, fragmented and inconsistent, with no monitoring or transparency mechanisms.

3.3.1 How does Option 1 address each element of the policy problem?

Element of the policy problem	How the problem is addressed
GBV in higher education, including student accommodation, is prevalent, underreported, and inadequately addressed	Not addressed - Existing frameworks do not provide the specificity or enforcement required to reduce the prevalence of GBV or improve reporting.
GBV has detrimental impacts on student and staff health, wellbeing, educational attainment and career progression	Not addressed – There are no consistent requirements for trauma-informed or person-centred responses. Support varies significantly across institutions.
GBV disproportionately impacts women and girls experiencing intersecting forms of structural inequality and discrimination	Not addressed - Current approaches do not require providers to consider or respond to the compounding structural inequalities that exacerbate GBV. Engagement with diverse communities is not mandated
Previous measures have been inconsistent, fragmented, reactive and under-resourced, failing to drive change	Not addressed - While some voluntary initiatives exist, they are ad hoc and unenforceable. The sector continues to lack a coordinated and adequate approach.
Insufficient data availability hinders understanding and limits accountability	Not addressed - There are no sector-wide requirements for data collection on GBV in higher education. Existing data is inconsistent, lacks transparency, and cannot be reliably compared.
The current regulatory framework is limited in addressing GBV, posing ongoing safety risks	Not addressed - No new regulatory mechanisms are introduced. Existing frameworks are broad and lack the specificity and enforcement to drive systemic change and continue to sustain harmful environments for students and staff.

3.4 Option 2 – Voluntary self-regulation with optional National Code

Under this option, the Department of Education would develop and provide a National Code that outline leading practice principles for HEPs to voluntarily adopt to prevent and respond to GBV, promote safety and support victim-survivors. This voluntary National Code is akin to a National Scheme that would provide guidelines and recommendations that are voluntarily engaged in by the sector. This option aims to lift standards through influence and partnerships, rather than regulation.

3.4.1 Features of Option 2

Voluntary adoption

Providers would be encouraged to adopt the National Code, and participation would be non-binding and based on their own institutional commitment.

Guidance

The Department of Education would establish a dedicated education and engagement team undertake work to support voluntary implementation. This would include providing toolkits and guidance materials to facilitate sector-wide capability building. This team would also facilitate and promote peer learning and collaboration to support shared good practice.

Practices and procedures would be trauma-informed, and person centred. Trauma-informed is an approach that applies the core principles of safety, trust, choice, collaboration and empowerment. Process and procedures that are trauma-informed should minimise the risk of traumatisation and promote recovery and healing. Person-centred is ensuring that victim-survivor needs and preferences are at the centre of any decisions made in relation to them. This affirms their dignity and supports their healing (see glossary for further definitions). Person-centred and trauma-informed approaches are core principles of the National Code, woven throughout all seven standards.

Standards

The voluntary National Code would operate through core principles:

Standard 1: Accountable Leadership and governance – Effective governance and a Whole-of-Organisation approach prioritises safety and support in the prevention and response to GBV

Recommended practices

- Adopt a whole-of-organisation approach, and VCs and CEOs to champion GBV prevention and response efforts
- Develop and publish a Prevention and Response Plan and Outcomes Framework, in collaboration with students and staff, to map efforts and monitor progress
- Regular reporting to governing bodies is recommended
- Providers may voluntarily publish biennial reports to share progress and learnings with the sector and department

Standard 2: Safe environments and systems – Higher Education Providers environments are safe, and systems continuously improve to prevent and respond to GBV

Recommended Practices

- Develop a trauma-informed, person-centred GBV policy that goes beyond sexual harm/Sexual Assault and Sexual Harassment, that is also publicly available and accessible
- Avoid non-disclosure agreements unless requested by the discloser
- Strengthen recruitment and employment practices to ensure safety by requesting prospective employees to declare any previous investigations of allegations of GBV

Standard 3: Knowledge and Capability – Higher education providers build knowledge and capability to safely and effectively prevent and respond to GBV

Recommended practices

- Regular training and education to staff and students that is co-designed with experts
- Specialised training for those likely to respond to disclosures, including student leaders
- Staff receive training so they have expertise to conduct risk assessments, investigations and more

Standard 4: Safety and Support – responses and support services are safe and person-centred

Recommended practices

- Provide access to support services for students and staff
- Conduct risk assessments and support plans following disclosures

- Evaluate support services

Standard 5: Safe Processes – all processes are safe and timely

Recommended practices

- Provide multiple, accessible channels for disclosures and formal reports
- Provide multiple pathways for managing disclosures and outcomes of investigations
- Aim to resolve formal reports in a timely manner
- Ensure procedural fairness in disciplinary processes

Standard 6: Data, evidence and impact – higher education providers use evidence to inform approach and measure change

Recommended practices

- Collect data in a trauma-informed way to inform institutional planning and measure change
- Voluntarily report de-identified data on disclosures and formal report demonstrate progress and commitment

Standard 7: Student accommodation is safe for all students and staff

Recommended practices

- Adopt student accommodation tailored policies and procedures with student accommodation providers directly owned by the HEP, such as immediate safety action and specific training for residential settings
- Encourage HEPs to enter into agreements with affiliated or controlled student accommodation providers that align with the voluntary National Code's principles
- Suggest HEPs to de-affiliate with student accommodation providers that do not reflect the National Codes principles

3.4.2 How does Option 2 address each element of the policy problem?

Element of the policy problem	How the problem is addressed
GBV in higher education, including student accommodation, is prevalent, underreported, and inadequately addressed	The voluntary National Code provides the infrastructure for providers to strengthen prevention and response efforts, through tailored guidance and collaboration in the pursuit of initiating cultural change.
GBV has detrimental impacts on student and staff health, wellbeing, educational attainment and career progression	This option encourages the adoption of trauma-informed, person-centred policies and practices to support access to services. It provides the steps for providers to enhance wellbeing and recovery to limit the impact of GBV on victim-survivors.
GBV disproportionately impacts women and girls experiencing intersecting forms of structural inequalities and discrimination	Inclusive and culturally safe practices are embedded in the voluntary National Code. Providers are supported to engage and can codesign responses that reflect the needs of their communities.

Element of the policy problem	How the problem is addressed
Previous measures have been inconsistent, fragmented, reactive and under-resourced, failing to drive lasting change	This option would provide the guidance and steps for providers to implement a whole-of-organisation approach and support in the development of Prevention and Response plans, fostering a level of consistency.
Insufficient data availability hinders understanding and limits accountability	This option recommends data collecting and voluntary reporting of data to encourage transparency to a growing evidence base. Motivated providers would contribute to filling gaps in the evidence base.
The current regulatory framework is limited in addressing GBV, posing ongoing safety risks	While not a regulatory framework, this option introduces a principle-based framework with government support to provide a basis for providers to strengthen safety practices and align with national expectations.

3.5 Option 3 – Introduce a mandatory National Code through legislation

This option proposes the introduction of a legislated National Code that sets enforceable standards for all higher education providers to prevent and respond to GBV. The National Code would establish outcome-based regulation through a consistent, sector-wide framework that addresses the complexity of GBV in higher education, aligns with government and community expectations, and drives meaningful cultural and structural change.

The National Code would apply to HEPs that are registered with TEQSA under the *Tertiary Education Quality and Standards Agency Act 2011*. This includes universities, institutes of higher education and university colleges. This may include some Technical and Further Education institutions (TAFEs) if they are registered with TEQSA. A list of all these providers is found in the *Higher Education Support Act 2003*. By setting clear, mandatory requirements, this option strengthens institutional performance beyond the baseline set by the Threshold Standards. It also operationalises compliance with broader legal and regulatory obligations, including the positive duty under the Sex Discrimination Act, ensuring institutions are proactive in eliminating unlawful conduct.

The National Code would enhance public confidence in the accountability and regulation of higher education providers, reinforcing the sector's commitment to student and staff safety—regardless of where individuals' study, work, or live. Importantly, the National Code would be informed by a suite of existing frameworks and evidence-based models, including:

- The National Plan to End Violence Against Women and Children
- The Threshold Standards and ESOS National Code
- The Australian Human Rights Commission's Change the Course Report
- The Final Report of the Senate Inquiry into Sexual Consent Laws
- And other relevant national and international best practices

The proposed features of the National Code reflect both the outcomes to be achieved, and the expectations placed on providers to deliver them. Through this approach, the sector will be equipped with a clear, consistent, and enforceable roadmap to address GBV effectively and sustainably.

3.5.1 Features of Option 3

Option 3 has the same principles and standards of Option 2 but makes those standards mandatory and ensures they can be implemented to account for providers scale, size, locations and student and staff provided. the proposed standards and expectations are:

Standard 1: Accountable leadership and governance – Effective governance and a Whole-of-Organisation approach priorities safety and support in the prevention and response to GBV

- The Vice-Chancellor, Chief Executive Officer or equivalent will be accountable for their organisation's compliance with the National Code.
- Higher education providers must prepare a whole-of-organisation Prevention and Response Plan that records how the provider will implement requirements of the National Code, includes a gender equality action plan, is evidence based and data-driven and is developed in collaboration with students and staff.
- Higher education providers must develop and implement an outcomes framework to track and measure the effectiveness of their Prevention and Response Plan.
- Higher education providers must report to their governing body at least bi-annually on its outcome's framework and data on incidents on GBV.
- Higher education providers will be required to report to the Secretary of the department every two years a report on their Prevention and Response Plan and outcomes framework.

Standard 2: Safe environments and systems – Higher Education Providers' environments are safe, and systems continuously improve to prevent and respond to GBV.

- Higher education providers will be required to strengthen checks for current and prospective employees, including:
 - requiring prospective employees to declare if they have previously been investigated for an allegation of GBV and taking any substantiated allegation into consideration in determining suitability.
 - requiring employees to declare any existing or previous intimate relationship with a student or staff member they have supervisory or decision-making responsibilities for and implement a conflict-of-interest management plan.
- Higher education providers must have a person-centred and trauma-informed policy on preventing and responding to GBV that is developed in collaboration with students and staff, is publicly available and is reviewed every three years.
- Higher education providers must prohibit the use of non-disclosure agreements unless requested by a discloser of GBV.
- Higher education providers must implement any recommendations made by the National Student Ombudsman in relation to GBV.

Standard 3: Knowledge and capability – Higher Education Providers build knowledge and capability to safely and effectively prevent and respond to GBV.

- Higher education providers will be required to deliver ongoing prevention education to all staff and students that addresses the drivers of and risk factors for GBV and increases awareness and understanding of what constitutes GBV.
- Higher education providers must ensure that prevention education and training is evidence-based, trauma-informed and accessible to all staff and students.
- Prevention education and training must be developed through collaboration with experts in the prevention of GBV as well as staff and students.
- Higher education providers will deliver specialised education and training on responding effectively to disclosures of GBV to all staff, as well as governing body members and student representatives and leaders.
- Higher education providers must ensure that all staff involved in responding to a report of GBV to have the appropriate experience and expertise.

Standard 4: Safety and support – Responses and support services are safe and person-centred.

- Higher education providers will be required to provide or facilitate access to support services to anyone making a disclosure or formal report.
- Higher education providers will be required to conduct risk assessments following every disclosure of GBV.
- Higher education providers will be required to create and implement support plans for the discloser and the respondent following a report of GBV.
- Different support staff must be assigned to the discloser and respondent.
- Support services must be evaluated every three years.

Standard 5: Safe processors – all processes are safe and timely.

- Students must have multiple channels available to make a disclosure or formal report of GBV, including anonymous reporting.
- A Higher education provider must have multiple pathways available to manage a disclosure or formal report to ensure a proportionate and safe response.
- Higher education providers must ensure that procedures are designed to allow formal reports of GBV to be investigated and a conclusion reached within 45 business days. This timeframe includes associated disciplinary proceedings (excluding appeals).
- Higher education providers must not require a discloser or respondent to provide physical evidence relating to an alleged incidence of GBV.
- Unless a discloser requests otherwise, higher education providers must notify disclosers of the outcome of an investigation, including if disciplinary processes will be commenced, on the same day as the respondent is notified.
- A higher education provider must ensure procedural fairness for respondents in any disciplinary proceedings.

Standard 6: Data, evidence and impact: Higher Education Providers use evidence to inform their approach, measure change and contribute to the national evidence-base.

- Higher education providers will be required to collect and maintain data about GBV experienced by their students and staff in a way that is safe, trauma-informed and person-centred and complies with any relevant privacy laws.
- Higher education providers will have specific data reporting requirements, including annual reporting to the Secretary of the department on total numbers of disclosures and formal reports, types of GBV and detailed, de-identified data relating each disclosure or formal report.
- This will contribute to a national dataset that can be used to monitor higher education providers' performance and add to the national evidence base on GBV.

Standard 7: Safe Student Accommodation – Student accommodation is safe for all students and staff.

- Higher education providers will need to implement all relevant requirements of the National Code in relation to any student accommodation they directly own, operate or manage, and will be required to meet additional requirements in this standard tailored to a student accommodation environment.
 - this includes, for example, ensuring that all necessary immediate actions are taken to protect the safety of disclosers and other residents, including relocation of the respondent to alternative accommodation.
- Student accommodation that is otherwise under the control of higher education providers will be required to meet specific requirements to ensure accountable leadership and governance, safe environments and systems, appropriate knowledge and capability and safety and support. These requirements include, for example:
 - adopting the higher education provider's policies and procedures on preventing and responding to GBV, or developing and implementing their own policies
 - requiring staff and residents to complete relevant training and education
 - ensuring any prevention initiatives are evidence-based and evaluated
 - have arrangements in place with the higher education provider to ensure that responses to GBV are safe, person-centred and consistent with a trauma-informed approach
 - ensure that all necessary immediate actions are taken to protect the safety of disclosers and other residents, including relocation of the respondent to alternative accommodation
 - have arrangements in place with the higher education provider to meet relevant data collection and reporting requirements detailed in standard 6.
- Higher education providers will also be required to demonstrate they have agreements in place with any affiliated student accommodation providers which meet the above requirements.
 - This includes student accommodation affiliated through a statute or where they are operating on the provider's lands, are using the provider's IP, promoted by the higher education provider or listed on their website or where a higher education provider has a service agreement in place.
- Higher education providers will not be permitted to promote, reserve beds, or allow a student accommodation provider to utilise their logo or IP unless an agreement is in place which meets the requirements of this standard.

Specialist Gender-based Violence Reform Branch

A new specialist gender-based violence Reform Branch (specialist GBV Reform Branch) within the department will be established to administer the National Code, who will develop guidance material as well as undertake robust education and engagement. The specialist GBV Reform Branch will also be equipped with compliance and enforcement powers (e.g. notices, civil penalties, injunctions) proportion to the risk and scale of non-compliance.

Regulatory approach

All higher education providers registered with TEQSA would be required to comply with the National Code. The National Code would reflect a whole-of-organisation approach, applying to all aspects of the providers organisation, including campuses owned and operated. Standalone student accommodation providers will also be included if they are affiliated or under the control of a higher education provider. The specialist GBV Reform Branch established within the department to lead the development, implementation and ongoing administration of the National Code to ensure the sectors ongoing compliance with the National Code through outcomes-base regulation.

Education and engagement

Like Option 2, this branch would include an education and engagement that would focus on building understanding and capability across the sector in meeting the National Code and foster a culture of collaboration and continuous improvement. The branch would develop educative materials and resources to disseminate to providers, as well as regulatory guidance to ensure that providers can meet their compliance expectations.

Compliance

Full compliance with the National Code will be expected by the government. Consistent with a range of regulatory models, the legislation for establishing the National Code will ensure that the branch has strong, diverse regulator powers and strategies to monitor and take actions in relation to systemic issues of HEPs. This includes audits, investigations, requesting information, information sharing with the NSO and TEQSA, and analysing data. The department proposed compliance with the National Code as conditional of approval under the Higher Education Support Act 2003. This links the National Code to broader higher education regulatory framework and act as an additional regulatory tool to encourage and enforce compliance. Repeated non-compliance with the National Code could potentially be referred to TEQSA to identify systemic issues that demonstrate non-compliance with the Threshold Standards. Additionally, it is proposed that repeated non-compliance could impact a provider's approval under the HESA act.

Student accommodation

The proposed mandatory National Code introduces a standalone standard that holds higher education providers accountable for student accommodation environments. As highlighted in Chapter 1, student accommodation is a high-risk setting for GBV. Historically, HEPs have often claimed that incidents occurring in residential settings fall outside their scope of responsibility. While Option 2 encourages HEPs to develop tailored policies and enter into voluntary agreements with accommodation provider, Option 3 goes further by mandating a comprehensive set of student accommodation-specific policies and expectations, designed to reflect the unique risks and context of these settings. Crucially, Option 3 enhances oversight by requiring HEPs to actively seek agreements with affiliated student accommodation providers that align with the National Code. This approach ensures that the National Code has a stronger and more consistent impact in high-risk residential environments, addressing existing accountability gaps and promoting safer student living conditions.

3.5.2 How does Option 3 address each element of the policy problem?

Element of the policy problem	How the problem is addressed
GBV in higher education, including student accommodation, is prevalent, underreported, and inadequately addressed	The mandatory National Code establishes a legally enforceable framework requiring all providers to implement comprehensive prevention and response mechanisms. It includes specific mechanisms for student accommodation, ensuring systemic action across the sector, including in high-risk settings, to drive significant change.
GBV has detrimental impacts on student and staff health, wellbeing, educational attainment and career progression	Trauma-informed and person-centred practice are core to the mandatory National Code – providers must offer access to support services, conduct safety planning, provide academic and work adjustments to prioritise safety, minimise harm and reduce the impact that GBV has on victim-survivors.
GBV disproportionately impacts women and girls experiencing intersecting forms of structural inequalities and discrimination	This mandatory National Code operationalises inclusive practices by requiring providers to not only engage and collaborate with students, but also with diverse groups who disproportionate rates of GBV. Providers are required to consult to ensure that prevention and response is shaped by and reflects the diversity of their communities.
Previous measures have been inconsistent, fragmented, reactive and under-resourced, failing to drive lasting change	A whole-of-organisation approach is a central principle of this National Code, with comprehensive obligations for governance, planning, implementation, evaluation, with accountability with the compliance held through the VC, CEO or equivalent. A provider must embed this approach across all operations.
Insufficient data availability hinders understanding and limits accountability	The National Code requires comprehensive data collection and annual reporting to the department on GBV. This improves data availability and keep providers transparent and accountable for their conduct.
The current regulatory framework is limited in addressing GBV, posing ongoing safety risks	This option introduces a legally enforceable regulatory framework with strong powers. Ensures consistent standards across the sector and strengthens the regulatory environment to protect students and staff.

3.6 Comparison of options

There are overlapping requirements between options 2 and 3, with the level of duplication depending on the extent to which a HEP would implement a voluntary National Code. Option 2 provides for a voluntary National Code that HEPs could adopt in its entirety, partially, or change their commitment over time. If under Option 2 a HEP committed to voluntarily complying with the National Code in its entirety, they would have the same requirements as a HEP under Option 3. The distinction is that in option 2 they would be implementing this voluntarily without any enforcement mechanisms, and in option 3 implementation would be mandatory and

monitored. It is unlikely that HEPs would fully implement a voluntary National Code (as discussed in Chapter 1.6 in relation to other voluntary frameworks). It is more likely that option 2 would result in partial compliance with a voluntary National Code. Without enforcement mechanisms and clear compliance commencement dates, it is likely option 2 would result in HEPs inconsistently implementing parts of a voluntary National Code, meaning that the overlap of requirements between option 2 and option 3 decreases, based on the extent a HEP voluntarily chooses to comply in option 2.

The following table provides a comparative overview of each key features across the three policy options under consideration. The comparison highlights how each option addresses critical domains to support informed assessment of how each option addresses the problem and their potential to drive change in preventing and responding to GBV in higher education.

Option 1	Option 2	Option 3
Leadership and Governance		
No formal accountability mechanisms.	Encourages VC/CEOs to champion preventing and responding to GBV and take steps to implementing a whole-of-organisation approach and action plan.	VC/CEOs are held accountable for compliance with the National Code, alongside a whole-of-organisation prevention and response plan, and internal/external reporting on progress.
Safe Environments and Systems		
Other workplace obligations.	Recommends trauma-informed practices, policies and improved safety planning and mechanisms.	Requires trauma-informed policies, strengthened employee checks and NDA restrictions.
Knowledge and Capability		
No sector-wide training requirements.	Recommends regular, codesigned disclosure training and prevention education.	Mandates evidence-based training for key groups such as leadership, staff, student leaders. Annual and onboarding training for all students. Requires relevant expertise for key roles.
Safety and Support		
No requirements, general threshold standards.	Encourages conducting risk assessments and providing support services when students and staff make disclosures/formal reports.	Requires support services, risk assessments and support plans to be provided and conducted after each disclosure/formal report.
Safe Processes		
No consistent procedures.	Recommends multiple pathways for managing disclosures, investigations and disciplinary processes, and aim for timely outcomes.	Requires HEPs to provide multiple pathways for managing disclosures, investigations and processes. Embeds procedural fairness and sets timeframes for processes to be completed.
Data		

Option 1	Option 2	Option 3
No mandatory data collection.	Recommends providers be transparent with data collection and aim for a sector-specific data base.	Requires comprehensive annual reporting and contributes to the national evidence base.
Student Accommodation		
Not consistently addressed.	Encourages providers to consider the unique environment of residential settings and risk factors associated.	Dedicates an entire standard to student accommodation specific contexts and compels HEPs to enter binding agreements for affiliated providers.
Regulatory framework		
Other Regulatory frameworks.	Non-binding, relies on sector goodwill and education and guidance from the GBV branch	Legally enforceable framework with penalties and oversight of a dedicated specialist GBV Reform Branch.

4 Chapter 4: What is the likely net benefit of each option?

The IA addresses two key questions:

1. Will a policy intervention meaningfully improve outcomes, or will its costs outweigh the benefits?
2. Which proposed policy option delivers the greatest net benefit?

The IA evaluates three options:

- **Option 1:** Maintain the status quo
- **Option 2:** Voluntary self-regulation under a National Code
- **Option 3:** Introduce the National Code as formal regulation

A cost-benefit analysis (CBA) conducted by Deloitte Access Economics (**Appendix C**), was completed for Option 3 only. Option 1 serves as the base case for comparison, while Option 2 was excluded from CBA due to the inability to reliably estimate uptake or implementation levels across HEPs. The voluntary nature of Option 2 means that it is not possible to estimate or assume how many HEPs will voluntarily engage, and to what extent. Costing Option 2 cannot be reliably quantified due to the inability to determine:

- Number of HEPs that would adopt the National Code
- Number of HEPs that would not adopt the National Code
- Of those that adopted the National Code, to what extent (specifically which standards, policies and procedures).

Without this information a CBA cannot be completed. Instead, the IA has provided a qualitative and quantitative assessment of Option 2.

The CBA for Option 3 estimates the incremental costs and benefits of regulatory intervention relative to Option 1, representing the scenario without legislative change.

Each policy option is assessed against five stakeholder groups being HEPs, staff, students, volunteers (including student and community volunteers – staff volunteers are considered under the staff category), and the Australian Government.

The costs to HEPs primarily include the opportunity cost of staff time, resource allocation for new activities, any financial or capital costs associated with updating processes, practices and systems, and additional operating and administrative expenses, including costs associated with hiring new staff members to meet expertise requirements. In many cases, it is expected that costs will be proportionate to the size, number of resources, and current level of relevant in-house expertise within each HEP including:

- **Initial costs or one-off transition costs:** relating to time and effort required by staff to understand the proposed requirements, as well as the time and effort required to develop or update systems for incident data capture and reporting

- **Ongoing costs or annual costs:** associated with compliance (including meeting requirements around staff expertise), monitoring and reporting. These costs differ across standards, and some costs will increase with the number of disclosures within each HEP.¹²⁷

Costs vary by HEP depending on size, resources, and existing capabilities. Flow-on costs are expected for students, staff, and volunteers due to time spent on mandated activities such as training.

The Australian Government will incur both one-off and ongoing costs related to implementation, administration, and enforcement of the regulatory framework.

4.1 Option 1 – Status Quo

Option 1 retains the current regulatory framework, with no additional oversight by the Australian Government to address the policy issues outlined in Chapter 1.

4.1.1 Costs

For the purposes of this IA Option 1 serves as the base case against which the costs and benefits of proposed alternatives are evaluated. It provides a benchmark for assessing the relative impact of any new intervention.

As this option does not introduce new regulatory obligations, there are no additional costs, either initial or ongoing, for HEPs, their staff, students, volunteers, or the Australian Government. HEPs would continue to operate under existing legislative and regulatory requirements, including those related to education delivery and workplace health and safety. However, these frameworks do not mandate sector-wide standards for preventing and responding to GBV, nor do they require HEPs to monitor or evaluate the effectiveness of current policies and procedures, as outlined in Chapter 1.

Despite existing obligations, institutional responses to GBV under the status quo remain inconsistent. Some HEPs have proactively implemented GBV policies and protocols since 2019, including advanced IT systems for data collection and comprehensive case management procedures. In contrast, other institutions lack robust action plans, governance structures, and transparent reporting mechanisms. This uneven approach across the sector results in gaps that compromises the safety of students and staff.

Chapter 1 highlights that the status quo has failed to adequately protect students and staff. The Australian Government has committed to addressing these serious safety concerns, as articulated in the National Plan.

4.1.2 Benefits

Maintaining the status quo offers no benefit. Chapter 1 outlines the prevalence and escalation of GBV in HEPs, including emerging forms of violence facilitated by technology. The Australian Child Maltreatment Study 2023 found that a significant proportion of adolescents are both

¹²⁷ Increased reporting and therefore service utilisation may have implications for the existing workforce that currently works with people experiencing GBV. This may include specialist workforce as well as mainstream workforce such as general practitioners.

victims and perpetrators of violence, including peer-to-peer abuse.¹²⁸ Young people are also consuming pornography at high rates in Australia, with the eSafety Commission's research report from September 2022 describing young people accessing violent or degrading content from an early age.¹²⁹ According to the eSafety Commission, this exposure contributes to harmful attitudes and behaviours that can manifest as real-world violence and coercion, particularly in educational settings.¹³⁰

HEPs are currently ill-equipped to manage both existing and emerging forms of violence, such as image-based abuse, technology-facilitated coercion, and complex interpersonal harms evolving alongside digital platforms. The absence of clear accountability and prevention frameworks risks further undermining student safety and wellbeing, while eroding public trust.

Without targeted intervention, GBV in HEPs is likely to persist and intensify, causing ongoing harm to victim-survivors and the broader community. Option 1 offers no benefit to HEPs, staff, students, volunteers, or the Australian Government. It also poses a reputational risk to the government, given public expectations for meaningful reform under the National Plan and Action Plan.

4.1.3 Net Benefits

The net benefits are defined as the total benefits less the total costs. Given this is the base case, there are no additional costs, benefits or net benefits. This is the base case to which the other options can be compared to.

Given the substantial evidence of harm and the government's obligation to act, maintaining the status quo is not a viable policy option.

4.2 Option 2 – Voluntary Self-Regulation

Under Option 2, the department would support voluntary self-regulation by HEPs to address GBV. This approach would involve establishing a dedicated specialist branch within the department to provide education, guidance, and capacity-building support to HEPs. This option is akin to a National Scheme where government would provide best practice standards but would not have enforcement powers. As participation in the National Code would be voluntary, HEPs could choose to disregard the National Code entirely, adopt only selected standards, or withdraw from compliance at any time.

4.2.1 Costs

Due to the voluntary nature of this option, costs cannot be reliably quantified. A CBA requires certainty regarding which HEPs would adopt the National Code, the extent of their compliance, and the permanence of their commitments. As HEPs could opt in or out at will, estimating participation rates or assigning costs is not feasible.

¹²⁸ Australian Child Maltreatment Study (2023). *Final Report*. Queensland University of Technology. Retrieved from <https://www.acms.au>

¹²⁹ eSafety Commissioner. (2022). *Adolescent encounters with online pornography*.

<https://www.esafety.gov.au/research/adolescent-encounters-with-online-pornography>

¹³⁰ eSafety Commissioner. (2025). *Track, harass, repeat: Attitudes that normalise tech-based coercive control*. <https://www.esafety.gov.au/research/attitudes-that-normalise-tech-based-coercive-control>

Costs to HEPs would vary depending on their level of engagement. Institutions that choose to align with the National Code and improve their compliance frameworks may incur moderate costs, while those that opt not to engage would face minimal or no additional costs. HEPs that fully implement the voluntary National Code would likely experience costs similar to those under Option 3, but without the benefit of regulatory clarity or enforcement mechanisms.

Costs to staff, students, and volunteers would also depend entirely on each HEP's level of engagement and cannot be estimated without specific uptake data.

The Australian Government would incur moderate operational costs associated with establishing and maintaining the specialist GBV Reform Branch. These costs are expected to be lower than those required for direct regulation or enforcement, although the exact figure would depend on the GBV Reform Branch's size, expertise, and scope of work.

4.2.2 Benefits

The benefit of Option 2 is contingent on the willingness and capacity of HEPs to engage proactively. Due to the inability to quantify costs, exact benefits cannot be determined. However, it is likely that voluntary self-regulation would lead to sporadic improvements in GBV responses across the sector, with outcomes for victim-survivors remaining inconsistent and dependent on individual institutional commitment.

While some benefits may be realised, they would be marginal and uneven. The benefit-cost ratio would be significantly lower than under Option 3, given the lack of consistent compliance and uncertainty around behavioural change. Voluntary self-regulation is also unlikely to address the systemic nature of GBV or deliver coordinated, sector-wide reform. Key outcomes, such as improved data collection, cultural change, and consistent response protocols, are unlikely to be achieved without universal uptake and enforcement mechanisms.

Community expectations, as articulated in the National Plan, call for decisive government action to address GBV in higher education. A voluntary approach would not meet these expectations, nor would it ensure the safety of students and staff or provide accountability for non-compliance. As discussed in Chapter 1 voluntary measures have been insufficient and reactive.

Many providers already face challenges in meeting existing obligations. Without consistent compliance, sector-wide improvements are unlikely to materialise.

4.2.3 Net benefits

The net benefits cannot be defined without specific costs and benefits to complete the calculation. As discussed in the above Chapters (4.2.1 and 4.2.2) it is not possible to put a monetary figure to the costs or benefits under this option.

Considering the likelihood of voluntary uptake, assessing the likely costs and impact of Option 2 is difficult. With minimal voluntary uptake, Option 2 may involve minimal costs, but it is likely to deliver minimal impact, as it does not consistently address the underlying drivers of GBV or deliver the systemic change promised in the National Plan (this is further evidenced in chapter 1.6 in relation to voluntary frameworks). Harm caused by inconsistent responses to GBV would

persist, and any benefits to staff, students, and volunteers would mirror the current status quo, entirely dependent on individual institutional action.

4.3 Option 3 – National Code as new regulation

Option 3 would see all HEPs required to comply with the National Code as a formal component of the regulatory framework of the higher education sector.

A cost-benefit analysis has been undertaken by Deloitte Access Economics (the CBA) to assess the potential impacts of Option 3. Unless otherwise stated, all monetary values, calculations and estimations under this chapter are from the CBA.

4.3.1 Methodology for cost-benefit analysis

To evaluate Option 3 the CBA applied three key economic tools:

- **Break-Even Analysis (BEA):** Determines the minimum level of effectiveness required for benefits to equal the costs. Any benefit beyond this threshold results in a net positive impact.
- **Benefit-Cost Ratio (BCR):** Compares the value of benefits to costs. A BCR of 1 or greater indicates that benefits exceed costs (for example, a BCR of 1.2 means that for every \$1 spent yields \$1.20 in benefits).
- **Net Present Value (NPV):** Calculates the total economic value by converting future costs and benefits into present-day dollars.

Together these tools provide a comprehensive assessment of the financial viability of implementing the National Code:

- **BEA identifies the point at which the National Code begins to deliver net benefits** (this is considered in Chapter 4.3.7.1 *Benefits of prevention of GBV*).
- **BCR quantifies the return on investment** (this is considered in chapters 4.3.7 *Benefits of the National Code as new regulation* and 4.3.9 *Net benefits of the National Code*).
- **NPV evaluates long-term economic value** (this is considered throughout Chapter 4.3 and is represented as *present value* or *present value over ten years*).

BEA is particularly useful when the impact of the National Code is uncertain (for example if the break-even point is considered achievable, the benefits of the National Code are more defensible despite any uncertainty).

All assessments are benchmarked against Option 1 - Status quo, which reflects current legal and policy obligations. Under Option 1, HEPs are already subject to legislative requirements related to education and workplace health and safety, and many have internal safety policies that may include GBV. Therefore, the costs attributed to Option 3 represent only the incremental costs incurred beyond existing practices.

Each standard within the National Code has been individually costed in relation to key stakeholder groups. These costs are then aggregated and compared to the overall benefits of the National Code, recognising that the standards are designed to operate collectively to achieve sector-wide improvements. The difference between the National Code's benefits, such

as enhanced safety and wellbeing, and the additional time, effort, and resources required for implementation is measured using both NPV and BCR.

Where feasible, costs and benefits have been monetised. All financial figures are presented in real (current) dollar terms.¹³¹ In line with Australian regulatory impact guidelines, the CBA models costs and benefits over a ten-year period using NPV methodology.¹³² This approach ensures that future values are appropriately discounted at a real rate of 7%.¹³³ Sensitivity analysis has been conducted on this discount rate and other key assumptions to account for uncertainty and assess the robustness of the results.¹³⁴

4.3.2 Methodology of costs assessed in the cost-benefit analysis

The costs associated with each proposed standard reflect the additional resources stakeholders must allocate for both the initial implementation and ongoing compliance with the National Code. These include:

- staff time (opportunity cost)
- resource allocation for new activities
- financial and capital investment in updating systems and processes
- operating and administrative expenses, including recruitment to meet new expertise requirements.

All costs are considered incremental, meaning they are incurred in addition to those already required under the current regulatory environment of Option 1 – Status quo.

It is important to note that the CBA only considers the direct cost implications of introducing the National Code. While this CBA estimates the cost to community organisations to be \$0, it is acknowledged that if the National Code successfully results in an increase in GBV reporting that more victim-survivors (and potentially perpetrators) will seek support that would result in increased pressure and ultimately costs for external GBV and broader mental and physical health support services.¹³⁵

Noting that impacts on community organisations would be secondary or indirect impacts, they are considered challenging to estimate with confidence prior to implementation of the National Code and are not included in the CBA.

4.3.2.1 Methodology of costs to HEPs

Costs for HEPs are categorised as follows:

- **One-off transitional costs**, such as staff time to interpret and implement the National Code, and to develop or update systems for incident data and reporting.
- **Ongoing annual costs** for compliance, monitoring, and reporting.

These costs vary per HEP depending on:

¹³¹ Office of Impact Analysis (2023). Australian Government Guide to Policy Impact Analysis.

¹³² Ibid.

¹³³ Ibid.

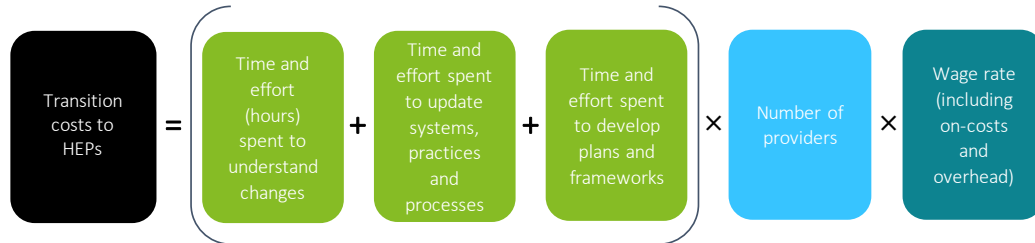
¹³⁴ Ibid.

¹³⁵ Deloitte Access Economics. (2025). *Cost Benefit Analysis of the Proposed National Higher Education Code to Prevent and Respond to Gender-based Violence*, prepared for the Commonwealth Department of Education, p. 71.

- the specific standard being implemented
- the volume of disclosures or formal reports received
- the size and resource capacity of the HEP
- the level of existing in-house expertise related to GBV.

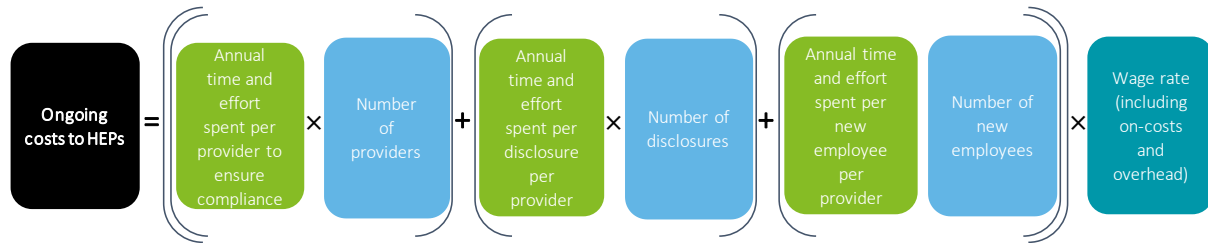
See below table for how costs have been calculated for HEPs:

Transition costs to HEPs¹³⁶



Source: Deloitte Access Economics, 2025.

Ongoing costs to HEPs¹³⁷



Source: Deloitte Access Economics, 2025.

4.3.2.2 Methodology of cost to staff

The CBA uses data from the Australian Bureau of Statistics and the Fair Work Ombudsman to estimate labour costs in the higher education sector. The model assumes:

- **specialised staff:** \$100/hour base rate, adjusted to \$175/hour with on-costs and overheads
- **other staff:** \$55/hour base rate, adjusted to \$80/hour with on-costs and overheads.

These figures represent the opportunity cost of staff time spent on activities required by the National Code, such as training, consultations, and background checks. The rates were validated against market rates for external GBV training providers.

The model also accounts for variations in staffing needs across HEPs of different sizes (small, medium, large). All ongoing staff-related costs are ultimately borne by HEPs, as they reflect the time required for compliance activities.

Staff will be required to undertake a range of additional tasks under the National Code including:

¹³⁶ Deloitte Access Economics. (2025). *Cost Benefit Analysis of the Proposed National Higher Education Code to Prevent and Respond to Gender-based Violence*, prepared for the Commonwealth Department of Education, p. 26.

¹³⁷ Ibid, p. 27.

- contributing to the development of the prevention and response plan, GBV policy, and education and training
- participating in mandatory GBV education and specialised disclosure training
- completing safety checks, including GBV background checks and conflict of interest declarations.

To calculate total costs relative to the base case, incremental costs were estimated per staff member based on:

- the number of staff involved in each activity
- the duration of consultations and training
- the time required to complete safety checks.

Where activities are already partially in place at some HEPs (for example existing safety checks like Working with Children's Checks), only the additional time required was included in the cost estimates.

Standards 1, 2, and 3 require HEPs to engage staff in developing key components of the National Code. While the National Code does not prescribe the number of staff to be involved, the analysis assumes a representative sample will participate:

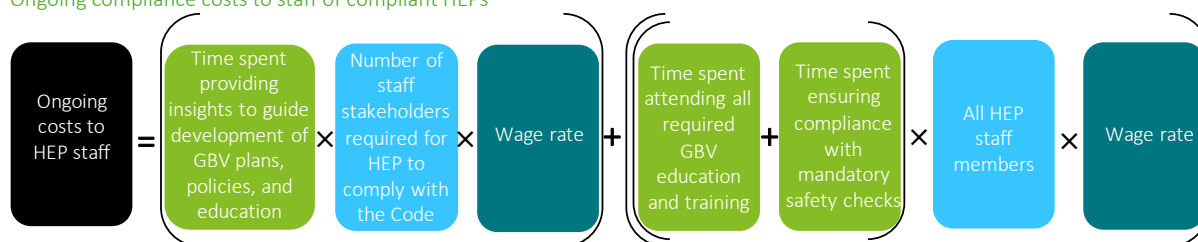
- 15% of staff are expected to participate in the first year to support the development of action items
- 10% of staff are expected to participate annually in subsequent years as the National Code is reviewed and updated.

For the purposes of this IA, it is assumed that each consultation will require one hour of time per participating staff member. While the exact time commitment may differ by HEP and method, the overall time and effort required is expected to be broadly comparable across the sector. Engagement methods may vary across institutions (from in-depth interviews and working groups to broader formats such as surveys). The one-hour estimate reflects an average across these approaches.

Staff costs are often phrased as **opportunity costs** referring to what a staff member could have produced or contributed to if they were not spending time on regulatory compliance. It is estimated in wages for example if a staff member spends an hour on regulatory compliance, the wage cost is used to estimate the economic value of the output that was foregone.

See below table for how costs have been calculated for staff:

Ongoing compliance costs to staff of compliant HEPs¹³⁸



Source: Deloitte Access Economics, 2025.

4.3.2.3 Methodology of costs to students

Students have ongoing costs under the National Code arising from the implementation across the seven standards. These costs are based on the additional time students are expected to spend on the following activities:

- contributing to the development of the prevention and response plan, GBV policy, and training
- participating in GBV prevention education (all students)
- completing specialised disclosure training (student leaders only)

As with staff, student costs were calculated on a per-student basis. Key assumptions included:

- the number of students involved in each activity
- the duration of consultations and training
- the average number of student leaders across HEPs of varying sizes (excluding students employed by the HEP).

To express these costs in monetary terms, the estimated time commitment was multiplied by the value of leisure time, set at \$37 per hour, and applied to the number of students.

Where student engagement is required to support the development of key elements of the National Code, the following participation rates were assumed:

- 2% of students will participate in the first year
- 1% annually will participate in subsequent years for evaluations and updates.

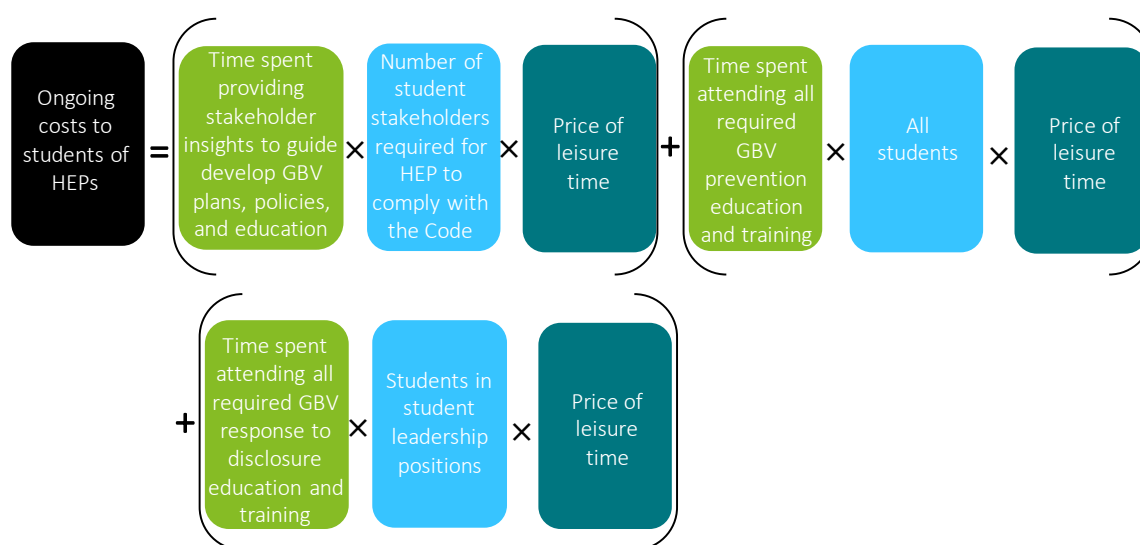
Each consultation is estimated to require 30 minutes per student, reflecting activities such as completing a survey or participating in a brief interview.

As with staff, consultation methods will vary across institutions. Some HEPs may engage a smaller number of students in more in-depth activities (interviews or workshops), while others may reach a broader group through lower-burden methods (surveys). The 30-minute estimate represents an average across these approaches, balancing depth and scale to provide a reasonable, sector-wide estimate of student time and effort.

See below table for how costs have been calculated for students:

¹³⁸ Deloitte Access Economics. (2025). *Cost Benefit Analysis of the Proposed National Higher Education Code to Prevent and Respond to Gender-based Violence*, prepared for the Commonwealth Department of Education, p. 28.

Ongoing costs to students of compliant HEPs¹³⁹



Source: Deloitte Access Economics, 2025.

The cost-benefit analysis has not identified that costs may be passed on to students in the form of increased student fees. Given the IA has an estimated annual regulatory burden of \$173.2 million, and sector-wide expenses for 2023-2024 were \$39.8 billion (see chapter 4.3.3) passing costs onto students should not be necessary.¹⁴⁰ However, it is ultimately a matter for each individual institution how they manage their finances.

4.3.2.4 Methodology of costs to Volunteers

Under the *Work Health and Safety Act 2011*, volunteers are considered workers when performing tasks for an organisation in any capacity. As such, volunteers within HEPs are required to comply with the National Code, resulting in ongoing costs. Similar to staff, these costs reflect the opportunity cost of volunteer time and are ultimately borne by HEPs.

The CBA considers three categories of volunteers:

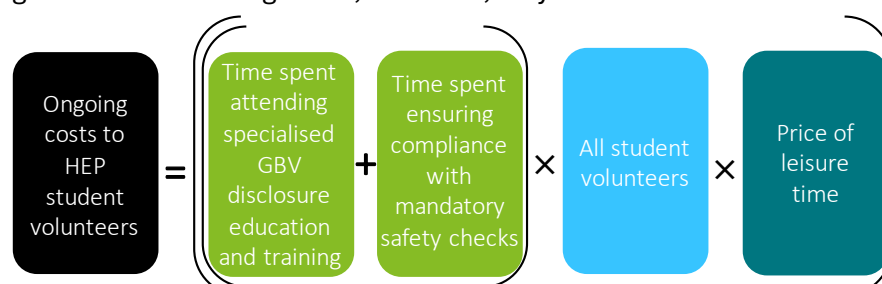
- **Staff volunteers:** HEP employees who also perform unpaid volunteer roles within their institution.
- **Student volunteers:** Enrolled students who undertake unpaid volunteering activities or services for their HEP.
- **Community volunteers:** Individuals who engage in unpaid activities or services for a HEP but are not enrolled as students at that institution.

Staff volunteers are assumed to have already fulfilled their obligations and requirements under the National Code through their employment, and their costs are captured within the general staff costs. As such, staff volunteer costs are excluded from volunteer costs overall.

¹³⁹ Deloitte Access Economics. (2025). *Cost Benefit Analysis of the Proposed National Higher Education Code to Prevent and Respond to Gender-based Violence*, prepared for the Commonwealth Department of Education, p. 30.

¹⁴⁰ See chapter 4.3.3 higher education sector-wide expenses were \$39.8 billion for the year of 2023-2024 based on internal reporting data from the department.

Student volunteers are required to meet the same compliance obligations as staff, including background checks and GBV training, but some compliance costs are already captured under general student obligations, therefore, only additional volunteer-related costs are included.



Costs for community and student volunteers are based on the time required to complete the following activities:

- contributing to the development of GBV policies and training (community volunteers only, as student perspectives are captured through broader staff/student consultations)
- attending mandatory GBV education and specialised disclosure training
- completing safety checks, including Working with Children Checks, GBV background checks, and conflict of interest declarations.

To estimate total costs relative to the base case, incremental costs were calculated per volunteer. Key assumptions included:

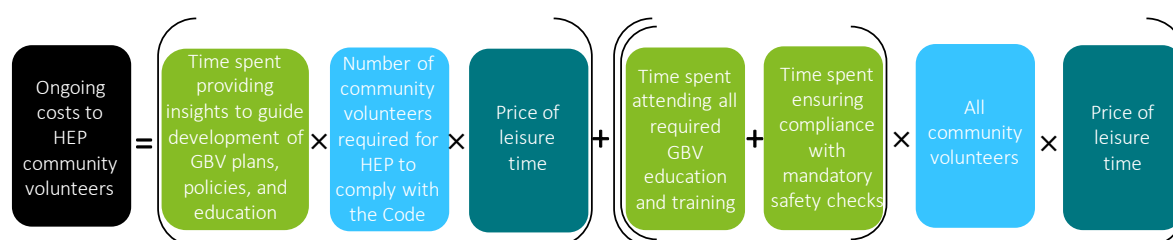
- the duration of training and safety checks
- the additional time required beyond existing obligations (for example student volunteers may already complete some checks as part of enrolment).

Student volunteers are expected to undertake more extensive checks and training than typical students, reflecting their dual role. Their incremental cost is calculated by subtracting the general student cost from the equivalent staff cost, ensuring only the additional cost attributable to their volunteer role is captured.

As volunteer roles are unpaid, the opportunity cost of their time is valued at \$37 per hour, representing the value of leisure time.

See below table for how costs have been calculated for student and community volunteers:

Ongoing compliance costs to community volunteers of compliant HEPs¹⁴¹



Source: Deloitte Access Economics, 2025.

¹⁴¹ Deloitte Access Economics. (2025). *Cost Benefit Analysis of the Proposed National Higher Education Code to Prevent and Respond to Gender-based Violence*, prepared for the Commonwealth Department of Education, p. 29.

4.3.2.5 Methodology of costs to student accommodation providers

Standard 7 of the National Code makes requirements for student accommodation providers (SAPs) that are owned, operated, managed, under the control of, or affiliated with HEPs, and therefore costs to SAPs must be considered.

Under standard 7 it is HEPs that are ultimately responsible for ensuring that their SAPs are complying with the National Code, and whether the costs of this standard fall on the SAPs or HEP and in what proportion, will depend on their legal relationship and arrangements. Given this, the CBA considers the costs to HEPs and SAPs collectively.

Opportunity costs to the staff of SAPs are considered separately, as they will be required to undertake additional activities to support compliance with the National Code.

4.3.2.6 Methodology of costs to Australian Government

To estimate the costs to the Australian Government of implementing the National Code, the CBA incorporated staffing and expenditure data including:

- staff salaries and full-time equivalent (FTE) numbers across APS4–6, EL1–2, and SES-1 classifications
- associated overheads and on-costs
- roles required to administer, enforce, and deliver training, including the upskilling of existing personnel.

Labour costs were treated as ongoing within the model. Cost projections were included in the CBA until 2027–28, after which a real wage growth rate of 3% per annum was applied from 2028 onwards.

Information on current departmental activities including IT infrastructure and system upgrades and education and communication activities were also included.

These elements were incorporated into the model as either transition costs or ongoing costs, depending on the timing and nature of the expenditure.

4.3.2.7 Methodology of calculating total cumulative costs

To estimate the total cost of implementing the National Code, the CBA model calculates per-HEP, per-student, and per-staff member costs (which are then extrapolated based on the total number of affected stakeholders) and must make various assumptions (that are outlined below). The model also incorporates key variables, including:

- the volume of GBV exposure
- underreporting rates
- HEP compliance levels with the National Code

Other key variables and estimates that were used include:

- HEP size and sector-wide cost estimates

¹⁴² Ibid. p. 30.

- Staff estimates and growth
- Compliance assumptions
- Scope of GBV
- Estimating GBV disclosures and reports

HEPs are categorised by size to estimate cumulative sector-wide costs:

- Small HEPs: <1% of the sector's student population (~146,552 students)
- Medium HEPs: 1–2% (~631,062 students)
- Large HEPs: ≥3% (~822,949 students)

According to TEQSA data, there are 211 HEPs in Australia including 14 large, 25 medium, and 172 small.¹⁴³ The model assumes no growth in the number of HEPs over the 10-year period. However, student population growth is conservatively estimated at 2.5% per year per HEP, meaning the benefits presented may understate the full potential impact.

Based on data from the Workplace Gender Equality Agency, the sector employs approximately 259,865 staff, distributed as follows:

- Large HEPs: 136,717 staff
- Medium HEPs: 95,934 staff
- Small HEPs: 27,214 staff

Staff growth is projected at 3% annually per HEP. For standards that apply to new hires (Standard 4), the model assumes 5% of staff are new employees each year, equating to approximately 12,993 new hires across the sector annually.

Compliance with the National Code is expected to increase over time, reflecting varying levels of institutional readiness:

- Year 1: 60% of large HEPs, 40% of medium, and 30% of small
- Annual increase: 10%
- By Year 5: Large HEPs reach 100% compliance, medium and small HEPs plateau at 77% and 69%, respectively

These assumptions account for resource constraints in smaller institutions. A sensitivity analysis explores the impact of full compliance across all HEP sizes.

The model focuses on GBV experienced by female students and staff, consistent with national data sources such as the ABS. While GBV affects individuals of all genders, prevalence is significantly higher among women.¹⁴⁴ The model adopts this focus to align with the definition of GBV as violence predominantly perpetrated by men against women, and to reflect the scope of most national prevalence studies.

¹⁴³ Tertiary Education Quality and Standards Agency. (2025). *National Register*. <https://www.teqsa.gov.au/national-register>

¹⁴⁴ Commonwealth Department of Education. (2024). *National Higher Education National Code to Prevent and Respond to Gender-based Violence: Issues Paper*.

To avoid overestimation, the model assumes:

- 50% of staff and 60% of students identify as female¹⁴⁵

The model assumes that 20% of female students and staff experience GBV¹⁴⁶ based on national prevalence data and sector-specific research. Key sources include:

- 2021 National Student Safety Survey (NSSS)
- 2024 Unlocking the Prevention Potential report
- 2023 NTEU Sexual Harassment in the Workplace study
- ABS Personal Safety Survey
- Australian Institute of Health and Welfare reports and literature reviews

To avoid double-counting, the model conservatively applies a 20% prevalence rate, accounting for overlapping forms of GBV such as domestic violence, stalking, coercion, and technology-facilitated abuse.

4.3.3 Total costs and regulatory burden of the National Code

Cost estimates were calculated using the methodology detailed in Chapters 4.3.1 to 4.3.3 inclusive. In total, across all standards, the introduction of the National Code is expected to impose **\$1.2 billion in costs across all stakeholders over 10 years**, with the **average annual regulatory burden** of the National Code estimated at **\$173.2 million per year**.

The OIA Regulatory Burden Measurement Framework defines regulatory burden as including costs to individuals, communities, and businesses only, as such Australian Government costs of \$4.7 million on average per year have been omitted from the regulatory burden estimates.

The total annual average costs overall of the National Code, including costs to government, is **\$177.9 million per year** (this is the average annual regulatory burden of \$173.2 million, plus the costs of \$4.7 million of the Australian Government).

Although an annual regulatory burden of \$173.2 million appears onerous, as a point of comparison, the total annual expenses of Australian Table A and Table B universities in the 2023/24 financial year, including academic and non-academic staff costs, was \$39.8 billion¹⁴⁷. Although these numbers are not directly comparable, what it does demonstrate is that the regulatory burden of \$173.2 million per year in the context of the operational costs of the higher education sector is minimal.

The table below details the **total costs per year over a 10-year period from 2026 to 2035** (this includes government costs). Increases in costs over time are due to several factors including increases in compliance, in reporting of GBV, and numbers of students and staff

¹⁴⁵ Universities Australia. (2022). Gender inclusive practices and work-life balance in Australian Universities.

Workplace Gender Equality Agency. (2019). Higher education enrolments and graduate labour market statistics.

¹⁴⁶ Social Research Centre. (2022). National Student Safety Survey. <https://www.nsss.edu.au/>

National Tertiary Education Union. (2023). Sexual harassment survey report.

https://www.nteu.au/News_Articles/Media_Releases/Sexual_Harassment_Survey_Report.aspx

¹⁴⁶ Rapid Review Expert Panel. (2024). *Unlocking the prevention potential: Accelerating action to end domestic, family and sexual violence*. Department of the Prime Minister and Cabinet. Retrieved from

<https://www.pmc.gov.au/sites/default/files/resource/download/unlocking-prevention-potential.pdf>

¹⁴⁷ Department of Education. (2023). Adjusted statement of financial performance for each HEP, 2023.

Total costs of the National Code over a 10-year period (2026-2035)	
Year	Total costs
2026	\$124,251,683
2027	\$103,405,073
2028	\$124,755,789
2029	\$153,350,182
2030	\$181,162,087
2031	\$193,400,355
2032	\$193,400,355
2033	\$219,434,430
2034	\$233,266,487
2035	\$239,761,125
TOTAL (10-years undiscounted)	\$1,778,939,413
AVERAGE (undiscounted)	\$177,893,941

4.3.3.1 Total costs and regulatory burden per stakeholder group

The table below is the total costs and regulatory burden to each stakeholder group.

Total costs to key stakeholders in present value over ten years per stakeholder group (\$ million)	
Stakeholder group	Present value over ten years
Higher education providers	754.1
Students	71.7
Higher education providers' staff	305.9
Volunteers	23.7
Australian Government	32.7
	\$1.2 billion

4.3.4 Costs to Australian Government for National Code

The Australian Government will also incur costs of **approximately \$32.7 million over ten years**.

This includes an estimated average staffing level of 19.5 (ranging from APS4-SES1) over the forward estimates until 2028 to administer the National Code, as well as necessary system upgrades including:

- **IT systems:** \$1.7 million over four years from 2024-25
- **travel costs** associated with having a physical presence at HEPs to educate and support the implementation of the Code: \$0.3 million over four years from 2024-25 and \$0.5 million over the medium term to 2034-35
- **cost of sector transition support, communication, engagement, guidance, design and publishing of relevant tools and other educative materials as required:** \$0.6 million over four years from 2024-25 and 1.1 million over the medium term to 2034-35
- **expert advice and specialist consultations:** \$1.9 million over four years from 2024-2025 and \$1.5 million over the medium term to 2034-2035.

4.3.5 Costs of the National Code per standard

Each standard has been costed against the key stakeholders being HEPs, staff of HEPs, students and volunteers. The costs of the Australian Government are not included as they are responsible for the regulation of the National Code and not the implementation per standard. Costs for the Australian Government for regulating the National Code are detailed in the above Chapter 4.3.4.

4.3.5.1 *Standard 1 – Accountable leadership and governance*

In total it is estimated that Standard 1 will impose costs of **\$6.7 million (present value over ten years)** or an **average annual cost of \$956,000 (undiscounted)**.

4.3.5.1.1 *Cost to HEPs*

Based on the number of HEPs, the total cost attributable to Standard 1 is estimated at \$1.5 million (present value over a ten-year period), or approximately \$202,000 per year (undiscounted).

Under Standard 1 of the National Code, HEPs will incur significant transition costs primarily related to the development of a comprehensive, whole-of-organisation Prevention and Response Plan and an accompanying Outcomes Framework. This process will require a dedicated and skilled team with expertise in student and staff safety, familiarity with current GBV strategies, and a thorough understanding of the National Code.

To meet these requirements, HEPs may need to recruit additional staff or upskill existing personnel. Further resources will be required to publicly communicate the Plan via the institution's website and to engage stakeholders in its implementation.

Ongoing costs will be incurred through:

- Biannual internal reporting
- Biannual submissions to the Secretary of the department
- A comprehensive review and update of the Plan and Outcomes Framework every four years

These reporting obligations will necessitate robust data analysis capabilities, which may require new hires or upgrades to IT systems to support effective data collection and analysis.

4.3.5.1.2 Costs to staff

The total costs to staff associated with Standard 1 is \$4.4 million (present value over ten years), or approximately \$640,000 on average per year (undiscounted).

Under Standard 1, staff costs arise from their involvement in the consultation process to develop the Prevention and Response Plan. A representative group of academic, support, and administrative staff—particularly those with relevant experience—will be required to contribute time and insights. These consultation-related costs are ultimately borne by the provider through increased staff time and workload.

4.3.5.1.3 Costs to students

The total costs to students associated with Standard 1 is approximately \$698,000 (present value over ten years), or approximately \$102,000 on average per year (undiscounted).

The only direct cost to students under Standard 1 stems from their participation in the development of the Plan. This includes consultation with a representative group of students, particularly those with lived experience of GBV, to ensure the Plan is responsive to their needs. A small proportion of students will be engaged each year, contributing time and effort to these consultations.

4.3.5.1.4 Costs to volunteers

The total costs to volunteers associated with Standard 1 is estimated to be \$82,000 (present value over ten years), or approximately \$12,000 on average per year (undiscounted).

This is based on participation assumptions of 10% of community volunteers in the initial years of implementation and 5% in subsequent years. These costs are for community volunteers, who are included under the *Work Health and Safety Act 2011* as workers and therefore must be engaged in the development of the Plan (this cost focuses solely on community volunteers, as the costs for student and staff volunteers are already captured under the above sections).

4.3.5.2 Standard 2 – Safe Environments

In total it is estimated that Standard 2 will impose **costs of \$263 million (present value over ten years) or average annual cost of \$39 million (undiscounted).**

4.3.5.2.1 Cost to HEPs

The total costs to HEPs associated with Standard 2 is approximately \$173.2 million (present value over the ten-year analysis period) or \$26.0 million on average per year (undiscounted).

Standard 2 introduces significant transition and ongoing costs for HEPs, primarily related to the development, implementation, and maintenance of a comprehensive, whole-of-organisation policy for preventing and responding to GBV.

HEPs will need to develop a policy that aligns with the expectations of the National Code. This will require a skilled team with expertise in GBV, organisational operations, and trauma-informed practices. Transition costs may include:

- hiring new staff or upskilling existing personnel
- allocating time and resources to draft and finalise the policy
- publicly communicating the policy and engaging stakeholders in its development.

Ongoing costs will be incurred through:

- policy reviews every three years, including stakeholder engagement with students, staff, subject matter experts, and individuals with lived experience
- compliance reporting, if requested by the Secretary of the department
- safety checks for staff, including GBV-related background checks and conflict-of-interest declarations.

While some safety checks (for example Working with Children Checks) are already standard practice, additional resources may be required to ensure full compliance across the institution. These activities are expected to be absorbed within existing human resources functions, rather than requiring the establishment of specialist teams.

4.3.5.2.2 Cost to staff

The total costs to staff associated with Standard 2 is approximately \$85.8 million (present value over ten years), or approximately \$12.8 million on average per year (undiscounted).

To comply with Standard 2, staff must complete a range of safety checks and declarations regarding past relationships or GBV-related conduct. These activities require time and effort, representing an opportunity cost as staff are diverted from regular duties. Additionally, staff must be consulted during the development and review of the GBV policy, contributing time and expertise. A representative proportion of staff will be involved over time, resulting in cumulative opportunity costs borne by HEPs.

4.3.5.2.3 Cost to students

The total costs to students associated with Standard 2 is approximately \$698,000 (present value over ten years), or approximately \$102,000 on average per year (undiscounted).

Standard 2 requires HEPs to engage students in the development and review of GBV policies. This involves consultation with a representative group of students, particularly during the initial implementation phase. Students contribute time and insights to ensure the policy reflects their needs and experiences. Cost to volunteers

The total costs to student volunteers associated with Standard 2 is \$1.5 million (present value over ten years), and the total costs to community volunteer associated with Standard 2 is \$3.1

million (present value over ten years). Staff volunteers are not included in this costing as they have been included under the general staff costings above.

Additionally, Standard 2 requires HEPs to consult with stakeholders, including volunteers, during policy development and review. While student volunteer consultation costs are captured under student costs, community volunteers are assumed to participate separately.

The opportunity cost per community volunteer for consultation is estimated at \$37, based on one hour of time at the leisure rate.

The model accounts for potential overlap in consultation requirements under Standards 1 and 2, assuming HEPs may combine stakeholder engagement activities where appropriate.

4.3.5.3 Standard 3 – knowledge and capability

In total it is estimated that Standard 3 will impose costs of **\$663.4 million (present value over ten years)** or an **average annual cost of \$97.5 million (undiscounted)**.

4.3.5.3.1 Cost to HEPs

It is estimated that Standard 3 will impose on HEPs costs of \$375.6 million (present value over the ten-year analysis period) or \$54.6 million on average per year (undiscounted).

Standard 3 introduces significant transition and ongoing costs for HEPs as they build the knowledge and capability to effectively prevent and respond to GBV. These costs are associated with the development, delivery, and evaluation of mandatory education and training programs.

Initial implementation will require HEPs to:

- develop GBV prevention messaging and training content
- establish a dedicated team with specialist expertise in GBV, education, and trauma-informed practice
- hire new staff, train existing personnel, or engage third-party experts
- conduct stakeholder engagement to inform training design, adding time and coordination costs

These activities represent substantial upfront investment in capability-building across the institution.

Ongoing costs include:

- delivering mandatory training to all staff and students, which incurs opportunity costs as work, and study time is redirected
- maintaining teams to disseminate GBV prevention messaging and run related initiatives
- monitoring and evaluating the effectiveness of training programs
- providing specialised training for staff involved in risk assessments and formal GBV-related processes, which may require additional hires or external support

These costs reflect the sustained effort required to embed GBV prevention and response capability across the sector.

4.3.5.3.2 Cost to staff

In total it is estimated that Standard 3 will impose costs on staff of \$205.9 million (present value over ten years), or approximately \$30.7 million on average per year (undiscounted).

Standard 3 introduces ongoing opportunity costs for staff due to mandatory participation in two streams of GBV training:

- general prevention education
- specialised training on disclosure responses

Unlike students, all staff are required to complete both training streams. In addition, a representative portion of staff will contribute to the development and refinement of training programs. This involvement further increases opportunity costs, as time is redirected from core responsibilities to support training design and continuous improvement.

These costs are borne by HEPs and reflect the sustained investment in building institutional capability to prevent and respond to GBV.

4.3.5.3.3 Cost to Students

The total costs to students associated with Standard 3 is \$66.3 million (present value over ten years), or approximately \$9.9 million on average per year (undiscounted).

Standard 3 imposes ongoing opportunity costs on students due to mandatory participation in GBV prevention education and in addition:

- student leaders are required to complete specialised training on responding to disclosures and reports
- a representative group of students is expected to contribute to the development and review of training programs.

These activities require students to dedicate personal time, diverting attention from study and other responsibilities. The resulting opportunity costs are borne by students and reflect their role in supporting the implementation and continuous improvement of GBV education across the sector.

4.3.5.3.4 Cost to Volunteers

The total costs to student volunteers associated with Standard 3 is \$3.5 million (present value over ten years), or approximately \$512,000 on average per year (undiscounted).

Staff volunteers are expected to meet the same obligations as staff members, which has already been costed for above.

Standard 3 imposes ongoing opportunity costs on student volunteers, who are expected to meet the same obligations as staff. These include:

- completing mandatory GBV prevention education
- undertaking specialised training on responding to disclosures
- contributing insights to inform the development and periodic review of GBV education and training programs

These activities require volunteers to dedicate personal time, diverting them from other responsibilities. The resulting opportunity costs are borne by HEPs and reflect the sector's commitment to ensuring all contributors are equipped to support GBV prevention and response efforts.

4.3.5.4 Standard 4 – Safety and support

In total it is estimated that Standard 4 will impose an average cost of **\$134.9 million (present value over ten years)** or an **average annual cost of \$22.0 million (undiscounted)**.

4.3.5.4.1 Costs to HEPs

The total costs to HEPs from Standard 4 of the National Code are \$134.9 million (present value over the ten-year analysis period) or \$22.0 million on average per year (undiscounted).

Standard 4 introduces significant transition and ongoing costs for HEPs as they implement trauma-informed practices, safety measures, and support services for both disclosers and respondents of GBV.

To comply with this standard, HEPs must:

- develop trauma-informed tools and procedures
- establish internal support services and referral pathways
- hire staff with specialised GBV expertise, train existing personnel, or engage external professionals
- create and disseminate accessible information on how students and staff can access internal and external support services

While the communication component is expected to be less resource-intensive due to existing frameworks, the development of trauma-informed systems will require targeted investment in expertise and coordination.

Ongoing costs under Standard 4 include:

- managing disclosures and formal reports
- conducting risk assessments and delivering continuous risk management
- providing trauma-informed support services
- maintaining a dedicated, skilled team with expertise in GBV policy and best practice
- monitoring and evaluating the effectiveness of support services
- reporting compliance outcomes to the Secretary of the department, where required.

These functions represent a sustained operational commitment to ensuring safe, responsive, and accountable support systems across the sector.

4.3.5.4.2 Costs to staff, students, and volunteers

Staff, students, and volunteers are not expected to incur any direct costs related to Standard 4 because it will not introduce requirements that necessitate their time, resources, or labour over and above the base case.

4.3.5.5 *Standard 5 – Safe processes*

In total it is estimated that Standard 5 will impose costs of **\$40.1 million (present value over ten years)** or an **average annual cost of \$6.4 million (undiscounted)**.

4.3.5.5.1 *Costs to HEPs*

The total costs to HEPs from Standard 5 of the National Code are \$40.1 million (present value over the ten-year analysis period) or \$6.4 million on average per year (undiscounted).

Standard 5 introduces significant transition and ongoing costs for HEPs as they establish safe, accessible, and transparent systems for reporting and responding to GBV.

To meet the requirements of Standard 5, HEPs must implement diverse reporting mechanisms and transition costs will include:

- investment in IT infrastructure to support multiple reporting options
- purchase or upgrade of reporting platforms
- allocation of skilled staff to manage and monitor reporting systems
- potential hiring of new personnel, training of existing staff, or engagement of third-party specialists

These activities represent a substantial upfront investment in building robust and responsive reporting systems.

Ongoing costs will be incurred through:

- investigating reports and managing outcomes
- administering disciplinary processes and handling appeals
- acting on anonymous reports by identifying patterns and risks to prevent future incidents

To meet these obligations, HEPs will require a dedicated, full-time team capable of ensuring timely responses and conducting thorough data analysis. These functions are essential to maintaining trust, accountability, and safety across the institution.

4.3.5.5.2 *Costs to staff, students, and volunteers*

Staff, students, and volunteers are not expected to incur any direct costs related to Standard 5 because it will not introduce requirements that necessitate their time, resources, or labour over and above the base case.

4.3.5.6 *Standard 6 – Data, evidence, and impact*

In total it is estimated that Standard 6 will impose costs of **\$11.3 million (present value over ten years)** or an **average annual cost of \$1.5 million (undiscounted)**.

4.3.5.6.1 *Costs to HEPs*

The total costs to HEPs from Standard 6 of the National Code are \$30.9 million (present value over the ten-year analysis period) or \$4.3 million on average per year (undiscounted).

Standard 6 introduces high transition and ongoing costs to HEPs as they must implement robust data collection systems to support institutional responses to GBV, measure progress, and contribute to the national evidence base.

Initial costs are expected to be substantial due to the need for:

- sophisticated IT infrastructure capable of tracking and storing complex, disaggregated data
- systems that support the scale and specificity of required reporting
- establishment of a team with strong data analysis and IT expertise to manage, analyse, and report on disclosures, formal reports, responses, and investigation outcomes

These investments are critical to ensuring accurate, secure, and actionable data collection across the sector.

Once systems are operational, ongoing costs will include:

- maintaining data collection processes
- performing continuous data analysis
- meeting annual reporting obligations to the department

These responsibilities will likely require a dedicated team, scaled to the size and capacity of each HEP. However, ongoing costs are expected to decline over time as systems are streamlined, and internal expertise becomes embedded.

4.3.5.6.2 Costs to staff, students, and volunteers

Staff, students, and volunteers are not expected to incur any direct costs related to Standard 6, as it will not introduce requirements that necessitate their time, resources, or labour over and above the base case.

4.3.5.7 Standard 7 – Student Accommodation

In total, it is estimated that Standard 7 will impose **costs of \$31.2 million (present value over ten years)** reflecting an **average annual cost of \$4.8 million (undiscounted)**.

Standard 7 is unique in the National Code as it seeks to regulate Student Accommodation Providers (SAPs) through their relationship with HEPs.

Standard 7 of the National Code has three categories of SAPs that have differing obligations based on their relationship with the HEP. The three categories of SAPs are:

- **Owned, operated, or managed** by HEPs must comply with standards 1 to 6 of the National Code adapted to the residential context and some additional requirements
- **under the control of** a HEP have specific requirements that largely mirror standards 1 to 6 of the National Code adapted to a residential context
- **affiliated** with a HEP must have a legally binding agreement that meets the same requirements as SAPs that are under the control of a HEP (as above).

Standard 7 imposes obligations on HEPs who are considered responsible for ensuring their SAPs meet these requirements. As described in *Chapter 4.3.2.5 methodology of costs to*

student accommodation providers the CBA considers the costs to SAPs and HEPs collectively, given how the costs are shared will depend on their legal relationship and arrangements, and which category they are in under the National Code.

The financial impact of Standard 7 on HEPs correlates with the number of affiliated SAPs and the number of students residing in them. Based on data from the department, SAPs are affiliated with the following sized HEPs:

- 1% with small HEPs
- 44% with medium HEPs
- 55% with large HEPs.

4.3.5.7.1 Cost to HEPs and SAPs

The total costs to HEPs and SAPs under Standard 7 of the National Code are \$21.0 million (present value over the ten-year analysis period) or an annual average of \$3.3million (undiscounted).

HEPs that operate, own, or manage SAPs will be able to apply their policies and procedures under the National Code, ensuring that the SAPs are considered and included within these policies and procedures. SAPs that are under the control of a HEP or are affiliated with a HEP, may be able to adopt the HEPs policies and procedures, but this will depend on their legal arrangements. SAPs that are under the control of a HEP or affiliated with a HEP must have a Whole-of-Organisation Prevention and Response Plan, relevant GBV policies, ability to conduct risk assessments, deliver GBV training amongst other obligations.

HEPs and SAPs will face both transition costs (establishing governance and support systems) and ongoing costs (monitoring compliance, reviewing policies, and responding to disclosures) that will vary depending on the category of SAP that determines their obligations under the National Code. Some risk assessment capabilities developed under Standard 3 are expected to support compliance with Standard 7, thereby reducing associated costs. The ongoing costs are influenced by the volume of disclosures and formal reports, which are expected to be proportional to the number of residents affected by GBV.

4.3.5.7.2 Costs to staff

The total estimated cost to SAP staff (based on an average of approximately 2,900 staff members employed by affiliated SAPs over the ten-year analysis period) is approximately \$9.8 million in present value over ten years or an average annual cost of \$1.5 million (undiscounted).

Under Standard 7, staff working in or affiliated with student accommodation will be required to complete GBV safety checks and undertake training tailored to the accommodation environment. However, as these obligations align with requirements already established under Standards 2 and 3, the associated costs have been accounted for in those standards and are not separately estimated under Standard 7.

The total estimated cost of compliance with Standard 7, covering all other obligations, is ultimately borne by HEPs and SAPs, in a percentage that is dependent on their contractual and operational arrangements.

4.3.5.7.3 Costs to student residents

The total costs to students associated with Standard 7 is approximately \$4.0 million (present value over ten years), or an annual average of \$597,000 (undiscounted).

This cost includes students residing in student accommodation that is owned, operated, managed, controlled, or affiliated with HEPs to complete GBV prevention education and training. This introduces opportunity costs, as students must allocate personal time to complete the training.

Additionally, a subset of students is expected to participate in consultation activities, particularly during the initial implementation of the National Code (and at periodic intervals thereafter) to support continuous improvement and stakeholder engagement.

4.3.6 Methodology of Benefits of the cost-benefit analysis

The National Code introduces prescriptive, evidence-based standards to establish a consistent and coordinated approach to preventing and responding to GBV across the higher education sector. These standards are designed to operate collectively to reduce harm and enhance safety for both students and staff.

Reducing GBV is expected to generate a wide range of physical, emotional, social, cultural, financial, and reputational benefits, not only for individuals, but also for HEPs, the healthcare system, and the broader community.¹⁴⁸ In addition to the direct benefits of harm reduction, broader societal outcomes have been considered, including increased workforce and leadership participation by women, improved student attraction and retention, and shifts in social norms.¹⁴⁹

While many of these broader benefits are difficult to quantify or directly attribute to the National Code, given concurrent reforms, the CBA adopts a conservative approach by focusing on direct, measurable impacts. These include:

- **Prevention of GBV:** Reducing exposure to GBV protects individuals from harm and contributes to long-term wellbeing and productivity.
- **Improved responses:** Strengthened support for individuals affected by GBV reduces ongoing harm and improves educational and wellbeing outcomes.
- **Enhanced safety:** Enhanced safety across campuses and student accommodation improves wellbeing, reduces risk, and supports engagement and productivity.

As HEPs adapt their practices and processes in response to the National Code, it is expected they will foster safer environments for students and staff by:

- promoting a culture of safety and respect, benefiting the entire campus community
- providing timely responses and access to appropriate support services where GBV incidents occur
- preventing exposure to GBV and mitigating associated harms.

¹⁴⁸ Australian Institute of Health and Welfare. (2025). *Family, domestic and sexual violence: Health services*.

¹⁴⁹ Australian Institute of Health and Welfare. (2025). *Family, domestic and sexual violence: Economic and financial impacts*.

The National Code may also streamline institutional processes by clearly articulating expectations for HEPs. While its implementation introduces regulatory obligations for HEPs, staff, and students, both initially and on an ongoing basis, as outlined in the CBA, the clarity and consistency provided by the National Code may reduce regulatory burden over time through improved efficiency and alignment.

4.3.7 Benefits of the National Code as new regulation

The National Code is expected to generate significant economy-wide benefits across three key areas:

- **prevention** of GBV
- **improved responses** to disclosures and formal reports
- **enhanced safety** within higher education environments.

Together, these streams aim to drive systemic change across the sector, improving wellbeing, productivity, and educational outcomes for students and staff.

The total economy-wide benefits of the National Code are derived by combining the individual benefit streams; however, each benefit stream represents a distinct yet complementary impact. Prevention addresses harm before GBV occurs, improved responses ensure timely and effective support for those affected by GBV and improved safety contributes to a more supportive and productive environment for all students and staff. Together, these streams aim to capture the National Code's potential to create positive change across higher education, improving wellbeing, productivity, and education outcomes.

Over a ten-year period, the National Code is expected to deliver at least **\$3.5 billion in present value benefits**, averaging **\$533.7 million annually (undiscounted)**. While benefits may take time to materialise, particularly where system-level change is required, the analysis assumes breakeven effectiveness across all three benefit areas. For the analysis, the monetary value associated with the three benefit streams are represented individually and do not include double counting between the streams. For example, the 'prevention of GBV' benefit is measuring the avoided direct harms associated with physical and/or sexual assault on campus, whereas the broader 'enhancing safety in higher education environments' benefit is measuring the improved overall wellbeing and productivity for all staff and students, to ensure that the monetary value to the benefits is accurate. The analysis adopts conservative assumptions, and peer-reviewed studies of similar interventions, suggest the National Code's actual effectiveness may be greater. Moreover, the total benefits are likely underestimated, as several important impacts were not quantified, including:

- Benefits to individuals who do not identify as female.
- Increased workforce participation among women.
- Improved attraction and retention for HEPs.
- Broader community safety.
- Improved outcomes for perpetrators, such as behaviour change, reduced reoffending, improved relationships, and safe and fair resolutions.

The CBA indicates that even when considering just two of the three quantified benefit streams, prevention of GBV and enhanced safety within higher education environments, the National Code is likely to achieve a benefit-cost ration (BCR) of at least 2. If all three benefits are realised (prevention of GBV, improved responses to disclosures and reports, and enhanced safety within higher education environments) it is feasible that the National Code could achieve a BCR of 3. That is to say that for every \$1 spent there would be a return of \$3.

The break-even analysis (BEA) determines the point at which the costs and benefits of a policy intervention are equal. It is difficult to estimate specific timeframes in which the benefits of preventing and responding to gender-based violence will occur. Instead, what the BEA analysis can reveal is that preventing just 1.2% of physical and sexual assault cases on campus (approximately 414 cases annually across 211 providers) would be sufficient to offset the National Code's implementation costs. This represents the minimum effectiveness required for the National Code to deliver net benefit based on prevention alone.

This outcome would be dependent on effective implementation, robust compliance monitoring and regular evaluation to ensure strong recovery outcomes in response to disclosures.

4.3.7.1 Benefit of prevention of GBV

The National Code aims to prevent exposure to GBV by addressing its underlying drivers. Preventing GBV before it occurs eliminates long-term harms, including physical and psychological trauma, lost earnings during recovery, and diminished lifetime earning potential.

Due to data limitations, CBA focuses specifically on the prevention of physical and sexual assault on campus, meaning the broader benefits of preventing all forms of GBV are likely underestimated. The CBA estimated that each prevented case of GBV is valued at \$364,000 for students and \$260,000 for staff or volunteers, reflecting the substantial individual and societal costs avoided.

As stated above, the National Code can breakeven through benefits from prevention alone (1.2% of sexual and physical assaults would need to be prevented to meet this breakeven point). Existing research indicates that targeted GBV interventions in educational settings can reduce sexual violence and bullying by around 3%, suggesting the National Code's actual benefits could be up to \$2.7 billion in present value over ten years, more than double the breakeven threshold.¹⁵⁰

Given the National Code's pioneering and prescriptive nature, conservative assumptions have been applied, particularly regarding prevention, which may be the most challenging and slowest benefit to realise. At the breakeven effectiveness rate, the total economy-wide benefits of prevention are estimated at \$1.2 billion in present value over ten years, or \$177.9 million annually (undiscounted).

¹⁵⁰ Cahill, H., et al. (2023). *A social network analysis and implementation study of an intervention designed to advance social and emotional learning and respectful relationships in secondary schools*. Australia's National Research Organisation for Women's Safety (ANROWS), p. 95.

4.3.7.2 *Improved responses to disclosures and formal reports*

The National Code is designed to ensure timely, effective, and trauma-informed support for individuals affected by GBV, regardless of where the incident occurs. Standard 4 specifically mandates safe, person-centred responses for both disclosers and respondents, including mandatory provision of facilitated access to support services.

Evidence shows that trauma-informed, person-centric approaches can significantly improve recovery outcomes for victim-survivors and reduce the risk of re-perpetration when appropriate support is provided to alleged perpetrators. By promoting access to specialist services and disciplinary processes, the National Code aims to foster behaviour change and accountability among those who use violence.

Each GBV disclosure is associated with an estimated annual cost of \$57,500 for students and \$15,000 for staff and volunteers, reflecting impacts on wellbeing, productivity, and educational attainment. If the National Code reduces ongoing harm by approximately 57%, the resulting benefits will outweigh implementation costs, even if this is the only benefit achieved.

This breakeven point could be met through either:

- A 100% improvement in outcomes for 51% of disclosures, or
- A 51% improvement in outcomes for 100% of disclosures.

The analysis assumes a 2% annual increase in disclosure rates beginning in year four, plateauing in year nine of the ten-year period. While quantifying recovery improvements is challenging, strong evidence supports the effectiveness of trauma-informed support services.

Based on these assumptions, the total economy-wide benefits of improved GBV response are estimated at \$1.1 billion in present value over ten years, with an average annual benefit of \$177.9 million. These benefits reflect reduced long-term health impacts, improved academic and professional outcomes, and increased productivity.

4.3.7.3 *Enhance safety within higher education environments*

The National Code aims to ensure that all students and staff feel safe, regardless of where they study, work, or live. Enhancing this sense of safety is expected to deliver wellbeing and productivity benefits, particularly for female students and staff, even if they do not directly experience GBV.

For individuals with existing mental health conditions, the value of a marginally safer environment is estimated at \$11,000 per person annually, reflecting the harm avoided in high psychosocial risk settings.¹⁵¹ Psychosocial risks can also lead to psychological or physical harm. Additionally, all students, staff, and volunteers are expected to benefit from productivity gains of approximately \$110 per person due to reduced absenteeism and presenteeism. Safety

¹⁵¹ The Australian Bureau of Statistics (ABS) suggests that approximately one third of the working population has or has had a mental health condition. ABS, 'Mental Health Statistics.' (2018); CBA page 73

is increasingly a priority for prospective students and their families. Research indicates that women are willing to pay more for safer education environments.¹⁵²

Analysis indicates that improving psychosocial safety for just 25% of students, staff, and volunteers would be sufficient to offset the cost of implementing the National Code. This breakeven point represents the minimum effectiveness required for the National Code to deliver net benefit, even if its only impact is improved perceptions of safety.

Given the National Code's systemic nature, it is reasonable to expect broader improvements in safety across the sector. The estimates are conservative, focusing on partial risk reduction. Greater improvements would result in proportionally higher benefits.

At this breakeven point, the total economy-wide benefits are estimated at \$1.2 billion in present value over ten years, with an average annual benefit of \$177.9 million. Sensitivity analysis suggests that the National Code would also extend safety improvements to all students and staff, regardless of gender, and this could generate an additional \$162 million in present value benefits over the same period.

4.3.8 Broader benefits of the National Code as new regulation

In addition to its direct, quantifiable impacts, the National Code is expected to generate broader social and economic benefits.

4.3.8.1 *Women's workforce participation and leadership*

Addressing GBV in higher education can improve women's educational attainment, which is critical for career progression and economic independence. GBV disrupts education, leading to lower academic performance, higher dropout rates, and reduced lifetime earnings. Effective prevention and response measures can help women complete their studies and access leadership roles. Research shows that organisations with gender-balanced leadership teams perform better across financial, talent, and environmental, social and governance (ESG) metrics.¹⁵³ Safer educational environments also support women's civic and political engagement and help narrow the gender wage gap by increasing access to high-skill, higher-paying roles.¹⁵⁴

4.3.8.2 *Improved student satisfaction and retention*

Improved student satisfaction and retention will be a consequence of realising the benefit of enhancing safety within higher education environments. As detailed in chapter 4.3.7.2 above, safety is an important consideration for potential students and their families, and research indicates that women are willing to pay more for safer education environments.¹⁵⁵ Institutions known for fostering inclusive and secure campuses are more likely to attract and retain students. Experiences of harassment or assault can negatively impact academic performance and increase dropout rates. By implementing comprehensive GBV interventions, HEPs can

¹⁵² Girija Borked, 'Safety First: Perceived Risk of Street Harassment and Educational Choices of Women.' (2018)

¹⁵³ Jerome Lim, 'Why Chief Executive Women is calling for 40:40:20 targets.' (2024) <

¹⁵⁴ Ahmed Elsayed and Alina Shirshikova. 'The women-empowering effect of higher education.' (2023)

¹⁵⁵ Girija Borked, 'Safety First: Perceived Risk of Street Harassment and Educational Choices of Women.' (2018)

improve student engagement, retention, and graduation outcomes, enhancing both student success and institutional sustainability.

4.3.8.3 *Increased community awareness and changing social norms*

GBV prevention programs in higher education can influence broader societal attitudes by raising awareness and challenging harmful norms. These programs promote respect, consent, and bystander intervention. These interventions often aim to challenge stereotypes and improve relationships within the academic community.¹⁵⁶ Entrenched norms can contribute to the stigmatisation of survivors, often deterring them from seeking help or reporting incidents. Challenging and transforming social norms can reduce the stigma associated with reporting and making it more acceptable for survivors to come forward. Reducing barriers to reporting and ensuring reporting mechanism are safe and trauma-informed can also allow HEPs to gain a more accurate understanding of the prevalence of GBV on campus, enabling them to allocate resources more effectively towards prevention.

4.3.9 Net Benefits of the National Code

In total, the results of the CBA suggest that the National Code is likely to create a net benefit of approximately **\$2.3 billion in net present value over ten years**, or **approximately \$355.8 million per year (on average)**. See the table below that demonstrates this.

	Present value over ten years	Average annual (undiscounted)
Total costs	\$1.2b	\$177.9m
Total benefits	\$3.5b	\$533.7m
Net benefit	\$2.3b	\$355.8m
BCR	3.0	3.0

Source: Deloitte Access Economics, 2025

¹⁵⁶ Villardón-Gallego, L., García-Cid, A., Estévez, A. & García-Carrión, R. (2023). Early educational interventions to prevent gender-based violence: A systematic review. *Healthcare (Basel)*, 11(1), 142. <https://doi.org/10.3390/healthcare11010142>

5 Chapter 5: Who did you consult and how did you incorporate their feedback?

5.1 Purpose and objectives

The Department of Education is committed to a collaborative, inclusive, and transparent approach to reform, particularly in addressing GBV in higher education. The purpose of consultation was to engage meaningfully with stakeholders to develop a policy option grounded in lived experience, operational insight, and expert evidence.

Consultation was conducted in multiple phases, each with distinct objectives, to ensure comprehensive engagement across the sector. These phases included:

1. **Consultation on the Draft Action Plan** – to test the initial concept of a National Code and gather initial feedback on proposed reforms.
2. **Public Consultation on an Issues Paper** – to provide a detailed plan of the National Code and seek detailed input on the proposed standards and regulatory framework, including their clarity, relevance, and applicability.
3. **Targeted Consultation** – to explore specific issues in depth with key stakeholder groups, including those disproportionately affected by GBV to ensure their input was incorporated.
4. **Expert Reference Group (ERG) Engagement** – to provide strategic advice and ensure the policy was informed by diverse perspectives and sector expertise.

Across all phases, the department sought to balance the operational realities of higher education providers with the lived experiences of students, staff, victim-survivors, advocates, and groups who experience disproportional rates of GBV. The overarching objective was to ensure that the final policy is practical, proportionate, and capable of delivering meaningful change.

5.2 Action Plan Addressing GBV in Higher Education

In June 2023, the Australian Universities Accord Interim Report was released, which highlighted university governance as an area requiring immediate action, with a focus on student and staff safety. In response, the Department of education began the development of an Action Plan provide concrete steps to improve universities responses to critical issues relating to GBV, ensuring workplace relations compliance, and ensuring effective governance structures.

In November 2023, the Department of Education released a draft Action Plan to address GBV in higher education. The draft proposal included the following 7 actions:

1. establishing a National Student Ombudsman
2. requiring Higher Education Providers to embed a whole-of-institution approach to prevent and respond to GBV
3. strengthen provider accountability for systemic issues relating to GBV by introducing a National Higher Education National Code to Prevent and Respond to GBV
4. enhancing the oversight and accountability of student accommodation providers
5. identifying opportunities to ensure legislation, regulation and policies can prioritise victim-survivor safety

6. increasing data transparency and scrutiny
7. regularly reviewing of progress against the Action Plan

This draft was made available for public consultation and accompanied by a comprehensive survey targeting key stakeholders, including higher education staff, students, victim-survivor advocates, higher education providers and peak bodies, as well as student accommodation providers. Key consultation questions included:

- What do you see as the opportunities or challenges to implementing the proposed whole-of-institution approach?
- Are there additional considerations a new National Higher Education National Code to Prevent and Respond to GBV could include?
- How could we ensure the National Code addresses the needs of different student and staff cohorts (e.g. LGBTQIA+, international, First Nations, people living with disability and higher degree research students)?

The department undertook targeted consultation with key stakeholder groups, particularly student and victim-survivor advocates, senior university leaders, student accommodation providers, student service directors, and representatives from the women's safety sector. The department also received more than 80 submissions from the survey. The process was also supported through consultation led by state and territory officials and input from the State and Territory Working group.

Most stakeholders were overwhelmingly supportive of the proposed actions of the Draft Action Plan. Consultation from this phase the foundation for initial stakeholder engagement and informed the initial development of the National Code.

5.2.1 Consultation on what was the best way to move forward

Consultation on the development of the Action Plan reinforced that provider have failed to take steps beyond their minimum existing obligations to effectively address GBV. Feedback did note some providers have moved beyond minimum requirements and taken active steps to address GBV, including relevant data and progress of actions, and training and education. However, consensus was that this does not constitute the comprehensive approach that is required to drive substantial change.

Consultation also highlighted that the lack of a specific approach to address GBV is also a significant risk within student accommodations. While some student accommodation provides pastoral care, there are no national regulations, requirements, or consistent standards for providers. consultation with the student accommodation sector demonstrate a desire to work with their higher education providers, but is repeated lack of collaboration and unwillingness to engage, which has negatively affected victim-survivors

Wide consultation consistently reinforced these challenges and highlighted a multitude of issues that contribute to poor outcomes for students and staff, and that voluntary approaches from providers will continue to exacerbate this. Consultation with students, staff, unions, advocacy groups repeatedly called for dedicated regulatory intervention.

Students and staff consistently highlighted a lack confidence in their providers commitment to address GBV for a myriad of reasons and pushed for stronger government action.

- GBV is framed with a compliance lens, rather than core to an organisations culture, lacking visible commitment of leaders on action
- There is a lack of clarity on how governing bodies and leaders discharge their obligations and perceive their role in protecting student and staff safety, particularly where incidents occur off-campus
- There needs to be consequences for providers that do not take steps to prevent GBV or respond appropriately to students and staff making reports.

Specific pieces of feedback that was implemented included.

- Higher education and student accommodation providers advised that the term '*whole-of-institution approach*' did not adequately address provider subsidiaries, partner and parent organisation and owned and operated student accommodation. The term was replaced with 'whole-of-organisation' to ensure appropriate coverage of providers.
- University stakeholders expressed that procedural fairness and natural justice need to be considered alongside trauma-informed approaches
- A range of stakeholders expressed more transparency from HEPs and desire for public reporting on actions relating to GBV
- Students and student services groups advocated for specialists and staff with expertise to be required for managing disclosures and formal reports.
- Students and student leaders, advocates, and universities expressed student accommodation providers lack of maturity in this space and desire to enhance oversight from their HEP

In February 2024, all Education ministers signed off on the Final Action Plan to address GBV in Higher Education.

5.3 Phase 2: Public Issues Paper

To build on the commitments outlined in the Action Plan, the department initiated a public consultation process on the National Code. In May 2024, the department released an Issues Paper, which sought wide stakeholder feedback on proposed standards and regulatory framework of the National Code. The Issues Paper was published on the department's website and was accompanied by an open submission process.

The issues paper proposed seven potential standards:

1. Accountable governance and leadership
2. Effective organisational policies and practice
3. Trauma-informed, safety-first procedures
4. Evidence-based education and training
5. Expert and timely support services
6. Transparent data reporting
7. Safe student accommodation.

Each standard included rationale for each one, aligned with broader government goals, and what could potentially be included. In addition, it proposed a potential regulatory framework and a specialist branch to ensure compliance.

The consultation period ran until 28 June 2024, and a total of 54 submissions were received from women’s safety organisations, the NTEU, higher education providers, student accommodation providers, students, individuals with lived experience of GBV and members of the public. The department analysed the submissions, identifying key themes, challenges in current practices and examples of leading practice. Key themes that were identified included:

Across the board, submissions provided support for the National Code however higher education providers identified potential issues that would impact their ability to implement it. These included:

- **Privacy:** Provider submissions raised concerns about the potential for data to identify individual students, particularly in smaller institutions. In response, the National Code requires all data to be de-identified and submitted in accordance with relevant privacy legislation to ensure confidentiality and protect student identities.
- **Training:** Emphasis on the need for staff to be trained to recognise signs of domestic violence and coercive control. The National Code responds by requiring staff involved in risk assessments and formal processes to understand the types and effects of GBV, including trauma and coercive control.
- **Regulatory consistency:** ensure consistency between regulatory schemes and that they are aligned.
- **Variability:** Across the board, submissions flagged the variability of HEPs and student accommodation providers

The 54 submissions for received from the following stakeholders:

Students, lived experience, student organisations <i>6 submissions</i>	• Curtin Student Guild • RMIT Student Union • Anonymous (x4)
Women’s safety sector, women’s advocate organisations and safety program organisations <i>6 submissions</i>	• Our Watch • Full Stop • Sexual Assault Services Victoria • Women’s Health SE • Harmony Alliance • Anonymous (x1)
Higher education providers <i>26 submissions</i>	• Australian College of Theology • Australian National University • Australian Catholic University • Bond University • Charles Sturt University • Curtin University • Deakin University • James Cook University • Queensland University of Technology • RMIT University • Universities of Adelaide & South Australia (joint submission) • Newcastle University • University of NSW • University of QLD • University of Sunshine Coast • University of Sydney

	• University of Tasmania • University of Technology Sydney • Victoria University • Anonymous (x7)
Higher education bodies <i>4 submissions</i>	• Universities Australia • IHEA • ATN • Australian Christian Higher Ed Alliance
Student accommodation providers and groups <i>4 submissions</i>	• Student Accommodation Assoc • Affiliated Colleges at the University of Melbourne • St Mark's College • Trinity College
Staff <i>1 submission</i>	• NTEU
Government <i>2 submissions</i>	• Australian Human Rights Commission • eSafety Commissioner
Other <i>5 submissions</i>	• Elevate Consulting Partners • Constant • Anonymous (x3)

5.4 Targeted consultation

From May to August 2024, the department conducted targeted consultations with key groups, including victim-survivors, students and student bodies, higher education staff, First Nations peoples, people with disability, LGBTQIA+ individuals, culturally and linguistically diverse communities and higher education providers and accommodation services. Some groups, including students, disability advocates and LGBTQIA+ participants, were engaged in multiple sessions to allow for more fulsome discussion.

- **Intersectionality:** Strong emphasis on addressing the needs of those disproportionately affected by GBV, including First Nations peoples, people with disability and LGBTQIA+ individuals.
- **Institutional accountability:** Submissions stressed the need for leadership-level responsibility and comprehensive staff training, particularly for those handling disclosures.
- **Trauma-informed approaches:** Contributors advocated for flexibility, autonomy, and dignity in handling disclosures.
- **Clarity and accessibility:** Feedback called for plain-language policies, clear timelines, and prominent publication of relevant procedures.
- **Student accommodation:** The complexity of legislative overlaps and privacy concerns was discussed; the National Code addresses this by the introduction of three categories of accommodation with tailored requirements.
- **Non-disclosure agreements:** Concerns about the use of NDAs, notably their ability to silence victim-survivors, impact the ability to warn other colleagues of problematic behaviour and enable institutional hopping by perpetrators to evade responsibility and consequences of behaviours led to a proposed restriction on their use – only permitted at the request of the discloser.

- **Academic and work support:** Students and advocates highlighted the need for support that goes beyond internal university services. They called for access to external support services and academic accommodations that recognise the impact of GBV on educational outcomes.

Overall, stakeholders were broadly supportive of the National Code's policy intent while seeking more information on how it would operate and interact with existing legislation and requirements. There was general interest in how the standards would be monitored and evaluated to ensure cultural change was being achieved.

Stakeholders highlighted the need for effective communication strategies, including information delivery during orientation weeks, open days and in foundational academic settings.

Self-regulation vs mandatory regulation

Consultations with victim-survivors, victim-survivor advocacy organisations, student groups, student and staff unions, and other sector stakeholders revealed a strong and consistent view that voluntary measures would be insufficient to address GBV within the higher education sector. There was overwhelming consensus that enforceable standards are necessary to ensure the safety and wellbeing of students and staff. Stakeholders emphasised that inadequate institutional responses have caused significant harm to victim-survivors, underscoring the need for a mandatory and accountable framework.

- There needs to be consequences for HEPs that do not take steps to prevent GBV or respond appropriately to students and staff making reports
- If HEPs want large number of students, they need capacity to ensure their wellbeing
- HEPs should not be determining what the data is and how it is collected, as they will collect data in a way that does not reflect badly on their institutions
- When students are 'consulted' it is often to rubber-stamp already agreed decisions

Students and student groups also underscored that student trust in government mechanisms, especially in relation to safety and wellbeing has been eroded. Consultations signalled a need to build student trust from the ground up and the National Code needs to signal that student and staff are at the centre.

A breakdown of all organisations that participated in consultation:

Student organisations	• National Union of Students • National Aboriginal and Torres Strait Islander Postgraduate Association • Council of Australian Postgraduate Associations • National Aboriginal and Torres Strait Islander Higher Education Consortium • University of Melbourne Postgraduate Student Association • National Association of Australian University Colleges • Australian Catholic University National Student Union
LGBTQIA+ Organisations	• Rainbow Health Australia • LGBTIQ+ Health Australia • Twenty10
Disability organisations	• Australian Tertiary Education Network on Disability • Australian Disability Clearinghouse on Education and Training

	• Australian Autism Alliance • Autistic Self-Advocacy Network • Women With Disabilities Australia • Children and Young People with Disabilities • Disability Advocacy Network Australia • Youth Disability Advocacy Service • UQ Disability Inclusion Group Chair
CALD organisations	• Multicultural Youth Advocacy Network Australia • Democracy in Colour • Settlement Services International • Migrant Resource Centre
Victim-survivors	• Individual meetings • Domestic, Family and Sexual Violence Commission Lived Experience Advisory Council
Victim-survivor advocates	• STOP Campaign • End Rape on Campus • Fair Agenda
GBV Experts and Women's Safety	• Safe and Equal • Our Watch • National Plan Advisory Groups • Sexual Assault Services Victoria
First Nations organisations	• First Nations Justice • Aboriginal and Torres Strait Islander Advisory Council • Wiyi Yani Y Thangani Institute for First Nations Gender Justice
Young People	• Youth Advisory Group (DSS)
Higher education providers	• Deakin University • Australian Catholic University • University of Southern Queensland • University of Melbourne • Swinburne University of Technology • Murdoch University • University of Canberra • CQUniversity • Bond University • RMIT University • University of Newcastle • The Australian National University • Victoria University • University of the Sunshine Coast • University of Notre Dame Australia • University of Sydney • University of Queensland • Griffith University • University of South Australia • Queensland University of Technology • Western Sydney University • Monash University • UNSW Sydney • University of Technology Sydney • Federation University • Charles Darwin University • The University of Adelaide • The University of New England

	• The University of Western Australia
Higher education bodies	• Universities Australia • Group of Eight • Australian Technology Network • Innovative Research Universities • Regional Universities Network • Independent Higher Education Australia • Independent Tertiary Education Council Australia • University Chancellor's Council
Student accommodation providers and groups	• Asia-Pacific Student Accommodation Association • Student Accommodation Association
Staff	• National Tertiary Education Union
Government	• Australian Human Rights Commission • eSafety Commission • Victorian Government Departmental Officials • Higher Education Standards Panel

5.5 Expert Reference Group and Finalisation of the National Code

The ERG was established to provide ongoing strategic advice throughout the development process of the National Code. After careful consideration, the ERG was established, comprising of victim-survivor advocates, women's safety sector representatives, subject matter experts, the higher education sector and student accommodation providers. The objectives of this phase of consultation were to:

- Ensure a diverse range of issues were considered and synthesised
- Identify and advise on additional opportunities and risks
- Final refinement of National Code

The ERG held 7 formal meetings between July 2024 and January 2025. Informal meetings were also undertaken and opportunities to review and comment on the National Code were provided, with concentrated involvement as the National Code was being finalised. Due to its members' wide ranging-expertise, ERG members were able to provide valuable insights, perspectives, and advice on existing regulatory requirements, how policy translates to on the ground experiences, including identifying potential barriers to proper policy implementation and potential unintended consequences of proposed policies.

Key issues that were identified included:

- **Case resolution timelines:** Victim-survivor's experience of the resolution of cases taking exorbitant amounts of time, compounding their distress was considered against the higher education sector's advice that cases, particularly complex ones, needed time to be appropriately resolved. The National Code's 45-day timeline balances the lowest timeline victim-survivors were prepared to contemplate with the higher education's need to have time to adequately investigate and resolve cases.
- **Sector diversity and resourcing:** the variation between small and large, metropolitan, and regional providers, particularly in their ability to source support services was raised. The National Code has endeavoured to address this issue by providing flexibility on the requirement for in-house capability, allowing for outsourcing of some functions when in-

house capability may not be available. Moreover, the National Code consistently emphasises the importance of contextual implementation, with repeated mention for providers to tailor requirements to their context to ensure meaningful and effective compliance.

- **Data collection and privacy:** The need to avoid duplication of existing data collection and reporting requirements, as well as privacy considerations, particularly in smaller higher education providers were raised. Higher education providers were keen to ensure the National Code did not add unnecessary additional regulatory burden. The National Code has, as much as possible, tailored data collection requirements to align with existing requirements.
- **Student accommodation:** Victim-survivors reiterated student accommodation as an especially high risk setting for GBV. A discrete standard reflects the importance of considering this sector, particularly as it pertains to influencing cultural change.

5.6 Whole-of-government consultation

Ongoing consultation is occurring across Commonwealth agencies, particularly agencies leading work on domestic, family, and sexual violence. This includes the Department of Social Services, Office for Women, the Attorney-General's Department, the Department of Defence and the Domestic, Family and Sexual Violence Commission. Consulting across the Commonwealth agencies supports whole-of-government coordination and ensures that the National Code aligns with broader national strategies, particularly the National Plan.

Ministers and their departments with responsibility for ending violence against women have been consulted throughout the development of the National Code and have expressed their support for its development and intentions. They provided invaluable assistance in settling a definition for GBV in the National Code, as well as providing linkages on initiatives underway in their portfolios to promote gender equity and address GBV.

Further, agencies with expertise in the sector have expressed willingness to share their knowledge and resources with the department as the fact sheets, companion documents and other resources are developed to assist the higher education sector implement the National Code.

5.6.1 Areas of agreement

Non-disclosure agreements

Stakeholders were largely critical and cautious of non-disclosure agreements (NDAs) used in the context of GBV. Many participants, particularly student groups and victim-survivor advocates, expressed that NDAs are used to silence victim-survivors and avoid transparency, especially in student accommodation. There was strong support on prohibiting NDAs unless they are explicitly requested by the Discloser, with an emphasis that these agreements do not prevent them from sharing their experiences. Student and staff stakeholders also highlighted the risk of NDAs enabling 'perpetrator hopping' where individuals avoid accountability by moving between HEPs or student accommodation.

This was included in the final National Code under standard 2, with NDAs explicitly prohibited (unless requested by the Discloser), ensuring that NDAs cannot be used to silence victim-survivors or prevent them from accessing support. Beyond this, the National Code also bans the use of non-disparagement clauses that would restrict students and staff from sharing their experiences.

Whole-of-organisation

Across all phases of consultation, there was strong and consistent support for embedding a whole-of-organisation approach to preventing and responding to GBV in higher education.

In early consultation, HEPs and student accommodation providers suggested that the framing of a 'whole-of-institution' approach in the draft Action Plan did not adequately reflect the complexity and diversity of provider operations. In response, the terminology was revised to 'whole-of-organisation' to better capture the breadth of responsibilities across all facets of operations.

Government stakeholders endorsed the whole-of-organisation approach, noting that it aligns with positive duty obligations. Staff stakeholders cautioned the risk that HEPs may 'delegate down' responsibility, making their frontline staff responsible for meeting the provisions of the National Code, rather than the leadership group and governing body. They stressed that senior leadership and governance structures must remain accountable for compliance with the National Code, rather than relying on student services or individual staff to carry the burden of implementation.

This feedback is directly reflected in the final National Code. Standard 1 mandates that the Vice-Chancellor, CEO or equivalent, is accountable for compliance and must lead the development and publication of a whole-of-organisation prevention and response plan. This plan must be endorsed by the governing body. The National Code further requires HEPs report regularly to their governing body on the progress of their plan, including data on incidents and trends. This ensures that leadership and governance bodies prioritise GBV, are accountable, and that prevention and response to GBV is embedded as a strategic priority across the organisation.

Expertise

Students and victim-survivors consistently emphasised the need for expertise in various aspects of GBV prevention and response. Consultation highlighted that disclosures and formal report processes were often handled by staff who lacked the appropriate experience or expertise. This often leads to retraumatisation and erodes trust in the organisation itself. There was support for the need for staff with expertise to conduct risk assessments, manage investigations, and participate in disciplinary and appeals processes, recognising the critical role these functions play in ensuring safety and fairness.

This was included in the final National Code, specifically in Standard 3, with requirements that staff undertaking risk assessments must have GBV expertise and experience, and where a HEP does not have this expertise, they must engage an external person who does. The National Code has defined what is considered expertise and experience in GBV.

Support services

Stakeholders highlighted the importance of support services. They advocated for support services to extend beyond non-specific counselling to also include medical care, academic support, and crisis response. Some victim-survivors described experiences of seeking out support services, only to be referred to a general counsellor who was not equipped to deal with complex trauma relating to GBV. This was included in the National Code where there are multiple requirements to provide a variety of supports, including accredited specialists.

Staff raised concerns about HEPs outsourcing support services to technological substitutes, such as AI-driven apps that do not adequately meet the needs of students experiencing trauma. To maintain service quality, stakeholders recommended ongoing evaluation, feedback loops, and clear standards for the qualification of support staff. Smaller and regional HEPs expressed concerns about providing in-house services and advocated for third-party referrals to be used. Consequently, the National Code includes ongoing evaluation mechanisms that require HEPs to monitor and evaluate their support services, including how effective they are, and requirements to incorporate findings into future service delivery. The National Code has also made provisions for third-party referrals to be used but that the ongoing care and support of a Discloser or Respondent remains the responsibility of the HEP.

Feedback from First Nations, LGBTQIA+, disability and CALD groups and organisation repeatedly highlighted how support services must also be inclusive and reflective of the HEPs community and needs. First Nations stakeholders highlighted that HEPs often failed to provide culturally safe experiences that created feelings of isolation in higher education settings, and recommended HEPs partner with community-controlled organisations to ensure appropriate care. LGBTQIA+ stakeholders emphasised the need for intersectionality and services to be affirming, as gender and sexuality diverse students shared experiences of seeking support that were heteronormative and invalidated their identities. Disability and CALD organisations and students emphasised the need for accessible and inclusive services, including interpreters and translators to ensure that students and staff can access support services.

This feedback has been embedded into the National Code, with multiple requirements for HEPs to consult with groups that are disproportionately affected by GBV and incorporate their feedback into their policies, plans, and procedures. There are also requirements for all education and training to be inclusive and accessible. The principles of respect, inclusivity, ensuring implementation responds to the unique community of each HEP, and applying a trauma-informed and person-centred approach are embedded throughout the National Code.

Education and training

Students, advocates, and sector experts emphasised the need that trauma-informed, inclusive training must go beyond basic awareness and moves towards building capability. In response, Standard 3 of the final National Code requires comprehensive, ongoing education and training for students, staff, and leadership, with clearly defined learning outcomes. This includes understanding the drivers of GBV, ethical bystander training, and available support services. This training must be tailored to the HEPs context, and culturally appropriate. It must also be

developed in collaboration with students and staff, including those with lived experience, and experts in GBV.

Data and reporting

Stakeholders provided detailed and diverse feedback on data and reporting. Students, victim-survivor advocates, and women's safety organisations called for robust data collection to inform improvements and sector-wide accountability. They spoke about the need for HEPs to be transparent to their students and staff around why the data is collected, who has access, and how it will be used. Conversely, HEPs raised privacy concerns, particularly for small HEPs or small datasets, where there may be a potential for individuals to be identified.

In response to this feedback, the final National Code mandates annual reporting and data collection on disclosures, formal reports, and on other requirements of the National Code, to inform prevention, policy, and continuous improvement. The National Code is clear that all data collected must be de-identified, trauma-informed, and person-centred, must comply with all Commonwealth, State and Territory Privacy Laws, and the Australian Privacy Principles.

5.6.2 Areas of disagreement

Scope of Responsibility

HEPs consistently expressed concern about being held accountable for incidents of GBV occurring outside their immediate control, such as in privately owned student accommodation, off-campus events, work placements, internships, and online environments. Many HEPs also questioned their responsibility to respond to incidents of family and domestic violence, particularly when these can occur in personal or home settings.

While these concerns are acknowledged, it is the position of the Government that HEPs have a duty of care to support students affected by GBV, regardless of where the incident occurs. This reflects the broader framing of GBV under the *National Plan to End Violence Against Women and Children*, which recognises GBV as a whole-of-society issue requiring coordinated, cross-sectoral responses.

Consultation with students and victim-survivors repeatedly highlighted that experiences of GBV, whether they occurred at home, in accommodation, or during placements, can significantly impact a student's ability to participate in and succeed in their education, or staffs' ability to continue work or progress their career. As such, HEPs are expected to take reasonable steps to support affected students and staff, including facilitating access to appropriate services, and ensuring that institutional responses are trauma-informed, inclusive, and responsive to individual needs.

Regulatory burden

During Phase 1 of consultation, many HEPs expressed reservations about the introduction of regulation in this space, with some rejecting the need for any formal framework altogether. However, as consultation progressed through Phases 2 and 3, there was a noticeable shift in sentiment. HEPs began to acknowledge the extent of GBV within the higher education sector and the benefits of some form of regulation. Their feedback then focused on reducing regulatory

burden and duplication. HEPs sought clarity on how the National Code would interact with current legislative and policy frameworks, and their existing obligations.

While the Government recognises the diversity of HEP contexts and the complexity of existing regulatory environments, it remains the responsibility of each HEP to ensure they understand and meet their obligations under the National Code, and other regulatory frameworks. The National Code is not duplicative and works alongside and strengthens the existing regulatory framework within the higher education sector. Government will work with co-regulators to ensure that regulatory burden is reduced where possible. They will also provide support and regulatory guidance to assist HEPs in meeting their obligations under the National Code.

Trauma-informed vs procedural fairness

Stakeholders had differing views on how the use of trauma-informed practices affected procedural fairness. HEPs raised concerns in consultations that the focus on trauma-informed practice would come at the cost of procedural fairness to Respondents. Universities and accommodation providers sought clarity on jurisdiction, information-sharing protocols, and how to balance victim autonomy with institutional duty of care. Students and advocates pushed for culturally safe, accessible, and flexible reporting mechanisms, with clear timeframes and options for anonymous reporting. Some stakeholders advocated for restorative justice approaches, while others questioned how disciplinary processes would be handled.

Students and victim-survivor advocates called for mechanisms to prevent perpetrators from moving between institutions and highlighted the need for policies that address historical harm and external placements. HEPs raised concerns about the complexity of aligning policies across institutions and external partners given privacy laws and jurisdictional differences. Accommodation providers stressed that policy alignment should be based on shared principles rather than identical procedures.

Based on these concerns, the National Code includes codified requirements for procedural fairness and trauma-informed practice. Trauma-informed practices prioritise the safety and wellbeing of the Discloser and is a core approach to implementing the entirety of the National Code. The National Code also embeds procedural fairness and support for Respondents, with clear and specific requirements around processes and procedures.

Student accommodation

Student accommodation was discussed at length during the consultation process, largely due to its multi-regulatory environment and the diversity of business models and relationships with HEPs. Stakeholders acknowledged that student accommodation intersects with state-based residential tenancy legislation that can complicate the enforcement of safety measures. Students and advocates emphasised the need for stronger oversight, mandatory training for staff and residents, and clear pathways for support and reporting.

As highlighted in the policy problem in Chapter 1, student accommodation is a high risk setting for GBV. For the National Code to drive cultural change across the sector, and keep students and staff safe, it must cover student accommodation settings. Standard 7 of the National Code are requirements for student accommodation. To account for the variation in models and

concerns raised, these requirements vary depending on whether the accommodation is controlled, managed, owned, operated, or affiliated with a HEP.

5.7 Critical evaluation of the consultation process

As demonstrated, the consultation for the development of the National Code was extensive and multilayered with contributions from a broad range of stakeholders. Despite this, the IA acknowledges that there were some limitations.

Timing of targeted consultations

The timing of some of the student consultations coincided with exam periods. This created accessibility challenges and may have reduced participation from students who would otherwise have contributed. While this was a result of broader time constraints associated with progressing urgent reform, future engagement will consider academic calendars to maximise inclusivity.

Closure of the Council for International Students Australia

The closure of the Council for International Students Australia (CISA), which previously served as a national peak body for international students, created a gap in formal representation during consultation. To mitigate this, the department engaged with a range of smaller organisations and individual students. Nonetheless, the absence of a centralised voice for international students remains a gap that should be addressed in future consultation and evaluation efforts.

6 Chapter 6: What is the best option from those you have considered, and how will it be implemented?

This chapter outlines the assessment of the three policy options identified in Chapter 3 to address GBV in higher education. This includes maintaining the status quo, introduce voluntary self-regulation with an optional National Code, and implement a mandatory National Code.

Assessment of policy options has been based on a range of factors:

1. Assessment against the policy objectives outlined in Chapter 2
2. Insights from extensive stakeholder consultation
3. Evaluation of which option delivers greatest overall impact relative to effort
4. Assessment of limitations and risks of each option

The table below provides a high-level comparative assessment of the policy options against the objectives outlined in Chapter 2.

Objective	1: Maintain the status quo	2: Voluntary self-regulation	3: Mandatory National Code
Reduce the incidence of GBV and enhance safety	✗ Incidence of GBV will continue at current high rates	? May be pockets of positive practice but will not reduce GBV incidence at scale	✓ Strong potential to reduce GBV
Minimise impact on victim-survivors through trauma-informed responses	✗ No guarantee of trauma-informed practices, responses will vary widely	? Some organisations may demonstrate areas of improvement, but the voluntary nature of the approach means implementation is to be inconsistent and not prioritised	✓ Mandates trauma-informed and person-centred practice, with capabilities to be developed through training and education
Address compounded inequalities and discrimination	✗ Some groups will continue to experience disproportionate rates of GBV	? Inclusive and culturally safe/appropriate not be prioritised across all institutions and risk of one-off engagement is high	✓ requires providers to embed inclusive and culturally safe practices through engagement and evidence.
Whole-of-organisation approach to GBV response	✗ Approaches to GBV will remain reactive and fragmented, and not a priority for leadership	? Some providers may implement, but with no obligations or oversight, implementation likely to remain fragmented and under-resourced.	✓ Embeds a whole-of-organisation approach, with accountability sitting with senior leadership
Strengthen data collection for evidence-based responses and build the national evidence base	✗ Data will remain inconsistent, incomplete, and non-comparable. No national evidence base.	✗ No requirements for data collection will mean persistent gaps, limiting the ability to monitor progress or evaluate outcomes	✓ Mandates sector-wide data collection to inform future improvement and build the national evidence base
Strengthen regulatory framework for consistent standards	✗ No regulatory framework	✗ No new regulatory mechanisms	✓ Establishes a clear, enforceable regulatory framework

6.1 Preferred option: Option 3 – Mandatory National Code

Option 3 – introduction of a mandatory National Code – is the preferred option. This option establishes a robust, enforceable framework to prevent and respond to GBV, which offers the greatest net benefit. While implementation will require coordinated investment and effort the long-term benefit – safety for students and staff, stronger institutional accountability and improved outcomes – clearly outweigh the costs.

Option 3 directly supports the Australian Government’s goal to end violence against women within a generation. It provides a robust legislative foundation for embedding prevention, early intervention, and effective response into every level of higher education settings – a key site where young people are at heightened risk of experiencing GBV.

This recommendation is informed by a comprehensive assessment of policy effectiveness, regulatory capability, and extensive stakeholder consultation. Option 3 uniquely delivers the scale, consistency, and enforceability required to meaningfully address GBV.

Setting standards for the entire sector

Option 3 establishes clear, enforceable standards applicable to all higher education providers. These standards were developed through extensive consultation with students, victim-survivors, higher education staff, peak bodies, researchers, unions, and advocacy groups. Stakeholders consistently called for greater clarity, consistency, and capability-building – all of which are addressed through this approach. Option 2 proposes the same such standards, but relies on voluntary efforts of higher education providers, which as discussed has failed to drive the systemic change needed to drive GBV.

National consistency through regulation

Unlike previous non-regulatory initiatives, which have failed to deliver widespread or lasting change, the National Code will be underpinned by regulation. A dedicated specialist GBV Reform Branch will oversee compliance, ensuring consistent implementation across the sector. This regulatory framework guarantees that all providers meet minimum standards for prevention and response.

Publicly funded institutions have a responsibility to provide safe, inclusive and equitable learning environments. The National Code makes compliance a condition of funding under the HESA Act ensuring continued Commonwealth support. This alignment strengthens accountability for the use of public resources and advances Australian Government policy objectives.

Build the national evidence base

While existing data confirms that GBV is prevalent in higher education, it is often narrow in focus and is constrained to specific forms such as sexual assault and sexual harassment. However, GBV is complex, diverse, and constantly evolving—manifesting in new forms such as tech-facilitated abuse. To effectively address the issue, it must be fully understood. Thus, a comprehensive national base is essential – not only for higher education providers to understand the scope of the issue in their own settings, but also for the government as part of the national plan to end violence against women with a single generation.

A key element of Option 3 is its extensive requirements for providers to collect, analyse and report on GBV within their institutions. This will not only enhance their understanding of the effectiveness of their own actions but provide the first consistent national data base on GBV. This will support capacity development and sharing of emerging evidence to increase effectiveness of efforts to prevent and response to GBV.

Option 3 also mandates the collection of demographic data – an essential step in addressing current gaps of how GBV effects different groups. As discussed, higher education specific and national data suggests that First Nations women, people with disability and gender and sexuality diverse people experience disproportionately higher rates of GBV, however these data sets either too small to generalise, or are not disaggregated at all.

Without disaggregated data, interventions risk being ineffective and may overlook those most at risk. Comprehensive data collection is essential to identify disparities and inform the development of targeted, culturally safe, and inclusive strategies—both at the institutional level and across national policy frameworks.

This data collection is embedded in the continuous evaluation framework of the National Code. It will help build a clearer national picture of the prevalence, nature, and contexts of GBV in higher education settings.

Drive long-lasting change for students and staff

Together, these elements work to drive change and create safer environments for students and staff in every higher education setting. While some providers may demonstrate exemplary efforts, Option 3 ensures that all higher education providers across Australia are committing to, resourcing and taking action to prevent and respond to GBV. By reinforcing existing measures and strengthening accountability, Option 3 seeks to embed leading practice in prevention, response and reporting with the goal of creating safer environments for staff and students and driving long-lasting change.

6.1.1 Assessment against objectives

Policy Objective	Assessment
Meaningfully reduce the incidence of GBV in higher education and strengthen systems to enhance safety for students and staff	Yes – a mandatory National Code establishes a nationally consistent, legally enforceable framework to ensure systemic change. It embeds prevention and response mechanisms and aims for coordinated, large scale cultural transformation.
Minimise the impact that GBV has on victim-survivors through trauma-informed and person-centred responses	Yes – this option requires all HEPs to embed trauma-informed and person-centred principles throughout, particularly for responses and support services, to prioritise student and staff safety and minimise re-traumatisation.
Address the needs of groups that experience compounding forms of inequalities and discrimination to ensure prevention and response is inclusive and culturally safe/appropriate	Yes – this National Code requires tailored responses that reflect the needs of disproportionately affected groups, and that it also reflects the needs of the specific cohort and context unique to each HEP.
Ensure providers implement whole-of-organisation approach to ensure response to GBV is coordinated, systemic and resourced.	Yes – a whole-of-organisation approach is a central principle of this National Code, with comprehensive obligations for governance, planning, implementation, evaluation, with accountability with the compliance held through the VC, CEO or equivalent. A provider must embed this approach across all operations.
Strengthen data collection to inform evidence-based responses and ensure accountability	Yes – this option outlines extensive data collection to support transparency and inform the national evidence base. Through this option, the data collected

Policy Objective	Assessment
	will be mandatory, comparable and consistent, with all HEPs having to comply with them.
Strengthen the regulatory framework to ensure consistent standards for preventing and responding to GBV in the higher education sector.	Yes – this option is legally enforceable, with penalties for non-compliance to ensure consistency across the sector. It establishes clear obligations for all providers, supported by oversight from a dedicated specialist GBV Reform Branch, and aligns compliance with funding conditions under the HESA Act to reinforce accountability and drive sustained, sector-wide reform.

6.2 Assessment and limitations of Option 1 – Maintain the status quo

Maintaining the status quo – where no new legislation or regulatory mechanisms are introduced – fails to address the urgent issue of GBV in higher education. This approach disregards the recommendations of expert bodies, students, victim-survivors and other stakeholders and perpetuates the systemic gaps that allow GBV to persist. It also ignores the significant social, economic and human cost caused by inaction, and undermines the Australian Government's commitment under the *National Plan to End Violence Against Women and Children*.

Under this option, GBV will continue to be addressed through non-specific legislative frameworks and voluntary initiatives that lack consistency, enforceability and oversight. While some HEPs have demonstrated willingness and action to improve safety and support for students and staff, these efforts often remain fragmented and vary significantly in quality and scope. There is no mechanism to ensure that all institutions meet a minimum standard of care, nor is there a national framework to monitor enforcement or drive improvement.

Voluntary sector initiatives and individual provider approaches have been effective in raising awareness of the nature and prevalence of GBV, but do not have the capacity to achieve systemic or sustained efforts often lack visible leadership commitment, adequate resourcing and integration into core business. Prevention and response are siloed and treated as peripheral, leaving students and staff at risk.

6.2.1 Assessment of Option 1 against objectives

Policy Objective	Assessment
Reduce the incidence of GBV in higher education and strengthen systems to enhance safety for students and staff	No – The status quo does not adequately reduce GBV or strengthen safety measures. Students and staff continue to be at risk of harm.
Minimise the impact that GBV has on victim-survivors through trauma-informed and person-centred responses	No – There is no consistency or requirements for staff and students to receive trauma-informed and person-centred responses.
Address the needs of groups that experience compounding forms of inequalities and discrimination to ensure prevention and response is inclusive and culturally safe/appropriate	No – the status quo has continued to see approaches that do not acknowledge how GBV disproportionately impacts particular groups. Providers have no obligations to collaborate with diverse groups and may not address their varying needs.

Policy Objective	Assessment
Ensure providers implement whole-of-organisation approach to ensure response to GBV is coordinated, systemic and resourced.	No - While there are some voluntary initiatives they remain ad hoc and have no enforceability. The status quo maintains inconsistency across the sector and GBV will not be prioritised resource wise.
Strengthen data collection to inform evidence-based responses and ensure accountability	No - The sector does not report or publish on data relating to GBV. some providers publish their own reports, but they lack transparency, cannot be compared, are narrow in scope, and are likely to not be reliable.
Strengthen the regulatory framework to ensure consistent standards for preventing and responding to GBV in the higher education sector.	No - No new regulatory mechanisms are introduced. Existing frameworks are broad and lack the specificity and enforcement to drive systemic change and continue to sustain harmful environments for students and staff.

6.3 Assessment and limitations of Option 2 – Voluntary self-regulation

Self-regulation can be an effective approach in sectors where there is strong alignment between institutional incentives and public interest, and where the risk of harm from noncompliance is low. However, this is not the case for GBV in higher education. As outlined in Chapters 1 and 2, the sector has demonstrated an unwillingness to effectively address GBV in a consistent or meaningful way. The consequences of inaction in this context are severe as students and staff face significant risks to their safety, wellbeing and educational/work outcomes.

Option 2, which proposes a voluntary National Code, supported by guidance and engagement from the department lacks the enforceable obligations necessary to drive systemic change. While it encourages leading practice, it relies entirely on goodwill – an approach that in this context is insufficient. Consultations raised issues such as misuse of non-disclosure agreements, institutional harm and concerns of power imbalance. These issues persist because there are no binding requirements or accountability mechanisms in place. While a sizeable portion of the sector expressed desire for a non-regulatory model – due to trust in their existing processes, concerns of jurisdiction and resistant to regulatory requirements, this simply does not meet the expectations of students, victim-survivors, government and the broader community. without enforceability, Option 2 risks entrenching institutional complacency.

While Option 2 may appear less burdensome due to its non-regulatory nature, the cost to government for developing and implementing a voluntary National Code, alongside sector-wide education, engagement, and capacity-building, would be comparable to the cost of Option 3. Both options require significant investment in policy design, stakeholder consultation, guidance materials, and support infrastructure. However, Option 2 lacks any compliance mechanisms, meaning there is no guarantee that providers will adopt or adhere to the standards. This undermines purpose of government intervention, as the government would bear the cost of implementation without assurance of consistent uptake or measurable impact. In contrast,

Option 3 ensures that these same resources are directed toward a framework with enforceable obligations, accountability measures, and sector-wide consistency - maximising the effectiveness and value of public expenditure.

In summary, Option 2 is not a viable solution. The absence of enforceable standards poses an unacceptable risk to students and staff. voluntary measures alone will not deliver the scale or consistency of reform required.

6.3.1 Assessment of Option 2 against objectives

Policy Objective	Assessment
Meaningfully reduce the incidence of GBV in higher education and strengthen systems to enhance safety for students and staff	Partially – there may be individual providers who reduce incidence of GBV, but would not be meaningful, and no enforcement mechanism to ensure safety systems are strengthened. Higher Education Providers have signed up for voluntary measures in the past, which has not reduced meaningfully GBV incidence.
Minimise the impact that GBV has on victim-survivors through trauma-informed and person-centred responses	Partially – Some providers may adopt trauma-informed practices, but without mandatory standards, responses will vary. Victim-survivors may continue to face fragmented and inadequate support depending on their provider.
Address the needs of groups that experience compounding forms of inequalities and discrimination to ensure prevention and response is inclusive and culturally safe/appropriate	No – a voluntary National Code does not guarantee inclusive or culturally safe practices. Diverse groups are most affected by inconsistent implementation, lack of accountability, and one-size-fits-all approaches.
Ensure providers implement whole-of-organisation approach to ensure response to GBV is coordinated, systemic and resourced.	No – Whole-of-organisation approaches require leadership, investment and accountability – none of which are enforceable under this option. Sector continues to show reactive and under resourced despite numerous recommendations for holistic, systematic approaches to GBV.
Strengthen data collection to inform evidence-based responses and ensure accountability	No – data collection would remain discretionary and perpetuate the same data gaps that exist now. No mechanism to ensure comparability making the data ineffective. Thus, no national evidence base to measure improvements or ensure transparency for students and staff, and government.
Strengthen the regulatory framework to ensure consistent standards for preventing and responding to GBV in the higher education sector.	No – voluntary regulation would mean participation is optional and relies on guidance and goodwill.

6.4 Implementation of Option 3 – Mandatory National Code

Subject to passage in Parliament, the National Code will commence from 1 January 2026 for Table A and B Providers, and 1 January 2027 for all other. All higher education providers registered with TEQSA will be required to comply with the National Code.

To support implementation and enforcement, a Consequential Bill will amend the HESA Act to include compliance with the National Code as a quality and accountability requirement for higher education providers approved under that Act. HESA is the main piece of legislation governing the allocation of Commonwealth funding to higher education providers in Australia.

This legislative amendment means that a breach of the National Code may have significant consequences, including potential implications for a higher education providers ability to received Commonwealth funding. This creates a strong regulatory incentive for compliance.

6.4.1 Legislative timeline

Below is a high-level legislative timeline for the National Code.

Phase	Event
Phase 1	Introduction of The Universities Accord (National Higher Education Code to Prevent and Respond to Gender-based Violence) Bill 2025 (the Bill) into parliament
Phase 2	Debate commences in parliament
Phase 3	Successful passage of the Bill in parliament
Phase 4	Royal assent of Bill
Phase 5	The National Code instrument is registered

6.4.2 Implementation Plan

Assuming the successful passage of legislation, the department's high-level implementation plan is as follows:

Timeline	Date	Event
Phase 1	October	The department publishes initial guidance material
Phase 2	Ongoing	Engagement with the Sector on National Code
Phase 3	Once Code is created	Communication to Providers that the National Code has been created
Phase 4	Ongoing	The department publishes regulatory guidance material as required.
Phase 5	1 Jan 2026	Compliance with the National Code for Table A & B Providers.

Timeline	Date	Event
Phase 6	1 Jan 2027	Compliance with the National Code for all other Providers commences.
Phase 7	30 June 2027	Annual data reporting for Table A & B Providers commences.
Phase 8	30 June 2028	Annual data reporting for all other providers commences.

6.4.3 Establishment of the specialist GBV Reform Branch

To ensure effective implementation of the National Code, a dedicated gender-based violence reform branch will be established within the department. At a high level, the branch's core functions will include:

- Building capability across the higher education sector to support effective implementation of the National Code
- Fostering a culture of continuous improvement, encouraging providers to go beyond minimum standards and embed leading practice responses to GBV
- Collaborating closely with TEQSA and the National Student Ombudsman to ensure a coordinated and responsive regulatory approach, particularly in addressing non-compliance or identifying systemic risks
- Conducting compliance and enforcement activities, including investigations, audits and the application of proportionate penalties
- Collecting, analysing and monitoring data to inform regulatory action, identify trends, and support ongoing policy development
- Publishing decisions and outcomes to promote transparency and accountability
- Reporting regularly to the Minister of Education on the performance of the sector and the effectiveness of the National Code

Regulatory strategy

The GBV Reform Branch has been in the process of developing a regulatory operating strategy that will guide all aspects of implementation. This will be foundational in defining the branch's regulatory priorities that will inform regulatory activities.

This overarching regulatory strategy will inform internal materials such as standard operating procedures, risk assessment tools, enforcement guidelines, staff handbooks and more.

Engagement

Broad engagement with stakeholders is crucial to ensure effective implementation of the National Code. The purpose of engagement is to build rapport and trust to operate effectively as a regulatory, and support readiness for compliance.

Sector Engagement

The branch will continue to engage with the higher education sector through site visits, industry conferences, peak body meetings, webinars, forums and more. As a regulatory branch, the branch will be focused on engagement and ensuring positive take-up of the obligation of the National Code in these settings to ensure that providers are supported.

To enhance the understanding of the National Code requirements, the branch will plan various engagement sessions for the sector and other communication strategies, leveraging where possible, relevant sector-led and peak body conferences and workshops. Relationships developed during the extensive consultation process undertaken to inform the drafting of the National Code will be built on to assist in the delivery of engagement sessions.

The GBV Reform Branch will also seek to meet with individual providers to understand what areas of implementation they are finding challenging, any risk issues, and any other perspectives. These will be opportunities for providers to ask questions, seek advice, and be informed of implementation progress.

From January 1, the branch will receive the initial Prevention and Response Plans, which will include a whole-of-organisation assessment and a complimentary outcomes framework. The first round of data collection is due on 30 June 2026. These two critical inputs will inform the next phase of engagement by identifying knowledge gaps and areas requiring targeted support.

Student Engagement

Engagement will extend beyond the higher education institutions. The branch will ensure that they are connected to students so that it is in tune with how the National Code is being implemented, received and experience by students. Students' voices will be essential to understanding how the National Code is effecting change and will be used to shape future actions.

Stakeholder and government engagement

The branch will continue to maintain and strengthen relationships established during the consultation phase, including the ERG, lived experience groups and others to ensure the branch remains responsive to emerging issues and sector needs.

Key government stakeholders will continue to play an important role in both the engagement and regulatory functions of the specialist GBV Reform Branch. The Tertiary Education Quality and Standards Agency (TEQSA) will be a critical partner, not only in collaborative engagement, but regulatory enforcement. The branch will work with TEQSA to obtain relevant provider specific information to initiate communication with higher education providers in relation to the National Code's requirements, particularly around submitting data.

The National Student Ombudsman (NSO) will also be a valuable partner in referring concerns to each other, and the branch will use complaints to help shape regulatory priorities and identify systemic issues. the branch will be empowered to share relevant information with the National Student Ombudsman, with the consent of the student, to facilitate timely referral and resolution of complaints. This collaborative approach will help ensure that student concerns are addressed holistically and that oversight bodies can act on systemic issues effectively.

In addition, the branch will maintain ongoing collaboration with other government agencies, including Attorney-General's Department, Australian Human Rights Commission, Department of Social Services and Office for Women, to ensure alignment with broader national goals and policy directions related to GBV. The branch will also look to other government regulatory bodies to inform approach, adopt leading practice.

Materials and guidance

The branch will develop and publish a suite of materials to support implementation of the National Code. These will be published on the department's website.

The branch will also develop explanatory documents to support understanding of the National Code and how it will be applied in practice. This will support initial engagement with the National Code and will help guide interpretation and explain key concepts.

The branch will also develop structured, comprehensive regulatory guidance to assist higher education providers meet their compliance requirements. This guidance will outline expectations, processes and leading practice to support compliance and foster a culture of safety and accountability.

These resources will be developed in consultation with the sector and will be responsive to varying levels of provider maturity, capacity and resourcing, particularly in relation to the prevention of, and response to, GBV. This ensures that support is both targeted and proportionate, while encouraging providers to progressively enhance their systems and culture.

Above all, these materials will be data-driven, and evidence informed. These materials will be reactive to change and updated annually to ensure constant relevance.

6.4.4 Implementation challenges and risks

The department has considered the challenges and risks of implementing the National Code and is adequately prepared to mitigate these risks and address challenges.

Legislation

The National Code requires the creation of legislation that is subject to parliamentary processes and timeframes. The risk of delay has been mitigated by a draft of the National Code being tabled alongside the enabling legislation in February 2025, as well as regular engagement from the department to HEPs to provide updates of the legislative process. This provided transparency and has allowed HEPs to prepare for implementation in advance of the passage of the legislation.

Privacy

The National Code requires providers to collect, report and analyse data in relation to gender-based violence. This includes:

- Process data on implementation of policies, procedures, plans and other related activities
- De-identified data on incidents of GBV, to enable trend analysis and systemic responses
- De-identified demographic data, and enrolment/engagement characteristics of Disclosers and Respondents

This data ensures compliance and accountability, strengthens systems, evaluating individual HEP and sector impact, and collating data to expand the national database. With any requirements to collect data there is an inherent risk to privacy. In relation to GBV, the consequences of a privacy breach could be significant, and result in harm to individuals that may be identified and loss of trust in institutional or government processes. To mitigate this risk safeguards have been embedded into the National Code that require HEPs to provide de-identified information and otherwise undertake their obligations under the National Code in accordance with applicable Commonwealth, State and Territory privacy laws, or where no other privacy laws apply with reference to the Australian Privacy Principles. As well as requiring HEPs to be bound by privacy laws, the National Code also specifies that data may be published unless it would have the effect that an individual is identifiable or reasonably identifiable. The department itself may receive identifiable information, likely through individual complaints and disclosures related to GBV. The department will have the power to refer complaints to the NSO,

but only with the informed consent of the student, and will communicate with the NSO to ensure that complaints are appropriately referred and considered, while maintaining compliance with privacy laws and principles.

Variability of HEPs

Australia's higher education sector is made up of 211 diverse providers, reflecting the varied nature of the sector. This includes public universities, private universities, university colleges, and a wide range of non-university HEPs, such as theological colleges and business schools. These HEPs operate across a spectrum of contexts including metropolitan centres, regional areas, online and/or blended models. This diversity means that HEPs vary significantly in size, demographics and capability, and this presents a moderate to high likelihood of varied implementation.

Factors for variability will include their institutional capability, resourcing and maturity in preventing and responding to GBV. Some HEPs have established policies and procedures and dedicate staff, while others may have less resources. The consequences of this variability include delayed or partial compliance, inconsistent student experiences, and reduced effectiveness of sector-wide GBV prevention and response efforts.

To mitigate this risk, the National Code will be implemented in a phased approach:

- Table A and B providers begin compliance on 1 January 2026.
- All other providers begin compliance on 1 January 2027.

This staggered timeline allows other HEPs more time to prepare and implement processes to ensure compliance by 1 January 2027. Table A and B providers (who are largely made up of universities) and required to comply on 1 January 2026, that reflects the government's expectation that universities already have some processes in place to address GBV. This is supported by findings from a 2024 report by the Australian Human Rights Institute which reported that nearly all universities have stand-alone policies on sexual violence, online reporting mechanisms, clear guidance on how students and staff can access support services.

HEPs engagement with the National Code

Recognising the significance of the proposed National Code, the department has ensured that HEPs have had ample opportunity to contribute, prepare and understand.

As outlined in Chapter 5 the National Code was developed through extensive consultation, allowing all HEPs and leaders in the sector to contribute to its design, through a range of forums, and the National Code was tabled alongside the enabling legislation in February 2025. This ensured that the National Code was publicly available to assist HEPs preparation for implementation. Despite these efforts, there still may be a low to moderate likelihood that some HEPs may not fully engage with the National Code. The consequence of low engagement includes inconsistent implementation, delayed compliance and reduced effectiveness of GBV prevention and response efforts.

To mitigate this risk and facilitate successful implementation, the department will adopt a proactive and collaborative approach, pre- and post- implementation.

- The department will continue to conduct ongoing engagement with the sector to foster understanding, transparency and clarity on the National Codes high-level objectives.
- Regulatory guidance will also be developed to assist to HEPs in interpreting their obligations of the National Code and provide clarity where needed.

Availability of GBV expertise

An implementation risk may be a potential shortage of staff with relevant expertise in GBV prevention and response across the higher education sector. To manage this, the National Code allows HEPs to contract these skills where necessary. As organisations dedicated to education and research, HEPs are also uniquely positioned to address this shortage by developing internal expertise through training and development, forming cross-sector partnerships with prevention and frontline services, and leveraging academic resources to build in-house capacity. The department will also advocate for resource sharing and partnerships with external organisations to support HEPs.

Potential resourcing constraints of the GBV Reform Branch

The establishment of the specialist GBV Reform Branch within the department is a cornerstone of the National Code's regulatory framework. The GBV Reform Branch will need to ensure that it appropriately uses its resources and manages expectations across the sector. There is the likelihood of a low to moderate risk that resourcing constraints of the GBV Reform Branch may impact the implementation of the National code. To mitigate this, the department has ensured that the GBV Reform Branch is adequately staffed and funded, with clear operations and infrastructure.

6.5 Impact Analysis status at each major decision point

Decision point	Timeframe	Status of the IA
Action Plan and Government decision	February 2024	Undeveloped
Consultation commences	March 2024	Australian Government Impact Analysis Preliminary Assessment form completed
Consultation concluded	January 2025	Chapters 1-4 drafted
Introduction of the Bill into parliament	July - August 2025	1 st Pass assessment completed. Comments noted and addressed.
Passage of the Bill	August – September 2025	2 nd Pass assessment presented to OIA.
Final decision made	September 2025	Final impact analysis to be provided to the Prime Minister ahead of the instrument being created.

7 Chapter 7: How will you evaluate your chosen option against success metrics?

7.1 Purpose and Objectives of Evaluation

As detailed in Chapter 2, the primary objective of government intervention through a legislated National Code is to ensure the safety and wellbeing of students and staff. Meeting these objectives will be demonstrated through compliance with a consistent set of requirements that reflect the Government's expectations.

Evaluation will be designed to assess how effectively the National Code delivers on these objectives, including to:

- Reduce the incidence of GBV in higher education and strengthen systems to enhance safety for students and staff
- Minimise the impact that GBV has on victim-survivors through trauma-informed and person-centred responses
- Address the needs of groups that experience compounding forms of inequalities and discrimination to ensure prevention and response is inclusive and culturally safe/appropriate
- Ensure providers implement whole-of-organisation approach to ensure response to GBV is coordinated, systemic and resourced.
- Strengthen data collection to inform evidence-based responses and ensure accountability
- Strengthen the regulatory framework to ensure consistent standards for preventing and responding to GBV in the higher education sector.

Given the complexity of GBV and how it manifests in culture, traditional evaluation models are often insufficient. Cultural change is inherently non-linear, multi-dimensional and dependent. Therefore, success metrics have been deliberately categorised by stakeholder group to reflect the interconnected nature of the objectives and allow for flexibility and responsiveness.

7.2 Evaluation framework

The evaluation framework for the National Code incorporates a combination of process, outcome, and impact evaluation methods, each aligned to specific evaluation objectives.

- **Process evaluation** will be used in the short term to assess how effectively HEPs are implementing the National Code's requirements. This includes monitoring the development of Prevention and Response Plans, delivery of training, and establishment of data systems. These activities align with the objective of ensuring institutional readiness and compliance with the National Code.
- **Outcome evaluation** will be used in the medium term to assess whether the National Code is achieving its intended results, such as increased awareness, improved reporting pathways, and enhanced satisfaction with support services. These outcomes reflect the objective of improving institutional responses and building trust in systems.

- **Impact evaluation** will be used in the long term to assess whether the National Code contributes to a measurable reduction in the prevalence and harm of GBV in higher education. This aligns with the overarching objective of creating safer, more inclusive learning and working environments.

This mixed-methods approach ensures that evaluation is responsive to the evolving maturity of the sector and provides evidence to inform continuous improvement, regulatory strategy, and future policy decisions.

The evaluation of the National Code will also be guided by the Commonwealth Evaluation Principles, ensuring that the approach is proportionate to the significance of the initiative and supports continuous improvement, transparency, and accountability. The specialist GBV Reform Branch will lead the monitoring and evaluation process, overseeing implementation to ensure alignment with the objectives outlined in Chapter 2 and assessing the effectiveness of interventions over time.

The evaluation framework is structured across three phases – short-term, medium-term, and long-term – to reflect the evolving maturity of the sector and the progressive nature of cultural and systemic change.

Short-Term: Establishing Baselines and Building Foundations (0-3 years)

In the initial phase, the focus will be on establishing a clear baseline of sector readiness and existing GBV-related practices. Key activities include:

- Implementing compliance-focused requirements with embedded quality indicators.
- Initiating annual data collection from higher education providers to assess current sector maturity and prevalence of GBV.
- Requiring providers to submit a Prevention and Response Plan alongside a complementary Outcomes Framework to guide and measure progress.

These activities will lay the groundwork for consistent monitoring and enable early identification of gaps in practice and capacity.

Success will be measured by:

- Increased awareness among students and staff of GBV, available support services and reporting pathways
- Increase in student and staff knowledge of what constitutes GBV and what trauma-informed practice looks like
- Improved institutional readiness to respond to disclosures and reports
- Increase in the quality of evidence-based education and training to build capacity and understanding
- Greater alignment across the sector on prevention and response practices
- Consistent data collection mechanisms established across the sector to inform evaluation and monitoring
- Visible commitment from organisation leadership to drive change

Medium-Term: Assessing Sector Performance and Maturity (3-8 years)

As implementation progresses, the evaluation will shift toward assessing sector-wide performance and the effectiveness of institutional responses. This phase will involve:

- Analysing provider-submitted data to evaluate progress against key indicators.
- Conducting monitoring and compliance activities to assess adherence to the National Code.
- Engaging stakeholders, including students, staff, and advocacy groups to gather qualitative insights.
- Drawing on external sources such as the National Student Safety Survey (NSSS), union reports, and information shared by co-regulators to triangulate findings.

This phase will help identify patterns, strengths, and areas for improvement across institutions, informing targeted support and refinement of the Code.

Medium-term success will be evidenced by:

- Increase in student and staff disclosures and reports of GBV, reflecting improved trust in systems
- Enhanced satisfaction with support services and complaints processes across students and staff populations
- Reduction in attitudes and behaviours that enable or promote violence
- Comparable data datasets across institutions and jurisdictions
- HEPs being able to demonstrate a whole-of-organisation approach to prevention and response, led by leadership

Long-Term: Driving Quality and Cultural Change (8+ years)

The final phase focuses on embedding sustainable change and promoting excellence beyond minimum compliance. Long-term evaluation activities will include:

- Defining and promoting standards of best practice to encourage providers to exceed baseline requirements.
- Continuously refining the specialist GBV Reform Branch's outputs and the National Code based on emerging evidence and sector feedback.
- Supporting providers to evaluate the impact of their policies and practices on their communities, moving beyond binary compliance toward meaningful cultural transformation.

Long term success will be evidenced by:

- A sustained and measurable reduction in the prevalence and harm of GBV in higher education settings
- Consistently high institutional responses to GBV
- Contribute to broader national evidence to end violence against women and children

The specialist GBV Reform Branch will lead the monitoring and evaluation process, ensuring alignment with the objectives outlined in Chapter 2 and assessing the effectiveness of

interventions over time. This phased, mixed-methods approach, supports continuous improvement, regulatory strategy, and future policy decisions, while remaining responsive to the sector's evolving needs.

7.3 Points of evaluation

This section outlines the key mechanisms through which the implementation and impact of the National Code will be evaluated. These include internal and external data sources, regulatory activities, stakeholder engagement, and independent evaluation. Together, these mechanisms will ensure a comprehensive, transparent, and responsive evaluation process.

7.3.1 Evaluation through internal data

The effectiveness of the National Code will be primarily monitored and evaluated through the analysis of data and information provided by HEPs to support this, the National Code includes a dedicated standard - Standard 6: Data, Evidence and Impact - which outlines rigorous data requirements designed to enable meaningful evaluation of both compliance and quality.

Standard 6 serves multiple evaluation-related functions:

- **Institutional Understanding:** Enables HEPs to assess the nature and incidence of GBV experienced by their students and staff, forming the foundation for targeted interventions.
- **Analysis and Impact Assessment:** Supports providers in evaluating the effectiveness of their prevention and response efforts, including identifying the needs of different cohorts, tracking progress, and informing policy and program design.
- **National Evidence Base:** Allows the specialist GBV Reform Branch to build a comprehensive picture of GBV across the sector, enabling benchmarking, trend analysis, and identification of systemic issues.
- **Monitoring and Compliance:** Provides the specialist GBV Reform Branch with the necessary data to assess whether providers are meeting the mandatory requirements of the National Code, and to initiate regulatory action where needed.
- **Evaluation of Policy Effectiveness:** Facilitates assessment of the quality and impact of the National Code itself—both at the institutional level and across the sector—ensuring that the policy is delivering on its objectives and contributing to long-term cultural change.
- **Transparency and Accountability:** Promotes visibility of institutional efforts to students, staff, and government, reinforcing public trust and sector-wide accountability.

To achieve these functions, the data requirements under standard 6 are intentionally rigorous and include:

- **Annual reporting** of de-identified data on GBV incidents, support services, and institutional responses.
- **Documentation of implementation** of policies, procedures, and related activities.
- **Evaluation of impact**, including tracking reporting rates, identifying cultural and systemic barriers, and assessing awareness of policies among students and staff.

- **Safe and ethical data practices**, ensuring that all data collection is trauma-informed, person-centred, and compliant with relevant privacy laws

This data will serve as a foundational input into the broader evaluation of the National Code. By aggregating and analysing institutional data, the department will be able to assess the National Codes effectiveness in achieving its intended outcomes. This includes evaluating whether the National Code is driving improvement in safety, accountability and cultural change. The data will also inform the department's internal outcomes framework (see below), enable strategic planning, resource allocation and targeted support for providers. Over time, this evidence will support the iterative refinement of the National Code, ensuring it remains responsive to emerging trends, sector needs, emerging forms of gender-based violence and leading evidence/practice. Ultimately, this integrated evaluation approach will ensure that the National Code delivers measurable impact and contributes meaningfully to the national goal of ending gender-based violence within a generation.

This dual approach of top-down regulation and bottom-up reporting ensures accountability and contextual relevance.

Data gaps

As outlined in Chapter 1, there are significant gaps in data of GBV within the higher education sector, particularly for individuals from CALD backgrounds, people with disability, and international students. Standard 6 of the National Code directly addresses these gaps by mandating the collection and reporting of disaggregated demographic data alongside GBV incident data. HEPs are required to report on characteristics such as Indigenous status, disability status, country of birth, language spoken at home, visa status, and accommodation type, enabling a more nuanced understanding of how GBV affects different cohorts. This includes tracking reporting rates, support service usage, and outcomes of investigations and disciplinary processes by demographic group. By standardising definitions and formats, the National Code ensures that data is comparable, consistent, and inclusive, allowing for the identification of systemic and cultural barriers to safety and support. Over time, this will build a robust national evidence base that reflects the full spectrum of GBV experiences in higher education.

Use of external data sources

To strengthen the evidence base, the department will incorporate external datasets for comparative analysis. This process constitutes a form of benchmarking, where internal data is assessed against external datasets such as the *National Student Safety Survey* (NSSS) to evaluate the accuracy and effectiveness of data collection mechanisms under the National Code.

Sector-specific datasets will play a vital role in evaluating the effectiveness of the National Code. The specialist GBV Reform Branch will compare internal data against these external sources to assess consistency and reliability. An example of this is the latest NSSS, that is scheduled to commence in 2026. The results of this survey will be a key opportunity to compare to the data to that of the GBV Reform Branch. The NSSS targets students enrolled in Australian higher education settings, aiming to measure experiences of sexual harassment and sexual

assault in university settings, meaning its scope is narrower than GBV. This will need to be considered when comparing it to GBV data.

In addition to sector-specific datasets, broader national data sources will be used to contextualise and validate findings. The Personal Safety Survey (PSS), conducted by the Australian Bureau of Statistics, is a national household survey targeting the general adult population, with a focus on physical and sexual violence, stalking, and emotional abuse. It offers a wide lens on GBV prevalence and includes demographic breakdowns relevant to CALD communities, people with disability, and women. Ten to Men, Australia's longitudinal study on male health, targets men aged 10 to 55 and collects data on experiences and use of violence, as well as attitudes toward gender roles and relationships. It provides valuable insights into perpetration patterns and risk factors, which can inform prevention strategies in higher education. Given the embedded nature of higher education within broader societal structures, it is expected that national prevalence rates will be similarly reflected within the student and staff populations of higher education institutions. These datasets offer a broader societal lens, enabling institutions to benchmark internal prevalence rates against national trends. While not exclusive to the higher education sector, their inclusion supports a more comprehensive understanding of GBV, highlights potential underreporting, and informs the development of responsive, evidence-based prevention and support strategies.

7.3.2 Evaluation through regulatory activities and assessments

Regulatory activities and assessments made by the specialist GBV Reform Branch will function as direct tools for evaluating the success of the National Code. Compliance with the standards of the National Code will provide measurable indicators of institutional commitment and progress. When providers meet these regulatory requirements, it will reflect successful implementation of key practices. Conversely, consistent non-compliance or partial adherence to obligations may signal areas requiring further support, capacity building or further policy review and refinement. In this context, regulatory activities function as enforcing accountability but will also be a structured mechanism for assessing effectiveness and driving improvement.

Other reporting requirements, including the whole-of-organisation Prevention and Response Plan, along with their internal outcome's framework will represent a provider's roadmap to addressing GBV that is tailored to their context. These two documents will outline strategic priorities, areas for improvement, implementation plan, and measurable outcomes and targets. The specialist GBV Reform Branch will have oversight of these plans and will assess to see that providers are not only compliant with regulatory requirements but will also monitor how they are meeting their own targets. A provider's ability to meet its own targets will become a key tool for evaluation, offering insight into their progress of implementation and how their systems mature. This approach recognises that success is not solely defined by compliance, but also by the capacity of providers to set, track and meet their own internal goals that reflect their setting.

7.3.3 Engagement and feedback loops

Ongoing engagement with students, staff, providers and other stakeholders will be central to evaluating the practical experience of the National Code. The specialist GBV Reform Branch will establish regular touch points with relevant groups to gather insights into how the National

Code is being implemented and experienced across varied contexts. Students and staff will play a pivotal role in highlighting the on-the-ground realities and offering critical feedback on whether the policy intent of the National Code is being realised in practice. This form of evaluation will function more as a qualitative evaluation mechanism but will complement the quantitative data and capture the lived experiences and nuanced impact of policy interventions.

The branch will also work closely with higher education providers to identify implementation challenges, unintended consequences, and in areas where additional support might be needed. This will ensure the branch has insight into the operational realities of applying the National Code. Through regular dialogue and feedback mechanisms, the branch will support providers to continuously improve and identify areas that need refinement.

Engagement with specialist organisations in the women's safety and violence prevention sectors could provide valuable external input to inform monitoring and evaluation efforts. These organisations and services are likely to support individuals affiliated with higher education providers and may collect data on disclosures and referrals that are not captured through institutional reporting channels. Where referral patterns from these organisations appear significantly higher than the corresponding figures reported by providers, this may indicate underreporting or limitations in internal data collection processes. The specialist GBV Reform Branch will engage with these organisations to better understand such patterns and incorporate their insights into broader monitoring and compliance efforts. This external perspective will help ensure that institutional reporting aligns more closely with the lived experiences of students and staff, and that emerging risks or blind spots are identified and addressed in a timely manner.

7.3.4 Evaluation and internal review

To ensure objectivity and transparency in assessing the impact of the National Code, the department intends to seek evaluations at key milestones throughout its implementation and progression (3 – 5 years). These evaluations will assess both the effectiveness of the National Code itself in achieving its intended outcomes, and the performance of the specialist GBV Reform Branch in regulating, monitoring, and supporting compliance across the sector. Independent evaluation will provide a critical external lens, helping to validate internal findings, identify areas for improvement, and ensure accountability to stakeholders.

In parallel, the department will develop and maintain an internal outcomes framework grounded in the objectives outlined in Chapter Two. This framework will define short-, medium-, and long-term indicators of success, and will guide internal monitoring and evaluation activities. It will also support strategic planning, inform resource allocation, and enable the department to track progress over time. The outcomes framework will be regularly reviewed and refined to reflect evolving understandings of gender-based violence in higher education, emerging evidence, and feedback from stakeholders. Together, independent evaluation and internal review will form a robust, multi-layered approach to assessing the effectiveness of the National Code and ensuring its continuous improvement.

7.3.5 Transparency and accountability

Annual reporting on the specialist GBV Reform Branch's operations and sector performance will be publicly available and tabled in both Houses of Parliament. These reports will include key findings, trends, and recommendations to ensure transparency and accountability.

Data collected under the National Code will be published by the specialist GBV Reform Branch and aggregated form (unless its publication would have the effect that an individual is identifiable or reasonably identifiable). By making this information accessible, the department aims to foster trust, support continuous improvement, and demonstrate its commitment to addressing gender-based violence in higher education.

7.4 Success measures

Measuring success in the context of GBV prevention and response within higher education presents unique challenges in evaluation. As extensively discussed, GBV is a deeply embedded cultural issue. Cultural change is inherently non-linear, multi-dimensional and context-dependent, making it difficult to isolate cause and effect or attribute to specific interventions. As a result, traditional evaluation methods can often be insufficient in capturing the complexity of cultural change.

In recognition of this complexity, the success measures outlined below are intentionally broad to reflect the interconnected nature of objectives and that meaningful change will emerge through a combination of achieving these objectives, rather than isolated actions.

The success measures are organised across short-, medium-, and long-term horizons, each aligned with relevant standards under the National Code and accompanied by appropriate evaluation methods. These measures are not intended to function as rigid performance indicators, but rather as guiding markers that help track progress, identify emerging trends, and inform continuous improvement. Importantly, many of the objectives intersect and reinforce one another - for example, increased awareness may contribute to improved reporting, which in turn may lead to more effective institutional responses.

This layered approach to evaluation recognises that cultural change is gradual and iterative. It also reflects the reality that success in this context is not solely defined by compliance, but by the extent to which institutions are building capacity, fostering trust, and embedding sustainable, evidence-informed practices. The following tables outline the key success measures across each time horizon, along with the relevant standards and evaluation methods that will be used to assess progress.

The middle column of the success measures tables outlines the relevant standards and requirements under the National Code that correspond to each identified outcome. These standards serve as the regulatory foundation for evaluation, specifying what providers are expected to deliver, monitor, and report on. By linking each success measure to a specific provision within the National Code, this column ensures that evaluation activities are grounded in enforceable obligations and sector-wide expectations. It also provides clarity on where institutional responsibilities lie, helping to distinguish between aspirational goals and mandated

actions. This alignment between success measures and National Code requirements strengthens accountability and enables consistent tracking of progress across institutions.

Short term success measures and evaluation (0-3 years)

The table below reflects the short-term measures, relevant National Code data and reporting requirements, and the relevant evaluation method that will be used to assess success. These measures focus on the groundwork needed for long-term cultural change by establishing a baseline of sector maturity and organisational readiness. This phase will be mainly compliance-focused with an emphasis on implementation. The branch seeks to ensure that this compliance is meaningful and ensure that HEPs are building the necessary infrastructure to support sustained change.

Success measure	National Code	Evaluation method
Increased awareness among students and staff of GBV, available support services and reporting pathways	Standard 3: Providers must report on training participation and awareness outcomes. Standard 6: Annual reporting on awareness levels	• Annual data and surveys on awareness levels. • Training participation records. • Feedback forms and pre- and post- assessments.
Increase in student and staff knowledge of what constitutes GBV, how to do trauma-informed practice	Standard 3: Monitoring and Evaluation of effectiveness of training and education.	• Evaluation of training and education effectiveness. • Participant feedback and learning outcome tracking.
Improved institutional readiness to respond to disclosures and reports	Standard 1: Providers must submit a Prevention and Response Plan & Outcomes framework, including a whole-of-org assessment and implementation plan.	• Review of Prevention and Response Plan. • Data on awareness of students and staff of the Prevention and Response Plan
Increase in HEPs embedding quality, evidence-based education and training to build capacity and understanding	Standard 3: Providers must deliver and evaluate evidence-informed training on prevention for all staff and students and responding to disclosure training to relevant staff and leadership.	• Curriculum and training review, including evidence view. • Evaluation of training outcomes and data.
Greater alignment across the sector on prevention and response practice	Providers must align their prevention and response with the national standards.	• Comparative policy analysis. • Sector-wide reviews.
Consistent data collection mechanisms established across the sector to inform evaluation and monitoring	Standard 6: Providers must report comprehensive annual data	• Annual reporting. • Sector-wide data reviews and analysis
Visible commitment from organisation leadership to drive change	Standard 1: Accountability sits with the HEPEO, governing body must have oversight.	• Governing body reports. • Stakeholder engagement with students and staff on leadership engagement.

Medium term success measures and evaluation (3-8 years)

These measures reflect the transition from foundational implementation into active performance monitoring and sector-wide assessment. At this stage, the specialist GBV Reform Branch will analyse data providers to evaluate progress and maturity. Evaluation will be informed by a combination of monitoring and compliance activities, stakeholder engagement, provider-submitted data and external sources such as data sets, union reports and information shared by co-regulators. These measures will help assess that providers are genuinely engaging in practices that reflect a commitment to prevention, response and cultural change.

Success measure	The National Code	Evaluation method
Increase in student and staff disclosures and reports of GBV, reflecting improved trust in systems	Standard 6: Providers must report annually on the number and nature of disclosures and formal reports. This includes satisfaction with response processes	• Annual reporting of disclosure and formal report data. • Data on satisfaction of processes. • Comparative analysis with external datasets.
Enhanced satisfaction with support services and complaints processes across students and staff populations	Standard 4: providers must monitor and evaluate support services every 3 years. Standard 6: Annual reporting must include satisfaction data.	• Service usage tracking. • Satisfaction with services and feedback. • 3 yearly evaluation reports of support services.
Reduction in attitudes and behaviours that enable violence	Standard 3: Providers must evaluate training and education, including behavioural change indicators.	• Pre- and post- participant surveys. • Evaluation of prevention initiatives and campaigns.
Comparable data datasets across institutions and jurisdictions	Standard 6: Providers must submit de-identified annual data.	• Sector-wide benchmarking. • Review and analysis of data collection methods.
Increase in providers embedding a whole-of-organisation approach to prevention and response, led by leadership	Standard 1: Providers must implement and submit a whole-of-organisation prevention and response plan, that must be endorsed by the governing body and updated every 4 years and reported on every 2 years on progress.	• Review of Prevention and Response Plans. • Governance reporting. • Stakeholder engagement with students and staff.

Long term success measures and evaluation (8+ years)

Long term success measures aim to capture the sustained impact of the National Code and the broader cultural transformation it seeks to drive. In this phase, the focus shifts to quality and encouraging providers to exceed minimum standards to embed best practice, evidence informed approaches. The branch will continuously refine its own outputs based on emerging evidence, sector feedback and evaluation findings. Providers will evaluate the impact of their own practices. This is to pursue the goal of this specific government intervention: a measurable and lasting reduction in the prevalence and harm of gender-based violence in higher education.

Success measure	The National Code	Evaluation method
A sustained and measurable reduction in the prevalence and harm of GBV in higher education settings	Standard 6: Providers must report annually on the number and nature of disclosures and formal reports. Data must be disaggregated and include systemic and trend analysis. Providers must use this data to evaluate response and inform continuous improvement.	• Analysis of all incident data, including comparative analysis over time. • External benchmarking (e.g. NSSS). • Trend analysis.
Consistently high institutional responses to GBV	Standard 4: Providers must ensure trauma-informed and person-centred responses. Standard 6: Providers must report on process outcomes, response times, and satisfaction with processes.	• Data on satisfaction with institutional responses. • Regulatory activities (audits, investigations, reviews).
Contribute to broader national evidence to end violence against women and children	Providers must submit comprehensive annual data on the nature, extent and incidence of GBV.	• Aggregation of de-identified data. • Publication of this data, including data analysis.
Development of evidence-based prevention and response approaches informed by data	Providers must use data and evidence to inform their prevention and response plans. Prevention education and training must be evidence-informed and aligned with current best practice and evaluated. Responses, practices, and support services must be consistent with best practice, and evaluated. Evaluation findings must guide future planning and practice.	• Evaluation of training and prevention initiatives, including effectiveness. • Feedback loops with students and staff. • Document and Evidence review of Prevention and Response Plan.

7.5 Use of evaluation evidence to inform decision making

Evaluation evidence collected under the National Code and this evaluation framework will be central to shaping regulatory strategy, guiding continuous improvement, and informing decision-making. The specialist GBV Reform Branch will analyse data submitted by HEPs to identify trends, gaps, and systemic risks. This evidence will be used to refine regulatory activities, update implementation support materials, and inform future iterations of the National Code and its supporting frameworks.

Key decision points following implementation include:

- Initial Reporting (2026–2027): Providers will submit their first Prevention and Response Plans and baseline data, which will be used to assess sector readiness, identify priority areas for support, and inform the development of tailored engagement strategies.
- Annual Data Reporting (from June 2027): Aggregated data will inform compliance monitoring, sector benchmarking, and targeted outreach to providers. It will also support the publication of sector-wide performance reports and transparency measures.

- Annual reporting to Parliament (from 2026): the GBV Reform branch will complete annual performance reports, informed by evaluation. These will be tabled in both houses of parliament annually to ensure transparency, accountability and public oversight of the implementation and impact of the National Code.
- Progress Reports (from 2028): Providers will report on their outcomes frameworks, enabling the department to assess institutional maturity, track progress against objectives, and identify emerging patterns of success or concern.
- Ongoing Regulatory Reviews: Evaluation findings will guide enforcement priorities, risk assessments, and the development of thematic reviews or sector-wide audits.

Importantly, evaluation evidence will also inform the regulatory operating strategy of the GBV Reform Branch, ensuring that compliance activities are proportionate, risk-based, and responsive to sector needs. This includes shaping the branch's engagement approach, such as site visits, forums, and tailored support, based on provider performance, feedback, and maturity.

This will ensure that the National Code remains dynamic, evidence-informed, and capable of driving sustained cultural and systemic change.

8 Glossary, acronyms, and abbreviations

Term	Definition
Action Plan	Action Plan Addressing GBV in Higher Education (2024)
AHRC	Australian Human Rights Commission
Base Case	Represents what is expected to happen if the policy intervention is not implemented. It is the current state to which proposed policy interventions can be compared to.
Break-even-analysis (BEA)	Break-even analysis determines the point at which the benefits of a policy or intervention equal its costs. This point, referred to as the break-even point, represents the minimum level of effectiveness required for the policy to yield enough benefits to be worth pursuing. Any benefit achieved beyond the break-even point generates a net positive outcome, further strengthening the case for implementation.
Benefit-cost-ratio (BCR)	The BCR refers to the scale of quantified benefits relative to quantified costs, expressed in the form of a ratio (where benefits are divided by costs). A BCR greater than one indicates that the quantified benefits related to the Code are greater than quantified costs (or, for every \$1 of cost incurred, a benefit of greater than \$1 is achieved). As such, any BCR that is equal to or greater than one can be expected to result in a positive impact in aggregate.
CGS	Commonwealth Grant Scheme
Change the Course report	Change the Course: National Report on Sexual Assault and Sexual Harassment at Australian Universities (2017)
Change The Story	Change the Story: A Shared Framework for the Primary Prevention of Violence Against Women and their Children (2 nd ed. 2021). Our Watch.
Closing the Gap	National Agreement on Closing the Gap (2020)
The department	The Department of Education
Discloser	A person who has shared information about their experience of GBV.
Disclosure	The provision of information about a person's experience of GBV to a Provider by the Discloser or another person.
Disability	The Disability Discrimination Act (DDA) 1992 (Cth) defines disability as in relation to a person, means: (a) total or partial loss of the person's bodily or mental functions; or (b) total or partial loss of a part of the body; or (c) the presence in the body of organisms causing disease or illness; or (d) the presence in the body of organisms capable of causing disease or illness; or (e) the malfunction, malformation or disfigurement of a part of the person's body; or (f) a disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction; or (g) a disorder, illness or disease that affects a person's thought processes, perception of reality, emotions or judgment or that results in disturbed behaviour; and includes a disability that: (h) presently exists; or (i) previously existed but no longer exists; or (j) may exist in the future (including because of a genetic predisposition to that disability); or (k) is imputed to a person. To avoid doubt, a <i>disability</i> that is otherwise covered by this definition includes behaviour that is a symptom or manifestation of the disability.
ESOS Act	Education Services for Overseas Students Act 2000
ESOS National Code	Education Services for Overseas Students National Code 2018
ERG	Expert Reference Group
Fair Work Act	Fair Work Act 2009
Formal Report	The provision through formal reporting channels of information about their experience of GBV by a Discloser to a Provider, which requires the Provider to consider taking steps beyond the offer and provision of support services, including (without limitation) the commencement of an investigation and/or a disciplinary process in appropriate circumstances.
GEAP	Gender Equality Action Plan

Term	Definition
Gender Equality Act	Gender Equality Act 2020
GBV	Any form of physical or non-physical violence, harassment, abuse or threats, based on gender, that results in, or is likely to result in, harm, coercion, control, fear or deprivation of liberty or autonomy.
HELP	Higher Education Loan Program
Specialist GBV Reform Branch	The specialist branch established in the Department of Education to implement and monitor regulatory compliance with the National Code.
HEPs	Higher Education Providers
HESA Act	Higher Education Support Act 2003
Interim Report	Australian Universities Accord Interim Report (2023)
Issues Paper	National Higher Education National Code to Prevent and Respond to GBV Issues Paper
National Plan	National Plan to End Violence against Women and Children 2022-2032
Net-present value (NPV)	Calculates the total economic value by converting future costs and benefits into present-day dollars.
NSO	National Student Ombudsman
NSSS	National Student Safety Survey (2021)
NTEU	National Tertiary Education Union
Person-centred	Ensuring that the Discloser's needs and preferences are at the centre of decisions made in response to the Disclosure. The response systems, Policies and Procedures affirm the Discloser's dignity and support their healing by genuinely considering their wishes and the impact that decisions may have on them, while at all times ensuring the safety and wellbeing of the Discloser and other Students and Staff.
Positive Duty	Positive Duty in the Sex Discrimination Act
National Code	Proposed National Higher Education Code to Prevent and Respond to GBV
RBE	Regulatory Burden Estimate
Respect@Work Act	Anti-Discrimination and Human Rights Legislation Amendment (Respect@Work) Act 2022
The Report	Respect@Work: Sexual Harassment National Inquiry Report (2020)
SAP	Student Accommodation Provider
Sex Discrimination Act	Sex Discrimination Act 1984
Support for Students Policy	Support for Students Policy in the Higher Education Support Act 2003
TEQSA	Tertiary Education Quality and Standards Agency
TEQSA Act	Tertiary Education Quality and Standards Agency Act 2011
Threshold Standards	Higher Education Standards Framework (Threshold Standards) 2021
Trauma-informed	An approach that applies the core principles of safety (physical, psychological and emotional), trust, choice, collaboration and empowerment. It should minimise the risk of re-traumatisation and promote recovery and healing to the greatest extent possible.
Undiscounted	A discounted cost has been adjusted to incorporate the time and value of money. Discounted figures are considered more accurate.
Whole-of-Organisation	An approach applied across all areas of a Provider's operations, including any Student Accommodation which it directly owns, operates and/or manages, or the operations of a Student Accommodation Provider or Affiliated Student Accommodation Provider as the context requires it, and at all levels that is evidence-informed, uses multiple strategies and is subject to ongoing monitoring and evaluation, including in respect to: a) leadership, culture and environment; b) structures, norms and practices; c) systems and infrastructure; d) service delivery, such as curriculum, teaching and learning; e) Policies and Procedures; f) management and governance; g) community engagement; h) business; i) research; and j) partnerships.

9 Appendix A: Summary of key reports

Key report	Recommendations
Change The Course: National Report on Sexual Assault and Sexual Harassment at Australian Universities (Australian Human Rights Commission, 2017)	The <i>Change the Course</i> report gave nine recommendations for Australian universities and university residential colleges to follow. These recommendations focused on structural and cultural reforms to minimise the frequency of incidences and effectively manage sexual harassment and assault in all university settings. Recommendations included: • Vice-Chancellors should take direct responsibility for the implementation of these recommendations, including decision-making and monitoring and evaluation of actions taken • universities develop a plan for addressing the drivers of sexual assault and sexual harassment through education • universities ensure students and staff know about support services and reporting processes for sexual assault or sexual harassment • within a year universities should commission an independent, expert-led review of existing university policies and response pathways in relation to sexual assault and sexual harassment • universities should ensure that information about individual disclosures and reports of sexual assault and sexual harassment is collected and stored confidentially and used for continuous improvement of processes • as soon as possible universities should conduct an audit of university counselling services • universities should engage an independent body to conduct the National university student survey of sexual assault and sexual harassment at three-yearly intervals.
Connecting the Dots: Understanding sexual assault in university communities (End Rape on Campus, 2017)	The 2017 <i>Connecting the dots</i> report by Professor Catharine Lumby, as part of the <i>End Rape on Campus Australia</i> campaign, explores the ongoing problem of sexual assault in Australian universities including the nature and extent of the issue, obstacles that students may face when reporting and accessing support and the historical context of university's failure to respond to the issue. The report also focuses on how survivors' needs can be best met and supported within tertiary institutions. Based on EROC's research and findings during the curation of the report, they made several recommendations for changes in universities and beyond. Some of these include: • develop the education sector to deliver on evidence-based findings and equip them with the support systems to effectively manage student reports • implement survivor-centric policies and procedures with functional record-keeping processes • government commitment to funding support services and ongoing research • implementation of a federal complaints mechanism to escalate student concerns.

The Red Zone Report: An investigation into sexual violence and hazing in Australian university residential colleges (End Rape on Campus, 2018)	The <i>Red Zone Report</i> was a 2018 investigation into sexual violence and hazing in Australian university residential colleges conducted by End Rape on Campus. The report highlighted the risks to students during university orientation weeks, with increases in hazing, bullying, harassment and sexual assault. The report attempted to address these issues by reviewing the full breadth of available evidence, showing the normalisation of hazing and initiation rituals in university communities. The report outlined a total of ten recommendations urging both systemic and cultural shifts to minimise sexual assault and harassment in university settings, including: • improving oversight of respective student residences by the university and taking accountability for behaviours that occur on premises to create streamlined processes across both campus and accommodation • ensuring equally accessible university complaints procedures and counselling services for university and college students • reviewing the role of secondary schools in ‘feeding’ residential colleges to try and break systematic distribution misbehaviours and culture • criminalising harmful initiation practices known as ‘hazing’ • establishing a government taskforce to oversee responses to sexual assault in the education sector and introduce mandatory reporting from universities
Combative to Collaborative: International Perspectives on Prevention Sexual Violence at Australian Universities (Camille Schloeffel, 2023)	The 2023 <i>Combative to Collaborative: International Perspectives on Preventing Sexual Violence at Australian Universities</i> report by Camille Schloeffel focuses on the prevalence of sexual assault in Australian universities and provides guidance on appropriate prevention. The report compares Australian university approaches to counterparts in the USA, Canada and the UK. The report outlines seven core principles for effective prevention and 61 recommendations which provide a clear path for universities to follow. The key themes of these recommendations include: • universities should implement structures to prevent sexual assault on campus • collaboration and activism are required to drive systematic and cultural change across the globe • increased accountability and transparency are needed across universities regarding their reporting and support structures • government intervention is necessary to make major reforms to see long lasting change

10 Appendix B: Current regulatory scope and limitations to regulating GBV

Regulation	Current regulatory scope
Higher Education Standards Framework (Threshold Standards) 2021	• The Threshold Standards cover safety and wellbeing for students, but do not provide specific compliance requirements for preventing and responding to GBV, including specifics on the nature and extent of support services. • Student accommodation providers are not subject to the Threshold Standards. • There is no requirement for higher education providers to report publicly, regularly, consistently on GBV incidents and responses to these incidents.
Higher Education Support Act 2003, Higher Education Provider Guidelines 2023	• The Act and Guidelines require higher education providers to have grievance and review procedures in place for student complaints on academic and non-academic matters. However, they do not require specific information on the nature of grievance and review procedures in relation to GBV nor require those procedures to be victim-centred and trauma-informed to reduce the likelihood of further harm.
Support for Students Policy (HESA 2003, s19-43)	• The Support for Students Policy requires higher education providers to have, comply with and report on a policy that supports students to successfully complete units of study in which they are enrolled. However, these requirements only apply to HESA-approved providers – not all TEQSA approved higher education providers. • The guidelines recognise students may experience family and domestic violence, harassment, sexual harm but do not specifically include other forms of GBV.
Higher Education Support (Student Services, Amenities, Representation and Advocacy) Guidelines 2022	• These Guidelines require higher education providers who charge a student services and amenities fee (SSAF) to publicly report on how allocations are spent. SSAF revenue can only be spent on a range of non-academic support services. However, it does not prescribe support the kinds of support required for victims of GBV.
The National Code of Practice for Providers of Education and Training to Overseas Students 2018	• This National Code focuses solely on the delivery of education to overseas students. Similar to the Threshold Standards, it outlines minimum standards for higher education providers to ensure safe environments for students.
Sex Discrimination Act 1984 - Positive duty requirements / Fair Work Act 2009	• Requires employers to take ‘reasonable and proportionate measures’ to eliminate and prevent discrimination on the grounds of sex in a work context; sexual harassment in connection with work; sex-based harassment in connection with work; conduct creating a workplace environment that is hostile on the grounds of sex; related acts of victimisation. • Applies to employees/staff but does not apply to students.

Regulation	Current regulatory scope
Work health and safety laws	- Higher education providers have a primary duty to monitor workers' health and conditions and manage health and safety risks. This includes eliminating or minimising psychosocial hazards at work, which include sexual harassment, violence and aggression. - Guidelines do not always provide specific guidance on how to achieve compliance with the WHS Duty.
Workplace Gender Equality Agency reporting requirements	- Requires higher education providers to register for the Gender Equality Program if they are standalone organisations with 100 or more employees, or a corporate structure with 100 or more employees in total across all entities. - Reporting is focused on gender equality and equity (which can include harassment and discrimination). - Reporting does not relate to students, student complaints, disclosures of GBV or related incident rates. - Does not apply to all registered higher education providers.

11 Appendix C: Cost-benefit analysis of the proposed National Higher Education Code to Prevent and Respond to Gender-based Violence