

WORKING TOGETHER FOR A SAFER COMMUNITY:

Guidelines for Responding to Threatening or Inappropriate Behaviour

This document is an initiative of Monash University Community Services and has been prepared in consultation with Professor James Ogloff and Ms Lisa Warren who are both Clinical and Forensic Psychologists associated with the Faculty of Medicine, Nursing and Health Sciences, Monash University.

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Working Together for a Safer Community: Guidelines for Managing Threatening or Inappropriate Behaviour

1. BACKGROUND

Universities across the world face the ongoing challenge of creating a learning environment that is open, supportive, and safe. Balancing the dilemma of accessibility versus security is increasingly fraught as incidents of violence on campus grow. Monash University is not immune. While the shooting on campus in 2002 (provides a highly visible example, all manner of physical and verbal aggression is most effectively dealt with by a systematised response. Threatening or inappropriate behaviour challenges Monash University's ability to provide a safe environment for students so that they can reach their academic, social and emotional potential. Threatening behaviour also limits the opportunity for staff to work in a safe, satisfying and supportive environment.

Threatening or inappropriate behaviour from staff, students or visitors requires a careful response that maximises open communication, provides firm limits on unacceptable behaviour and promotes the safety of everyone involved. Several departments within Monash University have now collaborated to produce a model of responding to threatening or inappropriate behaviour. This model considers Monash University's legal obligations, need to provide safety on campus, and commitment to equal opportunity and free speech.

2. OBJECTIVES¹

This document outlines procedures to address incidents of threatening or inappropriate behaviour and lists the supports available from Monash University. The objective of this document is to provide a guide for staff and students that assists in the recognition and management of threatening or inappropriate behaviour. The negative impact of any event can be better contained if procedures are in place that guides responses allowing those responding to be better prepared.

Overriding Principles

The overriding principles that frame this document are the recognised needs for:

- a way to clearly define when threatening or inappropriate behaviour has occurred
- clear procedures that contain the incident and discourage further incidents
- timely management
- Monash University to provide a safe environment
- widely disseminated information making staff and students aware of the assistance that is available to manage such incidents

3. SCOPE

These procedures cover students, staff and visitors on all Australian campuses of Monash University. They also cover University off-campus activities that are related to all courses, or activities organised by a club or society. International Campuses have their own procedures for managing threatening behaviour.

¹ Sections 2, 3, 4 and 6 have been adapted from Monash University Occupational Health Safety and Environment "Procedures for managing incidents of bullying and occupational violence in the workplace" 2004

4. DEFINITIONS

Behaviours that are considered threatening include:

- an uttered threat to kill or harm a person other than the threatener
- an uttered threat to damage property
- any act of physical violence or property damage
- stalking (repeated, unwanted contact which can arouse apprehension and fear)
- bullying (repeated, unreasonable contact in the workplace)
- sexual harassment (unwelcome sexual conduct of any kind)
- an uttered threat to self harm or suicide

Behaviours that are considered to be inappropriate include:

- All other behaviour, not previously mentioned, that seems to imply, rather than directly state, danger to any person. Inappropriate behaviour violates the norms of social interactions in such a way that others feel at risk of imminent or future harm. Examples of inappropriate behaviour might include shouting, standing very close, revealing inappropriate knowledge of personal information, or demanding unwarranted special consideration.

Please note that Monash University already has policies and procedures in place for managing sexual harassment, stalking and bullying.

- The Equity and Diversity Centre has procedures for discrimination and sexual harassment. These policies can be found at:

www.adm.monash.edu/sss/equity-diversity/policies-procedures.html

- Stalking should always be reported to the campus Security Office

5. REASONS FOR THREATENING OR INAPPROPRIATE BEHAVIOUR

It is natural to wonder why people engage in threatening or inappropriate behaviour. While the motivation may seem obvious, the reasons behind human behaviour can be complex and shrouded. Some common motivations for threatening and inappropriate behaviour are:

- expressing emotion (usually anger or fear)
- appealing for help
- attempting to intimidate others and control their behaviour

Each of these motivations can be affected by stress levels, attitudes about violence and coercion, mental state (particularly abnormal mental states such as that seen in those suffering psychosis or mood disorders), and intoxication or withdrawal from alcohol or illicit drugs. While some consideration of the motivation behind a threatener's conduct might guide your response, it is important to acknowledge that this is irrelevant until the immediate safety of everyone involved is restored and may need expert assessment. Such considerations are more important in longer term and during the follow-up to an incident. Assessing motivation often requires expertise, particularly in cases where the behaviour persists or is thought to be affected by a mental disorder or substance abuse. Deciding follow-up should include consideration of Monash University protocols and procedures, the appropriateness of contacting Security, contacting Counselling or the Health Service on your campus, and issues of privacy and confidentiality that can be discussed with the Deputy University Solicitor.

6. RESPONSIBILITIES

Staff, students, contractors and visitors

When choosing an appropriate response to threatening or inappropriate behaviour staff, students, contractors and visitors need to be aware of their responsibilities. These responsibilities do not override the right to respond to threats or inappropriate conduct, they are principles that guide any response. The principles are:

- all have a responsibility to treat others with dignity and respect
- incidents of threatening or inappropriate behaviour should always be discussed with a supervisor, lecturer, head of department or other support service within the University.

Heads of academic units or administrative units and supervisors

- Monash University staff who have supervisory responsibilities must take all reasonable steps to ensure that the working or learning environment for which they are responsible is free from threatening or inappropriate behaviour
- Monash University staff who have supervisory responsibilities should familiarise themselves with these procedures as they are required to:
 1. treat all incidents or reports seriously
 2. manage all incidents and reports in a timely manner
 3. ensure that all parties are treated fairly and are offered assistance
 4. maintain confidential records of any incident with regard to the university's privacy policy and relevant privacy legislation
 5. maintain a safe environment for all parties during the investigation
 6. ensure prompt referral to appropriate services for all parties
 7. be aware of all relevant services offered within Monash University
 8. report incidents to the relevant authority

Faculties

Faculties have a responsibility to develop a process that promotes an environment where staff, students, contractors and visitors behave in a respectful manner. This includes:

- promoting the culture of OHSE
- providing funds where outside psychiatric, forensic or other assessment of a student or staff member is deemed necessary (in line with OHSE policy)

Security

Monash University Security has a responsibility to:

- respond to incidents and/or calls for assistance from staff, students or visitors
- promote the safety of all persons
- deescalate and contain incidents
- identify, analyse and assess security risks
- call Police, ambulance, and other emergency services; facilitate their attendance
- investigate, collate and prepare evidence for action under University statutes and policies
- consult and assist in implementing safety plans
- pro-actively respond where concerning behaviour is anticipated
- assist in promoting a strong security culture and awareness
- liaise with other relevant services to achieve a suitable outcome
- where appropriate arrange preventative strategies

Monash University Counselling Services

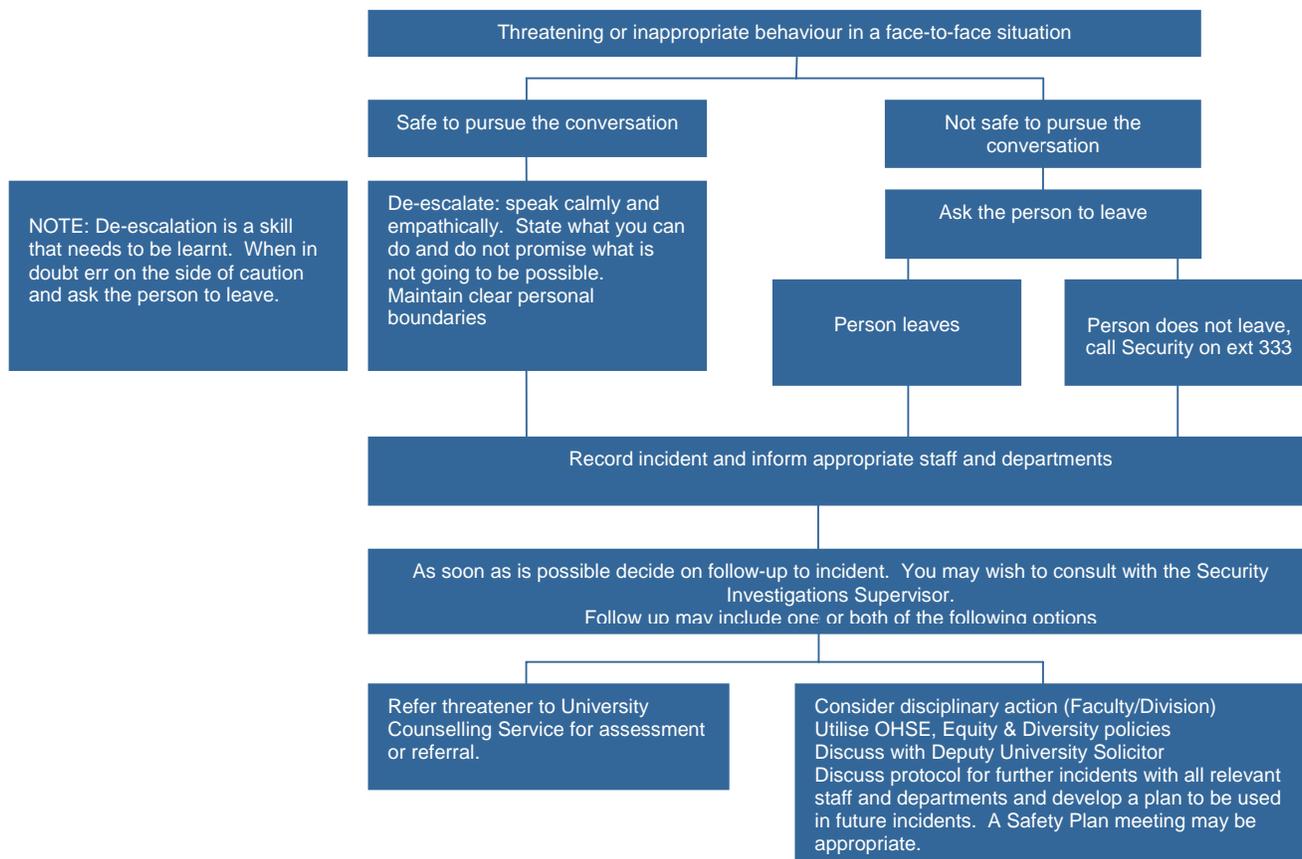
Counselling Services will

- create awareness of these guidelines
- provide private and confidential counselling to students and staff
- help establish a response for the issues
- offer advice on issues of confidentiality, of duty of care and duty to warn
- where privacy is an issue they will consult with the Privacy Officer or the Deputy University Solicitor
- make referrals to the appropriate service such as a psychiatrist or forensic services
- offer 'debriefing' to all parties when requested
- consult and assist in implementing safety plans
- provide training and consultation for students and staff
- work in collaboration with other services
- offer counselling to persons affected by the behaviour
- offer programs such as THRIVE© to support staff well being

7. RESPONDING TO THREATENING OR INAPPROPRIATE BEHAVIOUR

Incidents where the person being threatening or inappropriate is in the room with you

The following flow-chart is designed as an example of a typical process of decision making in cases of face-to-face threatening or inappropriate behaviour



In face-to-face cases the immediate safety of everyone involved is the paramount consideration. In deciding whether it is safe to continue the conversation with the person ask yourself 'how safe do I feel?' If, at any time, you begin to feel unsafe ask the person to leave. If they refuse, leave yourself and seek assistance by going to the closest place with other people, or call Security.

A "show of force" whereby a number of staff gather to provide support will often de-escalate the situation. Another staff member may keep the person talking while Security arrive. All should leave if situation continues to escalate. If you call Security be clear about your building number and location.

If you believe it is safe to pursue the conversation then remember safety of people is the first priority. Never put yourself at risk for the sake of property. The following guidelines can be helpful when conversing with a person who is threatening or inappropriate:

- be calm: the more fear and confusion you display, the more the aggressor feels in control which reinforces their threatening behaviour. Remind yourself to be calm and professional and follow your prepared procedures. Be ready to withdraw from the scene should their aggression escalate.
- be aware: assess the situation, step back and take in information – keep thinking. Avoid being drawn into the aggressor's emotional storm by concentrating on the tasks you have to perform.
- be professional: if you have decided it is safe to engage the aggressor, keep a safe distance (outside arm's length) and attempt to engage them in conversation. Use their name, if you know it, and introduce yourself, including your role, and let them know you want to understand the issue and that you intend to help them.

Examples [speaking slowly and calmly say]:

1. Hello I'm...(name) and I'm the supervisor (role) here, what can I do to help you?
 2. If I know the problem then I can tell you what I can do to help.
- defuse/deescalate: encourage the person to tell you their grievance in a calm and clear way that allows you to work together to solve the problem. Tell the person you want to help and you will do what you can. Summarise what they have told you and help them distinguish their problem from their reaction to the problem. Tell them that you cannot allow threatening or inappropriate behaviour so you cannot help them if they continue.

If *aggression and hostility are escalating* rather than diminishing, after genuine attempts to assist the person, do not persist. Leave and call Security.

As soon as the person has left, and the immediate phase of the incident is closed, do the following:

- account for everyone involved and acknowledge everyone's safety
- take a break from general duties and take a moment to calm yourself (sometimes coffee with colleagues to discuss is helpful)
- as soon as is practical (ideally the same day) write a detailed description of what occurred including the wording of any threats

When to Involve Monash University Counselling Services

Sometimes you might notice unsuitable or incongruent dress or personal hygiene, strange facial expression, posture, eye contact or loudness and speed of speech. The person may be angry or agitated, may be verbose, or using confused or irrational language. *If you are faced with this sort of interaction it is important to listen to your own cues.* You may be feeling anxious, helpless, angry or threatened. You might also be struggling to make sense of what the person is saying.

Whilst the procedure detailed above still applies, it is important to understand that the person may be feeling vulnerable and frightened and may need additional support. If they are not responding to your efforts, if you feel unsafe, or if you notice escalating behaviour or inability to close the conversation you need to get assistance from colleagues and contact Security.

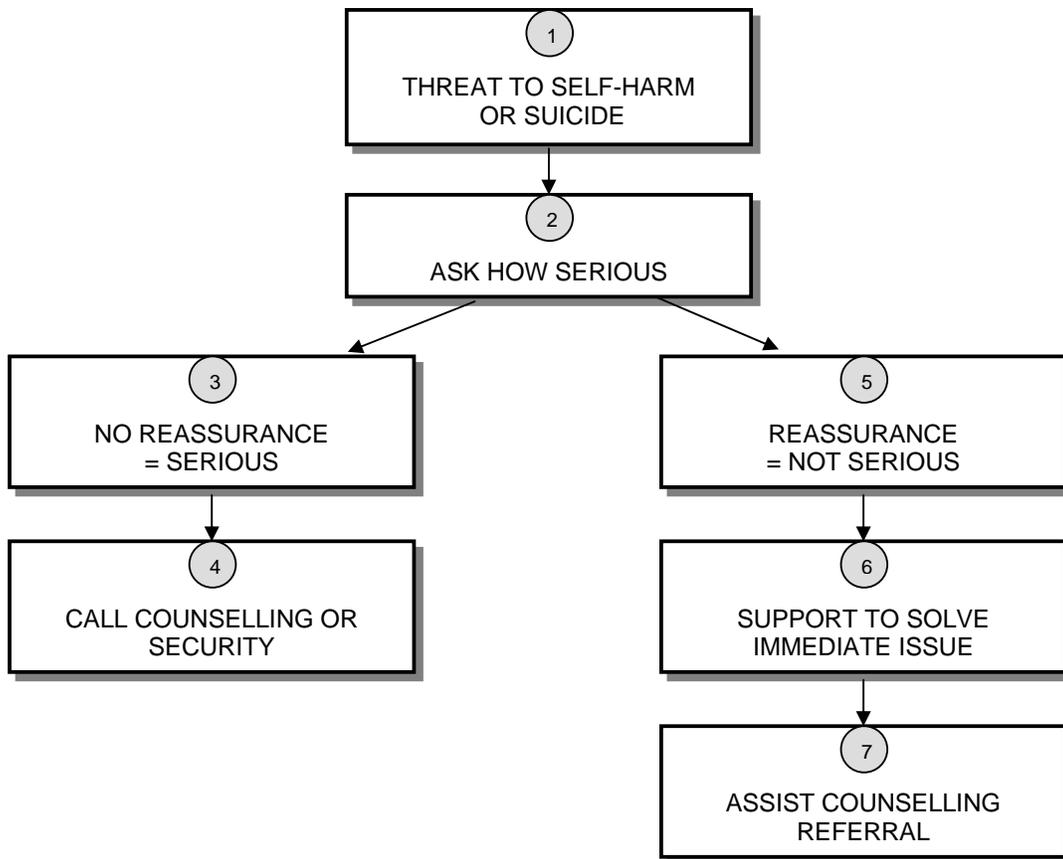
The University Counselling Service can also be contacted. They will assess the situation and decide whether to attend or if the person can be accompanied to the Counselling Service. Counsellors will then decide whether the person's behaviour or distress can be contained or whether Monash Security, health services, or psychiatric services are needed. They are also able to "debrief" involved staff or students and help them to bring the situation in the workplace back to normal.

Incidents where you receive a threatening or inappropriate communication

Not all threatening or inappropriate behaviour occurs face-to-face. Threatening and inappropriate behaviour can also include: letters, emails, faxes, phone calls, SMS's, inappropriate gifts, and sending inappropriate messages via other staff or students. It is important to confront such behaviour and clearly convey that it is not acceptable. Never throw away, delete, or destroy such communications, include them in a confidential file that details the events and the decisions on responses from the relevant University personnel. If this behaviour persists or escalates to physical violence the Police may need to be contacted and this information becomes important evidence.

Threats to self-harm or suicide

Threats to self-harm or suicide should always be taken seriously. The following flow-chart is designed as an example of a typical process of decision making in cases of threats to self-harm or suicide.



- 2 If someone says they intend to harm themselves or commit suicide ask them:
How seriously should I take this?
Can I organise for you to see a doctor or counsellor?
- 3 If the person gives no reassurance that they **will not** harm themselves do not let them leave alone. You can ask if they have a friend or family member who could come and be with them.
- 4 Call the Counselling Service or Security for assistance.
- 5 When the threat is taken seriously, many times, people are quite surprised and indicate that they were not serious and “would never really do it.”
- 6 It is important to indicate that you realise they are very stressed and that they can get some help to sort through the issues.
- 7 Assist referral to Counselling

8. FOLLOW-UP MANAGEMENT OF THREATENING OR INAPPROPRIATE BEHAVIOUR

Threatening or inappropriate behaviour requires a response in the moment where it occurred and a response to follow-up any ongoing safety issues including a decision about what further action should be taken. Follow up should be legal, safe, humane and fair for all involved. Any person can make a complaint to the University and request follow-up. Follow-up by the University includes:

Investigation and Determination about a Student

Chapter 4 of the Monash University Calendar -Statutes outlines the applicable disciplinary procedures if it is decided to take further action. These generally fall into two categories, general or academic misconduct. Any staff member who has reasonable grounds to believe that an act of general misconduct has been committed by a student must report to a supervisor or line manager. They will report the matter to the associate dean (teaching) of the relevant faculty or the associate dean's nominee who can take disciplinary action. Discipline committees in each faculty hear charges of misconduct.

Where a student is found guilty of misconduct, the penalty can range from a fine to suspension or exclusion from the university. There is a right of appeal. Full details of the statute governing discipline are available on the web at:

<http://www.monash.edu.au/pubs/calendar/statutes/statutes04.html>

General misconduct

General misconduct is any behaviour in relation to people or property which is contrary to generally accepted standards of behaviour and includes behaviour which intimidates, harasses, threatens or endangers others.

Academic misconduct

Academic misconduct is cheating, attempting to cheat or assisting a fellow student to cheat. Any means used to obtain an unfair advantage in work submitted for assessment may be considered as cheating. Examples may include creating a disturbance or harassing another student in an examination in order to create a diversion, or making a request for Special Consideration accompanied by a threat to a staff member.

Exclusion on Health Grounds

Statute 6.3 of the Monash University Calendar- Exclusion for Health Reasons states that *the dean of a faculty may ...suspend... or refuse to enrol or re enrol (a student), ... where by reason of the state of health or disability of that person, the dean is of the opinion that such action is reasonably necessary to protect-*

- *the health or safety of any person (including the person concerned)*
- *or property...*

The dean must obtain a report from a doctor or psychologist or from security before taking action.

A student who has been suspended, excluded or whose re enrolment has been refused under this Statute, has a right to appeal. An Appeals Committee appointed by the Academic Board can request a *medical examination at the expense of the university by a person or persons nominated by the appeals committees*

Where mental illness has been diagnosed The Disability Discrimination Act (1992) is relevant. The Act protects the rights of students with a psychiatric disability and works towards inclusive practice so that they can be reasonably accommodated at the university. The Disability Liaison Unit can provide support for students who have a disability.

Investigation and Determination about Staff

Student and Staff Services division have procedures for serious academic and general staff misconduct. Chapter 7, "Employment Relations" can be found in the Staff Handbook.

<http://www.adm.monash.edu.au/sss/handbook/index.htm#7>

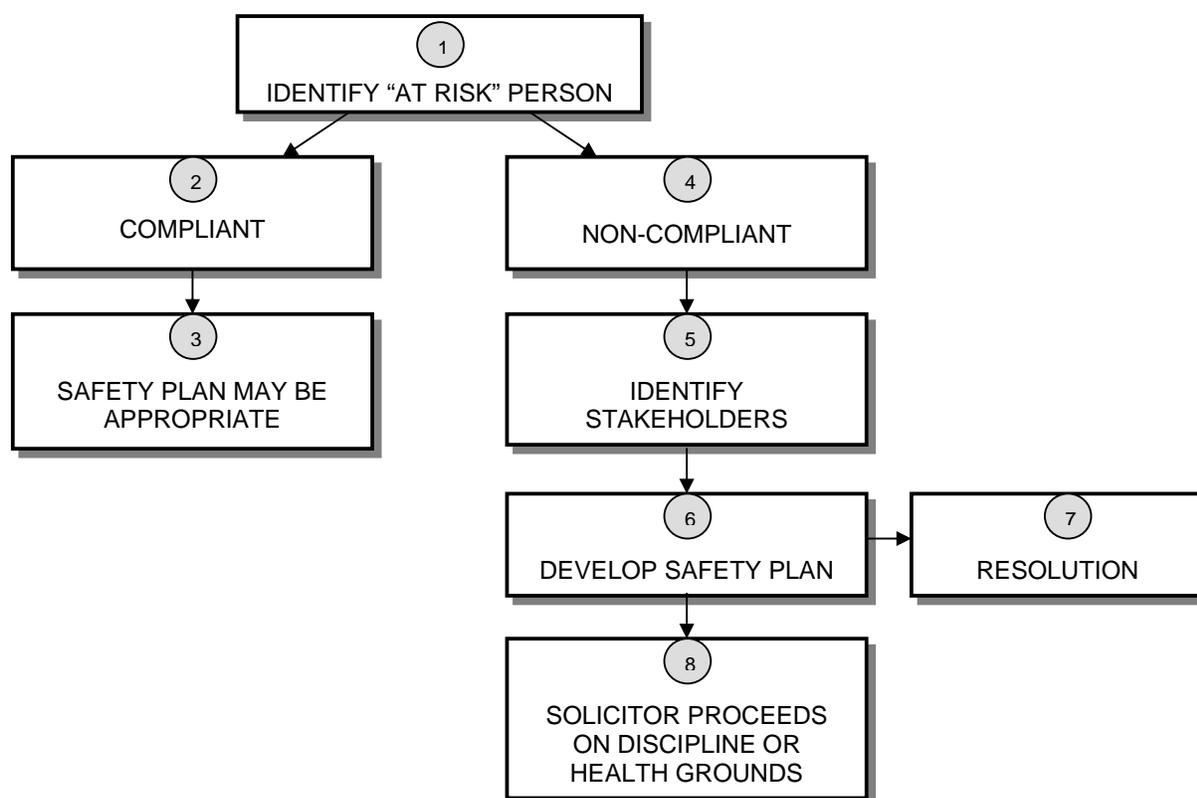
For advice relating to staff members, please contact the Employee Relations and Consultancy branch on extension 56992

9. SAFETY PLANS

Where inappropriate or "at risk" behaviour from a staff member or student is ongoing, a safety plan is recommended. "At risk" refers to behaviour that could pose a threat to self and/or others.

The "At risk" person:

- (a) may be compliant and accept feedback and intervention; or
- (b) be noncompliant, not accept feedback or intervention and deny there is a problem



- 1 **Identify the “at risk” person**
Ascertain whether the “at risk” person is accepting of intervention or treatment; refusing to accept treatment or is minimising the issue or denying that there is a problem.
- 2 **Compliant**
If compliant the person can give permission for other parties to be consulted. It is prudent to have them sign a release of confidential information document.
- 3 **Safety Plan may be appropriate**
Seek counselling and/or security’s assistance in assessing needs and appropriate management.
- 4 **Non Compliant**
If the person is non compliant it is important to be aware of confidentiality and privacy legislation. The Privacy Officer or the Deputy University Solicitor can be consulted at this stage. (See also Section 8).
- 5 **Identify the Stakeholders**
Depending on the circumstances these will include some of the following services. It is important to have regard to the privacy of the “at risk” person. Not all of the stakeholders listed below will need to be advised of the situation. Please consider the situation and contact only relevant services.

Relevant Contacts

Monash Community		External Community
Security	333	External Mental Health Providers <ul style="list-style-type: none"> • private psychiatrist • forensic psychological services • mobile crisis assessment and treatment team (CAT) Family network Social network Others
Investigation Supervisor	53134	
OHS&E	51016	
Deputy University Solicitor	55125	
Counselling Service	53156	
Health Service	53175	
Head of department or administrative unit, Dean		
General Staff		
Employee Relations & Consultancy Branch	56992	
Manager, Equity & Diversity	55704	

Developing a Safety Plan

Consult with peers to collect information and understand the situation. The Security Investigations Supervisor should be included at this stage. In many cases it will be appropriate for Security and/or Counselling to coordinate. Discuss possible interventions and decide on a course of action. Call a meeting of Stakeholders to develop the plan

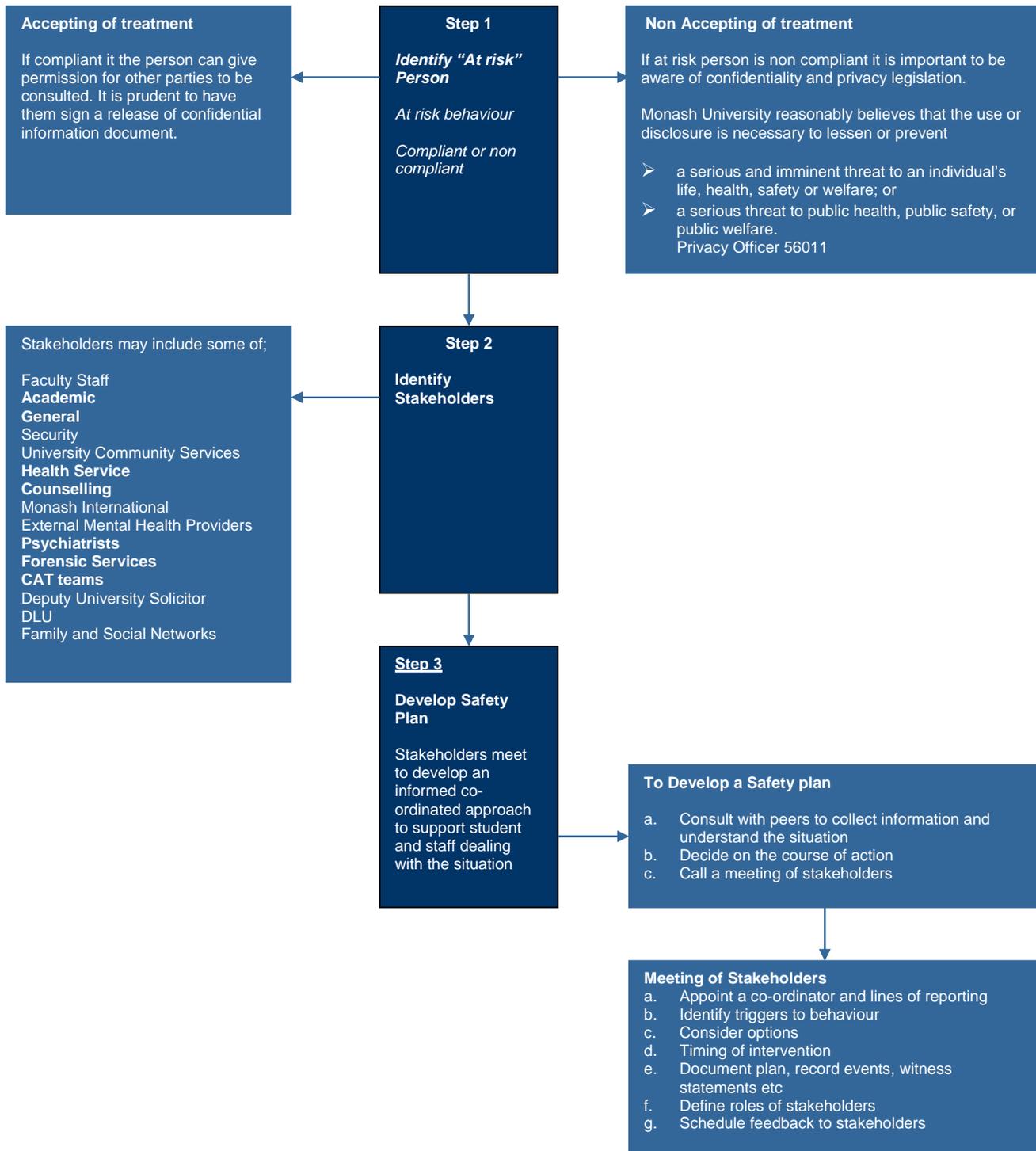
The tasks of the meeting will be to:

- gain understanding of situation through shared information
- consider possible interventions and management strategies
- consult university solicitor for legal advice
- decide on plan:
 - roles and tasks
 - timing
- identify possible psychosocial triggers eg. Discipline hearing and plan safety strategies
- coordinate documentation

A safety plan

A protocol for providing a co-ordinated and containing response when disturbing behaviour is identified as being “at risk” to self or others and is on going.

Supports risk management
 Harm minimisation
 Early intervention
 Duty of Care
 Monash community wellbeing



10. CONFIDENTIALITY AND PRIVACY

Monash University is also required to comply with various sections of the privacy legislations in relation to an individual's personal or health information. Monash University has developed a privacy policy which outlines how Monash University intends to handle personal and health information. The Monash University Privacy Policy can be found at:

<http://www.privacy.monash.edu.au/policies/privacy-pol.htm>

The privacy laws limit how Monash University may use and disclose an individual's personal and health information. In summary, Monash may only use and disclose a person's personal and health information in the following circumstances:

- For the primary purpose it was collected, or a related secondary purpose that would be within the reasonable expectations of the individual; or
- The individual has consented to the use or disclosure; or
- Monash University reasonably believes that the use or disclosure is necessary to lessen or prevent
 - A serious and imminent threat to an individual's life, health, safety or welfare; or
 - A serious threat to public health, public safety, or public welfare; or
 - * Monash has reason to suspect that unlawful activity has been, is being or may be engaged in and uses or discloses the information to investigate the matter or report its concerns to relevant persons or authorities; or
 - * The use or disclosure is required or authorised by or under law; or
 - * The use or disclosure is otherwise permitted by the privacy laws.

For further advice on the privacy laws and how they may apply to a particular situation, please contact the Monash University Privacy Officer or the University Solicitor's office.

Some University staff are also bound by the ethics of their professional registration boards. For example, University counsellors are psychologists or social workers who fall into this category. In most instances responses to threatening or inappropriate behaviour will be consistent with both University and professional requirements. In cases where there are a range of obligations that may conflict with each other professional immunity exists as long as it can be demonstrated that all reasonable care was taken in deciding on a response. Confidentiality can only be breached where there is a clear "duty of care" or a "duty to warn". This is generally done in consultation with a supervisor or another counsellor.

11. UNIVERSITY SUPPORT SERVICES

The following university services can all provide support when dealing with threatening or inappropriate behaviour.

Security (for responsibilities see section 6)

Emergency 333

For particular advice call **Investigations Supervisor on 9905 3134**

University Counselling Services (for responsibilities see section 6)

Berwick	9904 701	Caulfield	9903 2500
Clayton	9905 3156	Gippsland	9902 6425
Parkville	9903 9689	Peninsula	9904 4223

www.adm.monash.edu.au/community-services/

OHSE

Central helpline 9905 1016

OHSE will

- provide advice and assist staff with utilising the Procedures for Managing Incidents of Bullying and Occupational Violence in the Workplace
- refer staff to the appropriate services
- follow up Hazard and Incident Reports for stress related issues

www.adm.monash.edu.au/ohse/

Equity and Diversity 9905 5704

Equity and Diversity will

- provide advice and assist with issues involving unlawful discrimination and harassment
- provide advice and support for staff and students on disability related matters

www.adm.monash.edu/sss/equity-diversity/

Health Services

University health services can advise or attend to medical emergencies. Health Services generally open 9am-5pm. Security can also arrange for medical attendance.

Berwick 9769 5500

Whilst there is no health service offered to students and staff on the Berwick Campus, the **Berwick Family Medical Clinic**, a privately run health clinic has it's main surgery at 40 Clyde Road, Berwick.

Caulfield 9903 1177

All the Health Services are located at Level 1, B Block. Appointments are preferred for all the services, however emergencies and urgent problems will always be seen immediately. A locum service is available for after hours emergencies.

Clayton 9905 3175 Emergencies 99051000

The service is located in the Campus Centre Building, Ground floor, North West corner past the Student Travel Agency.

health.service@adm.monash.edu.au

Peninsula 9904 4223

Peninsula Health Services are located on Level 1, A Building, adjacent to George Jenkins Theatre.

On **Gippsland** and **Parkville** Campuses call Security.

University Solicitor's Office 9905 2073

The University Solicitor's Office provides legal advice and services to management and staff of the University to ensure the effective implementation of University policies, and compliance with external legislative requirements (such as Copyright, Privacy and corporations law) and to support the smooth operation of the University's primary research activities and management.

For advice on discipline procedures, contact Amanda Lazar, Deputy University Solicitor **9905 5125**.

<http://www.adm.monash.edu.au/legal/>

University Privacy Office 9905 6011

Will

- Promote an understanding and acceptance of the privacy principles and their objectives throughout the university community;
- Educate people within the university about information privacy;
- Handle any complaints received in an efficient and appropriate manner; and
- Monitor privacy compliance and keep the university informed of updates to procedures

<http://www.privacy.monash.edu.au/guidelines/contacts.html>

Student Rights

Student Rights officers are available through the student representative body on each campus. They can assist and represent students with academic problems, disciplinary issues or complaints against the university.

Clayton

Monash Students Association 9905 3118 / 9905 3126

The Student Rights office at Clayton is located on the first floor of the Campus Centre.

Monash Student Association employs two Student Rights Officers.

Call or drop in during office hours for free advice.

<http://www.msa.monash.edu.au/studentrights/studentrights.htm>

**Berwick
Monash Union of Berwick Students Inc**

Information about the services offered at Berwick campus can be found at:

<http://www.mubs.com.au/mubs/services.asp>

**Caulfield 9903 2596
MONSU Caulfield**

The MONSU office hours are Monday-Friday 9am-5pm. Appointments can be made by calling the above number.

<http://www.monsucaulfield.org.au/studentrights/>

**Peninsula 9904 4217
MONSU Peninsula**

Appointments can be made to see a Student Rights Officer by calling the MONSU service desk at Peninsula on 9904 4217 (website under development).

**Gippsland 1800 816 620 or 9902 6248
MUGSU**

Information about student rights at Gippsland can be found at:

<http://www.mugsu.monash.edu.au>

12. REFERENCES

Disability Discrimination Act (1992) Canberra: Commonwealth of Australia

Monash University Occupational Health Safety and Environment (2004) "Procedures for managing incidents of bullying and occupational violence in the workplace".

This document was prepared in consultation with Professor James Ogloff and Ms Lisa Warren who are both Clinical and Forensic Psychologists and are associated with Monash University's Faculty of Medicine, Nursing and Health Sciences and the Victorian Institute of Forensic Mental Health. Lisa Warren is a PhD candidate, under the supervision of Professor Paul Mullen (Forensic Psychiatrist, Faculty of Medicine, Nursing and Health Sciences and the Victorian Institute of Forensic Mental Health), researching the risks associated with the uttering of threats to kill or harm.