Gender-based Violence Prevention and Response Policy

Emergency assistance

If someone is in immediate danger or requires medical attention, use the emergency assistance contacts:

- For immediate help – 000
- For on campus security assistance – 1800 931 633

For other student support, see the Project Zero website.

Notes on language

This policy addresses gender-based violence and includes references to sexual assault and sexual harassment. We understand these topics can be distressing. If reading this policy impacts you in any way, please consider seeking support.

Section 1 - Purpose

(1) Charles Sturt University (the University) aims to provide a safe, inclusive, and respectful environment where everyone can study, work and live free from gender-based violence, including sexual harm. This policy sets out the University's overarching principles and commitment to:

a. preventing and responding to incidents of gender-based violence within University environments, and
b. providing support for students and staff who have experienced or are experiencing gender-based violence in any environment.

(2) This policy supports compliance with:

a. National Higher Education Code to Prevent and Respond to Gender-based Violence 2025
b. Higher Education Standards Framework (Threshold Standards) 2021 standards 2 and 6
c. National Code of Practice for Providers of Education and Training to Overseas Students 2018 standard 6
d. Respect@Work amendments to the Sex Discrimination Act 1984 (Cth)
e. Fair Work Act 2009
f. Workplace Gender Equality Act 2012
g. Department of Foreign Affairs and Trading Protection from Sexual Exploitation, Abuse and Harassment (PSEAH) Policy

Scope

(3) The policy applies to:

a. all students, employees, senior leadership, governance committee members, contractors, affiliated organisations and other members of the University community as defined under Section 5 - Glossary when engaged in University-related activities
b. all University-related activities, on and off campus, including but not limited to:
    i. teaching, study and research activities
    ii. the management or administration of the University
    iii. student or staff accommodation managed by the University or an affiliated provider
    iv. sporting and recreational clubs and facilities to the extent that they fall within the University community
    v. any University-related clinical, professional or practical work, including workshops, camps or field trips
    vi. any other activities sponsored, controlled or supervised by the University
    vii. activities using University information or communication technologies, such as online learning platforms and social media.

> Note: Notwithstanding clause 3, reports of child abuse and/or any sexual offence or sexual misconduct involving children or young people under the age of 18 must be managed in accordance with the Child Safety Policy.

Section 2 - Policy

Part A - Principles

(4) The University supports the objects of the National Higher Education Code to Prevent and Respond to Gender-based Violence 2025 to reduce the incidence of gender-based violence in higher education.

(5) Students, staff and other members of the University community must not engage in gender-based violence. Such behaviour is unacceptable and is not tolerated.

(6) The University recognises that:

a. gender-based violence is 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.
b. gender-based violence is rooted in harmful social norms, gender stereotypes and gender inequalities; it can affect anyone, regardless of their age, gender identity, socio-economic status, ethnicity, religion, sexual orientation, cultural background, ability, LGBTIQA+ identity or family structure
c. certain groups experience disproportionate impacts; women, First Nations people, culturally and linguistically diverse communities, people with disability and people of diverse sexual orientation and gender identity are at higher risk, and the overlapping aspects of a person's identity (intersectionality) can increase vulnerability and shape how gender-based violence is experienced
d. the impact of gender-based violence extends beyond private life and can affect a person's work or study environment, even if the experience occurred outside of the University or where the experience is historic.

(7) Reports of gender-based violence (recent or historic) that relate to University students, staff and others associated with the University community will be treated seriously.

(8) The safety and wellbeing of persons disclosing or reporting gender-based violence is the priority. Processes for disclosure management, disciplinary actions and support provision will be evidence-based, trauma informed and person-centred, and aim to minimise distress and uphold the dignity and agency of persons involved.

(9) Sexual assault, sexual harassment and other gender-based violence may constitute misconduct/serious misconduct and can be a valid reason for dismissal, exclusion or expulsion where committed by members of the University community.

(10) All members of the University community have the right to be treated with dignity and respect, and to work or study in a safe environment. In addition to the principles above, violence in any form (physical or non-physical), regardless of who uses it, experiences it or the basis of it, is unacceptable. Anyone who experiences or witnesses any form of violence in relation to the University is encouraged to report this. See the Bullying, Discrimination and Harassment Prevention Policy and/or Complaints Management Policy.

Part B - Framework for preventing and responding to gender-based violence

(11) The University adopts the following approaches to enacting the standards set out in the National Higher Education Code to Prevent and Respond to Gender-based Violence 2025.

Standard 1: Accountable leadership and governance

(12) The Gender-based Violence Prevention and Response Plan (GBV Plan) sets out the University's whole-of-organisation approach to preventing and responding to gender-based violence, which prioritises the safety and support of students and staff.

(13) University officers and bodies with accountability for leadership and governance in relation to gender-based violence are summarised here, and in further detail at Part C – Responsibilities.

a. The Vice-Chancellor, as the University's principal executive officer, is accountable for compliance with the National Higher Education Code to Prevent and Respond to Gender-based Violence 2025.
b. Organisational units with specific areas of accountability and responsibility as per Part C.
c. All managers and supervisors (including teaching staff) are responsible for understanding the relevant policy and legislative requirements and making reasonable efforts to ensure that workplaces and study environments are respectful, safe and free from gender-based violence.
d. The Audit and Risk Committee is the University Council committee responsible for receiving reports on student and staff safety and wellbeing, including deidentified reports of gender-based violence.

Standard 2: Safe environments and systems

(14) The University works to provide safe environments and accommodation for everyone, supported by prevention efforts and responsive systems that protect our community.

(15) Prevention approaches:

a. Staff and students must comply with relevant training and Working with Children Check requirements under the Child Safety Policy.
b. Appointment, promotion and reward policies and systems implemented in accordance with the GBV Plan to ensure that:
    i. prospective employees and University Council members, and all student accommodation staff, will be asked to declare whether they have been determined to have engaged in conduct that constitutes

gender-based violence, and that risks arising from any such declarations will be considered when determining the person's suitability for appointment or engagement, consistent with the University's duty of care to students and staff

ii. risks arising from the engagement of persons to perform duties or functions on behalf of the University who are not employees (such as volunteers, visiting, adjunct or honorary appointments, contractors, consultants, labour-hire companies, etc) are identified and managed, consistent with the University's duty of care to students and staff

iii. substantiated findings of gender-based violence against all employees in the course of their employment will be considered when determining promotions, recognition and rewards.

c. Employees must declare and have appropriate management actions approved for all existing or previous intimate and close personal relationships that create an actual, potential or perceived conflict of interest or could interfere with their official duties in accordance with the Conflict of Interest Procedure and Personal Relationships in the Workplace Guidelines. This may include intimate personal relationships with another employee or a student. Any existing or previous intimate personal relationship between student accommodation staff and residents of student accommodation that the University owns, operates or manages must be declared.

d. Student wellbeing and safety is prioritised in physical and online teaching and learning environments – including sites of work-integrated learning and clinical placements to ensure these are equitable, accessible, respectful and safe. Risks associated with work-integrated learning activities are identified and managed as per the Work-integrated Learning Procedure.

(16) Response approaches:

a. When appropriate and in consultation with the person affected, alternative teaching, research, research supervision, employment or living arrangements may be explored to ensure the safety of students and staff following gender-based violence allegations (see, for example, the Sexual Harm Response Procedure – Students).

b. Any agreement or settlement between the University and a discloser of gender-based violence will not:

i. include a non-disclosure agreement unless this is requested by the discloser

ii. prevent the discloser from sharing their experience for the purpose of seeking support and advice

iii. prevent the University from complying with its reporting obligations under the National Higher Education Code to Prevent and Respond to Gender-based Violence 2025

iv. contain a non-disparagement clause that could have the effect of requiring the discloser to keep their experience of gender-based violence confidential.

Standard 3: Knowledge and capacity

(17) The University will build the knowledge and capability of staff and students to safely and effectively prevent and respond to gender-based violence, in accordance with the GBV Plan, to ensure that:

a. Ongoing, comprehensive prevention education and training is delivered to students, leadership and staff. This includes training appropriately tailored to the environment for student accommodation residents and staff, and any other employees whose substantive role is in connection with student accommodation owned, operated or managed by the University.

b. Evidence-informed communication and messaging is promoted and disseminated across the University's study, work, living and social environments.

c. Specific positions and roles are identified that must undertake specialised education and training for providing trauma-informed and person-centred responses to disclosures of gender-based violence. Training will be provided as part of their onboarding process and subsequently on an annual basis. These positions and roles

will include student accommodation staff, and may include other students in leadership positions, University leadership, employees, and any other persons for who the University considers annual training to be necessary.

d. Evidence-based prevention initiatives, programs and campaigns are adopted and are evaluated to inform future prevention initiatives.
e. Risk assessments conducted under the National Higher Education Code to Prevent and Respond to Gender-based Violence 2025 are undertaken by employees or other persons with appropriate expertise in gender-based violence and competencies in working with specific student and staff cohorts (such as First Nations people, culturally and linguistically diverse communities, people with disability and people of diverse sexual orientation and gender identity).
f. Employees or other persons involved in responding to formal reports, conducting investigations, or determining disciplinary proceedings related to gender-based violence:
    i. have appropriate knowledge, experience and expertise in gender-based violence and trauma informed and person-centred approaches
    ii. undertake training in gender-based violence and trauma-informed and person-centred approaches every three years (or have equivalent currency of training or expertise if they are engaged from outside the University).

(18) The University has adopted definitions and criteria for sexual assault, sexual harm and consent to support a common understanding and consistent approach across the University community for identifying, preventing and responding to sexual harm. These are set out in the Sexual Harm Response Procedure - Students (see the Policy addendum - Gender-based violence provisions)

Standard 4: Safety and support

(19) The University aims to provide responses and support services that are safe and person-centred through the following approaches:

a. Policies that support prevention of and effective responses to gender-based violence, that enable disclosers to achieve their educational outcomes, and that prioritise the physical and psychological safety and wellbeing of students and staff.
b. Procedures and processes that provide advice and support options for persons who wish to disclose or formally report instances of gender-based violence, respondents who have had an allegation of gender-based violence made against them, and employees and other persons involved in receiving and responding to disclosures and formal reports, such as the following:
    i. The Sexual Harm Response Procedure - Students, which sets out how incidents of sexual harm relating to students can be disclosed or formally reported to the University, how these will be responded to, and the support available (including academic support) for those involved.
    ii. Assessing disclosures or formal reports in relation to student accommodation owned, operated or managed by the University and implementing responses proportionate to the risk, as per the Crisis Management Procedure, and implementing precautionary or interim measures if appropriate as per the Sexual Harm Response Procedure - Students or the Student Misconduct Rule 2020.
    iii. The Complaints Management Policy and procedures, which set out how complaints, including complaints such as reports of gender-based violence made by staff and other members of the University community are received and responded to, with reference as relevant to provisions of the:
        - Domestic and Family Violence Procedure (Staff)
        - Bullying, Discrimination and Harassment Prevention Procedure
        - Charles Sturt University Enterprise Agreement.
c. When responding to disclosures and formal reports, the University will, where possible, consult with the person who experienced the violence and take their wishes into account.

d. The University has capacity to investigate formal reports of gender-based violence that occur in the following contexts:
    i. University related events (on or off campus)
    ii. University campuses and University owned, operated, or managed student accommodation
    iii. work-integrated learning (WIL) placements to the extent practicable with host agencies
    iv. University-organised activities (on and off campus)
    v. University work areas, including offices, teaching spaces, research facilities, and other University-controlled environments.
e. Although there may be situations where it is not possible or appropriate for the University to investigate a report, the University will offer appropriate support services and referrals for affected students and consider reasonable measures to ensure a safer community.
f. Disclosures and reports of gender-based violence are kept confidential except where the discloser consents to information being shared or disclosed for a specific purpose, or where the University is obliged by law or otherwise to meet legal obligations or meet its duty of care to the discloser or another person. This may include:
    i. reporting child protection breaches in accordance with the Child Safety Policy
    ii. reporting or disclosing reports of sexual assault or sexual harassment in accordance with the Sexual Harm Response Procedure - Students
    iii. reporting any suspected, alleged or known incidents of sexual exploitation, harassment or abuse in relation to the University's award courses that involve students, their family or children, staff, partners, in accordance with the PSEAH Policy.

Standard 5: Safe processes

(20) Processes for disclosing, reporting and responding to gender-based violence aim to be safe, timely and provide the discloser choice and autonomy:

a. Individuals affected by gender-based violence may choose to make a disclosure or a formal report:
    i. Disclosures can be made to the University about a person's experience of gender-based violence. The purpose of a disclosure is to seek trauma-informed support and/or explore options for addressing or resolving the alleged conduct. This can include seeking support to make a formal report.
    ii. Formal reports can be made to the University through formal reporting channels if the person wants the University to act beyond offering or providing support, which can include (without limitation) an investigation and disciplinary actions in appropriate circumstances. (See clause 19d. for contexts where the University has capacity to investigate).
    iii. Disclosures and formal reports – including anonymous reports - can be made via:
        - Project Zero website (Prevention and Support Specialist program) for students and past students
        - Complaints, grievances and whistleblowing website and/or Employee Assistance Program for staff and other members of the University community.
b. A person who has experienced sexual harm or gender-based violence has the right to decide whether to make a formal report.
c. A person making a formal report does not have to specify what action they want the University to take, however, if specific action is requested, the University will consider the request in relation to its impact on the individual and the safety and wellbeing of the individual and other students, staff, and affiliates.

(21) To support the outcomes of Standard 5 and the timely finalisation of formal reports of gender-based violence, the University will implement processes (as per the GBV Plan) to ensure that, notwithstanding the timelines and processes stated in other University policy documents:

a. formal reports of gender-based violence will be finalised within 45 business days, including finalisation of disciplinary processes, and appeals processes will be finalised within 20 business days
b. extensions to the timeframes at sub-clause a. must be approved by the Vice-Chancellor, who must be satisfied that the extension is required in the context, and
c. any person who makes a formal report of gender-based violence will be given written notice and advice about the investigation and outcome processes, including how these may vary from those stated in the current policy or procedure (such as the Sexual Harm Response Procedure - Students, Student Misconduct Rule 2020, Complaints Management Procedure, or Complaints Procedure - Workplace).

Standard 6: Data, evidence and impact

(22) The University will use data and evidence to inform its approaches, measure changes and contribute to the national evidence-base as set out in the Gender-based Violence Prevention and Response Plan.

(23) This will include collecting and analysing:

a. process data on the implementation of this policy, related procedures, and plans
b. de-identified data on incidents of sexual harm and gender-based violence
c. de-identified demographic data about disclosers and respondents, and for students, enrolment and related information.

(24) This data will be used to:

a. understand the nature and prevalence of sexual harm and gender-based violence
b. identify systemic and cultural barriers to prevention and response, including in specific communities or settings
c. analyse trends and identify the needs of different groups in our community
d. measure progress in prevention and response efforts
e. inform the design and review of:
    i. policies and procedures
    ii. prevention and response plans
    iii. education and training programs
    iv. communication and awareness initiatives
f. meet obligations under the National Higher Education Code to Prevent and Respond to Gender-based Violence 2025.

(25) The University will coordinate an annual report for the Department of Education on the data collected and insights gained.

(26) Data will be collected and managed such that it is:

a. collected in a safe, trauma-informed, and person-centred way
b. reported in a de-identified format to:
    i. prevent identification of reporters or specific disclosures and formal reports
    ii. comply with privacy obligations under the Privacy and Personal Information Protection Act 1998 (NSW) and in accordance with the Privacy Management Plan
c. accessible only to University employees or consultants who need it to fulfil responsibilities under this policy
d. held and handled securely.

Standard 7: Safe accommodation

(27) The University aims to provide student accommodation that is safe for students and staff through the following approaches:

a. Requirements and obligations as set out in this policy for student accommodation staff and other employees or individuals connected with student accommodation that is owned, operated or managed by the University.
b. Notwithstanding any other University rule, policy or procedure, or private agreement, the University will permanently remove from any student accommodation that it owns, operates or manages, a person who has had an allegation of gender-based violence against them substantiated where the University determines the action to be necessary to protect the safety of residents and after seeking and considering the views of the discloser.
c. Student accommodation providers that are not directly owned, operated or managed by the University but are otherwise under the control of the University must comply with National Higher Education Code to Prevent and Respond to Gender-based Violence 2025 standard 7 (7.2-7.13).
d. Affiliated student accommodation providers are required to comply with the National Higher Education Code to Prevent and Respond to Gender-based Violence 2025 standard 7 (7.2-7.8). If it becomes known to the University that an affiliated student accommodation provider is non-compliant, this will be reported to the Department of Education and the University will cease promoting the accommodation to students or authorising the provider to use University branding or intellectual property.

Part C - Responsibilities

(28) Authorities and responsibilities for:

a. investigating allegations and complaints are set out under the Student Misconduct Rule 2020 (for allegations or complaints against students) and the Complaints Management Policy (for allegations or complaints against staff or other persons)
b. determinations and penalties for misconduct/serious misconduct are set out under the Student Misconduct Rule 2020 (for determinations against students) and the Enterprise Agreement (for determinations against staff)
c. legislative compliance obligations are set out under the Legislative Compliance guide.

(29) Other responsibilities for gender-based violence prevention and response are set out in the following table:

Officer or body	Responsibilities
University Council	Regular analysis of data to inform planning, identify trends and improve institutional responses.
Vice-Chancellor	As the principal executive officer, overall accountability for compliance with the National Higher Education Code to Prevent and Respond to Gender-based Violence 2025. Ensure gender-based violence prevention and response is embedded within strategic priorities and governance structures. Systemic review of responses to disclosures and formal reports, amending the University's Gender-based Violence Prevention and Response Plan as required.
Audit and Risk Committee	As per the Governance (Audit and Risk Committee) Rule, delegated responsibility for student and staff safety and wellbeing.

Officer or body	Responsibilities
Executive Director, Safety, Security and Wellbeing	Implement University wide policies, procedures and processes, with consideration of equity and intersectionality. Prevention and response education. Identify qualified personnel to support expert-informed processes for risk assessments, investigations and disciplinary processes. Respond to disclosures and formal reports of gender-based violence, including disclosures and reports from residents of student accommodation. Systems and processes for risk assessment and risk management. Systems for students, staff and other parties to access information, support and reporting options. Processes for investigating formal reports. Investigate formal reports of gender-based violence where the respondent is a University student. Systems for collecting data, and monitoring and evaluating processes.
Executive Director, People and Culture	Implement University wide policies, procedures and processes, including those for: 1. staff appointments, recruitment, promotions and awards 2. declaring and managing intimate/close personal relationships and conflicts of interest 3. investigating formal reports 4. appointment, employment and conflict of interest processes for student accommodation staff and affiliated student accommodation providers. Prevention and response education. Identify qualified personnel to support expert-informed processes for risk assessments, investigations and disciplinary processes. Investigate formal reports of gender-based violence where the respondent is a University employee. Systems and processes for risk assessment and risk management. Systems for collecting data, and monitoring and evaluating processes.
Chief Financial Officer	Risk management in relation to student accommodation. Agreements and relationships with affiliated student accommodation providers.
Provost and Deputy Vice-Chancellor (Academic)	Safety protocols for students in work-integrated learning environments.
Managers and supervisors	Support and implement legislative and policy obligations within their organisational units and areas of responsibility. Receive and respond to disclosures with a person-centered, trauma-informed approach.
Staff	Behave in accordance with the Code of Conduct and ensure that their conduct contributes to a work and study environment free of gender-based violence. Undertake education and training in relation to gender-based violence as required by the University.
Students	Behave in accordance with the Student Charter and ensure that their conduct contributes to a work and study environment free of gender-based violence. Undertake education and training in relation to gender-based violence as required by the University.

Section 3 - Procedures

(30) The following procedures support this policy:

a. Sexual Harm Response Procedure - Students
b. Domestic and Family Violence Procedure (Staff)

Section 4 - Guidelines and supporting documents

(31) See Policy addendum - Gender-based violence provisions.

Section 5 - Glossary

(32) This document uses terms as defined in the National Higher Education Code to Prevent and Respond to Gender-based Violence 2025 and other terms as follows:

a. Affiliated student accommodation provider – means a provider of student accommodation that is affiliated with the University by:
    i. any statute, constitution or legal instrument that governs or regulates the University or through a service agreement or other agreement with the University
    ii. operating on the University lands
    iii. being authorised to use the University's intellectual property in its recruitment or marketing materials or on its website
    iv. being listed on the University's websites as student accommodation or is promoted in University recruitment or marketing material.

b. Charles Sturt University community/University community – means:
    i. members of the University Council
    ii. employees
    iii. students
    iv. student organisations including student groups, clubs and societies
    v. community clubs under the Clubs Policy
    vi. contractors and sub-contractors working on University premises
    vii. tenants and licensees of University premises and their officers and staff
    viii. persons conducting an authorised business or undertaking upon University premises
    ix. members of the public who are visiting University premises, or taking part in University activities (as set out in the scope of this policy)
    x. people external to the University with whom students or staff interact as part of their study or work (e.g. employers supervising student workplace learning placements)
    xi. residents in University accommodation
    xii. other persons that are a 'visitor' or 'worker' as defined in the Health, Safety and Wellbeing Policy not otherwise captured above
    xiii. any affiliated organisation that uses the University's intellectual property in its name, marketing, recruitment or governance documents
    xiv. other entities that conduct activities on behalf of the University not otherwise captured above, including but not limited to businesses and organisations that operate on, use or lease the University's land and facilities

c. Consent (in relation to sexual activity) – means that, at the time of the sexual activity, the person freely and voluntarily agrees to the sexual activity.

d. Discloser - means a person who has shared information about their experience of gender-based violence.

e. Disclosure – as per the National Higher Education Code to Prevent and Respond to Gender-based Violence 2025, means the provision of information about a person's experience of gender-based violence to the University by the discloser or another person. Disclosures can be made to anyone and are usually made to a person who is known and trusted. A person who discloses may or may not want to make a formal report, and may instead be seeking information about resources and support.

f. Gender-based violence - means 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. Gender-based violence may be physical, sexual, emotional, psychological, social, cultural, spiritual,

or financial, and is driven by harmful social norms, gender stereotypes and gender inequality.

g. Formal report/report – means a formal account or complaint about an alleged incident of gender-based violence made to the University through formal reporting channels, that the University will consider taking steps to respond to beyond offering or providing support services, including (without limitation) the commencement of an investigation and/or a disciplinary process in appropriate circumstances.
h. Leadership - means the Vice-Chancellor as the principal executive officer and University Council as the governing body.
i. Non-disclosure agreement – means an agreement, including a deed of release or settlement agreement, that requires particular details to be kept confidential as part of reaching a settlement.
j. Non-disparagement clause – means a clause in an agreement that requires the parties not to say things about each other that are critical, dismissive or disrespectful.
k. Person-centred - means 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.
l. Respondent - means a person whom it is alleged has engaged in conduct that amounts to gender-based violence.
m. Sexual assault and sexual harassment – see the Policy addendum - Gender-based violence provisions.
n. Trauma-informed - means 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.
o. Whole-of-organisation – means an approach applied across all areas of the University'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:
    i. leadership, culture and environment
    ii. structures, norms and practices
    iii. systems and infrastructure
    iv. service delivery, such as curriculum, teaching and learning
    v. policies and procedures
    vi. management and governance
    vii. community engagement
    viii. business
    ix. research
    x. partnerships.

Section 6 - Document context

Compliance drivers	National Higher Education Code to Prevent and Respond to Gender-based Violence 2025 TEQSA Good Practice Note: Preventing and responding to sexual assault and sexual harassment in the Australian higher education sector
Review requirements	Triennially
Document class	Management

Status and Details

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Unit Head	Frank Tamsitt Executive Director, Safety, Security and Wellbeing
Author	Vanessa Salway Manager, Policy and Records
Enquiries Contact	Division of Safety, Security and Wellbeing