

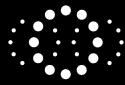
**CEW Respect is  
Everyone's Business**

# **Resource Pack**

For more information,  
please visit our dedicated site  
[respect.cew.org.au](https://respect.cew.org.au)



Chief Executive Women



Chief Executive Women

This document is intended to provide general guidance only. The contents should not be relied upon as legal advice.

Specific legal advice should be sought in particular matters.

# Introduction

Chief Executive Women (CEW) is a community of 1000+ prominent and influential women leaders from diverse industries such as the corporate, public service, academic, and not-for-profit sectors.

Together, we advocate to put women's leadership and workforce participation at the forefront of the nation's economic plan because it will help drive productivity and ensure Australia's economic prosperity.

**Making workplaces safe from sexual harassment is a critical element to advancing women's leadership and enabling women's full workforce participation.**

Based on [Time for Respect: Fifth national survey on sexual harassment in Australian Workforce](#), 77% of Australians aged 15 or older have experienced sexual harassment at some point in their lives (89% of women and 64% of men). But fewer than 1 in 5 (18%) made a formal report or complaint about sexual harassment at work.

Young people under 30; Aboriginal and Torres Strait Islander people; those living with disability; and people with diverse sexual orientations, gender identities, or gender expressions, are more likely to experience sexual harassment.

According to Deloitte Access Economics, sexual harassment is estimated to cost the Australian economy \$3.8B in 2018.

**As a leader, you have the power to change these statistics and there is no time to waste.**

The introduction of a new positive duty into the Sex Discrimination Act 1984 means all organisations must actively prevent sexual harassment at workplaces. This duty came into effect on 13 December 2022. From 12 December 2023, the Australian Human Rights Commission will also have increased powers to enforce the positive duty and to investigate systemic discrimination.

To help equip leaders like you from all sectors and industries with the tools and confidence to appropriately prevent and respond to sexual harassment in the workplace, we have put together these resources. We greatly appreciate the generous pro bono support provided by MinterEllison.

**We invite you to adapt these tools and use your influence to create and maintain a safe and respectful culture in your workplace.**

**All documents are intended to provide general guidance only.  
The contents should not be relied upon as legal advice.  
Specific legal advice should be sought in particular matters.**

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# Fast Facts

**89%** of Australian women

and

**64%** of Australian men

have experienced sexual harassment<sup>1</sup>

**Almost 50%**

of young people (15 – 29 year olds) have experienced sexual harassment<sup>2</sup>

**38%**

of sexual harassment occurred at work stations<sup>3</sup>

▶ **2 in 5** ◀

who made a formal report or complaint said that no changes occurred at their workplace as a result<sup>4</sup>

**Only 1/3**

of Australian workers think their organisation is doing enough to combat sexual harassment<sup>5</sup>

Sexual harassment cost the Australian economy

**\$3.8 billion**  
in 2018<sup>6</sup>

1,2,3,4,5 Australian Human Rights Commission's fifth national survey on sexual harassment in Australian workplaces, 2022.  
<https://humanrights.gov.au/time-for-respect-2022>

6 Deloitte Access Economics, The economic costs of sexual harassment in the workplace, 2019.  
<https://www2.deloitte.com/au/en/pages/economics/articles/economic-costs-sexual-harassment-workplace.html>

# Sample all staff communications

This template is provided for you to customise for your organisation.

## TO: All staff

You likely will have noticed recent media coverage about a new 'positive duty' on organisations to eliminate sexual harassment from their workplaces. This new legislation has caused us to pause and think about how our organisation is positioned to prevent our people from being exposed to sexual harassment, related inappropriate conduct, and the harm resulting from these unsafe behaviours.

We cannot assume that our organisation is immune to poor or unlawful behaviour. Harassment in its many forms, including sexual harassment, can happen to anyone. It's far more prevalent than some people think.

At [COMPANY NAME], we take our commitment to workplace health and safety seriously. We welcome the new legislation contained in the Anti-Discrimination and Human Rights Legislation Amendment (Respect at Work) Act 2022 which commenced on 13 December 2022, and recognise the Australian Human Rights Commission's increased powers to enforce the positive duty commencing on 12 December 2023.

We remain focussed on building and maintaining a culture that prevents sexual harassment in all its forms. We are committed to rigorously assessing and evaluating our effectiveness in achieving this.

According to the Australian Human Rights Commission's 2022 Fifth National Survey of sexual harassment in Australian workplace:

- Almost two in five women (41%) and just over one in four men (26%) have experienced sexual harassment in the workplace in the last five years.
- Sexual harassment is more likely to be experienced by younger people (those aged 15-29 years old); Aboriginal and Torres Strait Islander people; people living with disability; and people with diverse sexual orientations, gender identities, or gender expressions.
- Fewer than 1 in 5 people made a formal report or complaint about sexual harassment.
- 41% of people witnessed or heard about the sexual harassment of another person at work, and 35% took action to prevent or reduce harm. Importantly, the majority of people (61%) who took action after witnessing or hearing about workplace sexual harassment said that the harassment stopped as a result.

These statistics are unacceptable. Everyone has the right to feel safe at work. We are committed to providing a safe and respectful work environment that is free from all forms of sexual harassment and related inappropriate conduct. We expect you to show respect to those who you work with, and for you to be treated with respect at all times.

We want to ensure we have a zero-harm culture where people feel safe to speak up without fear of retribution.

If you experience sexual harassment or related inappropriate conduct, whether it happens to you or you witness it happening to someone else, we want you to feel safe and comfortable to raise these concerns with us. They will be taken seriously, you will be supported and protected, and appropriate action will be taken to address the matter.

What to do if you need to raise an instance of sexual harassment or inappropriate conduct:

- Raise any incidents you experience or witness to your manager or Human Resources [OR WHICHEVER IS THE NAME OF THE APPROPRIATE BUSINESS UNIT] You may report to someone outside of your business unit, for example, where the person you are concerned about is a nominated point of contact. [YOU SHOULD ALSO PROVIDE INFORMATION RELATED TO CONTACTING THE CEO OR RELEVANT BOARD MEMBER]. You can also contact our [EXTERNAL WHISTLEBLOWING SERVICE / ANONYMOUS REPORTING PORTAL] [ADD DETAILS OF SERVICE HERE]. Refer to our [INSERT NAME OF YOUR ORGANISATION’S POLICY / STANDARD AND LINK THROUGH TO IT].
- Contact our employee assistance program for follow up support. [ADD CONTACT DETAILS FOR EMPLOYEE ASSISTANCE PROGRAM]. The information you share in these sessions will remain confidential.
- The policies and standards relating to the workplace behaviours we hold ourselves accountable to are available for review here [ADD LINK].

We regularly review our policies, standards, and reporting data to ensure we are making progress towards eliminating sexual harassment for good at [COMPANY NAME]. We will provide periodic refresher training and updates to all staff – [ADD DETAILS OF WHEN THE NEXT TRAINING IS OR WHO TO EXPECT FURTHER COMMUNICATIONS FROM].

We all have a role to play in creating and maintaining a safe and respectful culture. All managers will be speaking with their teams to explain the new federal positive duty and to emphasise that we do not tolerate any form of sexual harassment or related inappropriate conduct. I suggest you read through our policies and feel free to ask your managers for clarification on any of the details.

If we are going to succeed in creating safe and respectful workplaces where sexual harassment is a thing of the past, we all need to work together and live our commitment to respect each other.

If you have any questions, please don’t hesitate to reach out to me.

Kind regards,  
[NAME]

**Chief Executive Officer**

If you need support, please contact your EAP any time, or find below additional resources:

- <https://www.beyondblue.org.au/>
- <https://www.lifeline.org.au/>
- <https://www.1800respect.org.au/>
- <https://mensline.org.au/>

# Risk Description

This template is provided for you to customise for your organisation.

## 1 Core obligations

Organisations<sup>7</sup> must proactively prevent sexual harassment, harassment on the ground of sex and workplace environments that are hostile on the ground of sex ('sexual harassment and related inappropriate conduct').

### In essence:

- Sexual Harassment is conduct that is:
  - unwelcome
  - of a sexual nature, and
  - reasonably anticipated to possibly offend, humiliate or intimidate.
- Harassment on the ground of sex is conduct that is:
  - unwelcome
  - based on the sex of the person harassed
  - demeaning, that is, conduct that debases or degrades another person (but is not necessarily sexual), and
  - reasonably anticipated to possibly offend, humiliate or intimidate.
- A workplace environment is hostile on the ground of sex if:
  - it results from conduct in a workplace, and
  - the conduct is reasonably anticipated to possibly result in a workplace environment being offensive, intimidating or humiliating for people of one sex in general, rather than a particular person.

<sup>7</sup> An employer or a 'person conducting a business or undertaking'. A person conducts a business or undertaking whether the person conducts the business or undertaking alone or with others, and whether or not the business or undertaking is conducted for profit or gain.



## 2 What to focus on

Under the *Sex Discrimination Act 1984* (Cth), Organisations have a positive duty to take reasonable and proportionate measures to eliminate, as far as possible, sexual harassment and related inappropriate conduct.

Organisations also have a duty under work health and safety laws to eliminate or minimise psychosocial risks, such as risk associated with sexual harassment and related inappropriate conduct. Board members must exercise due diligence to ensure their Organisation complies with this duty.

The Respect at Work Council has published a [Good Practice Indicators Framework for Preventing and Responding to Workplace Sexual Harassment](#). Further guidance from the Australian Human Rights Commission on the positive duty is expected to be published soon.

**Ultimately, the focus should be on building and maintaining a culture of prevention, through:**

1. Good leadership and governance, including commitment to gender equality and inclusivity
2. Human-centred and trauma-informed processes and systems
3. 'Respectful transparency' of how, in a de-identified way, the Organisation is taking appropriate action in response to sexual harassment and related inappropriate conduct
4. Applying a safety lens and ensuring there are appropriate systems and processes for managing responding to sexual harassment and related inappropriate conduct as a workplace health and safety risk, and
5. Building psychological safety and trust that the Organisation is committed to preventing and appropriately responding to harmful behaviours.

The Champions of Change Coalition's [Disrupting the System Report](#) includes more information about how an Organisation can build psychological safety and trust.

This framework creates a virtuous cycle of prevention by leading to the increased reporting of any concerns. When appropriate and proportionate action is taken in response to these concerns, trust is built in the Organisation over time that sexual harassment and related inappropriate conduct is not tolerated and there will always be an appropriate response. Given this understanding and trust, it becomes less likely that the conduct will occur in the first place.

### 3 Example wording

This wording could be used in Board communications when describing an Organisation's positive duty to eliminate sexual and related inappropriate conduct, under anti-discrimination and work health and safety laws.

We have a duty to eliminate, as far as possible, sexual and sex-based harassment in our workplace, and hostile workplace environments ('sexual harassment and related inappropriate conduct').

#### Sexual harassment occurs when a person:

- makes an unwelcome sexual advance, or an unwelcome request for sexual favours, to another person, or
- engages in other unwelcome conduct of a sexual nature in relation to the other person
- in circumstances where a reasonable person, having regard to all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated.

#### Harassment on the ground of sex occurs where:

- by reason of the sex of the person harassed (or a characteristic that generally relates to their sex or that is imputed to their sex), a person engages in unwelcome conduct of a demeaning nature in relation to the person harassed, and
- this occurs where a reasonable person, in all the circumstances, would have anticipated the possibility that the person harassed would be offended, humiliated or intimidated.

#### A person (Person A) subjects another person (Person B) to a workplace environment that is hostile on the ground of sex if:

- the Person A engages in conduct in a workplace where the Person A and/or Person B work;
- the Person B is in the workplace at the same time as or after the conduct occurs, and
- a reasonable person, having regard to all the circumstances, would have anticipated the possibility of the conduct resulting in the workplace environment being offensive, intimidating or humiliating to a person of the sex of the second person (or a characteristic that generally relates to their sex or that is imputed to their sex).

**The definition of 'workplace' under the legislation is a place where work is carried out for a business or undertaking. It includes any place where a worker goes, or is likely to be, while at work. Sexual harassment and related inappropriate conduct can happen:**

- At a worker's usual workplace
- Where a worker is working remotely, including if the person's workplace is their home
- In a place where the worker is undertaking work at a different location (such as a client's home)
- Where the worker is engaging in a work-related activity such as conferences, training, work trips, work-related corporate events or a work-related social activity like a Christmas party
- By phone, email or online (including through social media platforms)
- Outside of work hours, if the interaction involves other workers

Sexual harassment and related inappropriate conduct may be perpetrated by various people including an employer, supervisor, co worker, client, patient or customer.

# Sexual Harassment Policy

This template is provided for you to customise for your organisation.

## 1 Core obligations

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All Organisations<sup>8</sup> should have a policy relating to sexual harassment, harassment on the ground of sex, and workplace environments that are hostile on the ground of sex ('sexual harassment and related inappropriate conduct') to demonstrate that the Organisation has a system in place to prevent and respond to this conduct.

The Respect@Work Council recommends having a stand-alone policy, developed in consultation with workers. Alternatively, an Organisation may choose to include obligations regarding sexual harassment and related inappropriate conduct in a broader policy (such as a Code of Conduct or Appropriate Workplace Behaviour policy) which addresses additional forms of disrespectful behaviour (for example, discrimination and bullying). In determining the right approach for your Organisation, the question to ask is what will best prevent sexual harassment and related inappropriate behaviours in your workplace.

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<sup>8</sup> An employer or a 'person conducting a business or undertaking'. A person conducts a business or undertaking whether the person conducts the business or undertaking alone or with others, and whether or not the business or undertaking is conducted for profit or gain.

## 2 What to focus on

To meet your Organisation’s legal obligation to prevent sexual harassment and related inappropriate conduct, focusing on building and maintaining a culture of prevention is essential. Set out below are recommended clauses to include in a policy and an explanation as to how these clauses aim to achieve this objective.

<b>Recommended clause to include in a policy relating to sexual harassment and related inappropriate conduct</b>	<b>Why should this clause be included?</b>
<p>State the Organisation’s positive duty to take reasonable and proportionate measures to eliminate, as far as possible, sexual harassment and related inappropriate conduct</p>	<p>Builds psychological safety and trust that the Organisation is committed to preventing sexual harassment and related inappropriate conduct</p>
<p>State the Organisation’s obligation to take steps to eliminate or minimise psychosocial risks (including risks associated with sexual harassment and related inappropriate conduct), so far as reasonably practicable</p> <p>Include a reference and link to the Organisation’s work, health and safety policy</p>	<p>Brings a work health and safety lens to managing sexual harassment and related inappropriate conduct</p>
<p>A strong statement that the Organisation does not tolerate sexual harassment and related inappropriate conduct, and will take proportionate action depending on the conduct and its impact</p> <p>The policy could also contain a clause stating its commitment to ‘zero harm’, which recognises that the Organisation is focused on preventing harm</p>	<p>Builds psychological safety and trust that the Organisation is committed to taking appropriate action when sexual harassment and related inappropriate conduct occurs, which contributes to greater levels of reporting</p> <p>Demonstrates commitment to preventing harm rather than just relying on those impacted making complaints at a time of vulnerability</p>

Recommended clause to include in a policy relating to sexual harassment and related inappropriate conduct	Why should this clause be included?
<p>Define and provide examples of sexual harassment and related inappropriate conduct</p> <p>Note the drivers of sexual harassment and related inappropriate behaviour, namely gender inequality</p> <ul style="list-style-type: none"> <li>• power imbalances and abuse of power</li> <li>• lack of accountability for prevention at senior levels</li> <li>• lack of understanding of drivers and contributing factors, impacts, prevalence and prevention methods</li> <li>• lack of demonstrated commitment to diversity and inclusion</li> </ul> <p>(See the <a href="#">Respect at Work Council's Good Practice Indicators Framework for Preventing and Responding to Workplace Sexual Harassment</a>)</p>	<p>Builds psychological safety and trust that the Organisation is committed to preventing sexual harassment and related inappropriate conduct by making sure everyone understands what this conduct is, its drivers and contributing factors</p>
<p>Outline the circumstances in which sexual harassment and related inappropriate conduct may occur (for example, in the workplace, at work-related events, outside of working hours, on social media etc)</p>	<p>Builds psychological safety and trust that the Organisation is committed to preventing sexual harassment and related inappropriate conduct by making sure everyone understands what this conduct is, its drivers and contributing factors</p>
<p>State that sexual harassment and related inappropriate conduct are against the law, and address:</p> <ul style="list-style-type: none"> <li>• accessorial liability for individuals who cause, instruct, induce, aid or permit another person to engage in unlawful conduct.</li> <li>• vicarious liability for Organisations that fail to take all reasonable steps to prevent unlawful conduct.</li> </ul>	<p>Builds psychological safety and trust that the Organisation is committed to preventing sexual harassment and related inappropriate conduct by making sure everyone understands the consequences</p>
<p>Set out the specific roles and responsibilities of the board/executive, leaders and workers in relation to preventing and responding to sexual harassment and related inappropriate conduct</p>	<p>Drives good governance and leadership by setting expectations and accountability</p>

<b>Recommended clause to include in a policy relating to sexual harassment and related inappropriate conduct</b>	<b>Why should this clause be included?</b>
<p>Set out the actions those impacted may take, if they feel safe and comfortable, if they experience, witness or become aware of sexual harassment and related inappropriate conduct</p> <p>Various potential actions should be included, ranging from early intervention options to formal reporting, such as:</p> <ul style="list-style-type: none"> <li>asking the other person to stop and making it clear the behaviour is offensive, intimidating or humiliating</li> <li>raising the matter with someone who observed the behaviour and seeking their help to intervene</li> <li>speaking up publicly to address the behaviour</li> <li>separating the people involved before the circumstances escalate</li> <li>making an anonymous report about the behaviour</li> <li>reporting the behaviour</li> </ul>	<p>Demonstrates that human-centered and trauma-informed processes are prioritised by educating the person impacted about how they may address the behaviour, provided they feel safe and comfortable</p>
<p>Set out the process for raising concerns, which should provide multiple options including an anonymous reporting option</p>	<p>Demonstrates that human-centered and trauma-informed processes are prioritised by enabling the person affected to raise matters in a manner in which they feel safe and comfortable</p>
<p>Outline how the Organisation will handle concerns/complaints, including formal and informal resolution options, and how the views of the person affected will be taken into account provided the outcome keeps everyone safe</p> <p>Informal resolution options may include a manager speaking to the alleged perpetrator about their behaviour, informal or facilitated discussions, mediation and education</p> <p>Formal options may include an internal or external investigation.</p>	<p>Demonstrates that human-centered and trauma-informed processes are prioritised by providing multiple resolution options and taking into account the views of the person affected, subject to keeping everyone safe</p>

<b>Recommended clause to include in a policy relating to sexual harassment and related inappropriate conduct</b>	<b>Why should this clause be included?</b>
<p>Outline how the Organisation will support those impacted by the conduct and those who support them (including those who may witness and report harassment), including by prohibiting victimisation and providing EAP support</p>	<p>Demonstrates that human-centered and trauma-informed processes are prioritised by providing access to appropriate support</p>
<p>State what will happen to perpetrators if the policy is not complied with (for example, that disciplinary action may be taken by the Organisation or where a criminal offence is alleged, that the matter [may/ will] be reported to the police)</p>	<p>Builds psychological safety and trust that the Organisation is committed to appropriately responding to sexual harassment and related inappropriate conduct in the particular context by making sure everyone understands there will be accountability</p>
<p>Outline how confidentiality will apply while an investigation or resolution process is underway, and the Organisation’s approach to sharing relevant information once a matter is finalised, to encourage learning and prevent similar cases from happening in the future</p> <p>Outline how the Organisation will use, if at all, confidentiality clauses in settlement deeds or non-disclosure agreements for example, by applying the <a href="#">Best Practice Guidance issued by the Respect@Work Council</a>.</p>	<p>While matters are under consideration, only those with a need to know should know and keep the process confidential</p> <p>This protects the integrity of the process and the wellbeing of those involved.</p> <p>Once the matter has been finalised, there should be ‘respectful transparency’</p> <p>This means the Organisation can share, in a de-identified manner, information that builds trust in the workplace that any harmful behaviours are being dealt with appropriately and what the Organisation is learning to better inform its approach to preventing these behaviours</p> <p>Following the Best Practice Guidance will assist in prevention of these harmful behaviours</p>



### 3 Example wording

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**Example policies and templates are available from:**

- [Australian Human Rights Commission: Workplace Discrimination and Harassment Template](#)
- [Champions of Change Coalition: Practical Resources and Tools](#), page 16
- [Respect@Work: Resource Hub](#)

*\*Some of the example policies and templates were prepared before recent legislative changes (specifically regarding the positive duty, harassment on the ground of sex and workplace environments that are hostile on the ground of sex) came into effect. This should be considered when using these example policies and templates.*

# Charter Wording: Board & Committees

This template is provided for you to customise for your organisation.

Use this wording with your Board, and with your Risk, WHS and Sustainability committees

## 1 Core obligations

**Under the *Sex Discrimination Act 1984* (Cth):**

- it is unlawful to subject another person to sexual harassment, harassment on the ground of sex and workplace environments that are hostile on the ground of sex ('sexual harassment and related inappropriate conduct'). The Fair Work Commission can make 'stop sexual harassment' orders and/or deal with a sexual harassment dispute on application. Court applications can be made where the dispute is not resolved by the Commission. Vicarious and accessorial liability provisions apply under the *Sex Discrimination Act 1984* (Cth) and the *Fair Work Act 2009* (Cth).
- Organisations<sup>9</sup> have a positive duty to take reasonable and proportionate measures to eliminate, as far as possible, sexual harassment and related inappropriate conduct. From 12 December 2023, the Australian Human Rights Commission will have expanded powers to enforce the positive duty and to investigate systemic unlawful conduct. Board members are responsible for setting the Organisation's strategy for prevention and overseeing the execution and impact of that strategy.

Organisations also have a duty under work health and safety laws to eliminate or minimise psychosocial risks, so far as reasonably practicable, such as risk associated with sexual harassment and related inappropriate conduct. Work health and safety laws are enforceable by work health and safety regulators. Board members must exercise due diligence to ensure their Organisation complies with its work health and safety duties.

<sup>9</sup> An employer or a 'person conducting a business or undertaking'. A person conducts a business or undertaking whether the person conducts the business or undertaking alone or with others, and whether or not the business or undertaking is conducted for profit or gain.

## 2 What to focus on

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The focus should be on building and maintaining a respectful and safe culture where people flourish and can be at their best at work so that sexual harassment and related inappropriate conduct is prevented and legal obligations are satisfied. Practically, building a culture of prevention involves:

### Good leadership and governance

Ensuring that the systems and norms of the Organisation and culture enable prevention by:

- Having data-informed strategies for prevention, where the data is sound and has the capacity to identify areas for attention and areas where there are positive learnings from which others can learn.
- Resourcing Organisational structures that are best set up to prevent sexual harassment and related inappropriate conduct. This may involve coordination and collaboration between Human Resources, Work Health and Safety, Business Integrity and Legal teams to identify systemic issues that require rectification and learn from the experience of those impacted by harmful behaviours. Some Organisations are setting up specialist units with multiple skill sets.
- Considering how people within the Organisation will best engage with building a culture of prevention. Insights from research undertaken by the Champions of Change Coalition is that it works best when you tap into the Organisation's DNA. For example, where there is a strong safety culture, sexual harassment and related inappropriate conduct could be framed as psychosocial risks that undermine and threaten that culture and safety.
- Educating and holding accountable middle management who work with front line workers so they can role-model behaviours and be a trusted source of information if concerns arise.
- Having gender diversity in leadership, including at the board. More extensive reporting by public and private sector entities will be required to the Workplace Gender Equality Agency on gender quality indicators and the prevalence of sexual harassment following recent changes to the Workplace Gender Equality Act 2012.
- Ensuring accountabilities for these behaviour at board and executive level and role model behaviours as board members

The [AICD](#) recommends that directors discharge their responsibility for addressing and preventing sexual harassment by providing opportunities to deepen the understanding of this conduct and its drivers, role modelling appropriate behaviour, recruiting the right leaders and holding them to account and encouraging reporting.

## Applying a work health and safety lens

Manage psychosocial risks in accordance with the work health and safety risk management principles. The Champions of Change Coalition has [useful resources](#) on how to address sexual harassment and related inappropriate conduct as a work health and safety issue, and we have provided guidance in the example [Risk Register](#). It involves:

- Acquiring and keeping up-to-date knowledge of issues relating to sexual harassment and related inappropriate conduct, including the drivers and impacts of this conduct
- Gaining an understanding of the nature of the Organisation's operations and generally of the hazards and risks regarding sexual harassment and related inappropriate conduct in the business.
- Ensuring that the Organisation has available for use, and uses, appropriate resources and processes to eliminate or minimise sexual harassment and related inappropriate conduct risks
- Ensuring that the Organisation has appropriate processes for receiving and considering information regarding incidents of sexual harassment and related inappropriate conduct, and the hazards and risks of this conduct, and responding in a timely way to that information, including from bystanders
- Ensuring that the Organisation has and implements processes for complying with its duties to eliminate or control the risk of sexual harassment and related inappropriate conduct
- Monitoring on an ongoing basis the provision, use and effectiveness of the resources and processes referred to above. To monitor control measures effectively, it is essential that the data relied on provides useful insights into your Organisation's culture, where it is tracking well and the risk areas for attention.

## Human-centered and trauma-informed processes and systems

Ensure that the reporting of, and Organisational responses to, sexual harassment and related inappropriate conduct

- prioritise safety, trustworthiness, choice, collaboration and empowerment when interacting with the person affected (this is known as 'trauma informed care')
- put the person affected at the centre and seriously take into account their wishes for resolution, which should be accommodated provided it keeps everyone safe (this is known as taking a 'human-centered approach').

This also means considering multiple resolution options, regularly communicating with the people involved in the resolution process, providing access to appropriate support and ensuring that the individuals involved in managing incidents are trauma-informed in their approach. See the [Champions of Change Coalition's Disrupting the System Report \(page 68\)](#) for more information about human-centered systems and approaches.

## Balancing confidentiality and transparency to achieve 'respectful transparency'

Build psychological safety by having greater transparency over the prevalence of sexual harassment and related inappropriate conduct, how the Organisation is dealing with this conduct and how the Organisation is learning from incidents and adapting its approach for prevention of harm.

To achieve respectful transparency, the use of Non Disclosure Agreements (NDAs) and confidentiality clauses in settlement agreements should be carefully considered in accordance with the [best practice guidance](#) released by the Respect at Work Council

Confidentiality clauses should not prevent the person affected from telling their story or preclude the Organisation from sharing information in a de-identified way, as this would be detrimental to the wellbeing and recovery of the person affected and the Organisation's ability to monitor emerging systemic issues and to take action to better prevent the behaviours in the future.

## Building psychological safety and trust

Psychological safety and trust are a critical foundation to ensure greater reporting of sexual harassment and related inappropriate conduct. Education and training in bystander skills is essential so upstanders can safely intervene when they witness or are told about harmful behaviour. Taking appropriate and proportionate action when sexual harassment and related inappropriate conduct is found to have occurred is also important in maintaining this trust.

### 3 Example Charter Wording

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Anti-discrimination and work health and safety legislation requires our directors to exercise due diligence and good governance to ensure that we proactively identify, and take reasonable and proportionate measures to eliminate, the risks of sexual and sex-based harassment occurring in the workplace, and hostile workplace environments, which create the culture for these unlawful behaviours to occur and persist.

[Specify the Board committees responsible for regularly addressing harassing conduct] must regularly address sexual and sex-based harassment, and hostile workplace environments. This involves not only responding to these behaviours when concerns are raised, but also ensuring that we are taking a systematic approach to managing risk with the aim of eliminating the risk or, if this is not possible, minimising the risk as far as is reasonably practicable. Our intention is to prevent the harm caused by these unlawful behaviours.

#### **We build and maintain a culture of prevention through:**

- good leadership and governance
- applying a safety lens and building psychological safety and trust
- human-centered and trauma-informed processes
- and greater transparency, including applying the Respect@Work Council's Best Practice

Committee Charters/Terms of Reference should outline particular obligations drawing on the areas of focus detailed above.

# Risk Register

This template is provided for you to customise for your organisation.

## 1 Core obligations

Sexual harassment, harassment on the ground of sex and workplace environments that are hostile on the ground of sex ('sexual harassment and related inappropriate conduct') are psychosocial risks. Organisations<sup>10</sup> must take steps to eliminate or minimise psychosocial risks in the workplace, so far as reasonably practicable.

A psychosocial risk is a risk to the health or safety of a worker or other person arising from a psychosocial hazard. A psychosocial hazard is a hazard that arises from or relates to the design or management of work; or a work environment; or plant at a workplace; or workplace interactions or behaviours; and may cause psychological harm.<sup>11</sup>

In particular, Organisations should assess their workplaces for psychological hazards that may increase the risk of sexual harassment and related inappropriate conduct occurring, or which may create barriers for identification and reporting. Recognising and treating this conduct as a work health and safety risk is an important part of an Organisation's framework for prevention.

## 2 What to focus on

A risk assessment involves considering what could happen if someone is exposed to a hazard and the likelihood and potential impact of exposure. A risk assessment for sexual harassment and related inappropriate conduct can help you to determine:

- What hazards are present in the workplace?
- How frequent and intense is the hazard?
- What potential the hazard has to cause harm?
- How severe is a risk/harm?
- What action you should take to eliminate or minimise the risk?
- How urgently the action needs to be taken?
- What long term solutions can be implemented?
- How to develop feasible, realistic and effective solutions based on root causes?
- How to monitor solutions?
- Whether control measures are effective and how to review and monitor their effectiveness?

When assessing risk, Organisations should consider the likelihood and potential impact of sexual harassment and related inappropriate conduct, and not just base their assessment on the actual occurrence of this conduct. This approach will increase an Organisation's ability to respond to potential issues before they cause harm.

<sup>10</sup> An employer or a 'person conducting a business or undertaking'. A person conducts a business or undertaking whether the person conducts the business or undertaking alone or with others, and whether or not the business or undertaking is conducted for profit or gain.

<sup>11</sup> Model Work Health and Safety Regulations. As at April 2023, the model Regulations about psychosocial risks have been implemented by New South Wales, Queensland, Western Australia, Tasmania and the Commonwealth. The Northern Territory will implement the model Regulations in July 2023. Victoria's regulations on psychosocial risks (which are not based on the model Regulations) are currently under consultation.

### 3 Example wording

Below are examples of risks and mitigation measures that could be included in a risk register, prepared using the risks identified in the following resources. A risk assessment should also include an assessment of the likelihood and impact of the risk.

- Safe Work Australia's National Guidance Material [Preventing Workplace Sexual Harassment](#), page 9
- Champions of Change Coalition's [Practical Resources and Tools](#), page 6
- The [Australian Human Rights Commission's Respect@Work: Sexual Harassment National Inquiry Report \(2020\)](#) Chapters 3.7 and 6.2(b)

**Useful information about managing psychosocial risks is also available in the material issued by the work, health, and safety regulators:**

- Safe Work Australia's [Model Code of Practice: Managing psychosocial hazards at work](#)
- SafeWork NSW's [Code of Practice: Managing psychosocial hazards at work](#)
- NT WorkSafe's [Guidance: Work, health and safety includes mental health](#)
- Work Safe Queensland's [Code of Practice: Managing the risk of psychosocial hazards at work](#)
- SafeWork SA's [Guidance on psychological hazards and work-related stress](#)
- WorkSafe Tasmania's [Code of Practice: Managing psychosocial hazards at work](#)
- WorkSafe Victoria's [Guide for employers: Work-related gendered violence including sexual harassment](#)
- WA Work Health and Safety Commission's [Mentally healthy workplaces codes of practice](#) and [Risk management approach toolkit](#)

*Note: Reporting dashboard, Charter wording and Risk register examples listed below can be downloaded from the 'Policy, processes and reporting' section of the [Respect Toolkit: Policy and Reporting](#)*



Factors that can indicate, increase the likelihood and/or impact of sexual harassment and related inappropriate conduct:	Mitigation measures
<p>Low worker diversity e.g. the workforce is dominated by one gender, age group, race or culture</p> <p>Concentration of men in management, leadership or board</p> <p>Men being promoted more often than women</p>	<p>Have strategies for achieving gender equality and diversity and inclusion targets</p> <p>Have gender equality in leadership including at the board.</p> <p>Address pay gaps and other inequities based on gender, age, race or culture</p> <p>Regular segmented reporting on diversity. Refer to our Reporting dashboard examples</p>
<p>Sex-segregated workplaces (where work is typically or historically performed by men or women) and workplaces with rigid workplace norms based on gender stereotypes e.g. a person of particular gender routinely organise catering, prepare rooms for meetings and clean up after events</p>	<p>Have strategies for achieving gender equality and diversity and inclusion targets</p> <p>Break down gender stereotypes at work</p> <p>Provide unconscious bias training</p> <p>Set expectations for, and hold accountable, middle management who work with front line workers</p>
<p>Power imbalances e.g. workplaces where one gender holds most of the management and decision-making positions</p>	<p>Have strategies for achieving gender equality and diversity and inclusion targets</p> <p>Have gender equality in leadership including at the board</p> <p>Regular reporting on diversity, including recent hiring and promotions. Refer to our Reporting dashboard examples</p>
<p>Workplaces that value profit over protecting workers.</p>	<p>Build trust that the Organisation will take proportionate action when sexual harassment and related inappropriate conduct occurs</p> <p>Take into account the prevention of sexual harassment and related inappropriate conduct when setting KPIs</p> <p>Sexual harassment and related inappropriate conduct policy, training and reporting. Refer to our Reporting dashboard, Charter Wording and Risk Register examples</p>

Factors that can indicate, increase the likelihood and/or impact of sexual harassment and related inappropriate conduct:	Mitigation measures
<p>Workplaces organised according to a hierarchical structure</p>	<p>Ensure board members and leaders role model appropriately</p> <p>Set expectations for, and hold accountable, middle management who work with front line workers</p> <p>Have greater transparency over the prevalence of sexual harassment and related inappropriate conduct and how the Organisation is dealing with this conduct and learning from incidents</p> <p>Consider how you will use NDAs and confidentiality clauses in settlement agreements so as not to prevent the person impacted from telling their story, or preclude the Organisation from monitoring emerging systemic issues Sexual harassment sexual harassment and related inappropriate conduct policy, training and reporting. Refer to our Reporting dashboard, Charter wording and Risk register examples</p>
<p>A workplace culture that supports or tolerates sexual harassment and related inappropriate conduct, including where lower level, harmful forms of harassment are accepted</p> <p>For example, small acts of disrespect and inequality, casual sexism and hostile workplace environments are ignored and reports of inappropriate behaviours are not taken seriously</p> <p>This conduct can escalate to other forms of harassment, aggression and violence</p>	<p>Ensure board members and leaders role model appropriately</p> <p>Set expectations for, and hold accountable, middle management who work with front line workers</p> <p>Implement human-centred and trauma-informed processes and systems for managing reports of sexual harassment and related inappropriate conduct</p> <p>Encourage greater levels of reporting by building trust that the Organisation will take proportionate action when sexual harassment and related inappropriate conduct occurs</p> <p>Sexual harassment and related inappropriate conduct policy, training and reporting, including education on safe early intervention techniques and how to safely exercise bystander responsibilities. Refer to our Reporting dashboard, Charter wording and Risk register examples</p>

Factors that can indicate, increase the likelihood and/or impact of sexual harassment and related inappropriate conduct:	Mitigation measures
Use of alcohol in a work context, and attendance at conferences and social events as part of work duties, including overnight travel	<p>Have in place and implement a responsible service of alcohol policy</p> <p>Consider holding events that are not focused on alcohol consumption</p>
Workers who work in isolated places with limited supervision, in restrictive spaces like cars, at residential premises or employer-provided accommodation, or where limited help and support is available	<p>Increase the number of supervisors in remote locations</p> <p>Improve safety systems in remote locations such as remote surveillance, alarms and lighting</p>
Working from home which may provide an opportunity for covert sexual harassment and related inappropriate conduct to occur online or through phone communication	<p>Encourage greater levels of reporting by building trust that the Organisation will take proportionate action when sexual harassment and related inappropriate conduct occurs</p> <p>Regular reporting e.g. on complaints, employee assistance calls by category. Refer to our Reporting dashboard examples</p>
Worker interactions with clients, customers or members of the public (either face-to-face or online) which may give rise to third-party sexual harassment and related inappropriate conduct	<p>Encourage greater levels of reporting by building trust that the Organisation will take proportionate action when sexual harassment and related inappropriate conduct occurs</p> <p>Educate third-party providers about the Organisation's culture of prevention.</p> <p>Refuse to deal with third parties that breach the Organisation's policies.</p> <p>Regular reporting e.g. on complaints, employee assistance calls by category. Refer to our Reporting dashboard examples.</p>
Poor understanding among workplace leaders of the nature, drivers and impacts of sexual harassment and related inappropriate conduct	<p>Ensure board members and leaders role model appropriately</p> <p>Sexual harassment and related inappropriate conduct policy and training</p>

Factors that can indicate, increase the likelihood and/or impact of sexual harassment and related inappropriate conduct:	Mitigation measures
High-pressure workplaces, with an attitude that workers need to let off steam to deal with the pressures of work and certain behaviours don't need to be taken seriously	<p>Build trust that the Organisation will take proportionate action when sexual harassment and related inappropriate conduct occurs</p> <p>Take into account the prevention of sexual harassment and related inappropriate conduct when setting KPIs</p> <p>Sexual harassment and related inappropriate conduct policy, training and reporting</p>
Short-term contracts with a reliance on reputation and word-of-mouth for securing the next job, for example individuals in the fashion and entertainment industries and junior doctors completing their training	<p>Encourage greater levels of reporting by building trust that the Organisation will take proportionate action when sexual harassment and related inappropriate conduct occurs</p> <p>Sexual harassment and related inappropriate conduct policy, training and reporting. Refer to our Reporting dashboard, Charter Wording and Risk Register examples</p>
Some areas in or around the workplace are isolated, poorly lit or intimidating to enter	Audit such areas and improve safety in those areas
Sexualised or sexist materials are on display (e.g. posters, calendars, screensavers)	<p>Build trust that the Organisation will take proportionate action when sexual harassment and related inappropriate conduct occurs</p> <p>Set expectations for, and hold accountable, middle management who work with front line workers</p>
Lack of privacy or security for workers using bathrooms or change rooms	Make bathrooms and change rooms private and secure
In-home work (such as providing childcare, nursing, cleaning services, aged or disability care) with direct client contact and little or no oversight	<p>Audit workers performing such work to identify the risks; consult with workers about how to address the risks</p> <p>Sexual harassment and related inappropriate policy and training</p>
Male-dominated customer or client base	<p>Seek to improve the diversity of clients the Organisation services</p> <p>Set out expectations of working together with both parties</p>

Factors that can indicate, increase the likelihood and/or impact of sexual harassment and related inappropriate conduct:	Mitigation measures
<p>Small businesses where confidentiality and confidence to raise issues may be difficult to achieve</p>	<p>Engage a third-party provider that can receive complaints and provide regular reports</p> <p>Provide anonymous reporting options</p> <p>Encourage greater levels of reporting by building trust that the Organisation will take proportionate action when sexual harassment and related inappropriate conduct occurs</p> <p>Sexual harassment and related inappropriate conduct policy, training and reporting, including education on safe early intervention techniques and how to safely exercise bystander responsibilities. Refer to our Reporting dashboard, Charter Wording and Risk Register examples</p>
<p>A cohort of young workers (including under 18 years), interns, apprentices, graduates or other junior workers</p>	<p>Audit the risks associated with such workers and change their working environment in response to those risks. For example, limit the extent to which such workers are permitted to work long hour.</p> <p>Sexual harassment and related inappropriate conduct policy, training and reporting. Refer to our Reporting dashboard, Charter Wording and Risk Register examples.</p>
<p>A cohort of women from migrant and non-English speaking backgrounds, people on employer-sponsored visas, First Nations women, women with disabilities and LGBTIQ+</p>	<p>Audit the risks specific to these workers and implement control measures in response to those risks</p> <p>Specifically reference these groups in training materials</p>
<p>A cohort of casuals, contractors, short-term workers, temporary workers and freelancers</p>	<p>Encourage greater levels of reporting by building trust that the Organisation will take proportionate action when sexual harassment and related inappropriate conduct occurs</p> <p>Ensure that these groups are captured in training and reporting. Refer to our Reporting dashboard examples</p>

Factors that can indicate, increase the likelihood and/or impact of sexual harassment and related inappropriate conduct:	Mitigation measures
High staff turnover, particularly of female or junior workers	<p>Ensure exit interviews are comprehensive and capture the reasons for the worker leaving the business and include in reporting</p> <p>Refer to our Reporting dashboard examples</p>
Gender differences in shifts or teams that may be caused by a group or individual being more reluctant to work with particular workers or take on particular tasks	<p>Understand the reasons for the reluctance and implement measures to improve diversity in teams</p> <p>Have strategies for achieving gender equality and diversity and inclusion targets</p>
Different uniform requirements for men and women, or prescriptive dress codes or expectations for how women should look at work (such as high heels, skirts and make-up)	<p>Review uniform requirements through a gender and cultural lens, and implement changes to break down the gender and cultural stereotypes in relation to how workers are required to dress</p>
Travel and overnight stays	<p>Consider the necessity of travel and overnight stays. Where necessary, ensure secure accommodation is provided</p>
Placements in regional or remote locations where workers may be socially isolated or confined with co-workers, such as fly-in-fly-out workers in camps	<p>Ensure that secure accommodation is provided, and supervisors regularly check in with such workers</p>
Frequent formal or informal client functions or after-work events	<p>Acknowledge the consumption of alcohol is not part of some employees' culture and consider the necessity and focus of such functions</p> <p>Implement a responsible service of alcohol policy and ensure non-alcoholic beverages are available</p> <p>Ensure the Organisation provides transport home for workers</p>
Shift work, after-hours and longer hours	<p>Identify the risks associated with workers performing such shifts and implement control measures in response to those risks</p>
Gendered and binary networking events or mentoring opportunities, such as work lunches at men's clubs, invitations for men to play golf with the boss	<p>Cease offering such events, or invite women, and people of all backgrounds and cultures</p>

Factors that can indicate, increase the likelihood and/or impact of sexual harassment and related inappropriate conduct:	Mitigation measures
Differences in the unspoken expectations of men and women workers	Train staff and raise awareness in the business of unconscious bias and discrimination
Male workers dominating meetings or decisions	Train staff and raise awareness of unconscious bias

# Board Reporting

This template is provided for you to customise for your organisation.

## 1 Core obligations

Under the *Sex Discrimination Act 1984* (Cth), Organisations<sup>12</sup> have a positive duty to take reasonable and proportionate measures to eliminate, as far as possible, sexual harassment, harassment on the ground of sex and workplace environments that are hostile on the ground of sex ('sexual harassment and related inappropriate conduct'). Board members are responsible for setting the Organisation's strategy for prevention and overseeing the execution and impact of that strategy.

Organisations also have a duty under work health and safety laws to eliminate or minimise psychosocial risks, so far as reasonably practicable, such as risk associated with sexual harassment and related inappropriate conduct. Board members must exercise due diligence to ensure their Organisation complies with its work health and safety duties.<sup>13</sup>

## 2 What to focus on

Board members need to ensure that their strategy for, and governance of, a culture of prevention is data-informed. Board members should require regular reporting from the Executive with a focus on systemic issues and leading indicators.

Data reported to the Board is only as good as the quality of the questions asked. To systemically prevent sexual harassment and related inappropriate conduct, the following questions are important:

- Do we have a data-informed strategy to create and maintain a safe and respectful culture that prevents sexual harassment and related inappropriate conduct? Is it good data? Does the data give us insights into our culture, where we are going well and risk areas for attention?
- How will we monitor the execution and impact of our strategy? What metrics and tools do we have to measure success?
- How will we talk about our strategy now?
- Have we identified and prioritised the changes which will have the greatest impact? Is our timeline reasonable and achievable? What will accelerate us? What will slow us down?
- Is our Organisation structured, and our people equipped and supported, to respond to harmful behaviours in a holistic and integrated way?
- Do our systems and processes clearly set out expectations and accountabilities and capture systemic issues so they can be rectified? Are we confident those processes do not exacerbate harm or trauma to all involved?
- Do we have a foundation of updated policies, training, education and understanding of our legal obligations?
- Do we have psychological safety in reporting concerns?

<sup>12</sup> An employer or a 'person conducting a business or undertaking'. A person conducts a business or undertaking whether the person conducts the business or undertaking alone or with others, and whether or not the business or undertaking is conducted for profit or gain.

<sup>13</sup> See Safe Work Australia's National Guidance Material, "[Preventing Workplaces Sexual Harassment](#)" at pages 8-9.



- Do we have multiple avenues to raise concerns and have an anonymous reporting option?
- Do our people know where and how to raise concerns? Do we have options for resolution that are human-centered and do not automatically default to investigations? If not, what needs to change?
- Do our people understand and feel safe in their execution of their responsibilities as bystanders/upstanders?
- What is our approach to transparency? What is our approach to the use of confidentiality clauses in settlement agreements? Are we following the Best Practice Guidance issued by the Respect@ Work Council?
- What are our stories to share in de-identified ways to bring the humanity to this issue and engage our people in its importance? What have we learned to inform our approach to prevention in the future?
- Have do we respond to historical matters?

Example reporting measures are listed below and in our example Reporting dashboards, which can be downloaded from the 'Policy, processes and reporting' section of the Respect Toolkit.' These issues should be allocated to the appropriate committee, such as People & Culture or Audit & Risk.

## Prevention: measuring and monitoring

- Training on sexual harassment and related inappropriate conduct: frequency and results (if assessed), mandatory training completion rates, what happens if training not completed
- Workforce demographics: diversity targets, strategy for meeting targets and progress against targets, diversity information per seniority level
- CEO/leadership statements: frequency and effectiveness with which leaders articulate the importance of gender equality and eradication of sexual harassment, set targets and report
- Understand the new requirements from Workplace Gender Equality Agency (WGEA), including mandatory reporting on sexual harassment, harassment on the ground of sex and discrimination from 2024

## Handling Concerns

- Number and nature of concerns: seniority and business/work unit of employees involved, direct complaint, observed and raised by others, anonymous or whistleblower, form of resolution process – did it include an internal or external investigation? concern substantiated or not, form of resolution, days to resolution
- Outcomes for complainants, witnesses and bystanders: tenure in Organisation/career progression, are there any separation pay outs or NDAs. What does the NDA cover?
- What did we learn? How will these learnings inform our future approach to prevention?

## Safe and respectful culture: monitoring

- Survey feedback: staff responses to culture questions in engagement surveys and/or regular pulse checks (to understand employee sentiment and whether people feel safe to raise concerns)
- Exit feedback: does it suggest areas of the business are higher risk? Is there scope for confidential or anonymous feedback?
- Turnover: by gender, voluntary and non-voluntary
- Remuneration strategy: link to culture (i.e. commissions and incentives linked to behaviours, not just financial strategies)
- Outcome of WHS risk reviews: are the risks of sexual harassment and related inappropriate conduct included in standard risk assessments (for example is there supervision/leadership when alcohol is provided at events, are safety walkarounds conducted from a female perspective)?
- Internal audit: is an internal audit function required to assess effectiveness of various processes outlined above, including the accuracy of information provided to the Board?

Consider the [Respect@Work Council's Good Practice Indicators Framework for Preventing and Responding to Workplace Sexual Harassment](#), which suggests how Organisations can measure their performance against the following key areas for action:

- Leadership
- Knowledge
- Culture
- Risk assessment and transparency
- Support
- Reporting
- Measurement

# Reporting Dashboard

This template is provided for you to customise for your organisation.

## Prevention dashboard example

### Training

Regular training helps employees understand how sexual harassment and related inappropriate conduct manifests in organisations

Type*	Training requirement	Completed	Overdue	Divisions overdue
Sexual harassment	On induction and annually	65%	5%	Victoria: regional sales WA: Operations
Bullying	On induction and annually	75%	6%	NSW: ELT

\* Other training types could include: 'harassment on the ground of sex', 'hostile workplace environments', 'discrimination', and 'trauma-informed approaches'

### Leadership communications

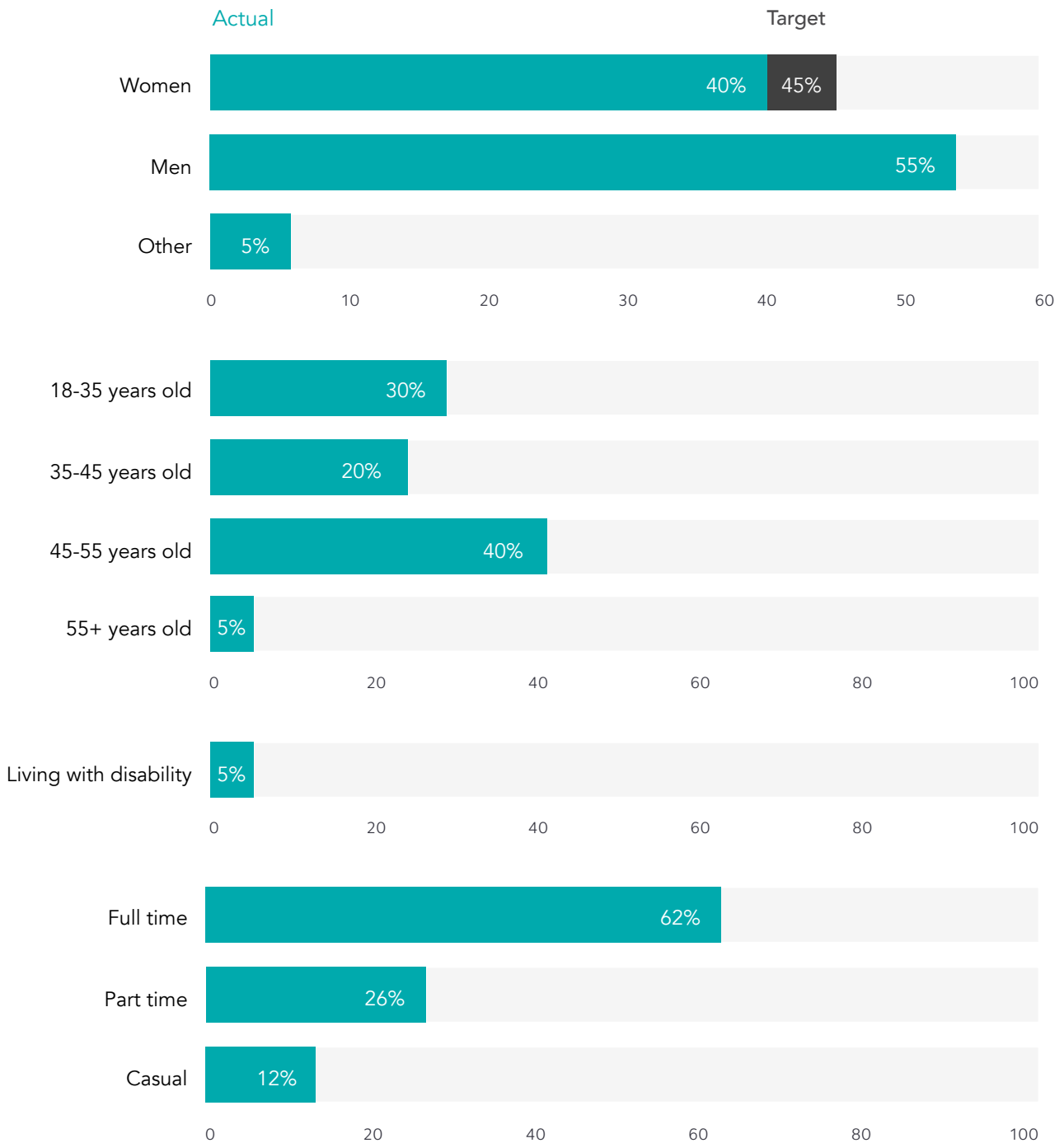
Messages sent to the organisation about the importance of the matter and how to take action.

Per annum rolling	CEO	ELT	Division Leader A**	Division Leader B**
Sexual harassment	1 per quarter (4)	2 per year	Every 6 months (2)	Every 6 months (2)
Bullying	2 per year	1 per year	Every 6 months (2)	Every 6 months (2)
Unconscious bias	1 per year	1 per year	1 per year	1 per year

\*\* List out each division in this reporting. This helps pinpoint areas where the leader may need assistance. This can often correlate with other indicators, such as training uptake.

Note: The data represented in this template is a representation of the kind of data you might collect in order to understand and inform your decision-making around sexual harassment in your organisation. It is not proposed as an example of best-practice reporting. Examples will need to be modified to suit your needs.

## Workforce demographics



Consider setting out data combinations on gender, age, cultural diversity and seniority to understand in an aggregated and de-identified way, for example, how many women are aged between 35-45, have a particular cultural background and work in a senior position.

Consider including demographics that are specific to leadership and the board.

Note: The data represented in this template is a representation of the kind of data you might collect in order to understand and inform your decision-making around sexual harassment in your organisation. It is not proposed as an example of best-practice reporting. Examples will need to be modified to suit your needs.

## Tracking complaints

Date	Type	Source	Business Unit	Seniority of alleged offender	Investigator	Investigation status	Time to report	Time to resolve
May 2023	Sexual harassment	Bystander	Operations	Graduate	HR team	In progress.	2 months	Underway
Mar 2023	Bullying	Reported by manager	Finance	Senior	Head office	Investigation complete. Training for individual and team. Discussion with CEO.	Same Day	2 weeks
December 2022	Inappropriate comments	Anonymous complaint to whistleblower hotline	ELT	Senior	HR team	Investigation complete. Training for individual and team.	2 days	1 week

## Outcomes for complainants

Date	Type	Outcome	Business Unit	Seniority of alleged offender	Seniority of person affected	Organisational Learnings	Comment	NDA?
June 2020	Sexual harassment	Proven. Offender suspended for 2 weeks without pay and moved to new division with supplemental sexual harassment training	Finance	Graduate	Graduate	Increased focus on sexual harassment during graduate onboarding process	Complainant's base salary increased as per organisation-wide approach (i.e. no ramifications identified).	No
April 2020	Sexual harassment (bystander reported)	Not proven. No action taken.	Operations	Director	Junior staff	Communications from ELT about bystanders speaking up are proving effective – continue to invest in this	Base salary increase, as per organisational standards Complainant promoted within 12 months.	No
Nov 2019	Bullying	Proven. Apology issued and offender moved into a new team.	Legal	Director	Senior Associate	Increase frequency of refresher training	Complainant's base salary increased as per organisation-wide approach.	No
Oct 2019	Bullying	Proven. Offender undertook training in appropriate workplace conduct.	HR	Senior Associate	Junior Staff	All staff can be perpetrators or victims of sexual harassment	Complainant's base salary increased as per organisation-wide approach.	No
Nov 2019	Inappropriate comment	Proven. Apology issued and offender undertook training.	Customer care	Manager	Executive	Closer monitoring needed of training attendance register	Complainant's base salary increased as per organisation-wide approach. Promoted 6 months later.	No
Nov 2019	Sexual harassment	Proven. Offender terminated for misconduct	IT	Executive	Junior staff	Systems functioning well – complaint raised and addressed in timely manner	Complainant left in Jan 2019 to return to NZ.	Yes. Requested by complainant

Note: The data represented in this template is a representation of the kind of data you might collect in order to understand and inform your decision-making around sexual harassment in your organisation. It is not proposed as an example of best-practice reporting. Examples will need to be modified to suit your needs

## Developing a safe culture

Extract key questions from your culture, engagement or pulse surveys.

Employee engagement questions	Group	Previous Rating	Industry benchmark	Areas of concern (low scores)
Senior leaders support diversity and inclusion in the workplace	83%	80%	87%	Finance, QLD, 45%; Finance, NSW, 52%; Retail sales, NZ, 52%
Sexual harassment is not tolerated in our organisation	74%	65%	80%	Finance, QLD, 40%; Dealer sales, NZ, 44%
I feel safe to speak up and share concerns in the workplace	69%	68%	78%	Finance, NSW, 28%; Marketing, WA, 37%; IT Support, VIC, 38%
I have experienced sexual harassment at work in the past 12 months	6%	Not asked	N/A	Finance, Qld; Dealer sales, NZ; Finance, NSW; Marketing; IT Support; HR, SA; Finance, NZ; not stated

Note: Refer to pages 100-103 of the 'Disrupting the System' report from the [Champions of Change Coalition](#) for more examples.

## Turnover

Other useful metrics may include rolling annual turnover and industry benchmarks.

	Voluntary turnover (% past five years)	Involuntary turnover i.e. redundancy/termination (% past five years)	Area of concern
Total	23%	5%	Finance, QLD; Sales, NZ
Male	15%	10%	None
Female	37%	2%	Sales, NZ

## Observations on behaviours and culture from Internal Audit reports completed in the past quarter

Internal Audit report name	Department	Team	Issue
Observations	[Include details here of observations made by internal audit (IA) about employees' interactions with one another as well as cultural or behavioural issues more broadly.]		

Note: The data represented in this template is a representation of the kind of data you might collect in order to understand and inform your decision-making around sexual harassment in your organisation. It is not proposed as an example of best-practice reporting. Examples will need to be modified to suit your needs

To create a safe culture beyond policies and procedures, a person-centred, trauma-informed, practical and outcomes-focused approach to preventing and responding sexual harassment and related inappropriate conduct is critical.

Refer to [Respect@Work Good Practice Indicators Framework](#) for more.



# CEW Respect is Everyone's Business Resource Pack

For more information,  
please visit our dedicated site  
[respect.cew.org.au](https://respect.cew.org.au)

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