prevention of sexual harassment – a Model action plan

The *Equal Opportunity Act 2010* requires organisations to take proactive steps to eliminate sexual harassment from occurring in the workplace as far as reasonably practicable. Employers and principals are also required to take reasonable precautions to prevent sexual harassment.

The model action plan that follows does not impose mandatory procedures for departments and Victoria Police to follow when a report of sexual harassment is made or when an employee’s conduct is called into question. Instead, it provides a potential structure and activities that organisations may wish to consider when developing an action plan to prevent sexual harassment in the workplace.

Departments and Victoria Police are encouraged to tailor the model action plan based on their organisational priorities and strategies for achieving the maturity model by the end of June 2021. The Victorian Public Sector Commission will provide departments with baseline People Matter Survey data to help identify priority issues or areas of risk, and in setting targets. Departments and Victoria Police will be required to report on progress to the Sexual Harassment Working Group each year in September and March. Following the September reporting period, the VPSC, on behalf of the Working Group, will coordinate an annual report to VSB in December each year.

Departments should refer to the *Respectful Workplaces* Framework, the *Model Policy for the Prevention of Sexual Harassment in the Workplace* and the *Guide for the Prevention of Sexual Harassment in the Workplace* for additional information[[1]](#footnote-1).

| 1. Organisations recognise that gender inequality in the workplace sustains cultures that enable sexual harassment | | | | | |
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| **What we know: Equitable processes build cultures that do not tolerate sexual harassment. Changing policies and processes changes behaviour, and enables organisations to address systemic barriers to gender equality.** | | | | | |
| **Outcome** | **Suggested impact measures** | **Baseline** | **Target** | **Progress** | **Source** |
| Organisations recognize the impact of gender-based discrimination on female staff and the organisation. | TBC | TBC |  |  |  |
| Organisations use their influence outside the workplace – with clients, customers or the community – to challenge the drivers of violence against women. | TBC | TBC |  |  |  |
| Organisations appoint key staff to lead work on gender equality and give them the time and resources they need to take action. | TBC | TBC |  |  |  |
| Policies and processes create gender-neutral outcomes by acknowledging men’s and women’s different experiences and removing artificial barriers, including flexible work and access to parental leave | TBC | TBC |  |  |  |
| Organisations are proactive in identifying gender-based disparities across the organisation and addressing them. | TBC | TBC |  |  |  |
| **Possible activities** | | | | **Who** | **Date** |
| Undertake a comprehensive gender audit to identify unexplained discrepancies in gender participation across the organisation’s activities. | | | |  |  |
| Complete an analysis of the underlying causes of unexplained discrepancies, including surveys, focus groups, etc, and develop strategies for correcting | | | |  |  |
| Monitor the impact of any interventions to rectify identified gender inequities. | | | |  |  |

| 2. Committed and engaged leaders focus on creating respectful workplaces | | | | | |
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| **What we know: Well informed workplace leaders who are committed to setting and regularly reinforcing expected standards are vital. Leaders, along with all staff, contribute to creating workplaces where all people are safe, equal and valued.** | | | | | |
| **Outcome** | **Suggested impact measures** | **Baseline** | **Target** | **Progress** | **Source** |
| Zero tolerance approach to sexual harassment is recognised across the organisation | Number of formal communications (by Secretaries and Deputy Secretaries) regarding sexual harassment, respectful workplaces, and/or gender equality throughout the calendar year | TBC by Dept |  |  | Dept |
| Number of presentations/information sessions with sexual harassment and/or gender equality content led by executive staff | TBC by Dept |  |  | Dept |
| % of middle managers participating in preventing sexual harassment training | TBC by Dept |  |  | Dept |
| % of respondents who say they were sexually harassed | Dept % in PMS |  |  | PMS |
| % of respondents who experienced behaviour consistent with sexual harassment who submit a formal complaint (noting that an increase is positive) | Dept % in PMS |  |  | PMS |
| Workplace leaders are respectful and ensure employees are free from harm | % of respondents that agree that their manager treats employees with dignity and respect | Dept % in PMS |  |  | PMS |
| % of respondents that identify the harasser as an immediate manager and more senior manager | Dept % in PMS |  |  | PMS |
| Organisations have a positive culture of gender equality | % of respondents that agree that gender identity is not a barrier to success in the organisation | Dept % in PMS |  |  | PMS |
| % of respondents that agree that there is a positive culture within the organisation in relation to employees of different sexes/genders | Dept % in PMS |  |  | PMS |
| Performance measures to promote gender equality to be included in Executive Officer Employment Plans | TBC by Dept |  |  | Dept |
| Employees are confident that complaints are managed in an inclusive, timely and effective way | % of respondents who submitted a formal sexual harassment complaint and were not satisfied with the way their complaint was handled | Dept % in PMS |  |  | PMS |
| **Possible activities** | | | | **Who** | **Date** |
| Identify regular opportunities across the year for leaders to consistently communicate and present on sexual harassment and gender equality (including at induction). Leaders should emphasise how important it is to call out sexual harassment and advise bystanders that they should also report instances that they witness. | | | |  |  |
| Ensure leaders model behaviour set out in the Public Sector Values by including measures in Position Descriptions for all executive roles and linking Executive Officer Employment Plans. | | | |  |  |
| Flexible work opportunities, including in leadership roles, are provided for all staff. | | | |  |  |
| Consider effectiveness and timeliness of complaints mechanisms in order to identify ways to increase employee confidence to report inappropriate workplace behaviours. | | | |  |  |
| Consider engagement with accreditation programs, appropriate/suitable for each department/organisation e.g. White Ribbon accreditation and/or the Male Champions of Change Initiative. | | | |  |  |

| 3. Build awareness through regular and ongoing communications, supported by clear and comprehensive policies and practice documentation | | | | | |
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| What we know: Good policies are visible, raise awareness of rights and are regularly refreshed and communicated. They build awareness that sexual harassment will not be tolerated and increase confidence in reporting. | | | | | |
| **Outcome** | **Suggested impact measures** | **Baseline** | **Target** | **Progress** | **Source** |
| Employees are aware of sexual harassment policy and know where to go to make a report | Sexual harassment policy is embedded in induction and delivered to all new staff | n/a |  |  | Dept |
| Policies are regularly communicated via a range of mediums | Number of formal communications (by Secretaries and Deputy Secretaries) regarding sexual harassment and/or gender equality throughout the calendar year | TBC by Dept |  |  | Dept |
| Number of different mediums used to communicate sexual harassment and/or gender equality (e.g. email, posters, staff meeting, etc.) | TBC by Dept |  |  | Dept |
| People know that sexual harassment won’t be tolerated and are confident to report it when they witness or experience it | % of respondents who indicate they would be confident in approaching their manager to discuss concerns and grievances | Dept % in PMS |  |  | PMS |
| % of respondents who are confident that they would be protected from reprisal for reporting improper conduct | Dept % in PMS |  |  | PMS |
| **Possible activities** | | | | **Who** | **Date** |
| Departments regularly reinforce messages regarding sexual harassment and gender inequality including communication of Sexual Harassment Model Policy and Practice Guide to staff. | | | |  |  |
| Webpages / intranet pages containing links to policy and guidance materials, and information about complaints processes. | | | |  |  |
| Provide clear guidelines for staff at all levels regarding the appropriate use of social media and how to raise concerns if someone is misusing social media. | | | |  |  |

| 4. Build accountability through regular reporting on impact | | | | | |
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| What we know: Achieving change takes time and sustained effort. Regular reporting demonstrates the impact of initiatives in reducing instances of sexual harassment and improving responses. | | | | | |
| **Outcome** | **Suggested impact measures** | **Baseline** | **Target** | **Progress** | **Source** |
| Reduction in incidence of sexual harassment | % of respondents that have experienced sexual harassment in the past 12 months | 10% |  |  | PMS |
| % of respondents who report that people in their workgroup treat each other with respect | Dept % in PMS |  |  | PMS |
| Improved response to sexual harassment | % of respondents that were satisfied with the way their cmplaint was handled | 29% |  |  | PMS |
| **Possible activities** | | | | **Who** | **Date** |
| Identify regular opportunities across the year (outside of annual PMS results) to report on implemented measures, progress and impact. | | | |  |  |
| Departments engage with staff on progress by publishing impact measures six monthly. | | | |  |  |
| Follow up with staff who have made complaints to ensure they are supported and that their matter has been dealt with effectively. | | | |  |  |
| Consider participation in the Gender Equity Audit led by the Office for Women. | | | |  |  |
| Work with the Gender Equity Working Group of VSB to support implementation of the multi-year *Workplace equality and respect in the public sector program.* | | | |  |  |
| VPSC will conduct an annual assessment and report on PMS data at a whole of government/department level. | | | |  |  |

| 5. Mandate regular high-quality training | | | | | |
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| What we know: Training all staff to understand and identify inappropriate workplace behaviour is an integral part of a strategy to prevent sexual harassment. Training should ideally be delivered face-to-face and include behavioural based components for effectiveness. | | | | | |
| **Outcome** | **Suggested impact measures** | **Baseline** | **Target** | **Progress** | **Source** |
| Training is compulsory for all staff | % or # of staff that have undertaken training in the last 12 months | TBC |  |  | Dept |
| % of new staff (commenced in past 12 months) who have undertaken training as part of their induction | TBC |  |  | Dept |
| Training is provided in a range of formats including face-to-face and behavioural based | Number of training formats utilised in past 12 months (e.g. online, face-to-face) | 2 |  |  | Dept |
| % or # of staff that have undertaken face-to-face training in past 12 months | TBC |  |  | Dept |
| % or # of staff that have undertaken behavioural based training in past 12 months | TBC |  |  | Dept |
| Training is tailored for people managers | % of people managers that have undertaken tailored training in the last 12 months | TBC |  |  | Dept |
| Training is valued by staff | % of staff who have undertaken training who report it to have been valuable | TBC |  |  | Dept |
| **Possible activities** | | | | **Who** | **Date** |
| Follow up eLearning modules (especially in high-risk areas) with face-to-face training (as this is a critical component in changing behaviour and shaping culture). | | | |  |  |
| Training that clarifies what an ‘intrusive question’ and ‘sexually suggestive comment’ is, given PMS results of most instances of sexual harassment being verbal. | | | |  |  |
| Departments to undertake ‘Raise it’ training to equip managers with the skills necessary in identifying topics for conversation in respect to sexual harassment and workplace equality. | | | |  |  |
| Departments to undertake periodic evaluation or ‘pulse checks’ of those who have undertaken training to determine benefit. | | | |  |  |

| 6. Establish and maintain a trusted and accessible complaints processes | | | | | |
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| What we know: Fair, accessible and consistently applied complaints processes are vital if people are to have the confidence to report sexual harassment. | | | | | |
| **Outcome** | **Suggested impact measures** | **Baseline** | **Target** | **Progress** | **Source** |
| Complaints processes are accessible to all staff | Clearly articulated complaints processes are available on departmental intranets | 100% |  |  | Dept |
| % of respondents who did not submit a formal sexual harassment complaint because they did not know who to talk to or how to make a complaint | Dept % in PMS |  |  | PMS |
| Having regard to VEOHRC’S Good Practice Guide: Managing Complaints involving Human Rights complaints processes are trusted and confidential | % of respondents who submit a formal complaint (noting that an increase is positive) | 5% |  |  | PMS |
| Number of experiences of behaviour consistent with sexual harassment reported by those who made a formal complaint (noting fewer experiences reflects positively on organisations complaints processes) | TBC |  |  | Dept |
| Number ofconfidentiality breaches during formal investigations throughout the calendar year | TBC by Dept |  |  | Dept |
| Complaints processes are efficient | % of reported incidences of sexual harassment fully investigated under clause 21 of the Victorian Public Service Enterprise Agreement | TBC |  |  | Dept |
| Outcome of formal investigation (unsubstantiated, termination of employment, finding with lesser outcome than termination of employment?) | TBC |  |  | Dept |
| % of sexual harassment complaints are resolved within three months | 75% |  |  | Dept |
| % of respondents who are satisfied with the way their complaint was handled | Dept % in PMS |  |  | PMS |
| Leaders respond effectively to complaints | Average number of complaints made throughout the calendar year (seeking an increase in numbers of complaints in short term, followed by a reduction in the longer term) | TBC by Dept |  |  | Dept |
| Average number of formal investigations concluded throughout the calendar year | TBC by Dept |  |  | Dept |
| **Possible activities** | | | | **Who** | **Date** |
| Clearly articulate information about complaints processes (in policy and communication material) and provide multiple access points. | | | |  |  |
| Establish a focus group to identify barriers to making a formal complaint. | | | |  |  |
| Investigate options and discuss the merits of establishing a panel of investigators. | | | |  |  |
| Consider complaints through gender equity / natural justice lens. | | | |  |  |

1. Both documents are available on the VPSC website at <https://vpsc.vic.gov.au/resources/prevention-sexual-harassment-workplace/> [↑](#footnote-ref-1)