Respectful workplaces framework

for Victorian Public service
departments and victoria police

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1. CONTEXT

On 22 March 2018, the Victorian Secretaries Board (VSB) released a statement affirming its commitment to a zero-tolerance approach to sexual harassment in the Victorian public sector. As part of this commitment, the VPSC published a *Model Policy for the Prevention of Sexual Harassment in the Workplace* in September 2018 (updated in November 2018)and an accompanying *Guide for the Prevention of Sexual Harassment in the Workplace* inNovember 2018. The Model Policy puts forward a policy to support the Victorian Public Service (VPS) and sector to fulfil their positive duties under the *Equal Opportunity Act 2010* to eliminate sexual harassment in the workplace.

Building upon the Model Policy, the VPSC has developed the *Respectful Workplaces Framework* and accompanying *Prevention of Sexual Harassment – Model Action Plan* for departments and Victoria Police to further support their work in preventing and responding to sexual harassment.

Sexual harassment in the workplace may take various forms and can be directed at, or perpetrated by, persons of any gender. While it is acknowledged that sexual harassment can be targeted at anyone, it is predominantly experienced by women and people who identify as LGBTI, and predominantly perpetrated by men. Evidence confirms that gender inequality is the strongest predictor of violence against women. Gender inequality is typically present in environments where sexual discrimination, harassment, beliefs and behaviours that disrespect women are displayed and rigid gender roles are present. Such environments can also foster or tolerate homophobia, racism, disability discrimination and other harmful attitudes, placing more vulnerable members at even higher risk. As such, actions designed to address sexual harassment are likely to be more effective when they take into consideration the additional challenges experienced by those facing discrimination more broadly.

A significant amount of work is underway across the VPS to prevent violence against women, promote gender equality and implement strategies that support this work in the long term. While the *Respectful Workplaces Framework* (the Framework) is focused on sexual harassment, it is informed by and seeks to contribute to the broader gender equality agenda.

The Framework includes:

* best practice principles in relation to preventing, managing and responding to sexual harassment in the VPS;
* a maturity model to support departments and Victoria Police to embody best practice by 2021; and
* a coordinated reporting process that enables a biannual snap shot of departmental progress against self-determined action plans and an annual report to VSB.

The development of the Framework has been supported by the Sexual Harassment in the VPS Working Group (the Working Group) with representation from across departments and including Victoria Police. Set up by VSB and reporting to its Integrity and Corporate Reform Sub-committee, the Working Group is responsible for implementing a program of work that promotes best practice prevention and response to sexual harassment in the workplace and delivers consistent outcomes.

1. BEST PRACTICE PRINCIPLES

The VPS is committed to ensuring that its workplaces are respectful and free from harm. Preventing and effectively responding to sexual harassment requires a focus on the promotion of gender equality.

The six best practice principles below have been identified through analysis of a range of sources including:

* work led by Our Watch, including the *Workplace Equality and Respect Project*
* related strategies across the Victorian public sector including *Safe and Strong: a Victorian Gender Equality Strategy,* the *Free from Violence Strategy* and Victoria Police’s *Gender Equality Strategy and Action Plan 2017-2020*;
* research and guidance provided by the Australian Human Rights Commission and Victorian Equal Opportunity and Human Rights Commission (VEOHRC);
* work published by the USA Equal Employment Opportunity Commission; and
* Working Group findings.

In line with current best practice, the principles focus on preventing sexual harassment through improved systems and processes, and changing cultural norms. This is supported by an effective and victim-centric response process that allows organisations to monitor outcomes and identify any issues that need a proactive intervention.

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|  | Principle | Focus |
| 1 | **Organisations recognise that gender inequality in the workplace sustains cultures that enable sexual harassment**Organisations proactively identify and address systemic barriers to gender equality in current policies, practices and processes. Equitable processes drive sustained behaviour and culture change. | **Prevention** through improved systems |
| 2 | **Committed and engaged leaders focus on creating respectful workplaces**Leaders communicate a zero-tolerance approach to sexual harassment, promote gender equality, model appropriate behaviour and respond effectively to complaints. | **Prevention** through culture change |
| 3 | **Build awareness through regular and ongoing communications, supported by clear and comprehensive policies and practice documentation** People know that sexual harassment will not be tolerated. Awareness of sexual harassment is built through regular and ongoing communications that are comprehensive, clear and accessible to all staff via a range of mediums. | **Prevention** through culture change |
| 4 | **Build accountability through regular reporting on impact**Regular reporting demonstrates impact of initiatives in reducing instances of sexual harassment and improving responses.Organisations have in place a tailored action plan and use formal and informal mechanisms to monitor its impact. Organisations regularly report to their workforce on progress and update actions plans as required. | **Prevention** through practice and culture change |
| 5 | **Mandate regular, high-quality training**Training is compulsory for all staff. It is provided at induction and at regular intervals, on an ongoing basis and in a range of formats. This includes online training backed up with face-to-face training, tailored for people managers. | **Prevention** through culture change**Improved responses** through practice change |
| 6 | **Establish and maintain trusted and accessible complaints processes**Having regard to VEOHRC’s Good Practice Guide: Managing Complaints involving Human Rights, complaints processes are responsive and timely, grounded in natural justice principles, and fair to victims and perpetrators. Processes are accessible to all staff, transparent, efficient, confidential, and deliver fair outcomes. Information gathered is kept secure via high-quality and confidential record keeping processes. Leaders regularly encourage staff to speak up and access complaints services. | **Improved** **responses** through practice change |

1. THEORY OF CHANGE AND A MATURITY MODEL

Addressing sexual harassment requires both an acknowledgement of the role played by gender inequality in increasing the risk of its occurrence, and a dedicated and sustained commitment to change. The One VPS agenda also encourages departments to develop and embed consistent approaches to common functions across the VPS. A consistent approach and a commitment to change are also necessary for the prevention and handling of sexual harassment in the workplace.

In September 2018, the Victorian Public Sector Commission, on behalf of the Working Group, conducted a comprehensive analysis of activities undertaken by departments and Victoria Police to date to address sexual harassment in the VPS workplace. The analysis found that departments had taken a range of different approaches and were at different stages of progress. In recognition of this, the Working Group developed the maturity model below. The maturity model takes the six best practice principles and describes the three key stages, and key actions, departments and Victoria Police are asked to implement over the next three years.

Using a maturity model approach to building safe and respectful workplaces allows each department to develop a tailored action plan—including outcomes, activities and targets—that builds on local strengths and targets local organisational priorities as it moves towards the agreed end state.

**A mature organisation…**



1. ACTION PLANS AND REPORTING ON PROGRESS

The Working Group has developed a *Prevention of Sexual Harassment - Model Action Plan*, based on the six best practice principles above. The Model Action Plan is intended to support departments in developing and implementing tailored strategies to achieve a mature and consistent organisational response to prevent and improve responses to sexual harassment in the VPS.

The model action plan identifies a range of suggested outcomes, impact measures and activities that support the six best practice principles. Departments and Victoria Police are encouraged to use the model plan to develop a tailored action plan that addresses their current organisational circumstances and priorities for achieving maturity over the next two years. For example, a department may choose to focus on developing and embedding one principle at a time, or instead work on improving outcomes across all principles, by choosing one or more outcomes, activities and targets for each one.

The Working Group recognises that departments already have a number of gender and/or organisational culture targets and reporting requirements and, with the eventual passage of the *Gender Equality Bill 2018*, are likely to have more in the future.

Departments are therefore encouraged to look for examples of other work or internal programs already underway and use the model template to capture or summarise the elements that contribute to the prevention and improvement of responses to sexual harassment. Targeted actions may be required to address particular issues.

Departments are also encouraged to look for any activities already underway that can be leveraged or adapted with minimal changes for inclusion in the action plan. For example, a department-wide intranet update process presents a good opportunity to ensure sexual harassment and complaints processes are up to date and easy to locate.

Further to the publication of the *2018* *State of the Public Sector in Victoria*, the VPSC has drawn on its public sector workforce and People Matter Survey (PMS) data holdings to provide departments and Victoria Police with a comprehensive analysis of their PMS results and a minimum date set. The minimum data set will form the basis of baseline indicators, against which departments and Victoria Police will be required to report. Minimum data set templates will be circulated to Human Resources Directors at each department and Victoria Police, with a request that they populate the template. This will assist departments in identifying areas or issues of concern that they may wish to consider in developing their action plans and assist them in setting their own targets, against which they will be required to report their progress to VSB (see below). The VPSC will provide the first analysis piece to the Working Group in mid-2019.

The PMS Reform project endorsed by VSB provides an opportunity to improve the collection of sexual harassment data, including through the use of pulse surveys. The VPSC will engage with the Working Group on these issues as the Reform project progresses.

The VPSC will also consider other mechanisms for improving whole-of-government approaches to prevent and respond to sexual harassment, including reinforcing the use of the code of conduct, as well as awareness raising activities targeting boards and executives.

The Framework and Model Action Plan may be updated as relevant new findings become available, including following the release of the Australian Human Rights Commission’s 2019 report on the National Inquiry into Sexual Harassment in Australian Workplaces and the Victorian Auditor General’s Office 2019 audit into sexual harassment in the VPS. The VPSC will advise the Working Group of any work in this area and seek its input on any strategies developed.

**Reporting to VSB**

To assist departments and Victoria Police in meeting their action plan goals and promote a continuous learning approach to sharing lessons learnt and best practice, departments and Victoria Police are required to provide the VPSC, on behalf of the Working Group, with a six-monthly update (every September and March) on progress against their agreed action plan, using the agreed minimum data set.

In September 2019, departments and Victoria Police will be requested to provide the VPSC with a completed minimum data set template and this information will provide the baseline data from which six-monthly reporting is compared against.

The VPSC will collate and summarise departments’ progress and provide the consolidated report to the Working Group for review and discussion. This allows the Working Group to identify initiatives that are working well and highlight areas that require further attention. Following the September reporting period each year, the VPSC, on behalf of the Working Group, will coordinate the annual report to VSB in December each year.