Good Practice Indicators Framework for Preventing and Responding to Workplace Sexual Harassment

Notes on using this Framework

We recognise that organisations come in different sizes and have varied governance structures. For small organisations, and those still developing their reporting capability, we recommend initially focussing on a selection of indicators and their corresponding simple measurements from each area for action, then progressively implementing more as your organisational capacity allows.

Measurements are usually obtainable through organisational data or staff surveys.

All data collected must be gender disaggregated and deidentified. Small organisations may prefer to participate in industry-wide data collection and reporting initiatives in order to preserve the confidentiality of those involved.

Where indicators refer to seeking worker views, we encourage employers to also seek union views.

Drivers of Sexual Harassment

The indicators reflect the primary driver of sexual harassment – gender inequality.

They also reflect key contributing factors:

- Power imbalances and abuse of power
- Lack of accountability for sexual harassment prevention at senior levels
- Lack of understanding of drivers and contributing factors, impacts, prevalence and how to prevent harassment
- Lack of demonstrated commitment to diversity and inclusion

Key Terms used in this Framework

Organisational leaders: also known as senior staff. Depending on the size and structure of the organisation, this could be the CEO, Executive Leadership Team, business owner or manager, or Executive Manager.

People managers: also known as line managers. A people manager could be any worker, at any level, with responsibilities for managing workers, including team leaders, supervisors, managers, and executives.

Responding staff: anyone who is designated as being able to respond formally or informally to an alleged incident of sexual harassment. This could include – but is not limited to – people managers, union representatives, Health and Safety Representatives, HR personnel or Sexual Harassment Contact Officers.

Sexual harassment: any unwanted or unwelcome sexual conduct where a reasonable person would have anticipated the possibility that the person harassed would feel offended, humiliated or intimidated.

Trauma-informed: an approach to interacting with someone who has experienced trauma that prioritises safety, trustworthiness, choice, collaboration and empowerment.

Workers: anyone engaged by the organisation, regardless of their employment status. This might include employees, casual workers, contractors, interns and volunteers.

Disclaimer

The Good Practice Indicators Framework is a tool to assist organisations to prevent and respond to workplace sexual harassment. This framework is not a comprehensive statement of all legal responsibilities for employers, and should not be treated as such. Parties should seek independent professional advice on their duties and obligations under the laws in their jurisdictions.

1st Edition

The Framework will be reviewed in 12 months to determine whether any updates are required. Stakeholders are encouraged to provide feedback to be considered during this evaluation.

Leadership

Outcome	Good Practice Indicator	Simple Measurements	Mature Measurements
Organisational leaders and the board are held accountable for preventing and responding to sexual	The organisation's governance framework clearly reflects the responsibility of organisational leaders and the board for addressing sexual harassment.	 Key governance documents state that organisational leaders and the board are primarily responsible for sexual harassment prevention and response, and the accompanying data collection framework. Proportion of board meetings that consider sexual harassment and/or organisational culture. Proportion of senior leadership meetings that consider sexual harassment and/or organisational culture. Frequency of Chair/CEO/equivalent reporting to the board and organisational leaders on sexual harassment prevalence, prevention and response. 	 Proportion of workers that consider their leaders are held to account through the organisation's governance framework. Workers' views on the extent to which organisational leaders put policy into practice.
harassment by a strong internal governance framework.	Organisational leaders and the board face consequences for failing to meet their obligations to address sexual harassment, or where they are found to engage in sexual harassment.	 Key governance documents outline consequences for organisational leaders and the board for failing to meet their obligations to address sexual harassment, or where they are found to engage in sexual harassment. 	 Proportion of workers that consider that their leaders face consequences for failing to meet their obligations as a leader to address sexual harassment, or where they are found to engage in sexual harassment.
	Organisational leaders seek appropriate information on the risk of sexual harassment and ensure the organisation has appropriate resources and processes in place to manage sexual harassment.	 Proportion of organisational leaders who consider they have a good or very good understanding of the risk of sexual harassment in the organisation and how it is managed, including ensuring that appropriate resources are provided and that the organisation has processes for reporting and responding to incidents. 	
	The organisation has a clear up-to-date standalone policy addressing sexual harassment, developed in consultation with workers. The policy details how complaints are handled and investigations are conducted, how risks will be identified and assessed, and how control measures will be monitored, implemented and reviewed.	 Presence of an up-to-date standalone sexual harassment policy. Proportion of workers that are aware of the policy. Evidence of consultation with workers in development of the policy. 	 Workers' familiarity with the organisation's sexual harassment policy. Workers' views on the efficacy of the policy, and whether the policy is complied with.
	Organisational leaders issue a statement to workers on the organisation's commitment to a safe, respectful, and inclusive workplace free from harassment, discrimination and sexism, and available support.	 Evidence of a statement made to workers in the preceding year. Proportion of workers that are aware of the statement. 	 Workers' views on the extent to which their organisational leaders have put the statement into practice.
	Organisational leaders are assessed against their progress towards achieving gender equality and diversity and inclusion targets.	 Presence of a formal plan to meet these targets for those leaders who have not met or made substantive progress towards achieving them. Proportion of leaders who have met or made substantive progress towards these targets. Proportion of leaders that received a bonus in the preceding year that had met these targets. 	 Proportion of workers that consider their leaders model safe, respectful and inclusive language and conduct.
	Senior recruitment and promotion processes include criteria on fostering a safe, respectful and inclusive organisational culture, and modelling this conduct.	 Proportion of leaders' performance agreements and contracts that contain targets around gender equality and diversity and inclusion outcomes. Proportion of leaders' performance agreements and contracts that articulate expectations around conduct. Proportion of organisational leaders that have a Key Performance Indicator relating to fostering a safe, respectful and inclusive organisational culture. 	

Leadership (continued)

Outcome	Good Practice Indicator	Simple Measurements	Mature Measurements
Worker recruitment, promotion and performance management contribute to a safe, respectful and inclusive	The organisation articulates its focus on safety, respect and inclusion in recruitment materials, contracts and performance management frameworks.	Proportion of job advertisements, position descriptions, interview questions, contracts and supporting recruitment materials that reflect the organisation's focus on building a safe, respectful and inclusive culture. Proportion of performance agreements and contracts that refer to the organisation's policy on consequences for perpetrators. Proportion of company office and/or worksite inductions and accompanying materials that explicitly articulate the organisation's focus on safety, respect and inclusion.	Workers' views on the strength of the organisation's commitment to creating a safe, respectful and inclusive workplace culture. Workers' understanding of their Work Health and Safety duties. Workers' views on whether there are consequences for perpetrators and the effectiveness of these consequences.
workplace culture.	Workers are recognised and rewarded with regard to their modelling of safe, respectful and inclusive conduct.	Proportion of promotions that include the applicant's safe, respectful and inclusive conduct as a criterion.	Workers' views on to what extent safe, respectful and inclusive conduct is recognised and rewarded in the organisation.

Knowledge

Outcome	Good Practice Indicator	Simple Measurements	Mature Measurements
All workers, including organisational leaders and board members, understand what constitutes safe, respectful and inclusive conduct, and their role in workplace sexual harassment prevention and response.	All workers, including organisational leaders and board members, undertake regular training on respectful workplace conduct, what sexual harassment is, its drivers and contributing factors, and their role in prevention and response.	 Proportion of organisational leaders and board members that have undertaken training at the intended frequency, and the mode of the training. Proportion of people managers, responding staff and other workers that have undertaken training at the intended frequency, and the mode of training. Proportion of organisational leaders and board members who understand what sexual harassment is, its drivers and contributing factors, industry-specific risks and their role in prevention and response. Proportion of other workers who understand what sexual harassment is, its drivers and contributing factors, and their role in prevention and response. Proportion of workers, including organisational leaders and board members, who understand industry-specific risks (including third party harassment where relevant). 	 Proportion of workers that feel confident to safely respond when witnessing or hearing disrespectful remarks, conduct or incidents. Proportion of workers that report confidence in their manager's understanding of sexual harassment and ability to respond to an incident. Proportion of managers that report being able to readily identify disrespectful remarks, behaviours or incidents.
	People managers regularly communicate about respectful conduct, the organisation's stance on sexual harassment and the consequences for perpetrators.	 Proportion of people managers that have discussed respectful conduct and preventing and responding to sexual harassment with their teams. 	 Proportion of workers that have discussed the organisation's approach to addressing sexual harassment with their manager or a colleague, disaggregated by employment status. Workers' understanding of the organisation's stance on sexual harassment.
	Workers, including people managers, can readily access training materials, corporate events and resources that address sexual harassment and include information on workers' rights.	 Proportion of training materials and corporate resources used by workers that contain information on worker rights and relevant legislation including the Fair Work Act, Sex Discrimination Act and Work Health and Safety laws. 	 Proportion of workers that have been supported to attend an employer-sponsored event on addressing sexual harassment. Workers' reported familiarity with the organisation's sexual harassment policy.
	Training materials, corporate events and resources that address sexual harassment recognise the diverse experiences and needs of workers including women, LGBTQI+ workers, CALD workers and workers with disability.	 Proportion of training materials and corporate resources used by workers that recognise the different experiences and needs of workers including women, LGBTQI+ workers, CALD workers and workers with disability. 	 Proportion of workers that consider the available training materials and corporate resources reflect their own experience, disaggregated by diversity indicators and employment status.

Culture

Outcome	Good Practice Indicator	Simple Measurements	Mature Measurements
The organisation has a diverse	Organisational leaders set, endorse and regularly review gender equality and diversity targets.	Existence of targets on gender equality and diversity.	 Proportion of targets achieved. Proportion of organisational leaders and board members with expertise in gender equality, diversity and inclusion.
workforce, is inclusive, and advances gender	Organisational leaders and the board receive regular reports on performance against diversity targets.	 Frequency and nature of reporting to organisational leaders and the board on data on sexual harassment in the organisation and performance against diversity targets. 	
equality.	The organisation's workforce and governing bodies (including the board) are gender balanced and diverse.	 Gender and diversity composition of each of the board, leadership team, and broader workforce. 	
	The organisation supports flexible working and balancing of caring and work responsibilities for all workers, including organisational leaders.	 Proportion of the workforce working flexibly, disaggregated by level and employment type. Retention rates following workers taking parental leave. Proportion of flexible work requests that are approved/denied. Existence and nature of policies and entitlements relating to parental leave and flexible working arrangements and communication of these to workers. 	 Proportion of workers that report feeling comfortable requesting flexible working arrangements/parental leave. Workers' views on adequacy and accessibility of parental leave entitlements and flexible working arrangements. Workers' perceptions of any negative consequences for career progression for those who work flexibly or take parental leave.
	The organisation analyses its remuneration practices and seeks to close any identified gender pay gaps.	 Gender pay gap at the organisation. Action taken to reduce the gender pay gap. 	 Gender pay gap calculated by quartile (i.e. highest paid quarter, upper middle quarter, lower middle quarter and lowest paid quarter). Proportion of workers that report feeling comfortable to discuss remuneration in the workplace.
	The organisation participates in industry-specific gender equality and diversity and inclusion initiatives and advocacy.	 Number and nature of industry initiatives in which the organisation participates. 	 Instances of the organisation providing support for others in the industry (including resources and expertise).
	The organisation anticipates and responds to backlash to its focus on addressing sexual harassment, advancing gender equality and supporting diversity and inclusion.		 Proportion of workers reporting their support for gender equality, and diversity and inclusion. Proportion of workers that consider that the problem of gender inequality in the community is overexaggerated.
	The organisation consults workers on workplace issues concerning gender equality and diversity and inclusion.	 Proportion of workers that report the organisation has consulted them on workplace issues concerning gender equality and diversity and inclusion. 	 Proportion of workers that report satisfaction with the organisation's consultation processes concerning gender equality and diversity and inclusion. Extent to which unions report satisfaction with the organisation's consultation processes concerning gender equality and diversity and inclusion.
Personal relationships	The organisation has a policy addressing personal relationships that considers power imbalances and conflicts of interest.	 Presence of internal policies and strategies for addressing power imbalances and conflicts of interest. Number of relationships that are disclosed. 	 Workers' views on how personal relationships are managed in the organisation.
between staff are managed appropriately.	The organisation encourages early confidential disclosure of intimate relationships between workers, where a conflict of interest may arise.	Evidence of consultation with workers in development of the policy.	

Risk Assessment and Transparency

Outcome	Good Practice Indicator	Simple Measurements	Mature Measurements
The organisation actively seeks to protect workers from sexual harassment.	The organisation takes positive action to prevent sexual harassment, using both human rights and WHS expertise and frameworks. The organisation identifies and assesses the workplace and industry-specific drivers of, and risk factors for, sexual harassment, including risks inherent in physical spaces and systems of work. The organisation implements all reasonably practicable control measures to protect workers from sexual harassment, and regularly reviews how well they are working.	 Proportion of organisational leaders and board members with expertise in human rights and/or WHS frameworks. Number of control measures implemented to address identified risks including misuse of alcohol, restrictions on movement, insufficient privacy, power imbalances, insecure work. Number and nature of industry initiatives in which the organisation participates, and nature of the organisation's contribution. 	Workers' views on the efficacy and reliability of control measures put in place by the organisation to eliminate sexual harassment, including the design of safe work systems, physical spaces and structures.
	The organisation extends its standard WHS risk management practices beyond physical hazards to psychosocial hazards, including sexual harassment.	 Presence of sexual harassment references in the organisation's WHS risk management practices and/or risk register. Presence of organisation-specific and industry-specific sexual harassment-related risks in the organisation's risk register. Evidence of consultation with workers about psychosocial risks and control measures. 	 Proportion of workers that have been supported to attend an industry-sponsored event on sexual harassment and/or diversity and inclusion in the past year. Evidence of effective consultation using a range of methods (including confidential/anonymous input) with workers about psychosocial risks and mitigation measures.
	The organisation consults with workers on its identification, prevention and response efforts, including through providing anonymous feedback channels.	 Consultation with workers on their experience and concerns, using agreed consultation mechanisms, at agreed intervals, when risks change and when proposing changes to work. 	 Proportion of workers that report the organisation has adequately consulted them on its prevention and response efforts. Proportion of worker representatives that report the organisation has adequately consulted workers on its prevention and response efforts.
	The organisation consults, cooperates and coordinates with other organisations it works with or shares premises with to prevent sexual harassment.	 Documentation of identified risks of sexual harassment when working with other organisations (for example where organisations share premises) and incorporation of measures to control sexual harassment in contractual arrangements with other organisations (for example for shared premises or contractual supply chains). 	 Presence of documented WHS cooperation and consultation arrangements with other workers that share WHS duties. Instances of the organisation providing support for others in the industry (including resources and expertise).
	The organisation has identified family, domestic and sexual violence risks in the workplace, and eliminates or minimises this risk.	 Presence of a strategy that addresses family, domestic and sexual violence, and accompanying support. Proportion of workers that are aware of the organisation's FDV strategy and accompanying support. 	Workers' views on whether the strategy and accompanying support are adequate and accessible.
The organisation communicates about sexual harassment prevalence, prevention and response efforts.	Workers receive information on workplace sexual harassment prevalence, prevention and response (including deidentified case studies, where possible, and progress over time).	 Frequency and nature of reporting to workers on sexual harassment in the organisation, covering prevalence, the nature of incidents, the organisation's response and consequences for perpetrators. Proportion of workers who are aware of the organisation's recent responses to incidents. 	

Support

Outcome	Good Practice Indicator	Simple Measurements	Mature Measurements
Workers affected by sexual harassment can easily access high quality support.	Workers who report sexual harassment are able to access internal support at any stage, including throughout a complaint and investigation process and once an investigation has concluded.	 Number of workers who have used internal support – disaggregated by wellbeing support (including professional counselling), union support/ representation and/or HR support (for example recrediting of leave). Proportion of workers who report awareness of the organisation's internal support services and any suggested external support services. Evidence of organisational leaders and people managers' written communication with workers about support services in the preceding year. 	 Workers' reported satisfaction with any internal support services used. Wellbeing outcomes after 6, 12 and 24 months for those who engaged with support services. Employment outcomes after 6, 12 and 24 months for those who engaged with support services. Proportion of workers that received reasonable adjustments and who were consulted about what reasonable adjustments could be provided (for
	Support is accessible, trauma-informed and tailored to the needs of the individual.	 Availability of reasonable adjustments to be provided to workers who experience sexual harassment to make work safe both during and after complaints processes (for example providing safe alternative work whilst investigation is ongoing). 	reasonable adjustments could be provided (for example providing safe alternative work whilst investigation is ongoing).
	Where confidential professional counselling is available, workers can access this service without their organisation's referral.		
	The organisation provides information on available external support services to workers.		
	Workers who have reported sexual harassment are able to have union support and representation throughout the reporting process and response.	 Proportion of workers who have reported sexual harassment who were supported/represented by a union representative during the reporting process and/or response. 	 Views of workers on the reporting process and response.
Responding staff are well trained to respond	Designated responding staff are trained to provide timely, trauma-informed responses.	 Proportion of responding staff trained in providing trauma-informed responses. Average time taken between report and referral to support. 	 Proportion of workers that have experienced or reported sexual harassment that report receiving a trauma-informed response from responding staff. Proportion of responding staff that express confidence in their ability to handle and respond to reports and queries appropriately. Proportion of responding staff that consider the organisation has ensured their health and safety. Frequency of review of protections for responding staff and whether they are effective.
to sexual harassment reports and queries, and adequately supported by the organisation.	Designated responding staff are trained to provide information on the internal process and options for responding to workplace sexual harassment reports.	 Proportion of responding staff with up-to-date training on the organisation's process and options for responding to workplace sexual harassment reports and queries. 	
	The organisation identifies any risks to the health and safety of responding staff, including the risk of vicarious trauma. The organisation eliminates or minimises these risks so far as reasonably practicable.	 Proportion of responding staff who have used internal wellbeing support services. Proportion of responding staff who report satisfaction that the organisation has identified any risk of vicarious trauma and eliminated or minimised this risk as far as reasonably practicable. 	

Reporting

Outcome	Good Practice Indicator	Simple Measurements	Mature Measurements
Workers feel safe to report sexual harassment.	The organisation has a range of information and reporting options for workers that are trauma-informed and personcentred.	 Number and type of reporting options available. Evidence of organisational leaders and people managers' written communication with other workers in the preceding year about available reporting options. Number of incidents reported through each reporting avenue. Proportion of workforce that are aware of reporting options and information available. 	 Proportion of workers that have reported sexual harassment that report receiving a trauma-informed response. Proportion of workers that report sexual harassment who report confidence in the organisation's adherence to privacy obligations. Proportion of workers satisfied with the confidentiality or anonymity of the reporting process.
	The organisation has reporting guidelines that address the organisation's privacy obligations, and the ability of workers to anonymously report sexual harassment, with information only disclosed to their employer with their consent or as required by law. Workers who report sexual harassment are not required to	 Presence of reporting guidelines that address the organisation's approach to confidentiality, its privacy obligations, and the ability of workers to anonymously report sexual harassment. Proportion of reports of sexual harassment that were made anonymously. 	 Proportion of workers that would feel safe to report an incident. Proportion of organisational leaders, people managers and Human Resources personnel that express confidence in their ability to handle and respond to complaints and queries appropriately. Worker representatives' confidence in the organisation's adherence to privacy obligations.
	pursue a formal complaint, except where obligated under legislation.	 Proportion of workers who are provided information on privacy and confidentiality prior to lodging a formal report. 	 Proportion of workers that have witnessed an incident but did not report it.
	Organisational leaders, people managers, and Human Resources personnel are trained to respond to reports and queries appropriately, including by ensuring confidentiality, and using a trauma-informed, person-centred approach.	 Proportion of organisational leaders, people managers and Human Resources personnel who are trained to handle and respond to reports and queries. 	
	Workers and third parties are able to lodge a formal report after their workplace relationship or interaction with the organisation has concluded.	 Presence of a process for lodging a formal report with the organisation after the workplace relationship or interaction with the organisation has concluded. 	 Proportion of workers that are aware of the ability to lodge a formal report with the organisation after their workplace relationship has concluded.
	There is a clear process for reporting and handling complaints about organisational leaders and board members, developed in consultation with workers, that has been endorsed by organisational leaders.	 Presence of a process for reporting and handling reports about organisational leaders and board members. Evidence of consultation with workers in development of the process. 	 Proportion of workers that consider their leaders are held to account through the organisation's process. Extent of workers' familiarity with the organisation's process for reporting and handling complaints about organisational leaders. Workers' views on the efficacy of the process.
	Investigation processes are transparent, timely, independent, and conducted by an investigator who is agreed upon between the parties.	 Presence of a policy which requires all investigations into formal complaints of sexual harassment be conducted by an investigator who is agreed upon between the parties. 	 Workers' views on the transparency, timeliness and independence of the particular investigation. Workers' views on whether the investigation was traumainformed and protected their health and safety as far as possible.
	The organisation provides the outcome of any investigation to the individual who reported experiencing harassment.	 Proportion of workers who are provided with the outcomes of an investigation, including any action taken in response. 	
	Workers who report sexual harassment are not required to commit to blanket confidentiality obligations.	 Proportion of settlement agreements that contain a confidentiality clause. 	
	Workers who report sexual harassment, by any avenue, do not suffer victimisation and/or adverse action as a result.	 Wellbeing and employment outcomes after 6, 12 and 24 months for those who reported sexual harassment, and 12 months after finalisation of any complaint process. 	 Workers' perceptions of any negative consequences for career progression for those who report sexual harassment. Unions' perceptions of any negative consequences for career progression for those who report sexual harassment.

Measuring

Outcome	Good Practice Indicator	Simple Measurements	Mature Measurements
A robust and transparent data collection and reporting framework on worker experience supports sexual harassment prevention and response efforts and informs organisational improvements.	Organisational leaders and the board receive regular reporting about workplace sexual harassment, including risks, prevalence, nature, organisational action to prevent and respond to sexual harassment, outcome of reports and consequences for perpetrators.	 Frequency and nature of reporting to the board on data on sexual harassment in the organisation, covering risks, prevalence, the nature of incidents, the organisation's response and consequences for perpetrators. Proportion of organisational leaders and board members who are aware of the organisation's prevalence data and recent responses to incidents. 	 Reporting to the board includes the number of settlement agreements entered into and whether they contain confidentiality clauses.
	Public reporting is conducted including via an annual report or content on the employer's website or other accessible platform, that includes assessment of the effectiveness of the organisation's systems and frameworks in addressing sexual harassment.	 Frequency and nature of data and analysis shared publicly. Frequency and nature of public reporting on the organisation's systems and frameworks for addressing sexual harassment. 	 Evidence of improved practices, outcomes, and staff confidence in prevention and response, based on insights from data and reporting.
	Analysis of data collected informs the organisation's immediate responses as well as long-term prevention efforts.	 Actions taken in response to data collected about sexual harassment and organisational culture. 	Rates of reoffending or repeat complaints for perpetrators of sexual harassment.

Information for organisations

- The <u>Respect@Work website</u> brings together a comprehensive set of resources for employers and workers. It includes best-practice guides, training programs, information, videos and advice, as well as a self-assessment tool to help employers evaluate and improve their prevention and response efforts.
- <u>The Blue Knot Foundation</u> offers resources and information on applying trauma-informed principles.
- <u>SafeWork Australia</u> has a suite of information to support organisations to manage the WHS risks of workplace sexual harassment.
- Comcare has developed <u>Regulatory Guidance for Employers</u> on their Work Health and <u>Safety Responsibilities</u>.
- <u>OurWatch</u> offers advice and information to support employers to understand and address the drivers of violence against women.
- <u>Champions of Change</u> provides guidance on effective organisational approaches to preventing sexual harassment in the workplace.

Support for individuals

- The <u>Respect@Work website</u> hosts a comprehensive set of resources for employers and workers. It includes best-practice guides, training programs, workplace-assessment tools, information, videos and advice.
- The <u>Australian Pro-Bono Centre</u> provides advice and information about organisations across various states and territories which may provide legal help.
- <u>1800 RESPECT</u> (1800 737 732) is Australia's sexual assault, domestic and family violence counselling service.
- Beyond Blue (1300 224 636) provides information and support to help everyone in Australia achieve their best possible mental health.
- <u>Lifeline</u> (13 11 14) provides 24-hour support and suicide prevention services for all Australians experiencing emotional distress.
- ReachOut offers anonymous and confidential one-to-one peer support and moderated online communities for young people experiencing emotional distress.
- MensLine Australia (1300 789 978) is a 24-hour telephone and online counselling service offering support for men.
- <u>Suicide Call Back Service</u> (1300 659 467) is a nationwide service providing 24/7 telephone and online counselling to people affected by suicide.