

# Preventing sexual harassment

For senior leaders



### Preventing sexual harassment for senior leaders

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This resource is designed to support senior leaders across industries and professions, to understand and lead change at a strategic and business level and to assist with thinking about how to approach this issue as a people leader as well as an operational leader.

*If you would like information about training by Working Women's Centre Victoria on preventing sexual harassment in your workplace, contact us [info@wwcvic.org.au](mailto:info@wwcvic.org.au)*

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Working Women's Centre Victoria acknowledges the traditional custodians of the land where we work, and First Peoples language groups and communities across Victoria and Australia. We pay our respects to Elders past and present. We celebrate the people, traditions, culture and strength of Aboriginal and Torres Strait Islander peoples, and the fight for survival, justice and Country. We thank the Traditional custodians for caring for Country for thousands of generations. Working Women's Centre Victoria recognises the ongoing impact of colonisation, dispossession and racism. As a Centre focused on work place rights, we acknowledge the history of exploitation Aboriginal and Torres Strait Islander people have suffered working in the colony, denied access to their wages which were often simply stolen by corrupt officials and employers, and the ongoing exploitation and discrimination many First Nation people still experience at work today. We recognise that Sovereignty was never ceded and that this always was and always will be Aboriginal land.



The Working Women's Centre Victoria understands the term 'working women' means all women (this includes cis and trans women) and non-binary people (this includes people who are gender diverse, gender fluid, masculine or feminine) who meet our service eligibility criteria.

# Table of contents



## Contents

- Preventing sexual harassment ..... 1
- Table of contents ..... 3
  - Your role as a leader ..... 4
  - Getting started ..... 9
    - Why now? ..... 9
  - Leading change ..... 13
    - Build and maintain a strong workplace infrastructure ..... 21
    - Support services in Victoria ..... 24

### Your role as a leader

As a senior leader in your organisation, you have a responsibility to ensure your workplace is safe, fair, inclusive, and respectful. This resource provides ideas and case studies to support you in shaping the overall culture and setting the standards of the organisation from the top. This role brings together your leadership capabilities, commitment to justice and equity, and responsibility for people and culture to influence lasting, organisation-wide change.

Respect@Work has introduced into legislation positive obligations for employers to take action on 7 standards to prevent and respond to sexual harassment. The approach to this work should involve consultation, advance gender equality, acknowledge intersectionality, and be person-centred and trauma-informed, ensuring that workplace systems, policies and practices support people's safety and dignity and avoid causing further harm.<sup>1</sup>

#### Trauma-informed definition

The Australian Human Rights Commission explains trauma-informed as: “understanding trauma and its impacts, promoting safety, supporting choice, and control for the person affected, fostering safe and trusting relationships where disclosure of trauma are possible and are responded to appropriately, understanding that recovery is possible for everyone.”

### Harassment and bullying in the workplace– the statistics

Workplace sexual harassment remains a significant challenge across Australian industries, with one in 3 workers experiencing workplace sexual harassment in the last 5 years<sup>2</sup> according to the Australian Human Rights Commission's 2022 national survey.

The Australian Bureau of Statistics' 2021-22 Personal Safety Survey<sup>3</sup> found that 1.7 million people (8.7%) experienced sexual harassment in the last 12 months, including 1.3 million women (13%) and 426,800 men (4.5%).

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<sup>1</sup> [Anti-Discrimination and Human Rights Legislation Amendment \(Respect at Work\) Act 2022](#)

<sup>2</sup> Australian Human Rights Commission. (2022). *Time for respect: Fifth national survey on sexual harassment in Australian workplaces.*

<sup>3</sup> Australian Bureau of Statistics. (2023). *Personal Safety Survey, Australia, 2021–22*

## Preventing Sexual Harassment

The economic impact is substantial, with workplace sexual harassment estimated to cost the Australian economy approximately \$3.8 billion in 2018<sup>4</sup> according to Deloitte Access Economics analysis for the Respect@Work report.

- This cost breaks down to \$2.6 billion in lost productivity and \$0.9 billion in other financial costs, with each case of harassment representing around 4 working days of lost output.
- Employers bore 70% of the financial costs, government 23% and individuals 7%,
- While lost wellbeing for victims was an additional \$250m, or nearly \$5000 per victim on average.

Despite these significant impacts, reporting remains low with only 18% of sexual harassment incidents reported<sup>5</sup>, and the 2024 Workplace Gender Equality Agency data shows that more than 1 in 4 employers (28%) are not monitoring how prevalent it is in their workplaces.<sup>6</sup>

### **Sexual harassment and other forms of work-related gendered violence**

Legislation prohibiting sex discrimination, including sexual harassment, has been in effect since 1984. This includes:

1. Sex Discrimination Act 1984 (Cth) – the primary federal legislation prohibiting sex discrimination, sexual harassment, sex-based harassment, and conduct that creates a hostile workplace environment on the ground of sex. The Act was amended in 2022 to introduce a positive duty on employers to take reasonable and proportionate measures to prevent these behaviours.
2. Equal Opportunity Act 2010 (Vic) – prohibits discrimination and sexual harassment in employment and other areas of public life in Victoria, and imposes a positive duty to eliminate discrimination, sexual harassment, and victimisation as far as possible.
3. Occupational Health and Safety Act 2004 (Vic) – requires employers to provide and maintain a workplace that is safe and without risks to health, including controlling psychosocial hazards such as workplace sexual harassment.

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<sup>4</sup> Deloitte Access Economics. (2019). *The economic costs of sexual harassment in the workplace*. Commissioned by the Australian Human Rights Commission for the Respect@Work: National Inquiry into Sexual Harassment in Australian Workplaces.

<sup>5</sup> Australian Human Rights Commission. (2022). *Time for respect: Fifth national survey on sexual harassment in Australian workplaces*.

<sup>6</sup> Workplace Gender Equality Agency. (2024). *Gender Equality Scorecard 2022–23: Key findings from WGEA's employer census*.

## Preventing Sexual Harassment

This legislation includes:

- treating someone less favourably because of their gender, such as offering women, non-binary people and men different pay or benefits for the same job or requiring women to wear particular clothing at work when men are not expected to do the same.
- where an unreasonable condition, requirement or practice appears to treat everyone the same, but in fact disadvantages people of a particular gender, for example, requiring all employees to work 9am to 5pm. This may appear to treat everyone equally, but could disadvantage women, who are more likely to have caring responsibilities. This will only be unlawful if it is not reasonable.

Employers now also have responsibilities under sex discrimination, workplace and occupational health and safety legislation to provide workplaces free from gendered violence and sexist behaviours. This includes the following behaviours directed at a person, or affecting a person, because of their gender or sexual orientation or because they do not adhere to gender stereotypes:

- stalking, intimidation or threats
- verbal abuse
- being left out or excluded
- sexually explicit gestures or comments
- offensive language and imagery
- put downs, suggestive or degrading remarks and hints
- being undermined in your role or position
- sexual assault or rape.

It also includes related acts of victimisation – treating or threatening to treat someone badly because they spoke up about any of these behaviours or because they reported these behaviours, asserted their rights under the law, or helped someone else to do so.

Work related sexual harassment occurs when someone (including a colleague, manager, or customer)

## Preventing Sexual Harassment

- makes an unwelcome sexual advance, or an unwelcome request for sexual favours, to the other person, or
- engages in any other unwelcome conduct of a sexual nature in relation to the other person, where a reasonable person could have anticipated that the other person would be offended, humiliated or intimidated.

This can include the following:

- unwanted touching
- unwanted staring
- repeated unwanted requests to go on dates – asking a colleague once in a respectful manner may be ok, but not if the person asking is in a position of power.
- sexual jokes
- questions or comments about a person’s body
- displays of sensitive pictures

**Remember, that intention is not the focus here. It is the impact that the behaviour has.**

These laws cover behaviour that involves work, workers, or working relationships, including, when working offsite or from home, at staff social events (whether in the workplace or elsewhere), in the workplace during and after hours or during a lunch break, between colleagues outside the workplace and outside of work hours, in a hotel room during work-related travel (e.g., for a conference or work meeting).

The behaviours described above are referred to as different things within national and state legislation, however, will be referred to as “sexual harassment” within this resource.

## Discrimination

In addition to sex discrimination under Victorian law, under the *Equal Opportunity Act 2010* (Vic), employers have a positive duty to eliminate, as far as possible, discrimination, sexual harassment and victimisation. This means that positive action should be taken to prevent these behaviours – regardless of whether someone has made a complaint.

It is important to note that many experiences of discrimination are not based on a single characteristic, i.e., just sexism. Women’s Legal Service Victoria’s research into the legal sector found workplace cultures of “everyday” discrimination, bullying and harassment related to

## Preventing Sexual Harassment

race/ethnicity, disability and mental health, class background, sexuality, and gender identity.

7

Under Victorian anti-discrimination legislation employees cannot be discriminated against based on attributes including, disability, gender, marital status, parent and carer status, physical features, political belief or activity, pregnancy and breastfeeding, race, and religious belief or activity.

Further information on discrimination and your positive duty to prevent sexual harassment, discrimination and victimisation can be found on [Positive duty | Victorian Equal Opportunity and Human Rights Commission](#).

### **Bullying**

Workplaces have an OHS obligation to eliminate risks to health and safety, so far as reasonably practicable. This includes the risk of bullying. Serious bullying is a criminal offence in Victoria.

Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened. Power does not always mean being in a position of authority but can include both personal strength and the power to coerce through fear or intimidation.

Bullying can take the form of physical, verbal, and non-verbal conduct. Non-verbal conduct may include postings on social media. However, reasonable, and constructive criticism of performance or behaviour will not amount to bullying on its own.

Further information on bullying and the law can be found on: [Workplace bullying and the law | WorkSafe Victoria](#)

### **Why does sexual harassment occur?**

Gender inequality is recognised as the key underlying cause of gendered violence. The picture of gender inequality and sexism in many industries is bleak. Gender inequality creates power imbalances where someone who holds power may gain a sense of entitlement, while others may hold a fear of challenging or speaking out against that power.<sup>8</sup>

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<sup>7</sup> Women's Legal Service Victoria. (2023). *Not Safe, Not Suitable: Experiences of workplace discrimination and sexual harassment in Victoria's legal and justice workforce*.

<sup>8</sup> Our Watch. (2015). *Change the story: A shared framework for the primary prevention of violence against women and their children in Australia*.

## Preventing Sexual Harassment

A lack of accountability for unsafe, disrespectful and discriminatory behaviour in the workplace sets the workplace tone, creating cultures where unlawful conduct is accepted and unchallenged.

On the other hand, clear expectations about appropriate behaviour, set and upheld by workplaces, can reduce the likelihood of relevant unlawful conduct occurring.<sup>9</sup>

### Getting started

#### Why now?

As a leader now, you have a role to improve your workplace through challenging the status quo and committing to yourself and your colleagues to build a culture that supports everyone's safety, fairness, and equality.

It is tempting to respond to the data on sexual harassment and discrimination by minimising, justifying or shifting blame. However, the culture and systems that enable these behaviours have been in place for decades. Many of you, as leaders in hierarchical workplaces, have inherited unhealthy and unsafe working cultures.

You have legislative obligations to prevent these behaviours from occurring. However, we also know the cost to businesses and workplaces is significant. There is a clear correlation between diversity and business performance. Analysis of 2019 data shows that companies in the top quartile for gender diversity within executive teams were 25% more likely than companies in the fourth quartile to have above-average performance. With greater representation of gender diversity, the higher the likelihood of better performance.<sup>10</sup>

It may also be tempting to shift responsibility to others. However, national and state-based legislation recognises the need for leadership in this area. While everyone has a role to play, as a leader you have significant influence and the greatest role to play in this important work.

#### Be personable and authentic

Being open about your organisation's challenges – and the work ahead to create a safe and inclusive workplace – is essential to building, or re-establishing, trust with employees. Reflect on your own journey about learning how things can be improved. This role models the importance of self-reflection for effective behavioural and cultural change.

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<sup>9</sup> Australian Human Rights Commission. (2020). *Respect@Work: National inquiry into sexual harassment in Australian workplaces*.

<sup>10</sup> McKinsey & Company. (2020). *Diversity wins: How inclusion matters*.

## Preventing Sexual Harassment

The [leadership statement](#)<sup>11</sup> drafted by the Champions of Change Coalition provides an example that reflects on personal commitments. You can adapt it for your workplace needs.

Below we've included examples of 'leading from the front' that leaders across the legal sector in Victoria have cited as being key to enabling change in their workplace.

### **Understand the business case for change**

This work is not only important for adhering to the law, but also about business success. The Women's Legal Service Victoria [Starts with Us Business Case](#)<sup>12</sup> outlines the key benefits your business will receive by advancing respect and equality in your workplace.

Investing in diversity, equity and inclusion, and ending sexual harassment within organisations is not a 'nice thing to do', it's critical to business success.

### **Understand your organisation's strengths and challenges**

You can only lead change when you understand what needs to change.

It is important to understand how employees experience the culture of the organisation. Anonymous staff surveys are useful to hear what is happening on the ground, particularly if there is an issue that employees may not feel safe talking to leadership about.

The Women's Legal [Starts with Us Survey instrument](#) provides you with example questions about how to capture these insights. Furthermore, interviews and focus groups allow for greater depth of insight. Research by Women's Legal Service Victoria into intersectional experiences of harassment in the legal profession,<sup>13</sup> highlights several concerns about how women of colour, and other marginalised groups are treated in legal workplaces and the additional barriers to speaking up when the culture is not safe.

### **Build skills, knowledge, and capability in your staff**

Education and training are essential ways to embed knowledge, skill and capability. You may have existing eLearn modules that can be updated to embed key messages and obligations outlined in this document. However, transformation occurs when key knowledge and skills are embedded across learning and development modules, and when there are standalone specialist trainings to supplement or showcase the importance of particular skill sets.

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<sup>11</sup> Champions of Change Coalition. (2020). *Leadership Shadow Statement: Champions of Change on Workplace Sexual Harassment*

<sup>12</sup> Women's Legal Service Victoria. (2023). *Starts with Us: Business case for taking action on workplace sexual harassment*.

<sup>13</sup> Women's Legal Service Victoria. (2023). *Not Safe, Not Suitable: Experiences of workplace discrimination and sexual harassment in Victoria's legal and justice workforce*

## Preventing Sexual Harassment

As a leader in your workplace, you have a role in ensuring there is:

- compulsory training on diversity, equity and inclusion that incorporates examples of sexual harassment and gendered violence as well as information on your organisation's policies and procedures and available supports.
- training for supervisors and managers on having difficult conversations and providing feedback on behaviour. This is key to shifting culture and setting clear expectations about workplace behaviour, but often a skill that is overlooked.
- guidance on responding to disclosures that is shared with employees and training provided for key roles and functions, as well as made available for any staff who are interested.
- training to people managers on bystander skills such as calling out and calling in. Calling in refers to educating to explain why certain behaviours are harmful and how they can be changed; rather than calling out, which is addressing the behaviour head on and used to reprimand.
- Allyship programs for senior leaders to help recognise privilege and be accountable to marginalised groups. Such sessions can focus on how leaders can work in partnership as an ally sustainably, rather than ad-hoc activity.

### **Being an ally**

This is difficult work. It requires self-reflection, vulnerability and courage. Research shows that many people disagree with sexist behaviours they witness, but do not speak out because others are not doing so. There are also the potential costs to one's career in calling out others' behaviours if leaders are not standing up and leading with you. That is why allies are so important.

Find your peers within the organisation and outside to work with - and debrief with. Start by inviting men, women and non-binary people within your team and your leadership peers to a conversation about psychological safety and workplace culture. These conversations can be uncomfortable, so preparation is key. Begin by doing your research into the experience of others, listening and then asking questions. If this is an area you have not yet explored, you may get things wrong at first. That's ok. It takes practice to get the language and actions right.

## Preventing Sexual Harassment

If you don't know, ask. There are many resources to use to start conversations such as the [10 gender equality ideas for men in the workplace – and how you can help](#).<sup>14</sup>

Recognising your privilege and the opportunities that privilege offers is essential. Open, trusted and constructive conversations occur when leaders are curious about others' experiences, without defensiveness.

### Engaging men

One of the key levers for change to is to engage men in the work to prevent harassment. While only a minority of men are disrespectful or use violence, all men can be part of the solution; as men work within the culture that perpetuates violence and disrespect. Remaining silent and not taking action when you see or hear disrespect can be seen as condoning these behaviours.

Finding ways to work with other men in allyship is essential to creating equal and respectful working environments. While some men hold significant power and privilege, others experience discrimination and oppression, such as racism, classism, homophobia and ableism. So, it's important that equality efforts use targeted approaches that reflect the diversity of men in the workplace.

Building and sustaining a range of workplace allies helps to build accountability, but also sustainability. This work is challenging, and we need to draw on others to be able to sustain the work in the long-term.

At times, you may feel like you need to step in and 'fix things' alone, however that can be a disempowering approach to allyship. Instead, take time to listen to, support and amplify women's voices and those of other marginalised people in your workplace. For example, you think to introduce gender quotas, however this may result in backlash towards the women in your workplace. Instead ask women how they would like the organisation to progress equality.

### Women in leadership

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<sup>14</sup> Champions of Change Coalition. (2021). *10 Gender Equality Ideas for Men in the Workplace – And How You Can Help*.

## Preventing Sexual Harassment

It is also important to recognise that women in leadership also hold power, influence and relative privilege, and that you also need to consider how you can be an ally to other women; particularly those who experience racism, ableism and homophobia.

As women, leadership also has additional challenges. Younger women and other employees who experience discrimination will often look to you as role models, for guidance, and for support when incidents occur. You may also experience the psychological impacts of sexist behaviours, risk your career by calling out sexist and unsafe behaviours out, and spend relationship capital, time and energy driving change. Support of other women and allies supports leaders to thrive. Connect with others doing this work, through informal and formal networks. Collective care is important.

### **Leading change**

#### **Think about how far your influence can reach**

Understand your influence by reading the Champions of Change Coalition resources about leading change on gender equality.<sup>15</sup> The leadership shadow looks at the sphere of influence leaders have, including what you say, how you act, what you prioritise and how you measure change. This is a great place to start to prompt reflection and assess your current leadership style and approach.

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<sup>15</sup> Champions of Change Coalition. (2020). *Leadership Shadow: Your impact in action*. Retrieved from <https://championsofchangecoalition.org/resource/leadership-shadow/>



Source: [Champions of Change Coalition, The Leadership Shadow, 2023, accessed February 2025.](#)

### Have difficult conversations

Addressing unacceptable behaviours – such as harassment or bullying – early is crucial because it prevents these actions from becoming ingrained and normalised. Early intervention stops the escalation of harmful behaviours which, if left unchecked, can develop into a consistent pattern, leading others to believe such conduct is acceptable.

While these conversations may be difficult, it is best they take place at the first possible opportunity, e.g., when a manager or leader becomes aware there are concerns. These conversations can initially be informal, and an opportunity to provide feedback. However,

## Preventing Sexual Harassment

should the behaviour continue or escalate, then the matter may need to be referred to your workplace's complaints, grievance or disciplinary processes.

Here are some examples of how to approach a difficult situation:

- “Hi [name], do you have a moment to chat? I wanted to discuss something that came up during the meeting earlier today. I noticed that when you made the comment about (the remark), it seemed to cause some discomfort among the team.”
- “I’d prefer if you didn’t use that terminology/turn of phrase, it makes me feel uncomfortable.”
- “I know it’s important to have a laugh, but I didn’t find that funny.”

Here is a guide from the [Fairwork Ombudsman on managing difficult conversations](#) that can support leaders to develop their skills and have a guide to these discussions.

Addressing incidents promptly fosters a respectful and positive environment, reinforcing clear standards of behaviour and helping individuals correct course before more serious consequences arise.

### **Trauma-informed practice tip**

When providing support to someone who has complained about a colleague’s behaviour, the temptation can be to remove that person from the situation to enable them to feel safe. Unfortunately, this can have unintended consequences. It can feel ‘penalising’ if they are removed, for example, from a great project or opportunity that supports their career progression. So, it’s important to assess all the options and work with the person affected to identify solutions they feel comfortable with and that won’t be harmful to their development but also send a clear message that the behaviour reported is unacceptable.

### **Respond to incidents in a trauma-informed and person-centred way**

Your role is to respond sensitively and appropriately to disclosures and incidents. As a leader you are likely to receive formal and informal complaints about work culture and practices more generally, rather than specific allegations.

Unless your role specifically includes addressing unlawful conduct in the workplace, your role as leader is to take the complaint seriously and bring this issue to the attention of responsible persons, whilst maintaining confidentiality.

## Preventing Sexual Harassment

Below is some suggested wording for when someone raises a concern to you:

- “I appreciate the courage it took for you to come to talk to me. Thanks for bringing this to my attention. As a leader/manager, I take this very seriously.”
- “I am not an expert in discrimination/harassment/bullying but would like to ensure that this is addressed appropriately by our workplace in accordance with our policy.”
- “If you are comfortable, I will raise this with [name of person/s] maintaining your confidentiality.”
- “Employers have a duty to prevent discrimination/harassment/bullying. Unlawful conduct is something we need to address systemically, and I will bring this to the attention of the team responsible.”
- “Do you need a support service to talk to externally? Or would you like me to facilitate a meeting with... “

A common form of resistance to gender equality is the notion that workplaces cannot address discrimination unless a specific complaint is made. This is incorrect as employers have a positive duty to prevent discrimination, harassment and victimisation, regardless of a complaint and therefore should take proactive steps to do so before complaints arise.

This is where providing feedback to staff informally about their behaviour is a critical step change to interrupt patterns of unacceptable behaviour and ensures reasonable steps are taken to reduce the severity of the incident, or likelihood of reoccurrence.

Ensure that when you are sending out communication or speaking about the issue, you provide information about support services, including specialist supports that recognise the diverse nature of victim-survivors such as LGBTIQ+, men, different ethnicities etc.

### **Prepare for resistance**

As you do this work you will encounter others who are not receptive to change, therefore it's helpful to prepare. When addressing this resistance some people respond well to statistics, some to stories and narratives about the benefits to colleagues and the business in doing this work and others to the importance of mitigating risk. Evidence suggests that when we talk about gender equality the following messages resonate.

- Say equality and safety matter. “We have a responsibility to ensure our workplaces is safe for women to work free from sexual harassment.”

## Preventing Sexual Harassment

- Focus on cause, not just outcomes.” It’s wrong to pay women less for the same work.”
- Talk about men’s advantage (not just women’s disadvantage). “Women are underrepresented in leadership roles and are more likely to be overlooked for promotions.

These examples illustrate what resistance to gender equality and respect initiatives can look like. A full list of examples can be found in [Our Watch’s Guide to Resistance and Backlash prepared with Respect Victoria](#). The table below provides further information on forms of resistance you may encounter and suggested responses:

Type of resistance	Illustrations of resistance	Suggested responses
<b>Denial of the problem or challenging the case for change.</b>	<p>“There is no harassment in our organisation.”</p> <p>“No one has ever told me they have been harassed.”</p> <p>“Everyone here gets paid based on merit, regardless of gender.”</p>	<p>“Sexual harassment is common in this sector but not openly spoken about.”</p> <p>There is a gender pay gap in this sector.”</p> <p>“It is our responsibility to understand if there is a problem in our organisation and how to address it.”</p>
<b>Refusal to recognise responsibility or shifting the blame.</b>	<p>“Women need to toughen up to work in this industry.”</p> <p>“Stop talking about women. These are universal issues.”</p> <p>“It’s not my job to forward that information to HR.”</p> <p>“Women don’t want to work full time.”</p>	<p>“As leaders we have a legal and ethical duty to address harassment/unlawful conduct/inequality/discrimination in our organisation.”</p> <p>“Times and standards have changed.”</p> <p>“It is not one person’s job to address this. We need to address it as a team/organisation.</p>

## Preventing Sexual Harassment

<p><b>Refusal to implement a change initiative or inaction on something agreed to.</b></p>	<p>“We have no resources to do this work.”</p> <p>“Our budget is set for the next few years.”</p> <p>“It’s not a priority right now.”</p> <p>“We report on a number of things already.”</p> <p>“That is HR’s job.”</p>	<p>“This is an area of compliance we need to resource as we do other things, such as fraud or cyber-security.”</p> <p>“This is an occupational health and safety issue, and we need to manage the risk to our employees and our business.”</p> <p>“It’s good business to address these issues.”</p>
<p><b>Appropriating frameworks and language to continue to use toxic behaviour.</b></p>	<p>“What about men’s rights?”</p> <p>“Targets are discriminatory against men.”</p>	<p>“There is a wealth of data demonstrating that women and non-binary people, particularly those from diverse groups, are discriminated against in workplaces, including in (type of organisation).”</p> <p>“This is a justice and equity issue.”</p>
<p><b>Reversing or dismantling a change initiative.</b></p>	<p>“We have tried all that and nothing changes.”</p> <p>“No one took up the training.”</p>	<p>“This change does not happen overnight. It’s long-term work.”</p> <p>“We need to lead by example, demonstrating that as leaders we value these initiatives, and that people will not be penalised.”</p>
<p><b>Aggressive, attacking response.</b></p>	<p>“All you do is talk about sexual harassment.”</p>	<p>“That language is unacceptable and does not reflect an understanding of our obligations.”</p>

### Lead from the front

Hold yourself and other managers accountable for meeting diversity and inclusion goals, including making these goals part of performance conversations. Admit mistakes openly and

## Preventing Sexual Harassment

demonstrate a commitment to continuous improvement in promoting a more equitable workplace.

Some examples of this in practice are:

- including diversity, equity, and inclusion as agenda items in all staff meetings and leadership meetings or off-site / away days.
- embedding particular targets for leaders on diversity, equity, inclusion, and wellbeing into performance reviews.
- when holding events, or panel discussions, ensure a diverse range of speakers that reflect the workplace and industry.
- ensure diversity, equity and inclusion efforts are reported to the Board.
- initiate and engage in conversations about gender inequality, discrimination, and sexual harassment, even when uncomfortable, and provide feedback to those engaging in unacceptable behaviours.

### **Intersectional practice tip**

As a senior leader you will be across your organisation's staffing profile and can take immediate steps to support marginalised staff. For example, you could engage in a "Voices Of" program where diverse staff members share their career journeys in organisation-wide newsletters and panel discussions. This can amplify the experiences of staff from underrepresented backgrounds, creating visibility and new networking opportunities.

You could also consider a mentor or sponsorship program for early-career employees from marginalised backgrounds, advocating for them in senior leadership meetings and proactively connecting them with opportunities to improve their experience. Each of these initiatives serves to redress inequality in the workplace and break down the traditional hierarchical barriers to senior leaders which may enable greater trust, transparency and increase psychological safety for junior or early career employees.

### **Communicate with staff and manage expectations**

Let employees know about your intentions, the change process and what standard of behaviour are expected now, and in the future. Assure employees that changes won't occur

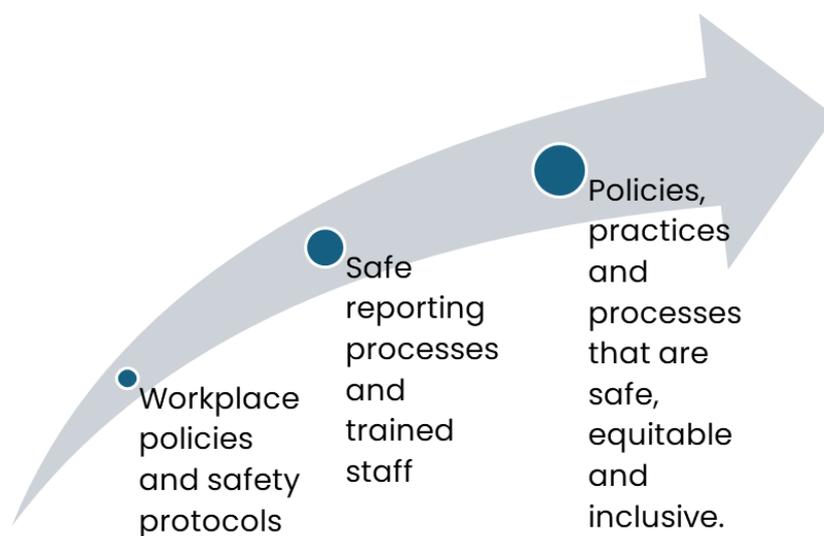
## Preventing Sexual Harassment

overnight, but there are small things we can work towards daily, to improve the working culture and environment.

### Create feedback loops

When you've engaged in a staff survey or asked for insight or recommendations to improve workplace culture, ensure that you share the findings and key action points with all employees so they can understand what has been considered and what will be acted on. This helps to build trust and is crucial to continuous improvement.

### Monitor and evaluate you progress



Track your efforts, show your commitment to staff and demonstrate your commitment to meeting your workplace's positive duty obligations.

For some workplaces this is a requirement under the *Gender Equality Act 2020* (Cth), and part of the Workplace Gender Equality Agency reporting standards, but for all workplaces it is a key way to create a feedback loop to your employees and celebrate success over time.

You can use the Women's Legal Service Victoria [Starts with Us Report template](#) to showcase your progress externally to your clients, stakeholders, and, when required, to regulatory bodies.

It can be difficult to monitor and evaluate impact for prevention efforts, that's why we have an Impact Evaluation Guide that outlines key indicators and provides examples on how you can monitor and evaluate impact over time.

### Ask for help: Consult with experts

## Preventing Sexual Harassment

As a senior leader professional, your expertise is in managing and leading teams. Whilst a significant part of this work is related to compliance with legislation, in order to create change action is needed to shift cultures. There are organisational development, equality and discrimination experts who can provide advice, guidance, deliver training and conduct external reviews or evaluation to support your journey for behavioural and cultural change.

### **Support work-life balance**

Encourage and model work-life balance by taking and promoting the use of parental leave, flexible working hours, and other supportive policies that benefit all employees, regardless of gender. Many industries are known for having a long hours working culture. However, this is a key workplace psychosocial hazard and risk. For instance, a recent parliamentary inquiry into **Ambulance Victoria** revealed that long hours, understaffing, and workplace stress contributed to paramedic burnout, poor decision-making, and, tragically, delays in emergency response — even fatalities.<sup>16</sup>

Having flexible working practices can enable all staff to maintain their physical, emotional and mental wellbeing, in addition to catering to diverse caring responsibilities that employees hold. While having flexible work has historically been understood to benefit women, the impacts have been felt by all genders in the workplace.

### **Build and maintain a strong workplace infrastructure**

A key role of leaders is to support the development of workplace infrastructure that is reflective of current legislative obligations, good practice and embedded organisational values. Policies alone do not shift culture and practices, and must sit alongside training, protocols and ongoing communications.

## Implement appropriate workplace conduct policies

A sexual harassment policy is an important start. Consider expanding this policy to include other harmful workplace practices including bullying, discrimination and victimisation.

Many people are not clear what behaviours constitute sexual harassment as laws related to sexual harassment, bullying and discrimination have changed significantly over the past 10 years. Unlike criminal law it is the impact, not the intent that matters. This change in community standards should be reflected in your workplace policy.

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<sup>16</sup> [Updating the Psychological Health OHS Regulations – On the Record](#)

## Review your occupational health and safety framework and update your risk register

Occupational health and safety legislation has changed significantly in Australia, and more so in Victoria in recent years. These changes reflect a significant recognition of the impact on mental wellbeing, and the impact that violence and harassment may have on psychosocial hazards and risks in the workplace.

While anyone can experience sexual or gender-based harassment, some employees are at greater risk. Factors influencing a person's experience of discrimination may include their gender, their sexual orientation, whether they have a disability, whether they are from culturally and linguistically diverse communities, whether they identify as Aboriginal and Torres Strait Islander, whether they are pregnant or breastfeeding, their marital status and their class. Employees who experience multiple forms of discrimination and harassment may also be less likely to report conduct if it occurs.<sup>17</sup>

Sexual and gender-based harassment also rarely occur in isolation. Other psychosocial hazards such as high job demands, violence and aggression, poor organisational justice, low job control, poor support, remote and isolated work can also increase the risk of this conduct. Employees may also be less likely to report harassment risks if these other psychosocial hazards are not appropriately managed.<sup>18</sup>

Many of the factors that increase the likelihood of harassment identified by Safe Work Australia, in the Model Code of Practice, are commonly present in :

- poor understanding amongst employees and leaders of the nature, drivers and impacts of sexual and gender-based harassment.
- acceptance of disrespectful and inappropriate behaviour / tolerance for breaking rules and breaching policies generally.
- power imbalances along gendered lines (e.g. workplaces where men hold the majority of management and decision-making positions).
- staff interacting with third parties (such as customers or employees in other workplaces).

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<sup>17</sup> Australian Human Rights Commission. (2020). *Respect@Work: National Inquiry into Sexual Harassment in Australian Workplaces*.

<sup>18</sup> Safe Work Australia. (2022). *Model Code of Practice: Managing psychosocial hazards at work*.

## Preventing Sexual Harassment

- a hierarchical workplace with limited opportunities to identify, report or manage harmful behaviours.
- lack of diversity in the workplace.
- a workplace divided by gender / gendered segregation along occupational lines (e.g., more men in leadership roles and more women in administrative support roles).
- consumption of alcohol, especially at work social events.
- employees not understanding sex discrimination, sexual harassment, and other unlawful behaviours.
- lack of, or poor, responses to holding people accountable for unlawful behaviours in the past (or not applying a policy or code of conduct consistently).

### **Ensure reporting processes are safe and confidential and take complaints seriously**

There are a lot of references to ‘taking a trauma-informed approach’, but what does it mean in practice. Workplace grievance procedures have historically been modelled on approaches to criminal and civil justice, despite workplaces not being courts of law. There is a lot of improvement to be made when considering a safe or trauma-informed approach to reporting and complaints processes.

However, it is possible to balance principles of procedural fairness with being trauma-informed and victim centred. Below are considerations when introducing or reviewing policies and procedures in your workplace:

- a trauma-informed and psychologically safe workplace reporting process prioritises the wellbeing, dignity, and agency of those coming forward.
- clear, accessible reporting pathways with multiple options for disclosure, including anonymous and informal channels.
- If further action is needed, the process is clearly explained — including what to expect, what steps might be involved, and what kind of information a person may need to share.
- the process is victim-survivor-centred, meaning individuals are given options over how their report is handled, with transparent information on next steps, timelines, and available support.
- confidentiality is maintained.

## Preventing Sexual Harassment

- responses are timely, fair, and free from victimisation.
- training is provided to those involved in managing complaints, grievance or disciplinary procedures on the process and adopting a trauma-informed response which includes interacting with compassion, validating experiences, and not retraumatising those reporting.

### Support services in Victoria

If you or a colleague have experienced sexual harassment or other unacceptable behaviours, there are both internal and external support services. You can select a range of support services listed below and are also free to seek advice from someone at work, a friend, or a health professional.

#### Internal Support

Internal support mechanisms can include trained HR or OHS staff as well as confidential counselling and support for personal or professional matters through your workplace's Employee Assistance Program provider (if your workplace has one).

**Employee Assistance Program (EAP):** If your workplace offers an EAP, this service can provide short-term support and general strategies for managing stress, personal issues, or workplace concerns. However, EAP practitioners may not always have specialised training in responding to gendered violence or sexual harassment.

*Note: Not all workplaces provide an EAP, particularly smaller businesses or casualised environments. If an EAP is not available, or if you would prefer to speak with someone external, you can contact any of the services below.*

#### External Support Services

**1800 Respect** 24/7 counselling for anyone affected by family violence or sexual assault.  
Phone: 1800 737 732 **Website:** [1800respect.org.au](http://1800respect.org.au)

**Lifeline** 24/7 crisis support and suicide prevention service.  
Phone: 13 11 14 **Website:** [lifeline.org.au](http://lifeline.org.au)

**13Yarn** 24/7 culturally safe crisis support for Aboriginal and Torres Strait Islander people.  
Phone: 13 92 76 **Website:** [13yarn.org.au](http://13yarn.org.au)

**Mensline** counselling and support for men.  
Phone 1300 78 99 78 **Website:** [mensline.org.au](http://mensline.org.au)

**Headspace** support for young people aged between 12 and 25 years.  
Phone: 1800 650 890 **Website:** [headspace.org.au](http://headspace.org.au)

**Sexual Assault Crisis Line** after-hours, crisis counselling service for sexual assault victims.  
Phone: 1800 806 292 **Website:** [sacl.com.au](http://sacl.com.au)

#### Legal Services

**Working Women's Centre Victoria** free legal assistance about workplace issues for working women and non-binary people.  
Phone: 1800 992 842 **Website:** [wwcvic.org.au](http://wwcvic.org.au)

## Preventing Sexual Harassment

**Q+ Law** a safe entry point to access legal assistance for all Victorians who identify as part of the LGBTIQ+ community. **Website:** [www.qlaw.org.au](http://www.qlaw.org.au)

**Victoria Legal Aid** assistance for people with legal problems including sexual harassment and discrimination. **Phone:** 1300 792 387 **Website:** [legalaid.vic.gov.au/sexual-harassment](http://legalaid.vic.gov.au/sexual-harassment)

### External reporting to regulatory bodies

If you would prefer to report the behaviour to someone outside of your current workplace, you can speak with:

- **Australian Human Rights Commission** – **Website:** [humanrights.gov.au/our-work/sex-discrimination](http://humanrights.gov.au/our-work/sex-discrimination)
- **Victorian Equal Opportunity and Human Rights Commission** – **Phone:** 1300 292 153  
**Email:** [complaints@veohrc.vic.gov.au](mailto:complaints@veohrc.vic.gov.au). **Website:** [humanrights.vic.gov.au](http://humanrights.vic.gov.au).  
People who have experienced sexual harassment may [lodge a complaint](#) to try and resolve the dispute via a dispute resolution process.
- **Fair Work Commission** support with workplace disputes. **Website:** [fwc.gov.au/apply-or-lodge](http://fwc.gov.au/apply-or-lodge)
- **WorkSafe** free OHS support and advice, reporting of sexual harassment including doing so anonymously. **Phone:** 1800 136 089. **Website:** [worksafe.vic.gov.au/report-incident](http://worksafe.vic.gov.au/report-incident)

In addition to the national and state-based regulators, your profession may have industry-based regulators, professional bodies or councils you can report to.

### Victoria Police

If you are concerned for someone's safety, or in an emergency situation, call 000 for urgent police assistance.

Acts such as indecent exposure, stalking, sexual assault and obscene or threatening communications (for example phone calls, letters, emails, text messages and posts on social networking sites) may also be offences under criminal law. A person who has experienced sexual harassment or sexual violence may want to report to the police by contacting local Sexual Offences and Child Abuse Investigation Team. [police.vic.gov.au/sexual-offence-child-abuse-teams-centres](http://police.vic.gov.au/sexual-offence-child-abuse-teams-centres)