



Australian Government

**A Roadmap for Respect:
Preventing and Addressing
Sexual Harassment in
Australian Workplaces**

Foreword

Our response to the Respect@Work Inquiry is about creating a new culture of respectful behaviour in Australian workplaces.

A respectful culture *should* be commonplace. It *should* be business as usual. But the findings of the Sex Discrimination Commissioner's Respect@Work Inquiry demonstrate that too many workplace cultures fall short.

Preventing and addressing workplace sexual harassment is an absolute priority for our Government. Responding to sexual violence and sexual harassment is a priority in the *Fourth Action Plan under the National Plan to Reduce Violence Against Women and their Children 2010-22* and supporting women to be safe at work and home is also a priority in the *2020 Women's Economic Security Statement*.

Tackling sexual harassment is central to advancing both women's safety and economic security.

The Respect@Work Report provides a comprehensive set of recommendations for addressing sexual harassment in the workplace. Our response to these recommendations is based on our values of respect, dignity, choice, equality of opportunity and justice, and is guided by five key principles:

1. everyone has a **right to be safe at work**;
2. policy should be **evidence-based**;
3. **prevention** must be our focus;
4. **simplicity** and **clarity** makes the law easier for Australians to understand and access;
5. laws must be **consistent** with broader legal frameworks and fundamental legal principles.

Accordingly, the Government's response recognises and supports the need to invest in research and the collection of enhanced data so we can continually improve using evidence-based policy that's proven to work. It is far better to prevent the harm of sexual harassment and so we recognise the need for education and training resources to equip present and future employers and employees with the tools to create a **positive workplace culture**.

The Government hears the Sex Discrimination Commissioner's observation that the duplication, conflicting definitions and concepts and unclear pathways for resolution that currently exist create challenges for dealing with matters of this kind when they arise. Our response seeks clear paths to maximise Australians' access to justice. Clear obligations and consistent tests in as few places possible ensures employers and employees know the applicable standards and can avoid harm.

We can all play a role to build and maintain workplaces that are safe and respectful.

It is important that all levels of government, industry groups, professional organisations, employers, workers and the private sector support the cultural change necessary to ensure safe workplaces.

For those recommendations that require action from the state and territory governments, the Government will lead discussions through appropriate national forums including National Cabinet, the Women's Safety Taskforce and the Meeting of Attorneys-General.

Where relevant, the Government will also work with employers, industry and professional groups to implement those recommendations directed to the private sector.

Cooperation from state and territory governments and the private sector will be critical to the successful implementation of these recommendations.

This Roadmap for Respect complements the work we are doing to improve women's safety, including work developing the next National Plan to Reduce Violence against Women and their Children.

In doing so we recognise the different needs of women in different walks of life.

This Roadmap for Respect provides a clear and comprehensive path forward for Australia to prevent and address sexual harassment, while supporting meaningful cultural change in our workplaces.

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A Roadmap for Respect: Preventing and Addressing Sexual Harassment in Australian Workplaces

Sexual harassment is unacceptable in any context – whether in the workplace or elsewhere. It is unacceptable that 39% of women and 26% of men have experienced sexual harassment at work in the recent past.¹ It is unacceptable that the burden of sexual harassment falls heavily on individuals and their families, particularly women. It is unacceptable that sexual harassment costs the Australian economy \$3.8 billion annually.² Sexual harassment cannot continue. All people must be safe at work and all workplaces must be free from sexual harassment.

In 2018, the Government funded the Australian Human Rights Commission (the AHRC) to undertake a landmark National Inquiry into Sexual Harassment in Australian Workplaces. The inquiry, jointly announced by the Sex Discrimination Commissioner, Kate Jenkins, and the then Minister for Women, the Hon Kelly O’Dwyer MP, was the first of its kind in the world. The product of this inquiry – the Respect@Work Report – provides a comprehensive set of recommendations for addressing sexual harassment in the workplace. The Report found that sexual harassment is a pervasive and widespread issue across Australian society, and that the existing system for addressing sexual harassment is complex and confusing for both workers and employers.

The Government recognises the courage of those people who shared their personal experiences with the inquiry, and acknowledges the significant value of their contributions in informing the Report and this response. The Government also thanks the Sex Discrimination Commissioner and her team for their considered and thorough work in conducting the inquiry.

A whole-of-society response

In this Roadmap, the Government sets out its strong, long-term commitment to building a culture of respectful relationships in Australian workplaces by agreeing to (in full, in part or in principle) or noting all 55 recommendations in the Report.

As the Report highlights, preventing and addressing workplace sexual harassment requires a nation-wide effort and whole-of-society support. The Commonwealth, state and territory governments, industry groups, professional organisations, employers, workers and private sector all have an ongoing role to play in supporting cultural change and creating safe workplaces.

Funding of projects in this Roadmap for which the Commonwealth bears responsibility will be detailed in the forthcoming federal budget.

For those recommendations that require action from the state and territory governments or the private sector, the Government is committed to leading and facilitating discussions through appropriate national bodies, but notes that cooperation from these governments and private sector entities will be critical to the successful implementation of those recommendations. Where

¹ Australian Human Rights Commission, ‘Everyone’s business: Fourth national survey on sexual harassment in Australian workplaces’ (2018) (‘2018 National Survey’) page 8, as cited in Australian Human Rights Commission, ‘Respect@Work: National Inquiry into Sexual Harassment in Australian Workplaces Report’ (2020) (‘the Report’) page 10.

² Deloitte Access Economics, ‘The Economic Costs of Sexual Harassment in the Workplace (Final report)’ (2019) as cited in the Report page 16.

appropriate, the Government will also support employers, industry and professional groups to implement those recommendations directed to the private sector.

This Roadmap provides a clear and comprehensive strategy forward for Australia to build a culture of respectful relationships in the workplace.

Commonwealth Reform Priorities

This section sets out the Commonwealth's reform priorities and strategy for implementing those recommendations directed at the Australian Government.

In 2020, the Government committed \$2.1 million, over three years, through the *2020 Women's Economic Security Statement (2020 WESS)* to fund the establishment of the Respect@Work Council (the Council – referred to as the 'Workplace Sexual Harassment Council' in the Report) ([Recommendation 14](#)) and implementation of eight other recommendations ([Recommendations 2, 9, 34, 36, 37, 40, 48 and 52](#)). These recommendations were prioritised for implementation because they provide a foundation for implementing other recommendations in the Report.

Work has already commenced on the following:

- Developing the Respect@Work website as an online platform to provide free, practical information and education resources for employers and workers ([Recommendation 48](#)).
- Developing a package of training and education resources on the nature, drivers and impacts of sexual harassment as well as the rights and responsibilities of workers and employers ([Recommendations 9, 34, 36, 37, 40 and 52](#)).
- Preparing for the fifth National Survey on Sexual Harassment in Australian workplaces ([Recommendation 2](#)).

Respect@Work Council (referred to in the Report as the 'Workplace Sexual Harassment Council')

The Council, which is chaired by the Sex Discrimination Commissioner, Kate Jenkins, has already been established and held its inaugural meeting on 19 March 2021 ([Recommendation 14](#)).

The Council is comprised of representatives from key Commonwealth, state and territory regulators and policy-makers with responsibility for preventing and addressing sexual harassment, including the Fair Work Ombudsman (FWO), Safe Work Australia (SWA), Fair Work Commission (FWC), and the Australian Council of Human Rights Authorities.

| Recommendation | Government Response |
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| <p>Recommendation 14: The Workplace Sexual Harassment Council, supported by a permanent secretariat, be established immediately and funded by the Australian Government. Its objective is to improve coordination, consistency and clarity across the key legal and regulatory frameworks, to improve prevention and response to sexual harassment.</p> <p>The Council is to be chaired by the Sex Discrimination Commissioner and its core membership include representatives from:</p> <ul style="list-style-type: none"> • the Fair Work Commission and Fair Work Ombudsman • Safe Work Australia and the Heads of Workplace Safety Authorities • the Heads of Workers’ Compensation Authorities • the Australian Council of Human Rights Authorities. <p>The Council will also include associate members to provide expertise and advice on specific issues or areas of work relating to sexual harassment. Associate members include representatives across government, non-government, and independent organisations, including employer and union representatives.</p> | <p>Agreed: The Government provided funding for the establishment of the Council through the 2020 WESS.</p> <p>The first meeting of the Respect@Work Council was held on 19 March 2021.</p> <p>The Government will consider additional funding for the Council to expand its function as part of the 2021-22 Budget process.</p> |

Data collection and research

Under the 2020 WESS, funding was provided to conduct a fifth national survey in 2022 to gather and share consistent data on workplace sexual harassment ([Recommendation 2](#)). In addition to this survey, the Government will ask the Council to work with regulatory agencies to collect data on sexual harassment issues, including complaints and settlement outcomes, and establish formal information sharing arrangements ([Recommendation 3](#)). These initiatives will provide a coordinated and consistent data set to inform guidance and support for workers and employers, policy development and future legislative reform.

As part of this Roadmap, the Government will conduct research, in consultation with the Council, on trends in the amount and type (general, aggravated and exemplary) of damages awarded in sexual harassment matters and whether this reflects contemporary understandings of the nature, drivers, harms and impacts of sexual harassment ([Recommendation 24](#)). This research will be used to inform education initiatives for judges, magistrates and tribunal members ([Recommendation 40](#)) and other training initiatives.

In addition, the Government will ask the Council to lead the development of indicators and methods for measuring and monitoring sexual harassment, prevention and response. These indicators will inform the collection of data relating to sexual harassment at the national, industry and workplace level ([Recommendation 46](#)). The Government will also review the collection parameters of the Australian Bureau of Statistics to ensure that data relevant to women’s workforce participation, safety and leadership is being collected.

| Recommendation | Government Response |
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| <p>Recommendation 2: The Commission conduct a nationally representative survey every four years, funded by the Australian Government, that:</p> <p>a) provides data on sexual harassment, including the prevalence, nature, reporting, impacts of and responses to sexual harassment in the workplace, and identifies trends over time</p> | <p>Agreed: Funding has been provided through the 2020 WESS for the AHRC to conduct this survey in 2022.</p> |

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| <p>b) provides detailed industry data which allows analysis across and within industries</p> <p>c) is accessible and adequately captures experiences of sexual harassment across all population groups, including people of culturally and linguistically diverse backgrounds.</p> | |
| <p>Recommendation 3: Agencies that handle workplace sexual harassment matters work with the Workplace Sexual Harassment Council (as recommended in Recommendation 14) to:</p> <p>a) collect an agreed de-identified data set relating to workplace sexual harassment enquiries, complaints, claims and settlement outcomes to contribute to a coordinated system of annual reporting on workplace sexual harassment metrics</p> <p>b) establish formal arrangements for information sharing and data exchange on enquiries, complaints and claims relating to workplace sexual harassment matters.</p> | <p>Agreed: The Government will ask the Council to develop an agreed data set and establish information sharing arrangements.</p> <p>The Government will consider additional funding for the Council to support the implementation of this recommendation as part of the 2021-22 Budget process.</p> |
| <p>Recommendation 24: The Australian Government conduct further research on damages in sexual harassment matters and whether this reflects contemporary understandings of the nature, drivers, harms and impacts of sexual harassment. This research should inform judicial education and training.</p> | <p>Agreed: The Government will ensure that research will be undertaken on trends in the nature, type and quantity of damages awarded in sexual harassment matters, in consultation with the Council.</p> |
| <p>Recommendation 46: The Commission in consultation with the Workplace Sexual Harassment Council develop a set of good practice indicators and methods for measuring and monitoring sexual harassment prevalence, prevention and response.</p> | <p>Agreed: The Government will ask the Council to lead the development of indicators and methods for measuring and monitoring sexual harassment prevalence, prevention and response.</p> |

Education, training and resources

The Government agrees with the Report’s findings that more can be done to prevent sexual harassment from occurring through targeted education and training initiatives. The Government has already provided funding to produce and/or deliver a range of education and training for critical groups across the economy.

Under the 2020 WESS, the Government provided funding for the delivery of training to the FWC , FWO, SWA, work health and safety (WHS) regulators and workers compensation agencies on the nature, drivers and impacts of sexual harassment ([Recommendations 34, 36 and 37](#)). The Government notes that these agencies are independent and engagement from these agencies will be required to fully implement the recommendations. In addition, the Government provided funding for resources to be developed for young workers on workplace rights ([Recommendation 9](#)) and training for judicial officers and tribunal members ([Recommendation 40](#)).

The Government will ask the Council to develop guidance that identifies best practice principles for the use of non-disclosure agreements (NDA) in workplace sexual harassment matters ([Recommendation 38](#)).

In addition, the Government will ask the Council to engage with the Australian Communications and Media Authority (ACMA), the Australian Press Council (APC), and Our Watch, to develop and distribute clear guidelines to promote and support best practice reporting on sexual harassment by

the media ([Recommendation 13](#)). These guidelines will be critical for supporting meaningful and appropriate public discourse on sexual harassment matters.

Funding from the 2020 WESS is also being used to establish the Respect@Work website, which will provide a central hub for employers and workers to access up-to-date information, advice and resources on workplace sexual harassment ([Recommendation 48](#)).

| Recommendation | Government Response |
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| <p>Recommendation 9: Educational resources for young people of working age on workplace rights be identified, adapted to ensure relevance to workplace sexual harassment and promoted by the Australian Human Rights Commission and Fair Work Ombudsman for use in schools, tertiary education institutions and other settings that reach young people.</p> | <p>Agreed: The Government provided funding through the 2020 WESS for these educational resources to be developed.</p> <p>The Government will also ask the AHRC and FWO to promote these resources.</p> |
| <p>Recommendation 13: The Workplace Sexual Harassment Council (as recommended in Recommendation 14) work with the Australian Communications and Media Authority, the Australian Press Council and Our Watch to promote and support best practice reporting on sexual harassment by the media, including through:</p> <p>a) guidelines that promote the safe, responsible, victim-centred and gender-responsive reporting of sexual harassment</p> <p>b) practical measures that build the knowledge, skills and capacity of media professionals to implement best practice reporting on sexual harassment.</p> | <p>Agreed: The Government will ask the Council to engage with ACMA, the APC, and Our Watch, to develop and distribute clear guidelines to promote and support best practice reporting on sexual harassment by the media.</p> <p>The Government will consider additional funding for the Council to support development of these guidelines as part of the 2021-22 Budget process.</p> |
| <p>Recommendation 34: The Fair Work Ombudsman and Fair Work Commission, with guidance from the Workplace Sexual Harassment Council, ensure that their staff undertake training and education on the nature, drivers and impacts of sexual harassment to inform their work. Statutory office holders in these jurisdictions should also be supported and encouraged to undertake this training and education.</p> | <p>Agreed: The Government provided funding through the 2020 WESS for this training to be developed and delivered.</p> |
| <p>Recommendation 36: Safe Work Australia and WHS regulators, with guidance from the Workplace Sexual Harassment Council, undertake training and education on the nature, drivers and impacts of sexual harassment to inform their work.</p> | <p>Agreed: The Government provided funding through the 2020 WESS for this training to be developed and delivered.</p> |
| <p>Recommendation 37: Workers' compensation bodies, with guidance from the Workplace Sexual Harassment Council, undertake training and education on the nature, drivers and impacts of sexual harassment to inform their work.</p> | <p>Agreed: The Government provided funding through the 2020 WESS for this training to be developed and delivered.</p> |
| <p>Recommendation 38: The Commission, in conjunction with the Workplace Sexual Harassment Council, develop a practice note or guideline that identifies best practice principles for the use of NDAs in workplace sexual harassment matters to inform the development of regulation on NDAs.</p> | <p>Agreed: The Government will ask the Council to develop a practice note that identifies best practice principles for the use of NDAs in workplace sexual harassment matters.</p> |

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| <p>Recommendation 40: All Australian governments should:</p> <p>a) Ensure that relevant bodies responsible for developing training, programs and resources for judges, magistrates and tribunal members make available education on the nature, drivers and impacts of sexual harassment. This should be trauma-informed and in line with the principles of Change the Story.</p> <p>b) Support and encourage judicial officers and tribunal members across civil and criminal jurisdictions who may come into contact with victims of sexual harassment to undertake this education and training.</p> | <p>Agreed: The Government provided funding through the 2020 WESS for this training to be developed and delivered.</p> |
| <p>Recommendation 48: To support all workplaces to address sexual harassment, the Workplace Sexual Harassment Council will lead a new collaboration by unions, employers and employer associations called Respect@Work, which will deliver information, education and resources for workers and employers through an online platform.</p> | <p>Agreed: The Government provided funding through the 2020 WESS to establish the Respect@Work online platform.</p> |

Joined-up approach

The Government acknowledges that there must be ‘no wrong door’ for people seeking advice and support on workplace sexual harassment issues. That means that people seeking advice on sexual harassment matters should be referred to the appropriate service(s) (legal and/or health) regardless of the service or agency they first approach. To underpin a joined-up approach across agencies, support services, legal assistance providers, and other bodies, the Government will ask the Council to develop guidance materials for frontline service providers to ensure they can provide clear information on different regulatory schemes and appropriate referral pathways ([Recommendation 51 and 52](#)). This will ensure that all services providing information, advice and support in relation to sexual harassment provide consistent information.

In addition, the Report recommended that the AHRC be promoted as the central point for information on workplace sexual harassment. The Government agrees-in-principle that one agency should be promoted as the central contact point for workers and employers, but will ask the Council to identify the appropriate agency to take on this role over the long-term ([Recommendation 50](#)).

| Recommendation | Government Response |
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| <p>Recommendation 50: The Commission be promoted as the central contact point for information on workplace sexual harassment rights and responsibilities, including information about options for action and referral to alternative regulatory schemes, and referral to a range of victim support services.</p> | <p>Agreed-in-Principle: The Government agrees that one agency should be promoted as the central contact point for workers and employers, but will ask the Council to identify the appropriate agency to take on this role over the long-term.</p> |
| <p>Recommendation 51: Hotlines and similar services provided by other agencies and regulatory bodies under the Commission’s proposed new regulatory model (see Section 5) provide information and referral services in relation to workplace sexual harassment in a gender responsive manner, including:</p> <ol style="list-style-type: none"> detailed information about workplace sexual harassment under their regulatory schemes information about options for action and referral to alternative regulatory schemes referral to a range of victim support services | <p>Agreed: The Government will ask the Council to produce and develop guidance materials for frontline service providers to ensure they can provide clear information on different regulatory schemes and appropriate referral pathways.</p> <p>The Government will consider additional funding for the Council to develop these guidance</p> |

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| | materials as part of the 2021-22 Budget process. |
| <p>Recommendation 52: The Workplace Sexual Harassment Council:</p> <p>a) provide high-level advice on development of guidelines and resources to ensure that all services providing information, advice and support in relation to sexual harassment can provide accurate information, make appropriate cross-referrals, and collect consistent data</p> <p>b) after three years, consider the need for a centralised, accessible service to provide information and advice in relation to workplace sexual harassment.</p> | <p>Agreed: The Government will ask the Council to promote a joined-up approach and ensure that people seeking advice and support relating to sexual harassment are referred to the appropriate service(s) (legal and/or health) regardless of the service they first approach.</p> <p>The Government will consider additional funding for the Council to support this function as part of the 2021-22 Budget process.</p> |

Supporting disclosure of historical workplace sexual harassment

The Report recommends that the Government establish a disclosure process to enable victims of historical workplace sexual harassment to have their experiences heard and documented with a view to promoting recovery ([Recommendation 27](#)). The Government supports the intention and purpose of this recommendation and recognises the importance of providing victims of historical workplace sexual harassment the opportunity to share their stories.

The Government will evaluate the effectiveness of existing counselling based services for victims, including those provided by state and territory governments, for allowing matters to be confidentially and anonymously disclosed and heard for the purpose of promoting recovery.

In addition, the Government will ensure that employers have access to guidance materials to enable them to effectively support and assist employees who may have experienced historical workplace sexual harassment to access services, such as counselling.

| Recommendation | Government Response |
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| <p>Recommendation 27: A disclosure process be established that enables victims of historical workplace sexual harassment matters to have their experience heard and documented with a view to promoting recovery. The Australian Government should fund the Commission to facilitate this process.</p> | <p>Noted: The Government supports the intention of this recommendation and will evaluate the effectiveness of existing counselling based services for victims, including those provided by state and territory governments, for allowing matters to be confidentially and anonymously disclosed and heard for the purpose of promoting recovery.</p> <p>The Government will also ensure that employers have access to guidance materials to assist in supporting victims of historical workplace sexual harassment.</p> |

Legislative and regulatory reforms

The Report found that the existing legal and regulatory frameworks for addressing workplace sexual harassment are complex and difficult to navigate – both for workers and employers. Under this Roadmap, the Government will develop and implement a suite of legislative and regulatory reforms to reduce this complexity and strengthen our national legal frameworks.

Anti-Discrimination Law

The Government will develop targeted amendments to the *Sex Discrimination Act 1984* (Sex Discrimination Act) to ensure that it reflects modern expectations and other relevant legal frameworks, and has appropriate coverage. The Government supports equality of opportunity as between men and women. The Government supports the express prohibition of sex-based harassment. Further, the Government will amend the Sex Discrimination Act to ensure greater alignment with model WHS laws and to make the system for addressing sexual harassment in the workplace easier for employers and workers to understand and navigate.

Although not recommended in the Report, the Government will also clarify that the scope of the Sex Discrimination Act extends to judges and members of parliament. Further, the Government will work with states and territories to remove the current exemption of state public servants ([Recommendation 16](#)) and will amend section 105 of the Sex Discrimination Act to ensure it applies to sexual harassment ([Recommendation 20](#)).

The Report recommended further amendments to the Sex Discrimination Act to introduce a positive duty on all employers to take reasonable and proportionate measures to eliminate sex discrimination, sexual harassment, and victimisation, as far as possible ([Recommendation 17](#)). Under the model WHS laws, persons conducting a business or undertaking, such as employers, already have a duty to ensure that all persons in the workplace, including workers, are not exposed to health and safety risks, so far as is reasonably practicable. This includes the risk of being sexually harassed. This duty was acknowledged by the Sex Discrimination Commissioner in the Report, which notes that '[t]he WHS regime creates duties to take reasonably practicable steps to prevent risks to worker health and safety, and this includes the risk of sexual harassment'.³

Noting that a positive duty already exists and given the Report's findings that the current system for addressing workplace sexual harassment is complex and confusing for victims and employers to navigate, the Government will assess whether such amendments would create further complexity, uncertainty or duplication in the overarching legal framework. The creation of new powers for the AHRC to assess compliance with a potential positive duty will be subject to the outcome of this assessment ([Recommendation 18](#)).

The Report also recommended amendments to the *Australian Human Rights Commission Act 1986* (AHRC Act) to provide the AHRC with a broad inquiry function to inquire into systemic unlawful discrimination ([Recommendation 19](#)). The Government notes that the AHRC has a series of existing functions to conduct investigations and generally works cooperatively with organisations on such inquiries. There is a risk to the effectiveness of the cooperative model were the AHRC to adopt as a general practice the role of investigator. That said, the Government observes that in referred cases, there are advantages to the AHRC having a broader suite of powers to be exercised upon the referral

³ The Report, page 550.

of a matter for investigation by Government. It would, for example, avoid the need for special purpose legislation to be enacted in circumstances where it is desirable to confer upon the AHRC such a function.

The Report also recommended that the Fair Work system be reviewed to ensure and clarify that sexual harassment, using the definition in the Sex Discrimination Act, is expressly prohibited (Recommendation 28). The Government will so review the Fair Work system once the Government’s response to Recommendation 16 has been implemented and its impact assessed.

In doing so, we will determine whether further reforms are appropriate, noting the overarching focus on promoting consistency and clarity.

The Government will also consider amendments to the AHRC Act to make it explicit that any conduct that is an offence under section 94 of the Sex Discrimination Act can form the basis of a civil action for unlawful discrimination (Recommendation 21). Given the importance of ensuring potential complainants understand and have confidence in accessing the complaints process under the AHRC Act, the Government will also amend the AHRC Act so that the President’s discretion to terminate a complaint under the Sex Discrimination Act on the grounds of time does not arise until it has been 24 months since the alleged unlawful discrimination occurred (Recommendation 22).

In response to concerns about cost liabilities in sexual harassment matters, the Report recommends that a cost protection provision be inserted in the AHRC Act to change the default costs arrangements (Recommendation 25). The Government notes that the determination of costs orders is already at the discretion of the court, but will review cost procedures in sexual harassment matters to ensure they are fit for purpose, taking into account the issues raised by the Report.

Finally, the Report also recommends that unions and other representative groups be permitted to bring representative claims to court (Recommendation 23). While such an approach may be appropriate for conciliation in the AHRC, different considerations apply in the context of proceedings before a court. The Government notes that there is an existing mechanism to enable representative proceedings in the Federal Court of Australia under Part IVA of the *Federal Court of Australia Act 1976*.

| Recommendation | Government Response |
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| <p>Recommendation 16: Amend the Sex Discrimination Act to ensure:</p> <ul style="list-style-type: none"> a) the objects include ‘to achieve substantive equality between women and men’ b) sex-based harassment is expressly prohibited c) creating or facilitating an intimidating, hostile, humiliating or offensive environment on the basis of sex is expressly prohibited d) the definition of ‘workplace participant’ and ‘workplace’ covers all persons in the world of work, including paid and unpaid workers, and those who are self-employed e) the current exemption of state public servants is removed. | <p>Agreed-in-Principle: The Government supports equality of opportunity and the express prohibition of sex-based harassment. Further, the Government will amend the Sex Discrimination Act to ensure greater alignment with model WHS laws and to make the system for addressing sexual harassment in the workplace easier for employers and workers to understand and navigate.</p> |

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| <p>Recommendation 17: Amend the Sex Discrimination Act to introduce a positive duty on all employers to take reasonable and proportionate measures to eliminate sex discrimination, sexual harassment and victimisation, as far as possible. In determining whether a measure is reasonable and proportionate, the Act should prescribe the factors that must be considered including, but not limited to:</p> <ul style="list-style-type: none"> a) the size of the person’s business or operations b) the nature and circumstances of the person’s business or operations c) the person’s resources d) the person’s business and operational priorities e) the practicability and the cost of the measures f) all other relevant facts and circumstances. | <p>Noted: The Government notes that under the model WHS laws, persons conducting a business or undertaking, such as employers, have a duty to ensure that all persons in the workplace, including workers, are not exposed to health and safety risks, so far as is reasonably practicable. This includes the risk of being sexually harassed. This duty was acknowledged by the Sex Discrimination Commissioner in the Report, which notes that ‘[t]he WHS regime creates duties to take reasonably practicable steps to prevent risks to worker health and safety, and this includes the risk of sexual harassment’.</p> <p>Noting the existing positive duty under WHS laws, and given the Report’s findings that the current system for addressing workplace sexual harassment is complex and confusing for victims and employers to navigate, the Government will assess whether such amendments would create further complexity, uncertainty or duplication in the overarching legal framework.</p> |
| <p>Recommendation 18: The Commission be given the function of assessing compliance with the positive duty, and for enforcement. This may include providing the Commission with the power to:</p> <ul style="list-style-type: none"> a) undertake assessments of the extent to which an organisation has complied with the duty, and issue compliance notices if it considers that an organisation has failed to comply b) enter into agreements/enforceable undertakings with the organisation c) apply to the Court for an order requiring compliance with the duty. | <p>Noted: The Government will consider this recommendation pending the outcome of its assessment of Recommendation 17.</p> |
| <p>Recommendation 19: Amend the Australian Human Rights Commission Act to provide the Commission with a broad inquiry function to inquire into systemic unlawful discrimination, including systemic sexual harassment. Unlawful discrimination includes any conduct that is unlawful under the federal discrimination laws. The Commission should be given powers to require:</p> <ul style="list-style-type: none"> a) the giving of information b) the production of documents c) the examination of witnesses <p>with penalties applying for non-compliance, when conducting such an inquiry.</p> | <p>Agreed-in-Part: The Government notes that the Commission has a series of existing functions to conduct investigations and generally works cooperatively with organisations. The Government is concerned that the AHRC adopting the role of investigator as a matter of course may undermine the effectiveness of the cooperative model.</p> <p>However, as there may be advantages to the AHRC having broader investigative powers in limited circumstances, the Government is willing to</p> |

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| | consider models for an inquiry function in circumstances where the matter for inquiry is referred by Government. |
| Recommendation 20: Amend section 105 of the Sex Discrimination Act to ensure that it applies to sexual harassment. | Agreed |
| Recommendation 21: Amend the Australian Human Rights Commission Act to make explicit that any conduct that is an offence under section 94 of the Sex Discrimination Act can form the basis of a civil action for unlawful discrimination. | Agreed |
| Recommendation 22: Amend the Australian Human Rights Commission Act so that the President's discretion to terminate a complaint under the Sex Discrimination Act on the grounds of time does not arise until it has been 24 months since the alleged unlawful discrimination took place. | Agreed |
| Recommendation 23: Amend the Australian Human Rights Commission Act to allow unions and other representative groups to bring representative claims to court, consistent with the existing provisions in the Australian Human Rights Commission Act that allow unions and other representative groups to bring a representative complaint to the Commission. | Noted: The Government notes that there is an existing mechanism to enable representative proceedings in the Federal Court. |
| Recommendation 25: Amend the Australian Human Rights Commission Act to insert a cost protection provision consistent with section 570 of the Fair Work Act 2009 (Cth). | Agreed-in-Principle: The Government notes that the determination of costs orders is already at the discretion of the court, but will review cost procedures in sexual harassment matters to ensure they are fit for purpose, taking into account the issues raised by the Report. |
| Recommendation 28: The Fair Work system be reviewed to ensure and clarify that sexual harassment, using the definition in the Sex Discrimination Act, is expressly prohibited. | Agreed-in-Principle: The Government will review the Fair Work system once the amendments proposed under Recommendation 16 have been implemented and their impact assessed. |

Employment Law

The Government recognises the importance of ensuring that employers are clearly empowered to dismiss perpetrators of sexual harassment when appropriate. To support this, the Government will amend section 387 of the *Fair Work Act 2009* (Fair Work Act) to clarify that sexual harassment can be conduct amounting to a valid reason for dismissal when determining whether a dismissal was harsh, unjust or unreasonable ([Recommendation 30](#)).

The Government will also amend the definition of 'serious misconduct' in the *Fair Work Regulations 2009* to include sexual harassment ([Recommendation 31](#)). The inclusion of a specific and express reference to sexual harassment in the definition of 'serious misconduct' will clarify that this type of behaviour within the workplace can justify summary dismissal (dismissal without notice).

To ensure that employers and workers have access to up-to-date information, the Government will also ask the FWC to update existing guidance for all employers on unfair dismissal, including dismissal relating to sexual harassment (noting that the FWC is an independent agency and that therefore the implementation of this recommendation is subject to their agreement)

([Recommendation 32](#)). The Government will also ask the FWO to update its guidance for workers on workplace rights, including sexual harassment (noting that the FWO is an independent agency and that therefore the implementation of this recommendation is subject to their agreement) ([Recommendation 33](#)).

Further, the Report recommends the creation of a ‘stop sexual harassment order’ in the Fair Work Act ([Recommendation 29](#)). It is important for workers to have effective avenues to raise complaints about sexual harassment quickly, however, the Government is of the view that the objective will be achieved with greater simplicity by clarifying that a ‘stop bullying order’ is available in the context of sexual harassment.

| Recommendation | Government Response |
|---|--|
| Recommendation 29: Introduce a ‘stop sexual harassment order’ equivalent to the ‘stop bullying order’ into the Fair Work Act. This should be designed to facilitate the order’s restorative aim. | Agreed-in-Principle: The Government will clarify that a ‘stop bullying order’ is available in the context of sexual harassment. |
| Recommendation 30: Amend Section 387 of the Fair Work Act to clarify that sexual harassment can be conduct amounting to a valid reason for dismissal in determining whether a dismissal was harsh, unjust or unreasonable. | Agreed |
| Recommendation 31: Amend the definition of ‘serious misconduct’ in the Fair Work Regulations to include sexual harassment. | Agreed |
| Recommendation 32: Additional guidance material for all employers relating to unfair dismissal, which includes dismissal relating to sexual harassment, be developed by the Fair Work Commission in consultation with the Workplace Sexual Harassment Council. | Agreed: The Government will ask the FWC to update existing guidance for all employers on unfair dismissal, including dismissal relating to sexual harassment, noting that the FWC is an independent agency, so implementation of this recommendation is subject to the FWC’s agreement. |
| Recommendation 33: The Fair Work Ombudsman update its employee information and guidance relating to workplace rights under the Fair Work Act to include sexual harassment, such as amending the Fair Work Information Statement. | Agreed: The Government will ask the FWO to update its guidance for workers on workplace rights, including sexual harassment, noting that the FWO is an independent agency, so implementation of this recommendation is subject to the FWO’s agreement. |

International labour law

The Report recommended that the Government ratify the International Labour Organisation *Convention concerning the Elimination of Violence and Harassment in the World of Work* ([Recommendation 15](#)). The Government supports the underlying principles in the Convention. However, consistent with long-standing treaty process, the Government is currently assessing Australia’s legal and policy frameworks with a view to determining the extent to which those existing frameworks give effect to the Convention. This process is considering a range of laws and policies

across all jurisdictions in Australia and is expected to be completed in 2021. The Government will consider this recommendation as part of usual treaty processes.

| Recommendation | Government Response |
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| Recommendation 15: The Australian Government ratify ILO Convention 190. | Noted: The Government will consider this recommendation as part of usual treaty processes. |

Workplace Gender Equality Agency

The Workplace Gender Equality Agency (WGEA) is a statutory agency responsible for promoting and improving gender equality in Australian workplaces. Under this Roadmap for Respect, the Government will strengthen public-sector reporting on gender equality initiatives by amending the *Workplace Gender Equality Act 2012* (WGE Act) to require public sector organisations to report to the WGEA on its gender equality indicators ([Recommendation 43\(a\)](#)). The Australian Public Service will start reporting from 2022-23. To ensure it is equipped to meet these expanded reporting obligations, the Government will consider additional funding for the WGEA as part of the 2021-22 Budget process.

In addition, the Government will ask the Council to work with the WGEA to consider how indicators for measuring and monitoring sexual harassment prevalence, prevention and response may apply to reporting under the WGE Act ([Recommendation 42](#)).

| Recommendation | Government Response |
|--|---|
| Recommendation 42: The Workplace Gender Equality Agency work with the Workplace Sexual Harassment Council to consider how good practice indicators for measuring and monitoring sexual harassment prevalence, prevention and response may apply to reporting in relation to sexual harassment under the <i>Workplace Gender Equality Act 2012</i> . | Agreed: The Government will ask the Council to work with the WGEA to consider how good practice indicators for measuring and monitoring sexual harassment, prevalence, prevention and response may apply to reporting under the WGE Act. |
| Recommendation 43: The Australian Government: a) amend the Workplace Gender Equality Act 2012 to require public sector organisations to report to the Workplace Gender Equality Agency on its gender equality indicators b) fund the Workplace Gender Equality Agency adequately to meet these expanded reporting obligations. | Agreed: The Government will amend the WGE Act to require public sector organisations to report to the WGEA on gender equality initiatives. The Government will consider additional funding for the WGEA to support these expanded responsibilities as part of the 2021-22 Budget process. |

Legal assistance and frontline services

Funding for the legal assistance sector is a joint responsibility between the Commonwealth and the state and territory governments. Under the National Legal Assistance Partnership (2020-2025), the Commonwealth provided \$2 billion in funding over five years to legal aid commissions, community legal centres, and legal services for Aboriginal and Torres Strait Islander people. The states and territories also provide funding to these legal service providers under their own funding agreements.

The Government is committed to ensuring people affected by sexual harassment have access to appropriate support services, including specialised counselling and legal assistance. As such, the Government will consider additional funding for the legal assistance sector, with a particular focus on addressing workplace sexual harassment, as part of the 2021-22 Budget process.

The Government will also continue to engage with state and territory governments to identify the best way to provide further support for other providers, including Working Women’s Centres and 1800RESPECT. Ensuring vulnerable groups, particularly women from a culturally and linguistically diverse background, have access to local services that are culturally appropriate and safe is essential for addressing workplace sexual harassment ([Recommendations 49, 53 and 54](#)).

| Recommendation | Government Response |
|---|--|
| <p>Recommendation 53: All Australian governments provide increased and recurrent funding to community legal centres, Aboriginal and Torres Strait Islander Legal Services, and legal aid commissions to provide legal advice and assistance to vulnerable workers who experience sexual harassment, taking into account the particular needs of workers facing intersectional discrimination</p> | <p>Agreed: The Government will provide additional funding through the 2021-22 Budget process to increase access to specialised legal advice on employment and discrimination law matters.</p> |
| <p>Recommendation 49: Australian governments provide increased and recurrent funding to working women’s centres to provide information, advice and assistance to vulnerable workers who experience sexual harassment, taking into account particular needs of workers facing intersectional discrimination. Australian governments should consider establishing or re-establishing working women’s centres in jurisdictions where they do not currently exist.</p> | <p>Agreed: The Government will engage with state and territory governments on funding for Working Women’s Centres.</p> |
| <p>Recommendation 54: The Australian Government promote the 1800RESPECT hotline and ensure it is adequately resourced to expand its services to provide appropriate psychological support and referral to people affected by workplace sexual harassment, and collect and maintain de-identified and disaggregated data on contacts regarding workplace sexual harassment.</p> | <p>Agreed: The Government will consider additional funding to promote the 1800RESPECT hotline and raise community awareness of its services as part of the 2021-22 Budget process.</p> <p>The Government will also engage with states and territories on the promotion and appropriate resourcing of 1800RESPECT.</p> |

Supporting National Action

Under this Roadmap, the Government will lead a national discussion with state and territory governments on addressing and preventing sexual harassment in Australian workplaces.

Engagement with State and Territory Governments

The Government stresses that preventing and addressing sexual harassment requires leadership from all levels of government. The Commonwealth will lead and facilitate discussion with state and territory leaders to implement a number of recommendations. The key mechanism for facilitating this dialogue is the development of the next National Plan.

Development of the next National Plan to reduce violence against women and their children

The National Plan is the cornerstone of national collaboration and engagement to prevent and address violence against women and their children. Under the current National Plan, the Government invested \$9.3 million in a program of work focused on preventing sexual violence, including sexual harassment. The Government also invested \$35.3 million in measures to prevent and reduce violence against Aboriginal and Torres Strait Islander peoples in regional and remote Australia.

In May 2020, the National Federation Reform Council announced the establishment of the Women’s Safety Taskforce, which consists of Commonwealth, state and territory Women’s Safety Ministers and is co-chaired by the Minister for Foreign Affairs and Minister for Women, Senator the Hon Marise Payne, as well as the Minister for Families and Social Services and Minister for Women’s Safety, Senator the Hon Anne Ruston. This forum will provide an opportunity for the Commonwealth, states and territories to take collective action to reduce violence under the current National Plan and, critically, during the development of the next National Plan.

Through the Women’s Safety Taskforce, the Government will engage with state and territory ministers to propose that sexual violence and sexual harassment remains a key area for action and investment in the next National Plan ([Recommendation 5](#)).

The Government will also work with the state and territory governments to ensure the development of the National Plan is informed by *Change the Story*, which is an integral resource for addressing sexual violence against women ([Recommendation 7](#)). It will also encourage other governments to ensure that any state and territory strategies for preventing violence against women are informed by *Change the Story*.

| Recommendation | Government Response |
|--|---|
| <p>Recommendation 5: The Council of Australian Governments agrees to incorporate sexual harassment as a key area for action and investment under any national framework to address violence against women.</p> | <p>Agreed: The Government will consider this recommendation, with state and territory governments, in the development of the next National Plan (noting that addressing sexual violence and sexual harassment is already identified as a national priority under the current National Plan).</p> |
| <p>Recommendation 7: All Australian governments have strategies for the prevention of violence against women that are based on <i>Change the Story</i>, recognise that sexual harassment is driven by gender inequality and is a form of gender-based violence, and include the prevention of sexual harassment as a key area for action.</p> | <p>Agreed: The Government will work with state and territory governments to ensure the next National Plan is informed by <i>Change the Story</i>. It will also encourage other governments to ensure that their strategies for preventing violence against women is informed by <i>Change the Story</i>.</p> |

Supporting a National Discussion

Noting that a number of recommendations are for the state and territory governments to consider and implement, the Government is committed to supporting national discussion and providing joint funding support when necessary ([Recommendation 1](#)).

Under this Roadmap, the Government will bring forward a series of issues for consideration by all Australian Governments.

| Recommendation | Government Response |
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| Recommendation 1: The Australian Government work with state and territory governments to implement the recommendations in this report and provide a joint funded package to ensure their implementation. | Agreed: The Government will engage with state and territory governments to implement this Report and consider joint funding arrangements. |

National strategy

The Report recommends that all Australian governments have gender equality strategies that address sexual harassment and recognise that sexual harassment is driven by gender inequality and is a form of gender-based violence ([Recommendation 6](#)). The Government currently has targeted gender equality strategies on women's safety, economic security, health, and leadership, as well as the National Plan. The Government will consider, with state and territory governments, the development of specific gender equality strategies.

| Recommendation | Government Response |
|--|--|
| Recommendation 6: All Australian governments have gender equality strategies that address sexual harassment and that recognise sexual harassment is driven by gender inequality and is a form of gender-based violence. | Agreed: The Government will consider, with state and territory governments, the development of specific gender equality strategies. |

Education

The Government is committed to working with states and territories and the education sector to support the delivery of evidence-based training for staff and students. The Government agrees that all children and young people should receive school-based education on respectful relationships that is age-appropriate and evidence-based. The Government is developing age appropriate education resources and engaging with state and territory governments on their use in government and non-government schools ([Recommendation 10](#)).

| Recommendation | Government Response |
|--|---|
| Recommendation 10: All Australian governments ensure children and young people receive school-based respectful relationships education that is age appropriate, evidence-based and addresses the drivers of gender-based violence, including sexual harassment. | Agreed: The Government is developing age-appropriate education resources and will engage with state and territory governments on their use in government and non-government schools. |

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| <p>Recommendation 11: Building on work already underway in response to the recommendations in Change the course, all tertiary and higher education providers deliver evidence-based information and training on sexual harassment for staff and students that addresses the drivers of gender-based violence and includes content on workplace rights.</p> | <p>Agreed: The Government will continue to engage with educational institutions, and with the states and territories on vocational education and training through the Skills Reform agenda, to strengthen supports for staff and students.</p> |
| <p>Recommendation 12: Recognising that some smaller tertiary and higher education providers lack the necessary resources and expertise to deliver the information and training identified in Recommendation 11, the Australian Government should support those providers to do so, for example through the Tertiary Education Quality Standards Authority and the Australian Skills Quality Authority.</p> | <p>Agreed: The Government will engage with the states and territories and education providers to support the implementation of this recommendation.</p> |

Research and development

The Report recommends that all governments support the development and implementation of a National Sexual Harassment Research Agenda, and that funding is provided to *Our Watch* to lead the development of evidence-based strategies, including targeted prevention strategies to address sexual harassment in groups who are at higher risk, such as people from culturally and linguistically diverse backgrounds.

The Government will facilitate discussions with state and territory governments on their potential support for, and participation in, a national research agenda focused on sexual harassment (Recommendation 4 and 8).

| Recommendation | Government Response |
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| <p>Recommendation 4: The Australian Government supports the development and implementation of a National Sexual Harassment Research Agenda, which will identify priorities for research relating to sexual harassment (in addition to the National Sexual Harassment Survey) and contribute to a national evidence base on sexual harassment that can guide policy and practice. ANROWS should lead this work in consultation with the Workplace Sexual Harassment Council.</p> | <p>Agreed: The Government will engage with states and territories on the development and implementation of a National Sexual Harassment Research Agenda.</p> <p>The Government will also consider funding for research related to sexual harassment as part of the 2021-22 Budget process.</p> |
| <p>Recommendation 8: Our Watch lead the development of evidence-based strategies for the prevention of sexual harassment, including implementation, monitoring and evaluation. Immediate priorities for action should include:</p> <ol style="list-style-type: none"> social change strategies on sexual harassment, including a national campaign to increase knowledge of, and change behaviours that drive, sexual harassment targeted, evidence-based prevention strategies to address sexual harassment of populations who are at higher risk Initiatives targeted towards young people that focus on sexual harassment as a form of gender-based violence. | <p>Agreed: The Government will engage with states and territories on the provision of additional funding to Our Watch to lead the development of evidence-based strategies for preventing sexual harassment.</p> <p>The Government will also consider funding for the development of evidence-based prevention strategies as part of the 2021-22 Budget process.</p> |

Psychosocial support and counselling

The importance of ensuring people affected by sexual violence have access to mental health support and counselling services is well understood. The Commonwealth invested \$5.9 billion in mental health services and suicide prevention in the 2020-21 Budget. This included funding for a range of phone, web-based, and face-to-face services designed to respond to a range of needs to ensure people can access the right care at the right time.

The Government will lead discussions with the state and territory governments to encourage joint funding arrangements to support specialised sexual assault services and other services positioned to respond appropriately to the gendered nature of sexual harassment. It will be critical for national cooperation to ensure services are connected and comprehensive across the state and territory jurisdictions ([Recommendation 55](#)).

| Recommendation | Government Response |
|---|---|
| Recommendation 55: Psychosocial support for people affected by workplace sexual harassment be provided through a national network of services, including specialist sexual assault support services, mental health helplines, and healthcare providers with the expertise to respond appropriately to the gendered nature of sexual harassment. All Australian governments should prioritise funding to these services to ensure accessibility and capacity. | Agreed: The Government will engage with state and territory governments to develop joint funding arrangements. |

Legal reform

The Government agrees that consistency in human rights and anti-discrimination legislation across the state and territory jurisdictions would improve the clarity of the applicable legal systems for employers, workers and regulators. To progress this reform proposal, the Government will facilitate a discussion with the state and territory governments and provide support, where necessary and appropriate, to implement legislative reform ([Recommendation 26](#)).

The Government will also continue to engage with state and territory governments to ensure alleged victims of sexual harassment are properly protected. Where appropriate, the Government will support legislative reform to support victims, particularly in defamation proceedings ([Recommendation 39](#)).

| Recommendation | Government Response |
|---|---|
| <p>Recommendation 26: The Australian Government work with state and territory governments, through the Council of Australian Governments or another appropriate forum, to amend state and territory human rights and anti-discrimination legislation with the objective of achieving consistency, where possible, with the Sex Discrimination Act, without limiting or reducing protections.</p> | <p>Agreed: The Government will engage with state and territory governments on this recommendation through the appropriate forums.</p> |
| <p>Recommendation 39: The Council of Attorneys-General consider how best to protect alleged victims of sexual harassment who are witnesses in civil proceedings, including but not limited to defamation proceedings. Measures could include amending state and territory legislation governing defamation proceedings to introduce a standard direction or presumption in favour of confidentiality and suppression or non-publication of witness details in any defamation court proceeding, where the defamatory material includes allegations of sexual harassment. Consideration should also be given to additional witness safeguards and protections including:</p> <ul style="list-style-type: none"> a) having the proceedings conducted in a closed courtroom b) giving evidence from a remote room c) having their evidence in chief be audio-visually recorded prior to the hearing d) having an audio-visual recording of their evidence during the hearing be re-used in any subsequent proceedings e) being protected from direct cross-examination by a self-represented party f) having a support person present while giving evidence. | <p>Agreed: The Government will continue to engage with state and territory governments to ensure alleged victims of sexual harassment are properly protected in civil proceedings, noting defamation laws are a matter for states and territories.</p> |

Work health and safety

The Report recommends that WHS ministers agree to amend the model WHS Regulation to deal with psychological health and develop guidelines on sexual harassment with a view to informing the development of a Code of Practice on sexual harassment ([Recommendation 35](#)).

The Government notes that SWA has already taken steps to support businesses and workers to understand their rights and obligations by developing and publishing its national guidance material on preventing workplace sexual harassment under the model WHS laws. The guidance provides detailed information for ‘persons conducting a business or undertaking’ on practical ways to prevent workplace sexual harassment and how to respond to cases of harassment. It also includes specific information sheets to assist small businesses and workers to meet their WHS duties in relation to sexual harassment.

Jurisdictional WHS Ministers are scheduled to finalise the response to the Review of the Model WHS Laws at a meeting of Ministers in mid-2021. This will include consideration of amendments to the model WHS regulations to deal with psychological health. In this context, a code of practice on managing psychosocial risks is currently being developed by SWA, which is to cover sexual harassment in the workplace. A Code of Practice will help to increase awareness of the duty to manage psychosocial health and safety risks and improve compliance.

The Government will continue to support this work through the WHS ministers meetings and other forums with the states and territories.

| Recommendation | Government Response |
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| <p>Recommendation 35: WHS ministers agree to amend the model WHS Regulation to deal with psychological health, as recommended by the Boland Review, and develop guidelines on sexual harassment with a view to informing the development of a Code of Practice on sexual harassment. Sexual harassment should be defined in accordance with the Sex Discrimination Act.</p> | <p>Agreed: The Government notes that SWA has already taken steps to support businesses and workers to understand their rights and obligations by developing and publishing its national guidance material on preventing workplace sexual harassment under the model WHS laws.</p> <p>The Government will continue to support this work through the WHS ministers meetings and other forums with the states and territories.</p> |

Engagement with Private Industry

The Government notes that engagement from industry groups and the private sector will be crucial for delivering economy-wide change.

The Report recommends that key industry and professional groups (unions, employer associations, employers, and other industry bodies) collaborate to establish industry and profession-wide initiatives to address sexual harassment in workplaces of all sizes ([Recommendation 47](#)). It was also recommended that the ASX Corporate Governance Council introduce sexual harassment indicators for ASX-listed entities to report against ([Recommendation 44](#)).

The Report also highlighted the importance of training and development in the private sector. The Workplace Institute of Company Directors and the Governance Institute of Australia were asked to consult with the Council to develop education and training for board members and company officers on good governance in relation to gender equality and sexual harassment ([Recommendation 41](#)). Further, industry educational bodies, in consultation with the Council, were asked to develop accredited education and training for individuals in roles that are responsible for advising workers on addressing sexual harassment ([Recommendation 45](#)).

The Government welcomes any initiatives to support the prevention of sexual harassment across the private sector and strongly encourages the sector to engage with the Council. Further, industry and professional groups should utilise the training and education resources to be developed and disseminated by the Council over time.

| Recommendation | Government Response |
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| <p>Recommendation 41: The Australian Institute of Company Directors and the Governance Institute of Australia, in consultation with the Workplace Sexual Harassment Council, develop education and training for board members and company officers on good governance in relation to gender equality and sexual harassment.</p> | <p>Noted: The Government welcomes any initiatives to support the prevention of sexual harassment across the private sector and strongly encourages the sector to engage with the Council.</p> |

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| <p>Recommendation 44: The ASX Corporate Governance Council introduce sexual harassment indicators for ASX listed entities to report against, under its Corporate Governance Principles and Recommendations. This could include:</p> <ul style="list-style-type: none"> a) specific mention of sexual harassment in guidance on company codes of conduct (ASX recommendation 3.2) b) information about measures taken to address sexual harassment, as part of its requirements that listed entities have and disclose a diversity policy and set measurable objectives to achieve gender diversity (ASX recommendation 1.5). | <p>Noted: The Government welcomes any initiatives to support the prevention of sexual harassment across the private sector and strongly encourages the sector to engage with the Council.</p> |
| <p>Recommendation 45: Industry educational bodies, in consultation with the Workplace Sexual Harassment Council, develop accredited education and training for individuals in roles that are responsible for advising employers on addressing workplace sexual harassment. The training should aim to:</p> <ul style="list-style-type: none"> a) build skills and capacity on how to prevent and respond to workplace sexual harassment b) be trauma-informed c) include content on the nature, drivers and impacts of sexual harassment. | <p>Noted: The Government welcomes any initiatives to support the prevention of sexual harassment across the private sector and strongly encourages the sector to engage with the Council.</p> |
| <p>Recommendation 47: Key industry and professional groups (unions, employer associations, employers and other industry bodies) collaborate to establish industry and profession-wide initiatives to address sexual harassment, for Australian workplaces of all sizes. Initiatives may include industry-wide prevalence surveys, awareness-raising campaigns on industry-specific issues, or the development of industry-specific policies or accreditation requirements.</p> | <p>Noted: The Government welcomes any initiatives to support the prevention of sexual harassment across the private sector and strongly encourages the sector to engage with the Council.</p> |