



# Disrupting the System

Preventing and responding to  
**sexual harassment** in the workplace

# 01

## Sexual Harassment: A critical leadership issue



**Disrupting our  
mindsets,  
management  
systems and  
processes**

**01**

Elevate the prevention  
of sexual harassment  
and early intervention  
as a leadership priority

**02**

Address sexual  
harassment as  
a workplace health  
and safety issue

**03**

Introduce new principles  
on confidentiality  
and transparency for  
high-profile sexual  
harassment cases


**04**

Inform, empower and  
expect everyone to  
speak up and take action  
on sexual harassment  
in the workplace

**05**

Listen to, respect,  
empower and support  
people impacted





Elevate the  
**prevention** of sexual  
harassment and  
**early intervention** as  
a leadership priority

Sexual harassment is much more than a legal issue – **it is a social problem, one that is driven by gender inequality** in the workplace and exacerbated for certain groups.

Greater action at the leadership, organisational and team level will be critical in **reducing the incidence and impact** of sexual harassment at an individual level.

## We are collectively committed to action

Our approach is outlined on the following pages and summarised here. We will:

01 02

Elevate the prevention of sexual harassment and early intervention as a leadership priority

Address sexual harassment as a workplace health and safety issue



03

Introduce new principles on confidentiality and transparency for high-profile sexual harassment cases



04

Inform, empower and expect everyone to speak up and take action on sexual harassment in the workplace



05

Listen to, respect, empower and support people impacted

## Shifting our mindset, management systems and processes

Here we summarise the major shifts required to disrupt the system of how sexual harassment is typically managed within organisations. It starts with leadership from the top.

**The focus is on compliance, minimising reputational damage and legal liability**

**Impacted People**

Impacted people feel disrespected, alone, afraid, vulnerable and silenced

**Teams/ Colleagues**

People are uncertain about what is right and wrong and the behaviour expected of them

**Leadership/ Organisation**

Compliance is prioritised and cases are quietly managed

**Board/ Executives**

Focus is on protecting reputation and managing legal liability

**The goals are prevention, early intervention and to significantly reduce the number of impacted people**

**Impacted People**

Listen to, respect, empower, and support impacted people

**Teams/ Colleagues**

Inform, empower and expect everyone speak up and take action on sexual harassment

**Leadership/ Organisation**

Introduce new principles on confidentiality and transparency for high-profile sexual harassment cases to accelerate cultural change

**Board/ Executives**

Elevate prevention of sexual harassment and early intervention as a leadership and safety issue

## CURRENT STATE

## FUTURE STATE

## Gender equality strategies help to reduce the incidence of sexual harassment

Efforts to increase the representation of women at all levels of our organisations have helped to raise standards of behaviour, prevent sexual harassment and ensure more effective responses. However, even in female-dominated and gender-balanced sectors and organisations, harassment still occurs, underpinned by power dynamics that serve to target and subjugate others.

A continued focus on advancing more and diverse women into leadership and other disruptive actions to reduce gender inequality will help to shift cultures that enable sexual harassment to occur.

Sexual harassment is an issue of gender inequality. **It manifests when structural and social power disparities are abused.** It can cause physical and psychological harm.



### Sponsorship of women must continue to be a leadership priority

We know from our own experience that at some point in everyone's career, decisions about advancement aren't just up to an individual manager. For very senior positions, or leadership of important projects, endorsement from other leaders becomes critical.

Having well-connected, senior leaders commit to, and advocate for women disrupts the typical career patterns and barriers that too often prevent women advancing at the same rate as men. This is essential for advancing gender equality.

One regrettable response to the heightened spotlight on sexual harassment has been for some men to step back from sponsorship relationships with women or to avoid business trips or social settings with women because of inaccurate assumptions that women make false allegations or concern for speculation about the nature of their relationships.

On the contrary, this is the time **men should step up** to sponsor and include women. But senior men **can't act as if there is no power imbalance between them.**

This power dynamic always exists when a senior person offers knowledge, networks and experiences and a more junior person is open and honest about their aspirations and receiving support for their goals. Power difference is exacerbated when the senior mentor is a man and the mentee is a woman.

A senior leader must be aware of this power imbalance, work to normalise interactions and **make sure they don't abuse it.** This isn't hard, but it takes humility, showing respect and professionalism at all times.

# Better address the connection between power, gender inequality and sexual harassment

Research and experience tell us that sexual harassment stems from gender inequality and the abuse of unequal power relations.

Although called 'sexual harassment' and referring to behaviour that manifests as conduct that is sexual in nature, this behaviour is not about consensual sex and sexual attraction; rather, it is about exerting power and position over others who are perceived to be, or are in fact, more vulnerable.

It manifests as offensive, demeaning, humiliating and/or intimidating behaviour that can cause physical and psychological harm. Sexual harassment is particularly prevalent where gender inequality exists – where organisation demographics, values and structures prioritise men and workplace cultures reinforce rigid gendered norms and sexist attitudes. The dynamics that exist within and around organisations implicitly or explicitly reinforce this power disparity.

Some can erroneously draw a sense of power through their position in the hierarchy; managerial or supervisory roles; financial status; connections or 'mates' in the business; their control over the pay and conditions of employees with less power; or their own personal sense of entitlement over others.

A significant but subtle power shift also happens at the point of transition to leadership. The rules of engagement with the former team changes. Socialising, banter and relationships are all seen through a different lens where new power imbalances exist.

Leaders can consciously or unconsciously embolden and protect offenders by giving people unchecked authority; positioning some as '**rain makers**', '**high value employees**', '**subject matter experts**' or above reproach; and brushing off inappropriate or illegal behaviour as a quirk instead of an offence.

**Individuals or teams** can sexually harass to undermine their female leaders, for example with sexualised or appearance-based comments.

While power dynamics play a significant role in sexual harassment, it can also occur in situations where there are no hierarchies, for example **between co-workers**.

Power disparities can be amplified by the nature of an employee's engagement. Casual employees, migrant workers, temporary visa holders and international students can be faced with an impossible choice between tolerating offensive behaviour or the devastating impacts for their family if they lose their job for speaking up about sexual harassment.

Other factors such as age, gender identity, sexual orientation, Indigeneity, other cultural and linguistic diversity, and disability have also shown to increase the likelihood a person may experience sexual harassment.

In sectors where **supervisors, sponsors and patrons** are critical for progress, such as the law, academia, science and research, raising issues can impact opportunities for promotion, rewards and career progression.

**Customers, clients, contractors, investors, patients, passengers and supporters** are all people of value to our organisations, but the issue of preventing sexual harassment must extend into all of these relationships.

Layers of ignorance, tolerance or avoidance of the issue can inadvertently reinforce the power of offenders and at worst, help to entrench sexual harassment as a cultural norm. In many cases, employees know who serial offenders are. A lack of action at the most senior levels of our organisations is seen by employees as excusing or condoning inappropriate behaviour. This can fatally weaken other efforts at personal, cultural and organisational leadership.

We need to better understand and address these power dynamics as part of our leadership response.

At its core, sexual harassment is a misuse of power. It is therefore an issue of leadership and values at the heart of the organisation.





## Leading from the top: 10 principles for Executive Teams and Boards

- 1 > **Lead** through your own behaviour and hold others accountable for creating safe, respectful and inclusive environments and preventing sexual harassment.
- 2 > **Ensure** your organisation has a gender equality strategy that includes a sexual harassment prevention strategy aligned to existing workplace health and safety systems.
- 3 > **Include** sexual harassment on risk registers and do scenario planning on potential risks and responses.
- 4 > **Require** regular reporting of complaints data (e.g. incidents, themes, resolution time frames, and outcomes including settlements), as well as cultural indicators (e.g. culture surveys) and other prevalence data (e.g. industry surveys).
- 5 > **Interrogate** the numbers to account for under-reporting: low or no reporting does not mean there are no incidents.
- 6 > **Insist** on external transparency regarding incidents involving senior leaders and where there is legitimate public or stakeholder interest.
- 7 > **Ensure** proportionate and appropriate consequences for offenders.
- 8 > **Recognise** that respect and support for people who experience sexual harassment is now essential to effective and responsible approaches. Do not restrict victims' ability to manage their own circumstances and tell their own story.
- 9 > **Ensure** thorough due diligence in recruitment of senior leadership roles, including by insisting on disclosure of misconduct and where employment has ceased during a misconduct investigation.
- 10 > **Ensure** who you promote and reward reinforces your organisational values and your commitment to gender equality and the prevention of sexual harassment.



# SUMMARY

## 01 Elevate the **prevention** of sexual harassment and **early intervention** as a leadership priority

### Practical actions

#### ➔ Actions for leaders

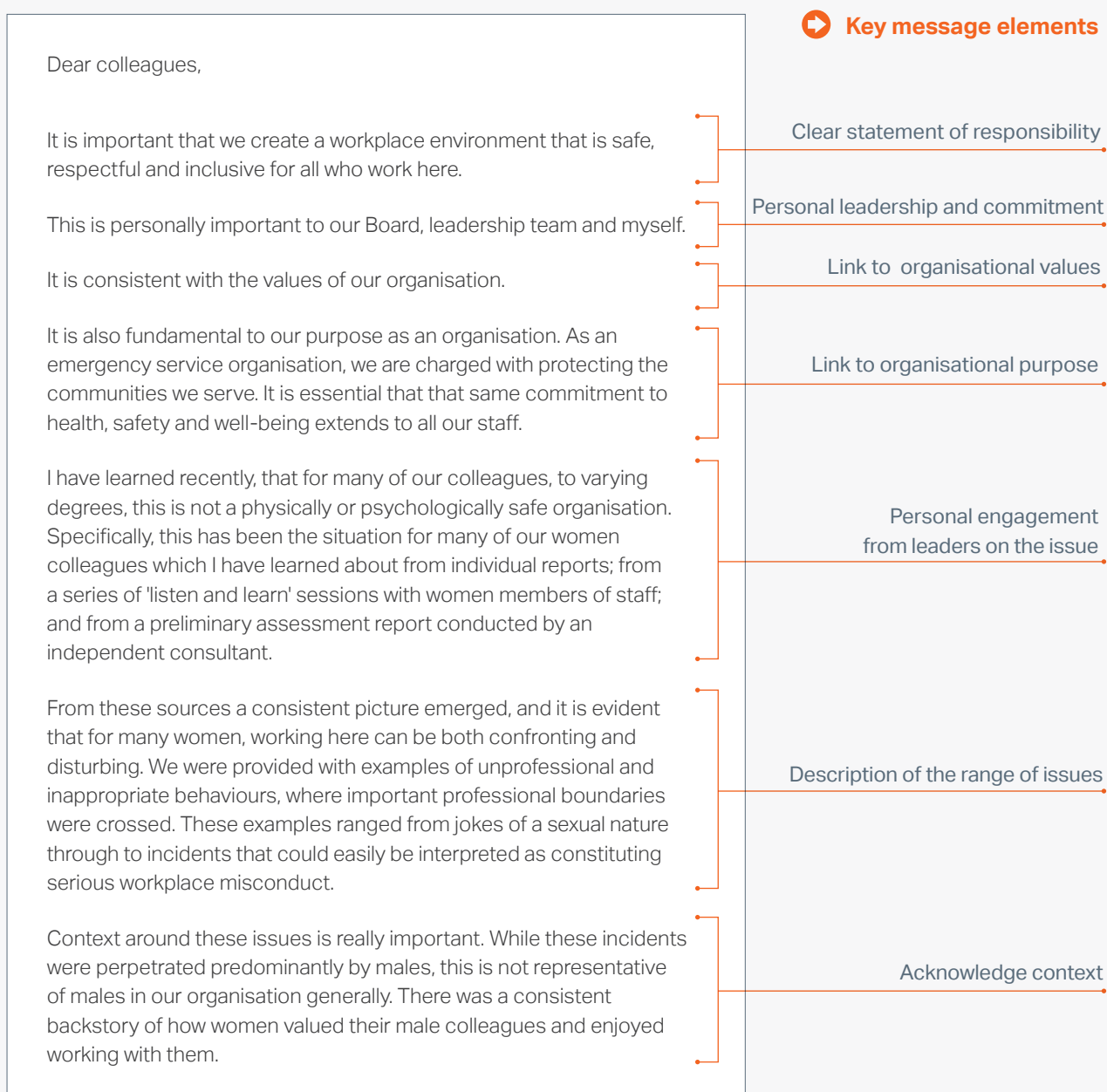
- ✓ **Develop and publicise** a gender equality strategy and action plan and strive for gender balance in the workforce.
- ✓ **Set expectations** and support leaders to address gender inequality, gender-based discrimination, everyday sexism, sexual harassment and violence against women.
- ✓ **Understand** how sexual harassment manifests in your own organisation and industry, the risks and impacts (Refer to *Disrupting the System*, pages 101–103).
- ✓ **Role model** standards of behaviour, addressing disrespectful and/or unlawful behaviour in the moment and empowering others to do so (Refer to *Disrupting the System*, pages 76–77).
- ✓ **Clearly articulate** that eradicating sexual harassment is a leadership priority (Refer to *Disrupting the System*, page 72).
- ✓ **Ensure all employees** – especially those with a high status – know your stance that sexual harassment, everyday sexism and unacceptable behaviour will not be tolerated in any circumstance.
- ✓ **Share leadership stories** and de-identified case studies to support individual and organisational learning and behaviour change.
- ✓ **Require oversight** of incidents and regular reporting (Refer to *Disrupting the System*, page 98).

#### ➔ Fundamentals for organisations

- ✓ **Develop and share** a robust and effective standalone sexual harassment policy that responds to current issues and expectations of all employees or relaunch one with a strengthened commitment (Refer to Resources, page 84).
- ✓ **Develop and communicate** a clear position on personal relationships at work (Refer to Resources, page 96).
- ✓ **Reference** sexual harassment and its consequences explicitly in employment contracts, codes of conduct and/or performance management frameworks. Make clear to all, and in particular senior men, and with contractors, consultants and sub-contractors, that unlawful and inappropriate behaviour will have real consequences.
- ✓ **Explicitly state expectations** of behaviour in contractor, subcontractor and consulting agreements.
- ✓ **Measure and monitor** information and data that provides insight into culture, as well as reports of sexual harassment, the number and characteristics of formal allegations of sexual harassment, and also informal reports that are managed within teams.
- ✓ **Report** sexual harassment cases regularly and transparently to senior leaders, board and external stakeholders (Refer to Resources, page 98).
- ✓ **Incorporate** reporting on these issues, and the financial impact of settlements, as part of our annual reports (Refer to Resources, page 100).

## Example leadership statement

The following leadership statement is adapted from a version shared by one of our Members. It is provided as an example structure that leaders could adapt or customise for their organisation. For a leadership statement to have authenticity and impact, there are key message elements that must personally come from leaders.



## Key message elements

It is also fair to say that on many of the occasions that were identified, there may not have been any serious intent to cause offence. These issues often appear to arise as a product of a mainly male-dominated workplace that existed 20 to 30 years ago, at a time when these behaviours were tolerated, especially in workplaces modelled on old systems of work. It is, however, important to note, that although these behaviours may have been tolerated at that time, they were neither legal nor acceptable. And regardless of whether or not there is an intent to cause offence, it is still inappropriate behaviour.

Link to gender inequality in the workplace and new employee, organisation and community expectations and standards on the issues

We need to be mindful of others' feelings, and to be prepared to speak up, not only when we may be offended ourselves, but when we feel that someone else may be uncomfortable. For those of us who have worked here for a long time, it is too easy to overlook how difficult it may be for a newer member of staff to feel that they can speak up themselves.

Reinforce expectations of employees to speak up when they see the behaviour

I believe that all of us know inherently what constitutes professional and appropriate conversation and behaviour. It is an integral, critical component of being competent in our roles, including knowing how to speak respectfully and courteously to a wide variety of people, in many diverse situations. We do this every day representing our organisation. It is not difficult to translate this to interactions with our colleagues.

Reinforce expectations for all employees to treat each other with dignity and respect as a mark of professionalism

It is important to remember that this is a good place to work, and is an organisation that has much to be proud of. However, these issues demonstrate that we have a way to go and that there is scope for improvement.

Acknowledge there is work to be done and change is required

And there needs to be a clear understanding that inappropriate workplace behaviours will not be tolerated into the future.

Affirm zero tolerance approach

I acknowledge there are sensitivities around these issues for many people. We have our Contact Officers, Employee Assistance Program, line managers and network to provide guidance and support as necessary.

Highlight referral pathways

And as always, I am happy to discuss this further with any of you, in whatever manner you feel most comfortable with.

Personal commitment

Best wishes

# Board reporting on sexual harassment

This reporting framework draws on the insight of Champions of Change Coalition Members with extensive Board safety reporting experience and has been adapted for a sexual harassment context. It is shared so that others may adapt or adopt it for their own context.

## Internal reporting

There are a range of metrics reported to Boards on safety, with additional information provided depending on the metric.

At a minimum, safety is a mandatory monthly report to the full Board, with detailed reviews conducted by the relevant committee (for example, the Health, Safety and Environment Committee) as required.

It is recommended that sexual harassment reporting is anchored in safety reporting and included in the current safety reporting cadence, to provide Boards with a full picture of the physical and psychological safety culture in their workplace.

Consistent with safety, it is incumbent on Board members to request this information and interrogate 'zero' numbers because we know under-reporting is common: low or no reporting is a more likely scenario than low or no incidents.

The table below describes current safety reporting requirements in typical ASX entities and aligns this against a potential framework for reporting to Boards on sexual harassment.

Safety metric	Equivalent sexual harassment metric
<b>Fatality/Significant Injury</b> <ul style="list-style-type: none"><li>Reported to the Board within 24 to 48 hours of incident occurring.</li><li>Detailed follow-up report provided along with management presentation which includes:<ul style="list-style-type: none"><li>Details of the event.</li><li>Initial management response.</li><li>Root cause analysis.</li><li>Corrective actions.</li></ul></li></ul>	<b>Significant incident defined as:</b> <ul style="list-style-type: none"><li>Serious incident, e.g. sexual assault.</li><li>Incident involving a senior employee or where there is legitimate public or stakeholder interest.</li><li>High profile incidents.</li></ul> <b>Reporting requirement:</b> <ul style="list-style-type: none"><li>Reported to the Board within 24 to 48 hours of incident.</li><li>Ongoing updates at key points of the process, as required, until resolution.</li><li>Remains on monthly report for 12 months after the incident close to understand restorative action taken for all parties (e.g. behaviour change counselling, implications for bonus/pay review) and long-term impact (e.g. resignation).</li></ul> <b>Reporting to include:</b> <ul style="list-style-type: none"><li>Details of the incident.</li><li>Initial management response.</li><li>Root cause analysis.</li><li>Corrective actions including making inquiries about additional impacted people.</li><li>Immediate outcome of the investigation.</li><li>Value of any settlements.</li><li>Restorative action taken for all parties.</li><li>Long-term impact monitoring.</li></ul>

Safety metric	Equivalent sexual harassment metric
<p><b>Medically Treated Injury/Lost Time Injury/Recordable Case</b></p> <ul style="list-style-type: none"> <li>• Reported to the Board monthly.</li> <li>• Relates to an injury that has occurred and requires medical treatment, time off work or restricted duties.</li> <li>• Reporting seeks to understand whether the safety management system is working and uncover systemic issues and must include: <ul style="list-style-type: none"> <li>◦ Number of incidents.</li> <li>◦ Types of incidents.</li> <li>◦ Days lost by employee (an indicator of severity).</li> </ul> </li> </ul>	<p><b>Recordable incident defined as:</b></p> <ul style="list-style-type: none"> <li>• Incident that requires formal investigation.</li> <li>• Where either party requires time away from work, i.e. respondent stood down, stress leave.</li> </ul> <p><b>Reporting requirement:</b></p> <ul style="list-style-type: none"> <li>• Reported to the Board monthly.</li> </ul> <p><b>Reporting to include:</b></p> <ul style="list-style-type: none"> <li>• Number of investigations: open, closed.</li> <li>• Key themes/issues.</li> <li>• Length of investigation to resolution.</li> <li>• Number of employee days lost, e.g. standdown, stress leave.</li> <li>• Outcomes of investigation.</li> <li>• Corrective actions including risk assessments.</li> <li>• Value of any settlements.</li> <li>• Restorative action taken for all parties.</li> <li>• Long-term impact monitoring.</li> </ul>
<p><b>Near Miss/Potential Hazard</b></p> <ul style="list-style-type: none"> <li>• Reported to the Board monthly.</li> <li>• Relates to something that has occurred which hasn't resulted in injury but could have, can include first aid treatment.</li> <li>• Reporting seeks to understand the cultural clues to the potential of injury or harm and must include: <ul style="list-style-type: none"> <li>◦ Number of incidents.</li> <li>◦ Types of incidents.</li> </ul> </li> </ul>	<p><b>Cultural indicators defined as:</b></p> <ul style="list-style-type: none"> <li>• Issues informally raised, not requiring investigation.</li> <li>• Information derived from a range of tools the organisation may employ depending on the maturity of feedback systems in place, including: <ul style="list-style-type: none"> <li>◦ People and Culture (HR) operations.</li> <li>◦ Whistleblowers.</li> <li>◦ Employee Assistance Program reports.</li> <li>◦ Online reporting tools for peer feedback on behaviour.</li> <li>◦ Internal advisors, e.g. Contact Officers.</li> </ul> </li> <li>• Results of climate, engagement or pulse surveys; everyday sexism surveys.</li> </ul> <p><b>Reporting requirement:</b></p> <ul style="list-style-type: none"> <li>• Reported to the Board monthly.</li> <li>• Supported by a detailed discussion with the CEO speaking to key aspects of the reporting every six months.</li> </ul> <p><b>Reporting to include:</b></p> <ul style="list-style-type: none"> <li>• Number of incidents.</li> <li>• Key themes.</li> <li>• Corrective actions including risk assessments.</li> </ul>

# Board reporting on sexual harassment

## External reporting

The following is an example statement on the prevalence and consequences for sexual harassment incidents that organisations may adapt or adopt for inclusion in organisation annual reports

In FY2020, there were XX sexual harassment matters informally and formally addressed by the organisation compared to XX in FY2019.

- The key themes of the matters were <insert for example, jokes and comments of a sexual nature; inappropriate contact following the end of a consensual relationship; forced intimacy; repeated propositions and requests for sex>.
- The average length of time it took to resolve these issues was X days.
- For X matters, termination of employment was the outcome (compared to X in FY2019).
- The value of financial settlements that related to these departures was a total of \$XX (compared to X in FY2019).
- For X matters, a formal warning was issued (compared to X in FY2019). Additional consequences were applied as appropriate including additional training, removal of delegated authorities or permissions, adjustments to profit share and/or impact to promotion.
- Of the X matters, X have resulted in individuals subsequently leaving the organisation and X individuals had their profit share reduced by an average of x%.
- The organisation undertook the following preventative action as a result <e.g. sexual harassment survey, education, leadership sessions, revised policy>

## Disrupting the System

This resource is an extract from *Disrupting the System - Preventing and responding to sexual harassment in the workplace*. Find the full report here:

[championsofchangecoalition.org/resource/disrupting-the-system/](https://championsofchangecoalition.org/resource/disrupting-the-system/)

## About Champions of Change Coalition

Champions of Change Coalition Members include CEOs, secretaries of government departments, non-executive directors and community leaders. Champions of Change believe gender equality is a major business, economic, societal and human rights issue. Established in 2010, by Elizabeth Broderick AO, our mission is to step up beside women to help achieve gender equality and a significant and sustainable increase in the representation of women in leadership.

[championsofchangecoalition.org](https://championsofchangecoalition.org)

