

Disrupting the System

Preventing and responding to
sexual harassment in the workplace

02

Sexual Harassment: A workplace health and safety 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

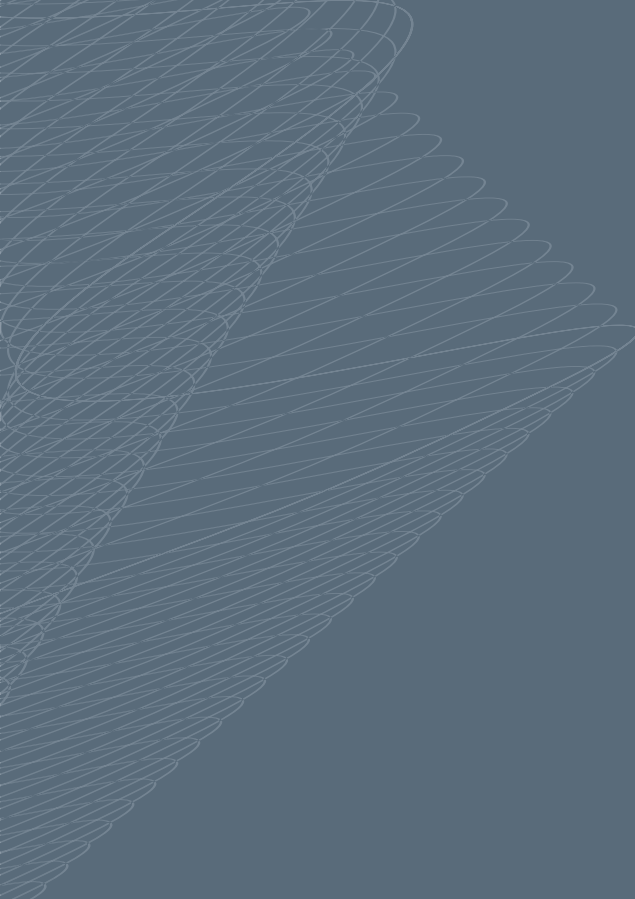
Introduce new principles on confidentiality and transparency for high-profile sexual harassment cases

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



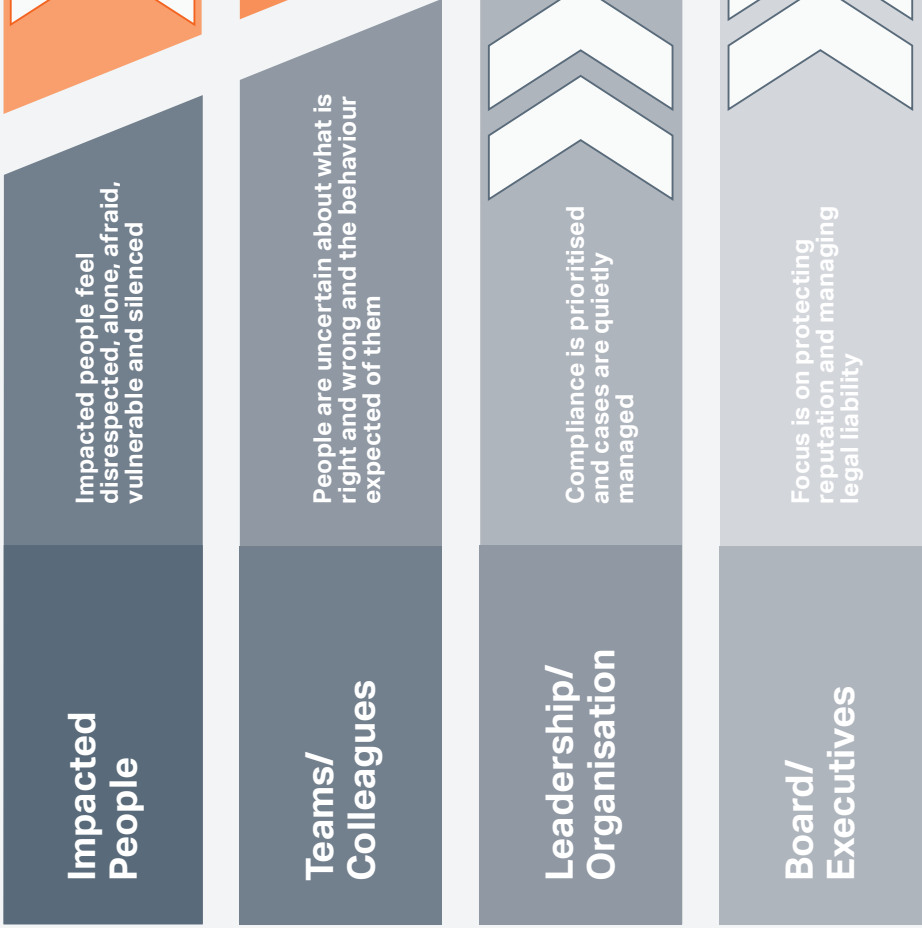
Address sexual harassment as a workplace **health and safety** issue

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

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



Sexual Harassment is an issue of workplace health and safety

We know that sexual harassment in the workplace can have long-term emotional, psychological, physical and financial impacts on those affected. Yet rarely is sexual harassment treated with the same rigour we apply to other types of workplace harm. We continue to treat sexual harassment as an individual grievance rather than a systemic organisational issue, which is inconsistent with the way we view other workplace hazards.

Our historical idea of occupation health and safety hasn't typically connected the harm that many women and some men experience at work from sexual harassment. Yet, a person who is away from work because they have been experiencing or witnessing sexual harassment is reasonably a lost-time injury. A person who seeks medical or psychological treatment because they are being sexually harassed at work is arguably a reportable incident. A known offender is a workplace hazard.

Existing workplace health and safety obligations place due diligence obligations on senior leaders to understand the hazards and risks associated with the business operations and ensure there are resources and processes to eliminate them, including the creation of psychologically safe environments. There are also reciprocal duties on workers to protect each other from harm to their health and safety.

The massive strides forward over past decades in creating safe environments and safety cultures offer lessons for how to do the same in relation to sexual harassment. We recommend that the prevention of sexual harassment in the workplace be reframed as a critical leadership accountability to ensure safe and respectful environments for all, where the physical and psychological safety of employees is prioritised.

Sexual harassment causes harm

Sexual harassment causes harm. It is significant and can be felt immediately, emerge over time and/or result in long-term trauma.

The impacts are personal, varied and deeply affecting. The evidence of harms such as anxiety, depression, stress, relationship breakdowns, physical ailments, career consequences and financial loss caused by sexual harassment are all well-documented.

The harm also extends to families, people who witness incidents and people within and outside of organisations who have to support those impacted, respond to or manage the behaviour.

Sexual Harassment creates risk beyond individual harm

Research and evidence show additional risks to our core purpose and operations if we do not address sexual harassment. Some examples:

- In medical settings, there is a risk to patient care.
- In policing, military and emergency services, there is a risk to public safety.
- In sport, there are risks to teams, officials and the communities who follow them.

In all settings, there are risks of losing talented people from the organisation. We risk reducing diversity and inclusion, when we know that more diverse and inclusive organisations perform better. In addition, vicarious trauma may be experienced by those who witness the impact and distress of sexual harassment on colleagues.

We can and must identify the risks

In the prevention of accidents and operational safety incidents, the full attention of management and all our systems are geared to prevent injury. This occurs at every level, from Board oversight to frontline operations. Even the most rudimentary risk assessment provides us with a more proactive approach to preventing sexual harassment than many organisations currently employ:

- **Identify hazards** – What are the occupational groups, locations, situations that we know or could conceive of as being a high risk for sexual harassment?
- **Assess risks** – What are the influencing factors (e.g. high-pressure environments, gender imbalance, social events, alcohol, remote or isolated locations), what is the likelihood of harm, and how effective have we been at preventing sexual harassment to date (noting that a lack of reporting is not necessarily an indicator of low prevalence)?
- **Control risk** – What interventions will give employees the best protection and reliability, with consideration to both system (e.g. alcohol-free events, reminders of expectations) and behaviour change (co-worker intervention)?
- **Review control measures** – Has sexual harassment been prevented?

» Example

A large health network uses data collected from anonymous online reporting of behaviour to identify high-risk themes; patterns of behaviour (e.g. abuse over the telephone); by occupational group (e.g. male health practitioners from a particular profession); and geographic location (e.g. a regional hospital). Information is used to target prevention and early intervention activity such as individual conversations, team forums and awareness-raising about safe and respectful conduct.

» Example

A professional services employer with a large intake of graduates each year recognised the risk factors associated with this group: age; power disparity between themselves and senior leaders; client interactions; socialising and alcohol; and workplace relationships. Open conversations about appropriate behaviour and support to navigate these workplace dynamics now feature in this organisation's graduate program.

Early intervention is critical

Human resources and legal teams are not always resourced or equipped with the right capabilities to respond to every incident that occurs across organisations. Individual people managers often say that they feel unsure of how to respond to a disclosure by one of their staff. Observers are often unclear about what they can or should do if they see or hear of an incident. Yet we know that a quick and effective response when an incident first occurs can achieve the best outcome for those impacted and prevent the escalation of the behaviour.

Addressing sexual harassment through early intervention can help avoid the escalation of issues which can lead to lengthy investigations and adversarial legal processes that are difficult for all involved.

Given that sexual harassment is significantly under-reported, relying on formal pathways alone will also mean that most incidents go unaddressed.

By the time issues reach a senior executive, key functional teams, the CEO's office or the Board, the damage to individuals, personal relationships, workplace dynamics and reputations is often done and is likely to be irreparable. Irreversible personal, workplace and career harm to the person impacted has often already happened.

Responding once an incident has reached a critical crisis point diverts effort and resources from a focus on prevention and early intervention.

We need better tools and approaches to prevent and address inappropriate and unlawful behaviours in the moment, to prevent repetition, escalation and harm.

With physical safety, we absolutely believe that **near misses and small incidents are indicators of an unsafe culture that could lead to a fatality.**

In the same way, acceptance of everyday sexism creates an enabling culture for sexual harassment to occur.

SUMMARY

02 Address sexual harassment as a workplace health and safety issue

Practical actions

➡ Actions for leaders

- ✓ **Clearly articulate** that the prevention of sexual harassment is a leadership and workplace health and safety issue to ensure the physical and psychological well-being of all employees (Refer to *Disrupting the System*, page 72).
- ✓ **Ensure** a risk assessment has been undertaken in your organisation (Refer to *Disrupting the System*, page 74).
- ✓ **Be clear** about consequences and disciplinary action for different types of behaviour and follow through where necessary.
- ✓ **Make** the consequences visible for those who have breached sexual harassment policy, by sharing aggregated and de-identified case studies.

➡ Fundamentals for organisations

- ✓ **Ensure** alignment and collaboration between leaders and the core functions responsible for preventing and responding to sexual harassment – workplace health and safety, human resources, legal and communications.
- ✓ **Adapt** workplace health and safety strategies to address sexual harassment in all its forms.
- ✓ **Include** questions about sexual harassment in employee engagement surveys or conduct standalone surveys to create a more robust and reliable measure of prevalence and high-risk work groups beyond actual complaints made (Refer to *Disrupting the System*, pages 101–103).
- ✓ **Include** sexual harassment on risk registers to be managed in the same manner as other workplace safety risks.
- ✓ **Develop** Standard Operating Procedures for 'critical incidents' of sexual harassment.

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/

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

