

SAGE Key Leaders' Roundtable on Sexual Harassment – Briefing Paper

About SAGE

Science in Australia Gender Equity Ltd (SAGE) is an incorporated not-for-profit company limited by guarantee founded in partnership between the Australian Academy of Science and the Australian Academy of Technology and Engineering.

The purpose of SAGE is to accredit and grant awards to Higher Education and Research (HER) institutions for gender equity, diversity and inclusion (GEDI) programs. Specifically, SAGE:

- administers under licence the Athena Swan Charter and Awards in Australia;
- accredits and grants awards to the HER sector for the advancement of GEDI;
- raises awareness of the value of GEDI more broadly; and
- collaborates with institutions across the HER sector and government – nationally and internationally – to promote Australia's GEDI efforts and achievements.

The SAGE Athena Swan Accreditation Process

SAGE delivers accreditation to institutions under the [Athena Swan Charter](#)¹, licensed by SAGE Ltd from Advance HE (UK). The Athena Swan framework guides institutions on a journey of transformational change.

At the **Bronze Award** level, institutions undertake a self-assessment process to:

- understand the **current state** of GEDI in the organisation
- understand the **key structural, systemic and cultural barriers** that impede attraction, retention and progression, and which thus contribute to inequity and a lack of diversity and inclusion
- create a focused **Action Plan** to remove/reduce the five Key Barriers over the next five years.

Post-Bronze, institutions implement their Action Plan. Through the SAGE Cygnet Awards, they report on their progress in implementing the plan, and on the resulting outcomes and impact from those actions.

At the **Silver Award** level, institutions reassess the state of GEDI in the organisation and identify the next five Key Barriers that continue to impede attraction, retention and progression. They then create and implement an Action Plan to address these.

By joining SAGE and committing to the principles of the Athena Swan Charter, Institutional leaders become part of a global community with a shared goal of advancing GEDI in tertiary education and research. In determining Institutional priorities and interventions to advance GEDI, leaders commit to, among others, **increasing the safety and wellbeing of staff and**

¹ Athena Swan Charter <https://www.advance-he.ac.uk/equality-charters/athena-swallow-charter>

students by proactively and transparently preventing and responding to bullying, harassment, sexual harassment, gender-based violence and discrimination.

SAGE and Respect@Work

The National Inquiry into Sexual Harassment in Australian Workplaces found that sexual harassment is still rife in Australian workplaces, and the HER sector is no exception. The resulting Respect@Work report (2020)² highlighted that performance incentives, such as the SAGE Athena Swan Awards, can help create a respectful workplace culture that discourages sexual harassment.

Seizing this opportunity to drive urgent, sector-wide action against sexual harassment, SAGE is collaborating with Sex Discrimination Commissioner, Kate Jenkins, to convene the **National Key Leaders' Roundtable on Sexual Harassment** to help incorporate Respect@Work's recommendations in the SAGE accreditation pathways.

Co-hosted by Libby Lyons (Director, Workplace Gender Equality Agency and Chair of SAGE Ltd Board) and Commissioner Jenkins, the Roundtable brings together senior leaders and advocates with visible, long-standing commitment to tackling sexual harassment. This provides an opportunity for SAGE, and the Heads of SAGE subscriber institutions, to demonstrate leadership in preventing and responding to bullying, harassment, sexual harassment and discrimination in the HER sector.

The Roundtable will consider key recommendations from Respect@Work, with a view to advising SAGE on a **practical, collaborative approach** to support their implementation through our accreditation pathway.

² [Respect@Work: National Inquiry into Sexual Harassment in Australian Workplaces report \(2020\)](#)

Aim of the Roundtable

The aims of the Roundtable are to:

1. **Take forward national recommendations from the Respect@Work Report through the SAGE Athena Swan framework, in particular:**
 - a. Sexual harassment prevention by universities and other tertiary education institutions **Recommendations 11 & 12**
 - b. Industry-wide initiatives (for the Higher Education and Research Sector) **Recommendation 47**
 - c. Data relating to workplace sexual harassment **Recommendation 3**

2. **Demonstrate leadership and action by:**
 - a. implementing the recommendations of Respect@Work to prevent and respond to sexual harassment in the Higher Education and Research Sector
 - b. modelling and sharing good practice to support transparency and accountability by SAGE subscribers to prevent and respond to sexual harassment in their institutions

Recommendations of the national Respect@Work Report as relevant to the SAGE Athena Swan framework

Agency data³

Recommendation 3

Agencies that handle workplace sexual harassment matters work with the Workplace Sexual Harassment Council [Recommendation 14](#) to:

- 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
- b. establish formal arrangements for **information sharing and data exchange** on enquiries, complaints and claims relating to workplace sexual harassment matters.

Sexual harassment prevention by universities and other tertiary education institutions⁴

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.

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.

Industry-wide initiatives⁵

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.

³ [Respect@Work: National Inquiry into Sexual Harassment in Australian Workplaces report \(2020\)](#), p. 40

⁴ [Respect@Work: National Inquiry into Sexual Harassment in Australian Workplaces report \(2020\)](#), p. 42

⁵ [Respect@Work: National Inquiry into Sexual Harassment in Australian Workplaces report \(2020\)](#), p. 50

Mapping: Recommended domains for action to prevent and respond to sexual harassment as outlined in the Respect@Work Report to proposed SAGE Athena Swan Bronze and Silver Award questions

<p>Respect@Work report</p> <p>Domains for action to prevent and respond to sexual harassment</p>	<p>SAGE Athena Swan Bronze and Silver Award</p> <p>Proposed instructions for the question⁶ on preventing and responding to bullying, harassment, sexual harassment, and discrimination</p>
<p>Leadership - the development and display of strong leadership, that contributes to cultures that prevent workplace sexual harassment.</p>	<p>Outline and discuss how the institution’s leadership, at all levels from the Executive team to the local level, is held accountable for preventing and responding to bullying, harassment, sexual harassment, and discrimination in the Institution</p>
<p>Risk assessment and transparency - greater focus on identifying and assessing risk, learning from past experience and transparency about sexual harassment, both within and outside of workplaces, to mitigate the risk it can pose to businesses. This can help improve understanding of these issues and encourage continuous improvement in workplaces.</p>	<p>Outline and discuss how the Institution identifies high-risk groups and settings for bullying, harassment, sexual harassment, and discrimination, beyond complaints made</p>

⁶ This question is proposed for both the Bronze and Silver Award applications. SAGE recognises that collecting data is currently likely to be difficult for institutions preparing for a Bronze Award. As such, and as with all questions in the SAGE Athena Swan application, institutions will be advised that *“Where data are not available, reasons for this should be explained and, in most cases, an action created for the future capture of these data.”*

Culture - the building of cultures of trust and respect, that minimise the risk of sexual harassment occurring and, if it does occur, ensure it is dealt with in a way that minimises harm to workers. This includes the role of policies and human resources practices in setting organisational culture.

Changing culture is an aim of the SAGE Athena Swan framework as a whole.

Workplace culture is also addressed in a distinct question in the application. That question asks applicants to:

- reflect on the culture of the Institution, including the language, behaviours, and other informal interactions used by staff (and students if applicable) that characterise the atmosphere of the Institution
- discuss any staff, and student if applicable, consultation relating to the Institution's culture
- summarise and discuss any data gathered around the culture, paying particular attention to the experiences of underrepresented groups
- explain how the Institution defines inclusion/an inclusive workplace culture, and discuss how existing and planned actions and initiatives align with this
- explain how leaders at all levels are held accountable for creating an inclusive culture within their teams
- explain how the Institution ensures that the work of creating an inclusive culture is shared equitably, and not solely the work of the underrepresented and historically excluded

<p>Knowledge - new and better approaches to workplace education and training, to demonstrate an employer’s commitment to addressing sexual harassment and initiate change by developing a collective understanding of expected workplace behaviours and processes.</p>	<p>Outline and discuss how the Institution builds knowledge to ensure consistent implementation of Institutional policies and practices designed to prevent and respond to bullying, harassment, sexual harassment, and discrimination</p>
<p>Support - prioritising worker wellbeing and provision of support to workers before they make a report, after they report and during any formal processes.</p>	<p>Outline and discuss the support provided for people who have experienced bullying, harassment, sexual harassment, and discrimination</p>
<p>Reporting - increasing the options available to workers to report workplace sexual harassment and address barriers to reporting. Creating new ways for employers to intervene to address sexual harassment, other than launching a formal investigation. Adopting a victim-centred approach to the way investigations are conducted when a report is made to minimise unnecessary harm to workers.</p>	<p>Outline and discuss how the Institution captures complaints of bullying, harassment, sexual harassment, and discrimination, including historical complaints against staff members who may have since left the Institution</p> <p>Outline and discuss how the Institution responds to reports of bullying, harassment, sexual harassment, and discrimination</p>

Measuring - the collection of data at a workplace-level and industry-level to help improve understanding of the scope and nature of the problem posed by sexual harassment. This includes understanding the prevalence, nature and impacts of workplace sexual harassment as well as the effectiveness of workplace initiatives designed to address it.

Outline and discuss how the Institution **measures** the prevalence of bullying, harassment, sexual harassment, and discrimination

Summarise and discuss the **de-identified data⁷ on cases** of bullying, harassment, sexual harassment, and discrimination, including:

- number of issues raised
- themes (e.g. jokes or comments of sexual nature, inappropriate contact, forced intimacy, repeated propositions, etc.)
- time to resolve issues
- support provided for parties involved
- outcomes (e.g. termination, financial settlement, warning, other consequences)
- decision-making framework that guided the Institution's response
- preventative action taken by the Institution as a result

⁷ In the SAGE Athena Swan application, institutions are advised that *“Throughout the application, data should be disaggregated by gender into the categories M (describes their gender as man or male), F (describes their gender as woman or female), or X (describes their gender as non-binary or describes their gender as a term other than man/male, woman/female or non-binary.)”*. This follows the current [ABS Standard for Gender](#).

Similarly, where possible, *“data should be disaggregated by intersectional characteristics (by gender)”*. Institutions are expected to address, at minimum, the intersections of Gender and Aboriginal and/or Torres Strait Islander identity; Gender and cultural and/or linguistic background; Gender and disability status; and Gender and sexuality. Additional guidance states that *“Where this disaggregation is not possible, reasons for this should be explained and, in most cases, actions created to enable the future capture of these data”*.

Mapping: Proposed SAGE Athena Swan Bronze and Silver Award questions on preventing and responding to bullying, harassment, sexual harassment and discrimination to current best practice and reporting requirements

<p>Respect@Work report Domains for action to prevent and respond sexual harassment</p>	<p>SAGE Athena Swan Bronze and Silver Award Proposed instructions for the question on preventing and responding to bullying, harassment, sexual harassment, and discrimination</p>	<p>WGEA compliance reporting program⁸</p>	<p>WGEA Employer of Choice for Gender Equality⁹</p>	<p>Victorian Gender Equality Act 2020¹⁰</p>	<p>Champions of Change Coalition report “Disrupting the System – Preventing and Responding to Sexual harassment in the Workplace”¹¹</p>
<p>Leadership - the development and display of strong leadership, that contributes to cultures that prevent workplace sexual harassment.</p>	<p>Outline and discuss how the institution’s leadership, at all levels from the Executive team to the local level, is held accountable for preventing and responding to bullying, harassment, sexual harassment, and discrimination in the Institution</p>		<p>The CEO/head of business of your organisation must be a visible champion of gender equality by communicating with all employees on the following at least every 12 months:</p> <ul style="list-style-type: none"> • a commitment to zero tolerance of gender-based harassment and discrimination, sexual harassment and bullying 		<p>Elevate the prevention of sexual harassment and early intervention as a leadership priority (pp. 26-31)</p>
<p>Risk assessment and transparency - greater focus on identifying and assessing risk, learning from past experience and transparency about sexual harassment, both within and outside of workplaces, to mitigate the risk it can pose to businesses. This can help improve understanding of these issues and encourage continuous improvement in workplaces.</p>	<p>Outline and discuss how the Institution identifies high-risk groups and settings for bullying, harassment, sexual harassment, and discrimination, beyond complaints made¹²</p> <p>Applications for SAGE Awards are published and publicly available on the SAGE website.</p>			<p>Transparency - Results of workplace gender audits will need to be published and publicly available on each defined entity’s website as part of its Gender Equality Action Plan. This will include de-identified data regarding sexual harassment within the workplace.</p>	<p>Address sexual harassment as a workplace health and safety issue (pp. 32-37)</p> <p>Introduce new principles on confidentiality and transparency for high-profile sexual harassment cases (pp. 38-49)</p>

⁸ As listed in the Sex-Based Harassment and Discrimination section (pp. 48-50) of the Questionnaire, [Word version 2020-21 for working purposes](#). We also thank WGEA for their contributions and feedback on this mapping document.

⁹ [EOCGE criteria summary checklist](#). We also thank WGEA for their contributions and feedback on this mapping document.

¹⁰ As listed at <https://www.genderequalitycommission.vic.gov.au/about-gender-equality-act-2020>, the supporting [Workplace gender audit 2021](#) documentation and the [Gender Equality Action Plan 2021-2025 guide](#). We also thank the Victorian Commission for Gender Equality in the Public Sector for their contributions and feedback on this mapping document.

¹¹ [Disrupting the System – Preventing and Responding to Sexual Harassment in the Workplace](#)

¹² Of relevance to this point is the new Safe Work Australia [Guide: Preventing Workplace Sexual Harassment](#)

Respect@Work report	SAGE Athena Swan Bronze and Silver Award	WGEA compliance reporting program	WGEA Employer of Choice for Gender Equality	Victorian Gender Equality Act 2020	Champions of Change Coalition report
<p>Knowledge - new and better approaches to workplace education and training, to demonstrate an employer's commitment to addressing sexual harassment and initiate change by developing a collective understanding of expected workplace behaviours and processes.</p>	<p>Outline and discuss how the Institution builds knowledge to ensure consistent implementation of Institutional policies and practices designed to prevent and respond to bullying, harassment, sexual harassment, and discrimination</p>	<p>Do you provide training on sex-based harassment and discrimination prevention to the following groups?</p> <ul style="list-style-type: none"> • all managers • all employees <p>Please indicate how often this training is provided, or why it is not provided.</p>	<p>All employees (including Partners in Partnership structures) must have completed training on the prevention of gender-based harassment and discrimination, sexual harassment and bullying at induction and at least every two years.</p> <p>This training must be provided to your entire workforce, i.e. managers non-managers contract and casual staff Partners in Partnership structures.</p> <p>Training must include:</p> <ul style="list-style-type: none"> • a legislative definition of gender-based harassment and discrimination, sexual harassment and bullying. • definition of a workplace, rights and responsibilities of all the workforce • details of the grievance/complaints procedure • details of the internal and external contact support resources. • clear explanation of organisational expectations around conduct and consequences for respondents. 	<p>Defined entities will be required to document strategies and measures in Gender Equality Action Plans based on their workplace gender audit results (including those for sexual harassment in the workplace) and demonstrate reasonable and material progress towards the strategies and measures in their Gender Equality Action Plans through progress reports.</p> <p>See Appendix D of the Gender Equality Action Plan guide: "Commission a specialist organisation to run organisation-wide training to ensure employees know that sexual harassment is unlawful and harmful, to raise awareness of what constitutes sexual harassment and what to do if it happens to you or you witness it happening to someone else – as well as management responsibilities when a complaint is received" is listed as an example strategy or measure for sexual harassment in the workplace.</p>	<p>Inform, empower and expect everyone to speak up and take action on sexual harassment in the workplace (pp. 50-63)</p>

Respect@Work report	SAGE Athena Swan Bronze and Silver Award	WGEA compliance reporting program	WGEA Employer of Choice for Gender Equality	Victorian Gender Equality Act 2020	Champions of Change Coalition report
<p>Support - prioritising worker wellbeing and provision of support to workers before they make a report, after they report and during any formal processes.</p>	<p>Outline and discuss the support provided for people who have experienced bullying, harassment, sexual harassment, and discrimination</p>				<p>Listen to, respect, empower and support people impacted (pp. 64-69)</p>
<p>Reporting - increasing the options available to workers to report workplace sexual harassment and address barriers to reporting. Creating new ways for employers to intervene to address sexual harassment, other than launching a formal investigation. Adopting a victim-centred approach to the way investigations are conducted when a report is made to minimise unnecessary harm to workers.</p>	<p>Outline and discuss how the Institution captures complaints of bullying, harassment, sexual harassment, and discrimination, including historical complaints against staff members who may have since left the Institution</p> <p>Outline and discuss how the Institution responds to reports of bullying, harassment, sexual harassment, and discrimination</p>	<p>Do you provide a grievance process in any sex-based harassment and discrimination prevention formal policy and/or formal strategy? If not, why not? A grievance process is a means of dispute resolution that can be used by a company to address complaints by employees, suppliers, customers and/or competitors.</p>	<p>Your organisation must have a policy on the prevention of gender-based harassment and discrimination, sexual harassment and bullying, with a formal grievance process in place.</p>		<p>Introduce new principles on confidentiality and transparency for high-profile sexual harassment cases (pp. 38-49)</p>

Respect@Work report	SAGE Athena Swan Bronze and Silver Award	WGEA compliance reporting program	WGEA Employer of Choice for Gender Equality	Victorian Gender Equality Act 2020	Champions of Change Coalition report
<p>Measuring - the collection of data at a workplace-level and industry-level to help improve understanding of the scope and nature of the problem posed by sexual harassment. This includes understanding the prevalence, nature and impacts of workplace sexual harassment as well as the effectiveness of workplace initiatives designed to address it.</p>	<p>Outline and discuss how the Institution measures the prevalence of bullying, harassment, sexual harassment, and discrimination</p> <p>Summarise and discuss the de-identified data on cases of bullying, harassment, sexual harassment, and discrimination, including:</p> <ul style="list-style-type: none"> • number of issues raised • themes (e.g. jokes or comments of sexual nature, inappropriate contact, forced intimacy, repeated propositions, etc.) • time to resolve issues • support provided for parties involved • outcomes (e.g. termination, financial settlement, warning, other consequences) • decision-making framework that guided the Institution's response • preventative action taken by the Institution as a result 		<p>Reporting to key management personnel AND governing body (Board) for gender-based, discrimination and sexual harassment complaints, the following:</p> <ul style="list-style-type: none"> • number and nature of complaints • process for responding to the complaint • timeframes • outcomes for complainant and respondent • any organisation change following the complaint • complainant and respondent turnover 	<p>Workplace Gender Audit 4. Sexual harassment in the workplace</p> <ul style="list-style-type: none"> • the number of sexual harassment complaints within the previous 12 months, by gender and classification of complainant or type of complainant if not a member of your workforce • the number of sexual harassment complaints within the previous 12 months, by gender and Aboriginality, age, disability, ethnicity and race, religion and sexual orientation • the classification and gender of respondents to sexual harassment complaints within the previous 12 months • the outcomes of any sexual harassment complaints including any settlement and/or non-disclosure agreements <p>Defined entities will also be required to report on de-identified employee experience survey responses relating to sexual harassment in the workplace. This is based on feedback that the number of cases formally reported does not reflect the true prevalence of</p>	<p>Introduce new principles on confidentiality and transparency for high-profile sexual harassment cases (pp. 38-49)</p>

				sexual harassment in the workplace. These employee experience questions are still being finalised but will be published shortly.	
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Respect@Work report	SAGE Athena Swan Bronze and Silver Award	WGEA compliance reporting program	WGEA Employer of Choice for Gender Equality	Victorian Gender Equality Act 2020	Champions of Change Coalition report
		Do you have a formal policy and/or formal strategy on sex-based harassment and discrimination prevention ?	Your organisation must have a policy on the prevention of gender-based harassment and discrimination, sexual harassment and bullying, with a formal grievance process in place.		
	<p>SAGE Subscriber Terms and Conditions</p> <p>2.8 SAGE, in its sole discretion, may, at its option, suspend or terminate the Subscriber’s Subscription (including revocation of an Athena Swan Award which has already been awarded to the Subscriber) if: [...]</p> <p>(b) SAGE reasonably determines that there is sufficient evidence that an Athena Swan Award was awarded on the basis of incorrect, false, incomplete, misleading or deceptive information provided in an Application for the Athena Swan Award;</p> <p>(c) SAGE reasonably determines that the Subscriber has engaged in one or more instances of gender discrimination (either prior to or after the award of the Athena Swan Award) or engaged in other conduct which has, is or likely to have, an adverse effect upon the reputation and/or standing of SAGE or the Program</p>		Your organisation must have had no judgment or adverse final order made against it by a court or other tribunal relating to gender-based harassment and discrimination, sexual harassment and bullying in the last three years.		