



Australian Government  
Comcare



# Workplace Sexual Harassment National Forum

*Influencing positive change*

Questions and  
Answers



## Introduction

---

During the national forum we received over 100 questions and while some were answered by our speakers, many were unable to be addressed due to time constraints. This document aims to cover the key themes from your questions. While we have endeavoured to answer as many as possible, some enquiries related to specific circumstances that will require further guidance from the relevant state or territory regulator, or via one of the support services or resources listed on page 6-7.

**Please note the following content is based on the guidance developed by Safe Work Australia.**

### 1. How can employers prevent and manage workplace sexual harassment?

Practical, early action employers can take to prevent workplace sexual harassment includes:

- Be aware of heightened risk factors such as power imbalances, isolated or remote work and poor workplace culture.
- Identify risks inside and outside the organisation drawing on relevant guidance, evidence, and past experiences to develop an understanding of what they are and what actions to take to reduce or eliminate them, so far as is reasonably practicable.
- Foster a positive workplace culture of openness, trust and respect that is supported by sound policies, human resource practices and staff education and training.
- Strong leadership through executives and senior managers exemplifying the types of behaviours and cultures that prevent workplace sexual harassment.
- Adopt new and better approaches to workplace education and training that show workers how to prevent and respond to incidents of sexual harassment.
- Measure and understand the prevalence, scope and impacts of sexual harassment, and monitor and share the effectiveness of initiatives to inform prevention and incident response.



## **2. How can managers and supervisors prevent workplace sexual harassment?**

Managers and supervisors can play their part in prevention using these practical steps:

- Promote your organisation's sexual harassment policy and ensure workers receive information and training about their rights, obligations, and reporting pathways.
- Set a strong example of the types of behaviours and attitudes that create a healthy and safe work environment based on respect.
- Build a culture of openness, trust and respect to help minimise the risk of sexual harassment and support incident reporting.
- Be aware of enablers to sexual harassment including power imbalances, low workforce diversity (i.e. gender imbalance) or isolated working environments.
- Identify risks and develop an understanding of what actions to take to reduce or eliminate them, so far as reasonably practicable.

## **3. What actions can I take if I experience workplace sexual harassment, including (but not limited to) inappropriate comments, touching and requests for dates?**

If you experience workplace sexual harassment, the following options can be taken to respond:

- If you feel safe and comfortable to do so, you might choose to tell the other person that the behaviour is inappropriate and ask that it stop.
- Seek support, including from other workers, organisational leaders, harassment officers, other people nearby or family and friends.
- If you are able, remove yourself from the situation and ask the person to leave the work area.
- Disconnect or disengage with the person if the harassment occurs on the phone or online.
- If the behaviour involves violence, such as physical assault, alert your manager or a trusted co-worker immediately.
- If you are not ready to make a formal complaint, keep a record of what happens, when and where, who was involved and anything else you think is important to ensure its documented.



#### 4. What actions can I take if I witness workplace sexual harassment?

For those who witness workplace sexual harassment, here are some steps to take to support someone in your workplace (remember the focus should always be on your safety and the safety of the person who is being harassed):

- If you feel safe and comfortable to do so, tell the other person that you object to their behaviour and ask that it stop.
- Talk to the person experiencing harassment. Ask what you can do and what support they need.
- Help the person decide a course of action to ensure the harassment stops (**see next question**).
- If you have permission from the person experiencing harassment, you should report the incident to your employer.
- Talk to your employer or your representatives about a sexual harassment policy, training, and other prevention activities in your workplace.

#### 5. What are some of the reporting options for workers?

If you experience or witness workplace sexual harassment, you can seek support from your employer or report it – formally, informally, or anonymously.

It is illegal to be disadvantaged because you make a report and if you choose not to report it, you should access support from someone at work, a trusted friend or one of the services listed on page 6-7.

Reporting options include:

- If anyone in the workplace is in immediate danger, **call the Police on 000**.
- If workers are not in immediate danger and would like to make an enquiry or report, call the **Police on 131 444**.
- Workers can also make a complaint to the Australian Human Rights Commission or relevant state or territory anti discrimination body. A solicitor advocate or union can also make a complaint to the Commission on their behalf.
- Your WHS regulator may be able to investigate if a business is meeting their WHS obligations by providing a safe working environment that is without risk to health and safety. You can also contact your WHS regulator if you feel you have been discriminated against for raising a health and safety issue.



## **6. How can employers support the reporting process?**

- Act promptly and document the process as soon as possible to ensure that all decisions are documented and stored securely.
- Be clear about how information will be handled in a way that maintains confidentiality and protects the privacy of all parties involved.
- Outline the reporting process to everyone involved (including both sides of the complaint and witnesses) and share available support and representation options to ensure all parties are treated fairly.
- Protect all people involved from victimisation such as bullying, intimidation or retaliation.
- Make it a priority to support the health and wellbeing of workers that do make a report, including before, during and after the process.
- Refer workers to other agencies when it is not possible to resolve the complaint internally. It is important to respect a worker's desired outcome and preferred way of managing the complaint.
- Provide a variety of reporting options to help protect workers and minimise further harm, such as informal and anonymous reporting. This gives employers the opportunity to intervene early and support victims.
- Provide managers with guidance that is easily accessible including information about the causes of sexual harassment, prevention activities and how to respond in a trauma-informed way.

## **7. What are some practical, implementable steps employers and employees can undertake to encourage reporting of incidents?**

Employers should ensure workers understand the reporting process and their reporting options – formal, informal, and anonymous. The process needs to be actively promoted at work and key workers (contact persons that receive reports) should receive training on supporting and advising complainants. Employers should also implement systems to prevent retaliation and victimisation of people involved in reports of sexual harassment.

## **8. What should employers do after an incident?**

Employers should review their risk management systems to identify and address factors that may have increased the risk of sexual harassment, including industry specific risks, to evaluate what worked and what could be improved.



## 9. How important is workplace culture in the prevention and management of workplace sexual harassment?

A workplace culture with a strong focus on prevention and early intervention is critical to influencing positive change. *Respect@Work*, the Australian Human Rights Commission's (AHRC) national inquiry into workplace sexual harassment, found the majority of workers choose not to report sexual harassment because they believed it would be seen as an overreaction and it was easier to stay quiet. Everyone in the workplace – employers, workers and third parties – need to model acceptable behaviours that foster a positive and respectful workplace culture where workplace sexual harassment is not tolerated.

## 10. How can organisations take steps to create an open and respectful workplace culture?

Building a positive workplace culture starts with strong leadership. Board members, executives and senior managers need to model and enforce acceptable behaviours that align with workplace policies to prevent sexual harassment and set a standard that addresses inappropriate behaviour early, and ideally before it escalates.

# For more information

---

### Forum resources

[Watch speaker videos](#)

### Safe Work Australia resources

- [Preventing workplace sexual harassment](#)
- [Workplace sexual harassment – advice for workers](#)
- [Preventing workplace violence and aggression](#)
- [Preventing and responding to workplace bullying](#)

### Comcare resources

- [Workplace sexual harassment: Practical guidance for workers](#)
- [Workplace sexual harassment: Practical guidance for managers and supervisors](#)
- [Workplace sexual harassment: Practical guidance for employers](#)
- [Regulatory guidance for employers on their work health and safety responsibilities](#)



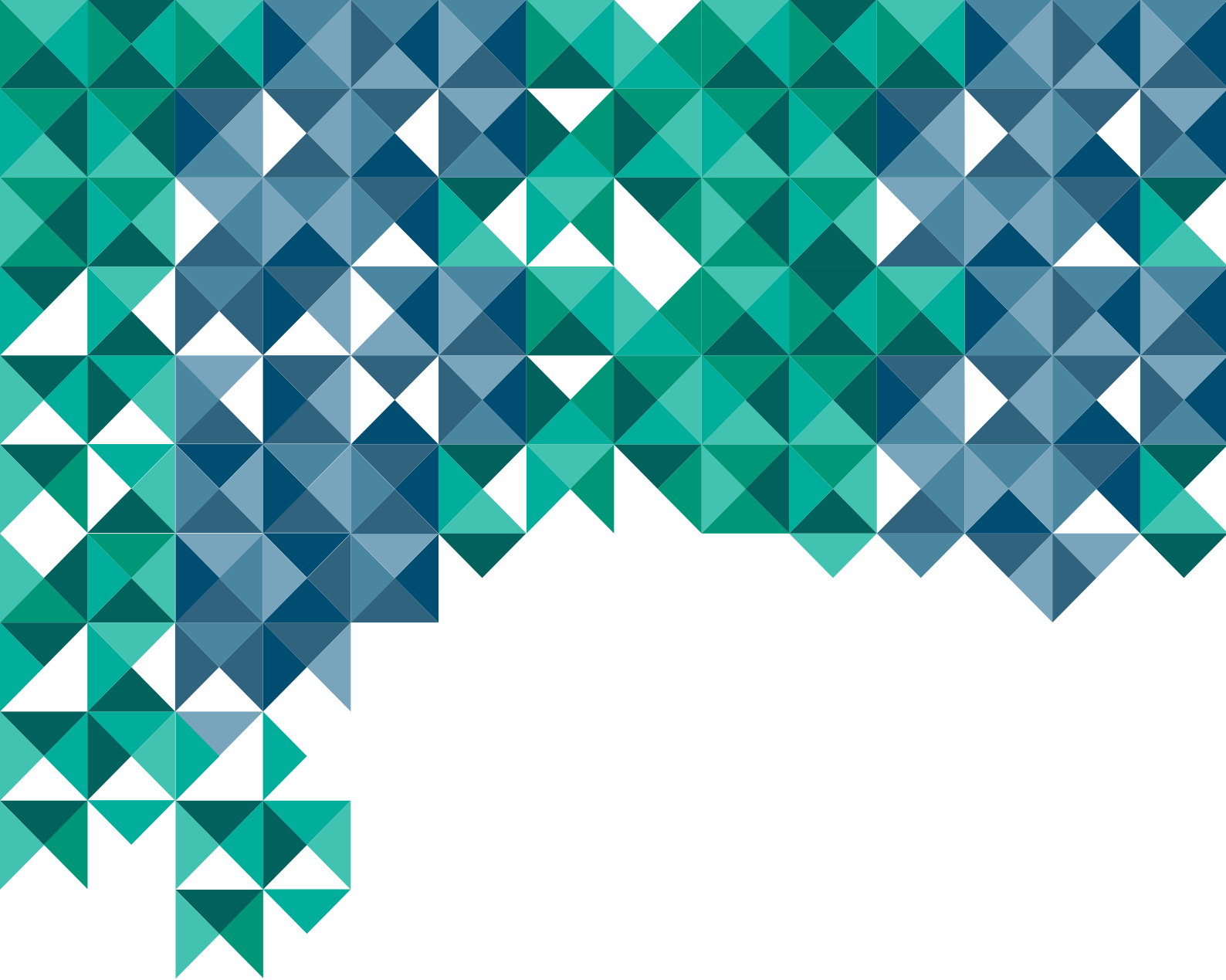
## Comcare online training

<p><b>Micro Learns – 5-minute video presentations</b></p> <ul style="list-style-type: none"><li>• <a href="#">An introduction to Workplace Sexual Harassment: Never part of the job</a></li><li>• <a href="#">How to Respond to Workplace Sexual Harassment</a></li><li>• <a href="#">Prevention of Workplace Sexual Harassment</a></li></ul>	<p><b>Online courses – self paced learning</b></p> <ul style="list-style-type: none"><li>• <a href="#">Workplace Sexual Harassment: an overview for workers</a></li><li>• <a href="#">Workplace Sexual Harassment: an overview for employers and managers</a></li></ul>
---	---

## State and territory regulators

<ul style="list-style-type: none"><li>• <a href="#">SafeWork ACT</a></li><li>• <a href="#">SafeWork NSW</a></li><li>• <a href="#">SafeWork SA</a></li><li>• <a href="#">WorkSafe NT</a></li></ul>	<ul style="list-style-type: none"><li>• <a href="#">WorkSafe Queensland</a></li><li>• <a href="#">WorkSafe Tasmania</a></li><li>• <a href="#">WorkSafe Victoria</a></li><li>• <a href="#">WorkSafe WA</a></li></ul>
---	---

<p><b>Australian Human Rights Commission resources</b></p> <ul style="list-style-type: none"><li>• <a href="#">National Information Service</a> – referrals for individuals, organisations and employers on human rights and discrimination issues.</li><li>• <a href="#">Respect@Work Report</a> - Chapter six provides guidelines on appropriate workplace prevention and response frameworks</li><li>• <a href="#">Respect@Work Community Guide</a></li></ul>	<p><b>Support services for workers</b></p> <ul style="list-style-type: none"><li>• <a href="#">1800RESPECT</a> - 1800 737 732</li><li>• Beyond Blue – 1300 22 4636</li><li>• LifeLine - 13 11 14</li><li>• Employee Assistance Program (EAPs are available in most workplaces)</li><li>• If anyone in the workplace is in immediate danger, <b>call the Police on 000.</b></li><li>• If workers are not in immediate danger and would like to make an enquiry or report, call the <b>Police on 131 444.</b></li><li>• You can make a complaint to the Australian Human Rights Commission or relevant state or territory anti discrimination body. A solicitor advocate or union can also make a complaint on your behalf.</li></ul>
--	---



**Australian Government**  
Comcare



**safe work australia**



**Queensland Government**

**WORKSAFE ACT**  
SAFE + HEALTHY WORKPLACES



**NT WorkSafe**



**Government of South Australia**  
SafeWork SA

For more information visit the website at [Workplace Sexual Harassment National Forum](http://Workplace Sexual Harassment National Forum) or email [forums@comcare.gov.au](mailto:forums@comcare.gov.au)

