IMPLMENTATION FRAMEWORK: ELIMINATING SEXUAL HARRASSMENT IN THE WA RESOURCES SECTOR
October 2021

Background

The [Respect@Work: Sexual Harassment National Inquiry Report](#) was released by the Australian Human Rights Commission (AHRC) on 5 March 2020. As outlined in the report, sexual harassment is unlawful in the employment context under both State equal opportunity and Federal anti-discrimination legislation. The federal *[Sex Discrimination Act 1984](#)* and WA *[Equal Opportunity Act 1984](#)* defines sexual harassment as unlawful. The report also found that because WHS law imposes a duty to eliminate or manage hazards and defines risks to a worker's health to include psychosocial health, this also applies to sexual harassment. It also follows that sexual harassment is commonly addressed in workplace policies.

The resource industry is taking active steps to address workplace sexual harassment. At a national level, the Minerals Council of Australia (MCA) formed a Respect@Work Taskforce, under their National Health and Safety Working Group, to assist the Australian mining sector in responding to the recommendations of the national Respect@Work report. Through this group, the MCA has developed and released an [Industry Code on Eliminating Sexual Harassment (Industry Code)](#), [Policy](#), [Industry Toolkit](#), and [Position Statement](#).

At a WA state level, CME's Advisory Board has supported the adoption of MCA's Industry Code and endorsed a strategic focus for CME to assist in operationalising the Industry Code in the WA resource sector. Through the WHS Committee, CME has a strategic objective to share information on best practice health and safety initiatives recognising an organisation's ability to improve what they do is dependent on learning lessons from the past and others. On 1 June 2021, CME hosted an industry sharing and lessons learnt forum on *Addressing Sexual Harassment in Resources Sector Workplaces* (the forum) to facilitate best practice sharing across organisations.

In late June 2021, concerning reports of instances of sexual assault and harassment were the focus of sustained media coverage, leading to a WA Parliamentary Inquiry. Upon review of the challenges and opportunities raised at the forum and in the context of the concerning media reports, CME's Advisory Board and Executive Council endorsed the immediate formation of the cross-portfolio Safe and Respectful Behaviours Working Group (SARB Working Group) to lead a number of high priority projects in addressing this issue. A key short-term focus for the group was to assist the WA resources sector in 'operationalising' the national Code in the context of WA through development of an Implementation Framework and related industry standards.

Purpose

The below *Implementation Framework: Eliminating Sexual Harassment in the WA Resources Sector* (the Implementation Framework)*,* is developed in the context of the sectors risk-based approach to managing health and safety risks whereby companies implement controls based on the unique risk profile of their operation.

The Framework outlines target areas and examples of good practice that support the below objectives:

- Supporting the safety and health of the WA resources sector workforce by ensuring safe and respectful workplaces.

- Assisting resource sector operations in implementing risk-based controls by sharing good practice strategies to drive industry-wide improvements and eliminate sexual harassment in the WA resources sector.

While the Implementation Framework has been developed with regard to providing a supporting framework for managing sexual harassment (including sexual assault) risks in the resources sector, it is acknowledged that many considerations outlined in the below framework document may also be relevant to managing a broader range of workplace behaviours, for example, bullying and violence and aggression.

This Implementation Framework is a live document and will be updated on an ongoing basis as new information and evidence becomes available.

Overarching Principles

Information outlined in the below Implementation Framework is drafted in the context of the below overarching principles.

- There is no one size fits all 'program' to addressing these behaviours in the workplace, and a holistic and integrated approach to is required to meaningfully influence outcomes.

- The framework contains examples of practical controls to assist companies in developing relevant initiatives, tools, and resources. When considering implementation of these, companies should ensure they fit within their overarching, company specific strategy and any related legal obligations. Every workplace is different, and a risk-based approach should be taken to ensure the best outcomes.

- The framework is designed to be a practical tool to assist users in implementing good practice initiatives that are 'fit-for-purpose' for the WA resources sector.

Implementation Framework

Key

MCA Code	
Prevention	Enable workers to increase control over, and improve, their health.
	Eliminate exposure to psychosocial hazards, so far as is reasonably practicable.
Response	Reduce likelihood and severity of harm from exposure to psychosocial hazards and risk factors
	Provide appropriate response after harm to health.

Framework

Framework objective	Implementation guidance and examples of good practice	
Leadership		

Joint approach: The involvement of WHS / HR / Legal in managing sexual harassment in the workplace.	• **Collaboration:** Continued communication and collaboration between responsible departments within your organisation. This can include for example, WHS, human resources and legal representatives. Example processes where a joint approach is recommended include:
	
	    o Risk Assessment: Involving all relevant departments in the risk assessment process.
	
	    o Investigation: With consideration to confidentiality, keeping all relevant departments informed during the investigation process.
	
	    o Communication: With consideration to employee confidentiality, communicating risk assessments and investigations in appropriate ways to stakeholders. This will allow for a wider understanding of lessons learnt.
	
	• *Practical example:* Involving WHS, human resources and accommodation representatives to review the check-in procedures for villages.
	
	• *Practical example:* Joint investigations where WHS representatives can provide investigation expertise in root cause analysis, while human resources representatives may identify areas where an organisation's policy has been breached.
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Leadership training: Increased understanding of intervention strategies amongst leaders.	• **Coaching:** Coaching to ensure that leaders feel comfortable in managing sexual harassment reports through both formal and informal pathways. • **Leadership Training:** The development of training materials that are specific for those in leadership roles. The materials should be developed to equip leaders with the required skills to have conversations on the issue and may also be used to confirm their	🟩

understanding of company policies, procedures, reporting pathways and supports that are available. This training can differ based on role, for example, senior leadership may have different training modules to those in supervisor role.

- **Awareness of demographics:** provide leaders with information on demographics that may be at elevated risk, as supported by research and the findings. For example, those presented in the *Respect@Work* report:

  o Women: The 2018 National Survey found that 39% of women and 26% of men almost two in five women (39%) and just over one in four men (26%) said they experienced sexual harassment in the workplace in the last five years.

  o Workers under 30 years of age: The 2018 National Survey found that, when compared to the average prevalence rate of 33%, people aged 18-29 experienced the highest rates of workplace sexual harassment of all age groups (45%).

  o Workers who are lesbian, gay, bisexual, transgender, queer/questioning, and/or intersex (LGBTQI). The 2018 National Survey found that people who identify as gay or lesbian (47%), bisexual (57%) or with another sexual orientation (55%) were significantly more likely than people who identify as straight or heterosexual (31%) to be sexually harassed in the workplace in the last five years. People with an intersex variation were also more likely than those without such a variation to have been sexually harassed in their workplace in the last five years, (77% compared to 32%).

  o Workers who are Aboriginal or Torres Strait Islander: The 2018 National Survey found that more than half of Aboriginal and Torres Strait Islander workers said they had experienced workplace sexual harassment in the last five years (53%).

  o Workers with a disability.

  o Workers from culturally and linguistically diverse backgrounds.

  o Migrant workers or workers holding temporary visas.

  o People in insecure working arrangements (for example, casual, labour hire, or part-time work).

  o Intersectionality: Each person's demographics, attributes and experiences intersect to create a unique intersection of characteristics. Where these intersections of diversity occur, the risk of experiencing harassment increases. For example, workers who are women and disabled are at greater risk than women who are able bodied.

- *Practical example*: At one member company, leaders are required to complete Leadership Essential e-learning modules as part of their on-boarding. The modules cover a variety of topics, including: Company Induction, Supervisor Accountability, Critical Risk Controls, Organisation Values, and Key Policies. In addition to the e-learning modules, the company has a comprehensive program of leadership development that continues to provide critical education in the management of gender-based risks.

Engagement: Ensuring all employees and contractors are engaged and consulted with.	- **Collaboration:** Active engagement and collaboration between industry associations, companies (including contractors), and key stakeholders (government, community) to drive awareness and an aligned approach to the issue. - **Consultation:** Leaders to regularly consult directly with employees and contractors to ensure that there is continuous feedback on planned initiatives and implemented controls.

	• **Updates:** Companies to provide regular updates to employees on prevention strategies, reporting pathways, and external supports that are available. • *Practical example*: A CME member has hosted a state-wide 'stop work' meeting to acknowledge sexual harassment and assault as an issue in the sector. The meeting was led by senior leadership and delivered via videoconference to ensure that all employees were able to join the meeting and provide feedback.	
Supportive Leadership: Strong and effective support from leaders.	• **Commitment:** Ensuring senior leadership commitment on company expectations. This can include endorsement of workplace behaviour policies and procedures by senior leadership. Organisations can engage with senior leadership of contractor service partners, providing a joint-approach and unified commitment of support. • **Leading by example**: Leaders demonstrate visible commitment and lead by example to drive the normalisation of reporting, help-seeking behaviours, and discussion of sexual harassment risks. • **Champions of Change:** Visible leadership across genders is important. As per the Champions of Change Coalition, champions of change are men who Step up beside women and take responsibility with women to accelerate gender equality. This supports focus on shifting the system, instead of solutions that put the onus on women to adapt. • *Practical example*: Establishment of mentoring relationships with supervisors or senior leaders, where employees can meet and discuss a range of work-related matters. These mentoring discussions develop over time, whereby mutual trust is developed, and women feel comfortable in approach others confidentially with issues and incidents relating to sexual harassment or other disrespectful behaviours. Their mentors can help to facilitate a resolution, be it through a formal or informal process. • *Practical example*: When new policies in relation to workplace behaviour are finalised, a notice is sent to employees from the Chief Executive Officer with a commitment of support.	

Training & Education

Awareness Raising: Increasing awareness of the issue throughout the sector.	• **Open discussions:** Open discussion and collaboration across the workforce to drive awareness on the issue. • **Storytelling:** Companies can leverage the impact of sharing direct experiences and having an affected person tell their story to a group of colleagues. It is important for the story to be told in a safe environment and with the confidentiality of those involved in mind. • **Community involvement:** The provision of a range of initiatives to support employees, their families and communities. These are evolving to meet this challenge. This can include, for example, the provision of peer support programs, mental health first aid to employees and community members, events that provide all with information on the range of supports that are available (such as helplines and EAPs), and events that drive a more diverse work force (women in STEM). • **Understanding Legislation:** Training or induction packages to include information on the Federal Equal Opportunity (EEO) legislation.	

	• *Practical example*: Incorporating psychosocial hazards and risks into pre-meeting safety moments. These safety moments can include lessons learnt or best practice regarding safe and respectful behaviours.
Employee Onboarding / Induction: Activities to take place following staff hiring or induction.	• **Onboarding:** Following hire of all staff, particularly those who will be working FIFO, ensure information about both informal and formal routes for inappropriate workplace behaviours (for example, sexual harassment and bullying) are clearly communicated. This can be incorporated into the employee onboarding process. • **Induction:** Employers to require contractor and services personnel to complete awareness training on the issue prior to arrival on their worksites to perform work. This training could include behavioural expectations and available reporting pathways. • *Practical example*: The induction process covers expectations on workplace behaviour and includes an information pack with reporting options. A "buddy system" where new starters are linked up with an onsite contact (or 'buddy') also forms part of the site onboarding process to ensure new starters are connected immediately to people who understand the site and associated processes.
Behavioural Expectations: Setting clear expectations.	• **Sustained Training:** A requirement for all staff and contractors to refresh the training. Training objectives should be to reinforce the required standards of behaviour, increase awareness of the issue, available reporting avenues and support available. • *Practical example*: Provision of training to employees which specifically provides guidance and strategies on how employees can speak up as a bystander.
Diversity	
Recruitment: Strategies to support the recruitment of individuals who align to company values and drive improved diversity	• **Policies:** Formal policies and processes that encourage the recruitment of diverse candidates. • **Police Clearances:** Police / criminal background checks as part of the recruitment process. Due diligence checks as part of the recruitment process to ask candidates to self-disclose an existing criminal record. • **Interviews and Reference Checks:** Confirmation that prospective employees reflect company values (and don't simply possess the required technical skills). • **Diverse Leadership:** The presence of more females in leadership positions, creating a more diverse leadership team which then not only impacts the overall culture (often influenced by biases) but also creates an avenue for affected women to report incidents without fear of judgment or impact on their career progression. • *Practical example:* As an example of gender targets, a CME member has set a 50:50 gender target for their workforce by 2025. Six years after the announcement, the company has seen a growth of its female workforce from 17.6% to over 30%.
Parental Leave: Gender neutral policies made available to workforce.	• **Gender Neutral Policies:** Gender neutral parental leave policies, expanding the period of paid leave for both primary and secondary carers, and continuation of superannuation payments during periods of unpaid leave. These practices aim to increase the proportion of men (usually secondary carers) who undertake parental leave.

	• **Child Care:** Acknowledging that childcare remains a challenging barrier to enticing more women into the workforce, particularly in regional areas. Companies may have on-site childcare facilities in place, provide child-friendly workspaces, and/or avenues for emergency care if required.
	• *Practical example*: One policy includes access to 26 weeks paid leave for primary carers (which can be taken at half pay for 52 weeks), access to part time (80%) return to work for full-time pay over a period of 4 weeks, and a lump sum top up to their superannuation fund of AUD$1,000 upon return to work. Secondary carers have access to 4 weeks paid leave (at the time of birth or adoption), plus the option to access a further 14 weeks of paid leave to undertake primary care duties should the primary carer return to work within 12 months of birth or adoption.
Work Arrangements: Providing alternative work arrangements to employees to allow for a more diverse workforce.	• **Flexible Work Arrangements:** Provision of flexible work arrangements to employees where operational requirements allow.
	• *Practical example*: Job sharing - rather than one individual working 8 days on site, 6 days at home, two individuals can share one role working 'back-to-back' with each working 4 days on site, then 10 days at home. This enables part time options in rostered crews where flexibility is typically hard to achieve.
	• *Practical example:* Return to work arrangements following maternity or paternity leave include the option for the parent to return to work part-time or with the flexibility to work from home.

Security and Accommodation		
Room Allocation: Updating room allocation procedures and providing opportunities for employees to request rooms.	• **Employee check-in:** Consideration of employee privacy during accommodation check-in process.	
	• **Room selection:** Procedures in place to request an alternative room allocation based on safety, security or cultural reasons. For example, opportunity for employees to request rooms closer to reception.	
	• **Key management:** Improvement of existing approaches to accommodation allocation and key management to ensure room safety, privacy and security. Implement policies or procedures for accommodation and key management that specifically address the risks associated room allocation visibility and key distribution, storage and reclamation.	
	• *Practical example*: A CME member has updated their check-in procedures to include that room numbers are provided to employees via a written slip (as opposed to verbally communicating the room number where others can overhear).	

On-site Security: Personnel assigned to manage the security of village accommodation.	• **Room Security:** Provision of improved windows, doors, screens, door latches and/or locks. For example, companies to consider moving towards a swipe card access or lock replacement program. • **Site Access:** Implementation of access controls to restrict access to accommodation villages including fencing, boom gates, swipe card access and signage. • **Communication:** Security signage available in rooms and around the accommodation facility to inform residents how to seek security assistance. • **On- Site Security:** For large sites, security guards can be placed on site with the assignment of patrolling designated areas of the site more regularly. Security personnel may also be supported by security cameras (CCTV) being set up in high-traffic or high-risk areas of the site accommodation. • **Training:** Security guards assigned with specialised training for sexual assault or sexual harassment emergency response. • **Safety Audits:** Gendered safety audits for worksites that can incorporate surveys, safety walks, interviews, and group discussions on safety factors specifically related to gender. The audits may also include a review of the availability of clear pathways, on-site lighting, separate changing facilities, bath houses, duress alarms in common areas, and if gender-specific personal protective equipment is made available to employees. • *Practical example*: Walk to Room initiative, where, if employees are uncomfortable in walking alone to their rooms, they can request a member of security to accompany them.	
Community Building: Cultural initiatives that foster a sense of community on site.	• **Social Activities:** Provision of activities that promote employees' mental, social, and physical wellbeing. For example, clubs, movie screenings, family days, and family induction packages. • **Village / Camp Design:** Villages are designed to ensure that residents are safe and secure at all times while addressing their physical, social and emotional needs. For example, theatre rooms, sports facilities, gaming facilities, woodwork sheds. • **Expectations:** Village Rules specify the required standards of behaviour while residing at the village. Organisations may require employees to read and accept the Village Rules upon check in. • *Practical example:* Family days held while staff are off-site, building and expanding the community. One member has organised a variety of activities for employees and their families, including ice skating days and movie screenings.	
Work-Adjacent Settings		
Inclusive Work-Adjacent Settings: Consideration for work-adjacent and social settings.	• **Diversity and Inclusion:** Consideration of social activities that are more inclusive. This can be managed by engaging employees to understand what their requirements are. For example, forming a social or event committee that includes a diverse membership. o Acknowledgement that unplanned and/or informal networking events involving alcohol can lead to work-related discussions that exclude colleagues.	

	• **Time:** After-work activities can exclude employees who are in primary-caregiving roles. For example, daytime or lunchtime events allow for wider employee participation. • **Diverse representation:** Organisations to consider whether it is appropriate to support or send delegates to conferences or attend summits based on the diversity of known presenters/hosts • *Practical example:* Introducing a women's-only section of the gym for use on the site accommodation villages / camps. • *Practical example*: Children-friendly spaces provided during workplace sundowner events, with a creche set up to provide parents with the option to attend the event with their children.	
Alcohol		
Serving Alcohol: Applicable to sites that serve alcohol to employees.	• **Beverage limits:** Beverage limits generally cover a day or a 24-hour period. • **Takeaway limitations**: Takeaway limitations have been implemented by some companies. Some companies indicated that takeaway beverages had a slightly lower limit than on-site orders. • **Alcohol strength:** Sites that serve alcohol to employees are generally restricted to mid-strength beverages. Additionally, the banning of alcohol served in a form that encourages rapid consumption, such as shooters, shots, and doubles. • **Purchase management:** Drink limits are managed via confirmation of the purchaser. Confirmation may be managed through a variety of ways, however, some mine sits have shown a shift to the utilisation of a swipe card or site ID. • **Policies:** Site policies including reference to the responsible service of alcohol. • *Practical example*: Implementation of the Ask for Angela initiative on-site. The initiative encourages people to ask bar staff for 'Angela' or to order an 'angel shot' if they find themselves uncomfortable or in a situation that they believe is unsafe or threatening. In response, bar staff will discreetly escort the person to safety and then address the inappropriate behaviour. • *Practical example:* Provision of non-alcoholic beverages with no cost at site taverns. This increased availability and accessibility of non-alcohol beverages has led to a decrease of alcohol beverages consumed by employees.	
Site Management: Applicable to site accommodation and workplace.	• **Stockpiling:** Some companies also have policies in place that ban alcohol 'stockpiling' in employee accommodation. This may be managed via room inspections. • **Alcohol Testing:** Breathalyser testing is regularly utilised by the resources sector. This is general required by all persons arriving on-site and prior to commencing shift. Breathalyser testing is also used by companies for cause testing following any incidents. • *Practical example:* To prevent stockpiling, one site opens drinks as they are purchased.	

Supporting Initiatives: Other initiatives that can be used to support those listed above.	• **Standards and Policies:** Have a formal alcohol standard in place. • **Social Activities:** Employers to consider the broader notion of culture in relation to shared leisure time after work. Promotion of social activities outside of the wet mess / tavern to actively promote a range of activities. These activities can include fitness classes, team sports, and quiz nights. • **Employee Support:** Employee Assistance Programs and peer-support initiatives provided by employers can provide support to employees who are concerned about their drinking habits or seeking advice on the management of a friend or family member who may be consuming too much alcohol. • **Education:** Implementation of education programs that inform employees on the harmful effects of alcohol consumption and reinforce the support available to reduce alcohol consumption. • **Pre-Employment:** Employers may use of pre-employment questionnaires to assist in the identification of any at-risk alcohol consumption and ensure the appropriate controls and supports are available. • *Practical example*: Employees who proactively come forward with possible alcohol problems are supported through access to alcohol support programs.	
Reporting		
Confidentiality: Providing employees with the ability to remain anonymous when raising issues.	• **Confidential Reporting:** Implementation of accessible, confidential reporting systems that allow for employees to remain anonymous if preferred (for example, online reporting, phone line, QR codes). • **Informal Reporting:** Informal channels made available for employees to raise issues confidentially. This may be via a leader who the employee is comfortable talking about the issue with. • *Practical example:* A contracting company and CME member has set up a confidential reporting process that can be made by both contractor and customer employees. Posters with details about the program and a unique QR code for sites allows for anonymous reports to be shared with the company HR and WHS team. Employees are able to disclose their name if they feel comfortable doing so.	

Workplace Culture: Workforce surveys and employee education to include organisational considerations and information on cultural risk factors.	• **Surveys**: Survey the workforce to gain an understanding of the organisation culture. This can include qualitative and quantitative measures. Transparently sharing the findings with workforce and key stakeholders.
	
	• **Sharing findings**: Ensuring there is a mechanism to share findings of these surveys and actions that are being taken to address any identified issues is important in demonstrating to the workforce there is meaningful commitment to change.
	
	• **Risk assessment**: Risk assessments should include consideration of organisational factors across structural and cultural impacts. For example:
	  o Workforce homogeneity.
	  o Power and gender imbalances.	

	○ Workplaces with high structural authority. ○ A workplace culture that supports or tolerates harmful behaviour. ○ Low empowerment, autonomy, communication, connection to purpose. ○ Workers interactions with clients and/or customers: Consider risks for workers interactions with clients and/or customers (for example, contractors, support services). *Practical example*: A CME member engaged an independent expert to conduct an organisation-wide survey and investigation into workplace culture including as it relates to bullying, sexual harassment and discrimination. The full report was shared with the company's workforce.	🟩
Leadership: Effective support and a strong understanding of reporting requirements.	**Understanding Requirements:** Active engagement and collaboration across industry associations, companies, and key stakeholders (government, community, contractors) to ensure that companies, their leaders, and Registered Managers are aware of regulatory reporting requirements. **Availability:** Provision of rosters that allow employees to crossover with two different higher line managers. This provides staff with more options in regard to who they feel comfortable escalating issues to. *Practical Example:* Leaders communicating their commitment to a safe and respectful workplace via organisation-wide communications (email) and safety stand-downs.	🟩🟥
Continuous Improvement: Reviewing safety performance and addressing weaknesses in the management system as soon as they are identified	**Reporting:** Use of online reporting systems. These can be internally managed or provided via a third-party company. The effectiveness of reporting relies on a culture of proactive reporting, where it is 'safe to speak-up' (see below). **Consultation:** Companies provide opportunities for employees to provide feedback. For example, employee surveys, working groups, one-on-one meetings with representatives, and anonymous feedback tools. **Performance Management:** Senior leadership to review reporting data and feedback through consultation with the intent of ensuring that visible behaviours, cultural interventions, and active reporting are occurring. *Practical example:* Use of third-party confidential reporting systems, such as the Safe2Say reporting platform. These systems can provide de-identified data based on sites, providing the employer with the opportunity to conduct a deeper review of locations with increased reports.	🟩🟥
"Speak-Up": Fostering a culture of speaking up.	**Culture:** Organisations to promote a 'safe to speak-up' culture through a variety of means. This can include: **Leadership:** Commitment and support by leadership is an essential component of creating a 'safe to speak up' culture. **Internal promotion:** For example, email updates, posters, and safety meetings. **Training:** For example, the provision of formal training, outlining the company's commitment to fostering a speak-up culture.	🟩🟥

- • **Company Values:** For example, references in company procedures, Code of Conduct, or building speaking up as a component of the company values.

- • **Recognition:** Highlighting and rewarding employees who have demonstrated that they have exemplified these values.

- *Practical example:* A CME member drives a 'speak up' culture from the moment employees are onboarded through inductions and workforce engagement. The organisation recognises and rewards employees who have demonstrated that they have exemplified these values, reinforcing its importance.

Employee Support

Employee Assistance Programs (EAPs): Providing workers with access to professional counselling.	• **Workplace Counselling:** Companies to have an employee assistance program (EAP) in place to support employee's emotional and psychological wellbeing. EAPs are a widely used mental health initiative by employers across Australia. They provide support and counselling services and can be confidentially accessed by employees. As of [March 2020](#), 96% of companies surveyed by CME stated that they had EAP's in place to support employees' emotional and psychological wellbeing. • **Coverage:** Noting that employees may prefer to engage with their EAP outside of their work hours, employers should consider an EAP provider who can provide 24-hour support to their workforce. Organisations may extend their coverage to include employee family members and contractor workforce. • **Sessions:** The number of sessions that an employee is entitled to as part of the EAP varies between organisations and is dependent on arrangements with the EAP provider. These sessions generally range from three sessions a year to an unlimited number of sessions. In reviewing arrangements with an organisation's EAP, employers should consider if there is an increased demand for additional sessions. • **Communication:** Organisations to ensure that employees are aware of the EAP and services that are available by promoting their EAP via internal communications. This can include the onboarding process, email updates, safety meetings, and posters in the workplace. • **Specialised Training:** EAP staff receive specific training on trauma informed care. • *Practical example:* Expansion of the availability of the company's EAP to employees, contractors, and employee family members.
Peer-Support: Training and empowering staff to safely assist colleagues in times of a struggle or personal crisis by linking	• **Specialised Training:** Provision of training that seeks to equip employees with the skills to have safe conversations and link colleagues with appropriate supports. These supports can be both internal (such as Human Resources or Sexual Harassment Officer) and external (such as Lifeline, 1800 Respect, or the organisation's EAP).

them to available supports.	• **Promotion:** Organisations to promote internal peer-support programs and recognise those who have completed peer-support training. Continually promotion and communication of peer-support encourages help-seeking behaviour while also raising awareness within the organisation. • *Practical example:* Resourceful Minds (CME/Lifeline WA) - CME and Lifeline's Resourceful Mind currently being worked on is one example and aims to encourage and support help-seeking in on-site communities. Trained employees will be able to share available support systems for if an employee requires further assistance (for example, EAP, Lifeline, company bullying policy). CME and Lifeline have rolled out two specialist skills training sessions on the topics of workplace sexual harassment and sexual assault, which applies the peer-support model. The sexual assault training session has been developed with the support of the Sexual Assault Resource Centre (SARC)
Identified Company Support: Provision of support services to employees.	• **Dedicated Support:** Dedicated on-site support for employees. This may be an employee who has the training and seniority within the organisation to facilitate resolutions and provide advice on management of workplace sexual harassment. • **Post-Investigation Support:** Provision of victim support services following the conclusion of an investigation. For example, provision of information for the company EAP, or scheduled check-ins with the employee or contractor. • *Practical example:* Creation of a Sexual Harassment Officer role, accessible to employees for support and sexual assault and harassment reporting.

Investigation	
Transparency and Confidentiality: Reconsideration of previous approaches to confidentiality and Non-Disclosure Agreements (NDAs).	• **NDA's:** Reconsidering approaches to non-disclosure agreements (NDAs) to ensure outcomes sought through this process for the employer and the victim are considered more holistically, not only in the short term. If relevant, member companies to avoid NDAs while acknowledging is a complex matter and the WSH Council has been tasked with providing guidance on this which will further inform organisations on the use of NDAs. This provides organisations with the opportunity to balance confidentiality and transparency. o Acknowledging that a person with a lived experience going through the NDA process may still be in a state of 'fight or flight' and may sign an NDA to close the process in the short term. However, over time this preference changes, and this presents barriers to healing and challenges for employers in effectively managing cases. With appropriate and clear boundaries, NDAs could be drafted to allow greater flexibility and ownership for the person with a lived experience regarding how they may communicate about their experience. This would allow the NDA to move from covert to vehicles that support the employee. For example, where mutually agreed the organisation my reveal the perpetrator's identity or the employee may share their story where they have agency. • *Practical example*: One organisation has publicly confirmed it would not enforce any confidentiality obligations in relation to submissions made by existing or former employees or contractors. The organisation has also ceased using non-disclosure agreements or confidentiality obligations in settlement agreements relating to sexual assault or sexual harassment and will not enforce any non-disclosure agreements or confidentiality obligations in historical agreements.

| **Independent Investigation:** Engaging external parties or specific-teams for incident investigations. | • **Third-Party:** Independent investigation processes can help improve reporting and increase the support for impacted persons in the investigation process.

• **Training:** Investigation team members trained in a victim-centric and trauma informed approach.

• *Practical example*: Use of a centralised and confidential reporting tool and the most serious allegations are investigated by a centralised investigations team to build confidence in the investigation process and improve the experience of those who raise concerns. The investigations team is separate from other business units and have been trained in a victim centric, trauma informed approach which seeks to put the impacted person at the centre of decisions regarding the investigation. | |