

## SECTION 1:

# Committed organisations

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“...a ‘whole of organisation’ approach across your SSA, working together to build commitment and support staff in taking constructive bystander action”

PREVENTING VIOLENCE AGAINST WOMEN IN THE WORKPLACE  
[AN EVIDENCE REVIEW: SUMMARY REPORT]. VICHEALTH 2012

## SECTION 1: COMMITTED ORGANISATIONS



### INFORMATION SHEETS

# 1. Getting your SSA on board with bystander action

**To implement bystander action effectively in your SSA, you need to have your whole organisation on board, including your leaders.**

A good first step in doing this is to help staff and other stakeholders (e.g. your Board) understand the 'whats' and 'whys' of bystander action in your SSA.

They need to know:

- Violence against women is the biggest contributor to ill health and premature death in women aged 15–44, with one in three women experiencing physical violence and almost one in five women experiencing sexual violence from intimate male partners.
- Your organisation has a responsibility to do all it reasonably can to provide a safe and inclusive workplace for all, including women.
- Bystander action is an effective strategy to address sexist language, sex discrimination and sexual harassment and an important part of what you do to provide a safe and inclusive environment.
- Implementing bystander action will have benefits for your organisation. It can positively influence your workplace culture and build organisational health by:
  - cultivating more equal and respectful relationships between men and women
  - increasing the retention of women in your organisation
  - improving the productivity and morale of all staff.

- Constructive bystander action that helps create more equal and respectful relationships between men and women can also help to change the attitudes and behaviours that lead to violence against women, and is therefore an important preventive technique in a community strategy to eliminate violence against women.

You can educate staff and others about bystander action in a number of ways, including:

- discussing bystander action at staff and board meetings **R**
- talking to new staff at induction
- providing information in the staff handbook
- posting information on the intranet
- incorporating information in policies and procedures.

The following page outlines some key messages to include in your information.

**It's time to get your SSA on board!**

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### What is bystander action and why is it important?

- As an employer, our SSA has an obligation to do what it reasonably can to prevent and address sex discrimination and sexual harassment in our organisation and keep our workplace safe and inclusive for women.
- A key part of creating such a safe and inclusive workplace is to equip all staff to step in when they see or hear about sexist language, sex discrimination or sexual harassment taking place at work.
- 'Stepping in' can take many forms, and is often referred to as 'bystander action'. It can include speaking up against sexist or disparaging language or jokes where safe to do so, or identifying and changing workplace practices and policies that discriminate against women.
- Our organisation supports and endorses the use of bystander action and has embedded this in our policies and procedures so that all staff are clear that we will not tolerate sex discrimination, sexual harassment and victimisation, and all staff know what to do when they see it or are told about it.
- Bystander action fits with what we are already doing to strengthen the participation of women in our workplace.
- Bystander action says we all share the responsibility to tackle sexist language, sex discrimination and sexual harassment in our organisation.
- Using bystander action to tackle sexist language, sex discrimination and sexual harassment will help us create a positive work environment for everyone, including women. It will lead to staff who:
  1. want to come to work
  2. are committed to doing a good job
  3. work well together
  4. stay on in the job.
- As well as these benefits, using bystander action will help us be an effective role model for our sport: it shows our commitment to 'walking the talk', encourages our members to do the same, and gives us the authority to step in where they are missing the mark.
- We will also be helping to reduce violence against women by eliminating the sexist language, sex discrimination and sexual harassment that can contribute to this. For a useful resource on the link between bystander action and preventing violence against women, follow the video link on the additional resources page.
- The bystander actions and strategies contained in this toolkit are designed to be a part of our prevention strategy.

**Bystander actions should never involve someone putting themselves or others in a potentially dangerous or risky situation. Staff should only take bystander action when they consider it is safe to do so.**

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## 2. Policies for bystander action

**Your policies are the ground rules that help staff and other stakeholders know what to do about any workplace issue.**

Your policies also reflect your organisation's values and beliefs, and provide the blueprint for the kind of workplace culture you want to achieve.

To implement bystander action, you will need policies that let staff and other stakeholders know where they stand and what they should do in relation to:

- tackling sexist language, sex discrimination and sexual harassment
- maintaining appropriate workplace behaviour
- sorting out grievances and complaints of sex discrimination, sexual harassment and victimisation.

Staff and other stakeholders will also need policies that help them understand how and when to take bystander action.

This information does not have to be contained in a stand-alone bystander action policy, but can be included in other policies aimed at building a safe and respectful workplace, for example:

- equal opportunity/diversity/discrimination
- workplace behaviours/code of conduct
- sexual harassment
- bullying
- recruitment and selection
- leave and workplace flexibility
- pregnancy at work
- grievance and complaints resolutions.

Having these policies and procedures in place will help staff and other stakeholders understand that:

- they share the responsibility for tackling sexist language, sex discrimination and sexual harassment at work and are expected to act
- they have organisational support for taking bystander action
- taking bystander action 'fits in' with your organisation's commitment to building a safe and inclusive workplace for women and is a part of your strategy to do so.

To be effective in supporting the use of bystander action, your policies should be communicated to staff and other stakeholders.

It is good practice to:

- provide formal and informal induction and refresher training about your policies
- include policies in your staff handbook
- discuss policies at team meetings
- talk about policies at staff induction
- promote the policies via email, the intranet or social media
- regularly review your policies and your employees' compliance with them.

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## 3. Your equal opportunity policy

### Your equal opportunity policy sets the context and rationale for implementing bystander action in your organisation.

It also provides a reference point to help staff recognise the opportunities to step in when they see or hear about sexist or discriminatory language, behaviours and practices or sexual harassment.

Your equal opportunity policy spells out your organisation's legal obligation to do what it reasonably can to eliminate sex discrimination and sexual harassment in your workplace, and the need for all staff to share this responsibility. (It should also include vilification and victimisation.)

An equal opportunity policy provides clarity about the:

- standards of behaviour expected at your organisation
- responsibility of all staff (including team leaders and managers) to comply with these standards
- right of all staff to a safe and inclusive workplace free from sex discrimination and sexual harassment (and other forms of discrimination)
- rights of staff to raise a complaint without fear of victimisation.

Having an equal opportunity policy will help your organisation fulfil its obligations. Specifically including bystander action in this policy will encourage staff to take constructive actions as part of their shared responsibility to eliminate sex discrimination and sexual harassment.

An effective equal opportunity policy that supports bystander action would include:

- a clear statement about your organisation's commitment to eliminate sexist language, sex discrimination and sexual harassment in your workplace
- explicit leadership endorsement of bystander action as a key strategy in doing this
- a clear statement that team members are expected to support bystander action as an agreed way of addressing sexist language, sex discrimination and sexual harassment
- an agreed approach to taking bystander action for staff to follow when they witness or hear about sexist language, sex discrimination or sexual harassment.

For the policy to be effective, you should:

- communicate it to staff and other stakeholders at induction, and provide appropriate training
- regularly remind staff about the policy during team meetings and via email or social media promotions (e.g. your intranet)
- monitor compliance with the policy and take complaints about breaches of the policy seriously.

**Having an equal opportunity policy that incorporates support for bystander action can help your organisation reduce the risk of sex discrimination, sexual harassment and other unlawful behaviours, and the liability that comes with this.**

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## 4. Code of conduct

**A code of conduct is an important guide for employees when thinking about how they are expected to behave in the workplace.**

A code of conduct:

- outlines the standards of behaviour set by your organisation
- reinforces your commitment to respectful interactions between staff and effective conflict resolution
- communicates your organisation's expectation that these standards will be met by all staff.

A code of conduct is a key way of letting staff know how to behave towards each other and other stakeholders. It clarifies what behaviours are acceptable and appropriate in the workplace and what are not. It describes behaviours expected of staff when at work, including:

- working with colleagues in teams or one-on-one
- interacting with members of the public
- using email, the internet or other social media
- representing or undertaking work duties off site and when travelling to and from these activities
- participating in work-related social events.

In this way, it communicates your organisation's values and beliefs and your commitment to regulating how staff represent these values and beliefs in their day-to-day work – it makes a clear statement about the kind of workplace you want to have.

This is very important in the context of bystander action, because it helps staff recognise appropriate and inappropriate behaviour, serving as a reference point for staff wanting to take action and giving them the confidence that taking action is in line with the kind of organisation you want to be.

For your code of conduct to be effective, you should:

- communicate it to staff and other stakeholders at induction, and provide appropriate training
- regularly remind staff about it during team meetings and via email or social media promotions (e.g. your intranet)
- monitor compliance with the code of conduct and take complaints about breaches of it seriously.

**Having a code of conduct that clearly spells out standards of behaviour can help your organisation reduce the risk of sex discrimination, sexual harassment and other unlawful behaviours, and the liability that comes with this.**

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## 5. Complaints process

**A complaints process provides the framework for effectively resolving complaints of sex discrimination, sexual harassment and other unlawful behaviours.**

It gives guidance to staff about how they can make a complaint and spells out how you will deal with it.

Having a complaints process in place can support the use of bystander action in the workplace by clearly reinforcing that sex discrimination, sexual harassment and other unlawful behaviours will not be tolerated, and that complaints around these behaviours will be taken seriously.

This is very important, because research shows many women who experience these behaviours remain silent or leave work, rather than make a complaint.

This makes support for bystander action all the more important – it spreads the responsibility to speak out to everyone, not just victims.

A fundamental principle of a complaints process is that people can speak up against sex discrimination and sexual harassment, or support someone who is making a complaint about these behaviours, without fear of victimisation. If enacted effectively in a workplace, it provides a 'safety net' for people to take action and ensures that unlawful or inappropriate conduct is dealt with appropriately.

A complaints process needs to be transparent and make it clear that complaints will be dealt with efficiently, with all parties treated fairly throughout and able to have their say (in line with the principles of natural justice).

A complaints procedure should detail:

- the responsibilities of managers and team leaders in responding to complaints
- informal and formal complaints resolution options
- investigation processes and possible outcomes
- external complaint resolution agencies (such as the Victorian Equal Opportunity and Human Rights Commission)
- internal and external support options
- the importance of confidentiality and preventing gossip.

A complaints process should also detail the role of your contact officer to help staff members who wish to make a complaint of discrimination, including sex discrimination and sexual harassment. It may also reference the role the contact officer could play in supporting staff wanting to take bystander action.

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## 6. Sexual harassment policy

**A sexual harassment policy describes the actions an organisation and its staff will take to prevent sexual harassment.**

This could include the use of bystander action as a preventive strategy, where people speak up and challenge the attitudes and behaviours that can lead to sexual harassment.

An effective sexual harassment policy:

- clearly defines what sexual harassment is and the workplace situations or circumstances in which it may arise
- explains that in certain circumstances, sexual harassment may constitute a criminal offence
- details the informal and formal mechanisms available to staff and volunteers to address sexual harassment in their workplace
- spells out the responsibility of managers and supervisors to act if they are made aware of an incident of sexual harassment
- encourages all staff to take bystander action when they see or hear about such behaviours
- assures staff that expressing concerns around sexual harassment will be taken seriously.

The vast majority of people who are sexually harassed are women, so having a sexual harassment policy in place is central to building a safe environment for women in your workplace.

Having a sexual harassment policy in place also provides a legitimate platform for staff to engage in bystander action. In many instances, the victims of sexual harassment choose not to speak up, so it is both appropriate and important that others do so whenever they are aware of it.

For the policy to be effective, you should:

- communicate it to staff and other stakeholders at induction, and provide appropriate training
- regularly remind staff about the policy during team meetings and via email or social media promotions (e.g. your intranet)
- monitor compliance with the policy and take complaints about breaches of the policy seriously.

**Having a sexual harassment policy that incorporates support for bystander action can help your organisation reduce the risk of sex discrimination, sexual harassment and other unlawful behaviours, and the liability that comes with this.**



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## CHECKLIST

### Policy checklist

Question	Yes	No	Partly	Ref
1 Do we have any policies that describe the sort of behaviour we expect from employees while at work? (List them in the space below.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A1
2 Do any of these policies specifically mention the following as being unacceptable, inappropriate and not tolerated here? <ul style="list-style-type: none"> <li>• Sexist language</li> <li>• Sex discrimination</li> <li>• Harassment or sexual harassment</li> <li>• Bullying</li> <li>• Vilification</li> <li>• Offensive language or actions</li> <li>• Victimisation</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A2
3 Do they clearly describe what employees can do if they want to raise a concern or lodge a complaint about actions, decisions or behaviours that are contrary to our values, policies or code of conduct?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A3
4 Do they include a list of people and organisations employees can contact if they want help to deal with issues related to actions, decisions or behaviours that are contrary to our values, policies or code of conduct?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A4
5 Do they include an explanation of what bystander actions are and how they are implemented and supported here?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A5
6 Is it easy for employees to find our policies and procedures if they want to find out more?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A6
7 Is there regular training and reminders for employees about these policies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A7
8 Is a discussion about our values, policies, code of conduct and workplace culture included in our induction process for new employees?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A8
9 Do we have policies to support: <ul style="list-style-type: none"> <li>• pay equity</li> <li>• career progression for women</li> <li>• women in leadership roles?</li> </ul>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	A1

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### ACTION OPTIONS

## 1. Creating policies

**It is really important that your organisation has up-to-date policies and procedures that cover all your legal obligations and clearly spell out rights and responsibilities for all employees.**

Create clear written policies that address:

- equal opportunity, diversity and discrimination **i3**
- workplace behaviour (or code of conduct) **i4**
- harassment or sexual harassment **i6**
- bullying
- occupational health and safety
- recruitment and selection (non-discrimination) **R**
- leave and flexible working arrangements **R**
- pregnancy at work
- grievance and complaints procedures. **i5**

Make sure you check that all of your legal obligations (including any in your industrial instruments) are met.

Communicate these to all employees in electronic and paper formats and through discussions at team meetings and individual catch-ups.

As a start, you can adapt policy templates and samples from the websites of:

- Victorian Equal Opportunity and Human Rights Commission
- Business Victoria
- Victorian WorkCover Authority (Worksafe Victoria).

## 2. Policy content

**You need to inform your employees about the specific behaviours that will not be tolerated in the workplace.**

Insert additional text into your policies and procedures to ensure employees understand what is expected of them while they are at work and the consequences of non-compliance for behaviours such as:

- using sexist language or behaviour
- sex discrimination (or any other prohibited discrimination)
- harassment or sexual harassment
- bullying
- vilification
- using other offensive language or actions
- victimisation. **R**

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### ACTION OPTIONS

## 3. Developing procedures

**To encourage employees to raise concerns about behaviours or actions, your organisation needs to have appropriate procedures in place.**

Create clear complaint and grievance procedures that describe the options employees have for raising issues or concerns about behaviour, actions or decisions that contravene your values, policies, procedures and code of conduct. **i5**

These processes should spell out how to make a complaint or raise a concern, who will manage it, how it will be done, the rights and responsibilities of everyone involved and any support that can be provided.

Be mindful of your legal obligations and any industrial agreements with which you need to comply.

As a start, you can adapt procedure templates and samples from the websites of:

- Victorian Equal Opportunity and Human Rights Commission
- Business Victoria
- Victorian WorkCover Authority (Worksafe Victoria)
- Workplace Gender Equity Agency.

## 4. Support

**In addition to written policies, your staff should be aware of where they can get further information or support when they need it.**

Identify who are the support people and organisations that your employees have access to and publicise these in a range of formats (e.g. listed in policies, on your intranet, on noticeboards, in newsletters, in employee handbooks).

If you don't have any (or have only a few) support options available, consider how you could expand these.

Support options could include:

- internal people – managers with specific people management or HR responsibilities, contact officers, health and safety reps, union reps
- external groups – employee assistance programs, complaint or investigatory bodies (e.g. VEOHRC, Victorian WorkCover Authority), advice lines (e.g. Lifeline, beyondblue), unions, Centres Against Sexual Assault (CASA), the domestic violence helpline and WIRE Women's Information. **R**

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### ACTION OPTIONS

## 5. Explaining bystander actions

### The idea of taking bystander action could be new to many of your staff.

To encourage staff to take such action, it helps to specifically include bystander action in your policies and procedures.

Your policies and procedures should explain what bystander actions are, why they are important and how they are supported in your organisation. [E1](#) [E2](#) [E3](#)

This information should be included, or at least referenced, in all your relevant policies and procedures.

Use Information sheet 1: 'Getting your SSA on board with bystander action' in Section 1 and amend as needed. [i1](#) [i2](#)

## 6. Accessing policies

### Your staff need to be able to locate policies and procedures whenever they need them.

Think about when and why employees may want to access the policies and procedures and the most likely places they will look.

Have links, references or pointers that direct them to a single place that contains all your policies and procedures (e.g. in a clearly labelled location on your intranet).

Make sure they are well indexed or can be searched easily, so people can find the information they need quickly and easily.

Check how easy they are to find by randomly asking a few employees to find particular procedures.

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### ACTION OPTIONS

## 7. Policy training

**Both employees and managers need regular training to remain up-to-date on all key policies and procedures.**

Having all staff trained is also a key part of your compliance as an organisation and employer.

Create a schedule for regular updates or refreshers for all employees and keep a record of attendance or completion.

As managers have particular responsibilities, make sure they receive more detailed training that covers these responsibilities too.

## 8. Induction

**Your new employees will be wondering about the cultural ‘norms’ that operate in your organisation.**

They will need to learn what is expected of them and where they can go if they have any problems.

Put a representative group of people together to create an induction program that includes clear information about the relevant policies and procedures, and have conversations with managers and colleagues about behaviour expectations and the type of culture you are striving to create and maintain.

Listing the people new staff can talk to about these issues and having a buddy system for the first few months can help orient new employees to their new workplace environment.

When you are reviewing your induction program, ask a couple of staff who have recently joined what they really wanted to know at induction, what worked well for them during their induction, and what they feel could be improved.

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### EXAMPLES

## 1. A definition of bystander action

**Bystander action in our organisation is when an employee steps in when they see or hear about sexist language, sex discrimination or sexual harassment taking place at work.**

Stepping in can take many forms: it can include speaking up against sexist or disparaging language or jokes, or identifying and changing workplace practices and policies that discriminate against women.

It can also include encouraging others to speak out or take action. It can be taken before, during or after an incident.

## 2. Bystander actions

**Some examples of bystander action in the workplace are:**

- speaking to a colleague about their recent disrespectful behaviour
- 'calling' disrespectful language or behaviour (e.g. challenging colleagues' sexist remarks or jokes)
- letting managers know when issues relating to policy compliance, codes of conduct or behaviour need addressing
- highlighting workplace or organisational cultures and practices that exclude or make it difficult for women to participate equally
- identifying opportunities to improve policies so they are supportive of women with disabilities
- challenging stereotypes or rigid attitudes to gender roles.

## 3. Support for bystander action

**In [organisation name], we expect all employees to uphold our values and conduct themselves in accordance with this policy and our code of conduct at all times.**

We also support and encourage employees to promote respect for our values, such as **[list values]** through team discussions, reporting actions or behaviours that contravene our values, policies and code of conduct, and taking appropriate bystander action to prevent sexism, sexual harassment and sex discrimination.

To learn more about this and the actions you may take, speak with your manager and read our policies in the staff handbook.

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### ADDITIONAL RESOURCES

## Links

- [www.humanrightscommission.vic.gov.au](http://www.humanrightscommission.vic.gov.au)
- [www.business.vic.gov.au](http://www.business.vic.gov.au)
- [www.worksafe.vic.gov.au](http://www.worksafe.vic.gov.au)
- [www.vichealth.vic.gov.au/workplaces](http://www.vichealth.vic.gov.au/workplaces)
- [www.vichealth.vic.gov.au/bystander](http://www.vichealth.vic.gov.au/bystander)
- [www.wgea.gov.au](http://www.wgea.gov.au)
- [www.vichealth.vic.gov.au/PVAW-bystander-action](http://www.vichealth.vic.gov.au/PVAW-bystander-action)

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## References and resources

- VicHealth 2012, *Preventing violence against women in the workplace [An evidence review: summary report]*, Victorian Health Promotion Foundation, Melbourne, Australia.
- *Equal Opportunity Act 2010* (Vic).
- *Sex Discrimination Act 1984* (Cth).
- *Guideline: Sexual harassment – complying with the Equal Opportunity Act 2010*. Victorian Equal Opportunity & Human Rights Commission.