Take action:

Empowering bystanders to act on sexist and sexually harassing behaviours

THE
**BEHAVIOURAL
INSIGHTS
TEAM**

WOMEN VICTORIA

VicHealth®
vichealth.vic.gov.au
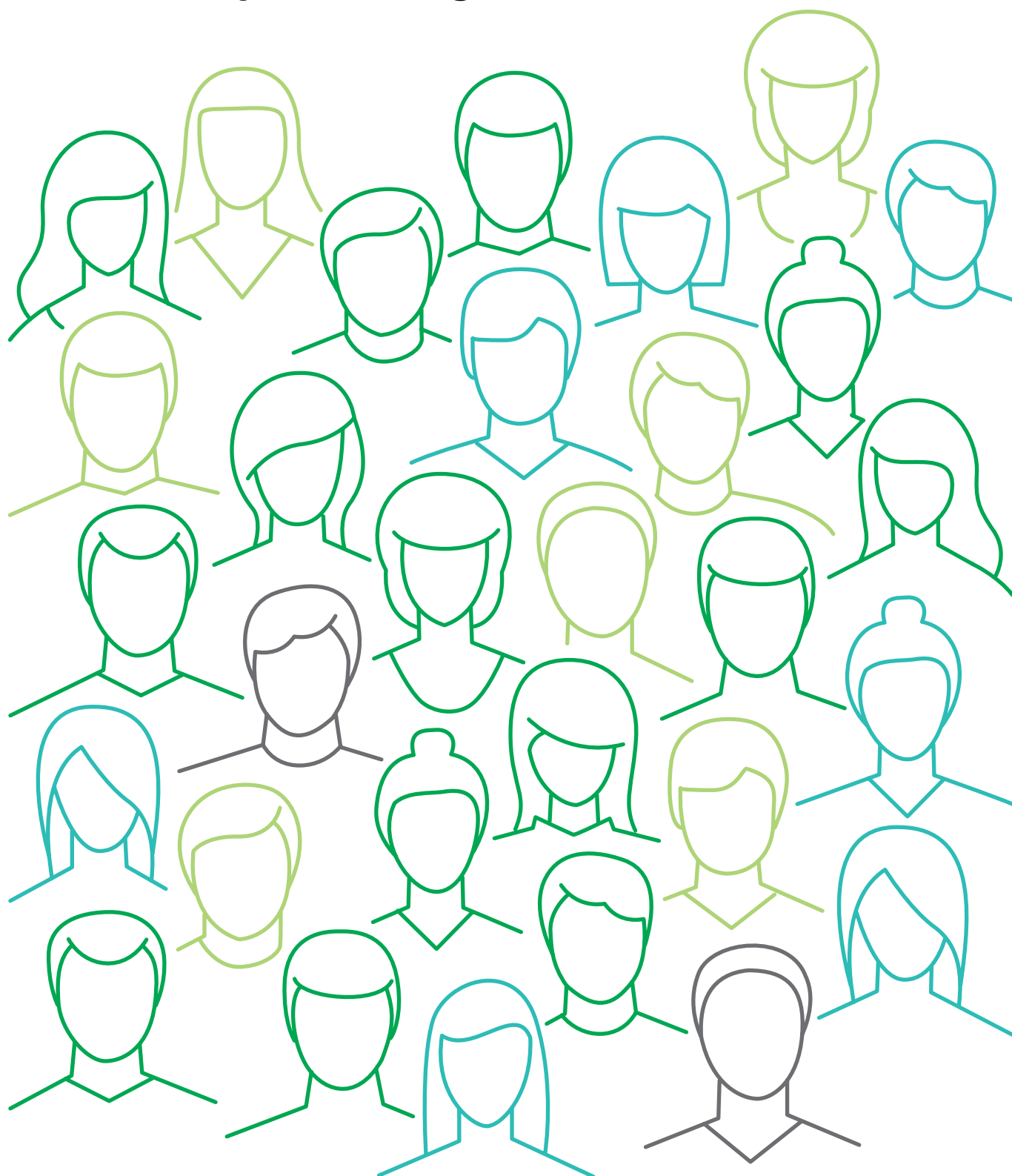
This resource has been developed to help organisations introduce bystander initiatives as part of their work to reduce sexist and sexually harassing behaviours. It explains what 'active bystanding' is and outlines four key steps[1] for implementing effective bystander initiatives: 1) organisational preparation 2) readiness assessment 3) initiatives and 4) evaluation.

[1] From a modified version of the Latané and Darley model of bystander action. Darley, JM & Latané B (1968), 'Bystander intervention in emergencies: Diffusion of responsibility', *Journal of Personality and Social Psychology*, vol. 8, pp. 377–383.

Overview of resource

What are sexist behaviours?

What is bystander action?

Levels of action: the ladder of active bystanding

Four steps to success

1 Prepare your organisation

- Leadership
- Clear and enforced policy
- Tracking statistics
- Effective reporting and resolution process

2 Prepare your people

- Assess current skills and attitudes
- The four key responses
- Laying best practice foundations

3 E.A.S.T = behaviour change success

Easy, Attractive, Social and Timely to be an active bystander

4 Evaluate your initiatives

- Control groups
- Direct and indirect impacts
- Specific behaviours

Useful resources

Why develop policies and programs which support bystander action?

It can be difficult for the targets of sexist and sexually harassing behaviours to confront perpetrators. National and international research shows that when a third party (a bystander) intervenes it can:

- support the target emotionally
- discourage the perpetrator from behaving this way again
- contribute to a culture that condemns sexist and sexually harassing behaviours.

Organisations are starting to appreciate the potential power of the bystander. Initiatives and programs to encourage bystander action are being designed and implemented in Victoria and elsewhere. This is a positive step for combatting sexist and sexually harassing behaviours.

New evidence is showing that many well-meaning initiatives once thought to be effective in changing behaviour around sexist and sexually harassing behaviours (such as organisational-wide, mandatory diversity training) are not actually making much of a difference and can even backfire[2]. Bystander initiatives should not be delivered in isolation. Such initiatives should be delivered as part of a suite of whole-of-organisation activities to ensure they are effective, embedded and can achieve widespread and lasting change. An important part of a whole-of-organisation approach is to review and amend the processes, structures and practices within the setting (e.g. a workplace, university, sports club) to determine whether they support or discourage sexism and sexual harassment.

What are sexist and sexually harassing behaviours?

In this resource the term 'sexist and sexually harrassing behaviours' is used. This is in order to be clear about the specific behaviours which bystanders are being asked to take action against.

These behaviours can include, but are not limited to:

- making sexist jokes
- making sexually suggestive comments
- displaying possessiveness or 'ownership' of women
- responding differently to the same behaviours when exhibited by women as compared with men
- making unwanted approaches or physical contact of a sexual nature.

Sexual harassment is unwelcome sexual behaviour, which could be expected to make a person feel offended, humiliated or intimidated. Sexual harassment can be physical, verbal or written.

> **For more information on the legal definition of sexual harassment see the <u>Victorian Equal Opportunity Act 2010</u>.**

---

[2] Dobbin, F & Kalev, A (2016), 'Why diversity programs fail', Harvard Business Review. Available from <u>https://hbr.org/2016/07/why-diversity-programs-fail</u>

What is bystander action in relation to sexist and sexually harassing behaviours?

A **bystander** is a person who is present and witnesses something but is not directly involved in it. A bystander is also someone who is told about an incident or who witnesses sexist or sexually harassing behaviours in an organisation or setting (e.g. on public transport, in a workplace, in a pub, in a sports club or on a university campus).

An active bystander is someone who takes action after witnessing or hearing about an incident of sexist or sexually harassing behaviour. This may include giving a disapproving look, speaking out or reporting the behaviour.

Active bystanding also includes taking action to challenge a culture that supports sexist and sexually harassing behaviours. It isn't only about responding to an incident involving an individual.

Active bystanding does not involve physically restraining someone and does not include hostile or aggressive responses.

Throughout this document, the terms 'target' and 'perpetrator' are used for simplicity to describe people's experiences of sexism and sexual harassment. The term 'target' is used to refer to individuals who experience sexism and sexual harassment and the term 'perpetrator' is used to refer to individuals who are alleged to have sexually harassed others. The use of the term 'target' does not imply victimhood, or that there is one deliberate 'target' of the sexist or sexually harassing act. The use of the term 'perpetrator' is not intended to suggest that there has been a finding of guilt in relation to a criminal offence or a breach of discrimination legislation.[3]

---

[3] Australian Human Rights Commission (2018). *Everyone's business: Fourth national survey on sexual harassment in Australian workplaces*. AHRC, Sydney. Available from: https://www.humanrights.gov.au/our-work/sex-discrimination/publications/everyone-s-business-fourth-national-survey-sexual

The ladder of active bystanding

This ladder shows a range of behaviours that active bystanders are encouraged to use through bystander initiatives. Generally, the actions higher up the ladder are stronger ways of discouraging sexist and sexually harassing behaviours.

The more intentional, severe and explicit the behaviour of the perpetrator, the higher the level of action the bystander may take.

Actions towards the bottom of the ladder are appropriate when the bystander is worried about putting themselves or the targeted person at risk. While inexcusable and unacceptable, in some circumstances certain sexist or sexually harassing behaviours may be unintentional and/or caused by ingrained beliefs, values and practices. Actions at the bottom of the ladder might be more suitable in this context.

If people in your organisation are taking none of the actions on the ladder or are even joining in with sexist or sexually harassing behaviours, then encouraging bystander actions at the bottom of the ladder is an appropriate starting point. If people around you are currently acting at the bottom of the ladder, then the aim should be to increase their confidence to take actions further up the ladder when they feel it's appropriate.

When sexist and sexually harassing behaviours occur, bystanders should first assess the situation in order to inform their response and action.

The main thing to remember is that bystander initiatives need to provide options for people to act at their current level of skill and confidence.

The order of the actions presented is not a strict hierarchy but should be used as a guideline.

No action = saying the behaviour is okay

REPORT

Report the behaviour

Fatima visited the student union and asked for advice on how best to report an issue. She then lodged a written report.

- Access your organisation's sexual harassment reporting system, or other incident reporting system, or report to management.
- Report details accurately.
- Share as much of your identity as you feel comfortable with.

CALL OUT

Call out and educate

- Calmly disagree and publicly declare the action or statement of the perpetrator to be wrong or unacceptable.
- Explain why it's important to stop the behaviour.

Hey mate, that's inappropriate language. Women deserve to be on the footy field as much as men. Your attitude makes it harder for women who just want to play footy!

Call out the perpetrator

You might have thought it was just a joke, but I think that kind of comment is offensive.

- Calmly disagree and publicly declare the action or statement of the perpetrator to be wrong or unacceptable.

CHECK IN

Check in with the target

- Express your disapproval.
- Ask if the target is OK.
- Offer to help progress the matter.

That was so wrong of Sam to talk about your shirt like that. Are you OK? Do you want me to find out how you can report that kind of sexist behaviour?

DIFFUSE

Make a lighthearted comment to try to stop the situation

What decade are you living in?

Sorry, what was that you said about women?

- May be said in private or with an audience.
- Uses a lighthearted comment or a question to express disapproval.

Leave a pointed silence or give a disapproving look

- Needs to be stronger than your normal 'listening' expression.
- This may be more useful when you know the perpetrator or when you are worried about a power imbalance.

Sarah left a large and deliberately uncomfortable pause after the insulting comment and glared at the person who made it.

STEP 1: Prepare the organisation for success

Research shows that a bystander may be willing and able to act but doesn't because certain factors are not present in the environment. Organisations serious about gender equality have a suite of integrated policies to address sexist and sexually harassing behaviours, and these provide important support for bystanders.

Assess the needs of the environment to ensure you have the following essential factors.

Top down organisational support

Support for tackling sexism and sexual harassment needs to be signalled from above in a way that is seen as authentic, rather than as a box-ticking exercise or a legal necessity. Leaders are important role models for active bystanding and can also empower others to challenge sexist and sexually harassing behaviours.

A clear and enforced sexual harassment policy

Organisations need to clearly articulate their policy on discrimination and sexual harassment, including which behaviours are inappropriate. The policy also needs to be consistently reinforced and *understood* by staff in order to be effective. This is particularly relevant when addressing inappropriate behaviour of people who have a high profile, are more senior or those in authority. A policy should give clear options for the actions bystanders can take and outline any privacy protections.

Key metrics used to track sexist and sexually harassing behaviours

Organisations should ask for and track key statistics related to sexist and sexually harassing behaviours, including self-reported experiences, official reports of sexual harassment, rates of pay for men and women, inequalities in access to flexible work and parental leave entitlements, and any different patterns of employee retention by gender.

An effective reporting and resolution process

Reporting and resolution processes are required so that all perpetrators are managed appropriately. These processes play a pivotal role in an organisation's response to sexist and sexually harassing behaviours. These processes are also key tools for bystanders to use. But be warned: getting them right can be tricky and introducing poor procedures can make things worse. For example, research has shown that introduction of some initiatives, such as mandatory diversity training in the absence of organisational support, can backfire and even make things worse for women[4].

Ask your leaders to act FAST

Flip
Bring people's attention to gender stereotypes that exist in the workplace by flipping the conversation. For example, if a colleague asks 'Can you tell Sarah that she's been bossy and aggressive?' try flipping this by asking 'Would you give the same feedback if Sarah was male?'

Amplify[5]
If a woman is being spoken over in a meeting, or someone else has taken credit for her ideas, strengthen the voice of the target by saying something like 'Hang on Mike, Sally was making a point'.

State your support
Talk openly and publicly about your support of active bystanders: 'I'll support anyone who decides to take action against sexist or sexually harassing behaviour they see or hear about'.

Take the time to prepare
Be ready with your response to likely scenarios: 'When X happens again, I'll say Y'.

---

[4] Dobbin, F & Kalev, A (2016), 'Why diversity programs fail'.
[5] Paragraphs (2016), 'Credit and amplify: Obama women staffers strategy shows results'. Accessed 25 April 2019.
     Available from https://2paragraphs.com/2016/09/credit-and-amplify-obama-women-staffers-strategy-shows-results, accessed 25 April 2019

USING FORMAL LANGUAGE
(LEGAL DEFINITION)

"Have you experienced sexual harassment?"

10–25%

USING PLAIN LANGUAGE
(SPECIFIC BEHAVIOURS DEFINITION)

"Have you experienced any of the following behaviours?"

30–60%

A good reporting process will:

Make it clear that bystanders can make reports too

It can be difficult to know whether you are 'allowed' to report as a bystander. Providing clear text at the start of the reporting system – inviting witnesses to come forward – provides a clear message this is encouraged and that reporting is not just for direct targets.

Provide multiple methods of access

Different people will have different preferences for how they communicate sensitive information. Facilitating in-the-moment reporting will increase the likelihood and quality (i.e. recall) of a report.

Provide informal resolution methods

Give people an option to talk to someone and receive advice about the problem, rather than immediately beginning a formal conflict resolution process.

Describe reportable behaviours

Provide clear descriptions of reportable offences rather than using general or legal terms. Use specific behavioural terms such as 'Made sexist joke' or 'Commented on a person's sexuality', instead of 'grievance'. Exceptions may be made for more severe behaviours (e.g. sexual assault).

Ask about specific behaviours

The way you ask about sexism and sexual harassment matters. One study[6] found that if you simply ask women whether they have experienced sexual harassment, 10–25 per cent of respondents may report it. However, if you ask women if they have experienced a range of behaviours such as unwelcome physical contact or inappropriate sexual comments, then higher numbers (30–60 per cent) report sexual harassment.

Make reporting easy

Don't require users to create an account and remember a login. Don't require them to click through to multiple pages and websites. And don't ask for the same information repeatedly.

Offer bystanders the option of remaining anonymous

Digital tools can support anonymous reports. Currently these include Callisto and Talk to Spot.

Include checks or protections before disclosing identities

Ensure you have a prompt in your reporting system so you don't disclose information about who reported inappropriate behaviour – to either the perpetrator or third parties – without their consent. Fear of retaliation is the largest barrier to victims reporting.

Make processes clear

Potential reporters will be less likely to follow through if they don't know how, when or in what form their report will be used. Feedback is important to show the organisation has taken the report seriously.

Use secure technology

A new alternative to traditional reporting structures, this software allows victims and bystanders to securely and anonymously report and store information about their perpetrator until others report the same perpetrator. If more than one victim names the same perpetrator, they are connected to a legal counsellor who will help them take action. This reduces the burden on sole-accusers, reduces the likelihood of retaliation or not being believed, and provides support to subsequent reporters.

---

6   Ilies, R, Hauserman, N, Schwochau, S & Stibal, J (2003), 'Reported incidence rates of workrelated sexual harassment in the United States: using meta analysis to explain reported rate disparities', *Personnel Psychology*, vol. 56, no. 3, pp. 607-631.

STEP 2: Assess the readiness of people to become active bystanders

Assess the current skills and attitudes of your target audience for this work and include activities to address their needs in your action plan.

Key questions to ask when designing initiatives

Do people currently know what behaviours are considered sexist and sexually harassing?

If awareness is low, start by focusing on improving recognition of these behaviours, or implementing ways to automatically detect these behaviours. It is important to ensure leaders and managers have a good understanding of what behaviours are considered sexist and sexually harassing.

Do individuals in your organisation see the need for intervention?

If not, highlight the positive effects of intervening, the negative impacts of unchallenged sexist and sexually harassing behaviours, and the number of individuals who support bystanders taking action.

Do people know how to be an active bystander and do they have the confidence to do it?

If knowledge is low, focus on discussing examples of specific bystander responses across a range of scenarios. You can also practise these in managerial and leadership training sessions, for instance. To increase people's confidence to act, provide reminders around your environment of what to do.

Are people's intentions to act high, yet their actual level of active bystanding low?

You have a solid base to work with and now need to develop and implement behavioural strategies to support action.

Best practice design for behaviour change initiatives

Change environments before trying to change people

Are there features of the environment that could be used to encourage active bystanding? Examples include making reporting simpler, introducing a service where targets can reach out and ask for informal help, or creating web plug-ins that screen for sexist language in feedback and other correspondence. Introducing systemic changes will affect more people than trying to change individuals' behaviour.

Be clear about the behaviours you are targeting

Clearly identify what constitutes sexist and sexually harassing behaviours in your context.

### Be explicit about the actions you want bystanders to take

Provide bystanders with specific examples of what you would like them to do in different scenarios, not just 'do something'.

Don't stop at training

Education on its own is insufficient to change behaviour. Be sure to align training with other activities and processes across the organisation. Training alone isn't the answer!
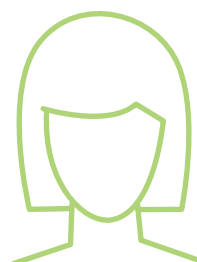
What to expect: The four key responses

In any setting, the skills and attitudes of your target audience are likely to fall into four key groups.
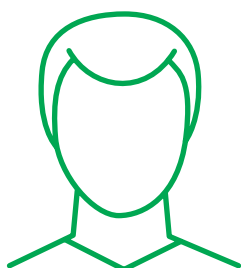
People who currently intervene when they see sexist and sexually harassing behaviours

This group already intervenes but could potentially be taught to do so more effectively.

People who say they would intervene if they saw sexist and sexually harassing behaviours

This group thinks they'll intervene, but probably won't. However, they can be taught the skills to follow through with their good intentions.
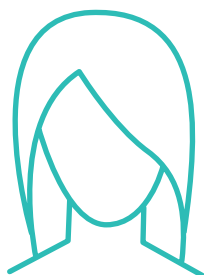
People who notice and are bothered by sexist and sexually harassing behaviours but wouldn't intervene if they saw it

This group can be mobilised to consider bystander intervention by breaking down individual or organisational barriers to intervention, and highlighting the effectiveness of interventions.
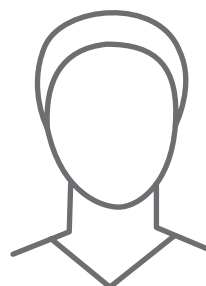
People who think sexist and sexually harassing behaviours are okay

This group is the hardest to motivate, and intervention will likely need to tackle existing beliefs. However, don't underestimate the powerful influence that watching others intervene can have on this group – seeing other active bystanders is likely to shift their thinking on what's okay and what's not.

STEP 3: Design your behaviour change initiatives for bystander action

Research into successful initiatives for generating bystander action demonstrated four key aspects needed in order to change behaviour. Summarised as **EAST**: they make it **Easy**, **Attractive**, **Social** and **Timely** to be an active bystander.

The EAST framework is a generic behaviour change framework that can be applied to many pro-social behaviours. In this context it has been tailored for reducing sexism and sexual harassment[7].

Make it **Easy** to act

Break the status quo by starting a discussion about bystanding

Ask about it

Conduct routine questionnaires or discussions about the problem. Don't sit back and expect individuals to break the status quo by starting a discussion or report.

Connect motivated people

Strengthen connections between individuals most likely to act or promote action by facilitating discussions around active bystanding. For example, prompt conversations about sexism and sexual harassment and their harmful effects as regular parts of leadership mentoring programs or group meetings.

Use technology to make it easier to detect and diagnose the problem

Automate detection

Use available technology to identify sexist behaviours. For example, there are tools available that can screen communications for gendered language[8], scan through performance reviews for gendered terms, or even detect the number of male or female voices in a meeting (as in the Time to Talk[9] app). Low-tech versions such as rosters for note-taking or cleaning, may be just as effective.

Map behaviours

Use crowd-mapping technology[10], to identify harassment 'hotspots' so you are able to target interventions where they are most needed.

Make it **Attractive**

Personalise communications

Use the name of a person or the group they belong to when writing to people about bystander action. This helps to make individuals feel personally responsible for taking action.

> For example: 'Hi Simon, did you know the majority of our engineering students believe sexist jokes on our campus are not okay? Listed below are some possible actions you can take when you hear a sexist joke.'

Support people to understand the 'why'

Take the time to help people understand *why* bystander action is necessary and how it benefits your culture, for everybody.

The Victorian Equal Opportunity and Human Rights Commission conducted a high-level evidence review of interventions into workplace culture change on sexual harassment and found that building knowledge of how harmful such behaviour is to the victim is one of the most effective ways of creating culture change.

[7] The EAST framework available from www.bi.team/publications/east-four-simple-ways-to-apply-behavioural-insights/

[8] Matfield, K, 'Gender decoder for job ads'. Available from http://gender-decoder.katmatfield.com

[9] Ekbrand, H (2014), 'Time To Talk' app. Available from http://www.lookwhostalking.se

[10] Crowd-mapping gender equality, an article from the online publication 'The Conversation'.

Make it **Social**

Emphasise desired behaviours

Use your initiative to deliver messages to show that bystander action is socially acceptable.

For example: '9 out of 10 people working in our department say they would report it if they heard an inappropriate sexual comment in our workplace. Below are some ideas for what you can do or say if you hear such a comment.'

Don't unintentionally promote sexism and sexual harassment as the social norm

When you emphasise the prevalence of sexism and sexual harassment, these messages can backfire and normalise the experience and perpetration of sexual harassment.

So, don't say things such as '9 out of 10 women in our workplace have experienced sexual harassment' nor 'most workplace sexual harassment goes unreported'.

Select your messenger carefully

Messages to encourage bystander action need to come from an appropriate messenger. If you are trying to convey an organisational-wide position or senior level of support, choose someone very senior. If you are trying to convey a group norm, choose someone whose opinion is valued by the group, regardless of seniority.

Make it **Timely**

Plan your initiative so it lands with people at the best possible time

Capitalise on moments of change

Introduce interventions at key times of change to increase your rate of success. Times of change include when people are starting new jobs or new roles, when students are starting a university semester, or when new offices or branches are opened.

Target behavioural peaks

Introduce your initiatives at times or locations when sexist and sexually harassing behaviour is usually worse. Times to launch might be before the work Christmas party season, before a team event off-site, or at the start of orientation week.

Help people plan for the actions they will take beforehand

Ask for commitment

Ask people to commit to taking specific actions with tangible goals.

Make good intentions more concrete

After making commitments, ask people to visualise the barriers that might get in the way, and generate methods of getting over them. 'If/ then' phrasing can be helpful.

For example: 'If I freeze when I see my friend making a sexist joke, I will avoid laughing, then I will ask him later why he thought it was funny, when there aren't so many people around'.

STEP 4: Evaluate

You can never know ahead of time how effective an initiative will be. This resource has been produced to support you to develop initiatives that are effective and underpinned by evidence. However, it is important to evaluate the success of all your initiatives. That way you can identify the lessons learned and use them to inform future initiatives.

When planning your evaluation consider the following points

Use a control group

If you can, compare people who participated in your initiative against a control group of people who did not. This will show you precisely what the impact of your initiative was. The best way to do this is using 'randomised controls' where you randomly select who participates in your initiative, and who doesn't (see 'Test, Learn, Adapt' in useful resources).

Include direct and indirect behavioural measures

Don't just rely on data about participants' satisfaction with training, or their intention to be an active bystander. Ask them if they *actually* changed their behaviour (i.e. took bystander action). In every setting, there is also likely to be existing data that can show if your initiative has had an impact on sexism and sexual harassment. For instance, look at the data in the time period after your initiative. Who was promoted? Who resigned? Who reported feeling unsafe? Compare these measures between men and women. And then compare them to the time before your initiative.

Ask about specific behaviours

As with the reporting process, when you ask about sexism and sexual harassment, ask about behaviours people have witnessed or experienced (e.g. a sexist joke or comment, inappropriate physical contact), rather than using legal language such as 'have you witnessed sexual harassment?'.

Bystander action is an important mechanism for change and there is currently emerging evidence about what works in this space. VicHealth hopes that organisations and individuals find the content in this guide helpful. For more information or to share your own experiences of implementing active bystander initiatives please contact VicHealth or the Behavioural Insights Team.

Useful resources

The VicHealth website has a bystander action page where related resources and information are available. Visit www.vichealth.vic.gov.au/bystander for information and updates.

The following documents have assisted us in preparing this resource:

Behavioural Insights Team *EAST: Four simple ways to apply behavioural insights* (2014)
This resource outlines how to apply behavioural insights to public policy using BIT's EAST framework.

Behavioural Insights Team *Test, learn adapt: Developing public policy with randomised controlled trials* (2012)
This resource outlines how to use randomised controlled trials in in public policy.

Government Equalities Office & Behavioural Insights Team *Reducing the gender pay gap and improving gender equality in organisations: Evidence-based actions for employers* (2018)
This resource details the latest evidence on what works and what doesn't in promoting gender equality in organisations.

Other useful resources

Callisto
Callisto is a non-profit organisation that develops technology to combat sexual assault and professional sexual coercion.

Talk to Spot
Talk to Spot is a safe, anonymous way to document harassment and discrimination. Reporting is optional.

VicHealth *Equal Footing Toolkit (2015)*
Equal Footing is a toolkit for workplaces to promote gender equality and respectful relationships

VicHealth *(En)countering resistance: Strategies to respond to resistance to gender equality initiatives* (2018)
This practical guide offers some effective strategies and tools to prepare for and respond to backlash and resistance to gender equality initiatives.

Victorian Equal Opportunity and Human Rights Commission
The Commission provides information and resources on sex discrimination and sexual harassment laws in Victoria. Details are also provided on how to lodge an enquiry or complaint under the *Equal Opportunity Act* (and the *Racial and Religious Tolerance Act*). Telephone enquiries: 1300 292 153 (9 am–4.30 pm weekdays) www.humanrightscommission.vic.gov.au.

Women's Health Victoria Knowledge Paper *Working with workplaces: challenges and opportunities for workplace violence prevention and bystander programs* (2018)
This paper explores some of the challenges and opportunities in workplace-based programs – including bystander programs – for the primary prevention of violence against women based on findings from program evaluation.