
Sexual Harassment in Local Government

Tabled 09 December 2020



Audit objective

This audit looked at whether Victorian local councils provide workplaces free from sexual harassment.

What we looked at

We looked at how well councils are working to understand, prevent and respond to sexual harassment in their workplaces.

We audited five of Victoria's 79 local councils. We selected these to represent a range of council types and sizes.

These five councils, and an additional 70, took part in our voluntary survey on sexual harassment, with almost 10 000 council employees and councillors responding.

Conclusion

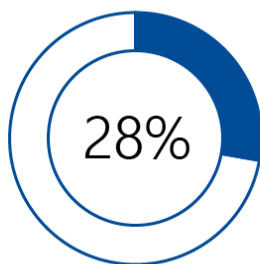
We found that councils are not providing workplaces free from sexual harassment. More than one in four survey respondents said they had experienced workplace sexual harassment in the last 12 months.

Councils have the tools—such as policies, complaint procedures and training—to prevent and respond to these experiences, but they don't use these tools to their full advantage. As a result, councils rarely engage staff in meaningful conversations about sexual harassment and victims lack confidence to report their experiences.

Background

Sexual harassment in the workplace is unlawful and can cause significant harm to those who experience it. It can also be costly for employers, exposing them to legal liability and increasing staff turnover.

Issue 1



of survey respondents reported experiencing workplace sexual harassment in the last 12 months, with 90% of those people saying it happened during day-to-day work

In Victoria, employers have a duty to prevent and eliminate sexual harassment. This means councils must take proactive steps to stop workplace sexual harassment from occurring.

Issue 1

Councils aren't doing enough to understand the prevalence and nature of sexual harassment in their workplaces. Audited councils don't regularly collect information through surveys or complaint registers. There is no regular sector-wide survey to give councils benchmarked or trended data.

In our survey, we found that sexual harassment happens in every council, across all roles and levels.

- 28 per cent of survey respondents reported experiencing workplace sexual harassment in the last 12 months, with 90 per cent of those people saying it happened during day-to-day work.
- Some respondents were at greater risk. For example, 42 per cent of female respondents aged between 18 and 34 and 48 per cent of respondents who identify as lesbian, gay, bisexual, trans and gender diverse, queer, questioning, intersex or asexual said they experienced sexual harassment in the last year
- Customer-facing staff are the most likely to be harassed by a member of the public.

Issue 2

Although councils have relevant policies and training, they are not comprehensive enough to prevent sexual harassment.

- Four of the five audited councils lack standalone sexual harassment policies, meaning their policies miss key elements such as information on bystander interventions and online harassment.
- Councils rely on online refresher courses for training, missing the opportunity to meaningfully engage with staff through face-to-face or live online training. Councillors and casual employees were less likely to have received training on sexual harassment.

Recommendations

11

recommendations to all Victorian councils

3

Understanding the prevalence and nature of sexual harassment in councils

3

Preventing sexual harassment through policies, training and communication

3

Fairly and effectively handling complaints of sexual harassment

2

Providing training and support for councillors

- Council leaders are also not regularly communicate a culture of respect that does not tolerate sexual harassment.

Issue 3

Although councils offer formal and informal complaint options, victims rarely use them. Only 2 per cent of survey respondents who experienced sexual harassment made a formal complaint to council.

When victims do speak out, councils do not always handle their complaints fairly or effectively. We found examples of councils excusing inappropriate behaviour when staff raised concerns about it. This reduces staff confidence in complaint handling and makes it challenging for victims to report their experiences.

Audited councils lacked proper complaint documentation and failed to record why they stopped investigating some complaints. This sends a message to victims that councils do not take their experiences seriously and puts councils at risk if employees challenge their decisions.

Recommendations

We made 11 recommendations to all Victorian councils:

- 3 about understanding the prevalence and nature of sexual harassment in councils
- 3 about preventing sexual harassment through policies, training and communication
- 3 about fairly and effectively handling complaints of sexual harassment, and
- 2 about providing training and support for councillors.

We also made a recommendation to Local Government Victoria, part of the Department of Jobs, Precincts and Regions, about coordinating work to understand the statewide prevalence of sexual harassment in local councils on an ongoing basis.