

# SafeWork NSW Respect at Work Strategy 2023–2027

## Summary and Action Plan



# 1 in 3

Australians (33%) have been sexually harassed at work in the past five years



# 1 in 5

people (18%) made a formal report or complaint. Of those who did,



# 2 in 5

people (40%) said that no changes occurred at their workplace as a result

The most common types of workplace sexual harassment include:



## 27%

sexually suggestive comments or jokes



## 23%

intrusive questions about a person's private life or physical appearance



## 19%

unwelcome touching, hugging, cornering or kissing



Increase in sexual harassment extending from offline to online – sexually explicit emails, text messages or social media comms

In the last

# 5 years

some Australians experienced workplace sexual harassment at rates disproportionate to the total population (33%)



## 41%

women



## 46%

people aged between 18–29



## 46%

people who identified as LGBTQIA+ or other



## 48%

people with a disability



## 56%

Aboriginal and Torres Strait Islander people

Negative impacts include:

## 62%

decreased job satisfaction

## 53%

decreased commitment to their organisation



## 67%

negative mental health issues

## \$16M

total estimated cost of workers compensation claims related to sexual harassment in the 2022 financial year

# Strategy Outline

## SafeWork NSW Respect at Work Strategy 2023-2027

Vision to secure safe and respectful workplaces for NSW workers

### Outcomes



#### Educate

Raise awareness that NSW businesses have a proactive duty to prevent and respond to workplace sexual harassment as a WHS issue



#### Capability

NSW workplaces are better equipped to prevent and respond to workplace sexual harassment



#### Action

NSW workplaces take effective and systematic actions to prevent and respond to workplace sexual harassment



#### Effective regulation

SafeWork NSW is a more effective regulator, including strengthening and enforcing WHS laws to protect workers from sexual harassment.

### Focus Areas



#### Industries

- Accommodation and food services (hospitality)
- Healthcare and social assistance
- Retail



**Small and Medium Businesses** – the support they need in the way they need it

**Public Administration** – work with Government partners to model best practice

**Construction** – collaborate with initiatives across the sector



**Workers** who are most-at-risk and most impacted by workplace harassment

### Guiding Principles



#### Prevention-led

address the underlying causes



#### Collaborative

actively engage with stakeholders and take a person-centred and trauma-informed approach



#### Safety culture

cultivate a stronger WHS culture which embeds systematic approaches



#### Targeted

regulatory activities based on risk of harm, research, data and evidence

# Strategy Summary

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Workplace sexual harassment occurs in every industry across NSW. It harms workers, businesses and the broader community – and it is preventable. The work health and safety (WHS) approach provides a robust, prevention-led framework for addressing this workplace harm.

The inaugural ‘Respect at Work Strategy’ sets out SafeWork NSW’s four-year plan for the prevention of harmful, gender-based behaviours across NSW workplaces, with an initial focus on sexual harassment.



# Strategy Summary

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Workplaces play a pivotal role in the prevention of sexual harassment. They can shape the work environment and practices, and influence broader norms, structures and relationships to drive a culture of safety and respect.

Taking a prevention-led approach to sexual harassment not only ensures businesses meet their WHS obligations, but it can also bring significant benefits.

When workers are safer and more respected, this can improve staff recruitment, retention, morale and productivity; saving business costs and improving business and broader economic growth.

## What are gender-based harmful workplace behaviours?

**Harmful workplace behaviours** are a common type of workplace hazard that create risks to health and safety and can lead to **psychological** (mental) or physical harm – also referred to as a ‘psychosocial’ hazard. This may include sexual harassment, bullying, racism and ageism.

**Gender-based harmful workplace behaviours** occur when such conduct is directed at or affects a person at work because of their gender, sex or sexuality, or because they do not adhere to socially prescribed gender roles – that is, traditional societal ideas about how men and women ‘should’ look or act or their roles at work or home. Workplace sexual harassment is a type of gender-based harmful workplace behaviour.

## Sexual harassment is:

- any unwanted or unwelcome sexual behaviour
- which makes a person feel offended, humiliated or intimidated, where a reasonable person in the same circumstances would anticipate that reaction.

Whether the conduct is sexual harassment depends on how a reasonable person would interpret the behaviour in that situation. The intention of the alleged harasser is not relevant.

It is often not just about sex – it reflects power dynamics, cultural and organisational norms. It also often is the result of a failure to design work well and provide safe systems of work.





It may be a cluster of interrelated behaviours which range in frequency and severity, such as:

- gender harassment
- verbal and non-verbal behaviours that insult and degrade a person based on their gender or gender nonconformity
- unwanted sexual attention
- sexual coercion

**Workplace sexual harassment** is when sexual harassment occurs in connection with work.<sup>1</sup>

1. See the full legal definition under section 28A of the *Sex Discrimination Act 1984* (Cth)

# 2-year Action Plan

Strategic Outcomes	Proposed Activities
 <p><b>Educate</b> Raise awareness that NSW businesses have a proactive duty to prevent and respond to workplace sexual harassment as a WHS issue.</p>  <p><b>Capability</b> NSW workplaces are better equipped to prevent and respond to workplace sexual harassment.</p>  <p><b>Action</b> NSW workplaces take effective and systematic actions to prevent and respond to workplace sexual harassment.</p>	<ul style="list-style-type: none"><li>• Multiple cross-channel education campaigns to improve understanding that sexual harassment is a work health and safety (WHS) issue.</li><li>• Build a comprehensive and interactive website to host and share tools, resources and key information.</li><li>• Actively engage in conferences, roundtables, roadshows and other relevant public and stakeholder events to boost public awareness and strengthen stakeholder partnerships.</li><li>• Collaborate with industry bodies to build appropriate and tailored tools for example 'industry information packs'.</li><li>• Invest in research on evidence-based workplace approaches to preventing and responding to workplace sexual harassment.</li><li>• Support and encourage NSW business leaders to make public commitments and goals and report on their progress</li></ul>
 <p><b>Effective regulation</b> SafeWork NSW is a more effective regulator, including strengthening and enforcing WHS laws to protect workers from sexual harassment</p>	<ul style="list-style-type: none"><li>• Establish a specialist SafeWork NSW team focused on harmful, gender-based behaviours.</li><li>• Improve the ability for NSW workers and businesses to report to SafeWork NSW including developing guidance for NSW workers to help navigate different agencies.</li><li>• Conduct proactive and targeted compliance campaigns for focus industries and at-risk worker groups to support early detection of risk and improve compliance.</li><li>• Work with other regulators, workers, unions, business and industry through national forums including Safe Work Australia (SWA) and the Heads of Workplace Safety Authorities (HWSA) to improve alignment in resources and approaches.</li><li>• Establish consultation mechanisms such as the NSW Respect at Work Advisory Group to share information, provide feedback on NSW Government initiatives and promote cross-sector collaboration.</li></ul>

# 2-year Action Plan

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SafeWork NSW will deliver a range of broad and targeted activities to achieve the four, interlinked Strategic Outcomes as set out in the Action Plan. The Action Plan is not exhaustive and should be read together with the Strategy.

When designing the activities SafeWork NSW will take into account:

- focus areas listed in section 5 of the Strategy
- targeted resources for businesses and certain workers
- ensuring any activities are accessible, easy to understand, practical and consider diverse audiences particularly those from CALD and CARM backgrounds
- current knowledge gaps and building on existing efforts.

These activities will adapt in response to emerging issues, risk of harm, available data and evidence, agency priorities and stakeholder feedback.



## Activity topics and themes

Communications, resources and tools may focus on the following topics and themes :

- What is workplace sexual harassment?
- What are the drivers, causes and impacts of workplace sexual harassment?
- what are the rights and responsibilities of NSW workers and how can they report sexual harassment safely?
- What are the risks within different industries, workplace settings and worker groups?
- How can workplace sexual harassment be identified and managed as a WHS issue?
- What are the roles and responsibilities of NSW businesses, workers, bystanders, health and safety representatives and other duty holders?
- How to respond to emerging harms such as online workplace-related sexual harassment?
- Case studies on what compliance and best practice looks like as well as lessons learned
- How should workplaces respond to reports and incidents of workplace sexual harassment?
- How can businesses support injured workers to return and recover at work?

A Monitoring and Evaluation Plan underpins the Strategy and a mid-point evaluation will be undertaken after the first two years.

# What does 'Respect at Work' mean?

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**Respect at Work** may mean different things to different workers and workplaces.

It is generally understood to refer to a workplace that is free from harassment, discrimination and incivility (discourteous or rude behaviour) and where gender equality, inclusion and diversity are promoted and embedded in the workplace.

It can be characterised in a workplace where:

- the nature, causes and impacts of workplace sexual harassment are understood and addressed
- there is regular and open consultation with workers, including marginalised and vulnerable workers, about issues affecting them
- decisions about recruitment, development and promotion of opportunities are fair, transparent and value equality, diversity and respectful behaviours
- standards of expected workplace behaviours are developed in consultation with workers and recognise workers who have diverse backgrounds.





# More information

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Read the full Strategy here:  
[nsw.gov.au/respect-at-work](https://nsw.gov.au/respect-at-work)

## About SafeWork NSW

SafeWork NSW is the work health and safety (WHS) regulator for NSW. SafeWork NSW gives advice on improving WHS, investigates workplace incidents and enforces work health and safety laws in NSW.

SafeWork NSW provides free advice and support to help workers, businesses and industry meet their WHS duties.

**Request** a free SafeWork NSW Advisory Visit if you have less than 50 staff or Safety Workshop for business groups.

See the **Reporting Options Guide** for more information on the government reporting options available to NSW workers who have experienced workplace sexual harassment.

## More information

**W:** [nsw.gov.au/respect-at-work](https://nsw.gov.au/respect-at-work)  
**E:** [respectatwork@safework.nsw.gov.au](mailto:respectatwork@safework.nsw.gov.au)

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