STARTS WITH US FRAMEWORK –
A GUIDE TO CREATE GENDER EQUITABLE AND SAFE LEGAL AND JUSTICE WORKPLACES

STARTS WITH US

LEGAL AND JUSTICE SECTOR ACTION TO
PREVENT VIOLENCE AGAINST WOMEN

women's legal
service victoria

ACKNOWLEDGEMENT OF COUNTRY

Women's Legal Service Victoria is located on the traditional lands of the Wurundjeri people of the Kulin nation. We recognise Aboriginal and Torres Strait Islander peoples' continuing connection to land, water and community and pay respect to their Elders past and present. Sovereignty was never ceded.

ABOUT STARTS WITH US

Starts With Us is a project by and for the legal and justice workforce in Victoria. It contributes to the primary prevention of violence against women in Victoria by responding to the gendered drivers of violence against women as they manifest in our workplaces.

ABOUT WOMEN'S LEGAL SERVICE VICTORIA

Women's Legal Service Victoria is a not-for-profit organisation which has been providing free legal services to women since 1982. We work with and for women to address legal issues arising from relationship breakdown or violence.

We exist to help build a gender equitable country. Our unique contribution to this vision – as lawyers, advocates and educators – is to work alongside women experiencing disadvantage to promote their rights to live free from violence and make informed choices about their relationships.

ACKNOWLEDGEMENTS

Women's Legal wishes to acknowledge the commitment and expertise of members of the *Starts with Us* Steering Committee, who have guided the development of this Framework and the *Starts With Us* project as a whole.

We would like to specifically acknowledge the Department of Justice and Community Safety, Federation of Community Legal Centres, Law Institute of Victoria, Justice Helen Rofe, Justice Karin Emerton, Lander & Rogers, Slater and Gordon, Victoria Legal Aid, the Victorian Bar, the Victorian Equal Opportunity and Human Rights Commission, the Victorian Legal Services Board + Commissioner, Victorian Women Lawyers and Women's Health Victoria, whose work and experiences this Framework is informed by. Their time, effort and willingness to take part in the project paves the way for

other legal and justice sector organisations to create safer and more equal workplaces.

Women's Legal acknowledges the team that led the development of this Framework: Sophie Gale, together with Amy Schwebel and Lynda Memery.

Women's Legal acknowledges the work of Our Watch and the Workplace Equality and Respect Standards (2019 and updated in 2022). This work informed the tailoring and piloting of best practice workplace prevention approaches to gendered violence in legal and justice workplaces and has played an integral part in developing this Framework.

SERVICES AND SUPPORT

If you have experienced violence or sexual assault and require assistance, contact **1800 RESPECT (1800 737 732)** to talk to a counsellor from the National Sexual Assault and Domestic Violence hotline. For confidential support and information, contact Safe Steps' 24/7 family violence response line on 1800 015 188.

If you are concerned for your safety or that of someone else, please contact the police or call 000 for emergency assistance.

Assistance with workplace harassment and discrimination

If you would like further information about workplace sexual harassment or discrimination, or to lodge a complaint, please contact the Victorian Equal Opportunity and Human Rights Commission on 1300 292 153.

If you wish to discuss a matter confidentially or make a complaint relating to sexual harassment by a lawyer, please email the Victorian Legal Services Board + Commissioner's office at: harassmentcomplaints@lsbc.vic.gov.au. A specially trained member of staff will make contact with you.

Worksafe Victoria has responsibilities in relation to the health, safety and welfare of workplaces under the Occupational Health and Safety Act 2004. Call 1800 136 089 or (03) 9641 1444, or email: info@worksafe.vic.gov.au

Starts With Us is supported by the Victorian Government.

VICTORIA State Government

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INTRODUCTION

This Framework is by and for Victoria's legal and justice workforce. It is part of the *Starts With Us* Project – a cross-sector initiative to prevent gendered violence in Victoria's legal and justice sector.

WHAT WE MEAN BY THE LEGAL AND JUSTICE SECTOR

Legal and justice professionals who work in a legal and justice workplace, such as legal services, government, statutory bodies, law firms and at the bar, and courts. This includes lawyers, administrative staff, paralegals, policy advisers, legal educators, judiciary and court staff.

This Framework provides 'how to' guidance and supporting resources – informed by the latest research and best practice – on the practical steps your organisation can take to prevent gendered violence in the workplace.

Gender inequality drives gendered violence.[1] Research[2] shows workplaces can prevent this violence by targeting gender inequality with:

1. an organisational culture that reflects gender equitable behaviour, attitudes, and expectations, internally, and in work with the community, with clients and with stakeholders.

2. systems, structures and processes that support gender equality, fairness and safety.

3. robust and effective reporting systems that ensure safety, compliance and consequences for perpetrators.

WHY WE NEED THIS FRAMEWORK

Gendered violence is prevalent in Victoria's legal and justice workplaces. It includes verbal abuse; ostracism or exclusion; sexually explicit gestures; offensive language and imagery; put downs, innuendo and insinuations; being undermined in your role; sexual harassment; stalking, intimidation or threats; and sexual assault.[3] It also includes bullying and discrimination based on gender.

The picture of gender inequality and sexism in Victoria's legal and justice sector is bleak. The sector is highly hierarchical, steeped in outdated values, and resistant to change.[4]

There is gender disparity in leadership despite more women than men entering law. There is entrenched preferential treatment of men in hiring and promotion, discrimination against women perceived to be of 'childbearing age', and a gender pay gap of 16 per cent.[5] The prevalence of sexual harassment in the sector is high, with 61 per cent of women in the legal profession reporting having experienced sexual harassment in a Victorian Legal Services Board + Commissioner (VLSB+C) survey.[6] Of those who reported an incident of sexual harassment, 28 per cent were labelled as a troublemaker, 24 per cent felt victimised or ostracised and 26 per cent resigned from their jobs.[7]

Starts With Us research on gender and intersectional inequality conducted in 2022 confirmed that gender inequality and other forms of discrimination work together in the legal and justice sector to compound experiences of sexism, racism, ageism, homophobia, and ableism.[8]

Prevention is a priority: It is not enough for our sector to respond to victims' needs and hold perpetrators of gendered violence to account. We need to actively promote equality and respect by reorienting our workplace systems and structures to support gender equality and safety at work.

1 Our Watch, *Change the Story: A framework for the primary prevention of violence against women in Australia (2nd ed.)*, (2021).
2 Our Watch, *Workplace Equality and Respect Standards: Promoting workplace gender equality and the prevention of sexual harassment and gender-based violence*, (2022).
3 WorkSafe, *'Work-related gendered violence including sexual harassment'*, Gendered Violence (30 March 2023).
4 Women's Legal Service Victoria, *Sexism and Gender Inequality in the Victorian Legal and Justice Sector*, (2019).
5 Workplace Gender Equality Agency, *WGEA Data Explorer*, (2023).
6 Victorian Legal Services Board + Commissioner, *Sexual Harassment in the Victorian Legal Sector: 2019 study of legal professionals and legal entities*, – Report of Findings (2019), p vii.
7 Ibid, 46.
8 Women's Legal Service Victoria, *Gender and Intersectional Inequality: Power and privilege in Victoria's Legal and Justice Workforce*, (2022).

Prevention of gendered violence – changing the attitudes, cultural norms and social and structural conditions that underpin gendered violence – is long-term work.

This long term work must be supported by mechanisms where people can safely and confidently report gendered violence with the knowledge that genuine action will be taken.

The Framework aligns with efforts already underway to prevent gendered violence and can assist your organisation to meet its obligations. This includes:

> requirements under the *Gender Equality Act 2020* (Vic).

> positive duty obligations on all employers to prevent sexual harassment and other forms of gendered violence following the recommendations in the Respect@Work report.[9]

> steps by the Victorian Government to adopt an occupational health and safety approach to the prevention of gendered violence in the workplace to safeguard employees' psychological safety, and mental health.[10]

> the Workplace Equality and Respect Standards and process, published by Our Watch.[11]

By taking steps within workplaces, we can address the specific challenges in our sector while potentially reaching a workforce of 32,000 and making a significant contribution to addressing gender inequality in the community more broadly.

WHO THIS FRAMEWORK IS FOR

Many legal and justice organisations have recognised the cost and legal risks of failing to address gender inequality and reduce gendered violence in their workplaces and have taken action. These organisations also see the benefits of providing a more equal, more inclusive, safer and equitable workplace. However, there is more work to do in our sector.

The Framework is designed for small legal practices to large corporate law firms, member-based organisations, peak bodies and associations, statutory agencies and community legal centres, and those who interact with the court system, such as barristers.

We recognise that organisations in the sector vary in skills and experience in prevention of gendered violence in the workplace and organisational change. This Framework and the suite of supporting resources provides organisations with best practice guidance to take action.

While the size and resources of organisations vary, ensuring the safety of staff and genuine leadership commitment is essential, regardless of an organisation's size. The Framework provides flexibility to develop an action plan within available resources. For example, the number of actions and timeframes for implementation will depend on resourcing committed.

Implementing this Framework is important even if your workforce is predominantly made up of women. Doing so ensures your organisation meets gender equality best practice and addresses intersecting and compounding forms of social oppression, such as racism, colonisation, homophobia, ableism and classism.

[9] Australian Human Rights Commission, *Respect@Work: National inquiry into sexual harassment in Australian workplaces*, (2020).

[10] WorkSafe, *'Prevent and manage work-related gendered violence: How to create a workplace that is free from gendered-violence'*, WorkWell Toolkit, (7 September 2023).

[11] Our Watch, *Workplace Equality and Respect Standards: Promoting workplace gender equality and the prevention of sexual harassment and gender-based violence*, (n 2).

THE IMPORTANT ROLE OF MEMBERSHIP ORGANISATIONS

Membership organisations – including industry peak bodies and professional associations – have an important role in this work. In addition to using the Framework within your own organisation, your work can influence your members to use the Framework and assist small organisations.

Your role:

> share information and provide knowledge building opportunities for members on why prevention of gender-based violence is a priority and the benefits of taking action (See *The case for prevention of gendered violence)*.

> share and encourage the uptake of tools and resources such as workplace policy templates and developing tools to assist members.

> offer members continuous professional development opportunities on relevant topics such as gendered violence, bullying and harassment.

> set up peer mentoring programs or communities of practice.

> include gender equality requirements in accreditation programs, if they exist.

> engage members in events showcasing gendered violence research and expert speakers, along with key prevention messaging.

> collect, analyse and report relevant data to inform trends in your membership and recommendations on where to focus effort.

As a first step, your organisation needs to commit to undertake the same processes and planning that you are advocating for with your members. This will increase your understanding of the work involved and will add credibility in advocating to your members to undertake this important social and organisational change.

The resources accompanying this Framework provide guidance to membership organisations in developing an action plan and reporting mechanisms for their own organisations and can be adapted or used to support your membership.

> HOW THIS FRAMEWORK WAS DEVELOPED

This Framework draws on the learnings of the *Starts With Us* project. Over 5 year, *Starts With Us* has;

> **built the evidence-base:** two major research projects involving legal and justice practitioners on experiences of sexism and gender inequality and the impacts of intersectional inequalities.

> **collaborated with sector leaders:** engagement to build knowledge and solidify commitment to meaningful and sustainable organisational change.

> **trialled and embedded prevention strategies in legal and justice workplaces:** six legal and justice organisations tailoring, piloting and evaluating best practice approaches to workplace prevention of gendered violence.

The Framework embeds best practice in workplace prevention of gendered violence, takes account of legislative frameworks and is informed by lived experience of legal and justice practitioners.

Starts With Us was funded by the Victorian Government's Free From Violence Fund.

KEY TERMINOLOGY
BEFORE YOU GET STARTED

Gender - socially constructed identities, social roles and norms based on masculine or feminine traits assigned to men and women. The "socially learnt roles, behaviours, activities and attributes that any given society considers appropriate for men and women".[12]

Gender equality versus gender equity - gender inequality is men's disproportionate share of power and resources, and unequal value afforded to men over women. LGBTIQ+ people also experience inequality as a result of the rigid, binary hierarchies that underpin gender inequality. Gender equity is the process to achieve gender equality.

Gender norms and roles - widely held beliefs determined by a society or social group in relation to the defined roles, behaviours, and interests expected from girls and boys, men and women. Gender norms and roles maintain and reinforce the status quo and unequal relations of power.

Gendered violence - any act of gender-based violence that results in, or could result in, physical, sexual or psychological harm or suffering to women, including threats of such acts and coercion.

Intersectional gender inequality - how other forms of social oppressions, such as racism, colonisation, homophobia, ableism and classism intersect with and compound the impacts of gender inequality.

Non-binary - an umbrella term for any number of gender identities that do not conform to the gender binary of men/man and women/woman and can include people who do not identify with any gender.

Primary prevention of gendered violence - primary prevention of violence against women is long-term work that aims to prevent gendered violence before it starts by reaching whole populations to change attitudes, cultural norms and social and structural conditions that underpin violence against women. When the term prevention is referred to in this Framework, it is primary prevention.

Social structures - economic, political, cultural or organisational systems that maintain and replicate the status quo, and, in turn, shape people's lives, for example, who holds power in a society.

Women - includes all women, regardless of the gender they are assigned at birth.

Women from diverse backgrounds - women who represent the diversity of abilities, sexualities, races, cultural backgrounds, ages and socio-economic class.

Workplace cultures - the dominant attitudes, behaviours, and values of a group of people within a workplace.

Workplace structures and systems - formal and informal systems that influence how organisations operate, reinforced through policies, roles, and behaviours or attitudes, that can create power relationships between different groups of people in a workplace.

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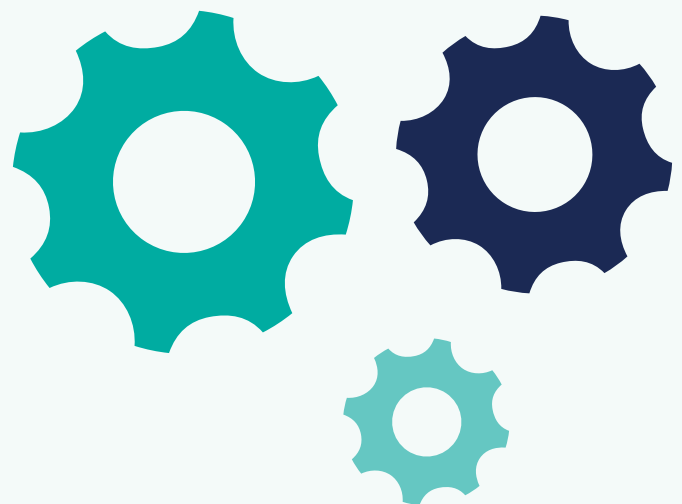
[12] Our Watch, *Change the Story: A framework for the primary prevention of violence against women in Australia (2nd ed.)*, (2021), 134.

DRIVERS OF GENDERED VIOLENCE IN VICTORIA'S LEGAL AND JUSTICE WORKFORCE*

GENDER INEQUALITY IN LEADERSHIP AND OPPORTUNITY

Gender pay gap of 22.8% (women make up approximately 70% of the legal profession)

Discrimination against women with caring responsibilities or of "childbearing age"

Preferential treatment of men in hiring, promotion, leadership opportunities and briefing practices

Women poorly represented in senior roles such as partner and principal lawyer

GENDERED ROLES AND STEREOTYPING

Highly hierarchical sector steeped in traditional values

A white, male "anglo" culture

Attributes of the "model" lawyer reflect masculine stereotypes of power and dominance unencumbered by caring responsibilities, leading to underlying view that men are better suited to lawyering

DISRESPECT TOWARDS WOMEN

Pervasive and normalised "boys club" culture

Men privileging relationships with other men contributes to preferential treatment in hiring and promotion

High prevalence of sexual harassment, in a pervasive culture of objectification of women, especially young women

EXCUSING, CONDONING AND MINIMISING OF VIOLENCE

Inadequate accountability for perpetrators of sexual harassment and gendered bullying

Attitudes that excuse, trivialise or condone harassment and discrimination

Women leaving the sector due to no or low confidence that sexism, discrimination and harassment is taken seriously

"Casual" sexism, racism, homophobia and transphobia are prevalent (sometimes called "micro-aggressions")

*Adapted from the Change the Story Framework (Our Watch, 2015 and 2021)

ACTIONS NEEDED TO ACHIEVE MEANINGFUL CHANGE

LEADERSHIP AND ADVOCACY

Executive commitment to change

Role-modelling

Resourcing for change

Prevention of gendered violence in strategic plans

Gendered violence acknowledged as organisational risk

Advocate for gender equality

POLICIES AND PRACTICE

Gender neutral parental leave

Pay equity

Safe and effective gendered violence reporting policies and processes

Superannuation payments on parental leave

Equity in recruitment practices, professional development opportunities and reward and recognition

BUILD STAFF AND ORGANISATIONAL CAPACITY

Gendered violence training

Equitable coaching and mentoring opportunities

Communities of practice to share learning and skills in workplace prevention of violence

ENGAGEMENT AND COMMUNICATIONS

Regular staff engagement surveys and other engagement opportunities

Internal communications about gendered violence prevention work and progress

Join campaigns, make public statements marking days of significance

MONITORING, EVALUATION AND REPORTING

Monitor and evaluate the impact of actions to prevent gendered violence in the workplace and their contribution to the organisation's overarching gender equality strategy

Include outcomes in annual reports

CHANGE WILL ACHIEVE

MEDIUM TERM INDICATORS OF SUCCESS

Increased reports of gendered violence, discrimination and harassment (indicates trust in reporting mechanisms)

Increase in men accessing parental leave, working part-time and/or flexibly

Increase in women and non-binary people from diverse backgrounds at senior, executive and governance levels

Women and non-binary people from diverse backgrounds progress careers after taking parental or carer's leave

More women and non-binary people from diverse backgrounds apply for work at all levels and roles

Gender equitable pay across business areas and at all levels of the organisation

Staff report the workplace culture supports equality and safety

Leave available and taken for diverse cultural and social reasons (e.g, gender transition leave or leave for cultural or religious holidays)

LONGER TERM INDICATORS OF SUCCESS

Decrease in incidents of gendered violence, discrimination and harassment

Equality in staff working part time or flexibly (at all levels of the workplace)

Gender equitable composition at all levels (including governance)

Gender pay equity

Fewer women and non-binary people from diverse backgrounds leave the sector, particularly those with caring responsibilities

Workforce demographics at all levels reflect that of the general community

LEADING TO OUTCOMES THAT ACHIEVE SAFE AND EQUAL WORKPLACES

SUCCESS

An organisational culture that reflects gender equitable behaviour, attitudes, and expectations, internally and in work with the community, with clients and with stakeholders

Systems, structures, and processes that support gender equality, fairness, and safety

Robust and effective reporting systems that ensure safety, compliance and consequences for perpetrators

HOW TO USE THIS FRAMEWORK AND RESOURCES

Taking steps to ensure the necessary foundations are in place is essential for any organisation wanting to prevent gendered violence. For organisations of all sizes, organisational readiness must address safety, leadership commitment and resourcing as pillars for achieving meaningful and sustainable change.

The Framework provides guidance on how to plan for and sustain action over time, understanding that, as with all social and cultural change, a long-term commitment is required.
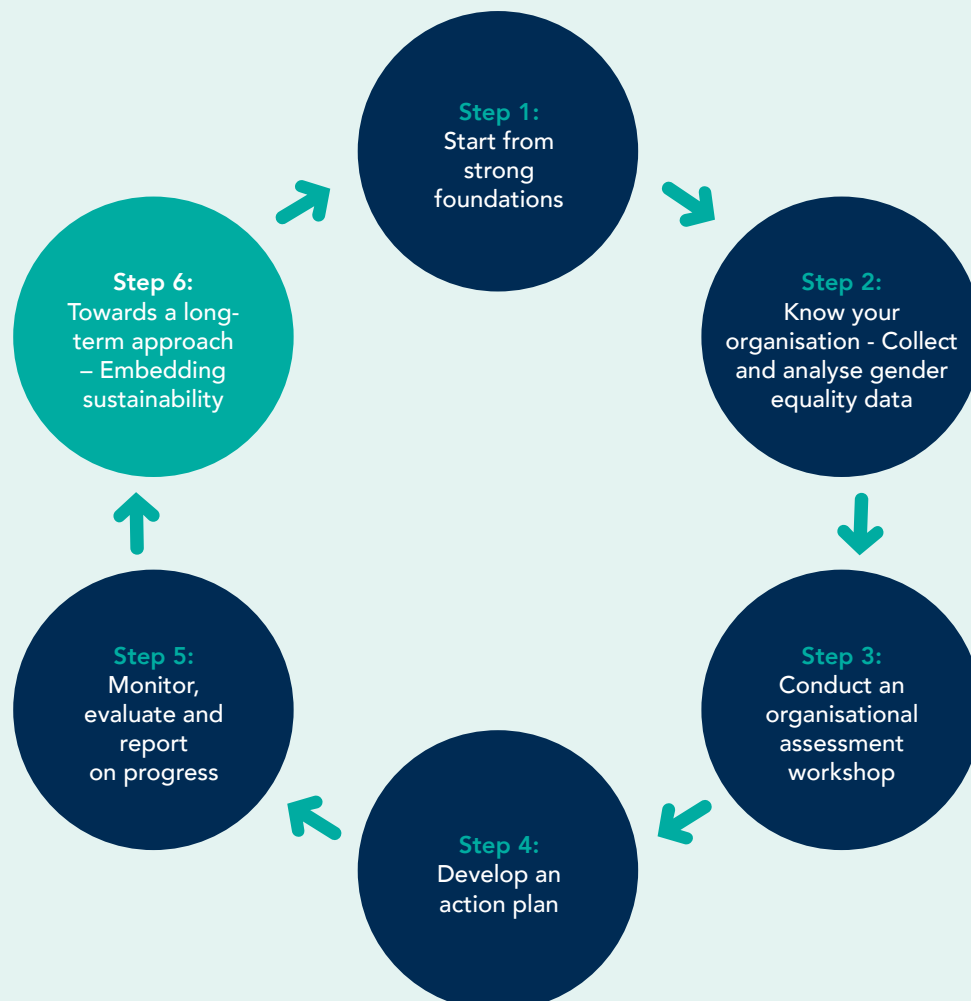
It is important for organisations implementing the Framework to consider how to align the Framework's steps with your own organisation's planning and budget processes and cycles.

The Framework provides the following cyclical process to ensure your work has the best chance of success:

Step 5: Monitor, evaluate and report of the Framework makes clear sustainable change will only be achieved if this work is ongoing. It is essential to regularly review and confirm that your organisation's foundations are still in place. Regularly collect and analyse your data to ensure an evidence-based approach to understanding the impact of your actions and setting priority future actions.

Strategies to engage staff to participate in the development and implementation of the action plan are highlighted at every step of the process.

Small organisations or those with limited capacity can use this Framework to enhance the safety of their workforce. You can adapt some of the activities, such as your organisation's approach to collecting data to ensure information does not identify people. The best practice steps outlined in this Framework and the resources include suggested adaptions to suit small organisations.

Step 1: Start from strong foundations

Step 2: Know your organisation - Collect and analyse gender equality data

Step 3: Conduct an organisational assessment workshop

Step 4: Develop an action plan

Step 5: Monitor, evaluate and report on progress

Step 6: Towards a long-term approach – Embedding sustainability

STEP 1:
START FROM STRONG FOUNDATIONS

Work in developing this Framework has shown that it is essential for organisations to have the following in place to be ready to begin work to prevent gendered violence:

> **safety first:** organisational policies and procedures to respond appropriately and safely manage disclosures of gendered violence (including sexual harassment and discrimination) and family violence.

> **leadership commitment:** organisational leadership that is accountable, supports, enables, endorses and authorises sustained action to prevent gendered violence in the workplace.

> **resourcing:** a team or working group with allocated time and budget to plan and deliver a plan of action. This working group must include a decision-maker, who is accountable to organisational leaders, and people with relevant experience. Involvement in the working group should not be undertaken on top of existing workloads, with current organisational roles taken into consideration. In small organisations, setting up a working group may not be feasible, but you will need individuals with responsibility to progress the work; e.g. People and Culture staff. Consider advocating for a dedicated role or part of an EFT to coordinate the work.

It is important at this step to understand who the decision-makers are in your organisation.

WHAT WE MEAN BY DECISION-MAKERS AND ORGANISATIONAL LEADERS

In this Framework we will use the term "decision-maker(s)".

In your organisation the decision-maker(s) may be your CEO, partners, Board, president, executive leadership team (or a member of that team), or committees.

The Framework also uses the term 'organisational leaders' or 'organisational leadership' to refer broadly to individuals in your organisation who may hold responsibilities for supporting, enabling, endorsing and authorising action(s).

Check your organisation has strong foundations for this work, complete **The *Starts With Us* Organisational Readiness Checklist** to lay the foundations for success.

AN INTERSECTIONAL APPROACH

It is essential to take an intersectional approach. This means recognising the compounding effects of other forms of discrimination and social inequality along with gender inequality. For example, women who responded to the survey conducted as part of our 2022 research on gender and intersectional inequality described being overlooked for promotions or certain roles due to ethnicity, race or religion.[13] Without this consideration, we can only hope to address the impact of gender inequality for some, not for all. Consider how the development of your action plan intersects with, for example, your organisation's Reconciliation Action Plan or Diversity and Inclusion Plan.

OPPOSITION AND BACKLASH TO ADVANCING GENDER EQUALITY

Expect and plan for backlash to your work – it is a normal part of any push for social and cultural change. Backlash or resistance is an indicator that your work is getting noticed and there are those who will not agree with the changes they are seeing or feeling.

Backlash and resistance range from very obvious and vocal opposition, denial of the problem, push back through inaction, attempts to ridicule aspects of your approach, through to in-principle support but no follow up action.

Prepare for backlash by:

> planning ahead and treating backlash as an organisational risk.

> focussing on the 'persuadables' – a group of people who will be curious to learn more about the change you are proposing and open to coming on board.[14] When communicating about this work, start your emails, meetings or public statements by outlining what your organisation is aspiring to. For example, "Everyone has the right to a safe, equal workplace in which they can deliver their best". Back up this

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[13] Women's Legal Service Victoria, *Gender and Intersectional Inequality: Power and privilege in Victoria's Legal and Justice Workforce*, (n 8), 17.

[14] VicHealth et al., *Framing gender equality: Message guide* (2021).

message by explaining how gender inequality has negative impacts for everyone and how working towards solving the problem benefits everyone.

> securing the support of organisational leaders of all genders. Leaders need to take on the role of active champions. This will help set the expectations and culture for all employees.

> provide training on gender equality and the important role that workplaces play in gendered violence prevention. The more people know, the more they will understand. Providing unconscious bias training also sets up the space and expectation for self-reflection, leading to understanding of our unacknowledged biases.

> creating safe spaces for debate and discussion. Provide platforms to collect a variety of views, including those who may feel they will lose out because of greater gender equality.

Strategies are explored in further detail in the VicHealth Encountering Resistance Report.[15]

To help build support from organisational leaders, read *The case for prevention of gendered violence*, to help prepare your organisation to take action.

ENGAGEMENT AND COMMUNICATION OPPORTUNITIES

Engage and consult with staff at all levels of your organisation. Keeping them updated about the organisation's plan to act will empower staff to play their role in preventing gendered violence.

Communication and engagement opportunities at this step include:

> communications from organisational leaders on why the organisation is prioritising action to prevent gendered violence, how staff can get involved in shaping the work and what to expect over the next timeframe.

> make sure you aim to engage with staff of all genders in your engagement and communications activities. Engage men in conversations and processes, call on men at all levels to be allies and positive role models. Create opportunities for men to reflect on and challenge established norms around masculinity.

> create an EOI process for the appointment of Contact Officers - staff who have a role to offer support to colleagues who are seeking confidential support and referrals. These staff take on these duties in addition to their substantive role and receive specialist training to be able to appropriately handle and respond to reports of workplace violence or harassment.

> develop (or draw on existing available resources) an inclusive language guide to support organisational leaders to model inclusive language. The guide can also support the review of workplace policies and consistency of inclusive communications within your organisation.

VicHealth, *(En)countering resistance: Strategies to respond to resistance to gender equality initiatives* (2018), 6.

STEP 2:
KNOW YOUR ORGANISATION - COLLECT AND ANALYSE GENDER EQUALITY DATA

Organise the collection and analysis of gender equality data regularly, preferably on an annual basis. To get the best picture of gender inequality in your workplace:

> use staff engagement surveys (or similar) to capture relevant data. This may require you to create a survey or update your existing staff engagement survey.

> collect organisational data mapped against the Workplace Equality and Respect Indicators.[16]

Use **The *Starts With Us* Survey Template**, to engage staff about gender equality in your workplace

What your organisation measures reflects what your organisation values.

WHAT TO ASK YOUR PEOPLE

Set up a regular anonymous staff engagement survey if your organisation hasn't got one already. If you already conduct a regular staff engagement survey, include questions about people's perceptions, experiences and observations of gender equality or inequality, and how the organisation responds to incidents of gendered violence.

Most staff surveys are conducted through purpose-built survey tools which have inbuilt analytics and tools for visualising the data to help with data analysis.
This data can be further analysed against the goals of:

> an organisational culture that reflects gender equitable behaviour, attitudes, and expectations, internally and in work with the community, with clients and with stakeholders.

> systems, structures and processes that support gender equality, fairness and safety.

> robust and effective reporting systems that ensure safety, compliance and consequences for perpetrators.

A NOTE ON SAFETY
All parts of the staff engagement survey need to be confidential and with no obligation to submit information that might lead to someone being identified. It should always be safe for staff to answer questions candidly, without fear of repercussion and with pathways for support available and communicated.

Always include the support available, such as the Employee Assist Program (EAP), at the start of the survey and be clear who staff can contact for support should they need it. Further guidance on support service information is provided in The *Starts With Us* Survey Template, to engage staff about gender equality in your workplace.

It is not safe to ask questions about gendered violence (including harassment, bullying and discrimination) without these supports in place.

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[16] Our Watch, *Workplace Equality and Respect: Workplace gender equality indicators* (2022).

BENCHMARKING AGAINST GENDER EQUALITY

Benchmarking how your organisation measures up to gender equality indicators will help you identify your strengths and areas for improvement. It should be a straightforward task for most organisations but don't forget to build in the time needed to analyse, interpret and report on the data collected.

The Workplace Equality and Respect Indicators focus on:

> gender composition of staff at all levels of the organisation and of board members.

> gender composition of new hires and internal promotions.

> gender pay gap by business area.

> gender composition of staff with caring responsibility, accessing flexible work conditions, taking family violence leave.

> changes in staff perception of workplace culture as measured by staff survey.

> reports of gender-based discrimination and harassment.

Download the Workplace Equality and Respect Indicators to make sense of your organisation's data.[17]

Mapping the experiences and perceptions of people in your workplace against the gender equality indicators is important. For example, if reports of gendered harassment are low in your workplace according to the gender-based indicator reports and staff survey results indicate that staff do not feel safe to report or have a low level of confidence that the report will be adequately dealt with, this can suggest a problem of under reporting.

Summarising and analysing the data from your staff survey and the gender equality indicators will be a key input into the next step of conducting an organisational assessment workshop.

Include someone with data analysis skills in your working group.

CAPTURING AND ANALYSING DATA TO SUPPORT AN INTERSECTIONAL LENS

An intersectional approach to capturing and analysing the data is important if your workplace is going to better understand how other forms of discrimination are compounding the effects of gender inequality and gendered violence on staff. Capture demographic data and disaggregate survey responses to help understand the different ways in which the diversity of staff experience gender inequality and violence in the workplace.

ENGAGEMENT AND COMMUNICATION OPPORTUNITIES

When sharing the staff survey with staff, ensure you tell your audience what's in it for them if they take part (e.g., an evidence base to inform actions to achieve a safe workplace for all). Also include how the information will be gathered and used – e.g., the data will assist with planning, design and implementation of actions in your organisation's action plan. Emphasising that responses are anonymous promotes safety to participate.

Be sure to share the results, when you have them, to bring staff, and organisational leaders and decision-makers along with you, seeking their reflections to increase engagement.

STEP 3:
CONDUCT AN ORGANISATIONAL ASSESSMENT WORKSHOP

Organise a workshop with staff to undertake an organisational assessment – a valuable activity to identify what your organisation's action plan for change should focus on and why.

Plan ahead to hold the organisational assessment workshop soon after data collection and analysis to avoid the data losing its currency.

The workshop should be led by the working group and engage staff from different roles and levels of the organisation, who represent the cross section and diversity of people who make up your workforce.

To complete the assessment the working group should draw upon the analysis of the staff engagement survey, the benchmarking against the gender equality indicators, and the qualitative insights and knowledge of those participating in the workshop.

Prioritise safety. If it is hard for people to share honest reflections on what is actually going on in your organisation, this will stand in the way of developing the most relevant recommendations for action.

Edit the template if necessary. One size doesn't fit all but it can offer ideas of the areas to consider as part of the assessment.

The *Starts With Us* **Organisational Assessment template** to workshop where to focus action

The workshop activity needs to measure the organisation against the goals of prevention work:

> an organisational culture that reflects gender equitable behaviour, attitudes, and expectations, internally and in work with the community, with clients and stakeholders.

> systems, structures and processes that support gender equality, fairness and safety.

> robust and effective reporting systems that ensure safety, compliance and consequences for perpetrators.

And in the key action areas of:

> leadership and advocacy – for example, role-modelling by the organisational leadership, allocating resources, and ensuring alignment with strategic plans and organisational risk registers, advocating for gender equality with clients and stakeholders.

> policy and practices – for example, updating or drafting key policies and procedures such as preventing sexual harassment and discrimination, parental leave, recruitment, flexible work, recognition and reward, and professional development.

> building staff and organisational capacity – for example, professional development opportunities, including training, coaching and mentoring, and developing communities of practice to share learning and skills.

> engagement and communication – for example, internal and external communications on why your organisation is investing in this work and the benefits to the workforce, events marking days of significance, including 16 Days of Activism against Gender-Based violence and International Women's Day, and staff surveys and focus groups.

> monitoring, evaluation and reporting – for example, evaluating your actions and their contribution to overarching gender equality outcomes.

Aim for recommendations across all key action areas, with the understanding that best practice prevention of gendered violence requires a number of mutually reinforcing actions across a number of areas. If your organisation only focuses on one area, such as improving the organisational culture without supporting systems, the organisation is unlikely to see meaningful change.
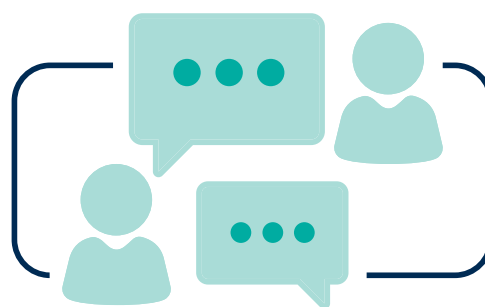
ENGAGEMENT AND COMMUNICATION OPPORTUNITIES

Invite staff to express interest in participating in the assessment workshop, using the communication to reinforce the importance of taking action on gendered violence.

Share the findings of the organisational assessment workshop with decision-maker(s) and provide an opportunity for them to contribute early input on the recommendations for action.

Share the final organisational assessment with all staff, reminding them of the end goal of this work.

STEP 4:
DEVELOP AN ACTION PLAN

Your first action plan to tackle gender inequality in your workplace should be a short-term one (e.g., 12 months). Ensure any actions committed to are SMART: specific, measurable, achievable, relevant, and time-bound.

The development of the action plan is a task of the working group. However, seek input and feedback from key areas of the organisation, particularly those who will be responsible for actions, such as People and Culture or the Communications team.

When developing the action plan:

> align the action plan to your organisation's existing strategic plan or priorities.

> think about your organsiation's annual planning cycle and when action plan activities would best be conducted. Prepare your action plan in good time to be considered as part of the annual budget process. If you are reviewing training schedules, for example, align this with broader organisational planning on training needs.

> start small, prioritise and build on existing work. Be realistic about what can be achieved within the resources committed and your organisation's strengths.

> aim for at least three actions to work towards each of the three outcome areas.

> consider including actions that focus on the core business of your organisation, for example service delivery or how you work with clients or stakeholders.

> remember best practice in any action planning includes embedding evaluation measures at the point of designing your action plan, rather than retrofitting it after the plan has been delivered.

In most cases, the action plan will need to be endorsed by organisational leaders and approved by your organisation's decision-maker(s). When presenting the draft action plan, be clear about the resources needed and include this as part of your proposal.

The *Starts With Us* Action Library to generate ideas for action in your workplace.

Use the *Starts With Us* Action Plan Template to prevent gendered violence in the workplace

ENGAGEMENT AND COMMUNICATION OPPORTUNITIES

It is important to engage early with organisational leaders and decision-maker(s) on the draft action plan. Make time to explain what the plan is and why it's needed. When engaging with organisational leaders and decision-maker(s) on the draft action plan, their feedback may assist with identifying strategic opportunities that might not be commonly known about which can further strengthen the action plan.

As the action plan will impact all staff, it is vital to keep them up to date with the development of the action plan. Build in opportunities for feedback on the draft action plan.

Get meaningful feedback by making sure you provide enough time for people to respond and provide a variety of feedback methods. For example, develop a feedback template (for those who want to provide more detailed feedback) or an online survey (for those who have less time but still want to provide input). You should aim to hear from as many staff as possible so that you get buy in and ownership for the action plan. Organisational leaders play an important role in encouraging staff to provide feedback.

STEP 5:
MONITOR, EVALUATE
AND REPORT ON PROGRESS

Regular review and reporting of progress against your organisation's action plan is essential for accountability. Monitoring and evaluation will:

> help to track the implementation of actions.

> understand the contribution of those actions to the outcomes being sought.

> provide a feedback loop into planning for the longer term.

> enable you to make a case to organisational leaders and decision-maker(s) for continued action.

> embed continuous improvement into your action planning.

The working group will need to monitor the progress of the action plan implementation regularly (we suggest at least every three to six months after implementation starts) to build a picture of the actions which are progressing well and areas needing extra support or attention.

When reporting, include a 'progress' column against actions in the plan and apply a colour-coded traffic light system: green for completed, amber for actions in progress and red, for those not started or issues to resolve.

Consider if another 12-month action plan is required to build on your organisation's first action plan, or whether your organisation is ready to develop a longer-term action plan to embed initiatives to support sustainability of your work going forward.

Whether you decide to develop another short-term action plan or a longer term strategy, check to ensure the essential foundations are still in place, update organisational data, conduct your organisational assessment workshop and set new priorities accordingly. Sustainable change will only be achieved if this work is ongoing.

Use the *Starts With Us Reporting on Success Template*, for collecting data, analysing progress, and publishing insights on your organisation's gender equality action plan.

ENGAGEMENT AND COMMUNICATION OPPORTUNITIES

By publishing an annual progress report internally, you are building transparency and accountability within the organisation. This will help to build trust and confidence in the organisation to act.

Make sure progress reports are provided to organisational leaders and decision-makers, along with recommendations or adaptations for future plans. This is also an ideal opportunity to communicate and engage with staff to:

> reiterate the commitment made by the organisation.

> celebrate and share successes.

> report on progress made including presenting of data insights.

> reflect on what still needs to be done, and opportunities to build on work done to date.

> build the case for further action.

Best practice is to publish your report publicly on an annual basis, with at least an executive summary of progress on your organisation's action plan.

STEP 6:
TOWARDS A LONG-TERM APPROACH EMBEDDING SUSTAINABILITY

Making legal and justice workplaces equal and safe is long term work. You should take steps through the action plan development process to embed sustainability into your ongoing approach, whether it is through annual action plans, longer term strategies, or linking to other strategic directions that prioritise equality, fairness and safety.

Ensuring the systems and structures are set up to keep this work on the agenda, even if there are changes in organisational leadership or other emerging priorities, will be the key to sustainable change.

When planning for sustainability, consider:

> making responsibilities for progressing gender equality and prevention of workplace gendered violence part of Key Performance Indicators (KPIs) and/or create a position to coordinate this work and report to organisational leadership.

> ongoing resourcing of the working group, ensuring the group continues to have a mandate for change and ongoing accountability to organisational leadership.

> keeping the workforce engaged with professional development opportunities and refresh existing skills, share relevant research and publish what has been achieved so far.

> keep communicating key messages that clearly state the need for ongoing efforts to achieve a safe and equal workplace.

> joining with other organisations to create joint partnerships or coalitions to advance advocacy efforts.

> formally adopting a long-term plan or make your long-term plan part of another mandated strategic document.
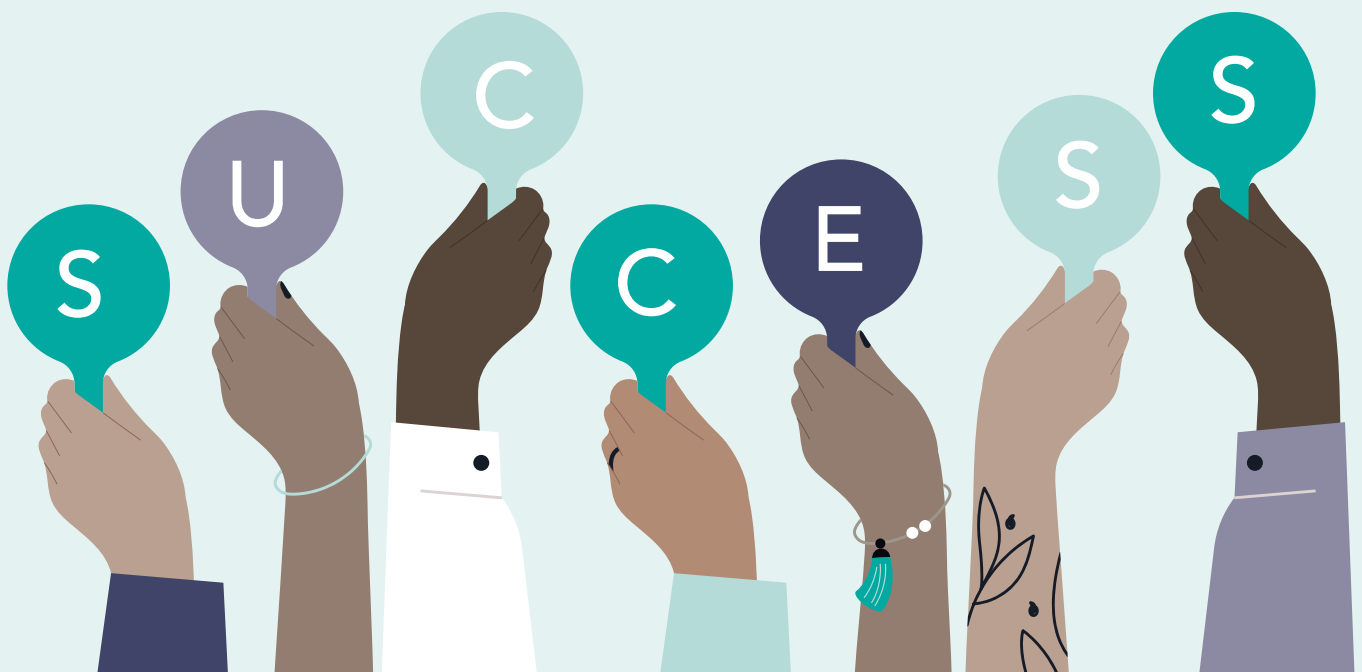
INTO THE FUTURE
LEGAL AND JUSTICE SECTOR
GENDER EQUALITY LEADERSHIP

Collaboration across the legal and justice sector will contribute to achieving large scale and sustainable change. It will also support small organisations to step up to the challenge of tackling gender inequality.

Through working together and sharing approaches, our sector has the potential to be greater than the sum of its parts. Consider including cross-sector collaboration activities in your organisation's action plan.

OPPORTUNITIES FOR CROSS-SECTOR COLLABORATION

Leadership	› Leadership training on prevention of gendered violence and providing safe, inclusive and equitable legal and justice workplaces. › Forums to share and increase knowledge and understand new developments in the sector. › Coordinated cross-organisational leadership commitment and prevention work more broadly.
Advocacy	› Leaders advocate for agreed standards of behaviour and compliance mechanisms across the sector. › Expectation that these standards are clearly communicated and linked to requirements as part of contracts with clients and other organisations. › Collective advocacy to government to keep intersectional gender equality a policy and funding priority.
Workforce Development	› Comprehensive legal and justice workforce training on: intersectional gender equality '101', OHS risk frameworks and relevant regulatory requirements, and prevention of gendered violence. › Community of practice(s). › Sharing of resources and templates. › Mentoring. › Consistent and shared messaging about importance of preventing gendered violence to create safe, fair and equal workplaces.
Whole of sector data and benchmarking	› A bi-annual, whole of sector workforce survey/pulse check. › Best practice benchmarking and reporting. › Sharing and publishing against benchmarks.
Whole of sector compliance and reporting	› Development and implementation of a whole of sector gendered violence anonymous reporting tool. › Link whole of sector compliance with relevant legislative reforms.
Research	› Sector wide research to inform activities as new prevention knowledge emerges. › Promotion of research findings and recommendations.

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