



Gender Equality Action Plan 2021–2025

Guidance for Defined Entities

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Introduction

The Gender Equality Act 2020 (the Act) requires defined entities¹ to develop a Gender Equality Action Plan (GEAP) every four years. Your GEAP will help you plan, implement and measure change.

The primary focus of the strategies and measures in your GEAP should be on promoting gender equality in your **workplace** (s10(1)(b)), by focusing on the people who are part of your workforce as defined in section 3 of the Act.

Before developing your GEAP, you should undertake your workplace gender audit. Guidance for how to complete your workplace gender audit is available on our website.

About this guide

This document contains guidance for developing GEAPs under the Act. This guidance is issued under section 47 of the Act. This means defined entities must have regard to this guidance when complying with their obligations under the Act.

There are **Required** and **Recommended** items within each section of your defined entities' GEAP. **Required** items **must be included** in your GEAP. **Recommended** items are **optional**, however the Commission for Gender Equality in the Public Sector (the Commission) recommends defined entities consider including these items in their GEAPs where possible.

If there are recommended items that you cannot include for your 2021-2025 GEAP, we suggest you note the actions you will take to build capacity to ensure these items can be included in future GEAPs.

- ▶ Defined entities must consider the gender equality principles in the Act when preparing their GEAP, including intersectional gender inequality
- ▶ Defined entities must consult with the governing body of the entity, the employees, employee representatives and any other relevant person
- ▶ A defined entity must publish their completed GEAP on its website and notify the governing body, employees and employee representatives of publication
- ▶ Any personal information must be removed prior to publishing
- ▶ A defined entity must ensure adequate resources are allocated to developing and implementing the GEAP
- ▶ A defined entity must report on its progress relating to the strategies and measures set out in its GEAP through a progress report

Obligations relating to Gender Equality Action Plans for defined entities

Obligations under the Act relating to GEAPs:

- ▶ The first GEAP is due on 31 October 2021. GEAPs must be submitted to the Public Sector Gender Equality Commissioner (the Commissioner) on or before 31 October of each Gender Equality Action Plan reporting year
- ▶ A defined entity must include the results of a workplace gender audit in their GEAP
- ▶ GEAPs must include strategies and measures for promoting gender equality in the workplace of the defined entity, based on workplace gender audit results

Other Victorian and Commonwealth laws

When developing a GEAP, defined entities must have regard to legal obligations they may have under Commonwealth and State legislation and industrial instruments, including but not limited to:

- ▶ The *Fair Work Act 2009* (Cth) and other Commonwealth workplace relations legislation
- ▶ The *Equal Opportunity Act 2010* (Vic) and the *Charter of Human rights and Responsibilities Act 2006* (Vic)
- ▶ The *Sex Discrimination Act 1984* (Cth) and the *Workplace Gender Equality Act 2012* (Cth)
- ▶ Enterprise agreements, workplace determinations and modern awards

Compounded gender inequality

Section 6(8) of the Act outlines that gender inequality may be compounded by other forms of disadvantage or discrimination that a person may experience based on Aboriginality, age, disability, ethnicity, gender identity, race, religion, sexual orientation and other attributes. For the purposes of this guidance, the Commission refers to this concept as "**intersectional gender inequality**". For further information on intersectional gender inequality, please refer to the glossary.

¹ The Act applies to certain organisations that have 50 or more employees, including: public service bodies, public entities, special bodies, local councils, universities, Court Services Victoria and the Office of Public Prosecutions (s5(1)). A full list of defined entities is available at www.genderequalitycommission.vic.gov.au/list-defined-entities.

Gender Equality Action Plan 2021 – 2025 requirements

There are six sections in the GEAP. There are **Required and Recommended** items for each section. A consolidated checklist of all GEAP requirements is at [Appendix A](#).

Once you have undertaken your workplace gender audit and performed data analysis on your results in accordance with the guidance available on our website, you are ready to develop your GEAP.

An example GEAP design timeline for 2021-2025, including consultation, is included in [Appendix B](#).

1. Baseline audit analysis

Your workplace gender audit results will show if and where your defined entity has areas for improvement in relation to the workplace gender equality indicators. This should inform the strategies and measures included in your GEAP.



REQUIRED

1. Include the results of your workplace gender audit in your GEAP
2. Remove any personal or potentially identifying information prior to publishing your GEAP



RECOMMENDED

3. Highlight where data gaps currently exist and your plan for building data collection
4. Outline key insights from applying an analysis of intersectional gender inequality
5. Outline any other information sources or data that were considered as part of your GEAP development



REQUIRED: Include the results of your workplace gender audit analysis in your GEAP

The results of your [workplace gender audit](#) must be included in your GEAP (s10(1)(a)), and link directly to the strategies and measures included in your GEAP. Your complete workplace gender audit dataset (excluding *personal and potentially identifying information*) should be included as an appendix to the GEAP. Any key data points should feature in the body of the GEAP

alongside the relevant strategies and measures in section 4.

Instructions on how to analyse the results of your workplace gender audit will be included in the workplace gender audit guidance on our website. Further guidance on privacy and confidentiality considerations will be available on our website shortly.



REQUIRED: Remove any personal and potentially identifying information prior to publishing your GEAP

Removing personal or potentially identifying information from your GEAP is important to protect the anonymity and safety of your employees. When you submit your GEAP, you must advise the Commissioner whether your GEAP contains any personal information

(s51(2)), as defined by the *Privacy and Data Protection Act 2014*. If your GEAP contains any personal information, you must remove it prior to publishing it on your website (s51(1)(a)). For more information on privacy considerations, visit the [data privacy](#) webpage.



RECOMMENDED: Highlight where data gaps currently exist and your plan for building data collection

Your defined entity may have identified through the workplace gender audit that you have insufficient data to support the development of evidence-based strategies or measures for a particular indicator. In this case, you should

highlight in your GEAP where these data gaps exist and identify how you will establish a more robust dataset or internal reporting system for these data measures.



RECOMMENDED: Outline key insights from applying analysis of intersectional gender inequality

Your workplace gender audit results may reveal insights about people for whom gender inequality may be further compounded by disadvantage or discrimination based on Aboriginality, age, disability, ethnicity, gender identity, race, religion, sexual orientation and other attributes.

It is important to analyse these results to understand the organisational factors that may cause intersectional gender inequality. These insights will ideally be outlined in your GEAP alongside the relevant strategies and measures

to address any identified trends, and in a way that is sensitive to the safety, privacy and interests of people who experience intersectional gender inequality. It is important to consult with employees who experience intersectional gender inequality or relevant external people or groups about how to outline these insights in a safe and constructive way.



More information about analysing intersectional gender inequality is available on the [Leading practice resources](#) page on our website.



RECOMMENDED: Outline any other information sources or data that were considered as part of your GEAP development

You may also have other important information sources that should be considered in shaping your GEAP. For example, from an employee engagement survey, a focus group session, a diversity and inclusion survey, research, complaints data, reports from workplace contact officers, court proceedings or anecdotal information from exit interviews. These are all

important to consider in determining which strategies and measures will support you to achieve progress. You may wish to include any additional data points which inform the strategies and measures in your GEAP, for example data on participation in leadership development programs, or data on length of service at a particular level.



2. Meaningful consultation and engagement

REQUIRED

- 6. Consult with your governing bodies, employees, employee representatives and other relevant people to develop your GEAP and document this process

RECOMMENDED

- 7. Outline how consultation was conducted
- 8. Regularly communicate with your workforce on the work you're undertaking to develop your GEAP

REQUIRED: Consult with your governing bodies, employees, employee representatives and other relevant people to develop your GEAP and document this process

Using the results of your workplace gender audit, you must undertake a consultation process.

Under the Act, defined entities must consult with their governing bodies, employees, employee representatives (including relevant trade unions) and any other relevant person (s10(2) (b)). Where consultative mechanisms are already established under enterprise agreements and other legislation (e.g. the *Occupational Health and Safety Act 2004*), defined entities will need to utilise these mechanisms (and partner with those involved to build on them if necessary – see below) in their GEAP consultation process.

Where possible, consultation should include the following:

- ▶ People for whom gender inequality may be compounded by disadvantage or discrimination that a person may experience based on any of the following:
 - Aboriginality; age; disability; ethnicity; gender identity; race; religion; sexual orientation
- ▶ People of different levels and employment types (part-time, casual, flexible, tenured, contract etc) in the defined entity
- ▶ Relevant peak bodies
- ▶ Gender equality organisations, women's health organisations, community groups or research groups in your local area who can advise specifically on the issues relating to your internal workforce
- ▶ People who have experienced your recruitment processes

- ▶ Other relevant people and/or groups that can provide helpful insight into the intersectional disadvantage or discrimination that a staff member may experience based on any of the following:
 - Aboriginality; age; disability; ethnicity; gender identity; race; religion; sexual orientation

Your consultation process should begin as early as possible in your GEAP development process.

Your consultation should be conducted using the methods listed in [Appendix C](#) which will supplement the data you receive through the workplace gender audit process.

At least two rounds of consultation will be required to develop your GEAP. Prior to the development of strategies and measures, an initial round of consultation will allow you to share the results of your workplace gender audit (removing [personal or potentially identifying information](#)) with your workforce and seek ideas for how your organisation can address any workplace gender equality issues it has identified. This information will assist with understanding your workforce's perspectives on priorities for improvement and should inform the potential strategies and measures to include in your GEAP.

Further consultation will facilitate feedback about proposed strategies and measures to be included in your GEAP.

Further information about how to undertake meaningful consultation is included in [Appendix C](#).



RECOMMENDED: Outline how consultation was conducted

You may conduct your consultation via any methods that are appropriate and encourage open and honest feedback from all levels of your workforce, including through:

- ▶ In person “drop-in” sessions
- ▶ staff surveys (you may wish to consider doing a paper-based survey in addition to digital, to enable the participation of non-office-based staff who do not have ready access to computers)
- ▶ targeted focus groups or workshops
- ▶ individual interviews
- ▶ anonymous feedback mechanisms

You may wish to consider the role of anonymous feedback in your consultation. This may help address safety concerns around disclosing family and gendered violence (and/or other personal experiences).

Whenever consultation is conducted, results should be reported back to those consulted. At a minimum, this should be reported through the consultative mechanisms used, but ideally this would be more broadly reported to your workforce.

The methods you use to conduct consultation for your GEAP should be documented in your GEAP. Further guidance on GEAP consultation is included in [Appendix C](#).

Prioritising safety and wellbeing during consultation

Discussing gender equality can raise issues of safety and/or wellbeing for your employees. It is critical to ensure that you mitigate the risks of causing harm to the people with whom you consult and have strategies in place to deal with harm if it arises.

Prior to consultation, ensure that support mechanisms are in place and clearly communicated. This may include, for example, employee assistance programs, professional supervision, processes for reporting issues to HR and external referrals to support organisations if appropriate.

Employers and employees have mutual obligations to ensure the workplace is safe and without risks to the health of employees and others. The OHS Act provides that employers must – as far as is reasonably practicable – eliminate, or otherwise minimise risks to health and safety. The OHS Act also requires employees to take reasonable care for their own health and safety and the health and safety of others who may be affected by their acts or omissions at the workplace.



RECOMMENDED: Regularly communicate with your workforce on the work you’re undertaking to develop your GEAP

In addition to consulting with your workforce as part of GEAP development, you may also wish to engage and communicate with your broader workforce about the work being undertaken to develop your GEAP. We suggest this is done on a regular basis to help keep your workforce informed and engaged in implementation of the GEAP.

Take the time to consider who should be communicating with staff. For example, a message from the CEO (as opposed to the HR team) reinforces that the work your defined entity is doing around workplace gender equality is important, and that the defined entity is committed to it.

3. Case for change

REQUIRED

9. Clearly articulate how your defined entity has considered the gender equality principles in the Act in preparing your GEAP, including how your organisation has considered intersectional gender inequality

RECOMMENDED

10. Articulate the business case for gender equality relevant to your defined entity, with reference to the gender equality principles in the Act
11. Include a vision statement setting out what gender equality would look like in your defined entity in four years' time, based on your workforce's consultation feedback
12. Outline how your GEAP complements existing organisational strategies and measures relating to Aboriginality, age, disability, ethnicity, gender identity, race, religion, sexual orientation and/or any other attribute.
13. Document your defined entity's history of gender equality work



REQUIRED: Clearly articulate how your defined entity has considered the gender equality principles in the Act in preparing your GEAP, including how your defined entity has considered intersectional gender inequality

Based on your workplace gender audit results and your consultations, include a statement which explicitly sets out your defined entity's commitment to the gender equality principles outlined in section 6 of the Act. This statement should outline how you have used the principles to inform the strategies and measures in your GEAP. The gender equality principles, as listed in section 6 of the Act, are:

- ▶ All Victorians should live in a safe and equal society, have access to equal power, resources and opportunities and be treated with dignity, respect and fairness
- ▶ Gender equality benefits all Victorians regardless of gender
- ▶ Gender equality is a human right and precondition to social justice
- ▶ Gender equality brings significant economic, social and health benefits for Victoria
- ▶ Gender equality is a precondition for the prevention of family violence and other forms of violence against women and girls
- ▶ Advancing gender equality is a shared responsibility across the Victorian community
- ▶ All human beings, regardless of gender, should be free to develop their personal abilities, pursue their professional careers and make choices about their lives without being limited by gender stereotypes, gender roles or prejudices

- ▶ Gender inequality may be compounded by other forms of disadvantage or discrimination that a person may experience based on Aboriginality, age, disability, ethnicity, gender identity, race, religion, sexual orientation and other attributes
- ▶ Women have historically experienced discrimination and disadvantage based on sex and gender
- ▶ Special measures may be necessary to achieve gender equality

This statement should include how your defined entity has considered intersectional gender inequality in the development of your GEAP.

This may be through highlighting:

- ▶ what your defined entity has identified as the systemic barriers to access, inclusion and equity for people who experience intersectional gender inequality
- ▶ how you consulted with and incorporated feedback from people who experience intersectional gender inequality and any other relevant organisation such as a peak body or representative organisation
- ▶ insights relating to people who experience intersectional gender inequality, identified through your workplace gender audit or through other means
- ▶ strategies and measures relating to intersectional gender inequality in your GEAP



RECOMMENDED: Articulate the business case for gender equality relevant to your defined entity, with reference to the gender equality principles in the Act

Include a clear explanation in your GEAP of why gender equality is relevant and important to your workplace. This is called the business case for gender equality. The audience for your business case should primarily be your internal workforce. The business case should reference the benefits of workplace gender equality. For example:

- ▶ Improved productivity, economic and social outcomes
- ▶ Improved engagement and wellbeing of your staff
- ▶ Increased organisational performance
- ▶ Enhanced ability of organisations to attract talent and retain employees

- ▶ Enhanced capacity to innovate in order to solve complex problems during changing conditions
- ▶ Enhanced ability of organisations to engage with Victoria’s diverse community

Your business case could also incorporate your defined entity’s commitment to the gender equality principles set out in the Act, and how these will inform the strategies and measures to promote gender equality in your defined entity.



Further resources for developing the business case for your GEAP can be found at [this page](#).



RECOMMENDED: Include a vision statement setting out what gender equality would look like in your workplace in four years’ time based on your workforce’s consultation feedback

Set out a vision for where your defined entity will be in four years’ time when it comes to workplace gender equality. This should be developed using the feedback you receive from your workforce throughout your GEAP consultation. Include reference to the goals your defined entity is seeking to achieve based on the gaps and opportunities specific to your defined entity,

identified through your workplace gender audit as well as any other relevant research or data.

Your vision statement should also demonstrate your defined entity’s commitment to making reasonable and material progress in relation to the workplace gender equality indicators (s16(1)).



RECOMMENDED: Outline how your GEAP complements existing organisational strategies and measures relating to Aboriginality, age, disability, ethnicity, gender identity, race, religion, sexual orientation and/or any other attribute

If you have existing strategies or measures relating to people based on Aboriginality, age, disability, ethnicity, gender identity, race, religion, sexual orientation and/or any other attribute which may compound the effects of gender inequality, you can outline how this GEAP complements those existing strategies and measures.



Further resources about these attributes and how to apply the Act’s intersectional gender inequality provisions can be found at [this page](#).



RECOMMENDED: Document your defined entity’s history of gender equality work

You may wish to include contextual information on your defined entity’s efforts to improve gender equality, and how this GEAP builds upon that existing work.



4. Strategies and measures

REQUIRED

14. Document your strategies and measures for 2021-2025 based on the results of your audit

RECOMMENDED

- 15. Ensure clear accountabilities and timelines are assigned to each strategy and measure
- 16. Outline how gender pay equity principles have been considered in the development of the strategies and measures in your GEAP
- 17. For each workplace gender equality indicator, include at least one strategy or measure that will enable you to address intersectional gender inequality in your workplace
- 18. Note any best or emerging practice research that has informed strategies or measures

The primary focus of the strategies and measures in your GEAP should be on promoting gender equality in your workplace (s10(1)(b)), focusing on the people who are part of your workforce as defined in section 3 of the Act.

REQUIRED: Document your strategies and measures for 2021-2025 based on the results of your workplace gender audit

Once you have determined strategies and measures based on your workplace gender audit results and consultation, document your agreed strategies and measures with reference to the relevant workplace gender audit results. These should be grouped according to workplace gender equality indicators, as outlined in the Act:

- ▶ Gender composition of all levels of the workforce
- ▶ Gender composition of governing bodies
- ▶ Equal remuneration for work of equal or comparable value across all levels of the workforce, irrespective of gender
- ▶ Sexual harassment in the workplace
- ▶ Recruitment and promotion practices in the workplace

- ▶ Availability and utilisation of terms, conditions and practices relating to family violence leave, flexible working arrangements and working arrangements supporting workers with family or caring responsibilities
- ▶ Gendered segregation within the workplace

It is important that your defined entity can make 'reasonable and material' progress towards achieving gender equality through the strategies and measures in your GEAP, in accordance with s16 of the Act. Bear in mind that you will be required to publicly report to the Commissioner on your 'reasonable and material' progress in two years' time. Example strategies and measures are included in [Appendix D](#).



RECOMMENDED: Ensure clear accountabilities and timelines are assigned to each strategy and measure

For each individual strategy or measure, clearly state who in your defined entity holds responsibility for implementation as well as timelines for completion. Accountability should be assigned at management or leadership level. We recommend that accountability for individual strategies and measures be shared across the defined entity, so it is important to nominate several leaders/managers to be responsible for

implementing components of the GEAP within their division or area.

In addition, at the overall GEAP level, as outlined in section 5, your defined entity should assign and document which individual or individuals hold overall accountability for implementing your GEAP and for driving 'reasonable and material' progress as a whole.



RECOMMENDED: Outline how gender pay equity principles have been considered in the development of the strategies and measures in your GEAP

The Commission recommends considering the following gender pay equity principles (which were developed by the [Equal Workplaces Advisory Council](#)) when developing the strategies and measures in your GEAP:

- ▶ **Establishing equal pay for work of equal or comparable value:** Equal or comparable value refers to work valued as equal in terms of skill, effort, responsibility and working conditions. This includes work of different types
- ▶ **Freedom from bias and discrimination:** Employment and pay practices are free from the effects of unconscious bias and assumptions based on gender

- ▶ **Transparency and accessibility:** Employment and pay practices, pay rates and systems are transparent. Information is readily accessible and understandable
- ▶ **Relationship between paid and unpaid work:** Employment and pay practices recognise and account for different patterns of labour force participation by workers who undertake unpaid and/ or caring work
- ▶ **Sustainability:** Interventions and solutions are collectively developed and agreed, sustainable and enduring
- ▶ **Participation and engagement:** Workers, unions and employers work collaboratively to achieve mutually agreed outcomes



RECOMMENDED: For each workplace gender equality indicator, include at least one strategy or measure that will enable you to address intersectional gender inequality in your workplace

You are encouraged to include one or more strategies or measures relating to people who may experience intersectional gender inequality due to Aboriginality, age, disability, ethnicity, gender identity, race, religion, sexual orientation and other attributes. This might be, for example, to improve systems and processes to be able

to collect more meaningful data to inform your next GEAP.

Example strategies and measures are included in [Appendix D](#), and further information on intersectional gender inequality is available on our website.



RECOMMENDED: Note any best or emerging practice research that has informed strategies or measures

You may wish to include references to any best practice and/or emerging good practice research that has informed the strategies and measures included in your GEAP. This may include examples across different jurisdictions, industries or relevant workplaces.

5. Leadership and resourcing your GEAP

REQUIRED

19. Develop a strategic resource plan that outlines how development and implementation of the GEAP will be resourced

RECOMMENDED

- 20. Include your executive leadership's commitment to the GEAP
- 21. Establish a cross-functional working group of key influencers at all levels to help implement the GEAP across your defined entity
- 22. Seek key influencers at all levels across your defined entity to be advocates for the GEAP within their areas.

REQUIRED: Develop a strategic resource plan that outlines how development and implementation of the GEAP will be resourced

The Act requires that your defined entity allocates adequate resources to developing and implementing the GEAP (s10(3)). The allocation of dedicated resources, including a specific budget for implementation of strategies and measures designed to create structural change, will be an important means of driving progress in your defined entity.

You must include details of how your defined entity will appropriately assign resources – including staff and budget – to implement the strategies and measures included in this GEAP. This should also include allocating time for cross-functional teams to develop and implement strategies and measures, as required.

When determining adequate resources for your entity, consider the factors which must be considered in determining whether your defined entity has made reasonable and material

progress in relation to the workplace gender equality indicators (section 16(2)):

- a. The size of the defined entity, including the defined entity's number of employees
- b. The nature and circumstances of the defined entity, including any barriers to making progress
- c. Requirements that apply to the defined entity under any other Act, including an Act of the Commonwealth
- d. The defined entity's resources
- e. The defined entity's operational priorities and competing operational obligations
- f. The practicability and cost to the defined entity of making progress
- g. Genuine attempts made by the defined entity to make progress

RECOMMENDED: Include your executive leadership's commitment to, and endorsement of, the GEAP

Include a statement by a member or members of your defined entity's executive leadership explicitly endorsing your GEAP as well as committing to implement the actions in, your GEAP.

Executive leaders are executive staff who have significant management responsibility, that is,

their primary role is to provide leadership and strategic direction for other staff members. This could include the Chief Executive Officer, Directors and Group Managers.



RECOMMENDED: Establish a cross-functional working group of key influencers at all levels to implement the GEAP across your defined entity

Progressing gender equality in your defined entity will need input from across different parts of your defined entity. To generate collaboration within your defined entity, it may be useful to establish a cross-functional working group to develop and implement the GEAP. Ideally, this group would reflect the diversity of your workplace, to ensure more representative and robust decision-making as part of implementation of your GEAP. This group should include representation from across all levels of your organisation.

This group should have clear Terms of Reference or an equivalent document which outlines its purpose, roles, responsibilities, and to whom the group is accountable. You may wish to reflect the strategic contribution and workload associated with membership of the group by allocating staff time to participate in the group, and in individual performance development plans.

If your defined entity has enterprise agreements that have clauses relating to change management or consultation, ensure that this cross-functional working group is established in line with the relevant clauses in those agreements. Consider any consultative committees that are already established under enterprise agreements, health and safety committees and other existing mechanisms.

This group could also operate as key influencers and advocates for the GEAP within their areas as well as mobilise volunteers to advocate for the GEAP across all parts of the organisation. Strategies and measures to address gender inequality are most effective when there are people at all levels of the defined entity advocating for change. You may also wish to nominate a key contact in this group who is responsible for collating feedback on the implementation of the GEAP.

6. Measuring progress

REQUIRED

23. Report your progress in relation to the strategies and measures set out in your GEAP at least every second year

RECOMMENDED

24. Track progress on each of your GEAP measures annually
25. Outline how progress on the GEAP will be reported internally, to whom, and how frequently
26. Start an achievement register to assist with progress reporting
27. Provide an overview of an implementation plan which includes communication with your employees and employee representatives



REQUIRED: Report on your progress in relation to the strategies and measures set out in your GEAP at least every second year

An important method of understanding whether your GEAP is achieving positive change is through regularly monitoring, measuring and reporting the outcomes of your actions over time.

Under section 19(3)(b) of the Act, you are required to report on the progress you have

made through the strategies in your GEAP, every second year after 2021. Further guidance on how to prepare and submit your progress report to the Commission will be available in the future.

In advance of that guidance, you should ensure you are regularly monitoring your progress.



RECOMMENDED: Track progress on each of your GEAP measures annually

We recommend using a project management tool such as excel to help you track your progress in implementing your strategies and measures. To monitor your progress, map your objectives against your strategies, timeframes and milestones to ensure implementation stays on track.

Your 2021 workplace gender audit results and GEAP will form your organisational baseline. Different strategies and measures might require different monitoring and review timeframes. Consider

whether you can integrate monitoring your progress into your business-as-usual processes as part of your annual review, pre-budgeting and annual reporting.

Consider allocating a specific evaluation budget to enable external evaluation of how your strategies and measures could be improved for your next GEAP.



RECOMMENDED: Outline how progress in implementing the GEAP will be reported, to whom, and how frequently

Progress on implementation and impact of the strategies and measures in your GEAP should be regularly reported to a governance group and/or leadership (including any people assigned overall accountability for GEAP progress in section 5 of your GEAP) to ensure that there is oversight for implementation, and so that any delays or issues can be raised and resolved as quickly as possible.

Ideally, your GEAP should document how progress will be reported, to whom, and how frequently.

This should include submission of your biennial [progress report](#) to the Commissioner and publication on your defined entity's website.



RECOMMENDED: Start an achievement register to assist with progress reporting

To monitor and communicate your progress with your staff, you may wish to create an achievement register. This will allow you to log both process and impact achievements to share with employees and

the public. This may include completed programs, process improvements, policy updates or any other achievements relevant to your GEAP.



RECOMMENDED: Provide an overview of an implementation plan which includes communication with your employees and employee representatives

Ideally, your GEAP will include a high-level implementation plan which outlines the timeframes for communicating, implementing and reporting progress against the strategies and measures in your GEAP. Ongoing consultation

and communication with your employees and employee representatives could be included in this plan. Further advice on how to complete an implementation plan including communication is available on our website.



Glossary

This glossary describes the definitions to be applied when developing your Gender Equality Action Plan under the *Gender Equality Act 2020*.

Intersectional gender inequality

Section 6(8) of the Act outlines that gender inequality may be compounded by other forms of disadvantage or discrimination that a person may experience based on Aboriginality, age, disability, ethnicity, gender identity, race, religion, sexual orientation and other attributes. For the purposes of this guidance, the Commission refers to this concept as “**intersectional gender inequality**”.

The concept of intersectional disadvantage or discrimination is sometimes called *intersectionality*. Intersectionality explains how people may experience overlapping forms of discrimination or disadvantage based on social characteristics such as (but not limited to) sex, gender identity, sexual orientation, ethnicity, language, religion, class, socioeconomic status, gender identity, ability or age².

To learn more about intersectional gender inequality and intersectionality, please refer to the Leading practice resources page on our website at www.genderequalitycommission.vic.gov.au/leading-practice-resources.

Defined entities

The Act applies to certain organisations that have 50 or more employees, including: public service bodies, public entities, special bodies, local councils, universities, Court Services Victoria and the Office of Public Prosecutions (s5(1)). A full list of defined entities is available at www.genderequalitycommission.vic.gov.au/list-defined-entities.

Employee

Section 3 of the Act defines an employee as follows: an employee, of a defined entity, means a person employed by the defined entity on a full-time, part-time, casual or fixed term basis (including an apprentice or trainee) but does *not* include:

- a. a contractor or subcontractor; or
- b. an outworker; or
- c. a person on a vocational placement; or
- d. a student gaining work experience; or
- e. a volunteer

Employee representative

A body who represents and speaks officially on behalf of an employee or group of employees. This is commonly a trade union but may include other bodies.

Governing body

The governing body is responsible for strategic oversight and financial management of an organisation. This could be a board, council, or committee of management. If there are multiple boards or sub-committees of management, choose the most senior governing body for the purposes of this reporting (although you may wish to analyse the gender composition of the others as well).

Personal information

Under the Gender Equality Act 2020, defined entities have important privacy obligations:

- ▶ to remove any personal information from their GEAPs or progress reports
- ▶ when submitting any material that is likely to be published, to advise the Commissioner whether the material contains any personal information

Personal information is defined in the [Privacy and Data Protection Act 2014](#). It means information about an individual whose identity is apparent, or can reasonably be ascertained, from the information.



Senior leaders



Senior leaders are executive staff who have the responsibility to provide leadership and strategic direction for the organisation as a whole. This could include the Chief Executive Officer, Directors and Group Managers.

² The concept of ‘intersectionality’ is the idea that privilege or (dis)advantage are never the result of one single factor such as race, class or gender. Instead, they are a result of how we are seen, positioned and (de)valued in relation to the way society is structured and governed (Chen 2017; Crenshaw 1989, 1990; Nasr 2020).

Appendices and supporting documents

Appendix A: Gender Equality Action Plan checklist

SECTION	 REQUIRED	 RECOMMENDED
1. Baseline audit analysis	<ol style="list-style-type: none"> 1. Include the results of your workplace gender audit in your GEAP 2. Remove any personal or potentially identifying information prior to publishing your GEAP 	<ol style="list-style-type: none"> 3. Highlight where data gaps currently exist and your plan for building data collection 4. Outline key insights from applying an analysis of intersectional gender inequality 5. Outline any other information sources or data that were considered as part of your GEAP development
2. Meaningful consultation and engagement	<ol style="list-style-type: none"> 6. Consult with your governing bodies, employees, employee representatives and other relevant people to develop your GEAP and document this process 	<ol style="list-style-type: none"> 7. Outline how consultation was conducted 8. Regularly communicate with your workforce on the work you're undertaking to develop your GEAP
3. Case for change	<ol style="list-style-type: none"> 9. Clearly articulate how your defined entity has considered the gender equality principles in the Act in preparing your GEAP, including how your organisation has considered intersectional gender inequality 	<ol style="list-style-type: none"> 10. Articulate the business case for gender equality relevant to your defined entity, with reference to the gender equality principles in the Act 11. Include a vision statement setting out what gender equality would look like in your defined entity in four years' time, based on your workforce's consultation feedback 12. Outline how your GEAP complements existing organisational strategies and measures relating to Aboriginality, age, disability, ethnicity, gender identity, race, religion, sexual orientation and/or any other attribute. 13. Document your defined entity's history of gender equality work

SECTION	 REQUIRED	 RECOMMENDED
4. Strategies and measures	14. Document your strategies and measures for 2021-2025 based on the results of your audit	15. Ensure clear accountabilities and timelines are assigned to each strategy and measure 16. Outline how gender pay equity principles have been considered in the development of the strategies and measures in your GEAP 17. For each workplace gender equality indicator, include at least one strategy or measure that will enable you to address intersectional gender inequality in your workplace 18. Note any best or emerging practice research that has informed strategies or measures
5. Leadership and resourcing your GEAP	19. Develop a strategic resource plan that outlines how development and implementation of the GEAP will be resourced	20. Include your executive leadership's commitment to the GEAP 21. Establish a cross-functional working group of key influencers at all levels to help implement the GEAP across your defined entity 22. Seek key influencers at all levels across your defined entity to be advocates for the GEAP within their areas.
6. Measuring progress	23. Report your progress in relation to the strategies and measures set out in your GEAP at least every second year	24. Track progress on each of your GEAP measures annually 25. Outline how progress on the GEAP will be reported internally, to whom, and how frequently 26. Start an achievement register to assist with progress reporting 27. Provide an overview of an implementation plan which includes communication with your employees and employee representatives

Appendix B: GEAP design timeline for 2021

The following is an indicative GEAP design timeline for 2021. It considers the key obligations of GEAPs and workplace gender audits as set out in the Act.

Prior to April 2021

- ▶ Commence initial engagement and communication to begin Gender Equality Audit process

April to June 2021

- ▶ Collect Employee Experience Data for workplace gender audit
 - All defined entities will have the option of engaging the VPSC to collect their employee experience data through either the People Matter Survey or a short-form version. For entities using this recommended option, relevant responses will be collected by VPSC and provided to you in June 2021
 - If your defined entity has decided not to use VPSC, you should ideally engage an independent third party to administer and collect responses to the Employee Experience Survey as part of the workplace gender audit (questions available on the Commission's website) over a pre-determined period (for example, two weeks)
- ▶ Begin analysis of initial results including intersectional gender inequality analysis

30 June 2021

- ▶ Extract relevant workforce and workplace data for workplace gender audit

July 2021

- ▶ Analyse workplace gender audit results and fill out workplace gender audit indicative reporting template
- ▶ Remove personal or identifying data from workplace gender audit results in preparation for publishing

August to September 2021

- ▶ Share results of the workplace gender audit with employees, employee representatives and your governing body and consult with them to assist in developing the GEAP strategies and measures

October 2021

- ▶ Submit your GEAP to the Public Sector Gender Equality Commissioner
- ▶ Ensure personal information is removed, publish GEAP on your public website and notify your governing body, employees and employee representatives of that publication



Appendix C: Effective consultation

For consultation to be effective, a diversity of employees must be meaningfully contributing to the decision-making and development processes for your GEAP.

This appendix provides additional information on how to conduct consultation as part of your GEAP development process, and supplements section 2 of the GEAP guidance.

When will we consult?

- ▶ It is important to consult early, before decisions are made or the GEAP is drafted. Ideally this will begin prior to the audit process in April 2021 and continue on a regular basis throughout your GEAP development process. An indicative GEAP design timeline is provided in Appendix B
- ▶ After the results of your workplace gender audit are available, share the results with the people you are consulting with as part of your GEAP development. These results should inform the proposed strategies and measures to be included in your GEAP

Who will lead the consultation?

- ▶ Consider who is communicating and leading the consultation for your GEAP, and how this might affect how open and transparent people would be in providing feedback
- ▶ Utilise existing consultation committees or forums, for example through any enterprise agreements, work health and safety committees, or similar (and build on these if necessary)
- ▶ Consider inviting staff to lead discussions, rather than all consultation being led by someone in a senior position

Who will we consult?

- ▶ Under the Act, defined entities must consult with their governing bodies, employees, employee representatives (including relevant trade unions) and any other relevant person (s10(2)(b))

- ▶ Where consultative mechanisms are already established under enterprise agreements and other legislation (e.g. the *Occupational Health and Safety Act 2004*), defined entities will need to utilise these mechanisms (and partner with those involved to build on them if necessary – see below) in their GEAP consultation process
- ▶ Where possible, consultation should include the following:
 - People for whom gender inequality may be compounded by disadvantage or discrimination that a person may experience based on any of the following:
 - Aboriginality; age; disability; ethnicity; gender identity; race; religion; sexual orientation
 - People of different levels and employment types (part-time, casual, flexible, tenured, contract etc) in the defined entity
 - Relevant peak bodies
 - Gender equality organisations, women's health organisations, community groups or research groups in your local area who can advise specifically on the issues relating to your internal workforce
 - People who have experienced your recruitment processes
 - Other relevant people and/or groups that can provide helpful insight into the intersectional disadvantage or discrimination that a staff member may experience based on any of the following:
 - Aboriginality; age; disability; ethnicity; gender identity; race; religion; sexual orientation
- ▶ Consider giving people workload credit / relief from other tasks to ensure they have time to contribute
- ▶ Allow anonymous contributions to encourage more open and transparent feedback

How will we consult?

1. Before consultation

Provide information to employees about:

- ▶ What is being considered
- ▶ The process for consideration
- ▶ How final decisions will be made and who will be involved in making these decisions
- ▶ Safety considerations that have been made to prioritise the wellbeing of people being consulted

2. During consultation

- ▶ Use open-ended questions and encourage ongoing dialogue and access to decision-makers
- ▶ Communicate business needs and priorities (for example, using a mixture of team meetings, newsletters, emails or intranet site)
- ▶ Seek views and opinions from employees (for example through in-person “drop-in” sessions, staff surveys, targeted focus groups or workshops, individual interviews and/or anonymous feedback mechanisms). Encourage a two-way flow of information by providing employees with the opportunity to have their say through anonymous feedback mechanisms
- ▶ Review and improve strategies for communication flow of ideas and information

3. After consultation

- ▶ Consider information and ideas obtained and assess against business requirements
- ▶ Record any decisions made to include or exclude information collected during consultations, and the reasons why
- ▶ Communicate decision and reasons why back to employees and representatives
- ▶ Invite feedback on the process to improve the next consultation process

How are we managing the risks around consultation?

It's important not to expect staff from a range of diverse backgrounds to be experts in diversity and inclusion, and not to assume that they should be the ones tasked with making improvements. Take the time to think about how you can access the perspectives you need to guide your work.

- ▶ How will you make people feel safe enough to provide critical feedback?
- ▶ How will you manage your reactions to listening to critical feedback?
- ▶ Do you need to consult with community groups, peaks or representative organisations outside your organisation to get the information you need?
- ▶ Do you need to consider inviting the perspectives of community members to assist with improving the inclusivity of your workplace?
- ▶ How many times have you consulted with this group previously, and what processes are in place to avoid over-consultation or consultation fatigue?

Appendix D: Example strategies and measures under the workplace gender equality indicators

This list of example strategies and measures may provide some guidance to help you develop your GEAP and will be added to over time.

Workplace Gender Equality Indicator	Example strategies and measures for GEAPs
<p>Gender composition of all levels of the workforce</p> 	<ul style="list-style-type: none"> ▶ Establish specific targets for gender composition at all levels of the workforce considering the results of your workplace gender audit, employee consultation and the diversity of the defined entity's service users ▶ Report gender composition findings and targets back to the defined entity ▶ Identify and implement advancement strategies, such as: mentoring, scholarships, development and education pathways, secondment opportunities
<p>Gender composition of governing bodies</p> 	<ul style="list-style-type: none"> ▶ Establish targets for the gender composition of members of your governing body considering the results of your workplace gender audit ▶ Ensure clear policy and process guidelines around recruitment of governing body members and include actions that would reduce any barriers to the recruitment of diverse applicants ▶ Build in maximum tenure periods into the governing body's terms of reference to ensure accountability and input continues to incorporate diverse perspectives
<p>Equal remuneration for work of equal or comparable value across all levels of the workforce, irrespective of gender</p> 	<ul style="list-style-type: none"> ▶ Allocate a specific budget for resolving any pay discrepancies identified through gender pay gap analysis ▶ Reduce your gender pay gap by at least five per cent³ within the next four years ▶ Increase the transparency of progression and remuneration increases and appraisal processes
<p>Sexual harassment in the workplace</p> 	<ul style="list-style-type: none"> ▶ Implement a process that provides a victim-centric⁴ approach to case management of sexual harassment complaints, including establishment of workplace contact officer roles with whom workers discuss experiences and concerns confidentially ▶ Create an internal awareness campaign about sexual harassment policies and internal complaint mechanisms, as well as a link to the Victorian Equal Opportunity and Human Rights Commission's complaint processes (should internal systems fail to achieve a satisfactory outcome for the complainant) ▶ Set up anonymous reporting processes for instances of sexual harassment in the workplace and ensure that reporting processes include adequate response and support mechanisms

³ This is a suggested percentage only, and we recognise that a relevant percentage may differ based on the current situation of your organisation. The Workplace Gender Equality Agency's 'relevant employer' organisations were able to reduce their gap for full-time base salary and total remuneration by just over 5 per cent from the four years between 2013-14 to 2018-19.

⁴ From the Australian Human Rights Commission, *Respect@Work: Sexual Harassment National Inquiry Report* (2020) 679–80.) A victim-centric approach gives priority to the victim-survivor's wishes, safety, and wellbeing in all matters and procedures. This ensures the compassionate and sensitive responses to complaints in a non-judgemental manner. It tries to ensure the complainant is engaged in the process, while seeking to minimise any re-traumatisation.

Sexual harassment in the workplace



- ▶ Commit to reporting of sexual harassment complaints to the governing body as a standing workplace health and safety agenda item
- ▶ Commission a specialist organisation to run organisation-wide training to ensure employees know that sexual harassment is unlawful and harmful, to raise awareness of what constitutes sexual harassment and what to do if it happens to you or you witness it happening to someone else – as well as management responsibilities when a complaint is received
- ▶ Establish a zero-tolerance approach to sexual harassment with reference to the positive obligations in the *Occupational Health and Safety Act 2004* and any health and safety obligations in enterprise agreements

Recruitment and promotion practices in the workplace



- ▶ Set a target for the proportion of applications or recruitment shortlists that are gender balanced and take into consideration intersectional gender inequality
- ▶ Set targets for recruitment of diverse candidates at specific levels
- ▶ Review recruitment processes to attract greater gender diversity in candidates. For example, through reviewing language in job descriptions, composition of interview panels, shortlisting, and appointment processes
- ▶ Communicate a transparent process for secondment and acting opportunities

Availability and utilisation of terms, conditions and practices relating to family violence leave, flexible working arrangements and working arrangements supporting workers with family or caring responsibilities



Family Violence Leave

- ▶ Review and communicate family violence leave policies and processes to ensure they are victim-centric and in line with sector best practice, noting your organisation's EBAs may contain relevant processes relating to leave and flexible working arrangements
- ▶ Build a culture of checking in consistently to ensure that staff making complaints or disclosures are supported, that issues raised are always taken seriously and dealt with appropriately and effectively
- ▶ Ensure there is a clear process to reallocate personal/sick leave to family violence leave if required
- ▶ Commission a specialist organisation to run training for managers, HR and other key staff on how to support and respond to an employee experiencing family violence

Flexible working

- ▶ Set a policy for all roles to be offered on a flexible basis by default (or 'if not, why not' basis)
- ▶ Create a campaign to encourage the use of informal flexible working⁵ (beyond remote working) to increase access and utilisation of flexible working

Family or Caring responsibilities

- ▶ Ensure parental leave policies do not discourage a particular gender from taking up parental leave
- ▶ Ensure there are processes in place to encourage people of all genders to take carers leave as required

Gendered segregation within the workplace



- ▶ Target specific cohorts as part of recruitment and secondment arrangements.
- ▶ Establish traineeships and scholarships to support more diverse entry into non-traditional career pathways
- ▶ Create an internal awareness campaign to help people understand the gendered segregation of occupations within the workplace, workforce and industry and the impact gender stereotypes can have on decisions about role type and level

⁵ Some flexible working policies differentiate between informal and formal flexibility. Informal flexibility is where employees can access flexible working without needing to formally document it and by "informally" agreeing with their direct manager. By removing the requirement to fill out a form or seek formal approval, you may increase access and utilisation of flexible working arrangements.



