

15 May, 2022

## STATEMENT FROM NSW DEPARTMENT OF PREMIER AND CABINET (DPC) RESPECT AT WORK

The NSW Government has committed to implementing the recommendations of the Goward Review into policies and procedures in Ministerial Offices regarding bullying, harassment and sexual misconduct.

Recommendation 1 of the Goward Review was that a best practice Respectful Workplace Policy should be developed to enhance the safety and security of staff in the workplace. Recommendation 3 calls for training to be provided to Ministers and their staff about what constitutes bullying, harassment, and sexual misconduct, and how to manage complaints. Recommendation 4 calls for Ministers, as employers of staff, to be made aware of their obligations and to undertake training to understand their obligations.

Consistent with the Goward Review, DPC engaged Felicity Menzies, CEO of Include-Empower to deliver training on the Respectful Workplaces Policy for Ministers and their staff. The Respectful Workplaces Policy is part of the NSW Government's framework for responding to bullying, sexual harassment and sexual misconduct, and was recently endorsed by the Premier.

Ms Menzies is a highly-regarded industry leader in respectful workplace training.

The training aims to:

- Raise awareness of the legal obligations of Ministers and Chiefs of Staff regarding workplace misconduct and their role in culture change.
- Promote understanding of what constitutes bullying, harassment, and sexual misconduct and how to manage a complaint under the Policy.
- Transfer knowledge and skills for prevention and early intervention.
- Develop an understanding of formal and informal grievance processes.
- Engage Ministers and Chiefs of Staff in cultural and behavioural changes.

The training also addressed the obligations of Ministers and Chief of Staff as employers under the *Anti-Discrimination Act 1977* and the *Work Health and Safety Act 2011*.

Contrary to media reports, Ministers and Chiefs of Staff were not instructed what to do, or not to do, during the training or in the course materials. They were provided with information, explanations of relevant legislation, and scenarios in which to discuss and understand the importance of appropriate workplace behaviours. For example, consistent with the objectives of the training, Ms Menzies noted that alcohol is a significant risk factor for sexual harassment and assault, and Ministers and Chiefs of Staff were advised to minimise or avoid the consumption of alcohol at work or work-related events as a health and safety measure.

Further, Ms Menzies did not instruct Ministers or Chiefs of Staff to refrain from using the term 'mate'. Rather, Ms Menzies advised Ministers and Chiefs of Staff of the risks of using the term in the context of their legal obligations regarding work health and safety, as it may be offensive to some communities.

The training is ongoing, and programs will continue to be run regularly as part of induction for new staff and as an annual refresher, as recommended in the Goward Report.

Further, Elizabeth Broderick & Co is currently conducting an Independent Review into bullying, harassment and sexual misconduct in NSW Parliament which will include the Leader of the Opposition and shadow ministers.

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