

An Independent Review of Workplace Culture and Change at the Australian Antarctic Division (AAD)

This Report presents the findings and recommendations of an independent review into progress on cultural change and creating an inclusive workplace, and the adequacy of systems, policies, and processes to support people who work for the Australian Antarctic Division.



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Content note

We wish to advise that this Report contains personal testimonies of those who have experienced bullying, sexual harassment and discrimination. As a reader, you may experience various emotions, particularly if you have directly experienced or witnessed these types of harmful behaviours yourself. We encourage you to consider what support and care might be needed for you and those around you. It's good practice to seek consent before discussing the Report and its recommendations.

At the back of this Report, you will find a list of resources and services to assist with supporting anyone impacted by workplace harm.

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Russell Performance Co Pty Ltd respectfully acknowledges the Traditional Owners across the country and pays its respects to Elders past and present, recognising that First Nations People are connected to the world's oldest, continuous history.

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Key terms, Abbreviations, and Definitions

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| AAD | Australian Antarctic Division, a Division of the Department of Climate Change, Energy, the Environment and Water. 'AAD' is used extensively throughout this Report as the abbreviated version of the full title of the Division. |
| AAP | Australian Antarctic Program |
| ANARE | Australian National Antarctic Research Expedition |
| APS | Australian Public Service – entities that employ their staff under the Public Service Act 1999 (PS Act). |
| DCCEEW | Department of Climate Change, Energy, the Environment and Water. DCCEEW is used extensively throughout this Report as the abbreviated version of the full title of the Department. |
| Expeditioner | Expeditioner or 'Expo' refers to those employed by the AAD to conduct work in Antarctica, covering the various roles deployed. |
| On station | 'On station' in this Report refers to the different worksites the AAD deploy staff to work at in Antarctica. |
| Sexual harassment | Sexual harassment is any unwanted or unwelcome sexual advance, request for sexual favours or other conduct of a sexual nature which, in the circumstances, a reasonable person would anticipate the possibility that the person experiencing these behaviours would feel offended, humiliated, or intimidated. |
| Sexual harm | Sexual harm is any act of a sexual nature that is unwanted, unwelcome, or performed against a person's consent. Sexual harm refers to all behaviours which comprise sexual harassment and sexual assault, including assault and rape. It also includes any attempts to perform the listed behaviours. Sexual harm can take place in person or using technology. |
| Systemic discrimination | Systemic discrimination refers to the policies, processes, structures, accepted behaviours and cultures of an organisation, including a workplace, that create and/or perpetuate disadvantage for marginalised groups, often to the benefit of the majority of the population. Systemic discrimination of marginalised groups may be based on race, age, gender identity, sexual orientation, or disability. |
| Victim survivor | In this Report, 'victim survivor' refers to people who have experienced the harm covered by the scope of this review, including sexual harassment, discrimination and/or bullying. We have chosen to use 'victim survivor' as it broadly encompasses and acknowledges the diverse experiences and perspectives of people who have encountered harm. The words 'victim' and 'survivor' are not separated by a hyphen or slash, as this, implicitly or otherwise, limits potential definitions of the term. 'Victim survivor' allows people who have already experienced a loss of agency to decide which term or terms best reflect their relationship with their experience while acknowledging that this relationship is always in flux. |
| Workplace bullying | Workplace bullying refers to repeated unreasonable behaviour performed by a person or group of people towards another person or group of people in the context of employment when this behaviour constitutes a risk to health and safety. |
| Trauma-informed approach | Trauma-informed approaches are programs, processes, practices, or systems that acknowledge the widespread impact of trauma, and the specific needs people or groups may have due to trauma. The most basic aim of a trauma-informed approach is to avoid re-traumatisation. Trauma-informed approaches seek to embed knowledge about trauma into policies, procedures, and practices in each context, recognise the signs and symptoms of trauma in all people and understand and encourage potential paths for recovery. A trauma-informed approach can be introduced into any context, organisation, or institution. |

Key terms, Abbreviations, and Definitions

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| Person-centred approach | <p>Person-centred approaches ensure that programs, processes, practices, or systems safeguard people's perspectives, autonomy and empowerment. A person-centred approach allows people to make decisions that impact their lives and to meaningfully contribute to the systems in which they operate. In the context of preventing and responding to sexual harassment, discrimination and bullying, person-centred approaches acknowledge and affirm the personhood of people in organisations. In order to prevent misconduct, person-centred approaches call for genuine collaboration with all people in an organisation to ensure all perspectives are heard and all issues are addressed. In responses to misconduct, a person-centred approach supports victim survivors to decide whether and how they would like to report their experiences, and to guide the support they access. Person-centred approaches are tailored and responsive to 'each person's life experience, age, gender, culture, heritage, language, beliefs and identity', and as such 'require flexible services and support to suit the person's wishes and priorities'.¹</p> |
| LGBTIQ+ | <p>LGBTIQ+ is an acronym that stands for Lesbian, Gay, Bisexual, Transgender, Intersex and Queer. The '+' symbol acknowledges the manifold of other identity labels and experiences not represented in the acronym (including Asexual, Pansexual and Non-Binary). The LGBTIQ+ community is a 'community of communities'. There is a great diversity of experience within the LGBTIQ+ community based on gender identity, race, and other factors. Still, there are also shared experiences of marginalisation based on heteronormativity, cisnormativity, and other predominantly Western norms around sex and gender.</p> |
| Intersectionality | <p>Coined by feminist scholar Kimberlé Crenshaw, intersectionality is a way of understanding how different aspects of a person's identity interact with social and political systems to expose them to overlapping forms of discrimination or privilege. These aspects of a person's identity include characteristics such as gender identity, First Nations identity, sexual orientation, race, class, ethnicity, nationality, refugee or asylum seeker background, migration or visa status, language, religion, disability, age, mental health, neurodiversity, geographic location and criminal record. An intersectional analysis acknowledges individuals' different experiences and identities, and the complex ways social and political structures interact to create inequality and exclusion.</p> |
| CDE&I | <p>'Culture, diversity, equity and inclusion'. CDE&I are policies, programs, or approaches to policies and programs that centre the respect, representation, and participation of different and diverse groups of individuals in a workplace. The benefits of a diverse workplace have been established in research, however, there is a growing realisation that diversity does not only involve hiring different people. It can only be sustained if workplaces foster a culture of equity, respect and inclusion. 'Equity' means that individuals from marginalised, underrepresented, or oppressed groups are given the same remuneration and opportunities in the workplaces as their peers from majority groups. 'Inclusion' means people from diverse groups are supported to meaningfully contribute to all aspects of working life, that their contributions are acknowledged and respected, and that their perspectives are heard. Values of diversity, equity and inclusion must be embedded in workplace culture, which is the foundation on which people's workplace experiences rest.</p> |
| Everyday Sexism | <p>Everyday sexism refers to daily interactions, in both formal and casual contexts, that perpetuate gender stereotypes and acceptance of violence against women and girls or otherwise contribute to the intimidation, degradation, discrimination and exclusion of women based on gender. Everyday sexism exists on a continuum of sexist behaviours and is notable because it involves actions and phrases which may be considered 'small' or unimportant. However, everyday sexism normalises historically unequal power relations between men and women and legitimises 'larger' or more widespread acts of gendered violence and discrimination. Everyday sexism includes actions, spoken or written words, gestures, practices, or visual representations that may occur in public or private and in person or using technology.</p> |

¹ Health NSW, What is a person-led approach? (Web Page) <<https://www.health.nsw.gov.au/mentalhealth/psychosocial/principles/Pages/person-centred.aspx>>.

Key terms, Abbreviations, and Definitions

| | |
|----------------------------|---|
| First Nations | First Nations is a term that encompasses people with ancestral, cultural, and spiritual connections to Indigenous lands and communities of Australia and its surrounding islands. First Nations can also refer to people with ancestral and spiritual connections to Indigenous communities in other parts of the world, such as Canada and the United States. This Report uses the term to acknowledge, respect and celebrate the diversity and differences of First Nations cultures, identities, peoples, and communities. ² We respect their ancient and ongoing connection to culture and Country and acknowledge that the legacy and impact of colonialism on First Nations peoples is ongoing. |
| Non-Binary | Many societies, including Australia, have historically only recognised two genders – ‘woman’ and ‘man’ – which are usually assigned to children at birth based on physical characteristics. ³ Non-binary is used by many (but not all) people whose experiences are not reflected in this binary segregation of genders. Non-binary people may not identify as either a man or a woman, may identify as both, may have a gender that blends elements of both, or may identify differently at different times. ⁴ Every non-binary person has a unique and personal understanding of and relationship to their gender. In this Report, we use the term ‘non-binary’ while acknowledging the diversity of all people’s relationship with gender. |
| APS Employee Census | The APS Employee Census is an annual survey sent to all Australian Public Service (APS) employees. Employees. It collects and measures confidential, anonymous information from workers about their experiences, opinions, and attitudes towards their workplaces. It is also used to understand employees’ feelings about the offices, agencies, and Departments in which they work, informing the Australian Public Service Commission on issues such as workplace safety, wellbeing, and relationships between leadership, management, and other staff. In 2022, 99 APS agencies comprising 120,662 employees participated in the APS Employee Census. ⁵ |

² Reconciliation Australia, *Demonstrating inclusive and respectful language* (Fact Sheet, 2021) <<https://www.reconciliation.org.au/wp-content/uploads/2021/10/inclusive-and-respectful-language.pdf>>.

³ Amnesty International, ‘Understanding and supporting your non-binary friends’ (Blog Post, 2021) <<https://www.amnesty.org.au/understanding-and-supporting-your-non-binary-friends/>>.

⁴ Minus18, ‘How to be a trans ally’ (Blog Post, 2022) <<https://www.minus18.org.au/articles/how-to-be-a-trans-ally>>.

⁵ Australian Public Service Commission, ‘2022 APS Employee Census’ (Web Page, 2022) <<https://www.apsc.gov.au/initiatives-and-programs/workforce-information/2022-aps-employee-census>>.

1. Executive Summary

1.1 Introduction and context

The Australian Antarctic Division (AAD) was created in 1948 to administer and coordinate the Australian National Antarctic Research Expedition (ANARE), establishing permanent Australian Antarctic stations to support scientific and exploratory work.⁶ The AAD is a team within the Department of Climate Change, Energy, the Environment and Water (DCCEEW).

The AAD's scientific program is now called the *Australian Antarctic Program (AAP)*. The AAP coordinates all of Australia's activities in Antarctica, which are guided by the *2016 Australian Antarctic Strategy and 20-Year Action Plan (Strategy and Action Plan)*⁷, with this plan last updated in 2022.

The Strategy and Action Plan outlines Australia's national interests in Antarctica, progress achieved to date, and intended actions and deliverables from 2022-2036. The success of AAD depends on highly skilled, high-performing employees, underpinned by the right cultural conditions and leadership excellence. This is of particular importance in the remote and isolated locations AAD employees work in. Indeed, the strategy recognises that Australia is a 'gateway' to Antarctica and uniquely placed to grow jobs in the Antarctic sector. The Plan also stipulates that Australia aspires to be a world leader in Antarctic science and, to achieve this aim, is investing heavily in modernising assets and infrastructure. In February 2022, the previous government announced \$804.4 million in funding to the AAP, delivered over ten years, 'to strengthen our strategic and scientific capabilities in the region'.⁸

To achieve these aims, the AAD has one genuine asset: people. The science and technology essential for AAD programs require elite experts who excel not only technically, but are the best at working with each other, solving complex problems, and innovating, and for those that work in Antarctica, the ability to work successfully in extreme conditions. The culture that is built needs to enable people to do their best work. Providing a safe and healthy environment is the baseline for achieving the strategic plan.

Like many organisations in Australia and across the world, expectations of workplaces have shifted enormously over the past decade with regard to providing work environments where all people can flourish. Workplaces that are respectful, safe, and inclusive are recognised as not only the places where people want to work but the ones that enable people to 'do the best work of their lives.' The benefits of inclusive workplaces are well documented and include greater productivity, increased individual, team, and organisational resilience, less workplace injury and absenteeism, and higher performance.⁹

The shifting definition of a 'safe' workplace began some years ago with emphasis placed on employees' physical safety and a positive onus placed on employers to ensure the safety of all. This approach has now been expanded to encompass the psychological safety of employees, which includes protecting people from being subjected to harmful behaviours such as bullying, harassment, and sexual harassment.

Healthy workplaces – physical and psychological – are no longer the exception to the rule but are the expected standard, legally and by employees. This has changed the role and accountabilities of employers and individuals, particularly those in leadership. Workplaces across all sectors are now examining their strategies and leaning into the challenges to ensure they can provide the conditions by which all people can feel safe, respected, and included.

The work of cultural change is not easy – often needing to challenge 'the way we do things around here' that is visible in deeply entrenched practices and behaviours. It requires courageous leadership, a deep understanding of how to drive change, and a solid commitment to creating a culture that supports diversity and inclusion.

In 2020, the AAD began examining its culture by commissioning research into inclusion, diversity, and equity, culminating in the report *'Review of diversity, equity, and inclusion in the Australian Antarctic Program'*.¹⁰ The DCCEEW accepted all recommendations from this report, and their implementation commenced before the public release of the Summary Report.

6 Australian Antarctic Program, 'Australian National Antarctic Research Expedition (ANARE)' (Blog Post, 2017) <<https://www.antarctica.gov.au/about-antarctica/history/exploration-and-expeditions/anare-is-created/>>.

7 Australian Antarctic Program, *The Strategy and Action Plan: Update 2022* (Report, 2022) <https://www.antarctica.gov.au/site/assets/files/53156/2022_update_20yearstrategy.pdf>.

8 Parliament of Australia, \$800 million to strengthen our leadership in Antarctica (Media Release, 2022) <<https://parlinfo.aph.gov.au/parlInfo/search/display/display.w3p;query=Id%3A%22media%2Fpressrel%2F8433223%22>>.

9 Comcare, 'Benefits of safe and healthy work' (Web Page, 2022) <<https://www.comcare.gov.au/safe-healthy-work/healthy-workplace/benefits>>.

10 Australian Antarctic Division, *Release of summary research paper on diversity, equity, and inclusion in the Australian Antarctic Program* (Media Release, 2022) <<https://www.antarctica.gov.au/news/2022/release-of-summary-research-paper-re-diversity-equity-and-inclusion-in-the-australian-antarctic-program/>>.

While it was recognised that work has been done, it was agreed that more work was required:

I and the executive of the Department of Climate Change, Energy, the Environment and Water (DCCEEW) have a responsibility to ensure that DCCEEW is the best possible workplace – a place that is safe, inclusive, without judgment, and where people feel comfortable to be their best self... however, given the substance of the report, it is important that we take stock and make sure we are doing all that we can to ensure staff feel safe at work, they are able to be themselves at work, and that we have the right systems, processes, and protocols in place to support staff who may experience bullying or harassment.

– David Fredericks, Secretary of the DCCEEW¹¹

For this reason, the DCCEEW engaged specialist consultants Russell Performance Co (led by Leigh Russell the Reviewer) to conduct the *Independent Review of AAD Workplace Culture and Change* (the Review). The Review commenced in October 2022.

The Review set out to:

- Understand the experiences and expectations of people who work (or have worked) for the AAD regarding inappropriate workplace behaviour (sexual harassment, discrimination, bullying).
- Further examine the nature and prevalence of inappropriate workplace behaviour based on the Review's qualitative and quantitative research.
- Consider whether the AAD has sufficient strategies and programs to prevent the occurrence of inappropriate behaviour (including bullying and sexual harassment) that target root causes, the responsibility of individuals for their actions, and the responsibility of others to call out inappropriate behaviour.
- Consider the current impediments to reporting and levels of support available for those reporting inappropriate and unacceptable workplace behaviour, including the fear of victimisation by those who make reports.

- Examine the adequacy, effectiveness, independence, resourcing, and awareness of current supports available to enable a safe and respectful workplace, preventing and responding to workplace bullying, sexual harassment, and sexual assault.
- Consider the specific work systems and job design issues contributing to the risk of sexual harassment, bullying, and victimisation.
- Develop recommendations based on best practices alongside suggestions from Review participants and key stakeholders to support DCCEEW and the leaders of the AAD better prevent and respond to inappropriate workplace behaviours and to cultivate a more diverse, inclusive, and safer workplace for all AAD people regardless of work location.¹²

The scope of the Review did not extend to investigating or making findings about any individual incident or allegations made by or about any individual AAD employee. The brief was to undertake a broad review examining workplace culture and best practice approaches to strengthening culture.

The Reviewer recognises that undertaking workplace cultural analysis can be challenging and often confronting for people who work at the AAD, and that there has been a focus at the AAD for several years on change and restructuring alongside the realities of living and working through a global pandemic.

That said, robust cultural review is critical to ensure safe and healthy workplaces – where everyone can do their best work and feel physically and psychologically safe. The Review is an opportunity to examine what is working well and those aspects of culture that require strengthening, to hear the diverse voices and perspectives of all people and to create a platform that adequately supports the lofty aspirations of the AAD.

Despite a sense of fatigue with various reviews, restructures, and staff surveys, all AAD people who engaged with the Review did so with a great deal of commitment, sincerity, and a universal desire to create a strong and healthy AAD culture. The Reviewer particularly acknowledges the courage of those who shared their often very personal and distressing experiences and who have made the opportunity for positive change possible.

The Review's Terms of Reference can be viewed [here](#).

¹¹ Department of Climate Change, Energy, the Environment and Water, *Secretary's statement in response to research study into diversity, equity and inclusion* (Media Release, 2022) <<https://www.dcceew.gov.au/about/news/on-the-record/secretarys-statement-in-response-research-study>>.

¹² Department of Climate Change, Energy, the Environment and Water, *Terms of Reference* (Report, 2022) <<https://www.dcceew.gov.au/about/news/on-the-record/independent-review-by-leigh-russell>>.

1.2 Methodology

Principles of independence, confidentiality, and trauma-informed practice guided the Review's approach. Participants in the Review participated voluntarily and in a consultative manner – they could choose when and how they engaged with the Review while maintaining their confidentiality.

The Review adopted a mixed methods approach. This approach involved:

- One-on-one confidential interviews conducted online or by telephone.
- Online survey for AAD staff.
- Individual confidential written submissions.

The Review also conducted broader research, including:

- A review of relevant academic literature, past analysis conducted at the AAD, and similar reviews/ research undertaken into similar organisations internationally.
- A review of relevant legislation and data.
- An analysis of policies and processes.
- Consultations and briefings with key stakeholders and departmental representatives.

The Report's findings and recommendations are supported by a solid evidence base obtained from both qualitative and quantitative data comprising:

- Forty-eight confidential **one-on-one listening sessions** (interviews) were conducted online or by phone.
- Twenty-four **confidential written submissions** were received from individual AAD staff and former staff.
- A total of 236 **responses were received** to the online survey.
- **Meetings and briefings** with key leaders from the AAD / DCCEEW.
- **Review of AAD / DCCEEW documents**, including the annual APS Employee Census Data Survey, relevant policies, and processes.
- **Review of relevant literature and reports.**
- **Review of relevant legislation and data.**

48 confidential
1:1 listening sessions



24 confidential
written submissions



236 online
survey responses



Review of relevant
legislation and data



Review of relevant
literature and reports



Meetings and briefings
with key leaders



1.3 Overall Findings

This Report reflects the personal views and perspectives of AAD people who participated in the Review, providing compelling insights about participants' experiences, and confirming previous work completed concerning diversity and inclusion. The Review's findings show that there are several positive aspects to the culture at the AAD, including:

- A deep commitment by AAD employees to their work, either directly in Antarctica or by roles based in Kingston, Tasmania. Almost universally, participants spoke of the passion for Antarctic science and research, Antarctic and Southern Ocean wildlife conservation, and the national importance of advancing Australia's strategic interests in the Antarctic region. Participants spoke of the great pride they had in the national and international successes the program has had over many years.
- A strong sense of teamwork and support for colleagues. This camaraderie was particularly evident at lower levels of the organisation and should be leveraged as a future strength.
- Work is underway on various strategies to address diversity and inclusion, including developing a comprehensive Division wide plan, due to be launched early in 2023.

However, the Review also found that:

- A separated, 'us versus them' culture exists that diminishes genuine collaboration and leadership across the Division and decreases leaders' ability to manage and respond to risk.
- Harmful behaviour, including intentional exclusion, gender discrimination, bullying, and sexual harassment, occurs between employees, managers, and leaders at Antarctic and Kingston workplaces.
- The AAD workplace's unique features create risk factors, including a hierarchical and male-dominated culture, alongside the individual environmental factors of living and working in Antarctica (for those that work 'on station').

- A significant number of participants do not believe the AAD is psychologically safe, and there are negative consequences for speaking up in the workplace.
- Trauma-informed approaches to responding to sexual harassment and other workplace harms are not well understood or utilised.
- There is little trust by employees in current systems to report inappropriate workplace behaviour, with the systems not well utilised. Employees believe that perpetrators of bullying and sexual harassment face few consequences (or that little action will be taken).
- The organisational leadership structure does not adequately support people and culture, HR, and Organisational Development and this, in turn, results in a lack of effective support for AAD people.
- A capability gap exists in leading people and managing change.
- While there has been a focus on diversity in terms of gender, a broader lens is needed to better encapsulate diversity in all its forms (cultural and racial diversity, gender diversity, LGBTIQ+, diverse skill bases, valuing different ideas and perspectives), inclusion and equity.
- An alarming number of participants reported significant mental and physical health issues because of workplace stress.

This Report examines these findings, concluding with practical and high-impact recommendations supporting change. While these findings are uncomfortable truths inherent in the current culture of the AAD, they provide an opportunity for DCCEEW / AAD to intentionally create a culture that will genuinely underscore AAD's aims and objectives and, in doing so, build a higher performing and effective organisation.

At a glance – survey findings

Psychological Safety



Bullying

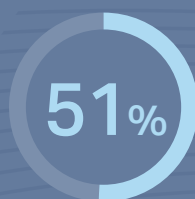


At a glance – survey findings

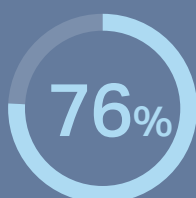
Sexual harassment



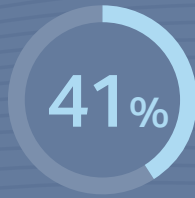
15% of survey respondents indicated they had experienced workplace sexual harassment at the AAD. This includes 24% of women and 7% of men.



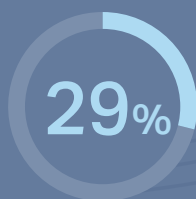
51% of participants think that there is adequate training and development on sexual harassment.



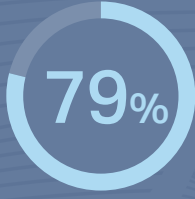
76% of perpetrators were men, and 15% were women. 9% preferred not to say.



41% believe that the AAD has sufficient strategies and programs to prevent sexual harassment.



29% of workplace sexual harassment incidents were reported as occurring during the past 12 months, 14% occurring 1-5 years ago, and 57% more than five years ago.



79% of participants who experienced sexual harassment did not report it.



55% of all incidents reported in the survey occurred in Antarctica (on station), 15% on ships in transit, 12% in an office, and 6% occurred online (emails/meetings).

1.4 The imperatives for cultural reform

Findings from the Review demonstrate that significant cultural challenges exist in the AAD. These issues create the cultural context to enable sexual harassment and bullying and impede appropriate organisational responses. The AAD is not alone in confronting these issues. Sexual harassment and bullying are large-scale problems in Australia. In 2022, the Australian Human Rights Commission found that one in three participants had been sexually harassed at work in the past five years.¹³ The Australian Workplace Barometer reported that 8.6% of Australian workers had experienced workplace bullying.¹⁴

Working as it does across different geographical and areas of expertise, the AAD is a team (Division) within the broader Department (DCCEE), led by the Minister for the Environment and Water. AAD workplaces encompass on the one hand the harshest, most extreme natural environments on earth and, on the other, more traditional office environments. The workforce comprises scientists, policy workers, contractors, tradespeople, IT specialists, legal / HR, and more. As such, the AAD is unique. That said, the business, leadership, social and legal imperatives that drive other industries to make changes bear equally on the AAD. Attitudes and approaches to work in Australia and worldwide are shifting, with new value placed on collaborative leadership models and employee health and wellbeing. Workplace sexual harassment and bullying significantly impact individuals, teams, and organisations, and the consequences of these behaviours can be severe on all levels. As such, there is a renewed focus on the accountability of employers in cases of workplace harm.

This is encapsulated in the 2022 passing of the 'Respect@Work' Bill, which proscribes that all Australian workplaces must take appropriate measures to prevent sexual harassment and take decisive action in response to incidents of sexual harassment. Importantly, this Bill also stipulates that employers have a positive duty to prevent sexual harassment.

In addition to the 'Respect@Work' Bill, the AAD and other Australian employers are bound by Australia's anti-discrimination and work health and safety laws to ensure their employees' right to physical and psychological safety at work. This includes taking responsibility for the prevention of and response to bullying, discrimination and sexual harassment in the workplace.

The social and ethical imperatives for workplaces to take bullying and sexual harassment seriously are clear. Sexual harassment, bullying and discrimination have profound consequences on the physical and mental health of those who experience them. There is a wealth of research on the individual impacts of workplace harm,¹⁵ with the experiences shared by AAD workers a profound demonstration of the personal impact of workplace harm.

As well as personal impact, there is a significant business imperative to ensure a psychologically safe, inclusive, and respectful workplace culture. A study by Deloitte found that in 2018, workplace sexual harassment alone cost the Australian economy \$3.5 billion, including \$2.6 billion in lost productivity.¹⁶ The Australian Human Rights Commission estimates that bullying costs Australian employers up to \$36 billion per year.¹⁷ Unacceptable workplace behaviours may also affect team performance, worker productivity, and employee morale.¹⁸

The numbers in this Review paint a concerning picture of behaviours and cultures within the AAD. But it is the voices of AAD workers, that provide the most moving case for change. These voices are also cause for hope. The testimonies, experiences, and perspectives of AAD workers are contained throughout this Report as a stirring voice for change.

13 Australian Human Rights Commission, *Time for Respect: Fifth National Survey on sexual harassment in Australian workplaces* (Report, 2022) <<https://humanrights.gov.au/time-for-respect-2022>>.

14 Dollard et al., *Bullying and Harassment in Australian Workplaces 2021: Australian Workplace Barometer*, University of South Australia, Psychosocial Safety Climate Global Observatory (Fact Sheet, 2021) <<https://www.stresscape.com.au/workplace-bullying-and-harassment2021.html>>.

15 Chelsea R Willness, Piers Steel & Kibeim Lee (2007) 'A meta-analysis of the antecedents and consequences of workplace sexual harassment', *Personnel Psychology* 60, 133; Christopher Magee et al. (2016) 'Workplace bullying and absenteeism: The mediating roles of poor health and work engagement', *Human Resource Management Journal*, 27(3), 319.

16 Deloitte Access Economics, *The economic costs of sexual harassment in the workplace* (Report, 2019), 6.

17 The Australian Human Rights Commission, 'Good practice good business factsheets' (Web Page) <<https://humanrights.gov.au/our-work/employers/good-practice-good-business-factsheets>>.

18 Todd Creasy & Andrew Carnes (2017), 'The effects of workplace bullying on team learning, innovation and project success as mediated through virtual and traditional team dynamics', *International Journal of Project Management* 35(6), 964.

1.5 Priority areas of reform

The AAD is filled at all levels with passionate individuals who love their work and are committed to the Division's ongoing success. However, this Review covers a range of substantial issues that impact the culture of the AAD and identifies numerous areas that require immediate action and reform. The existence of bullying, everyday sexism, and sexual harassment in the AAD is unacceptable. Additionally, psychological safety is a particular issue that many Review participants want to see addressed by leadership. A fear of speaking up was evident at all levels of the Division, from junior to senior employees. While some work is underway to reform the Division, the reality is that change cannot occur if AAD staff do not trust leadership to address systemic workplace issues.

This low level of trust is further evident in the Review participant's perspectives on reporting structures at the AAD. A fit-for-purpose, person-centric reporting system is needed in the Division. Given Antarctica's unique working conditions, people must be facilitated with a range of reporting options so they feel safe to report workplace harm, and to ensure a rise in reporting rates of harmful behaviours, akin to how physical safety risks are reported in workplaces.

The Review heard that different cultures exist within one Division, resulting in contrasting experiences and different views on some issues. Having different experiences of the same team is not uncommon where there exists a 'separated' culture, where the sense of belonging and inclusion may be different across work sites, hierarchy levels, or work types.

Commitment to better workplace culture should be modelled by AAD leadership. Strong, inclusive, and courageous leadership across the Division will create the basis for a positive and inclusive culture. Leadership capability to lead and manage diverse workforces needs strengthening and a top-down approach to building culture adopted.

To address these issues, this Report makes several recommendations for the AAD and DCCEEW. The Review's recommendations are organised around seven guiding principles, which address core issues with AAD systems and culture and offer a clear path to improvement:



Principle 1:

Effective governance, oversight and monitoring to build a culture of respect and equality.

Principle 1 recommends developing strong and visible Division processes to accelerate cultural transformation, address staff concerns, and build trust among and between AAD people and the broader DCCEEW. This includes creating stronger lines of oversight and the opportunity to utilise external expertise to build diverse workplace culture in Australian and Antarctic workplaces.



Principle 2:

Strong and visible leadership commitment to cultural reform.

This principle focuses on ensuring AAD leadership is equipped to champion cultural change and diversity, increasing leadership accountability, and elevating women's and diverse groups' voices, so their unique challenges are recognised, heard, and acted upon.



Principle 3:

Enhanced leadership capability necessary to drive cultural reform.

Recommendations under this principle seek to ensure that leaders in all levels at the AAD have the skills and support to appropriately prevent and respond to harmful behaviours in the workplace and protect their teams psychological safety and wellbeing. These recommendations also emphasise the need for leadership to understand the importance of diversity in the workplace and take action to facilitate diversity and inclusion in their teams.



Principle 4:

Take a zero-harm approach to workplace health and safety.

The 'zero-harm' approach refers to workplaces intentionally designed to ensure there's little to no risk involved in all operations, with risks actively managed. Developing a safety culture that aims for zero-harm emphasises prevention and the ability to rethink processes and apply lessons learned, continually adapting processes to achieve the aim of zero work-related physical and psychological injuries in the workplace. Achieving zero harm requires strong leadership and relentless commitment. AAD Employees (including contractors) need access to ongoing expert training on respectful workplace behaviour, emphasising prevention and response to workplace harm and bystander intervention. Training should be tailored to employees' work situations, focusing on ensuring staff and expeditioners have a sound understanding of the benefits of diversity and inclusion in the workplace. While some training is currently taking place, a comprehensive training program must be considered, including providing sufficient training time, given the seasonality of expeditioner employment.

Recommendations under this principle also seek to ensure that all contractors / stakeholders that work with AAD staff have met minimum standards regarding discrimination, bullying and sexual harassment prevention and response.



Principle 5:

A holistic approach to people safety and inclusion in Antarctica.

Recommendations under this principle seek to create an understanding of safety in the AAD that encompasses both psychological and physical risks. Leadership should understand the experiences of women and diverse groups, with systems, processes and working conditions (including facilities and equipment) at a minimum, protecting workers' dignity and safety. These recommendations also include reforming power structures on station in Antarctica, so expeditioners have access to multiple sources of leadership and support.



Principle 6:

Respond, report, and resolve workplace harm through a person-centric approach.

This principle ensures that AAD employees have multiple pathways to report workplace harm which are trauma-informed, placing the wellbeing of the person making the report at the centre of the system. Developing a safe reporting culture requires a shift in how the system is designed. Importantly, these recommendations also focus on supporting leadership when responding to reports of workplace harm and preventing misconduct and victimisation.



Principle 7:

Review cultural reform progress.

By following these recommendations, AAD leadership and the broader leadership of the DCCEEW will be held accountable for cultural change, building trust among staff that their concerns and perspectives are being taken into consideration, and the broader Department will recognise and act accordingly in providing the support necessary for cultural change at the AAD.

The Review recognises that cultural reform takes time and a significant investment of resources to implement recommendations, and therefore proscribes an independent review of progress to monitor and evaluate progress.

Recommendations involve ensuring AAD create explicit policies that acknowledge cultural change is an ongoing process of continual improvement.

2. Background and scope of the Review

2.1 Establishment of the Review

In 2020, the AAD began examining its culture by commissioning research into inclusion, diversity, and equity. This work culminated in a research study – ‘*Review of diversity, equity and inclusion in the Australian Antarctic Program*’.¹⁹ Subsequently, the DCCEEW and the AAD accepted all recommendations of this research study. Work to operationalise the report’s recommendations commenced before the report’s public release in October 2022.

Considering the nature of the concerns raised in this study, the DCCEEW decided that an independent review was needed to examine the extent of workplace harm and existing integrity processes and systems.

The DCCEEW engaged specialist consultants Russell Performance Co (led by Leigh Russell) to conduct the *Independent Review of AAD Workplace Culture and Change* (the Review). The Review commenced in October 2022.

The Review engaged with people from all parts of the AAD and the broader Department through interviews, written submissions and an online survey. This Report reflects participants’ experiences and observations of the AAD concerning culture, psychological safety, sexual harassment, discrimination, and bullying.

Although a significant effort was made to speak with all who wished to participate in the Review, it was not possible to speak with everyone. In addition, the Reviewer is mindful of trauma-informed principles for those who have experienced workplace harm, such as sexual harassment and bullying, which provides them with a choice about when, where, and how they may share their experiences. In this regard, the Review offers additional recommendations to ensure that those who wish to participate in the future and have their voices heard can do so safely and confidentially.

2.2 Scope of the Review

The scope of the Review included listening and considering the lived experiences of AAD people, reviewing past research, and evaluating current reporting arrangements, with

‘consideration to be given to ensuring that staff feel safe at work, they are able to be themselves at work, and that the right systems, processes and protocols are in place to support staff who may experience bullying or harassment, or other harmful behaviours.’²⁰

The Review was required to submit a written report with findings and recommendations to the Secretary of DCCEEW. Accountabilities for implementation and a regular monitoring and evaluation process needed to be included in recommendations.

The Review set out to:

- Understand the experiences and expectations of people who work (or have worked) for the AAD regarding inappropriate workplace behaviour (sexual harassment, discrimination, bullying).
- Further examine the nature and prevalence of inappropriate workplace behaviour based on the Review’s qualitative and quantitative research.
- Consider whether the AAD has sufficient strategies and programs to prevent the occurrence of harmful behaviour (including bullying and sexual harassment) that target root causes: identify the responsibility of individuals for their actions and the responsibility of others to call out harmful behaviour.
- Consider the current impediments to reporting and levels of support available for those reporting inappropriate and unacceptable workplace behaviour, including the fear of victimisation by those who make reports.
- Examine the adequacy, effectiveness, independence, resourcing, and awareness of current supports available to enable a safe and respectful workplace preventing and responding to workplace bullying, sexual harassment and sexual assault.

¹⁹ Australian Antarctic Program, ‘Release of summary research paper on diversity, equity, and inclusion in the Australian Antarctic Program’ (Media Release, 2022) <<https://www.antarctica.gov.au/news/2022/release-of-summary-research-paper-re-diversity-equity-and-inclusion-in-the-australian-antarctic-program/>>.

²⁰ Department of Climate Change, Energy, the Environment and Water, *Terms of Reference* (Report, 2022) <<https://www.dcccew.gov.au/about/news/on-the-record/independent-review-by-leigh-russell>>.

- ➔ Consider the specific work systems and job design issues contributing to the risk of sexual harassment, bullying and victimisation.
- ➔ Develop recommendations based on best practices and the suggestions from Review participants and key stakeholders to support DCCEEW and the leaders of the AAD better prevent and respond to inappropriate workplace behaviours and to cultivate a more diverse, inclusive, and safer workplace for all AAD people regardless of the work location.²¹

The Review did not extend to investigating or making findings about any individual incident or allegations made by or about any individual AAD employee. The brief was to undertake a broad review examining workplace culture and best practices.

The Review recognises that undertaking workplace cultural analysis can be challenging and often confronting for people who work at the AAD and that there has been a focus at the AAD for several years on change and restructuring alongside the realities of living and working through a global pandemic.

Whilst some employees identified positive aspects of culture and acknowledged changes in recent times, others painted a different picture of their experience and spoke of harmful instances of bullying, sexual harassment, and other forms of discrimination. The Review also heard from employees on the need to urgently increase psychological safety across the Division and review current reporting systems for reporting and responding to workplace harm.

The Review heard that different cultures exist within one Division, resulting in contrasting experiences and different views on some issues. Having different experiences in the same team is not uncommon where there exists a 'separated' culture, where the sense of belonging and inclusion may be different across work sites, hierarchy levels, or work types.

That said, a robust cultural review is critical to ensure safe and healthy workplaces – where everyone can do their best work and feel (physically and psychologically) safe. The Review is an opportunity to examine what is working well and those aspects of culture that require strengthening, hear the diverse voices and perspectives of all people and create a platform that adequately supports the lofty aspirations of the AAD.

Despite a sense of fatigue with various reviews, restructures, and staff surveys, all AAD people who engaged with the Review did so with a great deal of commitment, sincerity, and a universal desire to create a strong and healthy AAD culture. The Reviewer particularly acknowledges the courage of those who shared their often very personal and distressing experiences who have made the opportunity for positive change possible. The Reviewer thanks all who participated in interviews, submissions, and the survey for their time, sharing of experiences and ideas for change.

The Terms of Reference for this Review can be viewed [here](#).

2.3 Methodology

Principles of independence, confidentiality, and trauma-informed practice guided the Review's approach. Participants in the Review participated voluntarily and in a consultative manner – they could choose when and how they engaged with the Review while maintaining their confidentiality.

The Review adopted a mixed methods approach. This approach involved:

- ➔ One-on-one confidential interviews conducted online or by telephone.
- ➔ An online survey for AAD staff.
- ➔ Individual confidential written submissions.

The Review team also conducted broader research, including:

- ➔ A review of relevant academic literature, past research conducted at the AAD, and similar reviews/research conducted into similar organisations internationally.
- ➔ A review of relevant legislation and data.
- ➔ Analysis of policies and processes.
- ➔ Consultations and briefings with key stakeholders and Department representatives.

21 Department of Climate Change, Energy, the Environment and Water, *Terms of Reference* (Report, 2022) <<https://www.dcceew.gov.au/about/news/on-the-record/independent-review-by-leigh-russell>>.

The findings and recommendations in this Report are supported by a solid evidence base obtained from both qualitative and quantitative data comprising:

- ➔ Forty-eight confidential **one-on-one listening sessions** (interviews) were conducted online or by phone.
- ➔ Twenty-four confidential **written submissions** from individual AAD staff and former staff.
- ➔ Two hundred and thirty-six **online survey responses**.
- ➔ **Meetings and briefings** with key leaders from the AAD / DCCEEW.
- ➔ **Review of AAD / DCCEEW documents**, including the annual APS Census Data Survey, relevant policies, and processes.
- ➔ **Review of relevant literature and reports**.
- ➔ **Review of relevant legislation and data**.

2.3.1 Qualitative data

Confidential interviews

The Reviewer conducted forty-eight individual listening sessions (confidential interviews) with current and (recently departed) former AAD employees. The conversations ranged from 45 minutes to 2 hours.

Interviews included all genders, with participants from all areas of the AAD with different levels of experience, seniority, and expertise.

The Review also heard from key stakeholders from the broader departmental team.

Confidential Written submissions

The Review received twenty-four individual written submissions from past and present AAD employees through its confidential email address.

2.3.2 Quantitative Data

Confidential Online Survey

An online survey (the survey) was made available to all AAD employees for two weeks in December 2022. Staff were invited to participate in this survey via an introductory email from the AAD Head of Division with a follow-up reminder. The survey data was accessed only through Russell Performance Co, and no data or commentary was made available to the AAD or DCCEEW. Throughout this Report, de-identified survey findings are presented.

A total of two hundred and thirty-six responses were received, representing a participation rate of 40%. This is a sufficiently high enough response rate to provide a representative sample.²²

The survey was designed to take a 'snapshot' of staff perceptions and experiences and allowed AAD people to anonymise their views and experiences. Various questions were asked regarding current culture, psychological safety, sexual harassment, and bullying.

48 confidential
1:1 listening sessions



24 confidential
written submissions



236 online
survey responses



Review of relevant
legislation and data



Review of relevant
literature and reports



Meetings and briefings
with key leaders



²² A total of 586 staff as at 31/10/2022.

Participants could also raise any issue not covered by the questions in the free text portion of the survey.

It is noted that AAD staff had previously completed the Australian Public Service Employee Census Survey in 2022, which had several similar questions. The survey results reinforce many findings from the 2022 Census and other studies conducted in the past two years.

As with all surveys, there is always the potential for findings to be affected by selection bias. In other words, those who had a direct experience of workplace harm could be more motivated to complete the survey. Nevertheless, it is essential to note that:

- ➔ The AAD is a small workplace, and while the 40% response rate for the survey was more than enough to provide accurate figures to use in this Review, weighting the data risked skewing results and presenting an imprecise picture of AAD workers' experiences. As such, the survey data presented in this Report has not been weighted.
- ➔ Participants who did not experience sexual harassment, bullying or discrimination also responded to the survey. In other words, the survey findings are not limited to those who have suffered workplace harm.
- ➔ Those who identified as male, female, and non-binary are represented in the survey, with more men (55%) than women (44%) participating. A small number of survey respondents identified as non-binary or preferred to self-describe their gender. To protect these respondents' anonymity and privacy, the survey figures for these groups are not published in this Report. However, these responses were incredibly insightful and have greatly informed the analysis and recommendations presented in this Report.
- ➔ Since all numbers are rounded to the nearest whole number, in some figures, percentages might not add up to 100% because decimals are rounded.
- ➔ In large-scale workplace or industry cultural reviews, survey data might be weighted to ensure that results accurately reflect the wider population.

2.4 Conclusion

The Review commends the DCCEEW for commissioning this independent Review. As a result, the AAD takes an important step towards eliminating workplace harm, supporting those impacted by it, and enhancing inclusion and diversity.

It takes courage and commitment for any workplace to shine a light on issues and create transparency to address its challenges. Of course, the cultural challenges identified in this Report are not unique to the AAD. However, many industries, sectors, and organisations are working to address similar issues and create environments where all people can be safe, respected, included, and ultimately thrive. Organisations cannot possibly know they are achieving this without independently examining culture and hearing the lived experiences of their employees. This kind of work has become the expectation of achieving safety for all, rather than the exception.

The themes and findings from the Review support previous research, including research conducted on polar workplaces internationally²³ and studies previously completed within the AAD. This Review builds on this work to consider underpinning factors contributing to workplace harm in all worksites of the AAD, including examining the broad culture of the AAD alongside current reporting systems. Finally, the Review serves as an opportunity to make a choice for change and improve and strengthen the AAD culture to ensure Australia can continue to lead in delivering world-class science programs of critical global significance.

²³ See National Science Foundation (NSF), Office of Polar Programs (OPP) & United States Antarctic Program (USAP) *Sexual Assault/Harassment Prevention and Response (SAHPR)* (Report, 2022).

3. The Case for Change

3.1 Introduction

From many perspectives, much has changed in how we work across Australian workplaces over the past decade. For example, we have seen five generations enter the workforce for the first time, requiring leaders and employers to lead on vastly different expectations in multi-generational teams.²⁴ We have also seen the normalisation of hybrid and remote workforces, with research into hybrid/remote worksites demonstrating that productivity is not lost. Employers and employees now also benefit from new technologies, and their impact on communication and collaboration has changed how we work.²⁵

Leadership has also changed dramatically in the past decade, with a greater focus on the importance of inclusive and collaborative leadership models, moving away from past hierarchical, top-down deployment of information. The benefits of open and transparent working environments, utilising the power of everyone's voice, are directly linked to enhancing performance,²⁶ competitive advantage and better business outcomes.²⁷ Research on leadership culture and its impact on the performance of an organisation and its culture is significant.

Along with these workplace leadership shifts, much more attention has been given to employee health and wellbeing, how this relates to results, and the impact unacceptable workplace behaviour can have on people, teams, and organisations. Several social movements and high-profile cases have brought attention to sexual abuse, bullying, discrimination and, most importantly, the potential outcomes of this behaviour.

The prevention and appropriate response to these issues is now considered a key accountability for leaders – akin to their work health and safety responsibilities. Further, in Australia, protections against these behaviours or all employees (regardless of the workplace) are enshrined in law – Australian law and international human rights agreements guarantee the right to physical and psychological safety at work.²⁸

In 2022, the 'Respect@Work' Bill passed into law, which clarified that workplaces must take decisive action in response to sexual harassment, and must also take appropriate preventative measures – a 'positive duty' to prevent sexual harassment, sex discrimination and victimisation.²⁹ Individuals can also be liable under the *Sex Discrimination Act*. You can find further commentary on the *Respect@Work* legislation and how it applies to the AAD in [Appendix 10.1](#).

These business, legal, technology and social shifts have meant that all workplaces need to analyse, review, educate, implement, and monitor different standards of behaviour and models of care, and establish new levels of transparency and accountability.

3.2 The impact of unacceptable workplace behaviour

Research is unequivocal on the business imperative of ensuring a physically and psychologically safe, inclusive, and respectful environment. A study by Deloitte found that in 2018, workplace sexual harassment alone cost the Australian economy \$3.5 billion, including \$2.6 billion in lost productivity.³⁰ The Australian Human Rights Commission estimates that bullying costs Australian employers up to \$36 billion per year.³¹

While defining a financial cost to business is essential, toxic and harmful workplace cultures can profoundly affect individuals. It is critical to understand that workplace harms, such as sexual harassment, bullying and discrimination, have consequences for the physical and mental health of those targeted. Harmful workplace behaviour diminishes, dehumanises, and disempowers people, causing emotional and physical stress and stress-related psychological and physical illnesses, including post-traumatic stress disorder and other significant ailments and disorders.³²

24 Harvard Business Review, 'Managing people from 5 generations' (Blog Post, 2014) <<https://hbr.org/2014/09/managing-people-from-5-generations>>.

25 Bryan Robinson, '3 new studies end debate over effectiveness of hybrid and remote work', *Forbes Magazine* (Article, 2022) <<https://www.forbes.com/sites/bryanrobinson/2022/02/04/3-new-studies-end-debate-over-effectiveness-of-hybrid-and-remote-work/?sh=6d66f2159b2e>>.

26 Juliet Bourke & Andrea Titus, 'Why inclusive leaders are good for organizations, and how to become one', *Harvard Business Review* (Blog Post, 2019) <<https://hbr.org/2019/03/why-inclusive-leaders-are-good-for-organizations-and-how-to-become-one>>.

27 Maalouf, GY. (2019) 'Effects of collaborative leadership on Organizational Performance,' *International Journal of Multidisciplinary Research and Development* 6(1), 138.

28 Relevant Australian federal legislation includes the *Work Health and Safety Act 2011* (Cth); the *Racial Discrimination Act 1975* (Cth); the *Disability Discrimination Act 1992* (Cth); the *Sex Discrimination Act 1984* (Cth); and the *Age Discrimination Act 2004* (Cth). International agreements include the United Nations Covenant on Economic, Social and Cultural Rights (1966), the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (1979), the United Nations International Convention on the Elimination of All Forms of Racial Discrimination (1965).

29 Australian Human Rights Commission, *Passage of 'Respect@Work' Bill is a major step in preventing harassment* (Media Release, 2022) <<https://humanrights.gov.au/about/news/media-releases/passage-respectwork-bill-major-step-preventing-harassment>>.

30 Deloitte Access Economics, *The economic costs of sexual harassment in the workplace* (Report, 2019), 6.

31 The Australian Human Rights Commission, 'Good practice good business factsheets' (Web Page) <<https://humanrights.gov.au/our-work/employers/good-practice-good-business-factsheets>>.

32 Shawn Meghan Burn, 'The psychology of sexual harassment' *Teaching of Psychology* 46(1), 96.

It is common to consider workplace sexual harassment as acute incidents; however, studies indicate it can have long-term effects. A plethora of research demonstrates the impacts of workplace sexual harassment on the mental, emotional and physical wellbeing of those who experience it. Sexual harassment is associated with higher rates of depression, anxiety and post-traumatic stress disorder,³³ as well as '*diminished self-esteem, self-confidence and psychological well-being*'.³⁴ In a 2017 study of women firefighters, Hom et al. found that experiences of sexual harassment and gender discrimination at work are associated with higher suicidal ideation and other 'severe psychiatric symptoms'.³⁵ Furthermore, in a study of academics and students, Roosmalen and McDaniel found that participants who had experienced sexual harassment were more likely to experience physical health effects such as 'sleep disorders, headaches, stomach problems, loss of appetite and weight loss'.³⁶ Sexual harassment can have impacts on individuals into middle age, even if the harassment occurred earlier in life. In a study of midlife women, those who had experienced workplace sexual harassment were more likely to have higher blood pressure, poorer mental health, and poorer sleep, leading scholars to conclude that '*efforts to improve women's health should target sexual harassment and assault prevention*'.³⁷ Experiences of sexual harassment are also associated with more significant risks to cardiovascular health, including hypertension and carotid plaque levels.³⁸

In the same way, workplace bullying and harassment can have long-lasting impacts on the health and wellbeing of people who experience or witness it. The mental health effects of bullying on those who experience it can be similar to those who experience sexual harassment: depression, anxiety, poor or disturbed sleep, post-traumatic stress disorder, and low self-esteem.³⁹ Furthermore, workplace bullying is

a significant source of stress, and bullying-related stress has been found to have such physical health impacts as hypertension, migraines,⁴⁰ musculoskeletal disorders⁴¹ and psychosomatic pain.⁴² A growing body of research demonstrates that workplace bullying and its harmful effects are more likely to be experienced by people who belong to minorities (either in their workplace or in broader society) or socially marginalised groups.⁴³ As such, in its occurrence and impacts, workplace bullying and harassment is an intersectional issue influenced by broader social prejudices such as racism, sexism and homophobia.⁴⁴

Workplace bullying and harassment furthermore have profound and negative impacts on staff and teams beyond those directly experiencing the misconduct. Workplace bullying is closely associated with poor workplace cultures. Participants in a 2013 study on workplace bullying in Japan identified bullying as a significant inhibitor to team cohesion and felt that the bullying indicated a lack of support from their supervisors.⁴⁵ The occurrence of workplace bullying has also been associated with poorer team performance and lower project success rates in organisations.⁴⁶ Close exposure to and witnessing the bullying of co-workers can also adversely affect individuals, who may experience similar stress-related risks to mental and physical health as those who directly experience bullying, decreased performance, and lower job satisfaction.⁴⁷

While numbers and statistics certainly paint a concerning picture, the voices of those hurt by harmful workplace behaviour provide more profound insight. They provide a first-hand understanding of the lived experiences of AAD employees. The Review heard from many current and former staff who had experienced discrimination, harassment, sexual harassment, and victimisation at the AAD, and the Report includes these voices and direct testimonies.

34 Jason N Houle et al. (2011), 'The impact of sexual harassment on depressive symptoms during the early occupational career', *Social Mental Health* 1(2), 89.

35 Melanie A Horn et al. (2017), 'Women firefighters and workplace harassment: Associated suicidality and mental health sequelae', *The Journal of Nervous and Mental Disease* 205(12), 910.

36 Erica van Roosmalen & Susan A McDaniel (2008), 'Sexual harassment in academia: a hazard to women's health', *Women & Health* 28(2), 44.

37 Rebecca C Thurston et al. (2019), 'Association of sexual harassment and sexual assault with midlife women's mental and physical health', *JAMA Internal Medicine* 179(1), 48.

38 See, e.g., Karen P Jakubowski et al. (2021), 'Sexual violence and cardiovascular disease risk: a systematic review and meta-analysis', *Maturitas* 153, 48; Rebecca B Lawn et al. (2022), 'Sexual violence and risk of hypertension in women in the Nurses' Health Study II: a 7-year prospective analysis', *Journal of the American Heart Association* 11(5), 1; Rebecca C Thurston et al. (2021), 'Sexual assault and carotid plaque among midlife women', *Journal of the American Heart Association* 10, 1.

39 Bart Verkuil, Serpil Atasay & Marc L. Molendijk (2015), 'Workplace bullying and mental health: a meta-analysis of cross-sectional and longitudinal data', *PLoS ONE* 10(8); Susmita Suggala, Sujo Thomas, & Sonal Kureshi (2020), 'Impact of workplace bullying on employees' mental health and self-worth', in Satinder Dhiman (Ed.), *The Palgrave Handbook of Workplace Well-Being*, Palgrave MacMillan, 8. See also: Heinz Leymann & Annelie Gustafsson (1996), 'Mobbing at work and the development of post-traumatic stress disorders', *European Journal of Workplace Organizational Psychology*, 5(2):251.

40 Christopher Magee et al. (2016), 'Workplace bullying and absenteeism: The mediating roles of poor health and work engagement', *Human Resource Management Journal*, 27(3), 3.

41 Morten Birkeland Nielsen & Stale Einarsen, 'Outcomes of exposure to workplace bullying: a meta-analytic review', *Work & Stress: An International Journal of Work, Health & Organisations* 26(4), 314.

42 Eva Gemzoe Mikkelsen & Stale Einarsen, 'Relationships between exposure to bullying and work and psychological and psychosomatic health complaints: The role of state negative affectivity and generalised self-efficacy', *Scandinavian Journal of Psychology* 43(5), 402.

43 Michael Rosander, Jørn Hetland & Stale Valvatne Einarsen (2021), 'Workplace bullying and mental health problems in balanced and gender-dominated workplaces', *Work & Stress: An International Journal of Work, Health & Organisations*.

44 Duncan Lewis & Rod Gunn (2007), 'Workplace bullying in the public sector: understanding the racial dimension', *Public Administration* 85(3), 641; Brandon K Attell, Kiersten Kummerow Brown & Linda A Treiber (2017), 'Workplace bullying, perceived job stressors, and psychological distress: Gender and race differences in the stress process', *Social Science Research* 65, 210; Helge Hoel, Duncan Lewis & Anna Einarsdottir (2021), 'Sexual Orientation and Workplace Bullying', in Premilla D'Cruz et al. (Eds.) *Dignity and Inclusion at Work*, Springer, 363.

45 Gabriele Giorgi et al. (2013), 'Exploring personal and organisational determinants of workplace bullying and its prevalence in a Japanese sample', *Psychology of Violence* 3(2), 185.

46 Todd Creasy & Andrew Carnes (2017), 'The effects of workplace bullying on team learning, innovation and project success as mediated through virtual and traditional team dynamics', *International Journal of Project Management* 35(6), 964.

47 Al-Karim Samnani & Parbudyal Singh (2012), '20 years of workplace bullying research: A review of the antecedents and consequences of bullying in the workplace', *Aggression and Violent Behaviour* 17(6), 581.

Workplace harm in Australia

In 2022, the Australian Human Rights Commission conducted the [fifth national survey](#) to investigate the prevalence, nature and reporting of sexual harassment in Australian workplaces, providing information about the scale of sexual harassment in the workplace and the need for prevention and response initiatives. Key messages that came from this report⁴⁸ include:

- ➔ In the last 12 months, about 1 in 5 participants (19%) have been sexually harassed at work.
- ➔ In the last 5 years, about 1 in 3 participants have been sexually harassed at work.
- ➔ Most sexual harassment in Australian workplaces is carried out by men.
- ➔ Half of the incidents are repeated, and of those, half are ongoing for more than one year.
- ➔ Reporting remains low, with only 18% of sexual harassment incidents reported.
- ➔ Only a third of Australian workers think their organisation is doing enough.

In relation to bullying, the Australian Workplace Barometer (AWB) was developed to provide science-driven evidence of Australian work conditions and their relationships to workplace health and productivity. In 2021, the research found that 8.6 % of employees were bullied. Key messages that came from this report include:

- ➔ Of the participants who were bullied, 55.6% experienced bullying at least once a week.
- ➔ Rates of gender and/or racial harassment increased from the previous survey in 2014/15, from 16.2% to 25.5%.
- ➔ Women were more likely than men to be bullied and experience unfair treatment because of their gender or cultural background.
- ➔ Men were more likely than women to experience verbal abuse in the workplace, as well as experience being physically assaulted or threatened.

Workplace harm at the AAD

While workplace harm is not unique to any specific workplace or sector, the impact on individuals and organisations is immense. The AAD is not immune to these issues, nor are these issues relegated to history. Furthermore, some organisational responses to workplace harm, particularly gender discrimination and sexual harassment, have exacerbated trauma for some.

We also heard that workplace harm is preventable, there are solutions, and many people at the AAD are committed to creating a strong and healthy culture. Nevertheless, a new roadmap is required to achieve sustainable and lasting reform.

Some strategies have been implemented in some areas of the AAD to respond to harmful workplace behaviours, but more integrated responses are required. How workplace harm is understood, how it is prevented, and most importantly, how it is responded to is the focus of the Framework for Action in this Report.

⁴⁸ Australian Human Rights Commission, *Time for Respect: Fifth National Survey on sexual harassment in Australian workplaces* (Report, 2022).

⁴⁹ Maureen F Dollard et al. *Bullying and Harassment in Australian Workplaces, 2021: Australian Workplace Barometer*, University of South Australia, Psychosocial Safety Climate Global Observatory (Fact Sheet, 2021).

4. Culture at the AAD

4.1 Experiences and perceptions of culture

The Review heard that there had been significant changes to the culture at the AAD over the past few years. Some stories shared identified positive experiences and described a respectful, inclusive, and safe workplace culture. Participants also spoke of strong reasons for pursuing a career at the AAD, the considerable pride in achievements and the critical place that the work of the AAD has on the national and international stage – some noting these features as unifying aspects of the culture:

Every staff member who works here is dedicated to the greater cause of scientific research, climate change and preservation of Antarctica. It is a unifying driving force and why many people continue despite difficult working conditions.

We are all passionate about Antarctica and protecting the environment. That's why we love what we do.

Working in Antarctica is like nothing else. The kinds of work you get to do, the beauty of the place, the opportunity to do different things. It gives me an opportunity to push myself outside of my comfort zone, be part of a community, and to do important work.

I got into the Antarctic world because I love the science.

When I began at the AAD I never thought I was going to stay, but I fell in love with the AAD and what the AAD does.

I've never worked in an organisation driven by such passion and purpose. It is part of people's identities.

My perception of the [AAD] is that it draws passionate people who strongly believe in what they do, which is a huge plus.

The size, scale, and logistics of what we need to accomplish in one of the most hostile environments on earth are pretty much incomprehensible; I still get blown away by what we do.

Some participants shared positive experiences of the AAD culture:

I love the AAD culture in general. People are supportive and friendly, and I don't feel there is too much bureaucracy that people normally associate with public service workplaces.

The culture is dedicated and positive. For the most part, my experience regarding culture at the AAD has been good.

I've seen some excellent examples of positive workplace culture at the AAD, with teams working well together to meet goals and striving to make positive contributions to the program.

It's a unique place with many special people doing incredible things.

However, many of the stories provided to the Review, together with the results from the survey (and review of recent past survey data such as the APS Census Survey), point to an urgent need to build a culture that supports safety, respect, diversity, and inclusion. The Review identified workplace harm that has had considerable impacts on individuals. Psychological safety – the 'belief that one will not be punished or humiliated for speaking up with ideas, questions, concerns, or mistakes'⁵⁰ – was also a significant concern for many participants in the Review and is discussed further in Section 5.

Culture plays a crucial role in effective transformation and change, particularly when it comes to fostering diversity, inclusion, safety, and respect. Culture – the shared values and norms of people working together (how 'we do things around here') is the driving force behind all changes that add value to a workplace. Often though, the importance of intentionally developing culture is overlooked, with (for example) workplaces diving into policy change without due consideration by leaders on what is required culturally for a policy to be effective. Unfortunately, most cultural change initiatives fail because they are simply 'announcements' of new values without the requisite change of behaviour or consideration of how the systems and structure of the workplace are designed to support the desired changes.⁵¹

⁵⁰ Amy C Edmondson, 'Psychological safety' (Web Page) <<https://amycedmondson.com/psychological-safety/>>.

⁵¹ Roger Dean Duncan, 'Culture, leadership, performance: How are they linked?', *Forbes Magazine* (Article, 2018) <<https://www.forbes.com/sites/rodderdeanduncan/2018/10/30/culture-leadership-performance-how-are-they-linked/?sh=88a33155e448>>.

Leadership culture

The critical input for effecting cultural change and overcoming obstacles is collaborative and courageous leadership. Leaders must have the awareness and skill to blend emotional intelligence and authenticity, and demonstrate congruence between words and actions. The engagement and buy-in – the visible leadership of all leaders to culture and diversity objectives are fundamental to building a high-performing culture. 'Leadership culture' can also describe how leaders work with each other and what values and behaviours they promote, reward, and recognise.

In short, organisational change and transformation begins with leaders.

In the context of the AAD, the Review found a significantly separated culture, siloed on a range of levels, and a leadership culture contributing to a troubling lack of psychological safety. The survey showed minimal reporting of harmful behaviours, indicating a low level of trust in reporting options and the existence of unsafe reporting environments. The interviews conducted by the review also support this.

A separated, 'us versus them' culture and a leadership deficit are inhibiting cultural reform initiatives and leaving AAD employees confused and distressed about the case for change, and what part they must play in the cultural change program. In the words of participants:

Branches and sections are very isolated, and culture varies across different areas. I would say that outward efforts are made to promote an inclusive, respectful, and balanced workplace culture, but these may not translate into the day-to-day in all sections.

Despite significant efforts to build a more positive workplace culture, at AAD I note that morale is not high with many people. Many colleagues seem to feel they have little empowerment, and the perception of working together as a broader institution is often lost due to a focus on workflows within silos.

The culture is combative and roadblocked. Work areas do not embrace collaboration or engagement.

The culture is inclusive and collaborative within the branch but siloed across the Branches.

Managers are strongly protective of their turf and compete for merit by racing to deliver outcomes, often without identifying a strategic need for that outcome. There is duplication of responsibility and ill-defined authority across branches, leading to complicated, slow, and inefficient decision-making. Finally, there is resistance to change amongst legacy staff to new ways of doing business, which leads to the under-utilization of new capabilities.

I describe the culture as confused as there is a vestige of the "old" culture mixed with what seems to be an orchestrated attempt to bring the AAD culture into line with a culture that is more APS- or departmental-centric. The result I have observed is that staff now lack a sense of common purpose and that there is an adversarial undercurrent that seems to permeate from the senior leadership.

The culture is toxic. The AAD's current culture is a [smoke-and-mirrors] culture where one thing is said, yet what is done is the polar opposite. People are not valued at the AAD.

Separated culture at the AAD

The AAD consists of people contributing across two main worksites – Kingston (referred to as 'Head Office') and Antarctica ('on station') with support from the broader Department functions in Canberra (the Department of Climate Change, Energy, the Environment and Water). Differing views about AAD culture and experiences exist across these three worksites. Still, a common feature was an apparent lack of trust in the intentions, leadership performance and expectations of people that worked across these different sites. A strong cultural norm is the differing 'cultural currency' that the worksites are given, with experience in Antarctica seen as the most legitimate form of experience at the AAD, often serving to diminish other kinds of expertise and experience. For example:

The culture is pretty broken. There appears to be a widespread focus on culture on stations, but the reality is Kingston is what needs the focus. Interaction after interaction over the past year has been borderline bullying with Kingston staff, yet all the focus is on how stations are a horrible group of people. Nothing could be further from the truth.

It's insular, challenging, parochial, and not welcoming of newcomers. There is a high value [placed on] Antarctic experience [with some] very wedded to the old ways of doing things.

The amount of organisational and departmental changes has seriously impacted morale and culture. That said, the AAD has a can-do attitude, but the department is progressively changing it to a "must-do" culture of immense red tape, and their way is always the "right way." In practice, they think they know better than the people who work at the AAD, and that goes for recent AAD management as well.

There is a perception that the Department does not understand what the AAD does and how to enable it.

I have found the AAD insular and often lags far behind best practices.

“

Culture is siloed, leaderless, focused on individual ego and agendas, inequitable workload distribution and lack of care and/or concern for the welfare of staff. It's primarily focused on work in the Antarctic with no value placed on head office staff welfare and with the idea that if you haven't 'set foot on the ice,' you don't have the ability to understand or have a voice. Given that the majority of head office staff who have been South are men, this gives less voice to women.

”

Across the whole Division, it seems to me there is an absence of shared understanding of responsibilities, lines of accountability and awareness or adherence to Government systems and processes. The longer-term staff view "Canberra" and the Minister's Office as irrelevant to their work, interfering with their work. They double down on the idea that they are the enemy of the AAD "family" and the important work of the AAD.

A significant feature of some commentary from Review participants was that poor culture emanated from parts of the Division other than the team they belonged to, a common belief in separated cultures:

The cultural problems at the AAD are not down south and not about the past. They are about the head office.

It's a great culture in [this branch], but it is variable in other branches.

It is toxic at the upper level but very good within [branch name removed] Branch.

The culture is very different depending on the team or branch that you are in. Some teams are incredibly open and work well together. Others show clear examples of bullying from executive-level staff to those that work underneath them. A vast number of staff that are burnt out or quitting because of being made to feel unwelcome, overloaded or bullied.

Outside of [this branch], I think there is room for improvement. Jokes at the expense of minority groups still occur, and I don't think I would be as comfortable speaking up, and I don't think it is as supportive and inclusive environment. I think creating a supportive and inclusive environment is still perceived as a threat to team and mateship.

I think the culture is variable across the organisation and highly dependent on the leadership of the management and SES of each branch. In my section, the culture is quite positive; however, from friends in other sections, I've heard it can be pretty toxic.

There are multiple cultures at AAD, depending on the branch. Overall, there is a culture of passive and active resistance to change. In some branches, there seems to be a strong blokey culture. There is a culture of blame and mistrust towards senior leadership, which I believe, in most cases, is unwarranted.

There is limited collaboration between teams, which is reinforced by and reinforces strong bonds within teams – for example, watching your team's back against blame and active resistance from other teams.

The culture on station is very different from head office. This can't be stated enough. Any quality or suitability judgements aside, the station and head office workplaces are culturally distinct – different people, demographics, types of work and environment.

I have been disappointed with how resolute and defensive some workgroups and individuals can be – there is quite a bit of political sparing and jostling, which gets in the way of getting things done.

Expeditioners feel like we're a bit set and forget and don't get the support needed from Kingston. I feel a lot has been taken away, but nothing has been given to replace and look after our wellbeing on station. Expeditioners who come and go (so not drivers of the culture) feel they are the scapegoats for any bad reporting.

I can only speak to the immediate team I work with. We made a conscious effort to focus on our team and look after each other, which kept us shielded from the poor morale generally observed around the division.

Separated, 'us versus them' culture and implied hierarchy was apparent on several levels – between worksites, individual branches, between 'new and old' staff, 'scientists versus trades', and if you had been an expeditioner or not:

It's like the cool group at high school. It is deemed appropriate to be hostile to those who are new or who don't work hard to fit in. Personal likes and relationships are seen as relevant to how one engages in work issues.

Many new staff have joined the Division and seem to be career climbers. They don't care or understand the work the Division does and will bully, backstab, or do anything they can to climb the corporate ladder.

It's old versus new. I encounter many of those who have been at the Division for a long time – 5 years through to lifers – as determined to bend the new people to the old ways. They often have a sense of elitism about working for the AAD, hold information close, talk about how wonderful the AAD used to be, provide service based on relationships and informal networks, have been allowed to design their roles to suit themselves, reject process and bureaucracy and reject being held to account. That said, I have also encountered some longer-term staff who are not like this and can see this culture too. But they are too small in number and too entrenched to change things.

There is a very firm culture of not valuing experience and considering that things done previously were done poorly and inappropriately. It is a strange culture to work where change is sold as necessary due to "the incompetency of the past". It is not a psychologically safe culture for those with experience. This has safety implications in our operations and efficiency implications in how we do business.

Many recent changes have created confusion and ambiguity around roles and responsibilities. Non-ongoing vs ongoing roles is a trap that makes different workforce classes.



Branches and sections are very isolated, and culture appears to vary across different areas.



We have a cohesive, friendly, and honest culture at the lower levels of the organisation. At the management level, EL2 and above, I see their culture as dysfunctional, competitive, and lacking transparency. There is a lot of blame-shifting and a lack of following the APS rules to suit their purposes.

In my work at head office, I have not experienced bullying or harassment. However, it is quite hierarchical by nature, and working across branches is very difficult as everything must get passed up the chain and back down again.

There now is more disconnect and lack of communication between managers and their staff. There is an increased use of hierarchical chains of communication, with poor oversight/transfer of information through the chain.

AAD Cultural values

Within the survey, participants were asked what qualities or attributes are valued by the AAD. In other words, what are the often unspoken but profoundly felt values that staff understand are rewarded within the organisation?

Values are a vital component of healthy workplace culture because they clarify how your organisation and your staff should behave, guiding decisions and defining what behaviour will be rewarded and recognised and what behaviour is deemed unacceptable. On this topic, different perspectives were shared:

It's hard to know what the place stands for. We say one thing and do the opposite. We say we're 'pro' lots of things and 'anti' others – but I don't see much change.

Looking "busy" and a flurry of last-minute activity is required to get a job done. There is no systematic planning put in place.

We value courtesy and equality.

We value tenure and whether you make cakes/align with power dynamics. An ability to do what you want and get around the system. Working long hours and being in crisis.

Skill, effort, and experience are still appreciated in some areas; however, in others, they are being inexplicably discounted to the detriment of decision-making and operational success.

Unfortunately, "adherence to the party line" is also, if not valued, at least expected. Change management has been shallow, with a like-it-or-lump-it approach and consultation for show only. Inevitable and valuable change initiatives have unfortunately been tarnished by the inept change management approach despite the validity of the purpose.

The AAD currently values getting the job done. However, there is little recognition that this has come at the cost of extra time and work.

Experience in all things Antarctic and tenure in the APS.

AAD values fitting in, being risk averse, and maintaining the status quo.

We value getting work done and avoiding public embarrassment. Too much focus on diversity and side 'issues' that are non-core.

This varies across teams; there is no single answer. In my team, curiosity, inclusion, looking to make things better, collaboration, and encouragement are valued. However, more broadly, these are not valued consistently. In most areas, there is a strong action bias. Those that have been with AAD for longer value length of employment. Any experience in Antarctica is valued highly, and more than one trip very highly. Also, being a white male appears to be of value too.

The AAD doesn't seem to value ANY qualities or attributes. Praise for achievements feels empty because it is accompanied by an undercurrent of criticism of our history. The pursuit of change is warranted in some areas (diversity, sexual harassment, bullying), but it feels like this means we cannot acknowledge the good in the organisation. It feels like we are being told that our working life has been misguided. We don't have to reject ANARE to be a good Australian Antarctic Program.

They [leadership] don't understand psychological safety.

The way the AAD is structured, each SES is pitched against each other, a lot of finger-pointing. There, and there is no collaboration, no working together.

I've never felt so excluded. If you are not in the exec, your opinion is not valued (staff in management position)

Leadership is not functioning – they can't have robust conversations.

4.2 Leadership as a driver of culture

Leadership is critical to ensure that workplaces have a healthy culture, with leaders responsible for confronting and addressing harmful behaviours and creating a safe environment that enables high performance and operational effectiveness.

While leadership at the most senior levels is critical, leaders across the organisation must visibly champion and demonstrate the imperative for a healthy workplace culture. This requires them to model the values and behaviours that create a positive and safe culture in conscious and active ways. Visible and courageous leadership underpins any successful cultural reform process.

Participants commented on several leaders who are working to create a positive culture. However, there was much commentary on the absence of a healthy leadership culture contributing to low staff morale, a lack of psychological safety and limited collaboration:

This is behaviour modelled from the top down; unfortunately, our current leadership team have reacted in ways that do not engender psychological safety. In response to raising issues, our leaders label one as "difficult", bully the individual, instigate disciplinary action, dismiss, sideline, and publicly display a lack of acknowledgement of the person. Gaslighting has become increasingly popular with this group.

Without a strong baseline of a positive and healthy culture and high levels of trust between leaders and staff, any cultural transformation efforts are unlikely to be effective in the long term.

Research into the link between the importance of employees' perception of their workplace and the quality of their relationship with their leader/manager directly impacts employees' commitment, attitude, and active participation/contribution to change.⁵²

The AAD will shortly launch a diversity and inclusion plan that needs to be underpinned by a strong leadership culture. For this plan and other change strategies to be successfully implemented, more consideration should be given to creating and sustaining a positive culture and effective change management conditions.

'On station' culture in Antarctica

The Review has heard that on station culture in Antarctica is distinct - influenced at once by the AAD head office (administration base) and the DCCEEW on the one hand, and the particularities of life in such a unique, remote, and extreme environment on the other. While a distinct worksite, many participants observed that it is also 'home', and as such, blending the two creates cultural challenges. Concerningly, some participants did not view stations as 'normal' workplaces where standard rules applied.

53 Jerald Greenberg, J (1993), 'The social side of fairness: Interpersonal and informational classes of organizational justice' in Russell Cropanzano (Ed.) *Justice in the workplace: Approaching fairness in human resource management*, Lawrence Erlbaum Associates.

Many participants recounted positive experiences of going 'down south', describing the privilege of encountering a place few people can visit and praising the professionalism of many of the people who work there:

On station, the culture runs much deeper as there is much more diversity in terms of how people approach work. The culture encompasses not just 'workplace' but 'home', 'recreation' and 'community'. People down here rely much more on the culture for their productivity, sanity, and overall happiness inside and outside work hours. People inherently seek to craft the culture passively or actively, consciously, or subconsciously, towards a culture that sustains them. In my experience, the vast majority of expeditioners know that they have a practical and ethical requirement to also shape the culture in a direction that sustains the people around them.

“An underlying current of positivity and proactiveness is driven by the special experience of being in Antarctica. The challenges of group living, the inability to leave and the additional stresses of wintering should not be understated. I value that most people can sustain this positivity and proactivity despite challenging living and working conditions. I find incredible value in the joy of interacting so closely with so many people who are quick to regard you with warmth and friendship. It is a far cry from the silence between strangers in the street.”

You meet people from all sorts of backgrounds you would never normally seek out, which is a real plus.

Workplace culture in Antarctica is more diverse and inclusive than has been advertised in the Nash Report. In Antarctica, we have so many different people living and working together (e.g., people who did not finish high school, PhD researchers, ages from 25 up to 70, hearing difficulties, medical doctors, pilots, trades, chefs, different nationalities, different races, and many more women on station and in leadership roles than we had previously). I have been part of leadership teams where we have had an even split of men and women – this is wonderful.

That said, participants also raised poor experiences and concerns about risk and harmful cultures on Antarctic stations with the Review. Issues of discrimination, exclusion and sexism in scientific organisations' headquarters and home offices are often reproduced and intensified in the field. This can be a problem when fieldwork occurs in remote, isolated, or otherwise extreme settings.

Research already exists on the social and psychological effects of working in isolated, confined, and extreme settings, focusing in particular on the impact these environments have on workplaces and teams.⁵³ Whilst this can help build camaraderie and solidarity in teams – as one review participant explained, '[a] station is like a small community'- spending all of one's time in such settings can be stressful and alienating. It can also cause or contribute to depression, loneliness, and interpersonal conflict.⁵⁴ As one of the Review participants stated:

Going down south is a weird social experiment. People leave their life and live closely with each other – it brings out the best and worst of people – sometimes it works remarkably well, and at the other extreme, they are dreadful experiences.

Despite the physical and psychological challenges of

⁵³ See, for example, Simon J Golden, Chu-Hsiang Chang & Steve W J Kozlowski (2018), 'Teams in isolated, confined, and extreme (ICE) environments: Review and integration', *Journal of Organisational Behaviour*, 39(6), 701.

⁵⁴ Marta Barbarito, Simona Baldanzi & Antonio Peri (2001), 'Evolution of the coping strategies in an isolated from in an Antarctic Base', *Polar Record*, 37(201), 112.

working in Antarctica, going 'down south' was considered by many to be an aspirational goal and/or a career highlight. Again however, the Review found that culture was not unified or particularly strong, with the culture likely to change each season depending on the team of individuals that were deployed to each station (people talked about having 'good seasons' or 'bad seasons' depending on the team of people around them). In effect, there is a 'cultural lottery' in place, rather than a strong culture driving the values and behaviours in a unified way across all AAD worksites.

A particular concern raised by participants was that the culture on Antarctic stations is historic and not easily changed by new workers, especially if they belong to diverse groups. As such, it is difficult for people to speak up against discriminatory or harmful behaviours that may be entrenched and considered normal and benign:

The Core station team...will be there for a long time, over summer and winter, and build their own culture. Vulnerable people arrive for a shorter period structure. [...] It does mean that early career researchers, women – are not in positions of power and step into an 'established' community.

As a man, I felt uncomfortable last time I was on station [Year removed to protect anonymity]. The hyper-masculine behaviour is not for everyone.

As such, while working in Antarctica is often considered a personal and professional achievement, cultures on station can be exclusionary or unsafe. This is influenced in part by the extreme environment, and in part by the broader organisational culture of the AAD.

4.3 Conclusion

The AAD can promote a positive culture by leveraging a committed workforce, a strong sense of purpose, and a belief in its work. Culture, though, needs to be intentionally built by deploying collaborative leadership models. A separated culture hinders development and creates a competitive, siloed environment that promotes 'us versus them' thinking. Signs and symbols that the AAD is separate from the broader Department and that Antarctic worksites are separate from 'head office' and therefore have their own distinct culture should be minimised. These symbols – such as separate AAD email addresses from the broader Department, the AAD-specific intranet, and a lack of connection to overall department values seem innocuous in isolation but form attitudes and beliefs that the AAD is not an integral part of the DCCEEW. A fresh leadership approach is needed to drive collaboration, communication, and connection between branches, Kingston and Antarctic work sites, the Division, and the broader Department to which it belongs. Visible championing of inclusive leadership needs to occur at all levels of the Division, cultural values clarified, and the right behaviours recognised and rewarded.

Finally, leadership must be recognised as the primary driver of a strong and respectful culture. The Division should take a top-down approach to build this, with performance metrics for each leader embedded in each people leader's performance plan. Investment in building leadership capability will also provide a solid foundation to accelerate cultural change.

5. Psychological Safety



‘Psychological safety is a condition by which one feels included, safe to learn, safe to contribute, and safe to challenge the status quo, without fear of being embarrassed, marginalized or punished in some way.’⁵⁵



5.1 Creating a safety culture

Safety culture has a vital role as a performance enabler in any organisation⁵⁶ with research demonstrating psychological safety is a crucial driver of high-quality decision-making, healthy group dynamics and interpersonal relationships, more significant innovation, and more effective execution in organisations.⁵⁷ Leading organisational behavioural scientist Amy Edmondson suggests that ‘*organisations are more at risk of preventable business failures or human safety failures when psychological safety is low*’⁵⁸.

The result is that when people feel safe to speak up, challenge hierarchy, challenge inappropriate behaviour, and provide feedback, they don't fear being victimised or penalised. A healthy environment is characterised by inclusion, trust, and respect, where people are comfortable being themselves rather than worrying about 'fitting in' or 'rocking the boat'.⁵⁹

The fear associated with a lack of psychological safety creates an environment where speaking up may not always be safe. In a work environment where power differentials and exclusion are prevalent, a lack of safety can undermine interpersonal collaboration and respectful communication.

Just as the AAD holds itself to the highest possible standard of physical safety, an opportunity exists for the Division to mirror this in terms of the psychological safety of all employees.

Many participants in the Review spoke powerfully of the immediate need for more psychological safety to create an inclusive culture. As one participant noted:

Trust must be built throughout the organisation, particularly between the executive and senior leaders. Inclusive leadership and genuine consultation, and willingness of the leaders to consider contributions and ideas from highly experienced staff would help us to feel valued and would lead to better outcomes as well as much smoother transitions and uptake of change.

55 T R Clark, 'The 4 Stages of Psychological Safety', *The Horizons Tracker* (Blog Post, 2019) <<http://adigaskell.org/2019/11/17/the-4-stages-of-psychological-safety/>>.

56 Sehoon Kim, Heesu Lee, and Timothy P Connerton, (2020) 'How psychological safety affects team performance: Mediating role of efficacy and learning behaviour', *Frontiers in Psychology* 11.

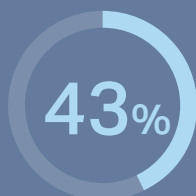
57 Amy C Edmondson & Mark Mortensen 'What psychological safety looks like in a hybrid workplace' *Harvard Business Review* (Blog Post, 2021) <<https://hbr.org/2021/04/what-psychological-safety-looks-like-in-a-hybrid-workplace>>.

58 Amy C Edmondson & Mark Mortensen 'What psychological safety looks like in a hybrid workplace' *Harvard Business Review* (Blog Post, 2021) <<https://hbr.org/2021/04/what-psychological-safety-looks-like-in-a-hybrid-workplace>>.

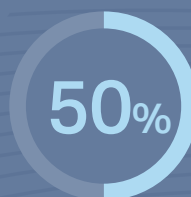
59 Amy Edmondson (2019), *The Fearless Organization: Creating Psychological Safety in the workplace for learning, Innovation, and growth* Hoboken, NJ: John Wiley & Sons.

5.2 Survey findings – psychological safety

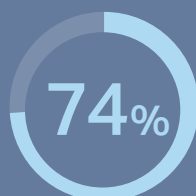
Safety to discuss issues



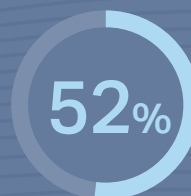
43% of survey respondents disagreed that bringing up problems and tough issues at the AAD with Management was safe.



50% agreed they can call out inappropriate behaviour without fear of humiliation, retribution, or harassment.



74% of survey respondents agreed they could approach their direct manager with matters that concerned them.

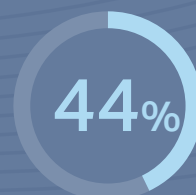


52% of survey respondents agreed that when they speak up, their opinion is valued.

A sense of value and belonging at the AAD

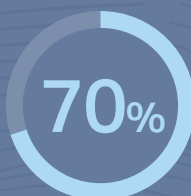


52% agreed their talents and skills are valued and utilised at the AAD.

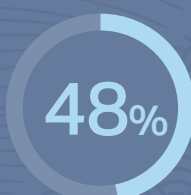


44% of survey respondents felt a sense of belonging at the AAD.

Trust and respect at the AAD



70% of survey respondents did not agree that there was trust between the leadership team and staff.



48% agreed that people treat each other with respect at the AAD.

5.3 In their own words

Some participants noted positive experiences of psychological safety and observed that experiences of psychological safety differ across the AAD:

To date, I have felt psychologically safe to share my views and opinions and always in a respectful manner.

It is highly individualised - everyone's experience of safety is different and localised. It should be a priority for managers to talk and connect with their staff as a default first line of support, but also to have a variety of ways for people to connect with someone to get support so that no one falls through the cracks.

The AAD is a very supportive, flexible, and safe workplace.

Others discussed their fear of speaking up and what they have observed and experienced in the workplace:

People watch others, and you realise where they end up. It's not worth the risk.

Who goes down south is held over people's heads, making it psychologically unsafe to call out anything.

There is a top-down lack of communication and bullying, with the health and wellbeing of people coming second. I genuinely believe the AAD is not providing a psychologically safe environment.

People are too scared to voice an opinion anymore – they see how other people are treated and don't open their mouths.

I didn't feel that I could go on the record with any of this stuff because it was quite clear anything I said would get back to them, with consequences for speaking up.

I don't know anyone at the AAD who doesn't have a growth mindset and is open to change. But people don't feel psychologically safe to have an opinion.

This is behaviour modelled from the top down, and unfortunately, our current leadership team have reacted in ways that do not engender psychological safety. In response to raising issues, our leaders label one as "difficult"; they bully the individual, instigate disciplinary action, dismiss, sideline, and publicly display a lack of acknowledgement of the person. Gaslighting has become increasingly popular. Very few people would be willing to call out poor behaviour or express that they are struggling for fear of retribution.

Please, we need your help. So many people are incredibly stressed; many have reached burnout, others have just up and left, and so many of my colleagues sit in their cars and cry before entering the building. Our systems do not work with the current broadscale and deep personal injuries and issues within the AAD.

My immediate team leader and manager are absolutely wonderful. We have a great team full of respect, sharing of information, laughs, fun, mistakes, helping each other, and we like one another. The AAD Executive are absolutely the opposite, and it's so obvious. They are totally dysfunctional, with bullying behaviours, disingenuous, and they don't care who they tread on or how people are treated, particularly when there's a problem. They're defensive and turn away from the hard stuff. Very poorly led, and behaviours aren't called out or disciplined in any way. They turn on each other, and it's incredibly unhealthy. We all see it, and yet it still goes on.

I recently attended a leadership training course, and I have never heard so many of my peers talk about issues with psychological safety before. This is a widespread issue across the organisation, with pockets where it is worse than others.

Psychological safety, or lack thereof, is without a doubt the number one issue for the AAD, in my opinion...the spotlight needs to be placed on why people are leaving in droves and why people are going off on stress and not returning to work ever again and why there's no support when you do need leave due to stress. It's really at a crisis point where if the division isn't careful, there will be some dreadful consequences. Don't keep letting this happen.

Ideas and issues tend to be shot down quickly without considering the viewpoint of the person suggesting and without enough consideration of how the division could be working to be more inclusive and diverse. There are positive voices in leadership and management. Still, there remain dominant behaviours and voices in senior positions that override and create unsafe working conditions, even for those in the Executive team. I left my substantive position in my previous branch, partly because of bullying and harassment that was being experienced by my colleagues. I did not feel psychologically safe to raise this issue with my branch manager as I feared repercussions for me personally, e.g., because of being perceived to be in an 'alliance' with staff that are clearly in the bad books.

Some described direct examples of the impact that a lack of psychological safety has, and the immediate need to prioritise the mental wellbeing of staff:

[Name removed] came and stood in the doorway to the office that I was solely occupying. He was annoyed with a request from the department and told me to "send them this response", at which he proceeded to put his middle finger up at me. At the time I was surprised at his actions and felt threatened by that level of aggression and disrespect from a senior staff member. I did not call him out due to the power imbalance between my position and his and because of his demeanour at the time.

Unfortunately, mental health considerations are still seen as a secondary consideration, and the way management carries on, it seems that mental health is treated as an annoyance that stops work. I think this is dehumanising, and I am surprised this behaviour is legal.

There was a great deal of discussion among participants about what needed to be improved:

A feeling of safety could be strengthened by leaders being more engaged with staff and more open to feedback and suggestions. The organisation needs management to either: (a) get out of the way or (b) do more than pay lip service to psychological safety. Management purports to value psychological safety and does so until a tough decision needs to be made; from what I see, psychological safety is, at best, secondary.

Standards and behaviours that enable psychological safety should be displayed at all managerial levels. Individual staff who miss-step need to be pulled up so that others can feel safe.

Individual staff should have a mechanism to express views and opinions – the best approach for all people will be different.

I think psychological safety must be built-up slowly by constant examples of people being able to go to managers without adverse effects. We need to continue to emphasise respect for all staff.

“

We need accountability for people who contribute to psychologically unsafe environments.

”

We need to find a way to make our work more collegial across the AAD. Otherwise, it feels like we have good psychological safety in our immediate team. Still, across teams and branches, there seems to be competition (for respect, resources, people etc.) that makes for very little psychological safety between teams/branches.

To be 'valued' does not mean staff seek glory, formal recognition, or pats on the back. Staff want to be part of a cooperative, collaborative, collegial, nurturing workplace where their experience is respected and genuinely harnessed to do things better and achieve more outstanding outcomes.

We need to build a maturity that accompanies the right to be respectfully heard, and that is a culture that does not require an idea to be implemented or acted upon in the way the person articulating it wants. We have a bit of a culture that not getting one's way is somehow disrespectful or psychologically challenging. If we could have more mature exchanges, safety would be enhanced - managers might feel more able to hear and staff more able to speak frankly.

[We] need a more collegial atmosphere where different views and values are respected. Also, there should be no fear in raising valid organisational issues or concerns. Psychological Safety needs to be taken out of the HR environment and made a WHS issue.

Others spoke of the need to not only create the conditions for psychological safety, but for managers to act when issues are raised:

When you do speak up, management are all concerned and agree but does nothing. Often, I hear about poor behaviour being reported (those in leadership roles and down to Expeditioners on station). But then nothing happens, poor behaviour continues, good people leave, and the cancer that is poor behaviour spreads. It makes me very angry.

Management actually needs to do something. I am miserable here – I have voiced it – why it is happening, what the triggers are, who does what – and nothing happens.

Many people feel burnt out, alone and unsupported – this does not enable staff to feel safe in coming forward or standing up against inappropriate behaviour, particularly when staff feel that there are no repercussions for inappropriate behaviour and, in some cases, it is actually rewarded.

“

Staff need more options to voice concerns without fear of repercussions, and there needs to be evidence that concerns and complaints are actually taken seriously.

”

When staff approach their manager in the workplace to express concern for their psychological safety, it would be appreciated if the managers took the time to listen and try to understand the issues. Without this, the culture will never improve. When staff raise issues, they are ignored or deflected so that it becomes about COVID rather than psychological safety.

Some staff also spoke of intense workloads and ever-changing priorities having detrimental impacts on their wellbeing and the lack of support or options to safely talk about the stress they were experiencing. Greater connection, better relationships with leaders and more understanding of psychological risk factors to wellbeing in the workplace were routinely discussed as part of the solution:

There needs to be an acknowledgement that people have breaking points. We seem to burn someone out until they're broken, then replace them with the next one.

Ensuring that managers and colleagues support each other through tough times when the stress from work can become overwhelming. Ensuring that personnel are not working too many hours. Not sending and replying to work emails out of hours and over weekends – particularly managers, who should lead by example.

“

Given cultural issues and change, everyone from the executive down needs the time and space to connect. For example, spend time getting to know the staff and listening to them, undertake good quality performance management, listen to people who are struggling and give them appropriate support. We need a glut of support in all forms (human-to-human, staff-manager, reporting mechanisms, EAP-type access, L&D), but instead, it seems meagre, and there is never time.

”

5.4 Conclusion

Against this background, the AAD should make building psychological safety an urgent priority – a clear and significant focus on inclusion and respect is required. As a result, the leadership model deployed across the organisation must be rethought, with leaders modelling inclusive and respectful behaviours, encouraging individuals to speak up and recognising and rewarding a respectful ‘call it out’ culture. People must be empowered to challenge power and hierarchy to create continuous improvement and minimise harmful workplace behaviour.

A shared understanding of the behaviours that drive psychological safety and visible action arising from bringing these concerns forward is required to enable this. A shift in defining workplace safety to incorporate physical and psychological risks is needed, with psychological safety monitored and risk mitigated in the same manner physical safety has been attended to in the workplace.

6. Everyday sexism and gender inequality

In 2022, the AAD released an executive summary of the report *'Diversity, Equity and Inclusion in the Australian Antarctic Program'* (colloquially called the 'Nash Report'), which focused on participants' experiences working at Kingston and Antarctic worksites. The report called out gender inequality (and a broader lack of diversity) as having a significant impact on women's experiences at the AAD.

It is not intended that this Review revisit previous work on this subject matter. However, it was evident from the feedback generated during this process that there is some lack of understanding within the AAD of the impact that gender inequality and a lack of diversity, in general, can have on culture, impacting women's opportunities, experiences, and careers.

Everyday or casual sexism, gender inequality, and abuse of power – key risk factors for sexual misconduct, including sexual assault – are critical to understand and address if a workplace is to eliminate harm. Without this, attempts to 'fix' issues such as sexual harassment will fall short. Research is unequivocal that gender inequality in the workplace can lead to various adverse outcomes for employees, including lower pay, limited career advancement opportunities, and increased risk of harassment and discrimination. These factors can contribute to a hostile work environment for women and negatively impact their physical and mental wellbeing.

Despite the evidence presented in the previous study as well as through a body of broader research, the Review found that there exists a level of disbelief, a downplaying of the issues, and for some, a view that the issues of gender discrimination and sexual harassment are no longer prevalent and are relegated to history. Further, it was concerning that some believed that the AAD was no worse or better than the rest of the Australian community, serving to normalise and minimise experience of harm.

It is an uncomfortable truth that the AAD is not yet in a post-sexist, post-harassment era. To transform AAD's culture and employee experience, the AAD first needs to recognise and understand gender inequality in the workplace, how this has impacted women working at the AAD, and then actively remove the elements of inequality and discrimination that persist.

For most women the Review spoke to, their lived experiences of the AAD involved aspects of everyday sexism, impacting their ability to thrive. Everyday sexism refers to the subtle and ongoing discrimination and marginalisation of individuals based on their gender. It can manifest in various ways, such as gender stereotypes and unconscious bias. Everyday sexism can be challenging to identify and address because it is often subtle and normalized. At the same time, the harm that everyday sexism causes can be cumulative, significant, and long-lasting.⁶⁰ 'Microaggressions' is a term that is also often used to describe everyday slights that may appear small when isolated but indicate patterns of inequality over time.⁶¹ Microaggressions are often a feature of people's experiences of everyday sexism.

Sexual harassment occurs across a continuum of behaviours that can begin with everyday sexism. Researcher Nevilles-Sorrell writes that:

*'Sexual violence (of which sexual harassment is a form) is an outgrowth of the larger issue of sexism. To have an impact on sexual violence, a community must take steps that address smaller issues as they relate to the larger issue.'*⁶²

60 For further research exploring the impacts, including the impact of everyday sexism in STEM, see Beatrice Alba, 'Everyday sexism & women's mental health' *La Trobe University* (Blog Post, 2019) <<https://www.latrobe.edu.au/news/articles/2019/opinion/everyday-sexism-and-womens-mental-health>>.

61 Pat K Chew (2021), 'Hiding Sexual Harassment: Myths and Realities', *Nevada Law Journal* 21, 1223.

62 Jeremy Nevilles-Sorell, 'Understanding the Continuum of Sexual Violence', *Mending the Sacred Hoop* (Web Page, 2016) <<https://mshoop.org/wp-lib/wp-content/uploads/2016/07/Understanding-the-Continuum-of-Sexual-Violence.pdf>>.

Research indicates that everyday sexism can take many forms, including:⁶³

- ➔ Insults masquerading as jokes
- ➔ Devaluing women's views or voice
- ➔ Role stereotyping
- ➔ Preoccupation with physical appearance
- ➔ Assumptions that caring and careers don't mix
- ➔ Unwarranted gender labelling
- ➔ Microaggressions
- ➔ Social exclusion and exclusion

The Champions of Change Coalition has conducted extensive research on everyday sexism. Their report, *We Set the Tone: Eliminating Everyday Sexism* observes that everyday sexism is:

“...the little things, said or done in a moment, that play into stereotypes of gender. Perceived as too small to make a fuss about, we let it pass. At other times there is no question that it oversteps the mark. In our contexts, everyday sexism also comes into play at critical decision points affecting the progress and careers of women and men, influencing who to appoint, develop, sponsor, reward or promote. Everyday sexism is frequently invisible and often accepted. Because it is hard to speak up when it occurs, it continues unchecked.”⁶⁴

Any workplace that wants to better prevent and respond to workplace harm, including sexual harassment, must listen and learn from women's experiences of discrimination. However, these experiences have primarily not been heard or addressed in the AAD's male-dominated, competitive, hierarchical environment.

Women the Review spoke to also wanted to convey many positive experiences of working with male colleagues, such as this participant:

Most of my mentors at the AAD have been men. I felt equally supported by my male colleagues as my female colleagues.

However, a general theme running through the commentary is that you must be a certain 'kind' of woman to be successful at the AAD – often tough and with resilience to machismo or hyper-masculine behaviour. This unspoken cultural norm makes it difficult to call out inappropriate, disrespectful, or non-inclusive behaviour:

I am not the kind of woman that gets upset about little sexist things. It's a very blokey environment.

I was deemed not tough enough because I complained about the behaviour.

The men on station asked me if I minded if they had porn in the workplace. When I said I did, they said, 'I didn't think you'd be the kind of woman that minded.'

These experiences are affirmed by previous research, which has highlighted cultures of sexism, 'machismo' and gender discrimination in workplaces in Antarctica. In their study of Antarctic fieldwork, Nash et al. conclude that -

*'Fieldwork is an activity that problematically highlights a discipline's masculinist underpinnings [and] the ideal scientific fieldworker is discursively produced as a white, able-bodied, fit man who "conquers" the (feminine) terrain.'*⁵⁵

⁶³ Champions of Change Coalition, *We Set the Tone: eliminating everyday sexism* (Report, 2018), 9-10; Octavia Calder-Dawe & Nicola Gavey (2016), 'Making sense of everyday sexism: Young people and the gendered contours of sexism', *Women's Studies International Forum* 55, 1; University of New Hampshire 'Making the invisible visible: gender microaggressions' (Fact Sheet) <https://www.unh.edu/sites/default/files/departments/office_of_the_provost/Academic_Admin/gendermicroaggressions.pdf>; Diversity Council Australia, *Men make a difference: engaging men on gender equality synopsis report* (Report, 2017), 8.

⁶⁴ Champions of Change, *Disrupting the System: Preventing and responding to sexual harassment in the workplace* (Report, 2020). The Champions of Change Coalition is a globally recognised, innovative strategy for achieving gender equality, advancing more and diverse women in leadership and building respectful and inclusive workplaces. In the strategy, men of power and influence step up beside women leaders. They form a high-profile Coalition to lead and be accountable for change on gender equality issues in their organisations and communities – be they local, national, or global.

Sexism is embedded in the history of Antarctic research in the US, the UK, and Australia, whose explorers and researchers have overwhelmingly been white men. While the first woman known to have undertaken fieldwork in Antarctica was the USSR's Maria Klenova in 1959, decades passed before states permitted women to work regularly on their Antarctic bases.⁵⁶ The first Antarctic scientific team comprised solely of women was formed in 1969. However, the British Antarctic Survey only allowed women to take part in one of their research programmes in 1983, and even after this, the Survey banned women from participating in many of their future projects, and only permitted women to stay in Antarctica over winter in 1993.⁵⁷ In the case of Australia's presence in Antarctica, women were only first permitted to work 'in an official capacity' in the Australian Antarctic Territory in 1975.⁵⁸

Research demonstrates that in this absence of women, non-inclusive behaviours and cultures of 'machismo' have developed in Antarctic workplaces. One study found that women felt or were made to feel by men that they were incapable of undertaking the strenuous physical activity associated with work in Antarctica.¹⁷ Nash et al. note that these impacts on women's ability to participate in physical labour are examples of 'benevolent sexism' 'in which men exclude women or minimise their contributions to "maintain a positive self-image as protectors and providers"'.¹⁸ A culture in which these beliefs and behaviours are normalised can have long-lasting effects on women's careers, as they may not become familiar with important technologies and research methods at the same rate as their male colleagues.

While the number of women in Antarctica has increased since the 1980s, the legacy of this masculinist history is prevalent in the culture of fieldwork today. In particular, sexual harm and sexual harassment in fieldwork are widespread and often normalised, considered 'just one more hardship worth navigating to gather good data'.⁵⁹ For instance, Clancy et al. found that women undertaking fieldwork in STEM disciplines are 3.5 times more likely to experience harassment while working in the field than their male colleagues.⁶⁰ Furthermore, in their study of the experiences of women undertaking ethnographic fieldwork, Hanson and Richards observe a tendency in anthropology to construct 'sexual assault and violence as problems women must learn to deal with if they are to conduct research in social settings structured by patriarchy'.⁶¹

The overwhelmingly masculine history of Australia's presence in Antarctica and tacit acceptance of sexism and sexual harm has profound impacts on women's senses of belonging and wellbeing when working on -station in Antarctica. A 2005 study published in the Australian Journal of Psychology found that gender is a significant factor affecting whether a worker felt they 'fit' with the culture on Australian Antarctic stations.⁶² The same study concluded that 'men [report] better fit with Antarctic station culture than women'. Some 20 years on from this research, this Review found that gender still has a significant impact on the experience of workers down south:

The culture focused on the bar – and the drinking culture that came with that. Women didn't even feel comfortable walking past the bar area, let alone coming in. They had experiences where they felt uncomfortable returning to their accommodation, and they had to lock the door.

I was incredibly upset and disappointed to see the experience that some women were having on station. I thought things had improved.

On stations, I've observed cultures that are deeply disturbing. Hyper masculine with a social culture that centres around the bar.

“

Many colleagues have stories of sexual harassment and assault. But they don't feel they can talk about it because it is such a small community; it would get back to them, and they would work out who talked. And then they would never go down south again.

”

I've probably been blind to things that have gone on. I've always worked with women, but what happens down south? I'm sure there is a whole lot of things that shouldn't happen., and I tend to think I don't really want to know.

To forewarn me of the environment on station and to provide me “advice” prior to heading down, some of the advice [I was given] included:

- *When you’re down South, make sure you don’t wear active wear on station.*
- *Don’t wear anything that is tight fitting*
- *Don’t wear anything that has brand names or logos on it*
- *Don’t draw attention to yourself on station*

Everyday sexism, experiencing microaggressions and exclusion are also present when workplace environments and equipment are not designed to facilitate the presence of women. The suitability of clothing and hygiene facilities for female bodies is a concern in Antarctica. Nash et al. have found that the only field clothing available to women working in Antarctica is designed and made for men’s bodies.⁶⁵ This does not only burden working women – not being able to reliably use equipment in such extreme environments is a safety issue.¹⁹

Furthermore, there are few considerations of the health and sanitary needs of women and gender-diverse individuals. For example, women explained that it was more difficult to urinate in clothing designed for men. This is compounded by the fact that there is little privacy to go to the bathroom, which can increase risks to women’s safety and ‘add unnecessary stress to their already demanding jobs’.²⁰ Additionally, subjects, equipment, and materials related to women’s health and hygiene have historically been treated with shame and secrecy on Antarctic bases, further stigmatising women’s needs and discouraging people from voicing problems related to these issues.

Review participants reported that, especially since the Nash Report, the AAD has begun to address some of these concerns around equipment and healthcare on station. In particular, access to menstrual hygiene items and women’s healthcare on AAD stations has improved recently. However, these improvements have been made on an individual, case-by-case basis. There has been no broad institutional acknowledgement of the gendered barriers in on station environments and equipment and, as such, no holistic approach to overcoming them.

Review participants stressed the importance of organisation-wide action to overcome gendered barriers to equipment and gear in Antarctica:

... I think the most helpful question for the AAD to answer is, ‘does your field equipment discriminate against women?’ Specifically, ‘can women urinate standing up?’, and ‘does the field equipment work as well for women as men in emergencies?’ e.g., does the emergency equipment fit women?

Ensuring inclusive environments and equipment should be an AAD policy priority to properly respect the dignity, diversity, and safety of all people working in Antarctica.

Following is a sample of some of the insights and experiences of female staff across the AAD.

6.1 In their own words

We came from an era of total blokes. That has changed a lot. The attitude has changed, but there is still an element that reinforces that this is a place for men.

I’ve never felt more ‘female’ than I do in the AAD. I’m constantly talked over, with ideas and views not acknowledged until men present them. There is lots of energy that goes into it, and you need to work much harder to have a fair go.

Our workplace is where aggression thrives, where, if you are part of the ‘boys club’, you’ll be promoted and looked after, but most importantly, if you are an older female, a female with strong opinions or a male that doesn’t fit the mould, you are belittled, pushed aside, and persecuted.

Around the office (rather than Antarctica), it is a bit different; it is subtle, being continuously spoken over. We [women] have strategies within meetings where we know that if we go into meetings, we will band together to ensure we are heard.

⁶⁵ Meredith Nash et al. (2019), ‘Antarctica just has this hero factor...’: gendered barriers to Australian Antarctic research and remote fieldwork’ *PLoS ONE* 14(1).

It is really simple here at the AAD. Males get away with behaviour, and women don't.

“

We have a form of “gender deafness” here — where ideas, suggestions, and opinions are overlooked because the voice behind them is a woman.

”

I have noticed an inequitable tasking of secretarial, community, outreach or social duties based on gender.

I can't get traction in conversations with leaders. There are highly competitive men, highly self-interested. They kept talking over the top of me.

Unconscious bias is pervasive. Women are labelled troublemakers because they have an opinion.

We were very focused on gender equity in the beginning. So, you would take things up, and nothing would be done. 'Poor men' in the organisation, and yet they have their behaviour held up as normal.

Gender bias is everywhere; for example - the application process doesn't allow you to put any other information other than that on your CV, so you can't demonstrate your transferable skills from experience living in those sorts of (unique and isolated) environments.

The continuation of a masculine management style despite enhanced gender balance is harmful. Allow all our leaders (male and female) to succeed with a nurturing rather than an adversarial style.

[The leaders say] "We really want someone with Antarctic experience" – but that in and of itself is gender discrimination.

At the moment, the pressure on people who are not male and ex-military to assimilate means we're missing out on a bunch of creativity and innovation.

I have now witnessed on multiple occasions performance management used against female colleagues who were angry at sexism in the workplace and wanted to improve conditions at the AAD – deny, attack, reverse victim.

One Review participant summed up her experience with everyday sexism at the AAD this way:

The best way to explain what it feels like working at the AAD is the following visual model...It's like we work in an airport terminal trying to get to the gate. The gate could mean getting a project up, access to Antarctica, a permanent position, a temporary reassignment of duties (TROD), merit advancement, a seat at the decision table, or just getting appropriate resources to do your job. If you are female, to get to the gate, you must swim through a pool of swamp mud with hidden building rubble thrown in for good measure. It's especially thick mud if you are over 50. All along, you are solving many important scientific questions for society's benefit. If you are really strong, bright, and persistent, you may get to a gate. I've sometimes reached a gate, but now I'm tired and so dispirited.

Occasionally a woman from the swamp pool is lifted out and placed on the travelator. Or they are new to the AAD and are placed upon it on arrival (and they don't know about the pool). But there can't be too many women on the travelator, and there are invisible rules to this contraption (such as being young and media-attractive). But the travelator may reverse or throw women back into the pool, or women might consciously leave the travelator for the collectiveness of the swamp because being on the travelator may not be a safe space when you are not supported by indifferent, even hostile male peers.

If you are confident, straight, white and male, you are not on the travelator, but something better. People tap you on the shoulder and come offering to drive you to a gate in a zippy buggy. Competence isn't necessarily a criteria for a buggy lift, but mateship is, more likely than not. Buggy men are probably connected through cycling, footy tipping or other male-to-male bonding, and this bonding trumps allyship. And mateship blinds our male colleagues from seeing the bias.

Often people will drive buggy men to many gates because if one gate opens, it unlocks many others. Sometimes grenades are thrown into the swamp pool from the buggies and cause irreparable damage to the swimmers. Sciencing is hard for those of us in the swamp pool. Patriarchy and inequity are writ large across AAD's scientific, operational, and other enterprises and seeing the bias is hard from within. Men who do not fit into this toxic masculinity also are often marginalised.

6.2 The 'thicker' glass ceiling – sexism and ageism

Of notable concern to many participants in the Review was how gender and age intersect at the AAD, creating challenging conditions for some women. There was a strong perception that women of a 'certain' (middle) age and experience level are increasingly marginalised and excluded from opportunity and a seat at the decision-making table. The Review also heard from women and men concerned for others who, in their view, had left the AAD unwillingly and/or in distress about how they had been treated during their time there. There was a strong perception that gender equality initiatives that had been implemented were superficial, resulting in older, more experienced women feeling isolated, invisible, and for some, deeply distressed:

There have been a lot of women around my age where sexism meets ageism. I'm watching other women older than me seem to hit that glass ceiling. Not behaving any differently than their male counterparts, but if they spoke up, they were labelled as troublemakers. 'Not very strategic' 'Not a good leader' – what is the metric?

I have seen a mass departure of older women from the workplace (anyone above 40 is considered old), the departure of softer-spoken men or men with integrity; the entrapment of others who have no other option but to stick it out despite the cost to their mental health.

“

I've watched senior women leave in droves. Or be so unhappy that they are silently quitting.

”

You can't solve a gender issue with an ageist approach.

The treatment is a concern for women who have become invisible because they have reached a certain age. What was needed to lift all the women across the division, not certain ones.

6.3 Representation of women across the AAD – key numbers⁶⁶

The AAD staff total 586 people, with those who identify as men numbering 395 (67%), women 179 (30.5%) and non-binary 12 (2.5%). Figure 1 shows the breakdown of genders by branch.

Women are underrepresented in more than half of the branches and within the 'leadership pipeline' – those EL 1 and EL2 roles, as well as the roles that report directly to branch heads – despite progress in gender balance at the Executive (SES) level. This breakdown by level is shown in Figure 2. (Leadership roles defined here as SES, Executive Level 2 and Executive Level 1).⁶⁷

⁶⁶ Numbers provided by the AAD and correct as at 31/10/2022.

⁶⁷ For more information on The APS work level classifications, see Australian Public Service Commission, 'Work level standards: APS Level and Executive Level classifications' (Web Page, 2021) <<https://www.apsc.gov.au/working-aps/aps-employees-and-managers/work-level-standards-aps-level-and-executive-level-classifications>>.

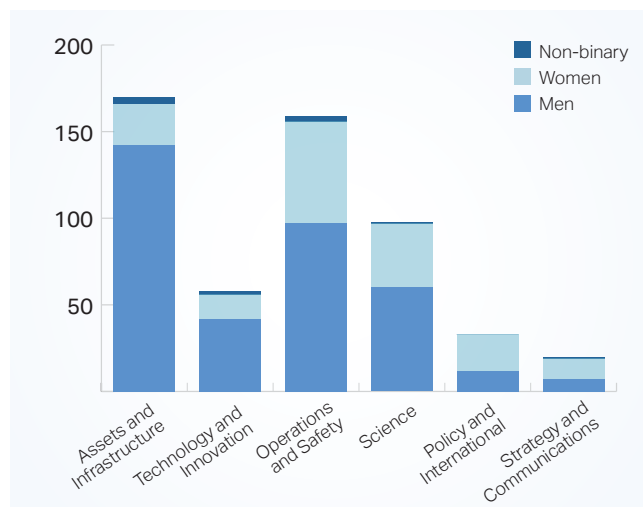


Figure 1. Individual branches by gender composition

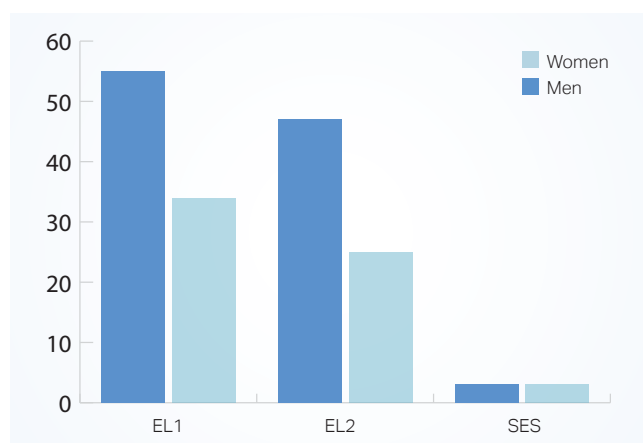


Figure 2. Leadership roles and gender breakdown across the AAD (by APS work level classifications)

Why women in leadership matters

Women in leadership roles bring a diverse perspective to leadership, which can lead to better decision-making and improved organisational performance. Studies show that companies with higher representation of women in leadership tend to have better financial performance.⁶⁸

Specifically, for the AAD, having women represented in decision-making leadership can bring other benefits – they can bring a different perspective and more diverse problem-solving, increased organisational collaboration, and a positive impact on workplace policies that benefit women and men.

However, many myths about women in leadership persist because of gender inequality, including unconscious bias, stereotyping, and the ‘merit trap’.⁶⁹ Creating gender balance and removing the barriers to leadership begins with addressing everyday sexism and discrimination, coupled with a deliberate strategy to increase women's presence in leadership.

The Review heard there is some way to counteract perceptions of women in leadership at the AAD. The go-to in this regard is often to provide coaching or mentor women in leadership roles – but this is no longer considered the whole answer. To drive meaningful change, it is crucial to challenge everyday sexism, address unconscious bias via training, increase transparency in the hiring and promotion process, and measure and report progress.

Gender diversity in the leadership pipeline

While there has been some change in gender balance at the Executive level in the past 12 months, a challenge exists within the roles directly reporting to branch heads. This is an important metric to measure in terms of gender balance in leadership as it represents the talent pipeline available to the Division – those with the necessary skills and experience, as well as specific AAD experience that could be further developed for Executive roles and succession planning. It also indicates that building gender-diverse leadership talent is being taken seriously. In three branches, direct reports to branch heads identifying as women are significantly underrepresented, while two branches have some overrepresentation.

The data below is compelling in identifying that women are underrepresented in key areas of leadership, that is, roles directly reporting to Branch leaders.⁷⁰

- ➡ Technology and Innovation – no women, five men (100% men)
- ➡ Operations and Safety – no women, six men (100% men) with 50% female station leaders
- ➡ Assets and Infrastructure – one woman, five men, two roles vacant (80% men)
- ➡ Policy and International – four women, two men (66% women)
- ➡ Strategy and Communications – two women, one man (66% women)

⁶⁸ Tomas Chamorro-Premuzic, ‘The business case for women in leadership’, *Forbes Magazine* (Article, 2022) <<https://www.forbes.com/sites/tomaspremuzic/2022/03/02/the-business-case-for-women-in-leadership/?sh=408f99069cbb>>.

⁶⁹ For more background on The Merit Trap, see Diane Smith-Gander & Kevin McCann, ‘Avoiding the Merit Trap: how organisations actually pick the best people’, *Australian Institute of Company Directors* (Blog Post, 2016) <<https://www.aicd.com.au/board-of-directors/diversity/gender/avoiding-the-merit-trap-how-organisations-actually-pick-the-best-people.html>>.

⁷⁰ As there are very low numbers of non-binary staff, we have not included them in these figures to ensure confidentiality.

⁷¹ This season there are two female and two male station leaders. This varies from season to season.

6.4 Perceptions of progress on gender discrimination

As gender equity and equality have been on the AAD's agenda for some years, measuring perceptions of progress is essential for determining 'where to next' in any review.

This Review found mixed perceptions of progress on diversity and inclusion and scant hard evidence that employees believed things had improved despite the effort. This is partly due to a lack of clear aims and objectives and the failure to make a compelling case for change made in the first place. Indeed, a seminal moment in the journey seems to be the release of the 2022 report into diversity and inclusion. Internally at the AAD, there is no doubt that this report has served to increase the dialogue about the challenges and pave the way for some solutions, such as the Independently Chaired Culture, Diversity, Equity and Inclusion Executive Steering Committee (CDE&I), the engagement of independent experts to assist with broadening the understanding of diversity and inclusion and developing a thorough Diversity and Inclusion Plan.

However, without underpinning cultural change, increased leadership ownership and accountability (taking a top- down approach to building culture), and higher levels of governance, change will only occur at a glacial pace. For example, the CDE&I Steering Committee is a good initiative put in place to support the development of the CDE&I plan. Still, it relies on Executive members making tasks a priority and driving with their teams, as well as relying on a 'Culture Community' made up of lower-level staff. Therefore, success depends on willingness and time rather than the plan be embedded in every leader's KPIs and accountability levels.

Participants in the Review spoke of mixed perceptions that there had been progress towards diversity and inclusion, and many held concerns about how the changes have been communicated and implemented.

In addition, the Review heard from some participants who were angry and distressed that the research did not match their own experiences:

Certainly, essential discussions have taken place over the past two years. The AAD has made some important immediate changes to ensure stations do not languish behind societal and ethical standards. However, the nature of the change has been quite odd to be a part of. Undoubtedly, the more diverse and inclusive station life can be, the more everyone benefits, but the dialogue has been quite damaging to the culture. Recent predeparture training was excellent - some great perspectives and guidance are now creeping into the discussion. However, the last two years have been defined by sudden directional changes, often attracting media attention, not accompanied by a measured and rational explanation. This is hurtful to the people proud of their work and living immersive months/years in Antarctica.

“

A focus on equity and diversity has been welcome, but actions and implementation are a long way off. The cultural and organisational issues in the AAD are completely blocking the ability of the organisation to progress on the specific gender equity, diversity, and harassment issues we face. Many EL2 and SES managers are paying lip service to values and positive culture while engaging in bullying and harassing behaviour.

”

The rhetoric that framed issues around diversity, inclusion, expeditioner qualities, safety and alcohol was not something I was impressed by. I was riding out this rhetoric with a wintering group, and we were having an excellent season. It was deflating to have our hard-earned and worked for cultural success so publicly shamed and with no acknowledgement of the clear successes from the organisation.

Education, awareness around diversity, inclusiveness etc. – this has been great, and I can really feel a positive change. The MATE Bystander training is very beneficial, and open dialogue that we need to do better to support women and gender-diverse people is better.

Starting discussions about diversity in the workplace has been positive – although I feel AAD only embraces diversity if it is seen as a popular understanding of diversity (i.e. LGBTQI vs people who are introverted or have personal quirks).

“

The appointment of individuals that have openly mocked the AAD's stance on diversity and inclusion into leadership roles has been extremely disappointing.

”

Definitely not the diversity study! With 23 participants, how diverse over a reasonably sized government department is that? Also, no mention of anything to do with First Nations peoples or LGBTQI. Only one mention of homophobic behaviour on station.

The focus on gender and inclusion has done the opposite. It has created a culture of fear and exclusion.

Sexual harassment can't be the focal point of the change management process because it isn't everyone's experience.

“

The Nash Report was not surprising. There has not been one trip to Antarctica where I haven't been sexually harassed. But it isn't different to what I might experience at home.

”

I was honestly shocked at the recent report that expressed such atrocious conditions down on station and that women were treated in such a way, including pornographic material on walls etc. This was so far from my experience that I was upset about it; I had many friends and family contact me about it, either making remarks or asking serious questions about where I work, including my partner, who was led to believe that I work with a grotesque group of men that can't control themselves. This was a very unpleasant experience ... and certainly tarnished my memory of such an amazing experience as it dulled the light of the work [of the] amazing group of dedicated and caring men and women that manage our operations down there.

6.5 Conclusion

Everyday sexism has played a role in shaping women's working experiences at the AAD. While there are efforts on foot to address diversity and inclusion, a deeper understanding of unconscious bias and women's lived experiences needs to occur to drive the CDE&I strategy. Normalising sexist behaviour sets the tone and creates risk for other, more serious behaviours, including sexual harassment. The Review is concerned that gender equality initiatives seem to be understood differently across the Division, and often lip service is paid to challenging the status quo. A disruptive shift is required in this area to make a positive and lasting difference in employee experiences.

7. Harmful behaviour and Reporting

7.1 Sexual harassment

Sexual harassment is any unwanted or unwelcome sexual behaviour or advances, including physical, verbal, or visual conduct, that creates a hostile or intimidating work or learning environment. It can include things like unwanted touching, sexual comments, jokes, or displaying sexually explicit materials. It can also include requests for sexual favours or threatening or retaliating against someone for refusing to engage in sexual behaviour. Legislation and laws all over the world recognize and respond to sexual harassment. Under the *Convention on the Elimination of all forms of Discrimination against Women* (CEDAW), sexual harassment is described as:

*'Unwelcome sexually determined behaviour [such] as physical contact and advances, sexually coloured remarks, showing pornography and sexual demand, whether by words or actions. Such conduct can be humiliating and may constitute a health and safety problem; it is discriminatory when the woman has reasonable grounds to believe that her objection would disadvantage her in connection with her employment, including recruitment or promotion, or when it creates a hostile working environment.'*⁷²

Hierarchical organisational environments characterized by sexual bravado, posturing, and the denigration of feminine behaviour exacerbate this problem. Research demonstrates that sexual harassment is more pervasive in organisations with low acceptance of the challenges of balancing work and family and where the culture is job or performance-oriented rather than employee-oriented.⁷³ Research also records a low level of reporting and a prevailing narrative that women bring false claims.⁷⁴

Studies have also found that male-dominated workplaces with a high proportion of men in high-level positions create higher risks of sexual harassment.⁷⁵

Over the past few years, sexual harassment and sexist behaviour in workplaces have dominated headlines and galvanised movements. Women around the world are speaking out about the unacceptability of all forms of sexual misconduct, which in turn has seen workplaces examine the cultural reset that is required to respond appropriately to this behaviour. As the Harvard Business Review observes –

*'This will require all organisations to put in place new processes and new training. Leaders and managers simply cannot afford to maintain the status quo.'*⁷⁶

The Australian Human Rights Commission's report *Respect@Work: Sexual Harassment National Inquiry Report (2020)* highlighted the prevalence and impact of sexual harassment in Australian workplaces and the failure of many organisations to minimise risks and respond to survivors in practical and meaningful ways. Similar research has been conducted around the world with common findings – that workplace sexual harassment is pervasive; it primarily impacts women; men are primarily the perpetrators, and survivors rarely report the behaviours.

Sexual harassment at Antarctic worksites

Previous research and reports have considered (among other things) the gendered history and nature of work in the Antarctic, the psychosocial factors of living and working in isolated locations, the increased risk of sexual harassment in fieldwork and intense, isolated settings, and the reporting of sexual harassment in the Antarctic workplace.⁷⁷ Cultural sexism, gender bias, the normalisation of sexual harassment, and lack of safe reporting options are common across the research.

⁷² Committee on the Elimination of all forms of Discrimination Against Women (1992), *General Recommendation 19*, para 18 <<http://www.un.org/womenwatch/daw/cedaw/recommendations/recom.htm>>.

⁷³ James Gruber, (1998) 'The impact of male work environments and organizational policies on women's experiences of sexual harassment' *Gender and Society* 12(3), 301; Remus Illies et al. (2003), 'Reported incidence rates of work-related sexual harassment in the United States: using meta-analysis to explain reported rate disparities' *Personnel Psychology* 56(3), 618; Marita McCabe & Lisa Hardman (2005) 'Attitudes and perceptions of workers to sexual harassment', *The Journal of Social Psychology* 145(6), 740; Chelsea Willness, Piers Steel and Kibeom Lee (2007), 'A meta-analysis of the antecedents and consequences of workplace sexual harassment', *Personnel Psychology* 60(1), 127; Lindsey Chamberlain et al. (2008), 'Sexual harassment in organizational context: Work and Occupations 35(3), 262; Stans De Haas & Greetje Timmerman (2010), 'Sexual harassment in the context of double male dominance', *European Journal of Work and Organizational Psychology*, 6, 717; Jocelyn Handy (2006), 'Sexual harassment in small-town New Zealand: a qualitative study of three contrasting organizations' *Gender, Work & Organization* 13(1), 1; Greetje Timmerman & Cristien Bajema (1999) 'Incidence and methodology in sexual harassment research in northwest Europe' *Women's Studies International Forum* 22(6), 673.

⁷⁴ Australian Institute of Family Studies, *Challenging misconceptions about sexual of ending: Creating an evidence-based resource for police and legal practitioners* (Report, 2017), 9.

⁷⁵ Jennifer Berdahl (2007), 'The sexual harassment of uppity women', *Journal of Applied Psychology* 92(2) 434; Cordelia Fine, Victor Sojo & Holly Lawford-Smith (2019), 'Why does workplace gender diversity matter? Justice, organisational benefits, and policy', *Social Issues and Policy Review* 14(1) 15; Mindy Bergman and Jaime Henning (2008), 'Sex and ethnicity as moderators in the sexual harassment phenomenon: a revision and test of Fitzgerald et al (1994)', *Journal of Occupational Health Psychology* 13(2), 154; Amy Street et al. (2007), 'Gender differences in experiences of sexual harassment: data from a male-dominated environment', *Journal of Consulting and Clinical Psychology* 75(3) 464.

⁷⁶ James Campbell Quick, & M Ann McFadyen, 'Bad Behaviour Is Preventable: Manage high-risk employees and stop problems before they happen', *Harvard Business Review* (Article, 2018) <<https://hbr.org/2018/02/bad-behavior-is-preventable>>.

⁷⁷ Meredith Nash et al (2019), 'Antarctica just has this hero factor...': gendered barriers to Australian Antarctic research and remote fieldwork' *PLoS ONE* 14(1); Morgan Seag (2017), 'Women need not apply: gendered institutional change in Antarctica and Outer Space', *The Polar Journal* 7(2), 319; Daniella McCahey (2022), 'The last refuge of male chauvinism': print culture, masculinity and the British Antarctic Survey', *Gender, Place & Culture* 29(6), 751; Meredith Nash & Hanne Nielsen (2020), 'Gendered power relations and sexual harassment in Antarctic science in the age of #MeToo', *Australian Feminist Studies* 35(105), 261; Robin Burns (2000), 'Women in Antarctic science: forging new practices and meanings' *Women's Studies Quarterly* 28(1/2) 165.

In 2022, the US National Science Foundation, Office of Polar Programs and the United States Antarctic Program released *Sexual Assault/Harassment Prevention and Response Final Report (SAHPR)*. The report detailed the experiences of expeditioners and made a number of findings that are consistent with this Review and previous Australian research, including a lack of awareness of the scope of sexual misconduct, a lack of trust in systems to report and provision of adequate response systems, and sexual misconduct not being perceived as a safety issue, leaving alcohol misidentified as the primary culprit for sexual misconduct:

The isolated work settings of the USAP, combined with living in close quarters far from home, creates a complicated dynamic that blurs the boundaries between personal and professional life. This dynamic can make it more difficult to establish clear and appropriate boundaries, intervene as a bystander, hold peers accountable, and/or report unwanted behaviors.

Workplace safety is viewed as a singular priority, and training on safety-related issues is routine. Safety violations are grounds for immediate discipline and retraining.

Yet in interviews and focus groups, it was clear that sexual assault and harassment are not viewed as workplace safety issues. Further, key informant interviews made evident that senior administration felt alcohol was the sole or most significant contributing factor to many safety and violence issues on-ice.

Because of a lack of awareness of the scope of sexual misconduct, sexual assault and harassment are not framed as safety hazards and therefore do not elicit similar attention or response.⁷⁸

Past AAD responses to sexual harassment have been based on similar assumptions that alcohol is involved in most incidents of misconduct. The Review heard that attributing sexual harassment to alcohol consumption has had the effect of neglecting and, in some cases exacerbating cultural problems and sexism in the AAD.

In July 2021, the AAD reformed its policy for the consumption of alcohol on station, significantly reducing the volume that expeditioners could have with them for their stay. While externally, this reform was attributed to safety, internally, the perception varied from this, with participants suggesting that alcohol policy reform was attributed by AAD leadership partly to a need to protect women expeditioners. We heard from several employees that this gave the sense that women were being 'victim blamed' and created a perception that women in Antarctica spoiled the party and damaged other inclusion and diversity efforts.

Many participants of all genders acknowledged the need to take alcohol consumption on-site seriously; however, they felt that the introduction and implementation of the new alcohol policy was harmful.

I know that a lot of women are pretty mad that they were listed as the reason for strict alcohol limits on station – due to high levels of sexual harassment. Rather than calling out the bad behaviour of specific perpetrators, everyone has been punished – probably not the way to go. The strict alcohol limits have created other problems. E.g., people are very protective of their small alcohol stocks, so rather than sharing it and being social, they are always weighing up whether it is a worthwhile time to do so and whether the favour will be returned – hardly a relaxed gathering. People have also become very anti-social, and small problems tend to build quickly when no-one is talking.

Moving to reduce alcohol on stations is really important. The messaging was ham-fisted. 'We need to make women safe'. That is not accurate, but also assign responsibility for the changes.

[The organisation's] knee jerk is to ban alcohol. Why are people tarred with this brush in Antarctica rather than the perpetrators? Women were blamed – it is victim blaming. It has had a huge impact for people on station.

⁷⁸ National Science Foundation (NSF), Office of Polar Programs (OPP) & United States Antarctic Program (USAP), *Sexual Assault/Harassment Prevention and Response (SAHPR): Final Report* (Report, 2022) 7.

⁷⁹ National Science Foundation (NSF), Office of Polar Programs (OPP) & United States Antarctic Program (USAP), *Sexual Assault/Harassment Prevention and Response (SAHPR): Final Report* (Report, 2022) 7.

[Leadership] saying that the increase in alcohol restrictions was related to protecting women [has had a negative impact on culture]. Everyone can be a dickhead on alcohol, and saying it was on behalf of women increases the perception of different genders and makes women come off as "party-poopers".

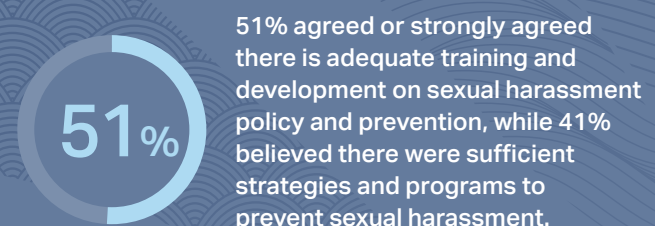
When the [new] alcohol policy was brought in, the communication to the external world was that it was to keep women safe – as though it was basically our (collective) fault because we needed to be protected instead of actually employing responsible adults and treating them as such.

The Alcohol Policy was raised by participants of the Review time and time again as an example of poor change management, with many seeing the change to policy as a superficial way to address sexual harassment. With no data available to assess sexual harassment prevalence (or other harmful workplace behaviour) before or after the introduction of the policy, it is difficult to assess if the policy has had the desired behavioural change. It is noted that the current AAD Alcohol and Drug Policies are currently under internal review, with external support for this from an expert consultant.

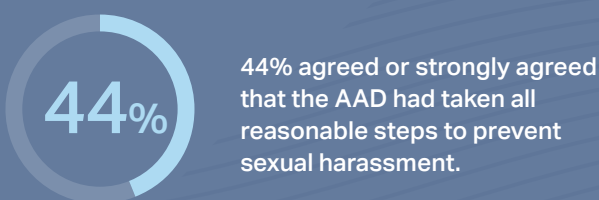
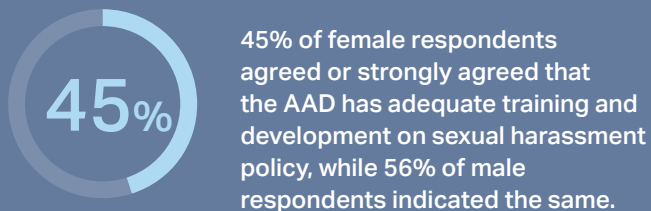
When examining the Review's qualitative and survey data, it is evident that sexual harassment occurs in Antarctic workplaces, and its impacts are significant. A much more comprehensive response to prevent and respond to misconduct needs to be implemented. While it is acknowledged that some initiatives are underway, it remains a concern that workplace harm prevention and response is not a fully integrated work health and safety strategy. Further, there is a prevailing belief held by some Review participants that issues are mainly historical, thus not critical to manage as a present (and ongoing) risk, despite previous national and international research in Polar environments (and other similar isolated environments) that sexual harassment remains a pervasive problem. The desire to demonstrate that complex or difficult issues are no longer part of the culture or had been part of an individual's experience was a feature of some commentary in the Review.

Furthermore, the Review found that survivors have very little opportunity to tell their stories of workplace harm safely, should they wish to do so, and that fostering a 'nothing to see here' culture may compound distress or trauma. In addition, a failure to fully recognise the lived experiences of victim survivors will not allow the Division to understand the impact of sexual misconduct on individuals and the Division as a whole, nor enable it to find new and more effective solutions.

7.1.1 Survey findings – sexual harassment



7.1.1 Survey Findings – sexual harassment *continued*



These results compare with the 2022 United States *Antarctic Program Sexual Assault/Sexual Harassment Prevention and Response Report* (SAHPR Review) which found that:

72% of respondents to the US review survey who identified as women agreed that sexual harassment is a problem with the United States Antarctic Program; **48%** of respondents who identified as men indicated the same.⁷⁹

59% of focus group participants who presented as women 'had a negative experience with sexual assault or sexual harassment, and **95%** knew of someone who had experienced sexual assault or sexual harassment within USAP'.⁸⁰

The SAHPR Review also found that experiences and knowledge of the occurrence of sexual harassment and sexual assault varied based on income levels, with those who made less than 50,000 USD a year more likely to have experienced or know of instances of sexual harassment or assault at work.⁸¹

36% of women and **56%** of men felt that reports of sexual harassment and sexual assault were thoroughly investigated by the US Antarctic Program.⁸²

35% of women and **53%** of men agreed that victims of sexual assault and sexual harassment are supported by the US Antarctic Program.⁸³

26% of women and **46%** of men believed that perpetrators of sexual assault and sexual harassment are held accountable by the US Antarctic Program.⁸⁴

79 National Science Foundation (NSF), Office of Polar Programs (OPP) & United States Antarctic Program (USAP), *Sexual Assault/Harassment Prevention and Response* (SAHPR): Final Report (Report, 2022) 7.
80 National Science Foundation (NSF), Office of Polar Programs (OPP) & United States Antarctic Program (USAP), *Sexual Assault/Harassment Prevention and Response* (SAHPR): Final Report (Report, 2022) 7.
81 National Science Foundation (NSF), Office of Polar Programs (OPP) & United States Antarctic Program (USAP), *Sexual Assault/Harassment Prevention and Response* (SAHPR): Final Report (Report, 2022) 7.
82 National Science Foundation (NSF), Office of Polar Programs (OPP) & United States Antarctic Program (USAP), *Sexual Assault/Harassment Prevention and Response* (SAHPR): Final Report (Report, 2022) 7.
83 National Science Foundation (NSF), Office of Polar Programs (OPP) & United States Antarctic Program (USAP), *Sexual Assault/Harassment Prevention and Response* (SAHPR): Final Report (Report, 2022) 7.
84 National Science Foundation (NSF), Office of Polar Programs (OPP) & United States Antarctic Program (USAP), *Sexual Assault/Harassment Prevention and Response* (SAHPR): Final Report (Report, 2022) 7.

Figure 3 below identifies perpetrators of sexual harassment as reported to the survey, the type of sexual harassment (Figure 4) and if the sexual harassment was witnessed by another person/people (Figure 5).

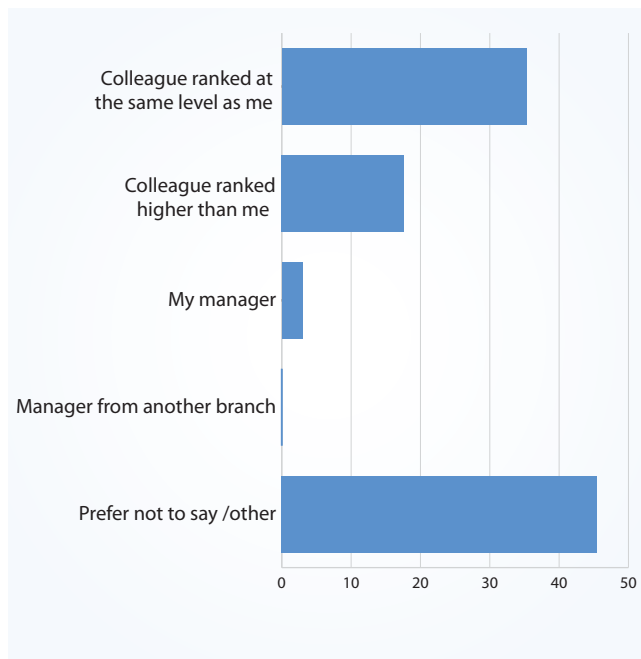


Figure 3. Perpetrators of sexual harassment

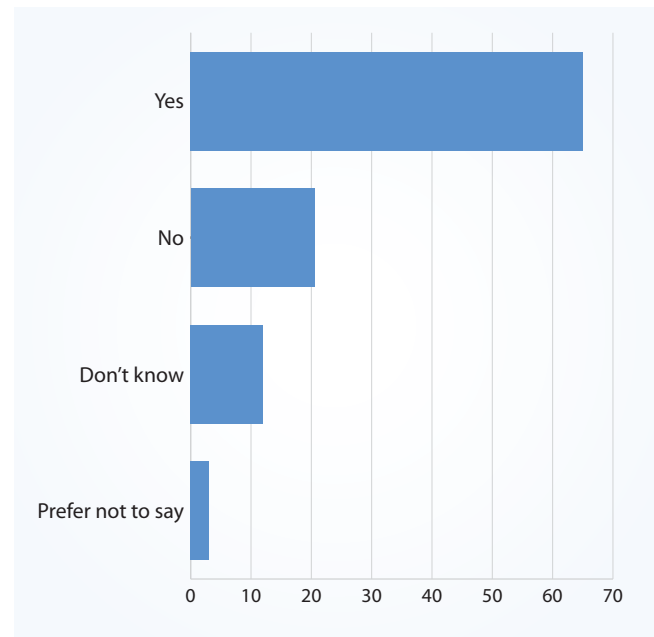


Figure 5. Was the incident of sexual harassment witnessed by another person (or people)?

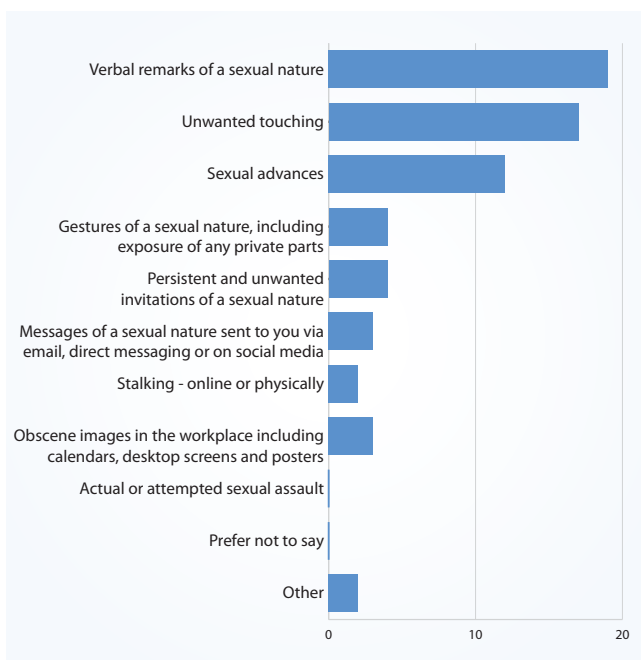


Figure 4. Type of sexual harassment experienced

Figure 6 highlights the number of survey respondents who said they formally reported an incident of sexual harassment.

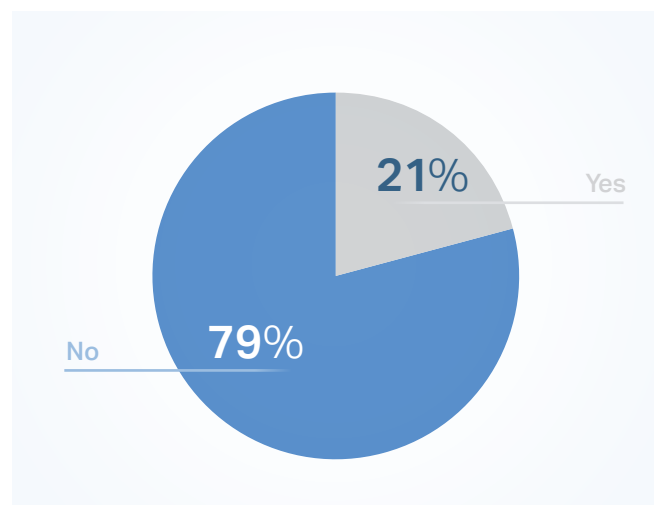


Figure 6. Did you make a formal report or complaint about workplace sexual harassment?

As a low response rate was recorded for the question, *'Who did you report the sexual harassment to?'* these figures are not broken down. Of those that answered the question, there was a range of responses, including reporting to a manager, executive leader, HR manager, Integrity Department or 'other'. If sexual harassment was reported, it was most likely reported to the respondent's direct manager.

For the question *'Once reported, what happened to the perpetrator?'* there were low response rates. As such, these figures are not broken down for confidentiality reasons. The highest responses were *'nothing'*, *'don't know'* and *'informally spoken to'*.

18% of respondents said they had witnessed sexual harassment, while 12% said 'maybe' or 'prefer not to say'. Figure 7 shows the results of those that had witnessed sexual harassment.

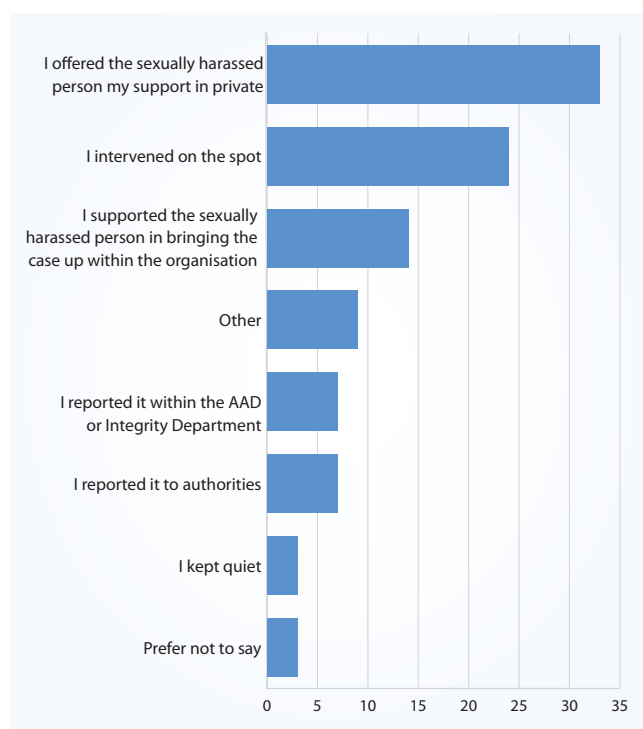


Figure 7. If you witnessed sexual harassment, what did you do?

7.1.2 In their own words

Some employees told the Review that they had neither experienced nor witnessed sexual harassment. However, others, particularly women, spoke of being sexually harassed. This was predominantly the case for expeditioners who spoke to the Review, with the vast majority having never reported their experience. Some experiences were recent, and some were historic (over five years ago). Incidents of sexual harassment and assault were often disclosed for the first time to the Review, with victim survivors holding extreme fear that they would be identified in some way. Both women and men spoke to the Review about their experiences – as victim survivors and/or as witnesses to situations. Of great concern was the volume of participants who believed that if they spoke up, their opportunities to go 'down south' would extinguish.

Some participants described improvements in station culture and positive experiences working in the Antarctic. There were also comments, however, that reflected a normalisation of harmful behaviours:



Sexual harassment – I think things have changed dramatically. When I started going south, it was a bit like the wild west. I was very uncomfortable with some of the drinking and parties going on. Those days have changed dramatically.



Sexual harassment has reduced during the years that I have been here, reflecting its reduction in society - but the insidious - power bullying is rife both in Antarctica and Australia.

The organisation has greatly improved its staff selection and educational processes since I first went south. People can no longer say they do not understand what is inappropriate. This makes it easier to call out bad behaviour. Most people I have worked with are very

respectful and careful about what they do and say. I have definitely always had others stand up for me or say something if something inappropriate occurred. However, there is still a small minority that still seems to slip through the selection process. They know what to say during their interviews, but when living and working with others down south, they act inappropriately. Often their behaviour is subtle; it is not easy for people to call it out without appearing overzealous. Not as frequently, but I have seen women act inappropriately on a number of occasions, so perhaps they need to be educated regarding their behaviour in that sometimes it crosses the harassment line as well.

“

My experience down south was nothing but discipline, fun and a zero-tolerance policy for any attitude that was anti-social, problematic, and especially any misbehaviour of a sexual nature.

”

The current narrative that we have a culture of acceptance is not supported in any way by my experience. Nonetheless, it still occurs, and we should continue to work to reduce this and strengthen systems to deal with instances of it.

While not downplaying the significance of sexual harassment and its impact on individuals, in my experience, the occurrence of sexual harassment, particularly on stations, has reduced over the past 20 years. I have first-hand experience and observations of harassment but also of significant improvements. Cases are more isolated now and not commonplace as they were in the 1990s and early 2000s.

I do not carry these sexual harassment experiences with me. I have so many tools and resources that I use to ensure these experiences do not every happen again nor happen to someone else. I do not carry any victim story or energy. I have processed what is useful to me from these experiences and do not carry what is not useful. As a younger female in the program, I felt much safer and supported working in Antarctica and the AAD than living and working in Australia. I think that came from the family and community feeling of the workplace. I appreciate that everyone's experience is different, and the journey post-experiences is also different. I have been very impressed by many senior leaders in the head office and the Antarctic in how they have dealt with sexual harassment incidents or prevented incidents. These leaders are mentors for me and have had the most profound impact on whether sexual harassment exists or does not exist. I notice differences and improvements from years ago. I notice a more upfront and quicker approach to shutting down sexual harassment. I notice improved opaque and upfront expectations placed on the community. I notice that society is changing too, and we are a reflection of society.

Overall, I believe the culture has been similar to, or better than other male/tradie dominated or remote workplaces I have experienced.

This is not widespread; most people are respectful and decent.

I feel that what I have personally witnessed is no worse than what I have witnessed in Australia (or other places I have worked in the world) that's not to say it is right, but just that until sexual harassment is gone from society at large, there will always be that one person that thinks it's ok to do it.

My experiences are generally confined to historic Station environments where inappropriate behaviour was rife but often no more serious than most women grow up dealing with all the time. What is different is knowing how to escalate and report without repercussions within a remote, closed environment.

Others painted a picture of harm occurring in more recent times. The Review heard distressing experiences of sexual harassment, bystander accounts and observations, sexist behaviour on station and the harmful impact of this behaviour:

I've been there in situations and seen things happen many times. I'm talking not just about a slap on the arse at the bar.

I feel a sense of shame about what I saw happen on station – how did this happen? I'm one of the privileged guys – a middle-aged white man – why couldn't I help more? Why was this stuff allowed to happen?

“When women replicated the behaviour of men (wolf whistling, poor language etc.) to demonstrate the men's behaviour, they were often 'comfy chaired' (equivalent to a performance discussion) by the Station Leader. In one instance, some women were told their behaviour had made the men uncomfortable and they felt violated.

When I was going down south, at the end of each season, each base had an award to celebrate this culture; Casey Station had the Corgie Award (after the Queen's corgies), awarded by the Station Leader to the man who tried the hardest to 'get into a woman's pants' but was unsuccessful. Tradesmen would worry about coming out in the field as they did not want 'the Corgie'. Women were referred to as 'lumpy jumpers', 'Antarctic Princesses' and 'Antarctic 10s'.

When I was working down south, women often took a partner as it was 'easier' than the constant unwanted approaches from men. One colleague described it to me as the 'safest option'. I experienced trusted male colleagues turning into preparators and saw men who supported and defended women subjected to bullying or ostracised by their male colleagues.

“The boys club that operates at AAD is what allows sexual harassment to occur at Kingston and down south as no one picks them up on it, and jokes are still made. Women should feel safe and supported, not made to feel like second-class citizens.

Employees also touched on perceived difficulties in raising sexual harassment if the perpetrator is a female:

The victim in the case I witnessed was a man, and the perpetrator was a woman, so there was a definite hesitance from the victim to actually report anything due to the bias lots of people have for men being on the receiving end of this sort of harassment.

There is a perception that harassment is only "male against female", and this is where the training and awareness focus is placed... I'm confident this is not the case.

7.2 Bullying

Bullying emerged as a constant theme of workplace experience throughout the interviews and written submissions. Distressing stories of bullying and the serious impact it had on participants' lives were frequently raised during the Review. It was apparent that bullying is a deeply concerning issue for the AAD. No single branch, level, or worksite dominated these experiences – the Review heard from participants who experienced bullying across the AAD. Of significant concern was the way these experiences of bullying seemed to have been normalised, despite the toll on individuals.

Defining bullying

The *Fair Work Act 2009 (Cth)* prohibits workplace bullying, defining it as 'repeated unreasonable behaviour towards another person or group which creates a risk to health and safety'.⁸⁵ The act of bullying can be perpetrated by a single person or a group of individuals and can involve:

- ➔ Aggressive or intimidating behaviour.
- ➔ Repeated hurtful or abusive remarks about a person's work, appearance, or an aspect of their identity.
- ➔ Mocking, belittling, or humiliating comments.
- ➔ Exclusion of people from work, projects, opportunities, or work-related events.
- ➔ Withholding information or preventing someone from accessing something they need to do their work properly.
- ➔ Physical violence.
- ➔ Initiation or 'hazing'.
- ➔ Repeated dismissal of someone's work or contributions.
- ➔ Limiting a person's career progressions or opportunities to advance, despite a strong performance history.
- ➔ Victimising someone for reporting misconduct.
- ➔ Written abuse, including abuse on social media.⁸⁶

Reasonable management of a worker (for instance, a performance review or disciplinary action undertaken after a transparent process) is not workplace bullying. A single incident of unreasonable behaviour does not fall under the legal definition of 'workplace bullying'; however, it may be indicative of broader cultural or organisational problems and should not be ignored.⁸⁷

Recently, academic research and cultural reviews have begun to focus on bullying as a phenomenon that indicates underlying structural and cultural issues in the workplace. While previously bullying was understood as an isolated act involving only individual perpetrators and targets, many researchers now argue that bullying is closely related to other forms of workplace harm, including sexual harassment and discrimination.⁸⁸

Bullying at work is often facilitated by the same institutional cultural factors that enable sexual harassment and discrimination, including rigid hierarchical power structures and high levels of competition.⁸⁹

7.2.1 Survey findings – Bullying

The survey revealed that 34% of participants had experienced bullying while working at the AAD. Separated into gender, 25% of men and 43% of women indicated that they had experienced bullying.⁹⁰

Participants indicated that 41% of incidents happened in the past 12 months and 30% 1-5 years ago. Concerningly, 11% said that they were currently bullied.⁹¹ 46% of survey participants indicated that they had witnessed bullying while working at the AAD. Figure 8 shows who was cited as the perpetrator of bullying.

A significant theme from the survey commentary was the fear of speaking up for fear of limiting their career opportunities and/or continuing to work with bullies.

47% of survey participants said they had witnessed bullying and harassment during their time at the AAD. 12% of these witnesses reported the incident to the AAD or the Integrity unit, with most choosing instead to support the impacted person privately (39%) or support the impacted person in bringing the matter up with the AAD (21%).

⁸⁵ *Fair Work Act (2009) (Cth)*.

⁸⁶ Safe Work Australia, *Dealing with Workplace Bullying – A Worker's Guide* (Report, 2016), 4-5.

⁸⁷ Safe Work Australia, *Dealing with Workplace Bullying – A Worker's Guide* (Report, 2016), 4-5.

⁸⁸ Adriana Berlingieri (2015), 'Workplace bullying: exploring an emerging framework', *Work, Employment and Society* 29(2), 342.

⁸⁹ Denise Salin (2011), 'Organisational Causes of Workplace Bullying', in Stale Einarsen, Helge Hoel, Dieter Zapf & Cary Cooper (eds), *Bullying and Harassment in the Workplace: Developments in Theory, Research, and Practice*. Boca Raton: CRC Press, 227.

⁹⁰ Very low numbers of people identified as non-binary in the survey. We have elected not to present these figures to protect the respondents' anonymity.

⁹¹ At the time of the survey – November/December 2022.

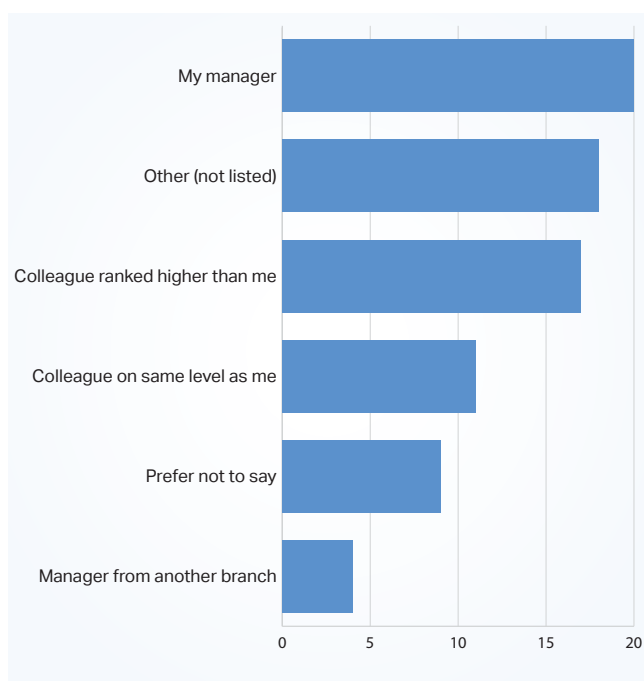


Figure 8. Perpetrators of bullying

7.2.2 In their own words

A small minority who participated in the review felt there were no major issues with bullying at the AAD:

I don't believe it is common, and most people are respectful and decent.

In the past, no effort was made to stop bullies, and I'm confident this is better now.

Its complex as one person's view on bullying varies from another. Australian trade culture has a put-down effect where 'Mates' will criticize each other. In fact, the closer they are as friends, the more they can criticize and put each other down. This can be difficult for other cultures, i.e., scientists, to deal with. I think lately, there has been a focus on harassment at the AAD; even one case is obviously too many and needs to be addressed. But organisationally, this has been blown out of proportion because of one survey with a small sample size. I believe it's not as bad as it's been made out to be, and it has had a negative effect on the organisational culture.

Overwhelmingly, participants spoke of bullying as a significant concern, sharing their direct experiences of bullying; participants often described subtle, covert means of bullying more often than overt/obvious instances:

“Bullying and harassment have had a far more profound and lasting impact on me than instances of sexual harassment. Bullying in the Antarctic has physically put my life at risk. I am not alone in this experience.”

The bullying I have observed and experienced is generally covert or less obvious, and it has generally been verbally, or through body language. It has mainly been in the form of lack of action, exclusion, being talked over, and contributions dismissed, limitations in career progression for individuals who speak up when they think something is not right or when they have an alternate view of leadership.

The bullying is not overt; it is mainly exclusionary in nature due to the cultural differences between the sections; although I have witnessed physical assaults at head office, it isn't the case on station where that would not be tolerated.

Staff spoke of their experiences of bullying in the workplace and being witnesses to such behaviour; considerable distress was reported to the review by both victims of bullying and witnesses. Review participants also recounted one 'hidden' impact of bullying at the AAD, with many stories of people leaving due to bullying. This could not be verified as no exit interview data was available to review. Nevertheless, the Review was told:

I have personally been subjected to or have witnessed in the last 12 months the following – excluding someone or stopping them from working with people or taking part in activities that relate to their work; psychological harassment including intimidation; holding back information which someone needs to do their work properly; continued dismissal of someone's contributions.

I have witnessed bullying and harassment of a colleague – there are few avenues for resolution in a relatively small organisation when the issue is the next two levels upwards in the hierarchy. Formal processes are unlikely to resolve the issue in any way that would be satisfactory or tenable for the person who has suffered the bullying. They have been essentially forced out of the section to elsewhere in the organisation by this behaviour, and this seems to have been one of the objectives.

“Bullying as part of a management style occurs in the AAD. Power imbalances make it difficult to change these behaviours.”

If the person doing the bullying is "important" enough, the management would rather not make an issue out of the inappropriate behaviour. I witnessed the behaviour being reported, and the management dealt with the victim (giving tactics to deal with the bullying behaviour) instead of addressing the behaviour.

In Antarctica, I would argue that the main form of harassment is power bullying and can be of any gender. The AAD constantly find station leaders from the Defence Force and the Police Force, which doesn't help.

Despite our staff survey results identifying many people have experienced bullying or harassment, our branch head refuses to acknowledge it (let alone say we need to do better). When we can't even have a conversation about the fact that it is happening, things are really broken and give staff little optimism for change.

“The main reason I really wanted to talk to you is witnessing bullying and degradation of staff. What I witnessed with this bullying was appalling. I wouldn't have been brave enough to speak to you if I didn't witness this bullying. I feel I can't stay silent any longer. It's taking a huge toll.”

I'm being intimidated and bullied. I try to speak up on decisions, and there are repercussions for that.

I've experienced horrendous bullying behaviour and reported it through the debrief process, but I never heard what happened to that feedback. There is no formal way to know that action has been taken or follow-up.

Bullies have not been dealt with effectively enough. People 'leave early'.

I've seen a senior leader lose control at staff members, and it has destroyed these people.

I've seen people bullied into taking stress leave. It's appalling.

7.3 Workplace harm reporting and accountability

Effectively preventing and responding to sexual harassment, discrimination, and bullying requires three actions and conditions – practical and ongoing training and development to set the standard and build awareness of workplace harm; transparent, trusted, fit-for-purpose reporting systems; and consistent, robust accountability processes.

Reporting cultures are essential for monitoring safety and learning continuously so that people feel safe at work and have a reliable source of support when they experience harm.

A reporting culture – where employees feel comfortable and are encouraged to report workplace harm without fear of retaliation helps to identify and address problems early on and before they escalate. It also promotes transparency and accountability within the organisation and can create a more positive and safe work environment.

7.3.1 Current reporting systems and findings

There are a range of options available to AAD staff to report workplace harm. These include a direct manager or HR; and the Integrity unit of the DCCEEW. The Integrity unit (based in Canberra) manages integrity risks in three ways – advice to teams/leaders/individual staff members of the Department; prevention through proactive engagement and education; and response to issues, including by investigating and finding ways to resolve concerns locally.⁹² For staff at the AAD, there are two ways to engage the Integrity unit – a hotline or a dedicated email address. AAD staff can anonymously disclose an incident of workplace harm to the Integrity Team. Should an investigation be required, a member of the Integrity Team will undertake that action or ‘where appropriate’ engage an external investigator with relevant expertise.

The Review found that despite significant expertise with the Integrity unit, many incidents of workplace harm were simply not being reported, nor were they being reported to other avenues (such as the HR team in Kingston). It also found that current approaches (of calling or emailing an unknown ‘department’ based in another state with no local presence) required a deep level of institutional trust that is lacking at the AAD. Many participants spoke of reporting being ‘encouraged’ through words but not actions. Coupled with the low levels of psychological safety and a separated culture, there was very little confidence in the current system. The inability to make an independent report of workplace harm was abundantly clear.

Further, managing workplace harm using trauma-informed (or person-centric) approaches should be significantly improved. While participants spoke of the caring, empathic response to a report, many more spoke of a ‘second injury’ – that endeavouring to make a report left them re-traumatised and in further distress. People leaders require training and development on understanding and applying a trauma-informed approach, with this approach integrated into reporting systems. At the end of this section, there is an explanation of the trauma-informed approach.

For those working on station, Antarctica’s unique and isolated work conditions also need to be considered. A lack of privacy, the reality that you may need to live with a perpetrator in close quarters for many months, and a singular leader in charge of each station adds to the complexity of managing workplace harm and reporting incidents. More accessible reporting options should be integrated into the system, particularly to make anonymous reports (and then communicate anonymously if that is the wish). Monitoring and tracking trend data is also critical so leaders can be proactive in preventing workplace harm, including identifying trends and patterns and utilising data to inform sustainable strategies and interventions.

The Review also heard that the lack of accountability and appropriate sanctions for workplace harm hinders incident reporting. More transparency on outcomes is required to instil confidence that perpetrators of workplace harm will be held to account. This does not mean that confidential information needs to be shared. Nevertheless, some visibility that incidents are being reported, managed, and fair and proportionate sanctions are being consistently applied is required.

Finally, the Review found there is currently a missed opportunity for early intervention. Having appropriate local expertise that individual staff and leaders can utilise to safely discuss workplace issues, seek advice and support, and mediate conflict (as appropriate) can help to better support employees. Many participants in the Review saw calling the hotline and making a report as the ‘last resort’ long after their wellbeing had been negatively impacted.

⁹² Integrity Matters at DCCEEW document provided to the Review.

7.3.2 Survey findings – workplace harm

The survey showed that incidents of sexual harassment are generally not reported or complained about, with 72% of participants who had experienced sexual harassment not making a report.

Participants indicated a range of reasons for not reporting sexual harassment. 'Other' was the most common response to this question (21.15%), demonstrating that the factors contributing to participants' decisions not to report sexual harassment are often personal and complex. Other common reasons for not reporting included resolving the matter personally (17.3%), a lack of confidence in the AAD's reporting system (15.4%), a feeling that the incident was not serious enough for a formal complaint (11.54%) and worry about career repercussions or backlash from colleagues (both 9.6%) Figure 9 identifies reasons for not reporting sexual harassment.

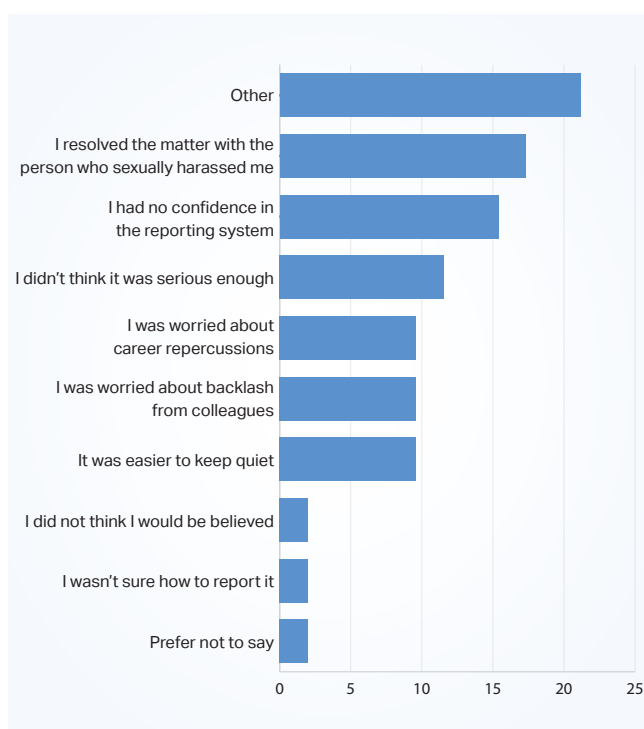


Figure 9. Reasons for not reporting sexual harassment.

Only a small number of participants shared how they reported their experience. To maintain anonymity, there is not a breakdown provided for this question. However, of the responses received, the 'direct manager' was the most common person to whom participants complained of sexual harassment.

18% of participants said they had witnessed sexual harassment, with just 7% reporting the incident to the Integrity unit. Most participants suggested that they offered the sexually harassed person their support in private (33%) and/or intervened on the spot (24%).

Concerning incidents of bullying, 72.5% of participants who experienced bullying at the AAD did not make a formal report or complaint. Of those who did make a complaint, most (31%) reported the bullying to their managers. Figure 10 identifies reasons for not reporting incidents of bullying.



Figure 10. If you did not report bullying, can you tell us why?

47% of survey participants indicated that they had witnessed bullying. Most participants who witnessed bullying did not report the incident. 38.5% offered the impacted person support privately but did not escalate the issue, while 20% of respondents intervened on the spot. 21% supported the impacted person in reporting the matter to the AAD, while 12% reported the incident themselves within the AAD or to the Integrity unit.

As a result of making a report, it was generally unclear what action was taken. Respondents to the question *'once you reported the bullying, what happened to the perpetrator?'* answered 'other – not listed' (54%), 'unsure' (33%) and 'informally spoken to' (12.5%).

The survey found that while 60% of respondents were aware of the complaints process and how to report workplace harm, just 22% said they had confidence a reported incident would be handled well, and 8% agreed the complaints handling process was effective. Figure 11 shows all responses, including 11% of participants who do not believe there are issues of bullying, harassment, or sexual harassment at the AAD.

7.6% of participants who indicated they do not believe bullying, harassment or sexual harassment are issues at the AAD identified as men; 2.9% identified as women.

Participants in interviews and those who made written submissions were primarily dissatisfied with the current reporting system. They spoke of confusion with the process, the protracted length of time that reports took to resolve, and a perceived lack of consequences for perpetrators of workplace harm, particularly senior staff, or those in the so-called 'boys club' as significant concerns. The Review only spoke to a few people who commented positively on the reporting system.

Confidentiality and fear of reprisals were also of considerable concern to participants; many were despondent or had 'given up' considering using the reporting system. It was clear that despite resources being available to the AAD via the Integrity Department of the DCCEE and the HR team of the AAD, the current system is not being adequately used, is not trusted and is not a mechanism that is currently helping to keep people safe in AAD workplaces.

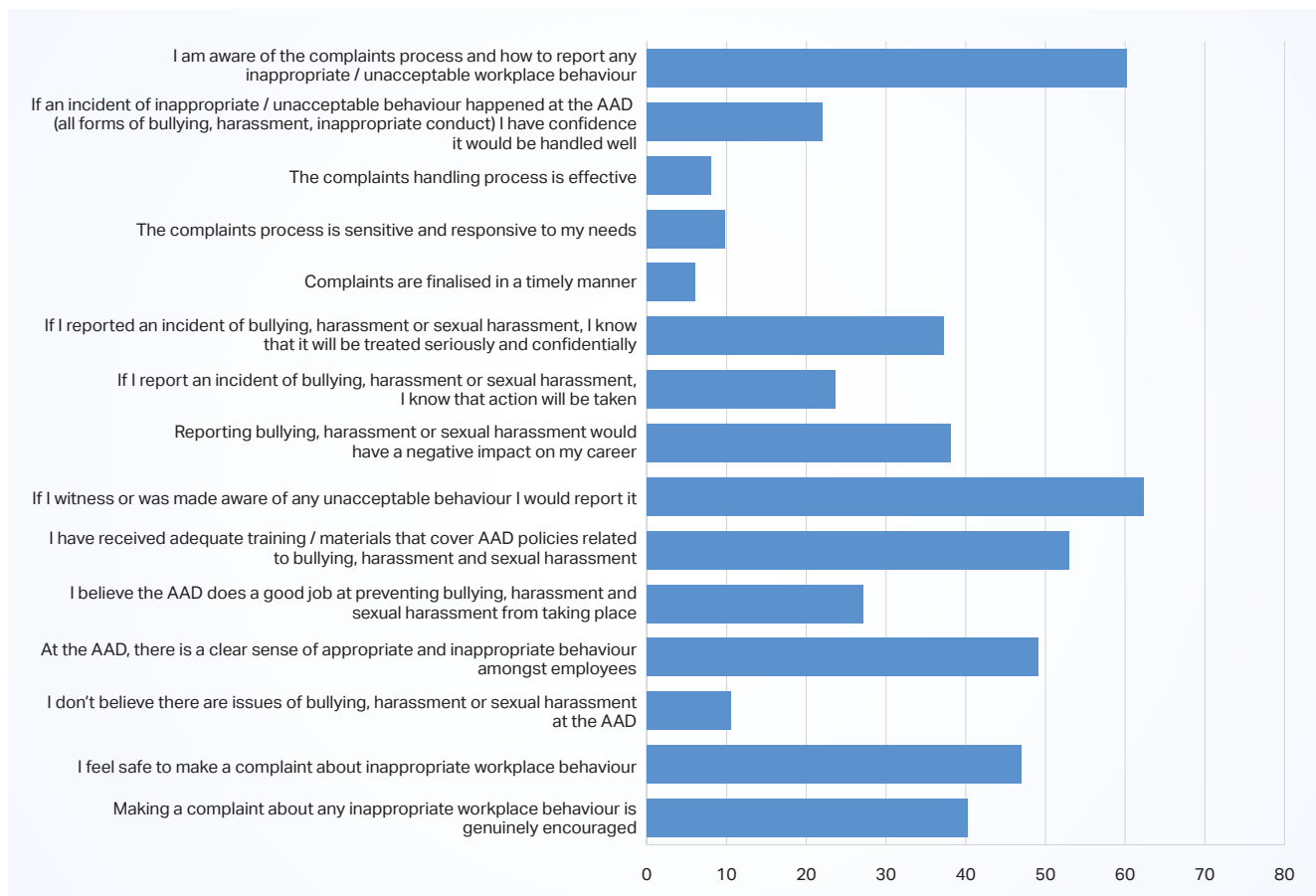


Figure 11. Survey Responses – Reporting and Complaints Processes.

7.3.3 In their own words

I did not feel safe in the AAD and still do not feel safe in institutions aligned with the AAD. The systems are appalling. I raised issues and was treated very badly as a result.

I do not know how to report bullying and harassment in the AAD. This training is not provided during onboarding.

I reported a bullying incident but didn't see any results.

"I called the Integrity Line several weeks ago to discuss what I and many consider blatant incompetence, and in particular, to discuss the treatment of my bullied colleague, but there has been no follow-up or response. We are taught in our by-stander training to call out bad behaviour, so that's what I have done. I hope it leads to some change as I honestly fear for my colleague's health."

There are substantial limitations with reporting when the bullying and harassment involve your direct manager or branch manager. I have seen colleagues limited with reporting via Integrity because they wanted to remain anonymous and refused to name the person involved. There is no confidence that the matter will be addressed, and in a small team, the perpetrator will clearly know who reported their behaviour. It is so much easier to seek work elsewhere when there is a risk of this happening when combined with the other culture issues at the division.

I still have not heard back from them, apart from a couple of 'we'll get back to you next week' a few times. This lack of engagement only adds to the desolate feelings of being cast out and undervalued.

Staff fear reprisals from senior staff/managers when making a formal complaint. EAP is not necessarily helpful in overcoming this issue. In at least one instance, an EAP counsellor warned a staff member not to make a complaint unless they were prepared to deal with retaliation.

"I had to reach down into a very deep well of courage to report my bullying. But nothing happened, and in fact, it got worse."

There is confusion on station about what services are available to report/support for sexual harassment and bullying if the team does not want to go through the station leader. If/when these services exist, they need to be broadly advertised (on physical posters, not just on our intranet blizzline) and ensure confidentiality.

Many complaints/issues with the AAD expos are on short-term contracts. There is a fear of 'rocking the boat' and not being invited down south again. Reassuring people that make harassment complaints that they won't be ostracised from the program for speaking up is important.

"The fact that the formal complaint process goes through the Integrity Unit in Canberra is extremely intimidating to those wishing to make a complaint. I would much prefer that there were members of the Integrity Unit available for one-on-one discussions in-house."

The current system that's in place is not working. I have tried to help a colleague experiencing bullying and was totally underwhelmed by the system. It's not fit for purpose, doesn't in any way support the person experiencing the bullying, leaves people feeling helpless and lost, allows Managers to cover their butts, and gives no natural justice to the person making the complaint. Canberra shuts the process down should you ask questions about the process or the outcomes.

It's all well and good to promote mental health and RUOK day and looking after yourself, but when you need to access the system that's supposed to support you experience another level of trauma on top of the original issue. It's a totally destructive process and one I would never recommend to a colleague having gone through it.

I don't believe there are the right systems, processes, and support in place for people wanting to report bullying and harassment or that there will be adequate consequences. The AAD continues to tolerate inappropriate behaviour.

Any complaint that is logged with the Integrity Unit takes far too long (months) in some cases to resolve. The whole process has a further damaging effect on the staff members impacted, from which they never truly recover.

After making formal complaints and escalating, it makes it much worse. These days I don't have confidence that real accountability is enforced. If a manager of a section is found to have crossed the line, why are the people below them not told? My current Manager has crossed the line with me and others, but no idea if complaint by others have been actioned. I don't have any confidence if I made a complaint, it would receive a fair review.

Managers don't have the pathway or tools to deal with this behaviour. Bullying and harassment can be very subtle (e.g., Microaggressions). So, it is difficult for a victim to report articulately and be seen as valid by managers.

As a contractor, it is very hard to raise issues about the behaviour of the old guard (those who have done many seasons and are part of the AAD family). I know people feel there is no point raising issues because they might be seen as the problem instead and fear that the AAD will back their own or be disbelieving of issues raised.

In Antarctica, it is very difficult to know what actions would be taken if inappropriate behaviour was reported and very difficult to know how it would not adversely affect the person doing the reporting. I have seen incidences of inappropriate behaviour here that were complained about amongst a group of people, yet that person has been hired again several times since.



There is a big push to report inappropriate behaviours, but no one actually knows what the process is after a complaint is made.



There is the perception that the AAD is an old boys club, with certain individuals in leadership roles being immune to repercussions from poor behaviour due to alliances with the members of the Executive and Director. As a result, it seems pointless to complain about such individuals, as the only person negatively impacted by the process would be the complainant.

The position of AAD station leader is very important, and the AAD management gives considerable focus to supporting the authority and credibility of its station leaders in the station community. I strongly suspect there have been cases where station leaders exhibit bullying behaviour, but this is not dealt with because of the risk of this undermining the station leader's authority on station, potentially leading to split station communities and other small community social unrest. This is very complex, but it needs to be analysed and addressed, and better strategies developed for dealing with it.

7.3.4 Building a trauma-informed workplace – do no (further) harm

It is clear from participants that a fit-for-purpose, person-centric reporting system needs to be considered as a matter of priority. This includes considering developing a reporting system that embeds trauma-informed care and response principles, but more broadly, a workplace that understands trauma and seeks to do everything it can to minimise trauma and re-traumatisation. Safety, trust, choice, and collaboration are vital to a trauma-informed response.

A trauma-informed workplace has several elements, including:

- ➔ **Recognising** the impact of trauma on individuals and communities
- ➔ **Responding** to the needs of individuals who have experienced trauma in a way that is respectful and non-judgmental
- ➔ **Creating** a safe and supportive environment
- ➔ **Building** trust and creating a sense of safety
- ➔ **Empowering** individuals to take control of their healing process
- ➔ **Promoting** resilience and self-care

Evidence suggests that the way organisations support people during periods of trauma is uniquely powerful, and the ramifications are long-lasting.⁹³ Academic Katherine Manning explains:

When we are in a period of crisis, many of us look to our institutions to support and protect us. If they fail to do so, or if they take steps that we fear will harm us or those we care about, that can create a second injury, called an institutional betrayal. The term “institutional betrayal” was first coined by psychologist Jennifer Freyd, who describes it as occurring when an institution you trust or depend upon mistreats you. It can arise due to deliberate actions that harm, as well as from failing to act when action is expected. These actions or inactions can exacerbate already-difficult circumstances. Institutional betrayal may arise due to an organization’s large-scale actions, or the actions of an individual, like a manager’s belittling response to a claim of harassment or bias.⁹⁴

The need to care for former AAD employees impacted by workplace harm

The Review spoke to former AAD employees impacted by workplace harm, particularly sexual harassment, and assault. For some, it was the first time that they had shared their experiences and reiterated that given there has been a culture of silence on these issues for so long, with few avenues to communicate experiences of workplace harm safely, it was important to hear all stories and support people impacted by workplace harm that may have happened in the past. In addition, given the Review was time-limited, this may have prevented all former employees from sharing their past experiences. Therefore, it is recommended that previous AAD employees have access to an independent, safe, and confidential service so that they can share their experiences, receive practical support and advice, and, as this Review participant says, help shape future solutions:

Like the Jenkins Review,⁹⁵ I ask that you consider a broader review of AAD culture to allow all women (and men) to have a voice and an opportunity to feel part of the solution. Many women may not have the energy or want to be re-traumatised, but please allow us the opportunity to choose.

Employee feedback – solutions

Many participants offered solutions and ideas to strengthen the reporting system, which are presented below:

I think it needs to be echoed by any supervisor, through the exec, at all levels to ensure that reporting unacceptable behaviour is safe to do and actively encouraged as a way to take care of one another.

[There should be] clear information on how to report inappropriate behaviour – this is not even readily available on the intranet – only WHS incident reporting is easily findable.

Branch heads need to know everyone on a personal level and have a genuine presence within their branches to improve culture and understand the teams that work under them.

⁹³ Katharine Manning, 'We need trauma-informed workplaces', *Harvard Business Review* (Blog Post, 2022) <<https://hbr.org/2022/03/we-need-trauma-informed-workplaces>>.

⁹⁴ Katharine Manning, 'We need trauma-informed workplaces', *Harvard Business Review* (Blog Post, 2022) <<https://hbr.org/2022/03/we-need-trauma-informed-workplaces>>.

⁹⁵ Jenkins Review⁹⁵ refers to: Australian Human Rights Commission, *Set the Standard: Report on the Independent Review into Commonwealth Parliamentary Workplaces* (Report, 2021).

When staff are isolated from higher-ups, there is a risk of inappropriate behaviour occurring without anyone else seeing it.

[There should be] strict repercussions for people being inappropriate at work.

Reduce the burden on those who have experienced inappropriate behaviour throughout the reporting process. As is commonly known, victims of inappropriate behaviour/abuse are often re-traumatised throughout a reporting process. I am not confident that leaders in the organisation genuinely understand and are properly trained to deal with these situations appropriately. I get the sense that people feel statements made by higher-ups on culture/ harassment etc., are largely performative.

Clearer actions and repercussions for perpetrators [should occur]. Thanks and appreciation for reporting [should also occur]. Sometimes I feel like when I report an issue, it is felt as more unwanted work for managers to deal with. Like I've made their life harder. Like I have created a problem for them to deal with. I feel it is not me who created the problem, but the perpetrator of the behaviour and poor decisions/actions by managers for allowing the situation to occur and persist within the workplace.

The establishment of an independent body to lodge claims and review the process for reporting is needed.

Stop sheltering serial offenders who 'are just like that', 'are from a different generation', 'are part of the furniture' and have been at the AAD [for a number of decades].

Without some actual reported outcome - even if it's a quarterly newsletter that says, 'X number of complaints, X resolutions, 1 staff member getting remedial training and has been shifted away from the victim', I'm not going to believe that anything actually happens. Or that victims are protected.

Straightforward guidance on how complaints are handled. Right now, off the top of my head, I would know of the Integrity Hotline as a place to report, but that's it.

Living/working in the same place in a small team requires a fine balancing act between being professional and being able to relax and be social out of work. Some of the team, especially older tradie blokes and return expos, struggle to engage with the culture training and look at it as: "we can't have fun anymore" [and] "I can't say/do anything, or I will offend someone". Perhaps we need to reimagine the training and focus on how people are different and how they would like to be treated and work to give people the skills to have those discussions. It's important for people to be able to speak up and say that topic is inappropriate and also for other people to be able to accept that someone is not comfortable (and be able to take that feedback without feeling like it's a personal attack). The Bystander training was good but probably needs to be conducted in person, not over zoom (I suspect many expeditioners just zoned out instead of engaging). I believe we could be improving and working through many of the more minor cases of inappropriate behaviour at a lower level (instead of having to report) if we gave people the skills.

Focus on the AAD as a whole, not just on stations. Stations seem to have received all the attention when we need to consider stations and head office, and you can't fix behaviours on stations when they're perpetuated by head office staff.

The previous role of HR Advisors was important to the AAD and valuable for staff in that HR expertise and advice were available from a trusted source on site.

Review participants also offered solutions to address the specific issue of bullying, including improving prevention (education and training) and reporting:

[We need] more open and ongoing discussions about it. We must do more than stick a poster up or links to the intranet - it has to be in the open and discussed often.

AAD staff will not report or be very hesitant to report issues to a bunch of faceless people based in Canberra who apparently works for an Integrity Unit. There needs to be the ability to report these matters locally.

“

We need the ability to make anonymous complaints, regular visits and behaviour and integrity audits by independent people, and strong accountability by the leadership of AAD and DCCEEW to act on recommendations.

”

[There should be] transparency of the process; adequate anonymity and protection of those affected or who are reporting a complaint; and clear feedback on outcomes after reporting inappropriate behaviour.

Safety from repercussions [is needed] even when reporting someone senior.

[We need] better resourcing on how to handle less overt forms of bullying, e.g., actions like bullying by excluding someone from opportunities are very difficult to "prove."

If we are going to have more bystander training, then it needs to be more tailored to AAD staff and to provide solutions to situations likely to be experienced at AAD (both in Kingston and on station) - the bystander training we had recently was not adequate.

It [reporting] needs to be handled externally from the AAD for 2 reasons - the familiarity of so many staff at the AAD with each other and the general mistrust of the AAD executive and them being involved in any issues/resolutions.

Upon commencement of a new position at AAD, the policies and processes for reporting such behaviour should be clearly communicated from day 1 (i.e., resources such as links/contact information being provided within any onboarding material etc.)

I don't have the answer for Antarctic stations, but the AAD needs to improve how it handles the case of a report of inappropriate behaviour being made on station. There are several complicating circumstances – there may be no access to the station to remove people from the situation for a long period, there is reduced privacy and a more difficult environment in which to maintain confidentiality, and there are effects on the station community to consider, as well as individuals. In considering these challenging circumstances, the AAD should also consider the potential for particularly sensitive circumstances where the inappropriate behaviour is alleged to have come from someone in a senior station leadership position, such as the station leader or doctor.

[There] needs to be better education on distinguishing acceptable negative interactions and what crosses the line to harassment and bullying. In diverse groups working closely under pressure, not everyone gets on, and I think this is normal. We need better education on managing problems between people, so issues don't escalate.

Though emotionally draining, the bystander training was an excellent course and should be mandatory training for all staff at the AAD (particularly our expeditioners).

There needs to be a clearer pathway to the section on Blizzline reporting bullying and harassment. I just went searching for it, and it took a while to find it through the "report an incident" link in the top toolbar. Perhaps a secondary link in another location that brings you to the same page would be good.

8. Conclusion and Framework for Action

8.1 Conclusion

This Review has examined a range of substantial issues that directly and indirectly impact the culture of the AAD and, thus, the experiences of employees both in Australia and Antarctica. It has examined the perceptions, experiences and impact of sexual harassment, bullying, and discrimination. It has also reviewed psychological safety and the confidence of employees to speak out and report harmful behaviour. Throughout the Review, leadership is considered critical to building a strong, positive, and cohesive culture shaped by respect and inclusion.

The Review identified several positive aspects of the AAD culture, including the significant number of passionate individuals who are deeply committed to their jobs and proud of their contributions to Australia's national and international success.

However, the Review also found areas of culture that required immediate action and reform. The existence of bullying, everyday sexism and sexual harassment is unacceptable. Psychological safety that allows employees to speak up, call out non-inclusive behaviour and report workplace harm must be addressed as a priority. The fear of speaking up was evident at all levels of the Division, from junior to senior employees. A lack of psychological safety was the issue that most participants wanted to have their voices heard on. The Division must avoid making assumptions about culture, harm rates, etc., and monitor workplace progress carefully with such low psychological safety levels.

Similarly, urgent action is needed to address the low reporting levels and limited trust. A fit-for-AAD purpose, person-centric system of reporting is necessary. Due to Antarctica's unique working conditions, people must be able to report safely, including anonymously and informally. To ensure early intervention in situations of workplace harm, expeditioners need various means of leadership and support while working in Antarctica.

Leadership capability to lead and manage diverse workforces needs strengthening. Strong, inclusive, and courageous leadership across the Division will lay the basis for a positive and inclusive culture. Leaders should model inclusive behaviours, including vulnerability, to encourage their teams to speak; where people are empowered to challenge power and hierarchy, and where there is swift and visible accountability for inappropriate and disrespectful behaviour.

Cultural challenges are not unique to AAD. However, the Division's work requires people to be at peak performance. The AAD represents all Australians in a critical role for the benefit of the planet. Therefore, each person needs to be an exemplar in their interactions with each other. This Review encourages the AAD and the broader Department to improve the culture of the AAD to create a team where all employees can thrive and progress. Identifying practices that need to change for the betterment of everyone at the AAD and ensuring the best chance of success on a long-term basis takes courage and commitment.

Before the Review commenced, work was well underway within the AAD to reform and address issues already identified through previous work. AAD people, including key leaders and staff, have readily engaged with this Review, with these recommendations designed to accelerate the process of cultural transformation. The release of this full Report signals a strong commitment by the Department (DCCEEW) as part of this process.

The following Framework for Action provides a roadmap for the AAD to build on its existing and emerging strategies to strengthen people and culture strategies across the Division. Responding to the insights from interviews, written submissions, the survey, and previous reports and data, together with an examination of best practices in other contexts, the Framework sets out several recommendations focused on driving cultural reform through seven key areas:

- 1. Effective governance and oversight to build a culture of respect and equality;**
- 2. Leadership commitment to cultural reform;**
- 3. Enhanced leadership capability is necessary to drive cultural reform;**
- 4. Take a zero-harm approach to workplace health and safety;**
- 5. Develop a holistic approach to people safety and inclusion in Antarctica;**
- 6. Respond, report, and resolve workplace harm through a person-centric approach;**
- 7. Review cultural reform progress.**

The Framework for Action offers an extensive set of recommendations, alongside suggested lines of responsibility. In recognising that any cultural change program benefits from a phase by phase approach, it is recommended that focus and activity begin with leadership and the prevention of workplace harm strategies.

8.2 Framework for Action



Principle 1:

Effective governance, oversight and monitoring to build a culture of respect and equality

Intended outcomes:

- **Strong** and visible governance leadership practices at the highest levels set the tone for the Division.
- **Demonstrate** understanding of responsibilities relating to the prevention and management of harmful behaviours in the workplace through strong acknowledgement from all senior-level leaders.
- **Appropriate** oversight and support mechanisms to build confidence between AAD people and the broader DCCEEW department, ensuring effective implementation and embedding of the recommendations across the AAD.
- **Leverage** the expertise of external, experienced, highly skilled leaders to accelerate cultural transformation.
- **Ensure** culture change progress is appropriately monitored and any concerns addressed.
- **Review** promising practices from other contexts and integrate learnings into AAD strategy.
- **Protect** the safety of AAD people by ensuring contractors understand standards relating to diversity, inclusion, and workplace harm.
- **Improve** data management and integrity to enable more effective analysis and information flow.
- **Lead** collaborative international efforts to reduce workplace harm in Antarctica.
- **Ensure** regular employee consultation with women and employees from diverse groups to better track and respond to employee experiences.

Recommendations:

1A. Leadership Statement of Acknowledgement

The Secretary of the DCCEEW deliver:

- An acknowledgment of the workplace practices and behaviours, alongside the leadership and departmental processes that have contributed to unacceptable workplace harm at the Australian Antarctic Division that:
 - demonstrates a visible commitment to cultural reform and accountability across the Division; and
 - includes a commitment to implement the recommendations contained in the Report.

The Deputy Director of the DCCEEW, Director and the Executive team of the Australian Antarctic Division provide employees with a signed statement that:

- Commits to building a safe and inclusive workplace, including addressing sexual harassment, bullying, and other forms of discrimination.
- Outlines the case for change and their commitment to implement the recommendations in this Report; and
- Includes their reflections on stories contained in this Report.

**Principle 1:****Effective governance, oversight and monitoring to build a culture of respect and equality****1B. Establish the AAD Respect and Equality Reform Council*****DCCEEW leaders:***

- Establish the AAD Respect and Equality Reform Council – a targeted group comprising external experts (these could include leaders with specific experience in building culture and safety in unique and isolated environments; people and culture experts) and people who are internal drivers (for example, not an exhaustive list – Deputy Secretary DCCEEW, AAD Head of Division, People Operations Executive Leader) with an Independent Chair to lead the group.

The AAD Respect and Equality Reform Council:

- Act as an 'advisory board' to provide guidance, advice, direction, and support in relation to the recommendations contained in this Report.
- Have effective oversight of the implementation of other recommendations as identified and accepted before this work (the AAD Diversity and Inclusion Plan as an example). The AAD Respect and Equality Reform Council supplants the current CDE&I Committee to enable effective oversight of all Report recommendations, as well as strategies currently underway.
- Provide the DCCEEW leadership team quarterly briefings on progress (and impediments to progress). This would require the Council to establish performance metrics for progressing cultural change at the AAD and have oversight on regular reviews of progress on implementation of recommendations, evaluate and provide input on further recommendations for continuous improvement.
- The AAD Respect and Equality Reform Council to be gender balanced and representative of diverse leaders coming from a range of areas that may be purposeful to the AAD.
- The AAD Respect and Equality Reform Council is to consider recruitment targets to increase gender and broader diversity across the AAD, that reflect departmental targets.

1C. Develop a more transparent relationship between the AAD and the DCCEEW***DCCEEW leadership and the AAD Executive to reset the relationship and create –***

- Regular opportunities for AAD staff in Kingston to engage with DCCEEW leaders (in person at Kingston and through online forums)
- Identify opportunities to link AAD staff to broader departmental activity
- Remove the signs and symbols of a separate division and physical isolation from DCCEEW. In parallel, increase opportunities to link the AAD to broader department activity on culture (one set of values as an example).

1D. Reform AAD Executive Committee arrangements to clarify what the Committee does, how it makes decisions, and what are collective/individual responsibilities

- The Deputy Secretary of the DCCEEW will review and reform the Executive Committee (currently comprising the AAD Head of Division and SES Branch Heads), including an annual meeting schedule, agenda format and decision-making model to increase efficiency and collaboration between branch leaders, clarity on decisions and accountability for strategy.
- The Deputy Secretary of the DCCEEW is to have a standing invitation to all AAD Executive Committee meetings.
- The AAD Head of Division to place cultural reform on the strategic agenda with clarity between individual and collective responsibilities. The AAD Executives regularly report to their teams on agreed actions and timeframes.



Principle 1:

Effective governance, oversight and monitoring to build a culture of respect and equality

1E. Require all contractors and those tendering contracts for work with the Australian Antarctic Division to have (through evidence) satisfied the need to comply with the Workplace Gender Equality Act (2012)

- The AAD Executive is to ensure, in their respective branches, that all contractors have appropriate WHS plans in place that incorporate workplace harm, including policies on bullying, sexual harassment anti-discrimination, and effective prevention of workplace harm such as training and development for all staff.
- Include mutual access to harmful behaviour data in relevant contracting arrangements subject to contractual requirements.

1F. Establish an international working group to prevent workplace harm in Antarctica

- The AAD Head of Division to develop a plan for Australia to lead international collaboration on preventing and responding to workplace harm in the Antarctic, co-designing people safety solutions with other nations working on improving their Antarctic workplace cultures and responding to relevant reviews and research for continuous improvement.
- The AAD Head of Division / Executive representative reports learnings and potential future strategies to the AAD Respect and Equality Reform Council for consideration.

1G. Develop a monitoring and evaluation framework to collect data on workplace harm, reporting and action within the AAD

- The AAD Respect and Equality Reform Council should track critical indicators and progress against recommendations with a quarterly dashboard, 'Harmful Behaviours Report'.

This KPI report the Council receives should include but not be limited to the following:

- Overall reporting rates with a de-identified narrative on the nature of serious matters.
- The average length of time to resolve cases.
- After raising a report, the number of people who have remained and left the AAD.
- Summary of consequences of substantiated harmful behaviour matters.
- Psychological safety data that is collected via the APS Census Survey (or other surveys). Include contractors in any surveys to ensure views from those on contracts are also listened to and acted upon. Note – consideration may need to be given to implementing (or redesigning) a survey to capture data specifically on psychological safety.
- Diversity representation data, including trends in women's leadership and operational representation, alongside collecting representation data on other forms of diversity.
- The number of people completing relevant training and education.

The Harmful Behaviours Report should be co-designed with *DCCEEW's Integrity Team, AAD's Work Health and Safety specialists, and the AAD Executive.*



Principle 2: Strong and visible leadership commitment to cultural reform

Intended outcomes:

- Build understanding among AAD management of the organisational and individual benefits of a diverse and inclusive workforce, increasing accountability for leaders to drive inclusion and diversity strategy.
- Create an inclusive and collaborative culture where diversity initiatives will succeed, taking a top-down approach to driving culture.
- Address and correct the view that people 'get away with' unacceptable behaviour and that some people are 'untouchable.'

Recommendations:

2A. Leaders across the AAD should visibly commit to safe, respectful, diverse, and inclusive workplaces, including ensuring the prevention of sexual harassment, bullying, and systemic discrimination is a leadership priority

- *The Director and the Executive Team* are responsible for cultural reform, and their performance metrics must reflect their responsibilities.
- *Branch Heads have day to day accountability for implementing diversity and inclusion strategy, including the recommendations of this Report.*
- Strong and visible commitment by all **AAD Executive members** to leadership development and executive coaching to support the implementation of a collaborative leadership model, psychological safety, and trauma-informed response to victim-survivors' sexual harassment, sexual assault, bullying, and discrimination, and deeper understanding of gender discrimination in the workplace.
- *The AAD Head of Division, in consultation with the Deputy Secretary* for each branch head concerning people and culture, with specific reference to diversity and inclusion, for these KPIs to be transparent and for leaders to be held accountable through appraisal by the **AAD Head of Division and Deputy Secretary** annually. The assessment will include direct feedback from branch staff (collected independently / anonymously through 360 feedback mechanisms).
- *Each Executive member* reports twice a year to the **AAD Respect and Equality Council** on their actions to ensure a safe and respectful work environment, with documentary evidence/outcomes of these actions and data taken from the APS Census Employee Survey and/or other employee surveys.
- *All people leaders* to take appropriate action on incidents and reports of harmful behaviours and hold to account those who fail to take appropriate action with reported harmful behaviour.
- *All people leaders* to actively manage the diversity, inclusion, health, and wellbeing of teams, including through regular 'team health checks' and surveys.
- *The AAD Executive* to drive a development program that ensures all staff undertake training with experts in bystander training, unconscious bias, and everyday sexism. This program should include facilitators of all genders and properly consider psychological safety when designing the program.

**Principle 2:****Strong and visible leadership commitment to cultural reform****2B. Structure a people operations function to better support leaders in their people and culture responsibilities**

- Establish an executive-level position of 'Head of People Operations'. The Head of People Operations is critical at the Executive level, ensuring people strategy has equal footing with other AAD functions while supporting Executive leaders in their responsibilities to their people.
- Create a dedicated People Operations function, incorporating people strategy, safety and wellbeing. This function includes carriage of HR, people and culture, equity, diversity and inclusion, learning and development, and staff wellbeing.
- The Head of People Operations works with other branch leaders to strategise with people data; align employee requirements to a broader strategy; oversee effective implementation of the Equity, Diversity and Inclusion strategy; provide on-the-ground HR leadership; and create a comprehensive learning and development program. The broader DCEEW People Strategy, Safety and Wellbeing team and the DCCEEW Integrity Team support this role and branch.
- As part of the People Operations function, consider the (former) role of 'HR Advisor' to provide practical, real-time support for leaders and staff, identifying opportunities for early intervention where appropriate.
- Issues of misconduct brought to the People Operations team would be referred to the independent reporting service (see Principle 5).

**Principle 3:****Enhanced leadership capability necessary to drive cultural reform****Intended outcomes:**

- That the AAD has the requisite skills, capabilities, and emotional intelligence in leadership to drive cultural reform. To ensure all people leaders:
 - Understand their responsibilities relating to the prevention and management of harmful behaviours in the workplace.
 - Take appropriate action on incidents and reports of harmful behaviour.
 - Can effectively apply coaching and facilitation skills in ways that create psychological safety for all staff.
 - Actively manage the diversity, inclusion, and health and wellbeing of teams.
 - Hold to account those who fail to take appropriate action about reported harmful behaviour.
 - Can apply a trauma-informed approach to reports of harmful behaviour.

**Principle 3:****Enhanced leadership capability necessary to drive cultural reform****Recommendations:****3A. Leaders drive inclusive and collaborative leadership practices that foster psychological safety**

- All people leaders are provided with performance coaching, including how to have constructive two-way conversations and provide positive and critical feedback, be aware of bias, demonstrate empathy and develop high-level listening skills.
- People Operations to introduce 360-degree feedback surveys to assist with performance appraisal for leaders.
- All people leaders should undertake training in unconscious bias and trauma-informed approaches to managing workplace harm, including creating psychological safety for teams.

3B. Review and address the structural barriers for women and people from other diverse groups seeking appointment or promotion*The AAD Executive, with support from People Operations:*

- Increase the understanding of the impact of unconscious bias across the Division.
- Review recruitment practices and workplace policies to ensure all leaders incorporate best practices.
- Monitor and measure diverse group representation in leadership roles and the leadership pipeline. Focus on fixing the system, not the individual, through appropriate role design, flexible workplace policies, and part-time or job share arrangements.

**Principle 4:****Prevent workplace harm using a zero-harm approach to health and safety**

The 'zero-harm' approach refers to workplaces intentionally designed to ensure there's little to no risk involved in all operations, with risks actively managed.

Intended outcomes:

- Increase understanding and awareness about workplace harm for all AAD people, creating a culture of safety that includes physical and psychological risk management.
- Further educate and create awareness for all employees on psychological safety, bullying and sexual harassment, their impacts and how to best mitigate and address these behaviours in the work environment.
- Increase the number of people stepping up as bystanders or upstanders and calling out inappropriate behaviours.
- Ensure that future staff and seasonal expeditioners have a sound understanding of the benefits of diversity and inclusion.

**Principle 4:****Prevent workplace harm using a zero-harm approach to health and safety****Recommendations:****4A. Provide leaders with the capability and practical skills to address unacceptable behaviour in the moment and then provide appropriate support***People Operations to facilitate:*

- Expert training and education for all leaders in inclusive leadership and how to demonstrate zero tolerance for bullying and sexual harassment, recognising and responding to bullying, harassment, and discriminatory behaviour. Raise awareness of the impacts of this behaviour.
- Focus on prevention, responses, and the role of the active bystander/upstander.
- Facilitate annual expert training for leaders and workers on respectful and safe workplace behaviour. This includes allocating sufficient time and expertise in pre-departure training for expeditioners.
- Seek advice and input from diverse groups to ensure that all training is culturally safe and inclusive.

4B. Address sexual harassment, bullying and systemic discrimination as a workplace health and safety issue*The AAD Executive to facilitate:*

- Embed workplace harm, including psychological safety, into AAD's risk assessment, management, and hazard control processes, in the same way physical hazards and risks are managed.
- Develop the 'Harmful Behaviours Report' to track better and measure sexual harassment, bullying and psychological safety, and transparently share data similarly to the standard WHS report (see also recommendation 1G).
- Create a safe reporting culture, which includes consistent messaging around the importance of workers reporting harm and ensuring they will be supported when they report.
- Ensure trauma-informed reporting and response mechanisms are in place and that all leaders of people have education in this regard.
- Deliver consistent and proportionate outcomes to those who commit harmful behaviour.

4C. Ensure specialised education is available to all employees across the Division and training for expeditioners tailored to the Antarctic context*People Operations to facilitate:*

- Continue to raise awareness of the nature and impacts of bullying, sexual harassment, and all forms of discrimination.
- Focus on prevention, responses, and the role of the active bystander/upstander.
- Create a positive onus to prevent disrespectful behaviour and workplace harm.
- Education to be ongoing and trauma-informed.

**Principle 5:****Respond, report, and resolve workplace harm through a person-centric approach****Intended outcomes:**

- Increase safety and confidence in disclosing harmful behaviour and supporting impacted people through a trauma-informed approach.
- Address sexual harassment consistently and confidentially and hold harassers to account with responses placing the victim survivor at the centre.
- Build trust among employees that the reporting system is fair and transparent.
- Boost current response capability to provide an end-to-end service to people.
- Provide multiple reporting pathways (covering internal and independent pathways) to increase safety and confidence in the reporting system.
- Ensure responses to harmful behaviour are culturally safe and appropriate.
- Enhance early intervention, reporting and resolution of incidents. Provide support for people leaders, HR or impacted people to get specialist advice when noticing the early signs of harmful behaviour or its impacts.
- Address fear of victimisation, marginalisation, and negative career impacts.

Recommendations:**5A. Making a report is taken seriously by leaders, who guarantee there will be no adverse consequences, including victimisation**

- *All people leaders* are trained to respond to workplace harm through a trauma-informed response.
- Through the Harmful Behaviours Report, actively track the number of people who have remained as well as left the AAD following raising a report.
- *People Operations with support from the DCCEE Integrity Team* to review the Expeditioner Review process completed at the end of each season, voyage, or expedition to ensure that people making reports of unacceptable behaviour or workplace harm are not prevented from further employment in Antarctica. One clear outcome of this process would be to devise a way to better track re-employment processes to ensure those that have been found to have engaged in harmful behaviour are not re-employed to Antarctic worksites.

5B. Strengthen the effectiveness of internal reporting systems and broaden options to report unacceptable behaviour and workplace harm***DCCEE's Integrity Team to devise a new fit-for-purpose reporting system for the AAD.***

A range of supportive, person-centred, and flexible reporting pathways need to be available for staff and bystanders, taking into account the unique working conditions in the Antarctic.

This includes:

- Utilising a reporting portal that is a simple and straightforward 'one-stop shop' that can be accessed anytime, anywhere, through a handheld device.
- Clear options to make an anonymous complaint.
- Options to make disclosures about a person or incident without it being a report that needs to be actioned and/or the option for matters to be investigated later.



Principle 5: Respond, report, and resolve workplace harm through a person-centric approach

- Options to report independently.
- End-to-end support for people (from providing advice, facilitating early intervention, coordination with an investigation and ongoing support)
- Periodic reporting of outcomes in a de-identified manner to all employees, including where preventative controls have failed.

The system needs to capture data from a central data store for the analysis of harmful behaviour reports from across the Division and to enable the identification of and action concerning trends and gaps from de-identified data.

5C. Provide 'on the ground' Integrity unit resourcing at Kingston with increased, known support for worksites in Antarctica

The DCCEEW Integrity Team to expand resources to embed support at Kingston.

This resourcing should:

- Build trust and confidence in the AAD that the Integrity unit of the DCCEEW is a trusted, known, and understood function that AAD people can safely use
- Offer more support and guidance to people experiencing harmful behaviour
- Provide on-the-ground advice and support to leaders to manage incidents of harmful behaviour in the workplace and to appropriately support their people.
- Be part of the expeditioner onboarding and return processes and on call to expeditioners throughout their time in the Antarctic.
- Provide other forms of integrity support and be a conduit between the broader team in Canberra and the AAD teams in Kingston/Antarctica.

5D. Create an external, independent reporting and response option for people to disclose any current or past harm and to seek expert trauma-informed support

Seeking advice from existing trauma-informed support services providers regarding appropriate set-up, the *DCCEEW Integrity Team* should establish an Independent Safe Space that operates as an additional option to existing reporting and response mechanisms available through the Integrity unit of the DCCEEW. This independent operation will maximise trust in the process and encourage more significant reporting, as well as provide wraparound 24/7 accessibility, which is particularly important to those that work in Antarctic environments.

Functions of the **Independent Safe Space** should include (but not be limited to):

- Receiving disclosures (including anonymous disclosures) of workplace harm 24/7 by text, phone call, email, digital reporting or in person.
- Provide wrap-around, trauma-informed, and confidential support through specialist counsellors that are culturally safe and inclusive.
- Provide advice and support on internal (departmental) and independent external reporting avenues.
- The option for historical matters to be raised and acted upon appropriately, as far as practicable.

**Principle 6:****Take a holistic approach to people safety and inclusion in Antarctica****Intended outcomes:**

- Develop a safety culture that equally manages psychological and physical safety risks.
- Ensure appropriate facilities and equipment for all as a precursor to workplace dignity and safety.
- Recalibrate power structures on station to provide expeditioners with multiple sources of leadership and support while working in Antarctic worksites.
- Provide appropriate debriefing and support for all returning employees from Antarctica, irrespective of the length of the trip.
- Better support expeditioners while working in Antarctica, using an experienced network of mentors.
- Prioritise safety, inclusion, and respect for all employees in Antarctica. Ensure the experiences of women and diverse groups are understood and that there is genuine consultation in designing solutions in isolated environments.

Recommendations:**6A. Audit Antarctic workplace facilities and equipment to ensure safety, inclusion, and respect**

- Establish primary guidelines for the design, operation and improvement of facilities that prioritise safety, inclusion, and respect for all employees (including contractors). Policies should be developed in consultation with those using the facilities and consider the needs of people of all genders, racial diversity, sexual orientation, religious and accessibility needs.

6B. Standardise psychological assessments and debriefings for all expeditioners returning from Antarctica (including voyages)

- All expeditioners will undergo psychological assessment and attend debriefings in Kingston after each posting to Antarctica without exception.
- Provide the AAD Executive, and the AAD Respect and Equality Reform Council with a debrief summary report that incorporates (but is not limited to) feedback and issues flagged, WHS reports and a plan to address issues.
- Establish a supplementary (independent) debrief process for women and others from diverse groups currently unrepresented in the workforce, which enable people to speak up in a supportive and confidential environment and away from supervisors or those involved in inappropriate conduct or the handling thereof. De-identified findings and feedback from these sessions to be integrated into broader feedback. *(Responsibility: People Operations).*

6C. Establish a panel of mentors from diverse backgrounds available to support expeditioners while working in Antarctica

- Consideration given to training and developing mentors and developing a diverse panel of experienced people. *(Responsibility: People Operations).*

**Principle 6:**

Take a holistic approach to people safety and inclusion in Antarctica

6D. Devise a new model of on station leadership to decentralise power and have multiple avenues of leadership support for employees and the reporting of unacceptable behaviour

- Establish a two-person model of leadership per station. Both leaders at each station should be highly trained in managing diversity environments (gender, race, sexual orientation, religion, accessibility). This includes the prevention of sexual harassment, bullying, racism, and other forms of discrimination, as well as how to report and manage incidents using a trauma-informed approach.
- Establish a People Operations presence in Antarctica as part of staff teams that work on station.
(*Responsibility: AAD Executive / People Operations*).

**Principle 7:**

Review cultural reform progress

Intended outcomes:

- Create a transparent, continuous improvement approach.
- Monitor and evaluate strategies and be able to correct course as required.

Recommendations:**7A. Undertake an independent review within two years**

- The DCCEEW should establish (with support from the AAD Equality and Respect Council) a follow-up external independent review within two years to evaluate progress on implementing the recommendations made in this Report.
- Before an external review, the AAD Respect and Equality Council should consider an Audit to collate evidence of implementing these recommendations, challenges, and successes in 12 months' time.

9. Promising Practices

Case Study 1: Commonwealth Parliament

In 2021, the Commonwealth Government engaged the Australian Human Rights Commission to conduct an Independent Review of Commonwealth Parliamentary Workplaces. The Review found a culture of gender inequality, sexual misconduct and discrimination in Commonwealth Parliamentary Workplaces and identified several risk factors contributing to misconduct and a lack of accountability for those who perpetrate it. The Review also developed a suite of recommendations to create safer and more equitable cultures, policies, and processes in Commonwealth Parliamentary Workplaces.

The case of Commonwealth Parliamentary Workplaces is comparable to the AAD in several ways. For instance, many of the workers who were covered by and participated in the Review were members of the APS who worked closely with Departments, parliamentarians, and their staff and thus had similar work circumstances and cultures to many AAD workers. However, like the AAD, Commonwealth Parliamentary Workplaces also include numerous workers not covered by the APS, including Parliamentarians and their staff and contractors such as consultants, hospitality workers, drivers, security guards, and others.

The diversity of skills and experience of these employees created a complex environment in which to introduce improvements to workplace culture.

Given this complexity, the Australian Human Rights Commission made numerous recommendations which, taken together, aimed at addressing various aspects of Commonwealth Parliamentary policies, processes, and culture. These included the introduction of specific codes of conduct aimed at the different kinds of workers in Commonwealth

Parliamentary workplaces, targets, and other actions to improve gender and other diversity among parliamentarians and their staff, training, education, and professional development around preventing and responding to sexual harm in the workplace, and the establishment of a Parliamentary Health and Wellbeing Service.

As has been heard in this Review, the Independent Review into Commonwealth Parliamentary Workplaces found that privacy and the ability to make anonymous complaints to an independent party were primary concerns for workers. As such, the Australian Human Rights Commission recommended the establishment of an Independent Parliamentary Standards Commission (IPSC), which could receive disclosures and formal and informal complaints about misconduct. The IPSC would furthermore be able to make findings on reports of misconduct and make recommendations about sanctions applied to people who breach any codes of conduct. Crucially, the IPSC should offer multiple ways to report misconduct, from anonymous, informal reporting to formal complaints. The IPSC should also accept historic complaints of misconduct, including complaints about former Parliamentary workers. The Human Rights Commission also recommended the establishment of an independent Office of Parliamentary Staffing and Culture (OPSC) to support parliamentarians and their staff in all aspects of work, including human resources, support, professional development, and training.

The Australian Human Rights Commission's findings were set out in *Set the Standard: Report on the Independent Review into Commonwealth Parliamentary Workplaces*. The Commonwealth Government accepted each of the 28 recommendations made in the report.

Case Study 2: SeMPRO Model of prevention and response

An independent review into the treatment of women and organisational culture in the Australian Defence Force (ADF), led by the Australian Human Rights Commission, was launched in 2011. This review sought to understand whether women are included and supported to thrive at the ADF and the extent to which sex discrimination, sexual harassment and sexual abuse existed in the organisation.

The review found that women are marginalised in the ADF and that the ADF did not have sufficient processes to prevent and respond to sexual harassment and sexual harm. This significantly impacted the safety and wellbeing of women working in the ADF and deterred women from wanting to work for the organisation.

The review recommended that the ADF establish the Sexual Misconduct Prevention and Response Office (SeMPRO) *'to make the system more responsive and to be a central point of data collection and analysis' or sexual harm in the ADF*.⁹⁶

The Department of Defence established SeMPRO to fulfil several roles. SeMPRO's key role is in facilitating appropriate responses to sexual harm; *'to coordinate trauma-informed support to victims and guide commanders and managers in dealing with reports of sexual misconduct in their workplaces in a sensitive manner'*.⁹⁷ In this function, SeMPRO provides immediate and confidential help to people associated with the ADF who have been impacted by sexual misconduct, including current or former serving ADF members and their families, ADF cadets, APS workers for the Department of Defence, and workers for Defence contractors.⁹⁸ SeMPRO runs a 24-hour phone, email and text support service, serviced by mental health professionals and social workers.⁹⁹

Crucially, all SeMPRO services are confidential, and people who access them can remain anonymous if they choose. Using SeMPRO's support does not require that a person make a complaint to the ADF or report to military or civilian police, although SeMPRO can 'guide and support' users if they choose to take any of these actions.¹⁰⁰ As such, SeMPRO does not undertake investigations into incidents of sexual misconduct itself. SeMPRO also offers guidance to users wanting to access health care related to sexual misconduct and assists people who want to support peers or colleagues who have experienced sexual misconduct.

As well as this responsive role, SeMPRO is also the main driver of sexual abuse prevention at the ADF. Through the Department of Defence's Pathway to Change program, which focuses on positive cultural change in the ADF, SeMPRO runs several education and training initiatives to raise awareness among ADF workers about sexual harm and how to prevent it. SeMPRO also undertakes data collection and analysis relating to all known incidents of sexual misconduct at the ADF.

SeMPRO has attracted some criticism. Establishing trust with the Defence community and assuring that the anonymity and privacy of people who contact SeMPRO will be protected is an ongoing task.¹⁰¹ Concerns have also been raised about SeMPRO's definition of 'sexual misconduct', which may preclude people from seeking support for certain forms of sexual harm, such as sexual harassment or discrimination.¹⁰² That said, SeMPRO's focus on prevention and data collection, and the options around anonymity and accessing support it provides users, are reflective of best practice and offers an instructive model for other government organisations.

96 Elizabeth Broderick, 'Review into the treatment of women in the Australian Defence Force', *Australian Human Rights Commission* (Speech, 22 August 2012) <<https://humanrights.gov.au/about/news/speeches/review-treatment-women-australian-defence-force>>.

97 Parliament of Australia Senate Standing Committees on Foreign Affairs and Trade, *Report: Government Response to the Defence Abuse Response Taskforce (DART)*, (Report, 2014) <https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Foreign_Affairs_Defence_and_Trade/Government_response_to_the_Defence_Abuse_Response_Taskforce_DART/Report/c04>.

98 Australian Government Department of Defence, 'Sexual Misconduct Prevention and Response Office' (Web Page) <<https://www.defence.gov.au/about/contact-us/sexual-misconduct-prevention-response-office>>.

99 Australian Government Department of Defence, 'Sexual Misconduct Prevention and Response Office' (Web Page) <<https://www.defence.gov.au/about/contact-us/sexual-misconduct-prevention-response-office>>.

100 Australian Government Department of Defence, 'Sexual Misconduct Prevention and Response Office' (Web Page) <<https://www.defence.gov.au/about/contact-us/sexual-misconduct-prevention-response-office>>.

101 Parliament of Australia Senate Standing Committees on Foreign Affairs and Trade, *Report: Government Response to the Defence Abuse Response Taskforce (DART)* (Report, 2014) <https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Foreign_Affairs_Defence_and_Trade/Government_response_to_the_Defence_Abuse_Response_Taskforce_DART/Report/c04>.

102 Parliament of Australia Senate Standing Committees on Foreign Affairs and Trade, *Report: Government Response to the Defence Abuse Response Taskforce (DART)* (Report, 2014) <https://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Foreign_Affairs_Defence_and_Trade/Government_response_to_the_Defence_Abuse_Response_Taskforce_DART/Report/c04>.

Case Study 3: Responses to sexual harassment in scientific organisations

In the past decade, scientific communities and institutions worldwide have undergone reckonings with sexual harm and discrimination like those experienced by other industries. In response to institutional failures to prevent or respond to sexual harm, several organisations have introduced or updated their policies and processes to more effectively ensure the sciences are safe and accessible to all people. Similar actions to those taken by other academic disciplines and arts and culture industries, many scientific organisations have attached responsibilities around sexual harassment prevention to funding and grant conditions and employment.

I. US National Science Foundation harassment policies

The National Science Foundation (NSF) is a federal agency dedicated to '[promoting] the progress of science' in the United States.¹⁰³ It is the source of approximately 25% of all federal funding for basic research at US universities. It is the primary source of federal support for research in science, technology, engineering, and mathematics.¹⁰⁴

In September 2018, the NSF introduced a term and condition to their funding arrangements that compel organisations to take responsibility for sexual harassment and discrimination. The condition stipulates that all awardee organisations must notify the NSF of '*any findings/determinations of sexual harassment, other forms of harassment, or sexual assault*' that take place regarding personnel supported by an NSF award, including '*the imposition of any administrative action relating to harassment or sexual assault finding or investigation*'.¹⁰⁵ In 2021, the NSF clarified that this term and condition covers not just sexual harassment but also '*harassment based on ethnicity, race, gender, or disability*'.¹⁰⁶

As a major source of science funding in the US, the NSF's condition has considerable reach. When the condition was introduced, the NSF estimated that it would apply to over 2000 institutions and organisations that the Foundation supported.

The condition was introduced as part of a broader NSF project to address sexual harassment and other forms of misconduct in the sciences. The NSF has introduced a condition that any institution seeking NSF support for a conference must '*have a policy or code-of-conduct that addresses sexual harassment, other forms of harassment and sexual assault, and that includes clear and accessible means of reporting violations*'.¹⁰⁷ Additionally, the NSF provides scientific institutions with guidelines and promising practices they can follow to align their processes with best practices.¹⁰⁸

II. UK Wellcome Trust bullying and harassment policy

The Wellcome Trust is a UK-based international grant making organisation that funds '*science to solve the urgent health issues facing everyone*'.¹⁰⁹ The Trust uses a 37.8 billion GBP investment portfolio to fund medical and health research in infectious disease, climate change and mental health.

In 2018, the Wellcome Trust introduced a new bullying and harassment policy that forms part of their grant conditions. The policy obliges all organisations that submit grant applications to Wellcome to have policies in place that set out standards of behaviour for all staff and procedures for handling allegations of bullying and harassment.¹¹⁰ Grantee organisations must investigate allegations of bullying and harassment in an '*impartial, fair and timely manner*', inform Wellcome Trust when a formal investigation is instigated, and keep Wellcome informed on the progress of the investigation.¹¹¹

103 National Science Foundation, 'About NSF' (Web Page) <<https://beta.nsf.gov/about>>.

104 National Science Foundation, 'About NSF' (Web Page) <<https://beta.nsf.gov/about>>.

105 National Science Foundation, 'Term and Condition: Sexual Harassment, Other Forms of Harassment, or Sexual Assault' (Web Page, 2018) <https://www.nsf.gov/od/oecr/term_and_condition.jsp>.

106 National Science Foundation, 'Frequently asked questions (FAQs): Regarding NSF's Award Term and Condition Entitled, "Notification Requirements Regarding Sexual Harassment, Other Forms of Harassment, or Sexual Assault"' (Fact Sheet, 2021) 3 <https://www.nsf.gov/od/oecr/docs/Sexual_Harassment_FAQs.pdf>.

107 National Science Foundation, 'Proposal & Award Policies & Procedures Guide: Chapter II – Proposal Preparation Instructions' (Web Page, 2019) <https://www.nsf.gov/pubs/policydocs/pappg19_1/pappg_2.jsp>.

108 National Science Foundation, 'Promising Practices' (Web Page) <https://www.nsf.gov/od/oecr/promising_practices/index.jsp>.

109 Wellcome Trust, 'Who we are' (Web Page) <<https://wellcome.org/who-we-are>>.

110 Wellcome Trust, 'Bullying and harassment policy' (Web Page, 2021) <<https://wellcome.org/grant-funding/guidance/bullying-and-harassment-policy>>.

111 Wellcome Trust, 'Bullying and harassment policy' (Web Page, 2021) <<https://wellcome.org/grant-funding/guidance/bullying-and-harassment-policy>>.

112 Wellcome Trust, 'Bullying and harassment policy' (Web Page, 2021) <<https://wellcome.org/grant-funding/guidance/bullying-and-harassment-policy>>.

Case Study 3: Responses to sexual harassment in scientific organisations

II. UK Wellcome Trust bullying and harassment policy *continued*

The policy applies to *'all participants involved in Wellcome funding'*, including grant holders, co-investigators, supervisors, research staff, students and consultants. Failure to comply with the policy could result in one of a number of sanctions, such as a formal warning, restriction from future grant applications, banning from supervising PhD students on Wellcome programs, or withdrawal of funding.¹¹³

III. American Geophysical Union ethics and equity

The American Geophysical Union (AGU) supports workers and encourages research in the earth sciences in the United States. In particular, they *'[set] and [promote] standards and best practices, [strengthen] the integrity of published and presented research and [leverage] the earth sciences to safeguard workers and promote the importance of the discipline in American society.*

In 2017, the AGU updated its Scientific Integrity and Professional Ethics Policy to incorporate a new code of conduct to identify *'standards for professional behaviour and ... processes for reporting and addressing violations'*.¹¹⁴ The new code of conduct includes definitions of harassment, sexual harassment, bullying and discrimination and considers these behaviours *'scientific misconduct'*.¹¹⁵ As such, the AGU's Scientific Integrity and Professional Ethics Policy were updated to reflect this decision.¹¹⁶

The AGU was among the first scientific societies to recognise sexual harassment as a form of scientific misconduct that *'harms the individual and the entire scientific enterprise'*.¹¹⁷

Violations of these policies can be reported to the AGU. This can result in sanctions, including removal from AGU positions, retraction of publications or presentations, suspension (including permanent suspension) from publishing with the AGU's scientific journal, notification of misconduct to other journals, expulsion or suspension from the AGU, or the revocation of honours and awards.¹¹⁸ The policies also outline the methods for reporting misconduct to the AGU, although the process does not allow people to make a report anonymously.¹¹⁹

In 2019, the AGU established an Ethics and Equity Center dedicated to addressing harassment, discrimination and bias and promoting diversity and psychological safety in the earth sciences. The Ethics and Equity Center is accessible to all AGU members and members of partner organisations, supporting individual cases of misconduct and assisting organisations seeking to improve their practices around harassment and bias.

Staff at the Center can assist people in navigating different reporting options, and the Center provides members with access to a legal advisor who can consult on issues of bullying, discrimination, sexual harassment, or other forms of misconduct.

¹¹³ Wellcome Trust, 'Bullying and harassment policy' (Web Page, 2021) <<https://wellcome.org/grant-funding/guidance/bullying-and-harassment-policy>>.

¹¹⁴ American Geophysical Union, *AGU Scientific Integrity and Professional Ethics* (Policy, 2017), 3.

¹¹⁵ American Geophysical Union, *AGU Scientific Integrity and Professional Ethics* (Policy, 2017), 3.

¹¹⁶ American Geophysical Union, *AGU Scientific Integrity and Professional Ethics* (Policy, 2017), 3.

¹¹⁷ American Geophysical Union, 'New AGU Ethics and Equity Center to combat sexual harassment, bias, and foster a positive work climate in the sciences' (Blog Post, 2019) <<https://news.agu.org/press-release/new-agu-ethics-and-equity-center-to-combat-sexual-harassment-bias-and-foster-a-positive-work-climate-in-the-sciences>>.

¹¹⁸ American Geophysical Union, *AGU Scientific Integrity and Professional Ethics* (Policy, 2017), 24.

¹¹⁹ American Geophysical Union, *AGU Scientific Integrity and Professional Ethics* (Policy, 2017), 20-23.

Case Study 4: Responses to sexual harassment in scientific organisations

IV. Diversity and truth-telling in the sciences

The sciences have a long tradition of centring the research, contributions and opinions of wealthy white men and discriminating against and excluding others. Advocacy movements, networks, organisations, and associations have emerged in response to this, to encourage diversity and uplift the voices of those who tend to be marginalised in science, technology, engineering and mathematics. Some of these organisations focus on these disciplines broadly, while some concentrate on particular areas. Some have existed for a long time. However, many emerged in response to a recent discussion about sexism, racism, and colonisation in all aspects of public and working life in the western world.

#MeTooStem is an advocacy movement dedicated to revealing women's experiences of sexism, sexual harassment and sexual assault while working in science, technology, engineering and/or mathematics.

It was founded in 2018 by Dr BethAnn McLaughlin, a neuroscientist inspired by the broader *#MeToo* movement exposing sexual harm in other industries¹²⁰ and motivated by the fact that *'women in STEM have the highest rate of sexual harassment of any profession outside the military'*.¹²¹ The site began as a blog to which victim- survivors of sexual harm and discrimination could send their stories to be anonymously published. As it grew as a well-

known and powerful source of truth-telling, *#MeTooSTEM* began collating and developing resources to partake in advocacy and provide 'legal, safety, professional, health and community support' to those who need it.¹²²

There are also several networks and organisations promoting anti-discrimination and greater diversity in the discipline of polar sciences. Pride in Polar Research was established in 2018 when an early career researcher sought 'solutions to the isolation and discrimination issues faced as a queer and intersex scientist'.¹²³ The organisation helps LGBTIQ+ students and researchers in polar sciences at all levels to connect, raise their visibility, and '*combat biases through community development and education*'.¹²⁴ Similarly, Polar Impact is an organisation seeking to '*support, connect and highlight the stories of Black, Asian, Indigenous, People of Colour and minority ethnic professionals in the polar research community*'.¹²⁵ Polar Impact runs networking and professional development events for minorities in polar research, develops resources for workers, students and organisations, and develops publications spotlighting the work of minorities in polar research. A comparable organisation for women is Women in Polar Science, established in 2014 '*to connect and support women working in Antarctic and Arctic research*'.¹²⁶ Women in Polar Science runs professional networking and mentoring programs, publishes research and resources on women in polar research, and runs advocacy to promote the history and current work of women in Antarctica and the Arctic.

120 *#MeTooSTEM*, 'About us: History' (Web Page) <<https://metoostem.com/aboutus/>>.

121 *#MeTooSTEM*, '*#MeTooSTEM*' (Web Page) <<https://metoostem.com/>>.

122 *#MeTooSTEM*, 'About us: History' (Web Page) <<https://metoostem.com/aboutus/>>. Iqra Choudhry et al., '*Pride in Polar Research*', *Pride in Polar Research* (Fact Sheet).

123 Alex Thornton et al., '*Pride in Polar Research*', *Astrophysics Data System* (Web Page, 2020) <<https://ui.adsabs.harvard.edu/abs/2020AGUFMSY0310006T/abstract>>.

124 Polar Impact, '*Polar Impact*' (Web Page) <<https://www.polarimpactnetwork.org/>>.

125 Women in Polar Science, '*WIPS - Connecting Women in Polar Science*' (Web Page) <<https://womeninpolarscience.org/>>.

10. Appendices

10.1 *Respect@Work* legislation and the AAD

This section provides a general analysis of the *Respect at Work Bill* and how it may apply to the AAD. Legal advice is recommended to ensure that the AAD complies with all parts of the Bill.

The legislation: *Anti-Discrimination and Human Rights Legislation Amendment (Respect at Work) Bill 2022* (The Bill)¹²⁷

This Bill puts the final remaining legislative amendments recommended by the *Respect@Work* report into federal law. In 2021, an amendment to the Sex Discrimination Act put 6 of the legislative changes recommended by *Respect@Work* into law - this new Bill enacts the final 7 legislative changes, incorporating them into Australia's federal anti-discrimination legislation.

The changes made by the Bill and how they apply to the AAD

Hostile work environments

The first amendment put forward by the Bill changes the Sex Discrimination Act to '*prohibit conduct that subjects another person to a workplace environment that is hostile on the ground of sex*'.

The *Respect@Work* report explains that a 'sexually hostile workplace' occurs when 'one sex is made to feel uncomfortable or excluded by the workplace environment'.¹²⁸ Hostile work environments may not be, and often aren't, focused on a particular person, but can make employees feel excluded or intimidated through the creation of a 'sexually permeated' and 'sexually charged', 'humiliating' or otherwise offensive environment or culture.¹²⁹ As well as being in themselves discriminatory, sexual harassment and other forms of sexism are more likely to take place in these kinds of hostile work environments, as they normalise a lack of respect for certain staff members based on their gender.

A workplace may be sexually hostile in its physical environment and/or through accepted, normalised, or encouraged behaviours.

Signs of a hostile work environment include:¹³⁰

- ➔ Open display of obscene materials, including pornography
- ➔ 'General sexual banter'
- ➔ Sexual jokes and innuendo
- ➔ A highly sexualised, 'sexually permeated' environment.

Before this amendment, courts may have recognised a sexually hostile work environment as sexual harassment. Still, the legislation was unclear and up to the interpretation of individual judges. Furthermore, there is less awareness of the harm that can be done by hostile work environments than of other forms of sexual harassment and discrimination, particularly among employers. As such, this amendment seeks to '*provide clarity and certainty to the law and set clear boundaries on acceptable conduct in the workplace*'.¹³¹

This amendment inserts a new provision (28M) to the Sex Discrimination Act, asserting that:

It is unlawful for a person to subject another person to a workplace environment that is hostile on the ground of sex.

Determining if a workplace environment is hostile is based on the 'reasonable person test' (which aligns the amendment with other parts of the Sex Discrimination Act):

A person (the **first person**) subjects another person (the **second person**) to a workplace environment that is hostile on the ground of sex if:

- (c) *a reasonable person, having regard to all the circumstances, would have anticipated the possibility of the conduct resulting in the workplace environment being offensive, intimidating or humiliating to a person of the sex of the second person by reason of:*
- (i) *the sex of the person; or*
 - (ii) *a characteristic that appertains generally to persons of the sex of the person; or*
 - (iii) *a characteristic that is generally imputed to persons of the sex of the person.*¹³²

¹²⁷ Full text of the Bill can be found here: <https://www.legislation.gov.au/Details/C2022B00093>

¹²⁸ Australian Human Rights Commission, *Respect@Work: Sexual Harassment National Inquiry Report* (2020) (Report, 2020), 459.

¹²⁹ Australian Human Rights Commission, *Respect@Work: Sexual Harassment National Inquiry Report* (2020) (Report, 2020), 458.

¹³⁰ Australian Human Rights Commission, *Respect@Work: National Inquiry into Sexual Harassment in Australian Workplaces* (Report, 2020), 458-459.

¹³¹ Parliament of the Commonwealth of Australia House of Representatives, *Anti-Discrimination and Human Rights Legislation Amendment (Respect at Work) Bill 2022: Explanatory Memorandum* (Report, 2022).

¹³² *Anti-Discrimination and Human Rights Legislation Amendment (Respect at Work) Act (2022)* (Cth) Sch(1) – Hostile workplace environments (5).

Whether or not an environment can be legally classed as hostile, or the seriousness of the offence arising from a hostile workplace environment can vary based on 'the seriousness of the conduct', 'whether the conduct was continuous or repetitive', 'the role, influence or authority of the person engaging in the conduct', and 'any other relevant circumstance'.¹³³

Thus, through this amendment, **individual staff members can be held liable for sexual harassment and/or discrimination if they participate in a sexually hostile workplace culture or contribute to a hostile workplace environment.** Employers can also be held accountable for allowing hostile workplace environments to flourish, particularly given the second amendment to this legislation, which places a positive duty on employers to eliminate sexual harassment and discrimination.

In the Australian Antarctic Division

Preliminary primary and secondary research indicate signs that some workplaces that form part of the Australian Antarctic Division may be sexually hostile environments. While the research and focus have been on workplaces in the Antarctic, there are indications that 'Head Office' at Kingston also carries some elements that could be considered hostile.

Australian researchers have described a generally highly sexualised atmosphere and culture that permeates Antarctic bases (also consistent with research findings from the US). An environment where sex and sexualised activity are common and out in the open and where staff members are expected to engage in sexual activity with each other may be considered intimidating and, therefore, hostile. The hierarchical nature of Antarctic bases, in which women are often early-career scientists or not in positions of power, relying on the support of superiors and supervisors who are often men, as well as the division between researchers and other workers on Antarctic bases, may also heighten the level to which the workplace is considered hostile.

Considering this amendment, the AAD should identify evidence of hostile workplace environments in reviews and climate surveys. It may also consider undertaking individual cultural reviews for each workplace that falls

under the AAD (both in Antarctica and Australia) to identify particular hostile workplace aspects and how these are influenced by broader AAD culture. It should be noted that workplaces could always be held liable for hostile environments under the Sex Discrimination Act; however, with the passing of this new legislation, there will likely be much more clarity and awareness of hostile environments, and the issue is likely to be afforded more seriousness and attention.

The Human Rights Commission recommends the following to combat or prevent hostile workplaces:

- Education and guidance materials for all staff on sexual harassment and respectful workplace practices
- Best practice sexual harassment and discrimination policies, processes, and procedures, which are known and trusted by all staff, including leaders.

The Review has considered these elements as they relate to the AAD, with findings and recommendations in the full report.

Positive duties on employers to eliminate sex discrimination

Recommendation 17 of Respect@Work:

*Amend the Sex Discrimination Act to introduce a positive duty on all employers to take **reasonable and proportionate measures to eliminate sex discrimination, sexual harassment, and victimisation as far as possible.***¹³⁴

The idea behind this recommendation, and the amendment in this Bill, is to compel employers and PCBUs to actively protect their employees, staff and other workers from sexual harassment and sex discrimination.

This amendment helps to strengthen actions to prevent sexual harassment and discrimination in workplaces rather than only responding to incidents. It requires that duty holders (employers or PCBUs) take measures to prevent unlawful sex discrimination being engaged in by themselves and by their employees, workers, agents, contractors, and other applicable third parties.¹³⁵

¹³³ Anti-Discrimination and Human Rights Legislation Amendment (Respect at Work) Act 2022 (Cth) Sch(1) – Hostile workplace environments (5).

¹³⁴ Australian Human Rights Commission, *Respect@Work: National Inquiry into Sexual Harassment in Australian Workplaces* (Report, 2020), 44.

¹³⁵ Parliament of the Commonwealth of Australia House of Representatives, *Anti-Discrimination and Human Rights Legislation Amendment (Respect at Work) Bill 2022: Explanatory Memorandum* (Report, 2022).

What constitutes 'reasonable and proportionate measures' will vary according to the employer and organisation's particular circumstances (e.g., size and resources) Measures may include:¹³⁶

- ➔ Implementing policies and procedures to prevent, report and respond to discrimination and ensuring their efficacy
- ➔ Collecting and monitoring data on discrimination and sexual harassment in the organisation
- ➔ Providing adequate support to workers and staff regarding discrimination, sexual harassment, and related issues
- ➔ Giving accurate and regular training and education to all workers regarding these issues

This said, as stated above, the 'positive duty' is adaptable and dependent on the organisation. Before this amendment, employers and PCBU's could already be vicariously liable for unlawful acts committed by employees or agents. However, similarly to definitions of hostile work environments, workplace sexual harassment and discrimination 'is not being addressed by WHS regulators or employers in a consistent, robust or systematic way'. This amendment seeks to explicitly outline how sexual harassment needs to be addressed by these parties, strengthening vicarious liability in relation to sexual harassment and discrimination specifically. The positive duty is intended to operate concurrently with the existing duties in the model WHS laws, which require employers and PCBU's to provide a safe working environment for workers so far as is reasonably possible.¹³⁷

The amendment also places several functions on the Human Rights Commission relating to this positive duty. These are in keeping with Recommendation 18 of *Respect@Work*:¹³⁸

- ➔ The Commission is tasked with preparing and publishing 'guidelines for complying with the positive duty in relation to sex discrimination' aimed at organisations, employers and PCBU's

- ➔ The Commission will promote public awareness, education, research, and discussion of the positive duty
- ➔ The Commission also has the power to 'monitor and assess compliance' with the positive duty among employers and PCBU's:
 - The Commission can conduct inquiries into a person's or organisation's compliance with the positive duty
 - The Commission can provide specific recommendations to a person or organisation to support them in achieving compliance and can also give a 'compliance notice' specifying the action that *must* be taken to address non-compliance
 - The Commission can apply for a federal court order 'to direct compliance with the compliance notice' and 'enter into enforceable undertakings' to compel a person or organisation to comply with the positive duty, as per the Regulatory Powers Act.

These powers will be conferred onto the Commission 12 months after Royal Assent of the Bill (i.e., one year after the Bill passed into legislation). This will give employers and PCBU's time to understand and implement their obligations under the positive duty.

In the Australian Antarctic Division

According to Future Women, it is '*not yet explicitly clear exactly what organisations will need to demonstrate they have taken proactive steps to prevent harassment*'. The legislation refers specifically to 'employers and PCBU's'.¹³⁹ This said, another amendment made in this bill concerns bringing the APS to the same reporting standards on gender equality as private businesses, so it is possible that government departments and aspects of the public service will fall under the positive duty.

In any case, to keep up with good and best practice regarding gender equality and preventing and responding to gender discrimination and sexual harassment, the AAD should implement effective policies and processes.

¹³⁶ Parliament of the Commonwealth of Australia House of Representatives, *Anti-Discrimination and Human Rights Legislation Amendment (Respect at Work) Bill 2022: Explanatory Memorandum* (Report, 2022).

¹³⁷ Parliament of the Commonwealth of Australia House of Representatives, *Anti-Discrimination and Human Rights Legislation Amendment (Respect at Work) Bill 2022: Explanatory Memorandum* (Report, 2022).

¹³⁸ *Anti-Discrimination and Human Rights Legislation Amendment (Respect at Work) Bill 2022* (Cth) Sch(2) – Positive Duty Part II – Compliance, Div 1 – Amendments commencing day after Royal Assent; Parliament of the Commonwealth of Australia House of Representatives, *Anti-Discrimination and Human Rights Legislation Amendment (Respect at Work) Bill 2022: Explanatory Memorandum* (Report, 2020).

¹³⁹ Ruby Leahy Gatfield, 'A breakdown of the Respect@Work Bill 2022' *Future Women* (Web Page, 2022) <<https://futurewomen.com/hotlists/a-breakdown-of-the-respectwork-bill-2022/>>.

The AAD should take note of the resources and guidelines on positive duty released by the Human Rights Commission when they are available. In the meantime, the federal government and the Human Rights Commission have collaborated on a website that provides organisations with a number of resources on taking measures to prevent and respond to sexual harassment and discrimination: <https://www.respectatwork.gov.au/organisation>

Future Women recommend the following as preliminary steps for organisations to ensure they will meet their positive duty:¹⁴⁰

- Introducing and conducting regular risk assessments to 'identify and mitigate any factors that may cause discrimination and harassment'.
- Conducting education and training to all employees (including management, senior and executive leadership), tailored to their level and responsibilities, to 'understand sexual harassment, gender drivers, and how to respond as a bystander or a victim'.
- Ensuring effective, timely, trauma-informed and person-centred complaints and reporting procedures, grievance mechanisms and whistle-blower processes.
- Consulting with staff on workplace culture and making changes based on what is said.

Again, the Review evaluated these areas in relation to the AAD. Findings of the Review suggest that trauma-informed and person-centered complaints processes are not currently operating at the AAD at a level that is trusted and well utilised by AAD staff (both at Kingston and on station in the Antarctic). Genuine consultation with staff on workplace culture, and interventions based on workforce feedback is an area of concern and the Review makes a series of governance and monitoring / reporting recommendations to this effect.

Public sector reporting to the WGEA

The Bill amends the *Workplace Gender Equality Act 2012* so that the public sector will have the **same reporting requirements to WGEA as the private sector**. That is to say, every year, public sector agencies will have to report annually on six gender equality indicators:¹⁴¹

- Gender composition of the workforce
- Gender composition of governing bodies of relevant employers
- Equal remuneration between women and men
- Availability and utility of employment terms, conditions and practices relating to flexible working arrangements for employees and to working arrangements supporting employees with family or caring responsibilities
- Consultation with employees on issues concerning gender equality in the workplace
- Sex-based harassment and discrimination

This amendment fulfils Recommendation 43(a) of *Respect@Work*:

The Australian Government:

- a. Amend the *Workplace Gender Equality Act 2012* to require public sector organisations to report to the Workplace Gender Equality Agency on its gender equality indicators.

The amendment to the *Workplace Gender Equality Act 2012* defines the following as public sector organisations that will be required to report:

- *Commonwealth companies*, as defined by the *Public Governance, Performance and Accountability Act 2013*: a Corporations Act company that the Commonwealth controls unless that company is a subsidiary of a commonwealth company, a corporate Commonwealth Entity, or the Future Fund Board of Guardians.¹⁴³
- *Commonwealth entities*, as defined by the *Public Governance, Performance and Accountability Act 2013*: a Department of State; a Parliamentary Department; a listed entity; a body corporate that is established by a law of the Commonwealth or prescribed by an Act or the rules to be a Commonwealth entity, excluding the High Court and the Future Fund Board of Guardians.¹⁴⁴

¹⁴⁰ Ruby Leahy Gatfield, 'A breakdown of the Respect@Work Bill 2022' *Future Women* (Web Page, 2022) <<https://futurewomen.com/hotlists/a-breakdown-of-the-respectwork-bill-2022/>>.

¹⁴¹ Workplace Gender Equality Agency, 'Australia's Gender Equality Indicators' (Web Page) <https://wgea.aristotlecloud.io/about/wgea/gender_equality_indicators>.

¹⁴² Australian Human Rights Commission, *Respect@Work: National Inquiry into Sexual Harassment in Australian Workplaces* (Report, 2020), 49.

¹⁴³ Further detail on the definition of Commonwealth companies can be found in: *Public Governance, Performance and Accountability Act 2013* (Cth) Ch(3) Div(2) 89(1).

¹⁴⁴ Further details on the definition of Commonwealth entities can be found in: *Public Governance, Performance and Accountability Act 2013* (Cth) Div(2) 10(1).

In the Australian Antarctic Division

Commonwealth companies or entities with 100 or more staff members will be required to report this data to WGEA. As such, the AAD will need to report this, either as a single agency or (more likely) as part of the Department of Climate Change, Energy, the Environment and Water. In any case, this amendment is highly relevant to the AAD. WGEA reporting is public in that results are usually published online, and data is used to inform the WGEA's annual report.

It is a form of external accountability but could also be a useful resource by which the AAD can track and measure its progress in combating sexual harassment and gender discrimination against measurable targets/indicators. As a scientific entity, the WGEA's form of data collection, measuring, and reporting, based largely on statistical analysis, may appeal to the AAD's workforce and leadership alike.

Within the current draft Diversity and Inclusion plan for the AAD, it is anticipated that the AAD will commence participation in the SAGE Athena SWAN is an accreditation program designed specifically to address gender equity in STEMM (science, technology, engineering, maths, and medicine). While participation in this program may also cover WGEA data and reporting requirements (and more), it is noted that both will require resourcing and require one reliable 'source of truth' in terms of data. More consideration needs to be given to data management between the AAD and the DCCEEW. As a priority, setting up an appropriate system to satisfy the requirements of WGEA reporting is recommended.

Inquiries into systemic unlawful discrimination

This amendment doesn't directly concern the actions of organisations in relation to sexual harassment, so only a brief overview will be provided.

The *Respect@Work* report provides a thorough and far-reaching analysis of the '*significant cultural and systemic factors driving sexual harassment in the workplace*'.¹⁴⁵ While there are cultural and systemic factors that apply to individual organisations and workplaces, many of these factors are broader and operate at an industry or social/country level.

Given this, the Bill confers upon the Human Rights Commission the power to conduct 'broad inquiries' into actual or suspected systemic unlawful discrimination.

The Commission already had some inquiry powers in this regard; however, this amendment removes some of the limitations confining the Commission's ability to conduct these investigations. The Bill provides that:

[...] the Commission can inquire into any matter that may relate to systemic unlawful discrimination or systemic unlawful discrimination.

The Bill would define 'systemic unlawful discrimination' to mean unlawful discrimination that 'affects a class or group of persons' and 'is continuous, repetitive or forms a pattern'.

Using this power, the Commission may choose to launch an inquiry into an individual business or organisation, or it may conduct an inquiry into 'multiple businesses within a broader industry or sector'. This is in keeping with Recommendation 19 of the *Respect@Work* report.

In the Australian Antarctic Division

This part of the legislation places no direct responsibilities onto the AAD or, indeed, any organisation or employer. It may, however, be valuable for the AAD to be aware of the Commission's investigative powers in this regard, particularly if the Commission ever decides to investigate the Division or the broader industry/Department of which it forms part.

Representative applications

This amendment allows representative bodies, such as unions and similar organisations, to bring representative claims relating to workplace sexual harassment or discrimination to the federal court. Before this Bill, representative bodies could only do this for individual persons. The intention behind this amendment, which aligns with Recommendation 23 of the *Respect@Work* report, is to make sure people seeking justice for sexual harassment or discrimination have access to adequate support and resources to make their voices heard.

In the Australian Antarctic Division

Again, this particular amendment doesn't place any extra duties onto the AAD. It is, nevertheless, a development worth being aware of, as an extra risk associated with not effectively preventing and responding to sexual harassment and discrimination.

¹⁴⁵ Parliament of the Commonwealth of Australia House of Representatives, *Anti-Discrimination and Human Rights Legislation Amendment (Respect at Work) Bill 2022: Explanatory Memorandum* (Report, 2022).

¹⁴⁶ Parliament of the Commonwealth of Australia House of Representatives, *Anti-Discrimination and Human Rights Legislation Amendment (Respect at Work) Bill 2022: Explanatory Memorandum* (Report, 2022).

Cost protection provisions

The *Respect@Work* report notes that people who have experienced sexual harassment in the workplace

*[...] may be deterred from pursuing legitimate claims in the courts because of the risk that they will be liable for the costs of the respondent*¹⁴⁷

It is not uncommon for a judge to rule that the unsuccessful party in a court proceeding cover at least some of the legal costs of the other party. The process of pursuing and proving sexual harassment in a court or other legal context is difficult, and success in the legal sphere is by no means guaranteed to victims. As such, the possibility of needing to bear their organisations or harasser's legal costs is another barrier that may impede victims from seeking justice.

In accordance with Recommendation 25 of *Respect @Work*, the Bill dictates that for a terminated complaint, 'each party is to bear the party's own costs'.¹⁴⁸ This amendment intends to 'provide applicants with a greater degree of certainty over the costs they would be required to pay if they commence legal proceedings'.¹⁴⁹

In the Australian Antarctic Division

Again, this amendment doesn't have any direct implications for the AAD, unless the Division itself is taken to court on a sexual harassment claim. It's useful to be aware of this amendment as a part of understanding the Bill and its purpose.

Victimisation

This section of the Bill ensures that if a person experiences victimisation for reporting or responding to discrimination in the workplace, they can pursue this through civil as well as criminal action in court. The *Respect at Work Bill 2021* made this possible for instances of victimisation after sex discrimination, however, this was not a consistent standard across Australia's anti-discrimination legislation. As such, the 2022 Bill amends the *Age Discrimination Act*, the *Disability Discrimination Act*, and the *Racial Discrimination Act* to clarify 'judicial uncertainty' as to whether civil courts could hear victimisation cases.¹⁵⁰

In the Australian Antarctic Division

The AAD, like any employer, was already liable to be faced with criminal charges if victimisation was occurring in its workplaces. As such, this amendment shouldn't change any of the AAD's responsibilities, however it does increase the possible consequences of victimisation. This is another amendment to be aware of, and it should reiterate the seriousness with which victimisation should be treated.

Other amendments

There are three other, somewhat smaller amendments made by the Bill. These amendments all either adjust certain laws to ensure all of Australia's anti-discrimination legislation is consistent, or specifically modify the *Sex Discrimination Act 1984* to make its objectives and values more relevant.

The first amendment changes the timeframes victims must keep to when making a complaint under several pieces of anti-discrimination legislation. In 2021, the *Sex Discrimination Act* was updated so that complaints made under it could only be dismissed if they are made 24 months or longer after the incident in question. This is intended to respond to the numerous procedural, systemic and other barriers to reporting sexual harassment the *Respect@Work* report describes.¹⁵¹ The 2022 Bill accordingly adjusts the timeframes for making a complaint under the *Age Discrimination Act*, the *Disability Discrimination Act*, and the *Racial Discrimination Act*, which before this time were all 6 months.¹⁵²

The next amendment changes the objects of the *Sex Discrimination Act 1984*. More specifically, it adds to the objects of the Act, so that one is to

*[...] achieve substantive equality between men and women.*¹⁵³

The amendment also inserts a new clause to the Act 'to make clear that an object of the SD Act is to eliminate, so far as is possible, discrimination involving workplace environments that are hostile on the ground of sex'.¹⁵⁴

Finally, the Bill amends section 28AA of the *Sex Discrimination Act 1984* so that it does not specifically apply to sexual harassment of a 'seriously demeaning nature'. This reflects Recommendation 16(b) of *Respect@Work*, as well as other critiques that found the 'seriously demeaning' qualifier '[imposed] an unnecessarily high threshold' on complainants under the Act.

¹⁵⁰ Parliament of the Commonwealth of Australia House of Representatives, *Anti-Discrimination and Human Rights Legislation Amendment (Respect at Work) Bill 2022: Explanatory Memorandum* (Report, 2022).

¹⁵¹ Parliament of the Commonwealth of Australia House of Representatives, *Anti-Discrimination and Human Rights Legislation Amendment (Respect at Work) Bill 2022: Explanatory Memorandum* (Report, 2022).

¹⁵² Parliament of the Commonwealth of Australia House of Representatives, *Anti-Discrimination and Human Rights Legislation Amendment (Respect at Work) Bill 2022: Explanatory Memorandum* (Report, 2022).

¹⁵³ Parliament of the Commonwealth of Australia House of Representatives, *Anti-Discrimination and Human Rights Legislation Amendment (Respect at Work) Bill 2022: Explanatory Memorandum* (Report, 2022).

¹⁵⁴ Parliament of the Commonwealth of Australia House of Representatives, *Anti-Discrimination and Human Rights Legislation Amendment (Respect at Work) Bill 2022: Explanatory Memorandum* (Report, 2022).

¹⁵⁵ Parliament of the Commonwealth of Australia House of Representatives, *Anti-Discrimination and Human Rights Legislation Amendment (Respect at Work) Bill 2022: Explanatory Memorandum* (Report, 2022).

Resources and support

- ➔ The Respect at Work website has developed a resource centre that includes links to a range of counselling and mental health services, specialist sexual assault support services, legal services and information about workplace rights and making a complaint. <https://www.respectatwork.gov.au/get-help>
- ➔ [Lifeline Australia](#) 13 11 44 is a free and confidential service staffed by trained telephone counsellors to assist people in crisis. Lifeline is open to people of all ages.
- ➔ [Beyond Blue Support Service](#) 1300 22 4636 if you've experienced bullying and it is affecting your mental health.
- ➔ The Australian Human Rights Commission can investigate and resolve complaints of discrimination, harassment and bullying on human rights grounds. Complaints website: www.humanrights.gov.au/complaints_information/ Email: infoservice@humanrights.gov.au Phone: 1300 656 419

An Independent Review
of **Workplace Culture and
Change** at the Australian
Antarctic Division (AAD)



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