

AbilityOptions



# Sexual Misconduct Prevention and Response Plan

2024

## CEO Statement of endorsement



As CEO of Ability Options, I fully support our Sexual Misconduct Prevention Plan.

Creating a safe and inclusive workplace is paramount to our values and success. Our plan outlines clear policies, provides comprehensive training, and ensures accessible reporting channels.

Sexual harassment and other forms of sexual misconduct have no place in any workplace, or in our communities generally. At Ability Options, we recognise the importance of taking proactive measures to identify and prevent it, speak out, and report it if something does occur.

Our plan includes robust policies, thorough training programs, and clear reporting procedures that empower employees to speak up and take action against any form of harassment they may encounter. We support and encourage employees and others who encounter this behaviour in the broader community to take action.

By implementing this plan, we are not only fulfilling our legal obligations but also upholding our values of respect, courage, and inclusivity. Improving our community and the experience of our fellow citizens both within our organisation and in our communities is at the heart of our Vision Mission and Values.

Julia Squire, CEO – Ability Options

## Background

The Respect at Work Bill was passed in parliament in November 2022. This Bill works together with the Sex Discrimination Act and requires, from December 2023, a positive duty for organisations to take proactive and meaningful action to prevent relevant unlawful conduct from occurring in the workplace or in connection to work. This unlawful behaviour includes but is not limited to:

- discrimination on the grounds of sex in a work context
- sexual harassment in connection with work
- sex-based harassment in connection with work
- conduct creating a workplace environment that is hostile on the grounds of sex
- related acts of victimisation

This important change requires Ability Options to shift its focus to actively preventing workplace sexual harassment, sex discrimination and other relevant unlawful conduct.

The positive duty was a key recommendation of the Commission's landmark **Respect@Work Report**, led by former Sex Discrimination Commissioner Kate Jenkins AO, published in March 2020.

## Our Approach

We are committed to establishing robust and best practice sexual harassment prevention policies and procedures supported by visible leadership, employee engagement, and ongoing commitment to cultural change.

This plan sets out Ability Options' approach to response and prevention of sexual misconduct in all our undertakings. We are committed to continued and improved provision of support for employees and participants who have experienced sexual misconduct and further acknowledge that primary prevention requires long-term culture change.

### Positive duty prevention

Ability Options will address the seven Standards that the Australian Human Rights Commission (AHRC) expects to satisfy the Positive Duty under the Sex Discrimination Act to prevent, address and respond to incidents. Ability Options will also consider and apply the policy when implementing the seven Standards.

### Australian Human Rights Commission Positive Duty Standards

Ability Options is guided by the Positive Duty Standards defined by the Australian Human Rights Commission:

The seven Standards are set out in the table below. They outline what the Commission expects organisations and businesses to do to satisfy the positive duty under the Sex Discrimination Act.



Image source: **Guidelines for Complying with the Positive Duty under the Sex Discrimination Act 1984 (Cth)** ([humanrights.gov.au](http://humanrights.gov.au))

## Action Plan

### Aim

The action plan provides a map for implementing our response to the Respect at Work Bill.

### Objectives

1. Promote a culture of safety and respect across our organisation.
2. Promote respectful, consensual and safe relationships among our employees, participants, and third parties.
3. Support individuals within the organisation who have experienced sexual misconduct, including those whose experiences are unrelated to Ability Options but is affecting their work.
4. Provide clear and transparent policies and procedures, including confidential methods of making formal reports of sexual misconduct.
5. Promote compassionate and trauma-informed first response to disclosures of sexual misconduct and increase awareness and visibility of support services available to employees.

## Measuring Success

We acknowledge the importance of robust monitoring and evaluation systems to ensure our goals are achieved. We will regularly assess the effectiveness of the Prevention and Response Plan and address evolving needs and legislative changes.

## Standard 1: Leadership

Outcome	Ability Option's Actions
Leaders understand their obligations under the Sex Discrimination Act and have up-to-date knowledge about relevant unlawful conduct.	<ul style="list-style-type: none"> <li>All leaders complete sexual misconduct training for leaders annually.</li> <li>Board members attend training every two years.</li> </ul>
Senior leaders ensure that appropriate measures for preventing and responding to relevant unlawful conduct are developed, recorded in writing, communicated to workers, and implemented. Senior leader regularly reviews the effectiveness of these measures and updates workers.	<ul style="list-style-type: none"> <li>Development of the Ability Options Sexual Misconduct Prevention and Response Plan. Reviews of the plan's effectiveness are conducted regularly.</li> <li>Regular leadership communications to employees.</li> </ul>
Senior leaders are visible in their commitment to safe, respectful, and inclusive workplaces that value diversity and gender equality. They set clear expectations and role model respectful behaviour.	Senior leaders regularly communicate expectations about respectful workplace behaviour, which is reinforced through Ability Option's policies, processes and values.

## Standard 2: Culture

Outcome	Ability Option's Actions
Organisations and businesses foster a culture that is safe, respectful, and inclusive, that values diversity and gender equality. This culture empowers workers (including leaders and managers) to report relevant unlawful conduct, minimises harm, and holds people accountable for their actions.	<ul style="list-style-type: none"> <li>Ability Options will introduce a Sexual Harassment Prevention Policy and Sexual Harassment Reporting Procedure. These documents will be reviewed annually to ensure effectiveness.</li> <li>Expectations of respectful behaviour in the workplace will be communicated through the Ability Options Buzz, inductions, team meetings, and will be reinforced through company policies.</li> </ul>

## Standard 3: Knowledge

Outcome	Ability Option's Actions
Organisations develop, communicate, and implement a policy regarding respectful behaviour and unlawful conduct	<ul style="list-style-type: none"> <li>Ability Options will introduce a Sexual Harassment Prevention Policy and Sexual Harassment Reporting Procedure. These documents will be reviewed annually to ensure effectiveness.</li> <li>The Prevention Plan, Policy and Reporting process will be regularly featured on our intranet, regularly incorporated in our monthly organisation brief for inclusion in team meetings and included in our internal newsletter.</li> </ul>
Organisations support workers (including leaders and managers) to engage in safe, respectful, and inclusive behaviour through education on: <ul style="list-style-type: none"> <li>Expected standards of behaviour including actions and attitudes that foster equality and respect.</li> <li>Identifying behaviours that constitute relevant unlawful conduct and the consequences for engaging in such conduct.</li> <li>Their rights and responsibilities in relation to safe, respectful, and inclusive workplaces and working relationships. This includes their role in preventing and responding to relevant unlawful conduct.</li> </ul>	<ul style="list-style-type: none"> <li>Training for all staff will be implemented and assigned to staff annually. All staff must complete this training.</li> <li>Board members will attend specialised board training.</li> <li>Resources will be provided on OurPlace including contact information for support services.</li> <li>Behaviour expectations will be reinforced in policies, in particular our Code of Conduct.</li> </ul>

## Standard 4: Risk Management

Outcome	Ability Option's Actions
Organisations recognise that relevant unlawful conduct is an equality risk and a health and safety risk.	<ul style="list-style-type: none"> <li>Ability options will assess the risks of sexual harassment in the workplace using a WHS/ Risk Management Framework.</li> <li>Ability Options will create a risk register that incorporates where sexual harassment may occur in the workplace, including assessment of the risk and control measures. The risk register will be reviewed regularly by QPA and senior leaders.</li> <li>Senior leaders are accountable for monitoring risk and creating a workplace culture that supports gender equality, respect, safety, diversity and inclusion.</li> <li>Workers will be consulted with about the risks of sexual harassment in the workplace.</li> </ul>

## Standard 5: Support

Outcome	Ability Option's Actions
Organisations ensure that appropriate support is available to workers (including leaders and managers) who experience or witness relevant unlawful conduct.	<ul style="list-style-type: none"> <li>Provision of Employee Assistance Program (EAP) by Workplace Options for all employees. Information about Workplace Options can be found on OurPlace.</li> <li>Resources for other support services posted to OurPlace.</li> </ul>

## Standard 6: Reporting and Response

Outcome	Ability Option's Actions
Organisations ensure that appropriate options for reporting and responding to relevant unlawful conduct are provided and regularly communicated to workers and other impacted people.  Responses to reports of relevant unlawful conduct are consistent and timely. They minimise harm to, and victimisation of, people involved. Consequences are consistent and proportionate.	<ul style="list-style-type: none"> <li>A written procedure for reporting relevant unlawful conduct and how Ability Options will manage this will be developed and housed in myLibrary.</li> <li>The procedure details how reports will be managed.</li> </ul>

## Standard 7: Monitoring, Evaluation, and Transparency

Outcome	Ability Option's Actions
Organisations and businesses collect appropriate data to understand the nature and extent of relevant unlawful conduct concerning their workforce.	<ul style="list-style-type: none"> <li>The Sexual Misconduct Prevention and Response Plan will be reviewed regularly.</li> </ul>
Organisations and businesses use the data they collect to regularly assess and improve the work culture and develop measures for preventing and responding to relevant unlawful conduct.	<ul style="list-style-type: none"> <li>The People &amp; Culture team will create and maintain a register to record instances of unlawful conduct and reporting will be provided to senior leaders – including trends, lessons learned and recommendations.</li> <li>An annual audit plan of sexual misconduct register and training will be undertaken</li> </ul>
Organisations and businesses are transparent about the nature and extent of reported behaviours that could constitute relevant unlawful conduct concerning their workers and actions are taken to address it.	<ul style="list-style-type: none"> <li>Trends, lessons learned and recommendations will be shared with leaders for transparency and for continuous improvement.</li> </ul>

# AbilityOptions



## **Ability Options - Sexual Misconduct Prevention and Response Plan 2024**

Ability Options Head Office

Suite 1, Level 2, 1 Woolworths Way, Bella Vista NSW 2153

ABN 92 003 175 335

**1300 422 454 • [info@abilityoptions.org.au](mailto:info@abilityoptions.org.au) • [abilityoptions.org.au](http://abilityoptions.org.au)**