



# Leading for Change

Independent Review  
of Bullying, Sexual  
Harassment and  
Sexual Misconduct  
in NSW Parliamentary  
Workplaces 2022

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# Executive Summary

## Introduction

The NSW Parliament is one of the cornerstones of democracy in Australia. Tracing its history back to the 1820s, its driving purpose is to represent the people of NSW, which it now does across multiple sites, from the historic Parliament House on Macquarie Street, through the Parliamentary precinct, and 98 electorate offices across the state. These locations are described collectively in this Review as ‘Parliamentary workplaces’.

The culture of, and behaviour in, Parliamentary workplaces has been the focus of significant attention in recent years. Accompanying the global rise of the #MeToo movement, significant discussion has occurred about the extent to which institutions charged with leading and nurturing democracy have been safe and inclusive spaces, particularly the extent to which people of all genders are able to contribute fully. As a result, a strong call has emerged for Parliamentary workplaces to be exemplars of respectful behaviour, with policies, processes and cultures aligned to contemporary workplace standards.

People working across these varied settings fall into three distinct categories, namely:

- ▶ **Members of Parliament (MPs):** who are Parliamentary employees and are employed under terms and conditions that align to workers for the purposes of Work, Health and Safety, and employers.

- ▶ **Staff working for MPs:** who have a range of diverse roles, including:
  - staff working in electorate offices (ie working for Members of the Legislative Assembly)
  - staff working as researchers or assistants (for Members of the Legislative Council)
  - staff working for Ministers; and
  - staff working for Special Office Holders (such as the President, Speaker, and the Whips).

These staff are employed directly by individual Members of Parliament under the *Members of Parliament Staff (MoPS) Act (2013)* and are not public servants.

- ▶ **Staff of the Department of Parliamentary Services (DPS), the Department of the Legislative Assembly (DLA) and the Department of the Legislative Council (DLC).** Staff employed within these Departments are Parliamentary employees and are employed under terms and conditions that align to public sector employment in NSW.

Collectively, the Review refers to those who are in these roles as “workers in Parliamentary workplaces.”

The range of roles, responsibilities and accountabilities of people working within Parliament House means that change is a particularly complex exercise, with no central source of authority or leadership that can drive reform on its own. Rather, this must be done collaboratively, in ways that establish institutional, as well as individual, leadership which sets the tone for safe and inclusive workplaces.

## The context and approach

In early 2021, following longstanding discussions on the value of improving safety and inclusion, the Parliamentary Executive Group (PEG)<sup>1</sup> established a Parliamentary Advisory Group on Bullying, Sexual Harassment and Sexual Misconduct (the PAG). The PAG's Terms of Reference (see Appendix 1) include: exploring the nature and extent of bullying, harassment and serious misconduct, establishing best practice in preventing and responding to these behaviours, examining the legal and policy framework, and determining a "roadmap for possible reform and action for consideration by the Presiding Officers and the Parliamentary leadership.

Both the PEG and the PAG identified the need for a systematic exploration of the extent to which Parliamentary workplaces are safe and inclusive and to identify areas where additional focus is required.

As part of this exploration, the PEG commissioned EB&Co. to conduct a Review, the objective of which was 'to examine culture and provide advice to the Parliamentary Executive Group on the nature and prevalence of harmful behaviours including bullying, sexual harassment and sexual misconduct within Parliamentary workplaces and, where deficient, to make recommendations for further strengthening'.

Both the PAG and the PEG have provided ongoing input and support for the Review, including contributing to its methodology. That methodology sought to bring together diverse perspectives and insights about the challenges facing the NSW Parliament, as well as opportunities for intervention.

Key to understanding these challenges, and generating recommendations, was a focus on learning from the lived experiences of current and former workers in Parliamentary workplaces – those who currently or had previously worked across Parliamentary workplaces over the last five years.

These insights were gathered through qualitative and quantitative research, via:

- ▶ **A tailored online survey** of individuals who currently work in NSW Parliamentary workplaces, **completed by 447 people** (representing 27.7% of all NSW Parliamentary workers)
- ▶ **109 confidential 1:1 interviews**
- ▶ **7 confidential group listening sessions**
- ▶ **58 confidential written submissions** (55 from individuals and 3 from organisations).

In addition, EB&Co. undertook a desktop review of relevant literature, both in Australia and internationally, as well as a review of relevant documents and data produced by the NSW Parliament.

All participation in the Review was voluntary, confidential and informed consent was obtained prior to participation, with ethical approval obtained through the Bellberry Human Research Ethics Committee (Reference number 2021-09-1123).

Given the potentially distressing and traumatic nature of the Review content, a range of supports were offered to Review participants, including access to a psychologist with deep expertise in trauma-informed care.

The Review did not extend to investigating or making any findings about any individual incident or allegation, nor about any individuals. All individuals who disclosed an experience of harmful behaviour were provided with appropriate referrals, as was any individual who was seeking an investigation of their current or past experience. Where ongoing risk or harm was identified, the Review Team notified the relevant authorities.

<sup>1</sup> The Parliamentary Executive Group consists of: the Presiding Officers of each House, the Clerks of each chamber and the Chief Executive of the Department of Parliamentary Services.

447

people completed the survey

109

confidential 1:1 interviews

7

confidential group listening sessions

58

confidential written submissions

## The Review's findings

EB&Co. is grateful to everyone who contributed to this Review. Their passion for serving the community of NSW; their candour about their experiences; and their suggestions for positive change have enriched the Review's work and laid a foundation for meaningful reform.

Key themes that emerged across the Review include:

- ▶ many people who participated in this Review spoke very positively about their workplace and felt that, where issues of harmful behaviour arose, they were addressed swiftly and appropriately.

Nevertheless, other findings included:

- ▶ Bullying is a significant issue across Parliamentary workplaces in NSW. It is systemic and multi-directional, and those working in Parliamentary workplaces have low confidence in structural or cultural protections to prevent bullying or to stop it once it is occurring.
- ▶ Sexual harassment and everyday sexism occur at unacceptable rates, with prevalence of experiences particularly high for women, people who identified as having a diverse sexuality and younger people (24-35 years old).<sup>2</sup>
- ▶ Both women and men reported experiences of actual or attempted sexual assault, and prevalence was highest among people who identified as having a diverse sexuality.
- ▶ The impact of these behaviours is heightened for Aboriginal and Torres Strait Islander people, and for people from culturally and linguistically diverse backgrounds.
- ▶ Some offices are described as “well-known hotspots”, characterised by high rates of staff turnover related to harmful behaviours.

- ▶ The human cost of these behaviours is high. Although resilient and committed to their roles, many Review participants described the impact of these behaviours on their mental health, their wellbeing, their relationships, and their career as ‘devastating’.
- ▶ The organisational cost is similarly high, with Parliamentary workplaces losing smart, talented and passionate individuals due to these behaviours.
- ▶ Key drivers of harmful behaviours include: the unequal distribution of power between parliamentarians and staff; the underrepresentation of women and diverse cohorts in formal decision-making roles; the unequal distribution of accountability and inconsistent behavioural expectations; and the highly pressured and political nature of the working environment. Other factors – such as long working hours, staffing conditions of engagement that render staff on tenuous contractual arrangements, and access to and consumption of alcohol in NSW Parliamentary workplaces– compound these drivers.
- ▶ Many people were not aware of the policy framework and those who were aware had limited confidence in the ability of current policies to either prevent or respond meaningfully to harmful behaviours.
- ▶ Knowledge of, and trust in, the reporting arrangements is similarly low, with particular concern relating to confidentiality and a perceived high risk of retribution or negative career impacts, for those who report harmful behaviours.
- ▶ Low reporting rates that result from this lack of trust have created a vacuum in which some individuals and offices are unaware of the prevalence of these behaviours, whilst others have remained in denial about the prevalence and impact of these behaviours.

<sup>2</sup> The term ‘people who identified as having a diverse sexuality’ refers to people who identify as lesbian, gay, bisexual, pansexual, queer, asexual or aromantic, undecided or other.

## Framework for Action

To respond to these findings, EB&Co. has proposed a Framework for Action – a blueprint that the NSW Parliament can follow as Parliamentary leaders work collaboratively towards ensuring that its workplaces are genuinely respectful, inclusive, and safe and that people who perpetrate harmful behaviour are accountable.

This Framework draws on the voices of workers in NSW Parliamentary workplaces. It also draws on advice from the PAG, the PEG, relevant documents and data and promising practices from other Parliaments. The Framework sets out recommendations across key domains, as outlined below.

### 1. Make prevention and early intervention a leadership and organisational priority in all NSW Parliamentary workplaces

The Review heard about many committed and authentic leaders who intentionally create safe and inclusive workplaces, create team cohesion and proactively address issues at the earliest opportunity. Equally, the Review heard that leadership needs to be strengthened, with leaders at all levels making a visible commitment to eliminating harmful behaviours, as well as to holding themselves, staff and colleagues to account.

Accordingly, the Framework recommends a focus on the domain of leadership through:

- 1.1 Building shared leadership responsibility**
- 1.2 Developing a Statement of Acknowledgement and a Statement of Aspiration**
- 1.3 Strengthening governance and coordination**
- 1.4 Strengthening collaboration across the Parliamentary system.**

### 2. Address the cultural factors that contribute to bullying, sexual harassment and sexual misconduct in Parliamentary workplaces

Bullying, sexual harassment and sexual misconduct are the product of a range of cultural factors, including unequal distribution of power, casual sexism, discrimination and poor accountability. The Review found that work must occur immediately to improve access to reporting and support. Alongside this, efforts are required to shift these cultural dynamics, so that each person can make their full contribution to NSW Parliamentary workplaces.

The Framework therefore proposes the following steps for reform:

- 2.1 Strengthening and resourcing work on diversity and inclusion**
- 2.2 Addressing power imbalances and strengthen accountability**
- 2.3 Reviewing and improving working hours and conditions for MoPS staff**
- 2.4 Reducing the harms associated with alcohol consumption across Parliamentary workplaces**
- 2.5 Establishing a Taskforce to reduce specific risks for LGBTIQ+ people in Parliamentary workplaces.**

## 3. Create an enabling policy environment

Policy frameworks are practical expressions of an organisation's values and priorities and send powerful signals about the behaviours that are considered appropriate. While strengths are apparent in the existing policies, key gaps include a current silence regarding harmful behaviours in the respective Codes of Conduct for MPs in both Houses, as well as the lack of structural protection for MPs' staff experiencing bullying, sexual harassment, or sexual misconduct.

The Framework therefore proposes the following steps for reform:

- 3.1 Reviewing and strengthening the Codes of Conduct for each House.**
- 3.2 Reviewing the Members of Parliament Staff (MoPS) Act 2013 and updating the relevant written employment agreements**
- 3.3 Reviewing and updating the policy framework covering bullying, sexual harassment and sexual misconduct in NSW Parliament**
- 3.4 Political parties reviewing their internal policies on harmful behaviours**
- 3.5 Updating Standing Orders to require respectful behaviour in both Houses.**

## 4. Inform, empower, support and encourage everyone to speak up and take action on bullying, sexual harassment and sexual assault in Parliamentary workplaces

Policy frameworks need a range of supports to become a part of the fabric of an institution. While workers in NSW Parliamentary workplaces have several training options available to them, the Review has heard that there is room for strengthening the offering.

This should include:

- 4.1 Providing best practice training on bullying, sexual harassment and sexual misconduct**
- 4.2 Providing best practice leadership and management development for MPs and senior staff**
- 4.3 Implementing strategies to improve access to and uptake of training.**

## 5. Create a safe reporting environment that is human-centric and trauma-informed

A safe reporting environment creates an encouraging environment for people to come forward, disclose an incident, seek support and in certain circumstances, request that a matter be investigated. It also sends a signal to all workers that harmful behaviours will not be ignored. Confidence in the reporting systems in NSW Parliamentary workplaces is currently extremely low. Some of this is due to variable knowledge and confusion about the existing reporting pathways. More fundamental, however, is the concern about lack of confidentiality and associated retribution for making a report. Concerns like this are currently undermining the value of roles such as the newly created and welcome position of Independent Complaints Officer.

Reforms should include:

- 5.1 Investigating the potential to create an independent body to provide advice and early intervention, receive and investigate reports and support all parties in a complaint**
- 5.2 Resourcing, training and guidance for DPS staff to enable trauma-informed and human-centric responses to inquiries and reports**
- 5.3 Developing strategies to improve access to the Independent Complaints Officer**
- 5.4 Updating and expanding pathways for reporting**
- 5.5 Updating the respective Codes of Conduct to strengthen protection against retribution for survivors and witnesses**
- 5.6 Providing access to support for all parties**
- 5.7 Providing training on trauma-informed responses to security guards and Special Constables**
- 5.8 Strengthening protections around Standing Order 52**
- 5.9 Developing new principles on confidentiality and transparency**
- 5.10 Implementing an educational campaign to increase awareness of reporting pathways.**

## 6. Transparent monitoring

Monitoring plays a central role in determining progress. Given the ambition of NSW Parliamentary workplaces to be sites of zero harm, it will be important to examine the extent to which the recommendations of this Review have been implemented, as well as the extent to which prevalence of harmful behaviours shifts over time.

As such, the Framework for Action recommends a multi-faceted approach to monitoring, including:

- 6.1 Developing a process for routine monitoring of prevalence**
- 6.2 Auditing activities undertaken to create safe and inclusive workplaces**
- 6.3 Identifying ‘hotspots’**
- 6.4 Commissioning an independent evaluation of progress in two to three years’ time.**

## Conclusion

Bullying, sexual harassment and sexual misconduct in workplace environments are issues of concern that all Australians want to see addressed. The Review revealed strong and consistent themes around the prevalence of these behaviours in the NSW Parliament, indicating a need for concerted attention, as a priority.

Just as importantly, the Review revealed strong support for this change work to occur, to make the reforms achievable and sustainable, and have high impact. Certainly, the NSW Parliament has already made a positive start towards workplaces that reflect the expectations of the community. The commissioning of this Review has been another crucial step, one which has involved the indispensable contributions of people currently or previously working across these environments. By courageously telling their stories, particularly those who have experienced harm during their time at Parliament House, these people have been agents of change, and their experiences, observations and suggestions for change have informed the findings and recommendations of this report.

The Framework for Action proposed here is a template for the NSW Parliament to follow as it continues to serve the people of this state – to honour these contributions and to ensure Parliamentary workplaces are genuinely inclusive, respectful and safe.



# Chapter 1: Introduction

## Introduction

The NSW Parliament is one of the cornerstones of democracy in Australia. Tracing its history back to the 1820s, its driving purpose is to represent the people of NSW, which it now does across multiple sites, from the historic Parliament House on Macquarie Street, through the Parliamentary precinct, and 98 electorate offices across the state. These locations are described collectively in this Review as ‘Parliamentary workplaces’.

The culture of, and behaviour in, Parliamentary workplaces has been the focus of significant attention in recent years. Accompanying the global rise of the #MeToo movement, significant discussion has occurred about the extent to which institutions charged with leading and nurturing democracy have been safe and inclusive spaces, particularly the extent to which people of all genders are able to contribute fully. As a result, a strong call has emerged for Parliamentary workplaces to ensure that the behaviour, policies, processes and cultures that exist within these settings align with contemporary workplace culture and behaviour. Further, this call suggests a desire for Parliamentary workplaces not only to meet expected standards but to excel as inclusive, respectful and safe workplaces.

Reviews into Parliamentary workplaces conducted both in Australia and in comparable democracies have documented both strengths and deficiencies. In Australia this has included a Review by the Australian Human Rights Commission *Set the Standard: Report on the Independent Review into Commonwealth Parliamentary Workplaces* (2021), the (Commonwealth) *Review of the Parliamentary Workplace: Responding to Serious Incidents* led by Stephanie Foster PSM, the *NSW Review of policies and procedures for Ministerial offices – bullying, harassment and sexual misconduct* led by the Hon. Pru Goward (2021) and the South Australian Equal Opportunity Commission *Review of Harassment in the South Australian Parliament* (2021). Internationally, the *Independent Inquiry into Bullying and Harassment in The House of Lords* report led by Naomi Ellengbogen QC (2019) and the *Review of Bullying and Harassment in the New Zealand Parliament* led by Debbie Francis (2019) have also set important benchmarks.

Whilst each Parliament is unique, common findings emerge from these reviews, particularly a recognition that the context of Parliament itself creates risk (partly due to the intense and political nature of the working environment, as well as the unequal distribution of power) and also creates barriers to reporting and outcomes. Almost all of these Reviews have recommended a range of interventions with a view to systemic change – that is, to transform policies, practices, power dynamics and mindsets. In particular, many of these Reviews have emphasised the need for structural protections against bullying, sexual harassment and sexual misconduct, as well as greater protections for reporting and action by those who experience or witness harmful behaviours. Many have also called for a stronger leadership commitment to the elimination of harmful behaviours, noting the particular responsibilities of those with formal authority (including MPs, Special Office Holders, Chiefs of Staff and Senior Electorate Officers in each MP’s office).

## The project in context

The prevalence of, and response to, bullying, sexual harassment and sexual misconduct was a live conversation in NSW Parliamentary workplaces long before 2021. In early 2021, the Parliamentary Executive Group took the significant step of establishing a Parliamentary Advisory Group on Bullying, Sexual Harassment and Sexual Misconduct (the PAG). Chaired by the Hon. Leslie Williams MP, the PAG’s membership includes Members of Parliament from each of the major parties, staff of Parliamentarians across both Houses, and Ministers, staff working for the three Parliamentary Departments, members of the Public Service Association, and a survivor of sexual assault.

The PEG and the PAG identified the need for a systematic exploration of: the extent to which Parliamentary workplaces are safe and inclusive workplaces; and identify areas where additional focus is required.

In light of that, the Parliamentary Executive Group<sup>3</sup> (PEG) commissioned Elizabeth Broderick and Co (EB&Co.) to conduct a Review, the objective of which was ‘to examine culture and provide advice to the Parliamentary Executive Group on the nature and prevalence of harmful behaviours including bullying, sexual harassment and sexual misconduct within Parliamentary workplaces and, where deficient, to make recommendations for further strengthening’.

Both the PAG and the PEG have provided ongoing input and support for the Review and the Review team thanks them for their contribution.

## NSW Parliamentary workplaces

The Parliament of NSW is Australia’s first and oldest Parliament. While NSW Parliamentary workplaces include the Parliamentary precinct, Ministerial offices at Martin Place and electorate offices all around the state, the Parliamentary precinct, in particular, contains the oldest surviving public building continuously in use in the Sydney Central Business District. The historical significance of the NSW Parliament to Australia’s post-colonial political narrative therefore provides a symbolic, if not an actual, marker of enduring democratic leadership.

That said, the workplaces that make up this historic institution are complex and multi-faceted. There is no central source of leadership, while three distinct cohorts each have their own protections and obligations. These cohorts are:

- ▶ **Staff of the three House Departments**, that is, the Department of Parliamentary Services (DPS), the Department of the Legislative Assembly (DLA), and the Department of the Legislative Council (DLC). Staff employed within these Departments are Parliamentary employees and are employed under terms and conditions that align to public sector employment in NSW.
- ▶ **Members of Parliament**. MPs are workers for the purposes of Work, Health and Safety, and employers. For MPs in the Legislative Assembly, that involves

responsibility to their electorate and for MLCs in the Legislative Council that involves responsibility to the people of NSW. This accountability is predominantly exercised through four-yearly elections.

- ▶ **Staff working for Members of Parliament**. This includes staff with diverse roles, including:

- staff working in electorate offices (ie working for Members of the Legislative Assembly)
- staff working as researchers, secretaries or assistants (for Members of the Legislative Council)
- staff working for Ministers; and
- staff working for special office holders (such as the President, the Speaker, and the Whips).

These staff are employed directly by individual Members of Parliament under the *Members of Parliament Staff (MoPS) Act (2013)*. DPS provides some, albeit limited, human resources support for MPs to take up their role as employers.

As one Review participant noted, therefore:

“Parliament isn’t a single workplace – we need change across multiple fronts across multiple systems.”

## Findings in a nutshell

This Review report reflects the individual views and perspectives of current and former workers in NSW Parliamentary workplaces over the past five years. It provides compelling insight into people’s perceptions and experiences while working in those workplaces. The Review did not extend to investigating or making any findings about any individual incident or allegation, nor about any individuals. All individuals who disclosed an experience of harmful behaviour and sought further support were provided with appropriate referrals, as was any individual who was seeking an investigation of their current or past experience.

<sup>3</sup> The Parliamentary Executive Group consists of: the Speaker of the Legislative Assembly, the President of the Legislative Council, the Clerk of the Legislative Assembly, the Clerk of the Legislative Council, and the Chief Executive of the Department of Parliamentary Services.

EB&Co. sincerely thanks everyone who contributed to this Review. Their passion for serving the community of NSW; their candour about their experiences; and their suggestions for positive change have greatly enriched the work.

Key themes that emerged across the Review include:

- ▶ many people who participated in this Review spoke very positively about their workplace and felt that, where issues of harmful behaviour arose, they were addressed swiftly and appropriately.

Nevertheless, other findings included:

- ▶ Bullying is a significant issue across Parliamentary workplaces in NSW. It is systemic and multi-directional, and those working in Parliamentary workplaces have low confidence in structural or cultural protections to prevent bullying or to stop it once it is occurring.
- ▶ Sexual harassment and everyday sexism occur at unacceptable rates, with prevalence of experiences particularly high for women, people who identified as having a diverse sexuality and younger people (24-35 years old).
- ▶ Both women and men reported experiences of actual or attempted sexual assault, and prevalence was highest among people who identified as having a diverse sexuality.
- ▶ The impact of these behaviours is heightened for Aboriginal and Torres Strait Islander people, and for people from culturally and linguistically diverse backgrounds.
- ▶ Some offices are described as “well-known hotspots”, characterised by high rates of staff turnover related to harmful behaviour.
- ▶ The human cost of these behaviours is high. Many Review participants described the impact of these behaviours on their mental health, their wellbeing, their relationships, and their career as ‘devastating’.
- ▶ The organisational cost is similarly high, with Parliamentary workplaces losing smart, capable and passionate individuals due to these behaviours.
- ▶ Key drivers of harmful behaviours include: the unequal distribution of power; the underrepresentation of women and diverse cohorts in formal decision-making roles; the unequal distribution of accountability and inconsistent behavioural expectations; and the highly pressured and political nature of the working environment. Other factors – such as working hours, staffing arrangements and access to and consumption of alcohol in NSW Parliamentary workplaces – compound these drivers.
- ▶ Many people were not aware of the policy framework and those who were aware had limited confidence in the ability of current policies to either prevent or respond meaningfully to harmful behaviours.
- ▶ Knowledge of, and trust in, the reporting arrangements is similarly low, with particular concern relating to confidentiality and a perceived high risk of retribution or negative career impacts, for those who report harmful behaviours.
- ▶ Low reporting rates that result from this lack of trust have created a vacuum in which individuals and offices have been aware of, or remained in denial about, the prevalence and impact of these behaviours or accepted that such behaviours are normalised.

A strong call for change was a constant theme across this Review. Clearly, Parliamentary workplaces must strengthen their commitment to prevention and response whilst addressing the cultural drivers of harmful behaviour. Doing so will not only ensure that these workplaces are safe and inclusive for all who are committed to the service of the NSW community but that they act as an example of the standards that this community expects.

# Chapter 2: Review Methodology

## Introduction

Understanding the strengths and vulnerabilities in any organisational context requires bringing together diverse perspectives and building new insights about the nature of the challenge, as well as the opportunities for intervention. This Review has drawn on a wide range of sources, with a particular focus on learning from the lived experience of current and former workers in Parliamentary workplaces.

Key to understanding the lived experience of these workers has been the qualitative and quantitative data gathered via:

- ▶ **A tailored online survey** of individuals who currently work in NSW Parliamentary workplaces, **completed by 447 people** (representing 27.7% of the NSW Parliamentary workforce, a statistically significant sample)
- ▶ **109 confidential 1:1 interviews**
- ▶ **7 confidential group listening sessions**
- ▶ **58 confidential written submissions** (55 from individuals and 3 from organisations).

In addition, EB&Co. undertook a desktop review of relevant literature, both in Australia and internationally, as well as a review of relevant documents provided by the NSW Parliament.

All participation in the Review was voluntary and informed consent was obtained prior to participation. Participants were able to choose if, when and how they engaged with the Review. This ensured that all participants could be involved on a confidential basis.

The Review was conducted under Bellberry Human Research Ethics Committee approval (Reference number 2021-09-1123). All data collected through the Review has been, and will continue to be, stored in accordance with the obligations under this ethical approval, as well as obligations under national privacy legislation.

Given the potentially distressing nature of the Review content, the Parliamentary Administration<sup>4</sup> put in place a range of supports for Review participants, including access to a psychologist with deep expertise in trauma-informed care; and access to a new EAP provider.

Contact information for the full range of support services was provided via the EB&Co. website, Participant Information and Consent Forms and in 1:1 listening sessions.

## Survey Methodology

An online survey was administered to current workers in NSW Parliamentary workplaces to understand the prevalence and nature of bullying, sexual harassment, and sexual assault across these settings in the last five years, as well as respondents' perceptions of the culture of their workplace.

The survey was administered by the Social Research Centre, a leading research institution affiliated with the Australian National University. The Social Research Centre also analysed the survey data on behalf of EB&Co.

For the purposes of this Review, a NSW Parliamentary workplace was defined as including NSW Parliament House, Ministerial offices at Martin Place, Electorate Offices, as well as any location at which the survey respondent was engaged in work or work-related travel, events, engagements or functions.

Survey respondents included all NSW Parliamentary workers as follows:<sup>5</sup>

- ▶ Members of Parliament (MPs, including Ministers)
- ▶ Members' staff and Special Office Holders' staff<sup>6</sup>
- ▶ Ministerial staff and
- ▶ Departmental staff.

<sup>4</sup> The Parliamentary Administration is made up of the Presiding Officers, Clerk of the Parliaments, Clerk of the Legislative Assembly and Chief Executive Department of Parliamentary Services.

<sup>5</sup> While Authorised Pass Holders were invited to take part in the survey, there was a very low response rate and, as such, their data has not been included in the data reported.

<sup>6</sup> Due to the small number of Special Office Holders' staff, their responses have been combined with Members' staff responses for the purposes of analysis and reporting.

All NSW Parliamentary workers were invited to complete the online survey via a unique survey link emailed to them by the Social Research Centre. A detailed engagement and communication strategy was deployed to increase survey participation across the data collection period. This involved consistent messaging on the confidentiality of survey responses.

The survey was administered from 19 November 2021 to 8 February 2022. A total of 447 people responded to the survey, representing an overall response rate of 27.7%.

All survey responses were de-identified and aggregated with the responses of all other survey respondents. All results were reported at a group level, so that no individual could be identified.

Participants were asked for demographic information and survey responses were weighted to the employment profile of the NSW Parliament. This accounted for differences between those who completed and the entire employee group, with percentages quoted reflecting the estimated weighted prevalence among NSW Parliamentary workers.

Workforce subgroups with a small sample size (<30) (e.g. Aboriginal and/or Torres Strait Islander people, people with a disability, people who identify as non-binary, people who speak a language other than English at home) are not shown as discrete groups in graphs and tables in this report but they do contribute to overall estimates shown.<sup>7</sup> This approach minimises risks to the privacy of individual respondents and avoids potential statistical issues with small sample size.

This report does refer to statistically significant differences between survey respondents that identified as 'straight/heterosexual' and those that identified as having a 'diverse sexuality' which includes those that identified as gay, lesbian, bisexual, pansexual, queer, asexual or aromantic, or undecided.

A relatively small, but significant, proportion of respondents (ranging from 1.3% – 7.6% of respondents depending on the specific demographic category) were hesitant to disclose specific demographic details (i.e. chose "Prefer not to say" in response to specific demographic questions). This may reflect some hesitancy or concern that the results from the survey would not be kept confidential or that people may be able to be identified. Throughout this report, the proportion that did not answer demographic questions are excluded from the tables and charts. They do contribute, however, to the overall estimates.

The questionnaire was developed collaboratively by EB&Co. and the Social Research Centre, with advice from the Parliamentary Administration and the PAG. Survey questions reflected the issues identified in the discussion groups, 1:1 interviews and written submissions and provided an alternative avenue for NSW Parliamentary workers to engage with the Review.

An analysis of potential selection bias – the possibility that those experiencing harmful behaviours may be more likely to complete the survey – showed no evidence of obvious bias (i.e. no clear trend was observed in reported prevalence versus the response rate for various sub-groups in the data). EB&Co. cautions against direct comparisons between data in this survey and other surveys because of differences in methodology (e.g. framing of questions, definitions, timeframes, etc). The most important and meaningful comparative data for the NSW Parliament will therefore be to compare future longitudinal data against the baseline data presented in this report.

The headline figures include all reported incidences of bullying, sexual harassment, and sexual assault. However, a small proportion of these include experiences that are technically out of scope for NSW Parliament – that is, experiences of Ministerial staff that did not occur at Parliament House, or experiences of Ministers that occurred at Martin Place. The small number of such incidents that took place outside the jurisdiction of the NSW Parliament are noted in the report. Their impact on the headline data figures is very small (i.e. less than 2%).

<sup>7</sup> Of all survey respondents, 30 respondents identified that they spoke a language other than English at home; 16 identified as having a disability; 2 identified as Aboriginal and/or Torres Strait Islander; and 1 person identified as non-binary. For all demographic questions the option was provided to indicate 'prefer not to say'.

Consistent with the focus of this Review, the survey focused primarily on respondents' experiences within NSW Parliamentary workplaces over the last five years. Along with the five year and 12 month timeframes, however, survey respondents were also asked if they had 'ever' experienced bullying, sexual harassment or sexual assault. This approach provided an opportunity for respondents to record their experience(s) that would otherwise be outside the scope of the Review.<sup>8</sup> All prevalence data reported is based on NSW Parliamentary workers' experiences in the last five years.

## Confidential 1:1 listening sessions

Given the significant concerns regarding confidentiality, as well as the risk of retribution for 'speaking up', confidential listening sessions were a key strategy for hearing from people in their own words. Confidential listening sessions were offered to current and former workers in Parliamentary workplaces, current and former Authorised Pass Holders, guests, and external experts. Each interview was conducted by a member of the EB&Co. Independent Review Team.

Participants in confidential listening sessions numbered 109 overall. Interview participants were diverse, representing the key cohorts (MPs, staff of MPs and Special Office Holders, Ministerial staff, and employees working for the Parliamentary Departments); almost all political parties participating in the NSW Parliament; women, men and non-binary people; heterosexual people and those who identified as having a diverse sexuality; Aboriginal and Torres Strait Islander people; people from culturally and linguistically diverse backgrounds; people with disability; and metropolitan, rural and regional workgroups. Members of the Review Team took notes during the session, with all physical and digital notes securely stored.

Some listening sessions were undertaken in the establishment phase of the project and included more detailed exploration of the NSW Parliamentary context. These sessions, which were conducted with members of the PEG and the PAG, blended briefing (about the proposed process), listening and seeking advice about methodology.

Consultations were also conducted with other key individuals in the establishment phase, including with The Hon. Pru Goward and the team responsible for the review into Ministerial offices, as well as with lead reviewers responsible for Reviews into Parliamentary workplaces in Australia and internationally.

## Confidential group listening sessions

A total of seven small group listening sessions were offered. These sessions were tailored to staff of the three Departments, with dedicated sessions offered for:

- ▶ Security staff
- ▶ Cleaning staff
- ▶ Catering staff
- ▶ Information Technology Staff
- ▶ Staff of the Department of Parliamentary Services
- ▶ Staff of the Department of the Legislative Assembly
- ▶ Staff of the Department of the Legislative Council

Advice was provided by the PAG and the Department of Parliamentary Services (DPS) on the best way of structuring and recruiting staff to maximise psychological safety. Accordingly, sessions were mixed gender and predominantly included people at the same level of seniority within the organisation.

<sup>8</sup> There are caveats on the accuracy of data in the "ever" timeframe:

- Unlike the five year and 12 month timeframes, data collection for the "ever" timeframe did not include a best practice two-part methodology for obtaining prevalence data on sexual harassment. That is, to provide a plain-English definition of sexual harassment first and ask if respondents have experienced this and, second, to provide a list of specific behaviours that may constitute sexual harassment and then ask if respondents have experienced these. The combined data from these answers reflects an accurate prevalence rate. This methodology is consistent with the National Sexual Harassment Survey conducted by the Australian Human Rights Commission every four years and recognises the low level of understanding of what constitutes sexual harassment.
- By extending the timeframe to "ever", the sample population becomes less representative of total workforce, potentially limiting statistical analysis. Further, the "ever" timeframe is susceptible to significant "survivorship bias", where people who may have experienced bullying or sexual harassment are no longer part of the Parliamentary workforce and hence excluded from prevalence data.
- Societal understanding, definitions, and awareness of bullying and sexual harassment have shifted over time, hence restricting analyses to the five year time frame likely provides more consistent prevalence data.

The majority of sessions were conducted face to face, with one session conducted online. Each session was facilitated by either one or two members of the EB&Co. Independent Review Team. Members of the Review Team took notes during the session, with all physical and digital notes securely stored.

A total of 43 staff participated in these sessions.

## Confidential written submissions

Written submissions were considered an important option for individuals who may not feel comfortable participating in an individual interview. They also provided organisations with expertise in the field to share their insights. Individuals and organisations were able to submit written contributions in one of two ways – to email the Review Team directly, or to submit via the online form on the dedicated EB&Co. Independent Review website. All submissions have been, and will continue to be, stored in accordance with privacy legislation and the Review’s ethical approval. A total of 58 written submissions were received, of which 55 submissions were received from individuals and three were received from organisations.

# Chapter 3: Leadership in the Parliament of NSW

## Introduction

This Chapter explores the importance of leadership in shaping the culture of workplaces across the NSW Parliament. In the context of both institutional and individual leadership, it discusses how good leadership acts as a preventative measure against unacceptable behaviour and, conversely, how leaders who enable a permissive or punitive work environment create the emergence of an unhealthy culture and risks of harm. This – in turn – damages individual lives, divides teams, and undermines organisational effectiveness.

The Chapter will also examine leadership in relation to effective “people management” and how deficiencies in this regard erode a healthy, high-performing workplace culture. In addition, the Chapter will consider how the stark power imbalances among Parliamentarians on the one hand, and their staff and Departmental staff on the other, as well as the actual and perceived lack of accountability of Parliamentarians, can create environments that are inconsistent with fostering inclusive, respectful and safe workplaces.

Certainly, it is well recognised that leadership is integral to influencing and shaping an organisation’s culture. Leaders who demonstrate the imperative of a healthy and positive workplace culture through their actions, behaviours and attitudes create high performance and organisational effectiveness. As leadership author William Craig writes:

*Your behaviours at work, your communication style and how you handle wins and setbacks all affect [workplace] culture. You can’t delegate creating the culture your employees experience. If you want to reflect particular values, demonstrate those values in your actions...<sup>9</sup>*

“ When employees feel engaged in a dynamic and caring work culture, their performance, pride and loyalty skyrocket the [organisation]... to success.<sup>10</sup> ”

Globally, leaders across the corporate and public sectors are increasingly acknowledging the strong link between internal workplace culture objectives and external organisational performance.<sup>11</sup> Importantly, in those organisations where leadership treats workplace culture as a priority, lower levels of harmful and inappropriate behaviour are apparent.<sup>12</sup> In examining this issue, the Australian Human Rights Commission found in its review of Commonwealth Parliamentary Workplaces:

“ The best results are achieved when leaders establish organisation-wide buy-in. They do so by setting a clear vision of how a safe and respectful workplace culture relates to organisational goals. This vision is then embedded in workplace structures, processes, and success measures.<sup>13</sup> ”

When leaders do nothing, or when they fail to see workplace culture as an imperative, they risk enabling a culture that gives rise to inappropriate and destructive behaviours such as bullying, sexual harassment and sexual misconduct. Conversely, when leaders identify the prevention of harmful behaviour as a priority for their workplace, other people in the organisation will prioritise it as well, thereby minimising the risk of these behaviours occurring<sup>14</sup>

9 W Craig “The Role Leadership Has in Company Culture” in Forbes Sep 5, 2018 <https://www.forbes.com/sites/williamcraig/2018/09/05/the-role-leadership-has-in-company-culture/?sh=2871f8f716b6>  
10 Ibid.

11 Google, ‘Aristotle Project’ Rework (Web page) < <https://rework.withgoogle.com/print/guides/5721312655835136/> .>

12 Chloe Hart, Alison Dahl Crossley, and Shelley J. Correll, ‘Study: When Leaders Take Sexual Harassment Seriously, So Do Employees’ Harvard Business Review (Webpage, December 14, 2018) <<https://hbr.org/2018/12/study-when-leaders-take-sexual-harassment-seriously-so-do-employees>>. and Employers Network for Equality and Inclusion, Inclusive Leadership... driving performance through diversity! (2016).

13 Australian Human Rights Commission 2021, Set the Standard: Review into Commonwealth Parliamentary Workplaces [https://humanrights.gov.au/sites/default/files/document/publication/ahrc\\_set\\_the\\_standard\\_2021.pdf](https://humanrights.gov.au/sites/default/files/document/publication/ahrc_set_the_standard_2021.pdf)

14 Chloe Hart, Alison Dahl Crossley, and Shelley J. Correll op.cit.



## The Importance of Institutional and Individual Leadership

Organisations promote and sustain healthy cultures when there is both institutional and individual leadership. Institutional leadership allows for greater consistency in leadership practices and styles among individual leaders and ensures that all leaders in an organisation actively practice and champion the values of their organisation. This means that organisational culture is not solely reliant on the personality or individual beliefs and traits of particular leaders but on systems, structures and processes that support a sustainable healthy culture.

Individual leadership then occurs when leaders draw on the values of their organisation to set clear expectations about what is, and what is not acceptable and, accordingly, make the inclusion, safety of and respect for all workplace participants a priority.

Leaders of varying levels of seniority across any organisation play a role in ensuring that their workplace is one where all employees can thrive. Within NSW Parliamentary workplaces, this involves a range of leaders:

- ▶ Members of Parliament (MPs) and Members of the Legislative Council (MLCs), including Ministers
- ▶ Party leaders
- ▶ Senior political staff members (Members of Parliament Staff (MoPS staff) employees), such as Chiefs of Staff
- ▶ Parliamentary office holders, such as the Speaker of the Legislative Assembly and the President of the Legislative Council
- ▶ the Government and Opposition leaders and Whips in each House and
- ▶ senior Departmental staff, including the Clerks and the Chief Executive of DPS.

Those who hold the *most* positional power, however, are critical in shaping the culture of the workplace they oversee. This is particularly the case for Parliamentarians. The very nature of the roles of MPs as elected representatives, means that the community expects that their behaviour and actions should be exemplary and beyond reproach. The public's faith in their fitness to lead is eroded when Parliamentarians' actions fall below the expected standard. This can include personally behaving in a way that is harmful or fostering a poor workplace culture by failing to set clear expectations or call out and address inappropriate behaviour. Commenting on this, the Australian Human Rights Commission stated in its report, *Set the Standard: Review into Commonwealth Parliamentary Workplaces*:

“ The failure of leaders to prevent and respond to misconduct across these workplaces reflects an institution-wide deficit in the type of leadership that the Australian community would expect.<sup>15</sup> ”

Further, in her review of NSW Ministerial Offices, former Government Minister, the Hon. Pru Goward stated that:

“ The public quite rightly expects Government leaders, particularly Ministers, to model respectful conduct and set the standard for the rest of the NSW workforce and wider society. This is particularly so given the role of Ministers in administering laws. Any failure on their part to uphold the necessary standards and laws will inevitably contribute to a decline in public trust in the institution of government.<sup>16</sup> ”

<sup>15</sup> Op.cit p.150

<sup>16</sup> The Hon. Pru Goward 2021 Review of Policies and Procedures for Ministerial Offices – Bullying, Harassment and Sexual Misconduct, NSW Department of Premier and Cabinet <https://www.dpc.nsw.gov.au/assets/dpc-nsw-gov-au/publications/1832/Goward-Report-April-2021.pdf>

## Leadership within the NSW Parliament

Parliamentary workplaces in NSW have no central point of leadership. Leaders include an array of position holders including:

- ▶ the Presiding Officers
- ▶ MPs, including Ministers and other Special Office Holders
- ▶ the Clerks in both Houses and the Chief Executive of DPS
- ▶ Senior Departmental staff
- ▶ Chiefs of Staff and
- ▶ senior staff of individual Members.

The complex environment in which these leaders work is made more challenging by:

- ▶ the political nature of much of the work, including the demands of election cycles and the fiercely competitive and adversarial nature of politics, played out in both Houses and often in the Parliamentary Committee system
- ▶ the hierarchical nature of and power imbalance between MP/Minister and staff
- ▶ the limited remit of, and resources available to, the human resources system, particularly as it relates to Members of Parliament and for MPs' staff and
- ▶ the significant public and media scrutiny.

In addition to this, Parliamentarians come into their roles without the requirement of having managed people and can lack the necessary skills to lead teams. This can also be the case for Ministers' Chiefs of Staff, who are responsible for the running of a Minister's office. A lack of people management skills on the part of leaders can significantly influence the culture of their workplaces.

These factors, together with the unique interplays of power and leadership, as well as the lack of a system that ensures consistency and accountability of leadership, has a considerable impact on the NSW Parliamentary workplaces.

One significant enabler of a lack of leadership accountability among Parliamentarians is the employment insecurity of MoPS employees. Section 20 of the *Members of Parliament Staff (MoPS) Act* regarding termination of employment provides that:

### 20 Termination of employment

- (1) *The employment of a person under this Part by a member of Parliament terminates—*
  - (a) *in the case of a person employed by a member of Parliament under section 14—if the member ceases to be a member of Parliament, or*
  - (b) *in the case of a person employed by a member of the Legislative Council under section 14—if the member becomes a political office holder, or*
  - (c) *in the case of a person employed by a member of Parliament in his or her capacity as a special office holder under section 15—if the member of Parliament ceases to be a special office holder or a member of Parliament, or*
  - (d) *on the day appointed for the taking of the poll for the next general election, or*
  - (e) *if the person resigns by letter addressed to the member of Parliament, or*
  - (f) *if the person's services are dispensed with by the member of Parliament.*
- (1A) *The employment of a person under this Part by a member of Parliament may also be terminated by the relevant Presiding Officer under section 20A.*
- (2) *The relevant Presiding Officer may direct in a particular case that the employment of a person that would otherwise terminate because of the operation of subsection (1) (a)–(d) does not terminate. In that case, the person's employment continues for such period as the relevant Presiding Officer directs and the person is taken to be employed by the relevant Presiding Officer during that period.*
- (3) *A member of Parliament may at any time dispense with the services of a person employed by the member of Parliament under this Part.*
- (4) *This section has effect despite anything in the written agreement of employment of the person concerned.*

This section allows for Members' staff to be dismissed without notice or cause, and without the protections available to people in other workplaces. As one Parliamentarian told the Review Team:

*I could walk into my office now and fire all the staff and they have no recourse.*

Exacerbating this precarious employment situation are the limited and generally ineffective formal processes through which Parliamentarians can be called to account for behaviours such as bullying and sexual harassment. Many staff told EB&Co. that, if they are subject to harmful behaviours, calling the behaviour out or reporting it would be “career suicide” – meaning that they could readily be dismissed and find it difficult to get another job within the party of the Parliamentarian for whom they had worked. These issues are discussed further below.

The various leadership roles in the Parliament and the combative nature of a political environment mean that a sustained workplace culture of respect, inclusion and safety can only be achieved through an active, whole-of-Parliament commitment. This requires all leaders to acknowledge that harm such as bullying, sexual harassment and sexual misconduct has no place in the NSW Parliament. As well as the corrosive individual and organisational impacts, such behaviours erode public confidence in Parliament as an institution of positive influence and high standing.

## The Importance of People Management

A common theme that emerged early and consistently throughout the Review, was that leaders in the NSW Parliament – Parliamentarians in particular - do not have sufficient or effective ‘people management’ capability. This is because Parliamentarians’ priorities are primarily about managing electorate, state and party interests rather than running their own workplaces. The Australian Human Rights Commission Commonwealth Parliamentary Workplaces report, *Set the Standard*, made similar findings:

*In terms of Parliamentarians, existing leadership structures and practices prioritise management of the national interest, rather than management of their own workplaces. Generally, Parliamentarians and senior MoP(S) Act employees see themselves as outward-facing leaders with a focus on being and staying elected, rather than as individuals who also have leadership responsibilities in the workplace context. Consequently, people leadership is not always considered a priority and may even be considered an impediment to political priorities or winning elections.<sup>17</sup>*

When offices are not properly managed, all employees are prevented from thriving.

Using Deloitte’s model, key elements of good leadership include:

- ▶ Treating people and groups fairly—that is, based on their unique characteristics, rather than on stereotypes.
- ▶ Personalising individuals—that is, understanding and valuing the uniqueness of diverse others while also accepting them as members of the group
- ▶ Leveraging the thinking of diverse groups for smarter ideation and decision making that reduces the risk of being blindsided.<sup>18</sup>

At the heart of good leadership is fostering employee safety and wellbeing, through treating individuals fairly, respectfully and ensuring valuing and belonging.<sup>19</sup>

According to one MP’s staff member who spoke to the Review Team:

*I think MPs want to do the right thing by their community, but they aren’t managers and there’s no management training. There’s no process on how to manage a team of people, so there’s no consistency in the treatment of staff. There are a lot of nice people, but they have massive egos and no duty of care towards staff. It is a really strange environment where everyone feels like these are the most important jobs in the world, but it’s like a bubble and people lose perspective, so the priority is always the politics and the work, and never staff wellbeing.*

<sup>17</sup> Ibid p. 150

<sup>18</sup> J Bourke and B Dillon. *The six signature traits of inclusive leadership: thriving in a diverse new world* April 2016 Deloitte <https://www2.deloitte.com/us/en/insights/topics/talent/six-signature-traits-of-inclusive-leadership.html> (viewed 20 March 2020)

<sup>19</sup> Ibid.

## In their own words

Leadership emerged as a frequent and concerning theme during interviews with staff and Parliamentarians, as well as in their written submissions. Participants acknowledged the uniqueness in the nature and scope of leadership in the NSW Parliament, recognising that it is unlike conventional organisations which generally have one CEO and are supported by an executive leadership team. Staff commented in particular on the need for a greater strengthening of leadership within offices, as well as on the need for implementation of better systems and structures to support a culture of good leadership.

The survey revealed that 68 per cent of the Parliamentary workforce agreed with the statement ‘People in leadership roles promote and encourage respectful workplace behaviour’. Departmental staff were much more likely to agree with this statement (86%) than Members of NSW Parliament (58%), Members staff (62%) and Ministerial staff (66%). There were no significant differences by gender.

The qualitative data, gathered from the 1:1 listening sessions, group listening sessions, and written submissions, however, indicates that there are many people working within NSW Parliamentary workplaces who consider that, among Parliamentarians in particular, leadership is an issue of concern.

EB&Co. was told of both “good” or “effective” leaders as well as “poor” or “inconsistent” leaders. EB&Co was told that some leaders – Departmental leaders and Parliamentarians alike – displayed concern for the wellbeing and professional development of their staff. They “actively listened”, “were receptive to advice” and created “a workplace culture of learning rather than blame”.

*[The Clerks] are good people, I trust them implicitly, they are honourable and care about employees. The MP really sets the tone in the office. My MP places a real priority on our wellbeing... There’s a lot of communication, especially if someone is being abused by a constituent or if someone is struggling with workload.*

The leadership style of certain others – Parliamentarians predominantly – was described to the Review Team as “aggressive,” “impulsive and inconsistent”, “punitive” and “bullying.” Several participants told EB&Co. that many leaders in Parliamentary workplaces lack leadership skills and expertise in managing people.

## Departmental leaders

Staff of the three Parliamentary Departments were generally positive about leaders within those Departments. EB&Co. heard:

*I’ve always felt respected at work... it’s safe. Even if something was to go wrong, there always a process to address it... I personally believe that there are good processes in place to deal with issues and at the highest level, it is followed in NSW Parliament.*

*My supervisor and my boss are great, they really focus on everyone being a team and make sure that they thank everyone for the work they do and try and breed positivity and I do think it makes a difference as to why we all get along and it’s so respectful... The head of DPS also speaks very highly of the staff in Budget Estimates, which is also really nice and shows how valued we are.*

“ I have never felt as empowered as I do in my current role [in DPS] – there is a real willingness to do best practice and be an employer of choice. DPS culture is phenomenal. ”

When it came to holding Parliamentarians to account for poor behaviour, however, it was felt that Departmental leaders “had their hands tied”. EB&Co. heard, for example:

*I don’t think I could approach [the Clerk] or HR about [the Parliamentarian I work for]. Nothing significant would be done and it would probably just blow back on me that I reported [them].*

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## Leadership in the Parliament of NSW

*The [Senior Departmental staff and HR] are decent people but they have no power when it comes to pulling [a Parliamentarian] into line.*

*The thing is there is no-one to report [the bullying] to. I can't go to DPS as there is no way they would investigate [a Parliamentarian] and make them accountable for their actions. The system works to protect the Member.*

### Members and Ministers

Some participants also spoke positively about the Parliamentarians or senior staff for whom they worked. For example, the Review Team was told:

*The Member I work for is very supportive of me professionally and personally. They are respectful and give positive feedback when it is warranted.*

*The [Chief of Staff] in my office really has a good handle on how to manage staff as well as juggling the political nature of the work, the media issues and things that come up from the Department. Although it can be a really stressful environment [they] are still concerned about staff which I think is a rarity.*

*[The Parliamentarian I worked for] always made me feel equal and respected and we had a good understanding of the differences in our role. So [their leadership] was very important in my office and very respectful and it showed in how everyone treated each other and the collegiate nature.*

“ I have been lucky because [the Parliamentarian I work for] is a really great leader of our team. [They] understand how to manage people, [they] motivate and inspire us and [they] really care about our career progression and our well-being. ”

These comments suggest that there are leaders within the NSW Parliament who lead by example with inclusive, authentic leadership.

This provides an opportunity for the NSW Parliament to learn from the commitment and skills of these leaders and leverage it to help drive the organisation towards a strengthened, positive and inclusive culture.

A strong theme resonated across the different listening sessions, however, about the low level of leadership skills of Parliamentarians and on occasion, the Chiefs of Staff or senior staff. Participants spoke of a range of office environments that included those where “staffing needs and interests were overlooked”, to those that were “overtly toxic”, led by Parliamentarians who were variously described as “bullies”, “nasty”, “gaslighters” and, on occasion, “sexual harassers.” When such behaviours were perpetrated by Chiefs of Staff or other staff members or by Parliamentarians from other offices and were then reported to the victim’s Parliamentarian, the Review Team was told that “little if any action was taken.”

In those offices where there was poor leadership, staff and former staff spoke of “a “fear of coming to work”, “work-related anxiety” as a result of their workplace culture and Members who were “more concerned about winning politically than the welfare and psychological well-being of their staff.”

For some, there was a sense that the demands of a Parliamentarian were not conducive to being a good people manager and, as noted above, that “many MPs have never managed people before.” This suggests that they may be ill-equipped to deal with the reasonable allocation of work; employees’ capacity for decision making; conflict; staff well-being issues; and reports of harmful behaviours. According to one Parliamentarian who spoke to EB&Co.:

“ I am so busy, [it feels like] I can't be a good manager and a good MP. ”

Further underpinning the view that some Parliamentarians were responsible for creating poor workplace cultures, was what staff identified as the hierarchical nature of the relationship between a Member and their staff; the limited accountability of Members for their actions and behaviour; and the tenuous job security of Members’ staff as laid out in the *MoPS Act*.

# 3

## Leadership in the Parliament of NSW

The survey revealed that 60 per cent of the Parliamentary workforce agreed with the statement ‘the hierarchical nature of NSW Parliamentary workplaces makes it difficult to call out unacceptable behaviour’. Women (65%) were more likely to agree that ‘the hierarchical nature of NSW Parliamentary workplaces makes it difficult to call out unacceptable behaviour’ than men (52%). Younger staff members, in particular, found that the hierarchical nature of NSW Parliamentary workplaces makes it difficult to call out unacceptable behaviour indicated by 64 per cent for those aged 25 to 34 years, compared with 47 per cent for those aged 55 to 64 years.

Comments provided to EB&Co. on the leadership challenges or deficiencies included:

“ Members become MPs and have never had experience of being an employer. Some are terrible micro-managers and the experience of working in these offices can be devastating for young people. ”

*No-one – Ministers, Chiefs of Staff, Members – have any people management skills. You just have to rely on whether they are nice people that treat you well, if you want to last working for them.*

*In a nutshell, my [MP] is highly emotional, super aggressive, rude and abusive towards staff. To give you some examples, [they] will walk into the office and won't acknowledge or talk to you at all, go straight to [their] office and just shut the door.*

*It's all about the personality of the Members. In my case, my Member was volatile and had a huge ego and [they] did whatever [they] wanted.*

*The Parliament and party do not have oversight and Members can just call the shots without anyone intervening... I lived in constant fear because I never knew when I was going to get the next slaughtering from [them].*

*It was soul destroying to learn that MPs don't treat people well. They want us [as a society] to be responsible, but they don't hold themselves to any account or minimum standard or any consequence. The attitude is that the employee gets fired and what do they care? WHS [Work, Health and Safety] legislation doesn't seem to apply in Parliament. They can do whatever they want, whenever they want. That's the part I can't handle. These people write laws that abuse can't occur in society, but it goes on in Parliament.*

*There is a huge power imbalance in Parliament. It is so hierarchical. Members are at the top and they are not accountable for their behaviour at all. Staff are at the bottom and have few, if any, rights.*

*The Member set up a toxic work environment. It was very hierarchical with [them] at the top and [they] would pit staff against one another.*

“ I think the responsibility falls back to the leaders. If behaviour that is marginal is continually allowed, it becomes acceptable and normal. Elected members should have a responsibility to act above minimum standards of behaviour. ”

*Politicians are not professionals and don't generally come to Parliament with people managerial skills, so there needs to be compulsory training and oversight on professional conduct and how people are managed.*

*[Parliamentarians] bring their own idiosyncrasies, and we are expected to put up with it because they are elected. Under some people's reign, you are expected to work being bullied and harassed, being yelled at, getting up in your face, hanging up the phone on you, being threatened with being sacked... People fear they will lose their job if they speak up, but you end up losing really good people anyway because they leave – they say it's just not worth it.*

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*Because of [the Member's] behaviour, we had a ridiculous turnover of staff, but HR do nothing and it's always a staff problem, never a management issue. Basically, staff are treated as chattels and can be discarded at the whim of an MP. They are there to be paid off and disposed of.*

*What matters is your Member and making them look good, which means there's no clear job role or duties or explanation of what the boundaries are... Because there's no oversight or consequence from the party or HR, it all comes down to the Member themselves. In my experience, if you have two people working together for 16-hour days and one of those people has the power to tell the other to do whatever they want them to or it could be the end of their job, it takes a strong person to not abuse that power, particularly towards young staffers in their first job.*

*The [senior staff member] was just mercurial. There were always people who were in and out. [They were] incredibly manipulative. It was just an absolute cowboy set up.*

There was a view among staff and some Parliamentarians that the fierce political nature of the workplace – including the competitiveness, the adversarial approach and the sense of “win at all costs” – as well as the considerable power held by Members significantly influences their leadership style and the culture of Parliament as an institution. For a number of participants, there was scepticism that change could occur in such an environment. According to some:

*I would say the culture, as a whole, is very hierarchical, exclusionary, brutal and elitist. I mean, you only have to look at how [Members] behave towards each other in Question Time and how such behaviour is celebrated to see how that culture is set from the top, which then flows down to the staff and others in Parliament.*

*The environment of the bear pit [the Legislative Assembly chamber] ... sets the tone for the whole Parliament.*

*All of the qualities of being a fighter are great in an MP but terrible in a boss.*

“ The [Members] are very aware that they are there because they are elected officials. That gives them a huge sense of power. [But] it leaves their staff quite exposed.

”

*The environment which we work in which is largely about bringing your opponent down and doing anything to get ahead, [...it] does not sit well with a working environment that is supportive, empathetic, fair or equal.*

For many staff of MPs, in particular, working for a good leader was akin to a “leadership lottery.” In other words, the type of leadership that staff experienced was dependent on the Parliamentarian for whom they worked. Rather than working within a system and a culture that supported consistently good and positive leadership, the leadership displayed by MPs and, at times, their senior staff was driven by personality.

As one participant told EB&Co.:

*I worked in [a number of] different office environments between different Members and Ministers and I can say that the culture of an office is completely dependent on the Member or Minister you have. They completely dictate the culture that you walk into and there's no consistency whatsoever between offices in terms of how they are run on a day-to-day basis... The strengths of the good offices really promoted collaboration, constructive feedback and ongoing mentoring and there was a lot of consultation between... the Chief of Staff, and the Member. We had clear roles and responsibilities and clear escalation points in the office, but also felt supported. You felt if you made a small mistake it wasn't going to be the end of the world... [In other teams]...if you make a mistake...you get told off in a very adversarial manner, get sworn at and told that you are shit at your job... It was dysfunctional and going to work was like constantly walking on eggshells because the whole working environment was characterised by uncertainty.*

# 3

## Leadership in the Parliament of NSW

*There is absolutely no structure to how offices are run or standards within them. All of my offices were completely different and, for the most part they were good, but I obviously had a terrible experience too. From my perspective, there needs to be an improvement in the structure to provide more consistency in the day-to-day management of staff and it shouldn't just be dependent on whether the Minister is a good person or not.*

*A lot of MPs who haven't managed people are responsible for very young inexperienced staff.*

*It is fundamentally important that people in leadership demonstrate the right culture, particularly if they are trying to change it for the better. It really comes down to each MP and their [senior staff] to drive the right culture to look after staff.*

One MP summarised the challenge as follows:

“ How do we bring every MP up to a higher leadership level? ”

Several participants called for political parties to exercise more leadership in creating a positive culture:

*I feel like I have to give up a part of myself, give up a part of my values to be part of Parliament. [The parties] these days are like a cult. You have to agree with everything or die trying. This mob mentality doesn't get us anywhere.*

“ The culture comes from the parties, because that is where the consequences will come from. ”

## Conclusion

Leadership is fundamental to shaping a workplace culture. It is fundamental to determining whether a workplace is safe, respectful and inclusive for all employees or whether that workplace is unsafe or dysfunctional.

The insights shared with EB&Co. highlight the need for all leaders, and Parliamentarians especially, to make a strong, visible commitment to creating safe and inclusive workplaces. Just as importantly, it highlights the need for all leaders to model change by leading by example; calling out harmful behaviour; holding others to account; and ensuring a positive, professional and supportive culture for all. This should include acknowledging and working to address the harms suffered by current and former workers in Parliamentary workplaces as a result of these harmful behaviours.

The strengthening of leadership capability and skills across, and as a part of, all leadership roles in the NSW Parliament, particularly for Parliamentarians, should be a key priority of the institution. Ensuring strong and positive leadership will provide for genuine and sustained cultural reform which can strengthen public confidence in the NSW Parliament's credibility, standing and authority.

At the same time, the NSW Parliament should continue to support but also strengthen and give greater visibility to, strengthen the PAG, which has played and will continue to play a critical leadership role in identifying and responding to harmful behaviours within NSW Parliamentary workplaces. Unique in terms of bringing together all the key cohorts into a single, purposeful group, the PAG will play a key leadership role in helping the NSW Parliament to shift both its culture and its practice.

Finally, leaders in the NSW Parliament should identify and leverage every possible opportunity to work with others whose roles influence culture and behaviour within NSW Parliamentary workplaces. This includes working with the political parties, the Department of Premier and Cabinet and the relevant unions, so that all key institutions and individuals are collaborating in service of safe and inclusive workplaces and the eradication of harmful behaviours.



# Chapter 4: Lived experience of Parliamentary workplaces: culture, inclusion and harmful behaviours

## Introduction

NSW Parliamentary workplaces are complex and diverse. While those who work in Parliamentary workplaces share a commitment to serving the people of NSW, as well as to working within the democratic process to achieve change and results, the day-to-day experience of workers differs vastly between different cohorts and between offices.

Participants in the Review expressed their appreciation of the unique opportunities that their role brings – the opportunity to serve; the opportunity either to observe or contribute to democracy; and, for many, the opportunity to pursue their own professional or political ambitions.

Many noted that this passion and commitment had made their negative experiences particularly confronting, because it had exposed the gap between the aspirations and values of the Parliament and the lived experiences of working in those settings.

Overall, a majority of workers in Parliamentary workplaces considered their workplace culture to be safe and respectful; to be inclusive of diversity; and to be one in which workers are treated fairly regardless of cultural background, sexuality or gender diversity, or disability.

However, those experiences are not uniform among those working in NSW Parliamentary workplaces and notable patterns did emerge among different groups across the Review. For example, staff working for the Parliamentary Departments were more likely to comment positively on workplace culture (including respect, inclusion and diversity and fair treatment of all groups; inclusion of LGBTIQ+ people and attitudes towards women) compared with Members of NSW Parliament, Members' or Special Office Holders' staff and Ministerial staff.

Turning to the experience of harmful behaviours, one third of workers in NSW Parliamentary workplaces indicated that they had experienced some form of bullying or sexual harassment in the previous five years. As with the experience of cultural dynamics, the experience was very different across cohorts. The prevalence of experiences of bullying and sexual harassment was highest among Members of Parliament, followed by Members' of Parliament or Special Office Holders' staff; with prevalence of these experiences lowest among Departmental staff. Generally, experiences of sexual harassment were most common amongst women, while the prevalence of bullying and sexual assault was highest among younger people and people with a diverse sexuality.

The impact of these harmful behaviours varied, with some reporting that it had little impact on their wellbeing, and career progression. For many, however, the impact was profound, devastating and long-term, with many electing to move away from Parliamentary workplaces. This was often because of their lack of confidence in, or poor experience of, reporting mechanisms and a resulting lack of confidence that it was possible to protect workers against harmful behaviours, particularly when these were being perpetrated by a Member of Parliament.

Around half of incidents of harmful behaviour occurred at NSW Parliament House itself, with the remainder occurring across electorate offices, on work-related travel, at work-related social functions and online. Insights from qualitative research showed that alcohol was considered to be a contributory, though not a causal, factor in some of the incidents, particularly of sexual harassment.

The majority of participants in the Review identified the unequal distribution of power as a key driving factor both in problematic cultural dynamics and in the patterns of harmful behaviours. This was supported by the survey findings, which identified that Members of Parliament were responsible for a disproportionate number of incidents of harmful behaviour.

# 4

## Lived experience of Parliamentary workplaces: culture, inclusion and harmful behaviours

### A unique opportunity to serve

Almost all those who participated in interviews commented on the unique opportunities that come with working in NSW Parliamentary workplaces. This includes opportunities to contribute to the NSW community and to democracy in Australia. Participants also acknowledged that their work in Parliamentary workplaces often reflected their commitment to their own political values, their own political party and (for MPs and their staff) their own ambitions.

*I considered working in Parliament a calling, it was my dream job. As I walked through the door, I thought about how many others have walked through these doors and shaped the direction of the country.*

*In the early days, I would have said that it was the best thing that ever happened to me... Lots of us are in electorate offices because of our values. It's a real opportunity to serve constituents.*

*I loved the job, I found it really meaningful and could achieve real things every day, but you have to weigh up how much of the toxic elements are worth it.*

*I don't think I will ever have a job that has the same level of purpose that that job has.*

### Culture, diversity and inclusion

Organisational culture plays a key role in shaping an organisation's performance and reputation. In the words of the Victorian Public Sector Commission:

“ Culture matters because it impacts on most other organisational dynamics: it influences how organisations and their staff manage complexity, ambiguity and change. When organisational cultures are dysfunctional, staff become disengaged, and serious underperformance becomes a risk.<sup>20</sup> ”

Healthy organisational culture can act as a safety guard, reinforcing and maintaining healthy norms, high expectations and high accountability. These cultural dynamics demonstrate high alignment between organisational values and the behaviour that is encouraged and rewarded. In less healthy organisational cultures, however, attitudes or behaviour that diminish or harm others, or that harm the organisation's reputation, may be ignored. When this occurs, this sends a signal that such behaviour is accepted, or at least tolerated.

This Review has found many examples of healthy cultures within NSW Parliamentary workplaces. Once again, however, distinct patterns were apparent, with some cohorts more likely to experience and report healthy cultures than others.

### Perception of respect

The survey revealed high levels of agreement with the statements 'NSW Parliamentary workplaces are safe and respectful', and 'People behave in a respectful way towards others' (both 70%).

Those working in the three Parliamentary Departments were more likely than all other roles to agree with the following statements:

- ▶ 'NSW Parliamentary workplaces are safe and respectful' (84%)
- ▶ 'People behave in a respectful way towards others' (83%).

Some statements more likely to be agreed with by certain groups were:

- ▶ 'NSW Parliamentary workplaces are safe and respectful' (74% for straight / heterosexual respondents compared with 57% for respondents that identified as having a diverse sexuality)
- ▶ 'People behave in a respectful way towards others' (73% for straight / heterosexual respondents compared with 57% for respondents that identified as having a diverse sexuality)

20 Victorian Public Sector Public Commission (2013), Organisational Culture, [https://vpsc.vic.gov.au/wp-content/uploads/2015/03/Organisational-Culture\\_Web.pdf](https://vpsc.vic.gov.au/wp-content/uploads/2015/03/Organisational-Culture_Web.pdf)

# 4

## Lived experience of Parliamentary workplaces: culture, inclusion and harmful behaviours

Those who had fewer positive experiences of Parliamentary culture, however, commented on the negative personal and collective impact of the culture:

*I observed terrible things, you definitely want to change the culture, I often thought “this is the weirdest, most toxic culture ever”.*

*The job is very high pressure and I can cope with that, it's the dynamic in my office that I don't like.*

*A lot has to go in your favour for Parliament House to be a good experience for you... These men in positions of power, they are just protected. How am I supposed to give back to my country when every single [institution like NSW and Federal Parliament] is disrupted by these men and their behaviour?*

Several Review participants commented that the culture within the NSW Parliament is no longer in step with expectations in broader society, noting that corporate workplaces, in particular, are now significantly ahead of NSW Parliament in creating respectful, safe and high performing cultures:

“ The corporate world has evolved ...but Parliament has not... The attitudes and behaviours that people get away with at Parliament would not be tolerated in the corporate sector, and Parliament just does not have a management culture [oriented to changing the existing dynamics]. ”

### Diversity and inclusion

Survey respondents were asked a series of statements about their perception of diversity and inclusion in NSW Parliamentary workplaces. The results show highest levels of agreement with the statements ‘NSW Parliamentary workplaces are inclusive of people who identify as part of the LGBTIQ+ community’ (75%) and ‘NSW Parliamentary workplaces are inclusive of people from different cultural

and linguistic backgrounds’ (72%).<sup>21</sup> (This inclusion data should be read alongside the prevalence data, which suggests a more complex environment, particularly for LGBTIQ+ people).

There were pronounced differences between groups (summarised in Figures 1 and 2), with women more likely than men to comment adversely on inclusion within Parliamentary workplaces.

Those working as Departmental Staff were more likely to agree with the following statements:

- ▶ ‘People are treated fairly and equally, regardless of their personal characteristics such as gender, age, race or cultural background, sexual orientation, disability or religious beliefs’ (75%) compared with Members of NSW Parliament (58%), Members’ or Special Office Holders’ staff (63%) and Ministerial staff (59%) ‘NSW Parliamentary workplaces are a diverse and inclusive environment’ (83%) compared with Members of NSW Parliament (66%) and Members’ staff or Special Office Holders’ staff (63%)
- ▶ ‘NSW Parliamentary workplaces are inclusive of people who identify as part of the LGBTIQ+ community’ (90%) compared with Members of NSW Parliament (71%) and Members’ staff or Special Office Holders’ staff (68%)
- ▶ ‘NSW Parliamentary workplaces are inclusive of people from different cultural and linguistic backgrounds’ (86%) compared with Members of NSW Parliament (65%) and Members’ staff or Special Office Holders’ staff (63%)
- ▶ ‘NSW Parliamentary workplaces are inclusive of people with a disability’ (70%) compared with Members’ staff or Special Office Holders’ staff (56%).

Conversely, Members of NSW Parliament (47%), Members’ staff or Special Office Holders’ staff (35%) and Ministerial Staff (33%) were all more likely to agree that ‘there are negative attitudes towards women’ when compared with Departmental Staff (15%).

<sup>21</sup> Given the vast majority of respondents to the survey did not identify as ‘speaking a language other than English at home’, these results may not reflect the experiences of culturally and linguistically diverse NSW Parliamentary workers. Only 19 survey respondents that identified as a ‘speaking a language other than English at home’ responded to these questions and as such the disaggregated data can not be reported.

# 4

## Lived experience of Parliamentary workplaces: culture, inclusion and harmful behaviours

Review participants commented:

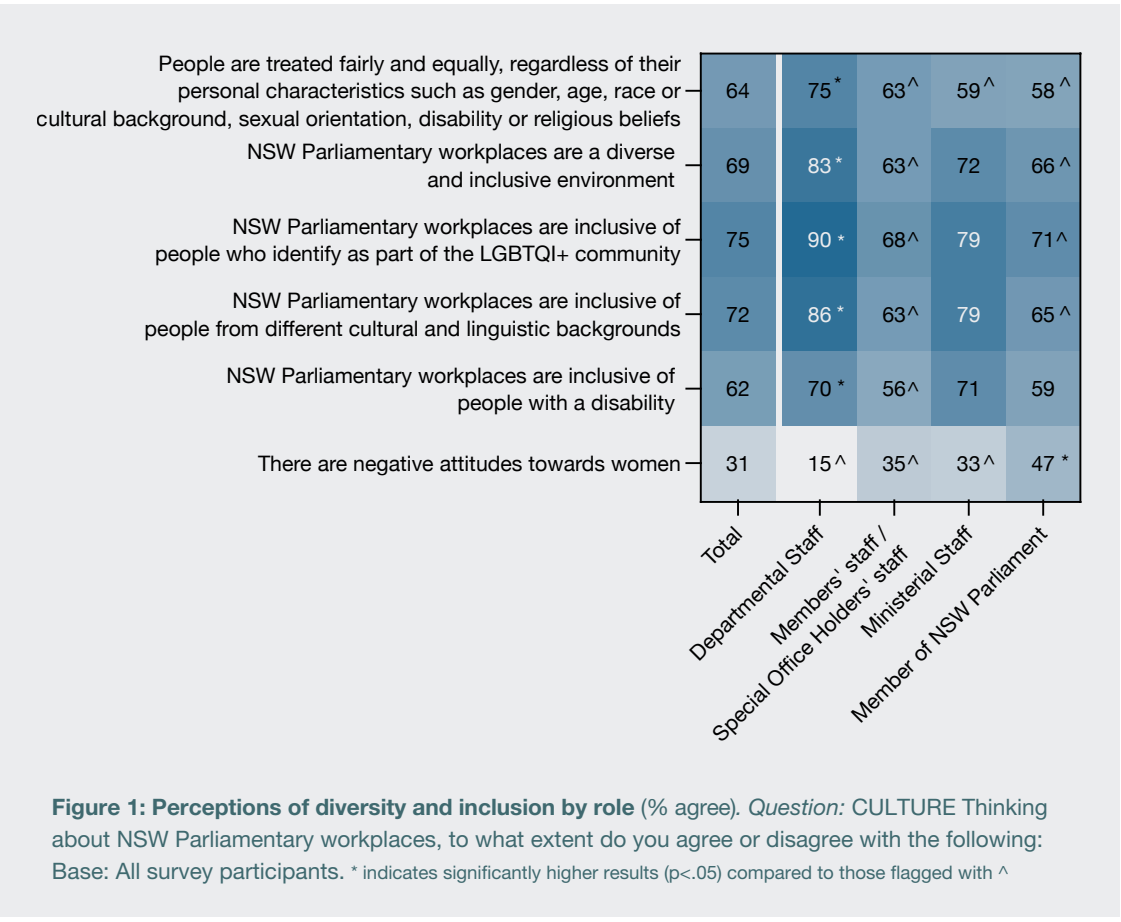
*Some of the views that get expressed in the Parliament, it's like going back 50 years. As a woman it doesn't make me feel very good but for other groups – like gay or trans people – it's very upsetting and isolating.*

*It's generally a boys' club. Some of the MPs only go to the male MPs in my party, they won't go to the women.*

*The roles available to female staff also facilitate an overarching gender culture, with women drastically overrepresented in Secretary/Research Assistant roles, and the front-facing administrative work in EOs. This reinforces the culture of NSW Parliament as orchestrating women through gender stratification whereby women adopt stereotypical organisational duties, and men are dealt the policy work.*

“ Male staffers would constantly take credit for the work of women advisors. Even as a policy advisor, MPs would ask me to do a coffee run, when they would never have asked a male policy advisor to do so. The pay discrepancy between male/female staffers was particularly outrageous. ”

When looking more closely at differences, women who were Departmental Staff were more likely to agree with the statement ‘there are negative attitudes towards women’ when compared with men who were Departmental Staff (23% compared with 4%).



# 4

## Lived experience of Parliamentary workplaces: culture, inclusion and harmful behaviours

Men were more likely to agree with the following statements:

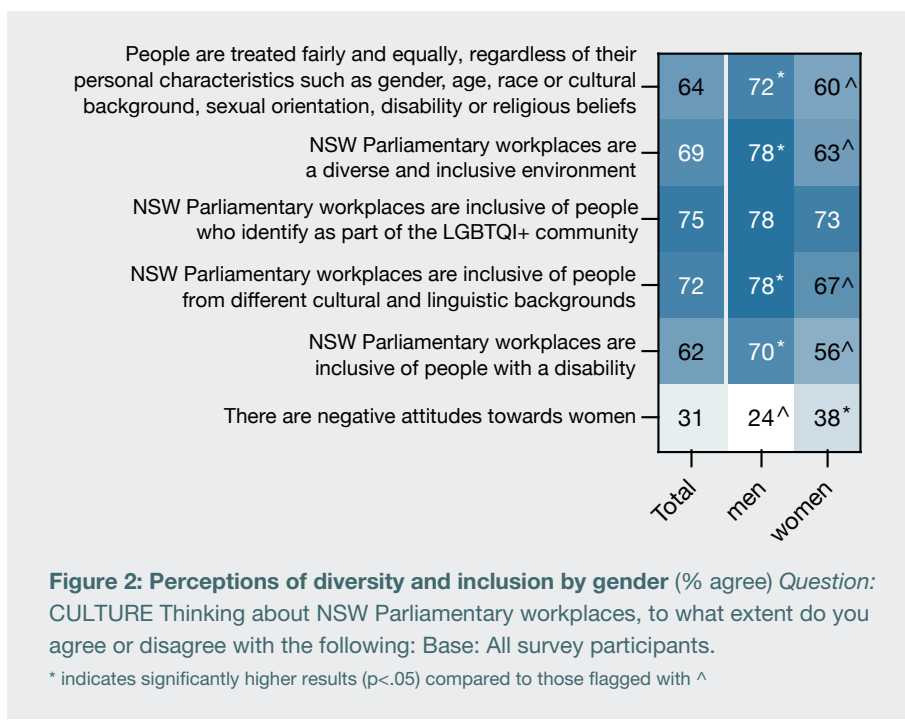
- ▶ 'People are treated fairly and equally, regardless of their personal characteristics such as gender, age, race or cultural background, sexual orientation, disability or religious beliefs' (72% compared with 60% of women)
- ▶ 'NSW Parliamentary workplaces are a diverse and inclusive environment' (78% compared with 63% of women)
- ▶ 'NSW Parliamentary workplaces are inclusive of people from different cultural and linguistic backgrounds' (78% compared with 67% of women)
- ▶ 'NSW Parliamentary workplaces are inclusive of people with a disability' (70% compared with 56% of women).

Women were more likely to agree with the following statements:

- 'There are negative attitudes towards women' (38% compared with 24% of men).

Statements more likely to be agreed with by certain groups were:

- ▶ 'NSW Parliamentary workplaces are a diverse and inclusive environment' (73% for straight / heterosexual respondents compared with 52% of respondents who identified as having a diverse sexuality; 76% of those aged 45 to 54 years and 81% of those aged 55 to 64 years, compared with 60% of those aged 35 to 44 years)
- ▶ 'NSW Parliamentary workplaces are inclusive of people from different cultural and linguistic backgrounds' (75% for straight / heterosexual respondents compared with 55% of respondents who identified as having a diverse sexuality; 84% of those aged 55 to 64 years compared with 70% of those aged 35 to 44 years)
- ▶ 'NSW Parliamentary workplaces are inclusive of people with a disability' (66% for straight / heterosexual respondents compared with 45% of respondents that identified as having a diverse sexuality; 71% of those aged 45 to 54 years and 72% of those aged 55 to 64 years, compared with 56% of those aged 35 to 44 years)
- ▶ 'There are negative attitudes towards women' (43% of those aged 35 to 44 years compared with 26% of those aged 45 to 54 years and 19% of those aged 55 to 64 years).



# 4

## Lived experience of Parliamentary workplaces: culture, inclusion and harmful behaviours

### Harmful jokes and comments

When asked about their level of agreement with statements about negative behaviours in the workplace, respondents show high levels of agreement with the statements 'Homophobic jokes and comments are rare in my workplace' (83%) and 'Racist jokes and comments are rare in my workplace' (81%).

Those working as Departmental Staff were more likely to agree with the following statements:

- ▶ 'Homophobic jokes and comments are rare in my workplace' (89% compared with 76% of Ministerial Staff)
- ▶ 'Sexualised conversation and sexualised banter are rare in my workplace' (86%) compared with Members of NSW Parliament (68%) and Ministerial Staff (56%)
- ▶ 'Sexist comments and sexist jokes are rare in my workplace' (79%) compared with Members of NSW Parliament (62%).

Those working as Members' staff or Special Office Holders' staff were also more likely to agree that:

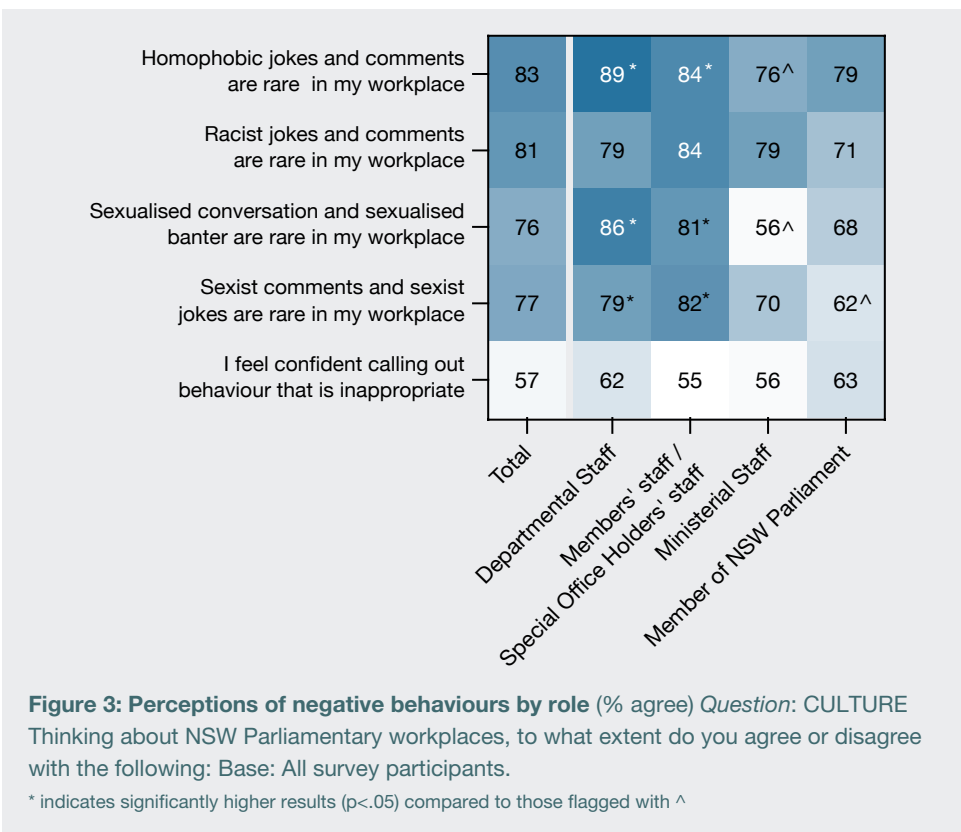
- ▶ 'Sexualised conversation and sexualised banter are rare in my workplace' when compared with Ministerial Staff (81% compared with 56%)

- ▶ 'Sexist comments and sexist jokes are rare in my workplace' when compared with Members of NSW Parliament (82% compared with 62%).

The results are summarised in Figure 3.

The statements more likely to be agreed with by certain groups were:

- ▶ 'Homophobic jokes and comments are rare in my workplace' (86% for straight / heterosexual respondents compared with 71% of respondents who identified as having a diverse sexuality; 89% of those aged 55 to 64 years compared with 76% of those aged 45 to 54 years)
- ▶ 'Sexist comments and sexist jokes are rare in my workplace' (85% those aged 55 to 64 years compared with 68% of those aged 25 to 34 years)
- ▶ 'I feel confident calling out behaviour that is inappropriate' (61% for straight / heterosexual respondents compared with 42% of respondents who identified as having a diverse sexuality, 72% of those aged 55 to 64 years compared with 51% of those aged 25 to 34 years).



# 4

## Lived experience of Parliamentary workplaces: culture, inclusion and harmful behaviours

### Perceptions of safety

The survey results show high overall levels of agreement with the statement 'I always feel safe in my workplace' (82%). Those working as Departmental Staff were more likely than those working in all other roles to agree with the following statements:

- ▶ 'I always feel safe in my workplace (including while travelling or at a work-related event)' (93%)
- ▶ 'People in leadership roles promote and encourage respectful workplace behaviour' (86%)
- ▶ 'NSW Parliamentary workplaces are safe and respectful' (84%)
- ▶ 'People behave in a respectful way towards others' (83%).

The statement 'I feel safe working late at night at NSW Parliament House' was more likely to be agreed with by:

- ▶ Men (80%) compared with women (57%)
- ▶ Members of NSW Parliament (77%), Ministerial Staff (81%) and Departmental Staff (79%) compared with Members' staff / Special Office Holders' staff (56%)
- ▶ Those working in NSW Parliamentary workplaces for more than three years (74%) compared with those three years or fewer (61%).

Heterosexual staff were more likely to agree with the following statement:

- ▶ 'I always feel safe in my workplace (including while travelling or at a work-related event)' (85% of straight / heterosexual respondents compared with 65% for respondents who identified as having a diverse sexuality)

### Harmful behaviours

Within these broad cultural dynamics, the Review then specifically enquired about the prevalence and experience of harmful behaviours. From the qualitative and quantitative data, it is clear that NSW Parliamentary workplaces are not as safe as they should be.

Overall, just over a third (36%) of workers in NSW Parliamentary workplaces indicated that they had experienced some kind of bullying or sexual harassment in the last five years, with similar overall rates between men (34%) and women (38%) (Figure 4).

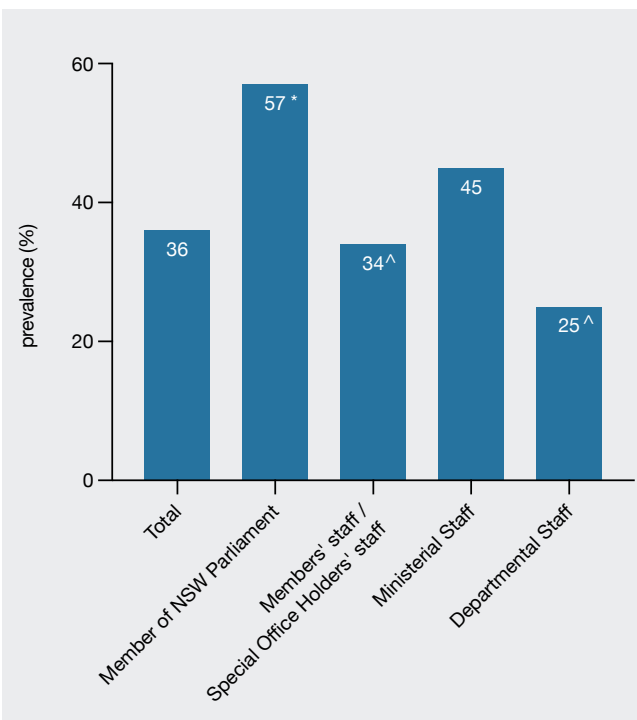


**Figure 4: Experience of bullying or sexual harassment in NSW Parliamentary workplaces in the last five years by gender** (% total employee cohort experiencing at least one of the behaviours). *Question:* Have you personally experienced bullying in a NSW Parliamentary workplace in the last 5 years? In the last 5 years, have you experienced any of the following behaviours in a way that was unwelcome in a NSW Parliamentary workplace? Base: All survey participants (Total n=447, women n=278, men n=152).

# 4

## Lived experience of Parliamentary workplaces: culture, inclusion and harmful behaviours

However, these experiences are unevenly distributed within NSW Parliamentary workplaces, with some cohorts experiencing far greater vulnerability than others (Figure 5). Members of NSW Parliament were more likely to experience bullying or sexual harassment in the past five years (57%) compared with Members' staff or Special Office Holders' staff (34%) and Departmental Staff (25%).



**Figure 5: Experience of bullying or sexual harassment in NSW Parliamentary workplaces in the last five years by role** (% total employee cohort experiencing at least one of the behaviours). *Question:* Have you personally experienced bullying in a NSW Parliamentary workplace in the last 5 years? In the last 5 years, have you experienced any of the following behaviours in a way that was unwelcome in a NSW Parliamentary workplace? *Base:* All survey participants (Member of NSW Parliament n=50, Ministerial Staff n=49, Members' staff or Special Office Holders' staff n=169, Departmental Staff n=179). \* indicates significantly higher results (p<.05) compared to those flagged with ^

### Bullying

Workplace bullying is repeated and unreasonable behaviour directed towards a worker or a group of workers that creates a risk to health and safety. Bullying can take a variety of forms, including abusive or insulting behaviour, or offensive language and comments, unjustified criticism or complaints, the deliberate exclusion of someone from the workplace and aggressive and intimidating behaviour.<sup>22</sup>

Bullying is considered an occupational hazard due to the impact that these behaviours can have on an individual's psychological and physical wellbeing. As such, employers have a duty both to prevent bullying from occurring and to respond appropriately when it does occur.

In addition to the individual impact, bullying can also have a corrosive impact on team and organisational performance, undermining psychological safety, collaboration and the capacity to generate innovative and impactful work.

One worker told EB&Co.:

“ I was failed by the NSW Parliament. I was, at the time, a young [person], and I had my first experience of employment completely destroyed by the actions of the Member and some of their staffers. ”

22 Safe Work NSW (2021) *Workplace Bullying* <https://www.safework.nsw.gov.au/hazards-a-z/bullying/workplace-bullying>



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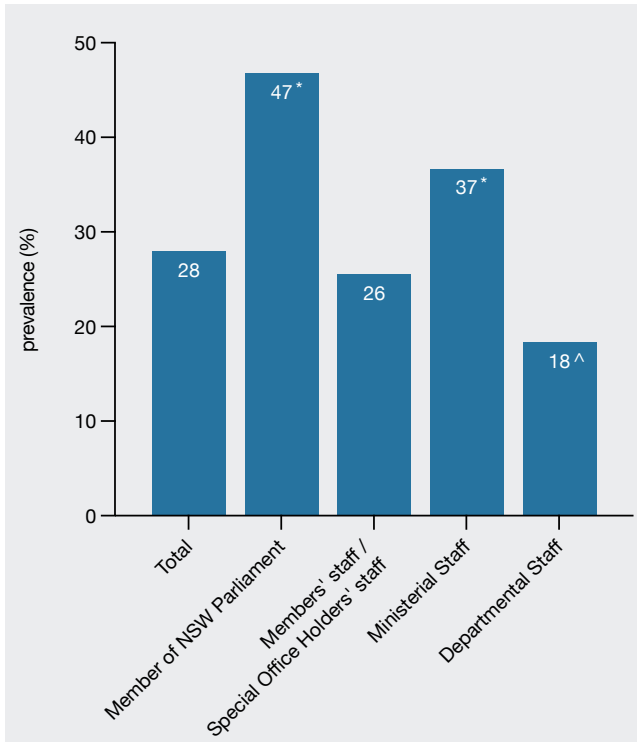
## Lived experience of Parliamentary workplaces: culture, inclusion and harmful behaviours

### The prevalence and nature of bullying in NSW Parliamentary workplaces

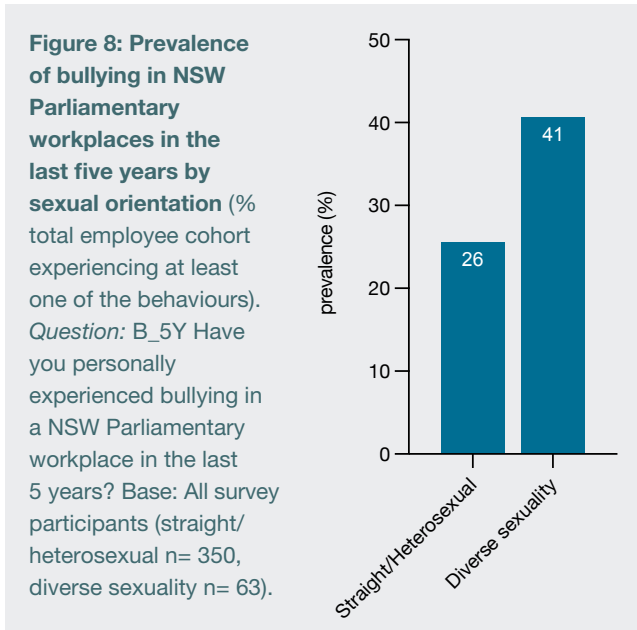
Overall, more than a quarter (28%) of workers in a NSW Parliamentary workplace had experienced bullying in the last five years, with similar rates experienced by men (30%) and women (27%) (Figure 6).<sup>23</sup> Almost one third of those who experienced bullying experienced it for a year or longer, indicating a pattern of long-term, sustained behaviour.



**Figure 6: Experience of bullying in NSW Parliamentary workplaces in the last five years by gender** (% total employee cohort experiencing bullying). *Question: B\_5Y Have you personally experienced bullying in a NSW Parliamentary workplace in the last 5 years?* Base: All survey participants (Total n=447, women n=278, men n=152)



**Figure 7: Prevalence of bullying in NSW Parliamentary workplaces in the last five years by role.** *Question: B\_5Y Have you personally experienced bullying in a NSW Parliamentary workplace in the last 5 years?* Base: All survey participants (Member of NSW Parliament n=50, Ministerial Staff n=49, Members' staff or Special Office Holders' staff n=169, Departmental Staff n=179). \* indicates significantly higher results (p<.05) compared to those flagged with ^



**Figure 8: Prevalence of bullying in NSW Parliamentary workplaces in the last five years by sexual orientation** (% total employee cohort experiencing at least one of the behaviours). *Question: B\_5Y Have you personally experienced bullying in a NSW Parliamentary workplace in the last 5 years?* Base: All survey participants (straight/heterosexual n= 350, diverse sexuality n= 63).

<sup>23</sup> Participants were also asked if they had 'ever' experienced bullying in a Parliamentary workplace, with estimated prevalence of 32% total, 33% men and 32% women. There are significant limitations with data over this timeframe, however, please see methodology section for further detail.

# 4 Lived experience of Parliamentary workplaces: culture, inclusion and harmful behaviours

As outlined in Figure 9 below, when asked about what forms the bullying took, the most common bullying behaviours experienced in last five years were:

- ▶ Behaviour or language that frightens, humiliates, belittles or degrades, including criticism that is delivered with yelling or screaming (74%)
- ▶ Unjustified criticism or complaints (75%)
- ▶ Abusive, insulting, or offensive language (54%).

While there were no significant differences by role, men were more likely to have experienced people 'spreading misinformation or malicious rumours' (59% compared with 37% of women). Women were more likely to have experienced 'behaviour or language that frightens, humiliates, belittles or degrades, including criticism that is delivered with yelling or screaming' (84% compared with 63% of men) and 'inappropriate comments about a person's lifestyle, appearance, or their family' (48% compared with 21% of men) in the last five years.

	Total	Women	Men
Behaviour or language that frightens, humiliates, belittles or degrades, including criticism that is delivered with yelling or screaming	74	84*	63^
Unjustified criticism or complaints	75	82	67
Abusive, insulting or offensive language	54	55	54
Deliberately excluding or isolating a person from normal work activities	49	41	58
Spreading misinformation or malicious rumours	47	37^	59*
Setting unreasonable deadlines and other demands	47	52	40
Impeding a person's capacity to fulfil their duties by unreasonably overloading them with work, not providing enough work or appropriate work, or deliberately withholding access to information	45	40	51
Threatening the security of a staff members job	38	29	48
Inappropriate comments about a persons lifestyle, appearance, or their family	35	48*	21^
Creating unexplained job changes, setting meaningless tasks or tasks well beyond a persons normal range of duties	32	30	35
Sending abusive or offensive emails or text messages or using digital and online social networks to make inappropriate comments which humiliate, slander, intimidate, or degrade a person	29	29	28
Teasing or regularly making someone the target of pranks or jokes	26	20	34
Unfair treatment relating to rosters, leave, training, and other entitlements	26	20	31
Applying harmful and punitive administrative sanctions such as delays in processing a persons work or applications for training	21	19	24
Interfering with someones personal effects or work equipment	15	14	16
Displaying offensive material	16	10	24
Harmful or offensive initiation practices	10	12	7

**Figure 9: Prevalence of specific bullying behaviours in NSW Parliamentary workplaces in the last five years by gender (%).** Question: BB\_5Y. In the last 5 years have you experienced any of the following in a NSW Parliamentary workplace? NOTE: Multiple responses allowed. Base: Survey participants who have experienced bullying in the last 5 years. \* indicates significantly higher results (p<.05) compared to those flagged with ^

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## Lived experience of Parliamentary workplaces: culture, inclusion and harmful behaviours

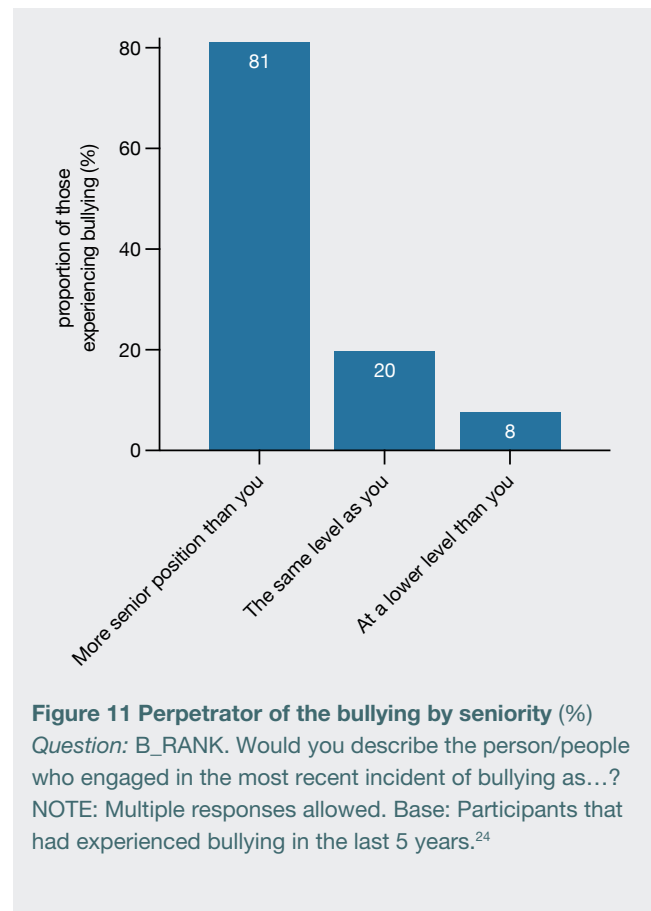
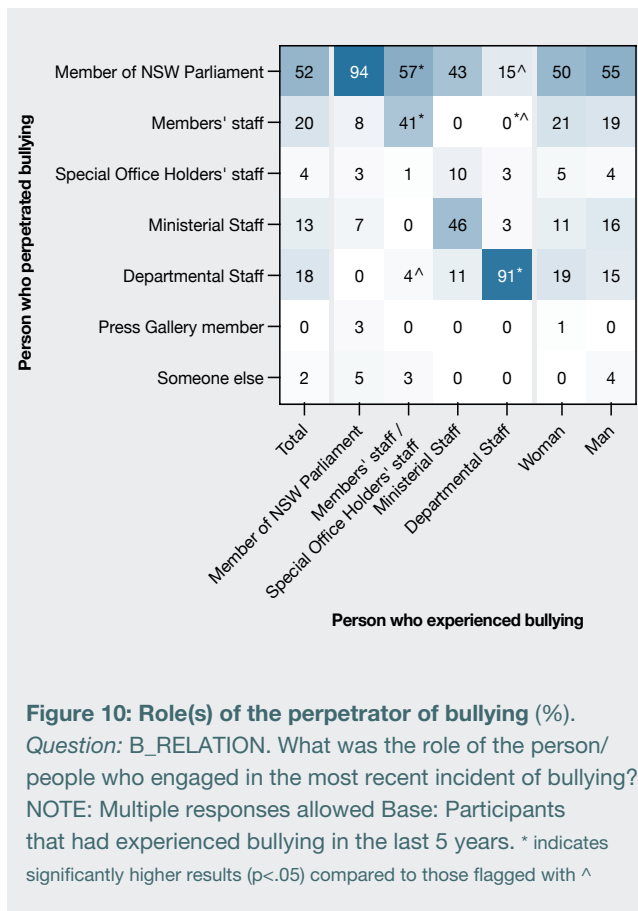
Amongst those who had experienced bullying within the past five years, a series of follow up questions were asked about their most recent experience to understand more about that experience. The majority reported that the bullying incidents were perpetrated by one person (58%), but Members' staff or Special Office Holders' staff were more likely than Departmental Staff to have experienced incidents involving one perpetrator (75% compared with 47%).

When looking at the gender(s) of the perpetrators of the bullying, almost half (45%) were perpetrated by a man, multiple men, or a group of mainly men, 39 per cent were bullied by a woman, multiple women, or a group of mainly women, and 14 per cent were bullied by a group of equal men and women.

As outlined in Figure 10, around half of bullying incidents overall were perpetrated by a Member of NSW Parliament (52%). Workers were most likely to be bullied by someone in their own role, for example 91 per cent of bullying

incidents against Departmental Staff were perpetrated by a fellow Departmental staffer, 94 per cent of bullying experienced by Members of Parliament was perpetrated by another Member of Parliament. However, perhaps reflecting who they work with more closely, Members' staff or Special Office Holders' staff were more likely to have experienced bullying from a Member of NSW Parliament compared with Departmental Staff (57% compared with 15% of Departmental staff) followed by a fellow Members' staff or Special Office Holders' staff (41%). Ministerial staff were most likely to be bullied by a fellow Ministerial staffer (46%) followed by a Member of Parliament (43%).

As is most often the case with workplace bullying, the majority of bullying was perpetrated by someone at a more senior level (81%) (Figure 11). 1 in 5 (20%) had experienced bullying from someone at the same level, while eight per cent had experienced bullying from someone at a lower seniority level.



24 Note, percentages do not add to 100% due to some survey respondents selecting multiple responses where they experienced bullying from more than one person.

# 4

## Lived experience of Parliamentary workplaces: culture, inclusion and harmful behaviours

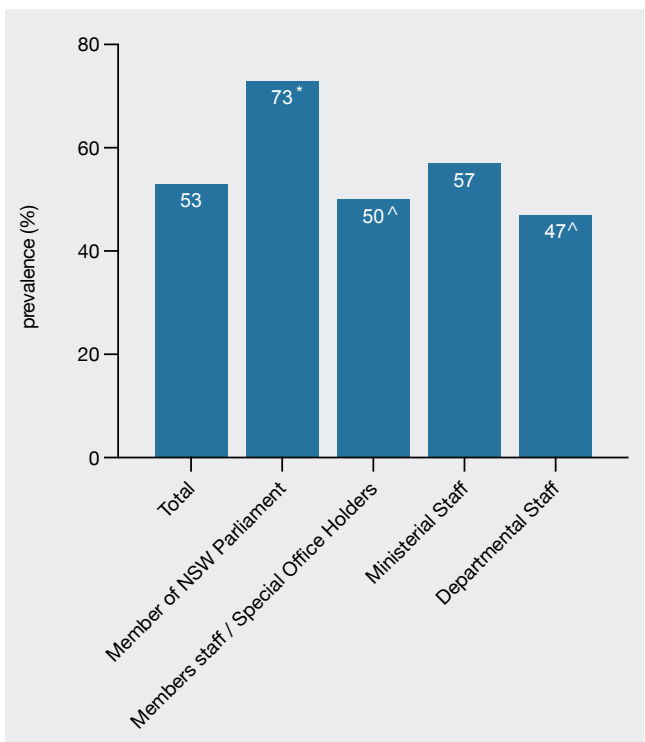
Around half of the most recent bullying incidents occurred in NSW Parliament House (50%). The other most common place was in an electorate office (26%), followed by online or digital bullying (12%). Aligning with the location of their work:

- ▶ Members' staff or Special Office Holders' staff were more likely to have experienced bullying in an electorate office, compared with Departmental Staff (54% compared with 0%) and
- ▶ Departmental Staff were more likely to have experienced bullying in NSW Parliament House, compared with Members' staff or Special Office Holders' staff (86% compared with 33%).
- ▶ Women were more likely than men to have experienced bullying in an electorate office (36% compared with 14%).

Almost a third (30%) of respondents who had experienced bullying had experienced it for a year or longer while a similar proportion had experienced bullying for less than 1 month (28%).

Respondents who had experienced bullying in the last five years were then asked a similar question about how rare or common they believe bullying to be in NSW Parliamentary workplaces. Around half (53%) believe that the type of bullying they have experienced is common, while another 32 per cent believe that it happens sometimes. Only 14 per cent believed this type of bullying is rare or very rare.

All survey participants were asked about whether they have heard about or witnessed any bullying incidents while working in a NSW Parliamentary workplace. As outlined in Figure 12 below, overall, around half (53%) have heard about or witnessed bullying. Members of NSW Parliament were more likely (73%) to indicate that they have heard about or witnessed bullying when compared with Members' or Special Office Holders' staff (50%) and Departmental Staff (47%).



**Figure 12: Witnessed or heard about bullying of another person that may have occurred at a NSW Parliamentary workplace in the last five years.** Question: B\_HEARD. Have you observed or witnessed another person being bullied, heard about it directly from a person who was bullied, or heard about it from people other than the person who was bullied? NOTE: Multiple responses allowed. Base: All survey participants (Member of NSW Parliament n=50, Ministerial Staff n=49, Members' or Special Office Holders' staff n=169, Departmental Staff n=179).

More specifically, Members of NSW Parliament (59%) were more likely to indicate that they had directly 'observed or witnessed another person being bullied' compared with Members' staff or Special Office Holders' staff (31%), Ministerial Staff (37%) and Departmental Staff (21%).

Respondents aged 25 to 34 years were more likely to indicate that they have heard about or witnessed bullying when compared with respondents aged 55 to 64 years (59% compared with 42%).

# 4

## Lived experience of Parliamentary workplaces: culture, inclusion and harmful behaviours

Those who had heard about or witnessed bullying were asked where the incident occurred. Just over half (52%) of the incidents heard about or witnessed occurred in NSW Parliament House, with the next most common location being an electorate office (25%).

Most likely based on the location of the majority of their work, Members of NSW Parliament (73%) and Departmental Staff (82%) were more likely to have heard about or witnessed bullying in NSW Parliament House, when compared with Members' or Special Office Holders' staff (37%). Members' staff or Special Office Holders' staff (46%) were more likely to have heard about or witnessed bullying in an electorate office compared with Members of NSW Parliament (13%) and Departmental Staff (3%).

Men were more likely than women to have heard about or witnessed bullying in NSW Parliament House (65% compared with 42%).

These quantitative findings are consistent with the themes identified across the interviews and submissions, being that bullying is a significant issue in Parliamentary workplaces; that it is multi-directional; and that those working in Parliamentary workplaces have low confidence in structural or cultural protections to prevent bullying or to stop it once it is occurring.

### An intersectional approach

Throughout the Review, EB&Co. heard that some groups within Parliamentary workplaces – particularly Aboriginal and Torres Strait Islander people, people from culturally and linguistically diverse backgrounds and people with diverse sexuality and gender identities – experience heightened vulnerability.

Many participants commented that Parliament does not reflect the cultural diversity of the community of NSW:

*It is so rare to find a space of cultural diversity within Parliament. The lack of diversity within the workplace is a real issue, there's a division between people of colour, who mostly do the manual labour, and MPs and their staff.*

Participants from culturally and linguistically diverse backgrounds told the Review that their cultural or faith background was sometimes targeted by those in the workplace:

*There are a lot of micro-aggressions – people often ask me weird questions or want to share their (negative) opinions (about my cultural or faith background), Parliament as a workplace is a reflection of where we are at in society generally and we have a long way to go on race.*

Others commented on the additional obstacles that people of colour experience making reports, and the different ways in which those reports are responded to:

*The biggest challenge is where people face an intersection between various areas where they may be discriminated against (eg gender and cultural background), their ability to initially respond (to inappropriate behaviour) may be limited by language or cultural barriers and they may also [experience barriers] engaging with complaints processes.*

*It's not the same when women of colour make an accusation. Societal protection [gets provided to] white women but not to women of colour.*

Non-binary participants in the Review also commented on their sense of vulnerability:

“ The thought of going into Parliament House fills me with dread. There are MPs who don't believe that non-binary people exist, they can walk into the Chamber and say literally anything about anyone. Would I ever feel safe in my workplace? ”

Rural participants noted that they too experience additional challenges:

“ In regional areas you stand a greater chance of losing your job or it becoming even more unbearable so it is easier to say nothing and just keep doing what you can. ”

# 4 Lived experience of Parliamentary workplaces: culture, inclusion and harmful behaviours

## Bullying of female Members of Parliament

The Review team interviewed many female Members of Parliament from across the political spectrum. Several of these described experiences of bullying both from within their own party and from other MPs across the political spectrum. Many commented on the hostile dynamics within Parliamentary workplaces and the limited options for MPs:

*...the culture of the party runs on bullying and harassment. They bully and harass people to get them to toe the line, they spread rumours, shout you down, use their position to try to minimise your ability to participate.*

*It's very hard to get issues addressed as an MP. There has to be an [independent] process for dealing with issues that occur between MPs.*

Many also noted the gendered nature of the bullying:

*This would never happen if I was a man.*

*The bullying I was subjected to was [full-on]. When you speak up, there are repercussions, it is just not worth it. The relationships between Members is the real problem and it cascades down from there.*

*There are constant rumours that [female MP] is having an affair with [male MP]. They use the rumours to get people to do what they want.*

## Bullying of MPs' staff by MPs

Many Review participants described MPs' offices – particularly electorate offices – as entirely dependent on the style and mood of the MP themselves. They observed that this meant that some offices were highly collaborative, while others were considered to be 'toxic'.

Review participants commented that bullying of staff by MPs can take many forms, with verbal abuse being particularly high.

*For some staff, they are told from 7am to 7pm how stupid they are.*

*There is a real drive among some MPs to humiliate staff in front of others. They are pretty dismissive, with an attitude of "I'm elected, and you are not."*

*Working here changes people. MPs get desensitised because they are in this culture where everyone looks after their every whim.*

*It's humiliating for people.*

*Staff in electorate offices feel isolated, they feel that no one is here for them.*

*There's a widespread perception that valuable staff and Parliamentarians could get away with anything, they are effectively a protected species.*

Of particular concern were the offices named by multiple respondents as 'hotspots' for bullying.

*Some offices have a revolving door of staffers and nothing changes. People leave traumatised, there is no justice and no fairness.*

*There are some MPs that are known to be the worst office to work in. Some MPs just don't have any boundaries at all.*

*[This Member of Parliament's] office is well known as the worst office. [They] enjoy bringing grown men to tears. Employees are bullied, traumatised and no legitimate action can be taken, there's no compensation available to them. It is crazy that there is no mechanism to remove that person.*

*A huge amount of completely abhorrent behaviour occurs every single day. The MP communicates what they want done poorly, staff don't clarify because they are scared, and then they are reprimanded viciously for not doing it the way the MP wanted.*

# 4 Lived experience of Parliamentary workplaces: culture, inclusion and harmful behaviours

“ People told me “that’s just [name of MP], you will get used to it”. I was in tears most days. The party knew and turned a blind eye.

The Review also heard that some MPs bully staff members working for other MPs, particularly within their own party.

*Sometimes your MP is protective of you if other MPs are giving you grief. My MP was very protective of their staff and took the position that the buck stopped with them if anyone had problems.*

## Bullying of MPs’ staff by other staff within that office

Less common but still significant were the reports of bullying **within** staff teams.

Bullying within MPs’ offices took a variety of forms, including bullying of junior staff by the senior staff member (such as the Chief of Staff, Policy Director or Office Manager) or peer bullying.

Bullying by senior staff was often due to the lack of role clarity, with a common perception being that senior staff begrudged their management function:

*[The Chief of Staff] was “kiss up and kick down”. I have never come across such a bully as that person.*

*There was a complete lack of management and a lot of bullying. [The senior staff member] wasn’t interested in managing people at all.*

*I cannot fault [the MP] she was a wonderful boss. But there was a young [person] on the staff, [they] wanted to be the only person [the MP relied on], [they] belittled me, [they] gaslit me, [they] undermined me, [they] did whatever it took to get rid of me. I started having panic attacks and it became unbearable. In that office, ambition got in the way of decency.*

*The senior electorate officer wants me to fail, [they] yell at me, [they] pull me up on anything, [they] love a good group humiliation. All day it goes on, it is exhausting. I am being actively crushed by one person, I believe in the party, but my office is a shitshow.*

These comments echo the findings of the Goward Review, which found a lack of role clarity around the expectations and responsibilities of Chiefs of Staff fed into problematic cultures and requires attention.

EB&Co. also heard a small number of cases of upward bullying, of staff bullying the senior officer in an electorate or Ministerial office.

## Bullying of Parliamentary staff by MPs

Although staff of the three Parliamentary Departments experienced lower levels of bullying for the most part and were generally more positive about their workplace culture, several Review participants highlighted the poor treatment of staff by MPs.

*I have seen MPs speak to staff in a disgraceful manner. These staff deserve our respect.*

“ The way [some] MPs treat [Committee] staff – yelling, treating people disrespectfully, lots of micro-aggressions around gender and race.

*The power dynamics are set by the uniqueness of Parliament – there is a structural power imbalance that places staff in a difficult position. Management has taken many steps but ultimately don’t have many levers to intervene.*

*Concessions get made to Members over and over again. The general sense is “I just have to put up with Members’ behaviour”. When you see the concessions being made, you learn “I’m not going to be backed up if I raise an issue about a Member’s behaviour”.*

*Eighty percent of my sadness comes from work. There’s a big hierarchy in this place, some people are very arrogant and I feel like a piece of dirt.*

# 4

## Lived experience of Parliamentary workplaces: culture, inclusion and harmful behaviours

### Bullying of other public servants and front-line staff by MPs

Many public servants visit NSW Parliament House as Authorised Pass Holders, as witnesses at Budget Estimates or Parliamentary Committees, and to provide information and advice to Members of Parliament.

EB&Co. heard that the experience of attending NSW Parliament House for these purposes can be extremely difficult, with some public servants left feeling humiliated or professionally destroyed by the experience.

Those who spoke with EB&Co. emphasised their respect for the NSW Parliament and the important oversight functions performed by Parliamentary Committees. They were, however, unanimous that there should be mechanisms which ensure that public servants fulfilling their professional responsibilities should be treated with respect.

*I don't want to walk away from passionate and spirited debate, but there is a line and we can't expect [public servants] to take abusive behaviour and have no recourse.*

*I worry for the public sector and how we will continue to attract and retain people. MPs' behaviour is having an impact on whether people will take on these leadership roles.*

*We are regularly told "don't worry about it, [just ignore it]", but it is all done under privilege, and we have no right of recourse. It's not ok.*

*Bullying and harassment thrives where there is a structural power imbalance. When we go in [to Committees] as witnesses, we are treated as though we are the target, the attacks are extremely personal.*

*The Committee Terms of Reference say that we are owed fair and due process. When we don't get that, who do we go to?*

*It starts to become a Work, Health and Safety issue – there's a risk to people if they attend a Committee, I should not have to be worried about the WHS risks of taking people into Parliament!*

*As leaders, we have a responsibility to look after the psychological safety of our team members. If they go into Parliament, there is no way for me to manage that.*

*The behaviour of MPs in Committees impacts on front-line workers...we have had examples of front-line workers being named – sometimes in error – in Parliament and it hugely affects them.*

### Bullying within the Parliamentary Departments

A small number of Review participants shared experiences of being bullied by their managers or colleagues within the Parliamentary Departments.

On the whole, participants from the Parliamentary Departments were much more positive about the overall culture within their Department; the greater clarity about behavioural expectations; and the greater ease of accessing support and reporting mechanisms. The general perception was that the Departments appear to have a more mature model for preventing and managing bullying.

*We have a really positive culture in the Department of the LC, we are hardworking and do our best to support each other...senior managers and the Clerk are all really supportive.*

*My specific Parliamentary workplace, the Legislative Assembly, has an excellent culture. I trust the staff and the managers, they are taking the right steps to prevent and address these issues.*

That overall perception notwithstanding, a small number did report negative experiences with their colleagues:

*Some of my colleagues are rude, disrespectful. I don't like it when my fellow worker kicks me around and doesn't treat me like a person.*



# 4

## Lived experience of Parliamentary workplaces: culture, inclusion and harmful behaviours

### Vicarious trauma

Although outside the scope of this Review, several participants commented on the mental health impacts of working in electorate offices that result from interactions with distressed constituents, as well as how under resourced (in terms of both capacity and capability) electorate offices are to deal with those issues.

“ We get a lot of third-party aggression, constituents phoning and coming in. They project their anger onto you. We also get a lot of disturbing calls – calls from children who have been removed from their families, people with mental health issues. There is a lot of vicarious trauma among electorate office staff. ”

*We deal with really heavy stuff, I had a constituent come in with complex PTSD, he was suicidal, saying that he would end his life if I didn't help...We get suicidal calls at least once a month. One day I had three in an hour, I never got any training in how to respond. I can't live like this.*

*Sometimes people come in at the end of their tether, and they tell you that they are going to harm themselves. You often don't know how their story ends, unless you read about them [having died by suicide] in the paper [interviewee becomes distressed].*

### Sexual harassment

The term sexual harassment describes any unwelcome behaviour of a sexual nature that makes a person feel offended, humiliated or intimidated, and where a reasonable person would have anticipated that their behaviour would have this effect. This includes physical or verbal behaviour or written expression.

Workplace sexual harassment is considered a workplace hazard, owing to the significant long-term impacts that these behaviours can have on workers. It is illegal under the *Sex Discrimination Act 1984* and all workplaces are required to prevent harm to workers from sexual harassment.

One in five (20%) workers in a NSW Parliamentary workplace have experienced sexual harassment in the past five years.<sup>25</sup> This represents a significant proportion of the NSW Parliamentary workforce.

Within the workforce, prevalence was highest among women, Members of Parliament (particularly female MPs), young people aged 24-35 years, and people who identified as having a diverse sexuality.

The most common site at which incidents occurred was Parliament House, followed by an electorate office, and a work-related social event. The majority of alleged incidents were perpetrated by men; and the alleged perpetrator was 'someone senior' in two thirds of alleged incidents (67%).



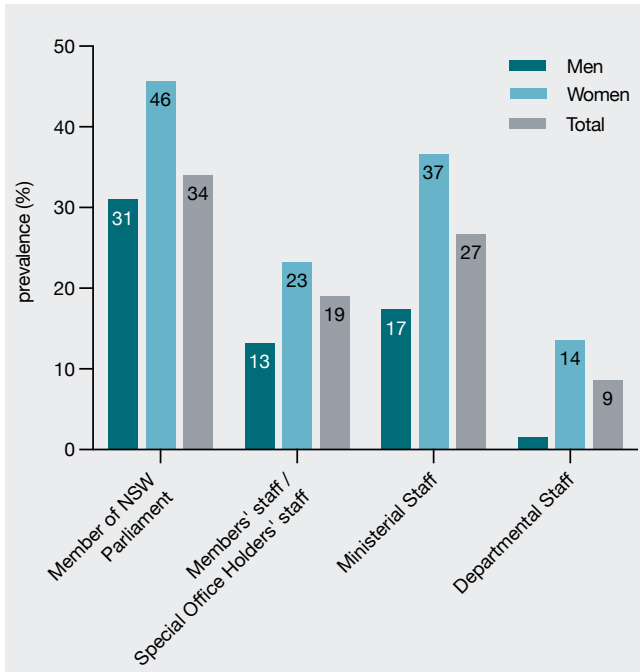
**Figure 13: Experience of sexual harassment in NSW Parliamentary workplaces in the last five years by gender** (% total employee cohort experiencing sexual harassment in the last five years). *Question: SH\_5Y. Have you personally experienced sexual harassment in a NSW Parliamentary workplace in the last 5 years? SH\_5Y. In the last 5 years, have you experienced any of the following behaviours in a way that was unwelcome in a NSW Parliamentary workplace. Base: All survey participants (Total n=447, women n=278, men n=152)*

<sup>25</sup> Survey respondents were asked if they had 'ever' experienced sexual harassment, with estimated prevalence of 9% total, 5.8% men and 11.8% women. There are significant limitations with data over this timeframe however - please see methodology section for further detail.

# 4

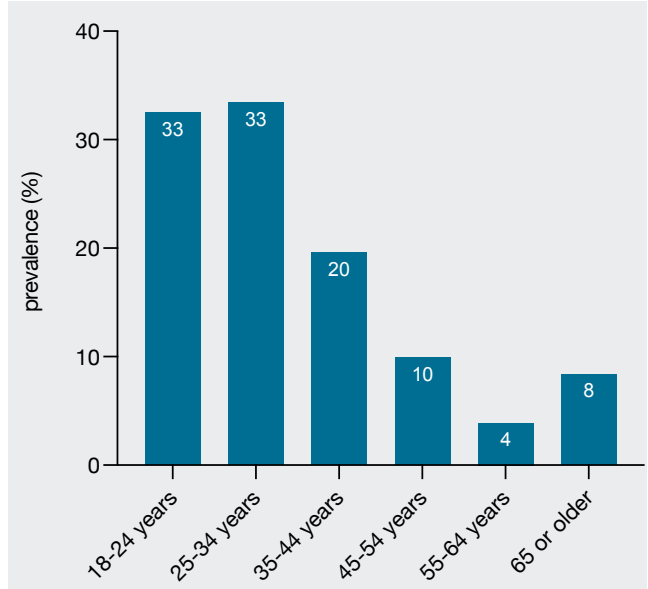
## Lived experience of Parliamentary workplaces: culture, inclusion and harmful behaviours

Members of NSW Parliament experienced the highest rates of sexual harassment in the past five years (34%) (Figure 14). Women experienced higher prevalence of sexual harassment than men across all roles, with female Members of Parliament (46%) the group most likely to report experiencing sexual harassment in the last five years. Departmental Staff were less likely to experience sexual harassment in the past five years (9%). Within Departmental Staff, however, women (14%) were more likely to have experienced sexual harassment in the past five years than men (2%).



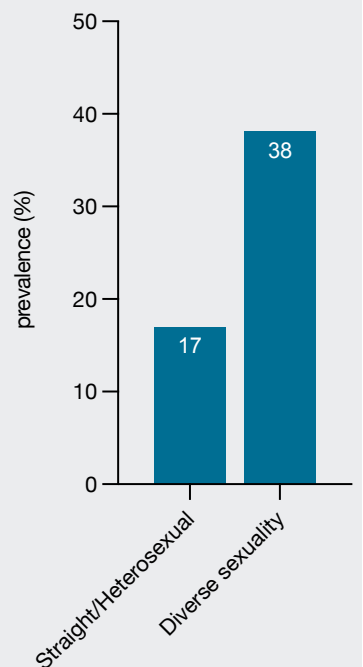
**Figure 14: Experience of sexual harassment in NSW Parliamentary workplaces in the last five years by role and gender** (% total employee cohort experiencing sexual harassment). *Question: EXP\_SH\_5Y. Have you personally experienced sexual harassment in a NSW Parliamentary workplace in the last 5 years?* Base: All survey participants Member of NSW Parliament n=50, Ministerial Staff n=49, Members' or Special Office Holders' staff n=169, Departmental Staff n=179

As outlined in Figure 15, younger people (aged 24-35 years) were more likely to experience sexual harassment (33% compared with 10% of those aged 45-54 years and 4% of those aged 55-64 years).<sup>26</sup>



**Figure 15: Experience of sexual harassment in NSW Parliamentary workplaces in the last five years by age** (% total employee cohort experiencing sexual harassment in the last five years). *Question: item – SH\_5Y. Have you personally experienced sexual harassment in a NSW Parliamentary workplace in the last 5 years?* Base: All survey participants (18-24 years n=26; 25-34 years n=98; 35-44 years n=107; 45-54 years n=103; 55-64 years n=89; 65 or older n=24).

**Figure 16: Experience of sexual harassment in NSW Parliamentary workplaces in the last five years by sexual orientation** (% total employee cohort experiencing sexual harassment in the last five years). *Question: SH\_5Y. Have you personally experienced sexual harassment in a NSW Parliamentary workplace in the last 5 years?* Base: All survey participants (straight/heterosexual n= 350, diverse sexuality n= 63)



<sup>26</sup> Statistical significance was not reached for 18-24 years age group, likely due to smaller sample size (n=26).

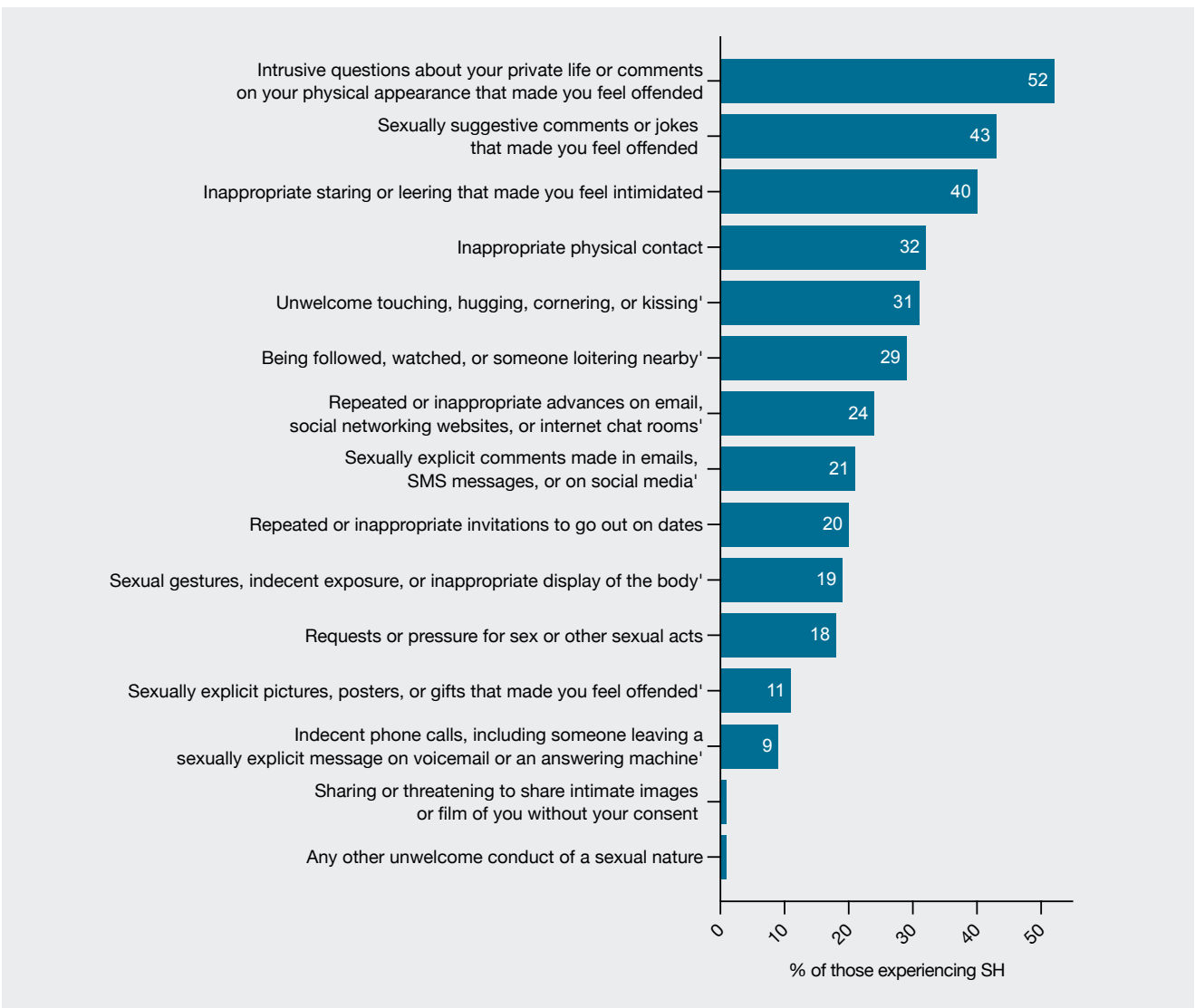
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## Lived experience of Parliamentary workplaces: culture, inclusion and harmful behaviours

As shown in Figure 17, the most common sexual harassment behaviours experienced in last five years were:

- ▶ Intrusive questions about your private life or comments on your physical appearance that made you feel offended (52%)
- ▶ Sexually suggestive comments or jokes that made you feel offended (43%)
- ▶ Inappropriate staring or leering that made you feel intimidated (40%).

Individuals who had experienced sexual harassment in the last five years were asked a series of follow-up questions to understand more about their experience. The majority of sexual harassment incidents were perpetrated by one person (72%). While 39 per cent of sexual harassment incidents were one-off, closer to half (46%) occurred multiple times.



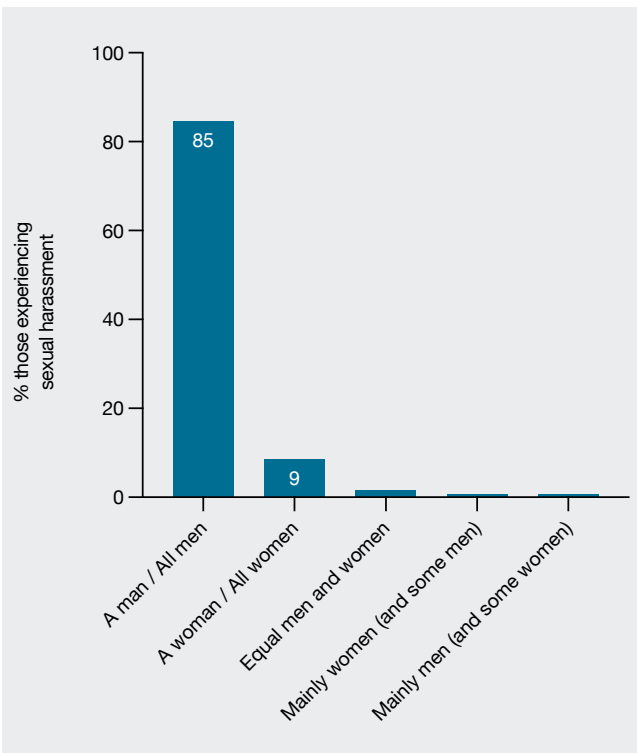
**Figure 17: Experience of specific sexual harassment behaviours at NSW Parliamentary workplaces** (% total employee cohort experiencing at least one of the behaviours). *Question:* SHB\_5Y. In the last 5 years, have you experienced any of the following behaviours in a way that was unwelcome in a NSW Parliamentary workplace? **NOTE:** Multiple responses allowed. **Base:** Survey participants who have experienced sexual harassment in the last 5 years

# 4

## Lived experience of Parliamentary workplaces: culture, inclusion and harmful behaviours

As shown in Figure 18, considering the gender(s) of the perpetrators of the sexual harassment, over three-quarters of sexual harassment incidents (85%) were perpetrated by a man, multiple men, or a group of mainly men; 10 per cent of respondents were sexually harassed by a woman, multiple women, or a group of mainly women; and 2 per cent were sexually harassed by a group of equal distribution of men and women.

Just under half of sexual harassment incidents were perpetrated by a Member of NSW Parliament (41%). Apart from Members' staff or Special Office Holders' staff (most likely to be harassed by Member of NSW Parliament (37%)), respondents were most likely to be sexually harassed by someone in the same cohort (i.e. MPs were most likely to be sexually harassed by another MP and Departmental staff were most likely to be sexually harassed by another Departmental staff member) (Figure 19).



**Figure 18: Gender(s) of the perpetrator of the sexual harassment (%)**. Question: SH\_GENDER. Thinking about the persons involved in the sexual harassment, what was/were their gender(s)? NOTE: Multiple responses allowed. Base: Participants that had experienced sexual harassment in the last 5 years.

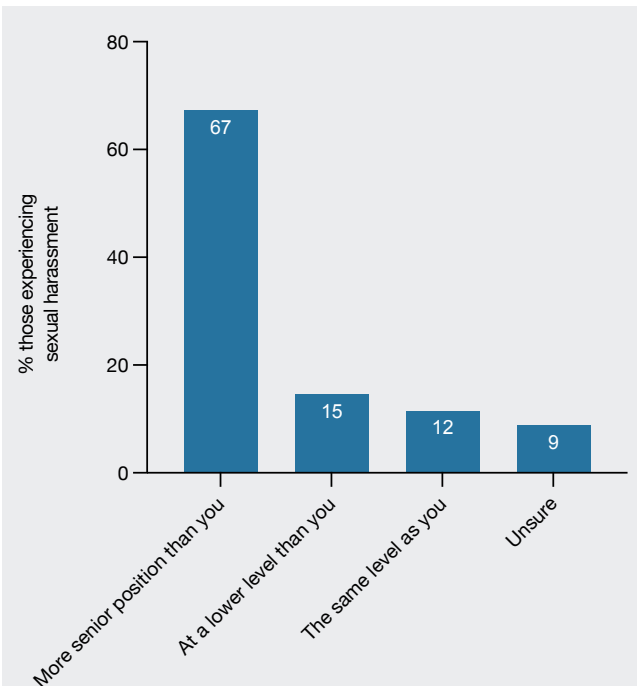
Person who perpetrated sexual harassment	Total		Member of NSW Parliament		Members' staff / Special Office Holders' staff		Ministerial Staff		Departmental Staff		Contractors working at Parliament House		Special Constables		Someone else	
	%	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%	Count
Member of NSW Parliament	41	82	37	35	16	16	39	39	46	46	46	46	46	46	46	46
Members' Staff	9	7	15	0	0	9	8	8	8	8	8	8	8	8	8	8
Special Officer Holder staff	4	0	8	0	0	0	13	13	13	13	13	13	13	13	13	13
Ministerial Staff	14	0	3	44	10	11	21	21	21	21	21	21	21	21	21	21
Departmental Staff	8	7	0	6	57	9	5	5	5	5	5	5	5	5	5	5
Contractors working at Parliament House	3	0	0	0	34	4	2	2	2	2	2	2	2	2	2	2
Special Constables	1	0	0	5	0	2	0	0	0	0	0	0	0	0	0	0
Someone else	14	12	19	0	27	18	4	4	4	4	4	4	4	4	4	4

**Figure 19: Role(s) of the perpetrator of the sexual harassment (%)**. Question: SH\_RELATION. What was the role of the person / people who engaged in the most recent incident of sexual harassment...? NOTE: Multiple responses allowed Base: Participants that had experienced sexual harassment in the last 5 years

# 4

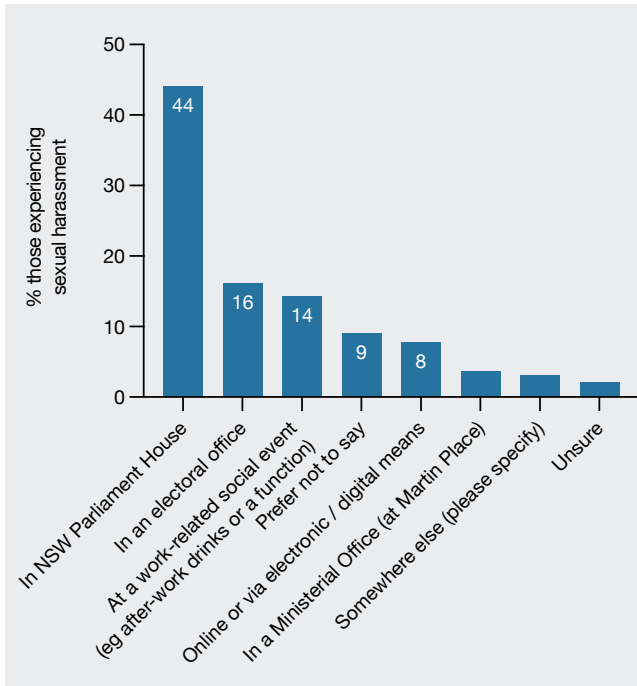
## Lived experience of Parliamentary workplaces: culture, inclusion and harmful behaviours

As is often the case with workplace sexual harassment, the majority was perpetrated by someone at a more senior level (67%). Around 1 in 10 (12%) had experienced sexual harassment from someone at the same level, while 15 per cent had experienced sexual harassment from someone at a lower seniority level. These findings are illustrated below at Figure 20.



**Figure 20: Seniority of the perpetrator of sexual harassment (%)** Question: SH\_RANK. Would you describe the person / people who engaged in the most recent incident of sexual harassment as? NOTE: Multiple responses allowed. Base: Participants that had experienced sexual harassment in the last 5 years.

Just under half of the most recent sexual harassment incidents occurred in NSW Parliament House (44%). The other most common place was in an electorate office (16%), followed by a work-related social event (14%) (Figure 21).



**Figure 21: Location of the sexual harassment.** Question: SH\_WHERE. Where did the most recent incident of sexual harassment take place? NOTE: Multiple responses allowed. Base: Participants that had experienced sexual harassment in the last 5 years.

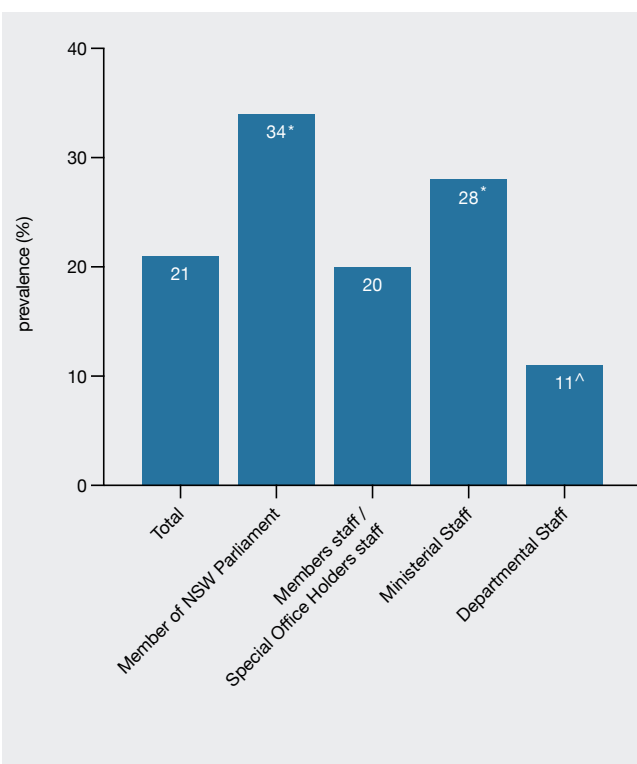
Almost half (49%) of respondents who had experienced sexual harassment had experienced it for less than 1 month, while a smaller proportion had experienced sexual harassment for a year or longer (15%).

Respondents who had experienced sexual harassment were then asked a similar question about how rare or common they believe sexual harassment to be in NSW Parliamentary workplaces. Around a quarter (23%) believe that the type of sexual harassment they have experienced is common, while another 30 per cent believe that it happens sometimes. Around a third (32%) believed that this type of sexual harassment is rare or very rare.

# 4

## Lived experience of Parliamentary workplaces: culture, inclusion and harmful behaviours

All survey participants were asked about whether they have heard about or witnessed any sexual harassment incidents while working in a NSW Parliamentary workplace. Overall, around one in five (21%) have heard about or witnessed sexual harassment as detailed in Figure 22. Members of NSW Parliament (34%) and Ministerial Staff (28%) were more likely to indicate that they have heard about or witnessed sexual harassment when compared with Departmental Staff (11%).



**Figure 22: Witnessed or heard about sexual harassment in NSW Parliamentary workplaces in the last five years**  
 Question: SH\_HEARD: Have you observed or witnessed another person being sexually harassed, heard about it directly from a person who was sexually harassed, or heard about it from people other than the person who was sexually harassed? NOTE: Multiple responses allowed. Base: All survey participants

Workers aged 25 to 34 years were more likely (30%) to indicate that they have heard about or witnessed sexual harassment when compared with respondents aged 45 to 54 years (14%) and 55 to 64 years (13%).

Those who had heard about or witnessed sexual harassment were asked where the incident occurred. Around half (48%) of the incidents that had been heard about or witnessed occurred in NSW Parliament House, with the next most common location being at a work-related social event, such as after-work drinks or a function (11%).

These findings are broadly consistent with the experiences shared by those who participated in interviews and discussion groups.

Several people spoke powerfully about their experience of being sexually harassed in Parliamentary workplaces. This included the continuum of behaviours from everyday sexism and verbal harassment to physical harassment.

*There were often comments about how I was dressed.*

*I'd worked in many other workplaces before here and not experienced the everyday sexism, when I first started [a Departmental staff member] said "oh look, we've got a pretty new face", I didn't know how to discourage that kind of comment.*

*I've also had my own uncomfortable experience with [an MP]... He [had a pattern of behaviour]...It was uncomfortable and inappropriate.*

*[The Parliamentarian] would make sexual remarks about females in the office and comment on their clothing. Some days you would walk into [the office] and they would make a comment that was inappropriate [such as] "jeez your boobs look good in that"... That type of behaviour would not be acceptable in any other workplace.*

# 4 Lived experience of Parliamentary workplaces: culture, inclusion and harmful behaviours

*...Some [MPs] only hire females who are good looking and under a certain age, and there is definitely an air of sexuality about those offices compared to other offices that have a more merit-based recruitment. I've known offices where it is common knowledge that the staffers were sleeping with other staffers or DLOs and sometimes, the Minister. It seems to be an approach to increase your chances of sex by hiring the "right stock".*

*" I found the way [the MP] spoke about staff was not appropriate. This included speculating on sexuality in a bullying way and making a number of provocative innuendos. "*

*The amount of MPs that I saw try to make sexual advances on young men and women at party social events was pretty much constant. Unfortunately, when the people seen as leaders in political parties are acting in such a manner it permeates to a culture that is hard to fix.*

*I had a colleague in the Department who was quite handsy, patted me on the bum.*

Others shared observations of what they had seen happen to others in Parliamentary workplaces:

*It's a completely predatory environment. People use their position to influence and manipulate young adults to get what they want. It's the nature of the relationship in those offices, I saw it happen in my office.*

*It started as flirting. She can't stop it because it would cost her her job.*

*I have seen sexual harassment or inappropriate conduct towards young male staffers by older male Members.*

*A senior staff member was subjected to unwanted touching and sexual advances from Senior Members and staff ... on multiple occasions. The senior staff member had to remove themselves from the situations each time.*

Some younger women working as staffers to MPs talked about sexual harassment as being normalised in workplaces.

*I had a lack of awareness about what was wrong, I needed help to recognise and characterise the behaviour. I wouldn't have known where to go.*

*It's very normalised, the MP and Chief of Staff sleeping with junior staff. The power dynamics were so unbalanced, it thwarted any possibility of a balanced relationship. I did not observe coercion but there was absolutely taking advantage. And then once someone told the MP that he had to stop it, the staff member was disposed of. As soon as you were offside, you were fired with no notice and no recourse.*

*It felt like the 1970s, old rich white men employing these beautiful young women in their 20s. People would come to the office and joke "[This Member] always employs the lookers."*

Several Review participants described a sexualised culture as one of the backdrops or contributing factors to these incidents.

*" MPs make lewd comments, especially at drinks. It's a bit of a boys' club, there's sexting in the Parliament. "*

*How the men in the building talk to each other about women – conversations in front of junior members of staff about which staff member the MPs would like to have sex with. Like locker room talk. I was shocked. All [these subtle messages] about how to act, how to operate in order to connect with men in the building.*

# 4

## Lived experience of Parliamentary workplaces: culture, inclusion and harmful behaviours

*Sometimes after a community member would leave the office, [the MP] would say 'I think she came in because she wants to sleep with me'.*

*On sitting weeks, it is the worst, Ministerial staff and MPs come in, there's staring and leering.*

Many Review participants had not had any experience of sexual harassment and had not heard about others experiencing sexual harassment. Participants tended to diverge in their interpretation of that, with some concluding that Parliamentary workplaces were safe and that the incidence of sexual harassment was low.

“ In the [many] years I spent working in the [electorate office], I never experienced anything other than respect, courtesy and appreciation. ”

*I have not experienced any of the issues relating to this inquiry...we are a cooperative, inclusive group with no workplace issues of any concern.*

*I genuinely don't think that the Parliament is a problematic workplace.*

Others who had no personal experience of sexual harassment queried whether their own experience was typical, often believing that incidents were occurring but not being reported.

*You hear stories...*

### Sexual assault

Survey participants were asked about whether they had experienced actual or attempted sexual assault in a NSW Parliamentary workplace.<sup>27</sup>

Two per cent (n=5, n=3 men and n=2 women) indicated that they had experienced actual or attempted sexual assault while working in a NSW Parliamentary workplace. People with a diverse sexuality were over-represented amongst those who had experienced actual or attempted sexual assault.

Due to the small number of survey respondents who reported in the survey that they had experienced actual or attempted sexual assault, only limited further analysis can be reported on the data, as follows:

- ▶ Those respondents working as Departmental Staff were more likely to indicate that they had not experienced sexual assault than Members' staff or Special Office Holders' staff (99% compared with 94%).
- ▶ Those respondents aged 55 to 64 years were more likely to indicate that they had not experienced sexual assault than those aged 25 to 34 years (100% compared with 93%).
- ▶ Those respondents who identify having a diverse sexuality were more likely to indicate that they had experienced sexual assault than straight / heterosexual respondents (11% compared with 1%).

Due to the small number of NSW Parliamentary workers who reported that they had experienced actual or attempted sexual assault, the sample is too small to enable any further analysis of the data.

All survey participants were asked about whether they have heard about or witnessed any sexual assault incidents while working in a NSW Parliamentary workplace. Overall, one in 11 (9%) indicated that they have heard about or witnessed sexual assault.

Members of NSW Parliament were more likely (18%) to indicate that they have heard about or witnessed sexual assault when compared with Ministerial Staff (4%) and Departmental Staff (3%).

<sup>27</sup> As some respondents declined to indicate when the incident occurred, it is possible some of these incidents occurred more than five years ago.



# 4

## Lived experience of Parliamentary workplaces: culture, inclusion and harmful behaviours

Workers who identify as having a diverse sexuality were more likely to indicate that they had heard about or witnessed sexual assault than straight / heterosexual respondents (18% compared with 8%).

Those who had heard about or witnessed sexual assault were asked about the role of the perpetrator. Over half (56%) indicated that they were perpetrated by Members' Staff, with the next most common perpetrators being Ministerial Staff (15%). The proportion indicating that they were 'not sure' was also quite high (15%).

Those who had heard about or witnessed sexual assault were asked where the incident occurred. Over a third (38%) of the incidents that had been heard about or witnessed occurred in NSW Parliament House, with the next most common location being at a work-related social event, such as after-work drinks or a function (18%). The proportion indicating that they were not sure or preferred not to answer the question, however, was substantial (29%).

As with sexual harassment, the quantitative findings are broadly consistent with the experiences shared by those who participated in interviews and discussion groups.

During one on one interviews, EB&Co. heard from a number of people who had been sexually assaulted by MPs and/or staff working for MPs, Special Office Holders or Ministers. EB&Co. has chosen not to quote from those interviews in this report given the sensitivities of what they endured and that their experiences were ones of considerable trauma. Of those who told EB&Co. during interviews that they reported the incidents, none were provided with any meaningful support or validation of their experiences. All those who shared stories of sexual assault with the Review Team via an interview were women who had been sexually assaulted by men. This may indicate that there are additional barriers for men, especially gay and bisexual men, and for trans and gender diverse people, to share their experiences.

### Location

It is apparent from the qualitative and quantitative data that these harmful behaviours occur in a wide range of locations, including:

- ▶ in Parliament House
- ▶ in electorate offices
- ▶ in work-related community settings (such as community events)
- ▶ in work-related travel locations (eg when staff and MPs are staying in the city during sitting weeks, or during Committee visits to rural and regional areas) and
- ▶ in private settings (e.g., at private residences following work functions).

The most frequent site was electorate offices, with a common thread being the unique challenges of working in an electorate office.

*I wouldn't be an employee in an electorate office for anything.*

Several Review participants, however, also commented on the unique risks created by Parliament's way of working:

“ It's especially hard for staff when there is a single staff member working for an MP. When Parliament is sitting, they might be in with their MP with the door closed until 1am. It is abhorrent that that is the experience of workers. ”

Others commented on the physical environment, particularly in Parliament House:

*There's no private space for MPs' staff, especially for staff working for Members of the Upper House. There wouldn't even be a place that someone could make a private phone call if they wanted advice from HR.*

# 4

## Lived experience of Parliamentary workplaces: culture, inclusion and harmful behaviours

### Alcohol consumption

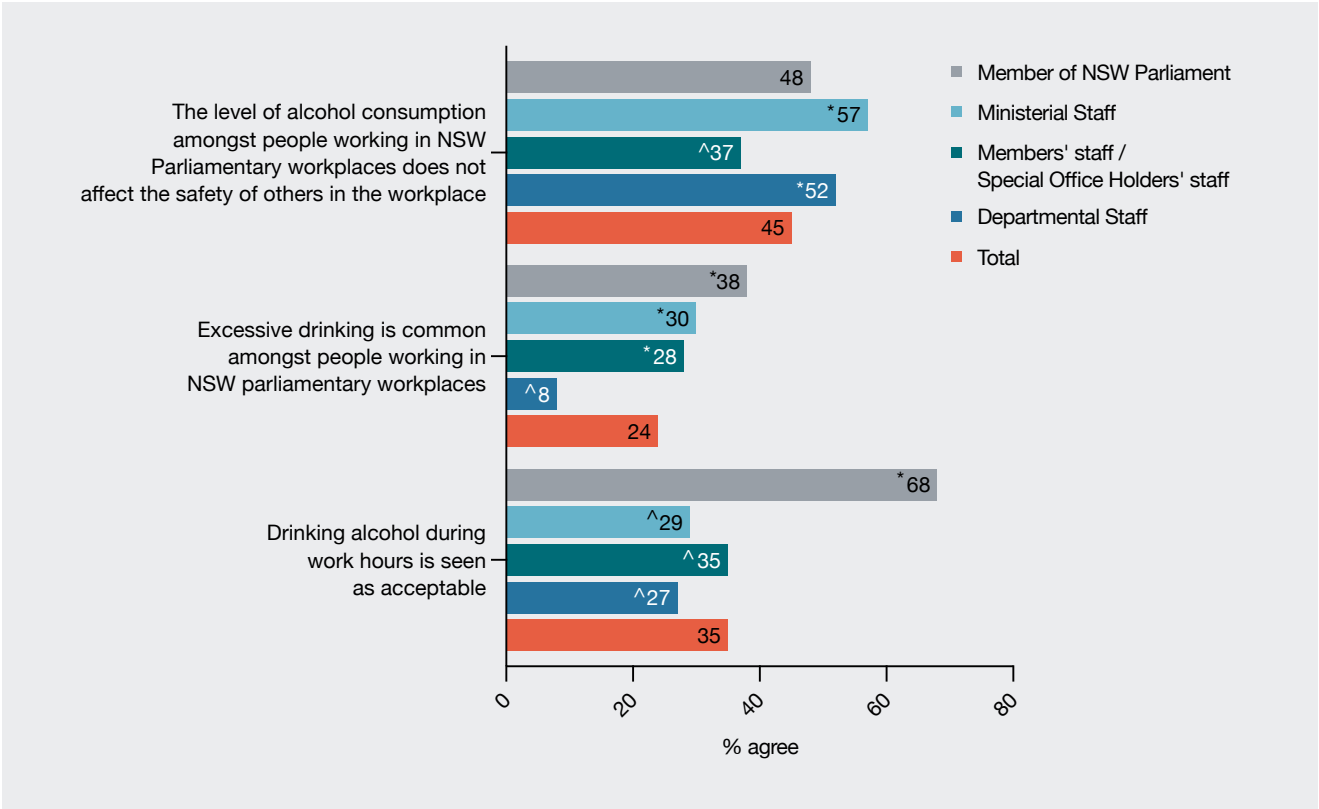
Many Review participants commented on attitudes toward, as well as the role played by, alcohol in Parliamentary workplaces (Figure 23).

When asked about attitudes towards alcohol consumption:

- ▶ Those working as Members of NSW Parliament were more likely to agree that 'drinking alcohol during work hours is seen as acceptable' (68%) when compared with all other roles (35%)
- ▶ Those working in NSW Parliamentary workplaces for more than three years were more likely to agree that 'drinking alcohol during work hours is seen as acceptable' (42%) when compared to those working three years or under (28%)
- ▶ Those that identified as having a diverse sexuality were more likely to agree that 'drinking alcohol during work hours is seen as acceptable' (51%) compared to straight / heterosexual respondents (32%).

When asked about the impact of alcohol consumption:

- ▶ Departmental Staff (52%) and Ministerial Staff (57%) were more likely to agree that 'the level of alcohol consumption amongst people working in NSW Parliamentary workplaces does not affect the safety of others in the workplace' when compared with Members' staff or Special Office Holders' staff (37%)
- ▶ Younger people were more likely to agree that 'the level of alcohol consumption amongst people working in NSW Parliamentary workplaces does not affect the safety of others in the workplace' (59% for those aged 35 to 44 years compared with 38% of those aged 45 to 54 years).



**Figure 23: Attitudes to alcohol consumption (% agree)** Question: CULTURE Thinking about NSW parliamentary workplaces, to what extent do you agree or disagree with the following. Base: All survey participants \* indicates significantly higher results (p<.05) compared to those flagged with ^

# 4

## Lived experience of Parliamentary workplaces: culture, inclusion and harmful behaviours

When asked about excess consumption of alcohol:

- ▶ Members of NSW Parliament (38%), Members' staff or Special Office Holders' staff (28%) and Ministerial Staff (30%) were all more likely to agree that 'excessive drinking is common amongst people working in NSW Parliamentary workplaces' when compared with Departmental Staff (8%)
- ▶ 'Excessive drinking is common amongst people working in NSW Parliamentary workplaces' (45% of respondents who identified as having a diverse sexuality compared with 20% of straight / heterosexual respondents).

Many Review participants were of the view that access to and consumption of alcohol within Parliamentary workplaces is problematic, and also out of step with standards in other workplaces.

*There's a real drinking culture in the building, in offices, in the staff bar, in the bars around Parliament. Younger staff feel pressured to participate... it was pretty inappropriate – when the bar is open, young women get propositioned, there's people drinking between sitting sessions, it gets out of control sometimes. You wouldn't get away with it in any other workplace. (In the corporate sector), if you get drunk at a work event, you can lose your job.*

*People are speaking on important legislation when completely inebriated, it is concerning. Anger, bullying and sexual harassment are all fuelled by alcohol, it is undoubtedly part of the problem.*

Many believe that alcohol consumption is a contributing, rather than a causal, factor. People spoke of observing alcohol reducing inhibitions and pro-social behaviour and increasing aggression and predatory behaviour. Alcohol may also make it more difficult for someone who is subject to harmful behaviours to remove themselves to a safe place.

Despite these concerns, the majority of Review participants believed that the Parliamentary Administration should create a policy on alcohol that addresses the risks and harms associated with alcohol, rather than banning consumption of alcohol outright in Parliamentary workplaces:

“ I think it's better to continue to allow alcohol consumption within Parliamentary workplaces rather than drive it out of the building altogether. If you drive it out of the building, people are going to go to all the bars around the Parliament, where there is even less protection. At least in Parliament, people generally have the attitude that when the lights [in the bar] go out, it's time to go home.

“ We don't want to drive alcohol consumption underground. What if someone feels unable to report a serious incident that occurred when they were having a sneaky drink in an MP's office, and reporting it would mean confessing that they were knowingly breaching a booze ban?

# 4

## Lived experience of Parliamentary workplaces: culture, inclusion and harmful behaviours

### Conclusion

NSW Parliament aspires to be an exemplary workplace and an institution with culture and systems which are underpinned by its values of integrity, excellence and respect.

Participants in this Review have shared diverse experiences of Parliamentary workplaces. Many have had experiences that are entirely positive, telling the Review that they have felt valued, respected and able to serve the community of NSW through their employment.

But others have reported that Parliamentary workplaces have not been safe, inclusive or welcoming and have described in very moving ways the harm that they have experienced as a result either of individual behaviour or of toxic cultures in the workplace.

A resounding call for change echoes through these Parliamentary workplaces, calling for behaviours, cultures, mindsets and policies that enable harmful behaviour to be eradicated, as well as for a real investment in leadership and education.

Over the long term, this must include building a culture that values diversity and that supports people from diverse backgrounds to progress to and flourish in leadership roles.

That diversity will signal to workers, and to the general community, that the NSW Parliament values and respects the contribution of each person.

Key to this cultural change work will be a re-examination of the ways in which power – particularly formal power – is exercised, given the strong finding that power imbalances in NSW Parliamentary workplaces exacerbate harmful behaviours. This should include practical steps to strengthen both the culture of and mechanisms for accountability.

At the same time, opportunities exist to address some of the factors that have been identified as contributing to a lack of safety and inclusivity. In particular, the Review identified a need to re-examine working conditions, especially the working conditions of staff working for Members of Parliament and Special Office Holders, to the extent that they undermine safety and wellbeing; and to set more appropriate boundaries around access to and consumption of alcohol.

Together, work across these areas will support the more targeted work on preventing and responding to bullying, sexual harassment and sexual assault outlined in Chapter 7.

# Chapter 5: Creating policies and practices that enable safe, healthy workplaces

## Introduction

The policy and practice framework for preventing, identifying and responding to bullying, sexual harassment and sexual assault forms a key part of the context of NSW Parliamentary workplaces. As discussed in earlier chapters, Parliamentary workplaces are a unique environment, shaped by the unique role of Members of Parliament within the NSW democracy; the unique professional and industrial relationship between a Member of Parliament and their staff; and the intersection of three different cohorts (staff of the three House Departments, MPs and MPs' staff) within the one environment.

Owing to that complexity, a broad suite of policies, taken together, govern the environment. This suite of policies includes:

- ▶ policies that directly relate to behavioural expectations (including the Harassment-Free Workplace policy and the respective Codes of Conduct for Members, Members' Staff and Parliamentary Staff)
- ▶ policies that govern conditions of employment and
- ▶ policies that govern the broader environment (such as the CCTV and Security Access Control Systems Policy, and the IT Access and Use Policy).

This chapter particularly focuses on the policies that directly relate to behavioural expectations, while also identifying opportunities to strengthen broader policies. Significant opportunities exist to align this review of the policy framework with the revised policy framework, including the newly developed Safe and Respectful Workplaces Policy, as well as implementation arrangements proposed for Ministerial Offices by the Hon. Pru Goward.

Within NSW Parliamentary workplaces, these policies are disseminated and brought to life through a range of practices, including training and development. As such, this chapter also canvasses those practices.

## The current policy framework

Owing to its unique landscape, NSW Parliament has a number of different policies which set out behavioural expectations and pathways for resolution. Some of these are specific to one cohort, whereas others cover all who work in Parliamentary workplaces:

### All workers and visitors to Parliamentary workplaces:

- *CCTV and Security Access Control Systems Policy (2016)*
- *IT Access and Use Policy*

### For staff of the three Departments:

- *Harassment-Free Workplace (2021)*
- *Anti-Bullying Policy (2018)*
- *Grievance Policy (2018)*
- *Code of Conduct for Parliamentary Staff*

### For Members of Parliament:

- *Code of Conduct for Members of the Legislative Assembly (2020)*
- *Code of Conduct for Members of the Legislative Council (2020)*

### For Members' staff:

- *Code of Conduct for Members' Staff (2018)*
- *Members of Parliament Staff Act (2013)*
- *Members' Staff Conditions of Employment*

# 5

## Creating policies and practices that enable safe, healthy workplaces

### Strengthening the policy framework

From EB&Co.'s desktop review of policies, and engagement with individuals in Parliamentary workplaces, it is apparent that the current policy framework in NSW Parliamentary workplaces includes some of the foundational elements for an effective response to bullying, harassment and sexual misconduct.

Both the *Harassment-Free Workplace Policy* and the *Grievance Policy* express a commitment to a healthy and safe workplace and note that sexual harassment may constitute an offence under the *Anti-Discrimination Act* or may constitute a criminal offence. The *Harassment-Free Workplace Policy* provides a succinct definition of sexual and unlawful harassment and notes the range of behaviours prohibited in the workplace. This is important for providing clear direction about acceptable and unacceptable behaviours in NSW Parliamentary workplaces.

Many Review participants noted that the strongest and clearest arrangements are in place for Departmental staff (that is, staff working in DPS, and the Departments of the Legislative Council and the Legislative Assembly). Several Review participants commented along similar lines:

*In the bureaucracy, I know that everyone is doing the right thing and I know what to do if they are not.*

*There is a strong policy framework defining and regulating the behaviour of the staff of the three Parliamentary Departments.*

Most other cohorts had low confidence in the protections afforded by the current policy framework, particularly the protections for MoPS staff and accountability arrangements for MPs. One former MoPS staff member commented:

*When it happens to you, it is not worth the paper that it is written on....When I think about [a former colleague who was subject to predatory behaviours], how could a bullying and harassment policy ever help her?*

*There was an overriding pessimism from those involved that anything could be done, since DPS is limited, at a fundamental level, from doing anything about an elected Member...To the extent that new oversight and disciplinary measures regarding Members' conduct have been proposed, it has been done so on the basis of a collective understanding that these measures are unenforceable in a formal sense.*

Strengthening the policy framework requires changes across multiple fronts, including policies and Codes of Conduct managed by the two Houses, as well as policies developed and implemented by DPS.

### Members of Parliament Code of Conduct

The Members of Parliament Codes of Conduct are the overarching accountability mechanism for NSW Members of Parliament. Review participants highlighted the gaps in the Members Code of Conduct and the implications of those gaps, commenting:

*Bullying, harassment and sexual misconduct are not even included in the MPs Code of Conduct.*

*It is fundamental that these issues are codified in the MPs' Code of Conduct. There has been a double standard.*

*Perhaps holding Members accountable in the same way staff are - that is, it seems that Members 'get away' with far more wrongdoing than staff ever could.*

*Members having the same rules to abide by as other Parliamentary staff. Members seem to have more leeway to misbehave and act inappropriately to staff without consequence.*

This could be addressed through strengthening the *Members' Codes of Conduct* to explicitly address bullying, sexual harassment and sexual misconduct, including a stated commitment to zero tolerance of these harmful behaviours and a high-level outline of compliance arrangements.

### Members of Parliament Staff Act (2013)

As noted, above, the MoPS Act sets out the industrial arrangements for staff working for MPs. The vast majority of interview participants identified the MoPS Act as a barrier to MoPS staff taking action on harmful behaviour within their offices – in particular the clause that allows MoPS staff to be terminated without notice or explanation “if the services of the person are dispensed with by the Member of Parliament”. This was true regardless of whether the alleged perpetrator was the employing MP, another MoPS staff within the office, or someone external to the team.

Most participants in this Review noted the importance of absolute trust between an employing MP and their staff, and the importance of flexibility in working arrangements. The capacity of MPs to dismiss staff without any process, however, is considered one of the key systemic barriers to staff reporting harmful behaviours that they personally have experienced or, alternatively, acting as witnesses when others report harmful behaviours.

*The reality is that if there's a dispute, it is not going to be the MP that leaves.*

*If MPs want that level of autonomy [around employment], it needs to come with a level of responsibility.*

*When I came in, MPs' staff had an Award, had unfair dismissal rights. Now we have no protections.*

*[We need] ..better employment protections for staff so they can call out poor behaviour.*

“ Staff [need to be] given more certainty in their employment – provide an assurance that they won't be sacked for speaking up and then we're more likely to hear from people about any negative experiences. ”

### Members of Parliament Staff Code of Conduct

Several Review participants commented on the important role played by the Members of Parliament Staff Code of Conduct, highlighting that the so-called “Loyalty Clause” is seen as a particular barrier to Members' staff reporting inappropriate behaviour. This is because reporting may constitute disloyalty and thus may prompt termination of employment. As such, it is considered a barrier both to individuals reporting their own experience and/or to coming forward as a witness or bystander. While there is deep recognition of the importance of loyalty to the employing Member of Parliament, this should be balanced with a commitment to contributing to safe and healthy workplaces, and the right to report harmful behaviours.

### Harassment-free Workplace policy

Consultations and the desktop review conducted by EB&Co. also identified a number of areas in which the existing *Harassment-Free Workplace Policy* could be strengthened to better align with contemporary best practice. This is because, while the current policy provides the policy framework, the mechanisms for investigation and resolution are outlined in the *Grievance Policy*. While appropriate for investigating and resolving interpersonal conflict, the procedures within the *Grievance Policy* place an emphasis on resolution between individuals, rapid resolution, and escalation only at the point where other attempts have not succeeded. This is not appropriate for investigating and resolving cases of bullying or sexual harassment, particularly those where there may be significant power differentials between the individuals concerned. As such, it is recommended that the *Harassment-Free Workplace Policy* be re-developed into a stand-alone policy on bullying, sexual harassment and sexual assault that includes:

- ▶ A stronger commitment to visible ‘zero tolerance’ of bullying, sexual harassment, and sexual assault
- ▶ A strong commitment to eliminating sexual harassment and sexual assault in the workplace

- ▶ The responsibility of management and staff in relation to preventing and responding to sexual harassment and sexual assault, including the role of witnesses and bystanders
- ▶ A commitment to a human-centred and trauma-informed approach to complainants
- ▶ A more explicit risk management approach (akin to the approach currently taken in the Anti-Bullying Policy), that includes:
  - Elevating sexual misconduct as a work, health safety issue and reporting and responding to reports in line with Work, Health and Safety practice
  - Enhanced measures to prevent sexual harassment and sexual misconduct, including promoting positive, proactive and inclusive leadership
  - Early identification of unacceptable behaviours and situations
- ▶ Enhanced reporting arrangements, including formal and informal pathways for reporting; and anonymous reporting (to enable tracking of patterns over time)
- ▶ Well-defined mechanisms for investigating and resolving complaints, with the option of independent review in those circumstances where internal review may not be appropriate
- ▶ Options for responding to historical allegations
- ▶ Measures to protect complainants from victimisation
- ▶ Support to other parties, including the respondent, witnesses, and any other bystanders
- ▶ Enhanced measures to respond to sexual misconduct, including proportional outcomes for substantiated breaches
- ▶ Compulsory training on sexual harassment and sexual assault for all who work in Parliamentary workplaces
- ▶ Establishing ongoing mechanisms for monitoring and reviewing the effectiveness of the revised policy, practice, and reporting arrangements.

## Other relevant policies

A broad range of other policies shape the landscape of Parliamentary workplaces in relation to bullying, sexual harassment and sexual misconduct.

Participants in the Review commented on the need to review and strengthen aspects of the *CCTV and Security Access Control Systems Policy (2016)* and implementation procedures. This could include reviewing and strengthening:

- ▶ Eligibility for and monitoring of authorised access passes
- ▶ Visitor management policy and procedures
- ▶ The location of CCTV cameras, with a view to expanding coverage of key locations.

Review participants also noted the need to review and strengthen preventative security within Parliamentary workplaces and relevant community settings, including:

- ▶ Security arrangements for events identified as higher risk
- ▶ Security arrangements in electorate offices and
- ▶ Tailored arrangements (if appropriate) for anyone experiencing bullying or sexual misconduct.



## Knowledge and awareness

### Training and awareness raising

A range of mechanisms currently provide information and support the development of the skills, capability and confidence of staff and MPs to prevent, identify and respond to bullying, sexual harassment, and sexual assault. These include:

- ▶ An on-line platform which enables access to all relevant policies.
- ▶ An induction program for all new staff members, including staff of the three Parliamentary Departments and staff working for MPs and Special Office Holders. That induction includes a specific session on the relevant policies (including the Code of Conduct; Work Health and Safety rights and obligations of staff and employers; expectations regarding workplace behaviour; and how to access policies and pathways for advice, support and reporting).
- ▶ An Induction Handbook, which likewise contains key information regarding rights, responsibilities and reporting pathways.
- ▶ An Induction program for Members of Parliament, which also includes discussion of their responsibilities as an employer.
- ▶ An annual training session on workplace behaviour and Work, Health and Safety. That training is mandatory for all staff (including staff of the three House Departments and all MPs' staff) and includes discussion of bullying, sexual harassment and sexual assault.

Participants in the Review commented favourably on the work done by DPS to develop and deliver this training and, where possible, to access external facilitators to provide more in-depth training.

*DPS are doing the best that they can with the resources they have available, but there's just not enough investment in training, and MPs are often reluctant to support staff to participate in training because it takes them out of the office.*

### Access to and impact of training

Despite this, the survey found that less than half of the NSW Parliamentary workforce (43%) had received any training or education on bullying, sexual harassment, or sexual assault in a NSW Parliamentary workplace. When looking at this data by roles, Departmental Staff were more likely (81%) to have received any training than Members of NSW Parliament (22%), Members' staff or Special Office Holders' staff (37%) and Ministerial Staff (23%). Of those who said that they had received training (43%), the most common training or education received related to bullying (42%), followed by sexual harassment (30%) and sexual assault (21%).

One interview participant commented:

*When I first started, there was no training for the first six months, no HR support, it does leave people vulnerable.*

Survey participants were also asked how much they feel that they know about policies, processes and practices in NSW Parliamentary workplaces in relation to bullying, sexual harassment or sexual assault. Overall, around half of the NSW Parliamentary workforce (50%) suggested that they have some knowledge of the policies. Around a third (33%) indicated that they know nothing or very little about the policies around sexual harassment, sexual assault or bullying within NSW Parliamentary workplaces, and only 14% indicated they know a lot.

When looking at roles, Members of NSW Parliament (18%), Members' staff or Special Office Holders' staff (18%) and Ministerial Staff (16%) were more likely to indicate that they know nothing about the policies compared with Departmental Staff (2%). Members of NSW Parliament (18%) and Departmental Staff (22%) were also more likely to indicate that they know a lot about the policies than Ministerial Staff (5%).

Review participants also highlighted the need to address the barriers to participation in training. One interview participant commented:

*[DPS] can't make training mandatory for MPs, and they can't make MPs release staff to participate in the training.*

Options for improving access include:

- ▶ Continuing to expand the pool of trained casual staff able to cover an MP's staff member while they participate in training.
- ▶ Increasing MPs' understanding of the value of staff participating in training, including why professional development should be prioritised despite the many competing commitments.
- ▶ Exploring opportunities to make training for MPs mandatory, in order to ensure a baseline of common understanding across all MPs regarding both bullying, sexual harassment and sexual misconduct and their specific obligations as an employer.

## Approaches to training

Review participants also noted the significant limitations of the current approach to information dissemination and education. It was generally agreed that:

- ▶ Face to face training is highly preferable to on-line, self-paced learning. This is because face to face training allows both for deeper engagement with the content and the potential for peer learning.
- ▶ A need exists to further develop the specific training provided on bullying, sexual harassment and sexual assault, to include a focus on story-telling and responding to scenarios.
- ▶ A need exists to provide more tailored training for MPs regarding their responsibilities as employers, and the particular implications of being an employer within Parliamentary workplaces.

This training should cover core knowledge and skills relating to the employer role, as well as the opportunity for peer learning. In crafting a development program of this kind, consideration should be given to multi-modal training, with a mixture of small group coaching led by a trusted external expert; access to external development opportunities (such as Management and Leadership Development programs offered by universities); and in-house development.

Strengthening both the quality and uptake of training will require additional investment.

## Where workers access information on bullying, sexual harassment and sexual assault

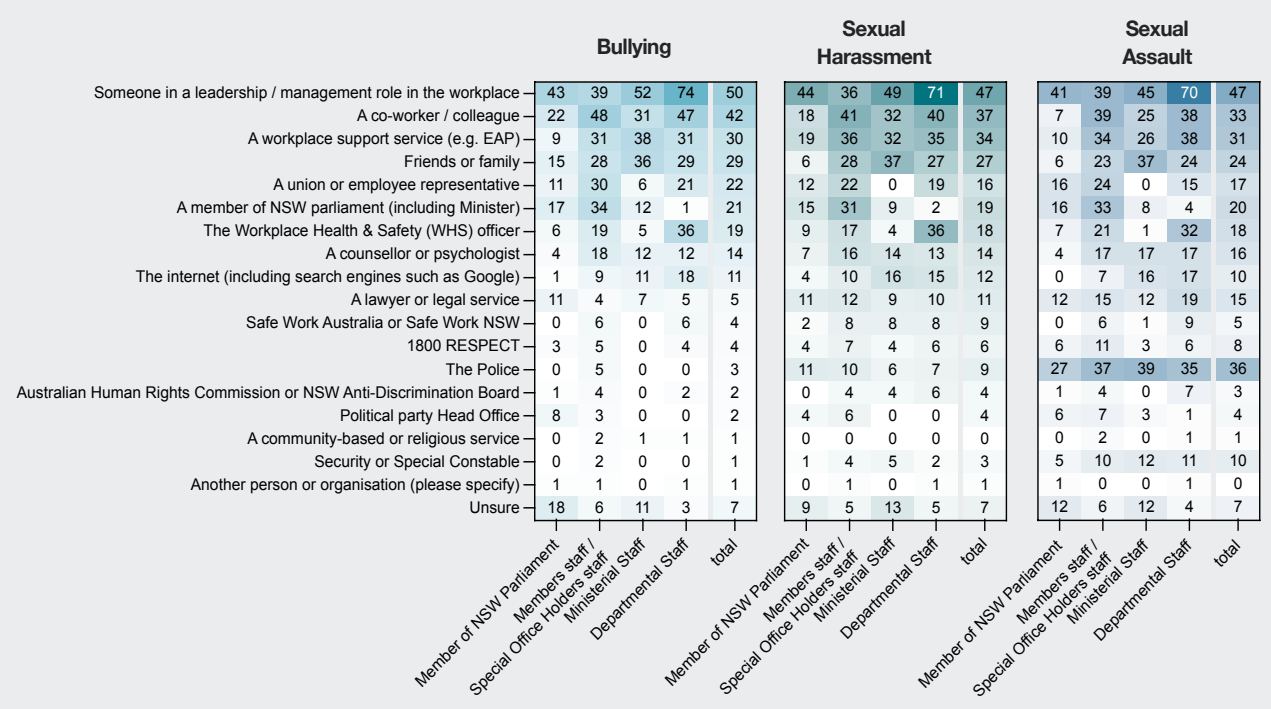
All survey participants were asked where they would go if they needed information about bullying, sexual harassment and/or sexual assault.

As illustrated in Figure 24 below, across all three areas, the most common information source people that indicated they would consult was 'someone in a leadership/management role in the workplace'. For both bullying and sexual harassment, the next two most common sources of information were 'a co-worker/colleague' and 'a workplace support service (e.g. EAP)', whereas for sexual assault, it was 'the police' followed by 'a co-worker/colleague'.

Consistent with the nature of their role, those working as Departmental Staff were much more likely to indicate that they would go to 'someone in a leadership / management role in the workplace' compared with all other roles, while those working as Members' staff or Special Office Holders' staff were more likely to indicate that they would go to a 'Member of NSW Parliament (including Minister)' when compared with all other roles.

# 5

## Creating policies and practices that enable safe, healthy workplaces



**Figure 24: Where to go for information about bullying, sexual harassment, or sexual assault by role (%).** Questions: B\_INFO. If you needed any information about bullying, which of the following would you be likely to go to? SH\_INFO. If you needed any information about sexual harassment, which of the following would you be likely to go to? SA\_INFO. If you needed any information about sexual assault, which of the following would you be likely to go to? NOTE: Multiple responses allowed. Base: All survey participants.

Certain groups were more likely than others to indicate they would seek information on bullying, sexual harassment and sexual assault from different sources:

- ▶ Women were more likely to suggest they would go to ‘A co-worker / colleague’; ‘Friends or family’; ‘A counsellor or psychologist’.<sup>28</sup>
- ▶ Respondents who identified as having a diverse sexuality were more likely to go to a ‘Political party Head Office’ and ‘A union or employee representative’ than straight / heterosexual respondents.<sup>29</sup>

- ▶ Respondents who had worked in a NSW Parliamentary workplace for three years or under were more likely to go to ‘A counsellor or psychologist’ than those who had worked there for more than three years.<sup>30</sup>
- ▶ Respondents aged 25 to 34 years were more likely to use ‘the internet (including search engines such as Google)’ than older respondents.<sup>31</sup>

<sup>28</sup> **Bullying:** Women / females were more likely to suggest they would go to ‘A co-worker / colleague’ (49% cf. 35% for men / males); Friends or family (39% cf. 16% for men / males); A counsellor or psychologist (20% cf. 8% for men / males); **Sexual harassment:** Women / females were more likely to suggest they would go to ‘A co-worker / colleague’ (44% cf. 29% for men / males); Friends or family (38% cf. 15% for men / males); A counsellor or psychologist (21% cf. 6% for men / males); **Sexual assault:** Women were more likely to go to ‘A co-worker / colleague’ (39% cf. 27% for men / males); Friends or family’ (33% cf. 14% for men / males); and ‘A counsellor or psychologist’ (23% cf. 8% for men / males).

<sup>29</sup> **Bullying:** ‘Political party Head Office’ (7% for respondents that identified as having a diverse sexuality cf. 1% for straight / heterosexual respondents); ‘A union or employee representative’ (40% for respondents that identified as having a diverse sexuality cf. 17% for straight / heterosexual respondents); **Sexual harassment:** Political Party Head Office (12% for respondents that identified as having a diverse sexuality cf. 2% for straight / heterosexual respondents); A union or employee representative (29% for respondents that identified as having a diverse sexuality cf. 14% for straight / heterosexual respondents); **Sexual assault:** ‘Political party Head Office’ (13% for respondents that identified as having a diverse sexuality cf. 3% for straight / heterosexual respondents); ‘A union or employee representative’ (35% for respondents that identified as having a diverse sexuality cf. 13% for straight / heterosexual respondents).

<sup>30</sup> **Bullying:** A counsellor or psychologist (21% for those working in NSW Parliamentary workplaces for three years or under cf. 7% for those more than three years); **Sexual harassment:** A counsellor or psychologist (21% for those working in NSW Parliamentary workplaces for three years or under cf. 7% for those more than three years); **Sexual assault:** A counsellor or psychologist’ (25% for those working in NSW Parliamentary workplaces for more than three years cf. 7% for those three years or under).

<sup>31</sup> **Bullying:** The internet (including search engines such as Google) (20% respondents aged 25 to 34 years cf. 8% for those aged 35 to 44 years, 7% for those aged 45 to 54 years, and 3% for those aged 55 to 64 years); **Sexual harassment:** The internet (including search engines such as Google) (23% respondents aged 25 to 34 years cf. 8% for those aged 35 to 44 years, 10% for those aged 45 to 54 years, and 6% for those aged 55 to 64 years); **Sexual assault:** 21% respondents aged 25 to 34 years cf. 8% for those aged 35 to 44 years, 9% for those aged 45 to 54 years, and 5% for those aged 55 to 64 years).

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## Creating policies and practices that enable safe, healthy workplaces

Some other key differences between population groups include:

- ▶ Those working in NSW Parliamentary workplaces for three years or under were more likely to use ‘the internet (including search engines such as Google)’ to find information on bullying; and to use ‘1800 RESPECT’, ‘Safe Work Australia’ or ‘Friends and Family’ to find information on sexual harassment.<sup>32</sup>
- ▶ Respondents who identified as having a diverse sexuality were more likely to access information on sexual harassment and sexual assault from a ‘lawyer or legal service’ and ‘Australian Human Rights Commission or NSW Anti-Discrimination Board’ for sexual assault than those who identified as straight/heterosexual.<sup>33</sup>
- ▶ Respondents aged 25 to 34 years were more likely than older age groups to access information on sexual assault from ‘a counsellor or psychologist’ or ‘the internet’.<sup>34</sup>
- ▶ Respondents who had worked in a NSW Parliamentary workplace for more than three years were more likely to access information on sexual assault from ‘a lawyer or legal service’ than those who had worked there for three years or under.<sup>35</sup>

### Supports available

Survey participants were asked about whether they were aware of NSW Parliamentary services that assist in relation to bullying, sexual harassment, or sexual assault. Overall, most (72%) were aware of at least one service, with 68 per cent being aware of the EAP and 36 per cent being aware of the WHS Site Officer / Health and Safety Representative.

When looking at roles, Members of Parliament (85%) and Departmental Staff (94%) were more likely to be aware of support services than Members’ staff or Special Office Holders’ staff (64%) and Ministerial Staff (61%). More specifically, Departmental Staff also were more likely than all other roles to be aware of the EAP (90%) and WHS Site Officer / Health and Safety Representative (64%).

While there were no gender differences, when looking at age, those aged 55 to 64 years were more likely (53%) to be aware of the WHS Site Officer / Health and Safety Representative than those aged 25 to 34 years (32%) and those aged 45 to 54 years (36%).

Those who had been working in NSW Parliamentary workplaces for more than three years (75%) were more likely to be aware of the EAP compared with those working for three years or under (59%).

### Conclusion

For the most part, the Review found that confidence is low in existing policy frameworks either to prevent harmful behaviours from occurring in the first instance, or respond effectively when they do occur.

Policy and legislative frameworks play a key role both in signalling what is acceptable within an organisation (and thereby shaping its culture) and in providing signposts about how an organisation will respond when harmful behaviours occur.

At present, the policy framework provides clarity on these elements to staff working for the three Parliamentary Departments. This clarity covers both behavioural expectations, as well as what will happen when someone steps outside those expectations.

The policy and legislative framework for MoPS staff is much less clear. The MoPS Code of Conduct sets behavioural expectations, but also emphasises the primacy of loyalty to the MP for whom an individual works. Review participants emphasised that the open-ended nature of that loyalty is a barrier to eliminating harmful behaviours in workplaces.

Meanwhile, behavioural expectations of MPs as they relate to harmful behaviours remain largely undefined, with no benchmark against which the appropriateness or otherwise of an MP’s behaviour can be assessed. This is seen as a key factor in the weak accountability culture.

<sup>32</sup> **Bullying:** The internet (including search engines such as Google) (16% for those working in NSW Parliamentary workplaces for three years or under cf. 5% for those more than three years); **Sexual harassment:** 1800 RESPECT (10% for those working in NSW Parliamentary workplaces for three years or under cf. 2% for those more than three years); Safe Work Australia or Safe Work NSW (11% for those working in NSW Parliamentary workplaces for three years or under cf. 4% for those more than three years); Friends or family (36% for those working in NSW Parliamentary workplaces for three years or under cf. 20% for those more than three years).

<sup>33</sup> **Sexual harassment:** Lawyer or legal service (20% for respondents that identified as having a diverse sexuality cf. 8% for straight / heterosexual respondents); **Sexual assault:** 26% for respondents that identified as having a diverse sexuality cf. 12% for straight / heterosexual respondents; ‘Australian Human Rights Commission or NSW Anti-Discrimination Board’ (10% for LGBTQIA+ respondents cf. 2% for straight / heterosexual respondents).

<sup>34</sup> ‘A counsellor or psychologist’ 23% respondents aged 25 to 34 years cf. 7% for those aged 45 to 54 years and 7% for those aged 55 to 64 years; ‘The internet’ 21% respondents aged 25 to 34 years cf. 8% for those aged 35 to 44 years, 9% for those aged 45 to 54 years, and 5% for those aged 55 to 64 years

<sup>35</sup> ‘A lawyer or legal service’ (20% for those working in NSW Parliamentary workplaces for more than three years cf. 9% for those three years or under.

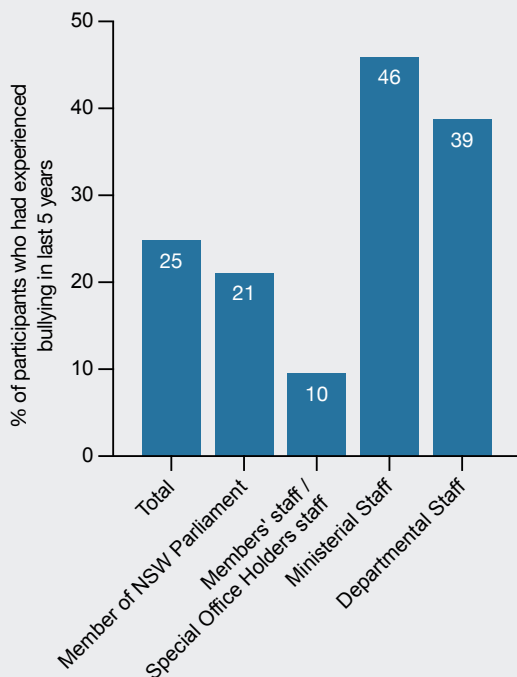
# Chapter 6: Reporting bullying, sexual harassment, and sexual assault, and support for all parties in a complaint

## Introduction

A transparent, accessible, and effective reporting system is an integral part of responding to individual incidents and of creating a culture that is inclusive, accountable, and safe. Such a system must include support for all parties in a complaint, including the complainant, the alleged respondent, and any witnesses.

In any environment, the reporting system is shaped by the provisions of the policy/policies, the approach to implementation and the broader cultural context.

Both the quantitative and qualitative data gathered through this Review indicate low levels of confidence and trust in the formal policy process and in the complaints process. This needs to be addressed as a matter of urgency.



**Figure 25: Whether bullying was reported – by role (%)**. Question: B\_REPORT. Did you make a complaint or report about the incident of bullying you most recently experienced Base: Participants who had experienced bullying in the last 5 years.

## Reporting bullying

### Direct experiences of bullying:

Of the 28% of the workforce who experienced bullying, only 25% of those made a complaint or reported the bullying (Figure 25). Departmental staff (39%) and Ministerial staff (46%) were more likely to report the bullying compared with Members' staff or Special Office Holders' staff (10%) (Figure 25).

These data are consistent with the findings of the interviews and discussion groups, in which Review participants routinely commented that they felt unable to report their experiences of harmful behaviours.

Some felt that there was a lack of any well laid out pathway for submitting a complaint without suffering reprisal.

*There is no way to make complaints, there is literally no avenue that you can realistically access.*

*The environment is highly litigious. There is a whole pile of women who say that [person] has bullied and harassed them. There are other women whom he has assaulted. I have spoken to all these women. If you come forward, you are seen as a sore loser. That's the way the spin works. If I came out and said things [about the alleged perpetrator], I would be sued for defamation. The culture requires you to keep quiet.*

Many noted the limited authority of the Department of Parliamentary Services, particularly in relation to MPs:

*When complaints are in relation to a Member, [DPS] has no authority to do anything... there is no legal or policy avenue to do anything.*

“ [A staff member in DPS] was very supportive and sympathetic but, at the end of the day, there was absolutely nothing they could do. ”

# 6

## Reporting bullying, sexual harassment, and sexual assault, and support for all parties in a complaint

Others described a lack of confidence in those responsible for implementing existing policies, including DPS and Members; and expressed concern that external investigators were not sufficiently independent:

*I felt entirely powerless. You are trying to go to people who are supposed to be supporting you but they are conflicted because they prioritise Members. They just need to do their job, they have a duty of care to find a way forward.*

*HR in DPS have to make sure that they are not just about protecting the brand of the Parliament.*

*DPS HR is more concerned with getting the right form filled out and not getting called before ICAC, rather than actually solving these issues.*

*If someone made a complaint to HR, HR is then immediately on the phone to the MP. The aim is to make it go away.*

*There is very low trust in DPS, they are seen as either being on the MP's side or just unable to do anything about the situation.*

*People need to be able to tell their story, not get gaslit by their own party or by DPS.*

“ The MP can be more focused on protecting someone's reputation than good process. The challenge is that the responsibility sits with the same person. ”

*I raised [bullying by a colleague] with the MP and [the MP] spent the day in tears saying that [the MP] shouldn't have to deal with these things.*

*You hear stories of external investigators being people who are actually connected to the party, it's hard for people to trust them as independent.*

*Can there be a separate place that people go and actually feel safe?*

Confidentiality – and the associated risk of both reputational damage and retribution – was another central barrier:

*Since Parliament is a place which thrives on gossip and shared secrets, it is almost inevitable that the identity of the complainant, the subject of the complaint, and the substance of the complaint will become widely known within a short time after it is made. Becoming known as the source of a complaint against an MP has a number of consequences which will be incurred entirely irrespective of the merit of the complaint. A complainant may, for example, get a reputation as a troublemaker and be effectively blackballed from future employment with other Members.*

*You are just so alone. If you ever speak out, you will be the only loser, your name is muck, you stand to lose your career, your good reputation, you will never progress in the party, they will go after you, they will go after your family, your house... When I was bullied [by the MP who employed me] to the point of panic attacks, I ended up going to the doctor to get [medication] just to cope.*

There was also a real concern about complaints being weaponised against one's political party:

*I feel very guarded about the politicisation of my experience, especially watching the way that Brittany Higgins' disclosure has been handled. What if the good work we do in my office is tarnished by [me making a] report? I don't want me being belittled to be catastrophic for my party.*

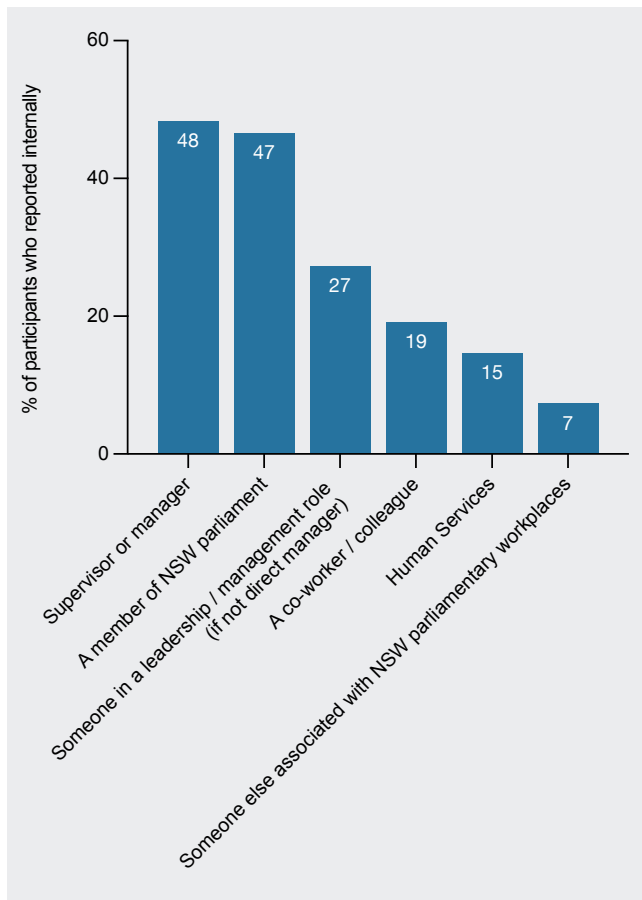
Many cautiously welcomed the Parliament's decision to appoint an Independent Complaints Officer but were concerned about the lack of independence:

*The [Independent Complaints] Officer idea is interesting, but they have to be skilled in receiving complaints. And ultimately the decision [about the findings and any follow-up action] needs to come from the Presiding Officer so there's a real concern it could become political.*

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## Reporting bullying, sexual harassment, and sexual assault, and support for all parties in a complaint

Of those who made a complaint or reported the bullying (25%), the vast majority (90%) reported the incident internally, while only 23% reported it externally.<sup>36</sup> As outlined in Figure 26, the most common internal reporting channels were to a supervisor or manager (48%) or a Member of Parliament (including Minister, Presiding Officer or Special Office Holder) (47%).



**Figure 26: Internal reporting of bullying in NSW Parliamentary workplaces in the last five years (%)**.  
 Question: B\_REPTO\_IN. Who was the person or group inside or related to the NSW Parliamentary workplace you made a complaint or report to? NOTE: Multiple responses allowed. Base: Participants who had reported bullying internally.

Only 26 per cent of those who made a complaint or reported their experience of bullying have had their report finalised, while over a third (35%) are unsure if their report has been finalised. Of those who made a complaint and had the matter addressed, the most common outcome was that the employer apologised to the complainant for failing to prevent the bullying (28%) and the complainant received positive feedback for making the complaint (25%). Around 1 in 8 (12%), however, indicated they were ostracised, victimised, ignored by colleagues or party members as a result of reporting.

In their submission to this Review, the Public Service Association reported a much higher rate of adverse consequences for staff who made a complaint, observing that close to one hundred per cent of MoPS staff who had made a complaint about harmful behaviours in the workplace had subsequently left the role, often having had their employment terminated.

*Once Members' staff complain about an issue, resignation or leaving employment is almost inevitable. It appears that there is no other option for Members' staff once they have reported bullying, harassment or sexual misconduct which their Member or even a colleague has perpetrated...It is absolutely unacceptable and completely unjust that the alleged victim is the one who ends up leaving employment, while the issues raised are not addressed, swept under the carpet and the behaviour may continue in relation to other employees.*

Regarding other outcomes, most survey respondents indicated that there were no consequences for the perpetrator (69%) and that there were no consequences or changes following their complaint or report (66%). The other most commonly reported impact on the perpetrator was that they were informally spoken to (19%).

Over half of the respondents who reported the most recent incident of bullying were very dissatisfied (40%) or dissatisfied (20%) with the process of their complaint or report. Only one per cent were very satisfied, while 14 per cent were satisfied.

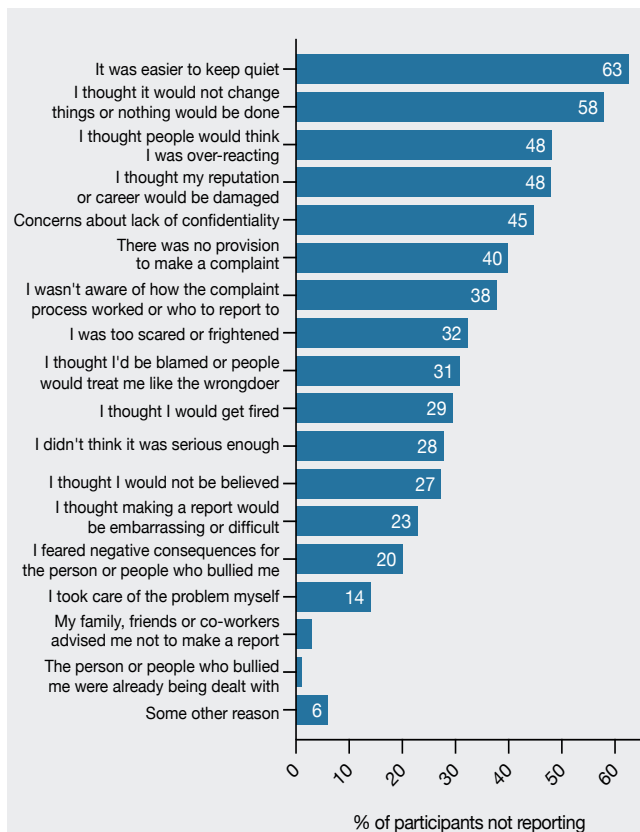
<sup>36</sup> Due to the small number of respondents who reported the bullying externally, further detail cannot be reported to protect privacy.

# 6

## Reporting bullying, sexual harassment, and sexual assault, and support for all parties in a complaint

Those who chose not to report the bullying were asked about why that was the case. The most common reasons for not reporting (Figure 27) were:

- ▶ It was easier to keep quiet (63%)
- ▶ I thought it would not change things or nothing would be done (58%)
- ▶ I thought people would think I was over-reacting (48%)
- ▶ I thought my reputation or career would be damaged (48%)
- ▶ Concerns about lack of confidentiality (45%).



**Figure 27: Reasons for not reporting bullying (%)**.  
 Question: B\_NOT\_REP. What are the reasons you did not report the bullying? NOTE: Multiple responses allowed.  
 Base: Participants who did not report their most recent incidence of bullying

Respondents who had experienced bullying in the last five years were then asked about more informal support or advice that they may have sought regarding the most recent incident. Under half (42%) indicated that they had sought out support or advice about the bullying incident. The main sources of support or advice were:

- ▶ Friends and family (50%)
- ▶ A co-worker or colleague (48%)
- ▶ Someone in a leadership / management role (39%)
- ▶ A Member of NSW Parliament (including Minister)(38%).

Those who did not seek support or advice following the bullying were asked about why that was the case. The most common reasons for not seeking support or advice were:

- ▶ I thought it would impact on my career (52%)
- ▶ Concerns about lack of confidentiality (39%)
- ▶ I did not need support (38%).

Concerningly, 24 per cent said 'I thought people would think I was over-reacting'; 22 per cent said 'I wasn't aware of how to seek support or advice or who to talk to' and 9 per cent said 'I thought I would not be believed'.

### Those who witnessed or observed bullying:

Similarly, those who had heard about or witnessed bullying (53%) were asked what action, if any, they took in response to hearing about or witnessing the bullying and the results of that process. Just under a quarter (23%) of those who heard about or witnessed bullying took action in relation to the most recent incident.

Members of NSW Parliament (44%) and Departmental Staff (35%) were more likely to have taken action after hearing about or witnessing bullying compared with Members' staff or Special Office Holders' staff (16%).



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## Reporting bullying, sexual harassment, and sexual assault, and support for all parties in a complaint

Other groups more likely to have taken action in response to hearing about or witnessing bullying were:

- ▶ Those aged 55 to 64 years (45% compared with 17% of those aged 25 to 34 years)
- ▶ Those working in NSW Parliamentary workplaces for more than three years (31% compared with 17% of those three years or under).

The most common actions people took after the most recent incident of bullying that they witnessed or heard about were:

- ▶ Talked with or listen to the person who experienced the bullying (69%)
- ▶ Offered advice to the person who experienced the bullying (49%)
- ▶ Reported the bully to an internal person or group (35%).

When it came to formal reporting, 35 per cent reported the bullying incident that they had witnessed or heard about internally, while 3 per cent reported it externally.<sup>37</sup> The most common people to whom incidents were reported internally were:

- ▶ A Member of NSW Parliament (including Minister, Presiding Officer or Special Office Holder) (34% of those who reported the incident internally)
- ▶ Supervisor or manager (30% of those who reported the incident internally)
- ▶ Someone in a leadership / management role (if not direct manager) (27% of those who reported the incident internally).

Those who took action after hearing about or witnessing bullying were asked about the consequences or outcomes of those actions. The most common outcome was that there were no adverse consequences for the person taking action (66%). The other most common outcomes overall were:

- ▶ The person received positive feedback for taking action (16%)
- ▶ The person was labelled a trouble-maker (7%)
- ▶ The person was ostracised, victimised, ignored by colleagues or party members (6%).

The negative outcomes were experienced most by Members of NSW Parliament, where a third (32%) indicated that they were labelled a trouble-maker and a quarter indicated that they were ostracised, victimised, ignored by colleagues or party members (25%).

Those who chose not to take action after hearing about or witnessing bullying were asked why that was the case. The main barriers to taking action were:

- ▶ I didn't want to make things worse for the person who was being bullied (35%)
- ▶ The person being bullied asked me not to take any action (25%)
- ▶ I didn't know what to do (25%)
- ▶ I was worried about the negative impact that taking action might have on me (24%)
- ▶ I didn't want to get involved (19%).

Many participants in the Review – particularly those who had since left the Parliamentary workplace – expressed regret at not taking action:

“ I cried when I heard about this Review. I just kept thinking that I should have done more to support [my colleague]. ”

Members' staff or Special Office Holders' staff (36%) were more likely to indicate the barrier 'I didn't know what to do' than Departmental Staff (15%). Departmental Staff (29%), however, were more likely to indicate that there were other barriers not listed than Members' staff or Special Office Holders' staff (10%).

Those respondents aged 25 to 34 years (38%) were more likely to suggest 'the person being bullied asked me not to take any action' was a barrier to reporting the incident than those aged 35 to 44 years (14%).

There were no other significant differences between groups.

# 6

## Reporting bullying, sexual harassment, and sexual assault, and support for all parties in a complaint

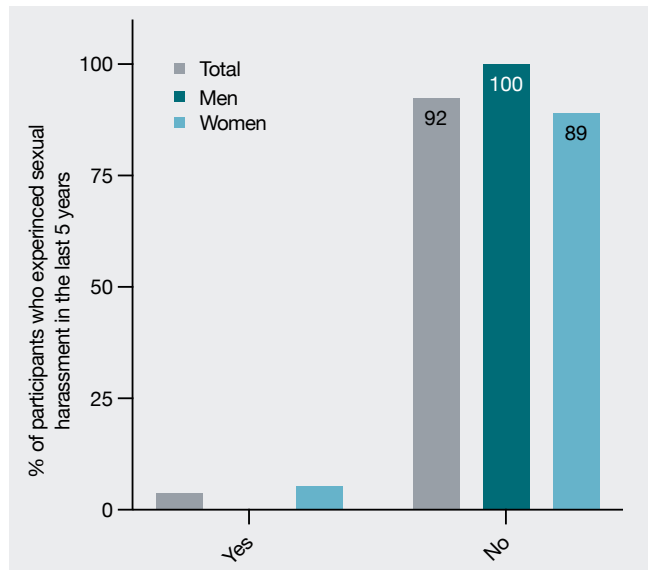
### Reporting sexual harassment

#### Direct experience of sexual harassment:

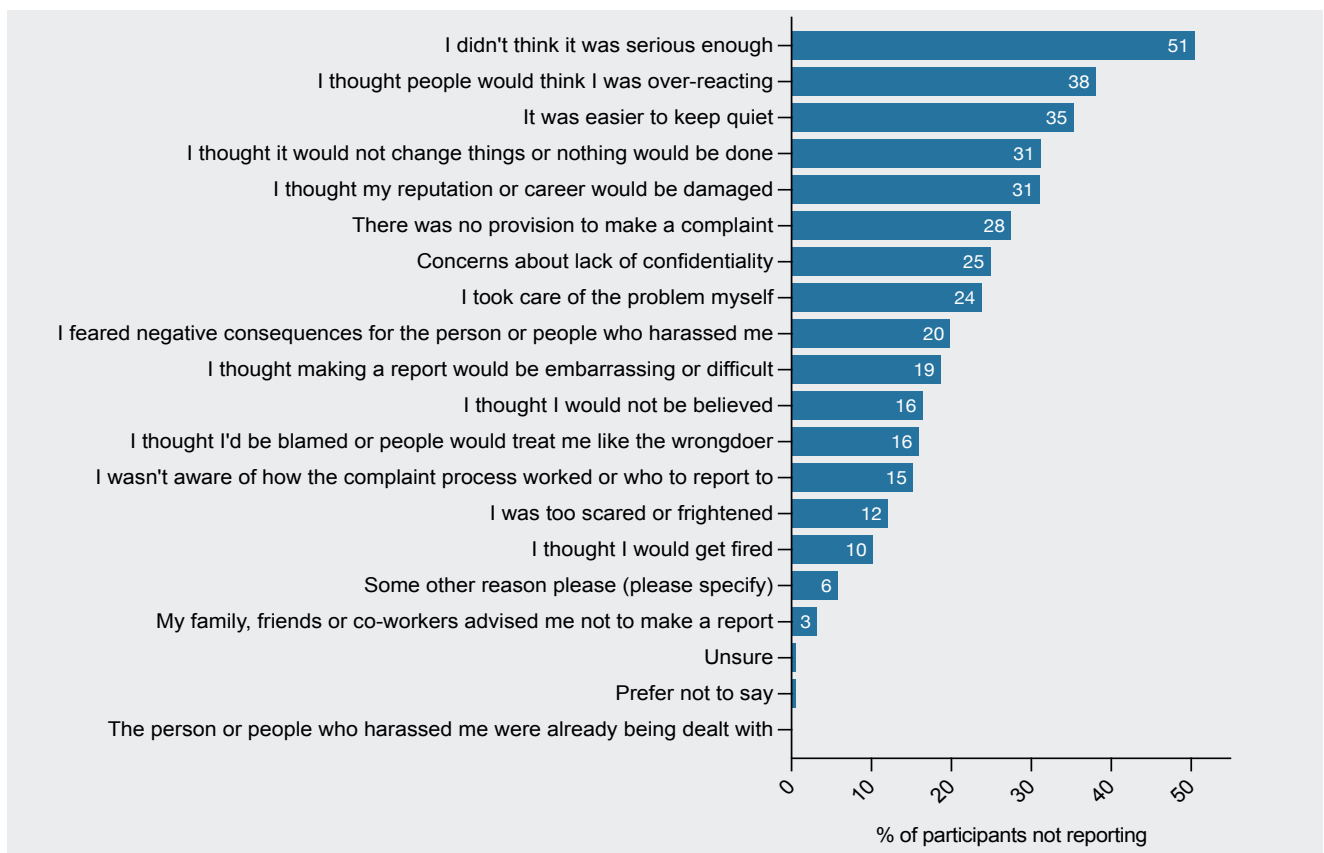
Only four per cent of NSW Parliamentary workers who experienced sexual harassment in the last five years made a complaint or reported the sexual harassment (Figure 28)<sup>38</sup>. This represents an extremely low reporting rate.

Those who chose not to report the sexual harassment where asked about why that was the case (Figure 29). The most common reasons for not reporting were:

- ▶ I didn't think it was serious enough (51%)
- ▶ I thought people would think I was over-reacting (38%)
- ▶ It was easier to keep quiet (35%)
- ▶ I thought it would not change things or nothing would be done (31%)
- ▶ I thought my reputation or career would be damaged (31%).



**Figure 28: Whether sexual harassment was reported (%)**. Question: B\_REPORT. Did you make a complaint or report about the incident of sexual harassment you most recently experienced Base: Participants who had experienced sexual harassment in the last 5 years



**Figure 29: Reasons for not reporting sexual harassment (%)**. Question: B\_NOT\_REP. What are the reasons you did not report the sexual harassment? NOTE: Multiple responses allowed. Base: Participants who did not report their most recent incidence of sexual harassment

<sup>38</sup> Due to the small number of survey respondents who said that they reported the bullying they had witnessed or heard about externally, no further information can be reported.

# 6

## Reporting bullying, sexual harassment, and sexual assault, and support for all parties in a complaint

Some interview participants told EB&Co. that they had considered approaching their political party, but they generally reached the conclusion expressed by this staff member:

*People told me to go to the party, but the party has zero HR, zero support, MoPS staff are left to our own devices.*

Respondents who had experienced sexual harassment in the last five years were then asked about more informal support or advice that they may have sought regarding the most recent incident. One in five (20%) indicated that they had sought support or advice about the sexual harassment incident. The main sources of support or advice were:

- ▶ A co-worker / colleague (49%)
- ▶ Friends or family (42%)
- ▶ Someone in a leadership / management role in the workplace (36%)
- ▶ A Member of NSW Parliament (including Minister) (24%).

Those that did not seek support or advice following the sexual harassment were asked about why that was the case. The most common reasons for not seeking support or advice were:

- ▶ I did not need support (48%)
- ▶ I thought it would impact on my career (32%)
- ▶ I thought people would think I was over-reacting (26%)
- ▶ Concerns about lack of confidentiality (25%).

### Those who witnessed or heard about sexual harassment:

Those who had witnessed or heard about sexual harassment within the past five years (21%) were asked what action, if any, they took in response to hearing about or witnessing the sexual harassment and the results of that process. Around one in 10 (12%) of those who heard about or witnessed sexual harassment took action in relation to the most recent incident.

The most common actions that people took after the most recent incident of sexual harassment that they witnessed or heard about were:

- ▶ Offered advice to the person who experienced the sexual harassment (46%)
- ▶ Reported the harasser to a person or group internally (45%)
- ▶ Talked with or listened to the person who experienced the sexual harassment (35%).

Those who took action after hearing about or witnessing sexual harassment were asked about the consequences or outcomes of those actions. The most common outcome was that there were no adverse consequences for the person taking action (56%). The other most common outcomes were:

- ▶ I received positive feedback for taking action (21%)
- ▶ I was labelled a trouble-maker (19%)
- ▶ There were some other consequences for you (11%).

One person who participated in the Review – who did act as a support person – commented on the risks associated with supporting a complainant:

*You don't feel like you can [speak up about harmful behaviours] and be supported. You feel like [speaking up about your own or someone else's experience] will mean that you will never be supported if you want to run for office. You feel like you cannot [speak up about harmful behaviours] if anyone in the party has ever done you a favour. You get told "you will get your turn if you shut up and do what leadership tells you to."*

Those who chose not to take action after hearing about or witnessing sexual harassment were asked why that was the case. The main barriers to taking action were:

- ▶ The person being sexually harassed asked me not to take any action (29%)
- ▶ I didn't know what to do (22%)
- ▶ I didn't know if the person being sexually harassed wanted my help (20%)
- ▶ I didn't want to make things worse for the person who was being sexually harassed (19%)
- ▶ I knew that other people were supporting and assisting the person (18%).

# 6

## Reporting bullying, sexual harassment, and sexual assault, and support for all parties in a complaint

### Reporting Sexual assault

Given the small number of survey respondents who reported that they had experienced actual or attempted sexual assault, it is not possible to report on whether they reported the incident without risking a breach of their privacy.

However, just under a fifth (19%) of those who heard about or witnessed actual or attempted sexual assault took action in relation to the most recent incident.<sup>39</sup> Those who chose not to take action (n=28) after hearing about or witnessing sexual assault were asked why that was the case. The main barriers to taking action were:

- ▶ I knew that other people were supporting and assisting the person (35%)
- ▶ The person being sexually assaulted asked me not to take any action (35%)
- ▶ I didn't think it was my responsibility (10%).

Reflecting on their experience of reporting sexual assault, one survivor commented:

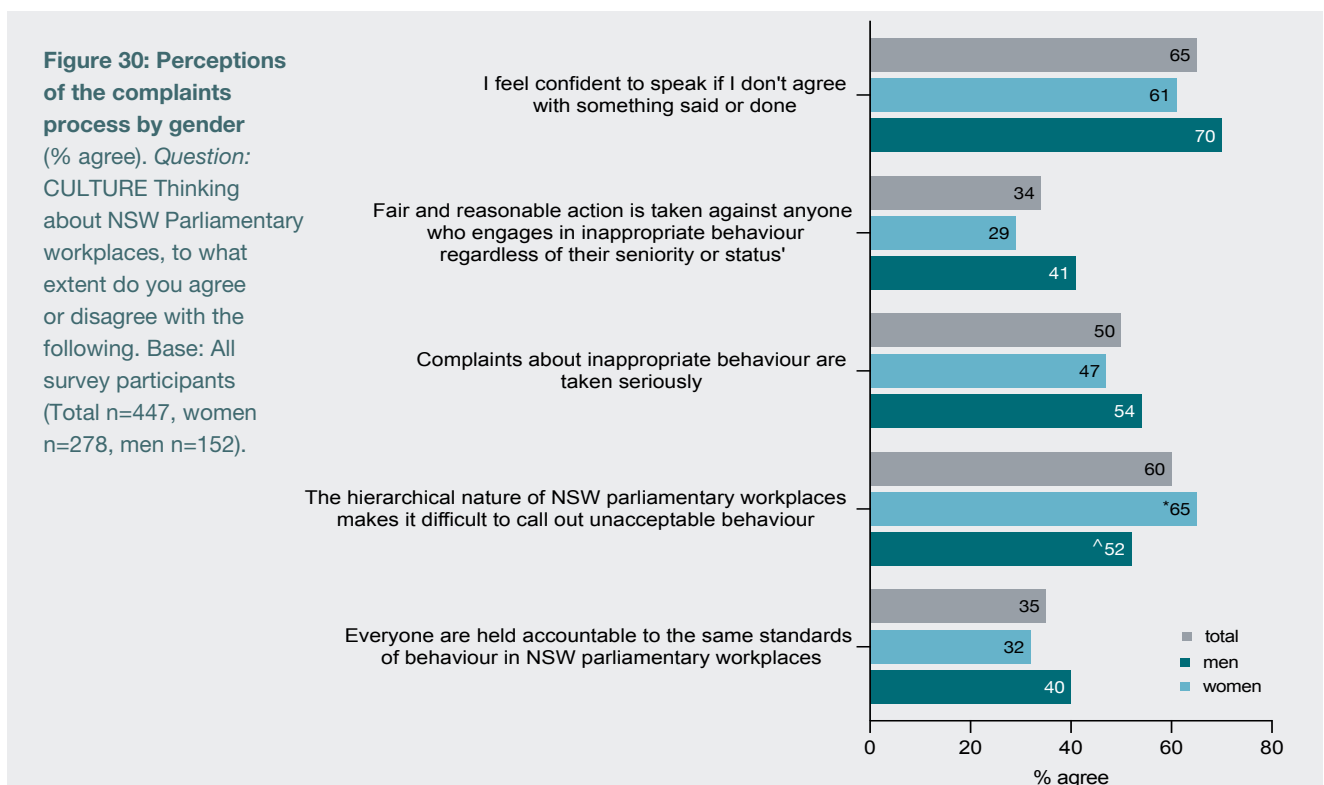
*Justice delayed is justice denied. I put in a complaint [some years ago] and it still hasn't been finalised. This is what happens when we entrust political leaders with the complaints process.*

### Perceptions of the reporting system

All survey respondents were asked questions to gauge their confidence in speaking up and their perceptions of the reporting system. There were high levels of agreement with the statement 'I feel confident to speak if I don't agree with something said or done' (65%). A similar proportion, however, also agreed with the statement 'the hierarchical nature of NSW Parliamentary workplaces makes it difficult to call out unacceptable behaviour' (60%). These data are summarised in Figure 30 below.

Around half (50%) agreed that 'complaints about inappropriate behaviour are taken seriously'. Only about one third (34%) of respondents, however, agreed with the statement that 'fair and reasonable action is taken against anyone who engages in inappropriate behaviour, regardless of their seniority or status'.

Men (41%) were more likely to agree that 'fair and reasonable action is taken against anyone who engages in inappropriate behaviour, regardless of their seniority or status' than women (29%). Women (65%) were more likely to agree that 'the hierarchical nature of NSW Parliamentary workplaces makes it difficult to call out unacceptable behaviour' than men (52%).



<sup>39</sup> Due to the small number of survey respondents, no further analysis of the data can be provided.

# 6

## Reporting bullying, sexual harassment, and sexual assault, and support for all parties in a complaint

The statements more likely to be agreed with by certain groups were:

- ▶ 'Fair and reasonable action is taken against anyone who engages in inappropriate behaviour, regardless of their seniority or status' (39% of those aged 35 to 44 years and 47% of those aged 55 to 64 years compared with 22% of those aged 25 to 34 years)
- ▶ 'The hierarchical nature of NSW Parliamentary workplaces makes it difficult to call out unacceptable behaviour' (64% of those aged 25 to 34 years compared with 47% of those aged 55 to 64 years).

The statement 'Complaints about inappropriate behaviour are taken seriously' was more likely to be agreed with by:

- ▶ Those aged 55 to 64 years (67% compared with 47% of those aged 25 to 34 years and 50% of those aged 35 to 44 years)
- ▶ Those working in NSW Parliamentary workplaces for more than three years (57% compared with 45% of those three years or under)
- ▶ Straight / heterosexual respondents (54% compared with 35% of respondents who identified as having a diverse sexuality).

Many Review participants made particular reference to Standing Order 52, the Standing Order which enables the Legislative Council to call for papers, and the associated concern that reports of bullying, sexual harassment or sexual misconduct could be subject to a Standing Order 52 request and therefore made public.

This was a key concern for many, reflecting concern both about confidentiality and about the risk of a report of alleged harmful behaviour being weaponised against either the MP or party for whom an individual works.

### Knowledge of how to make a report about unacceptable behaviour

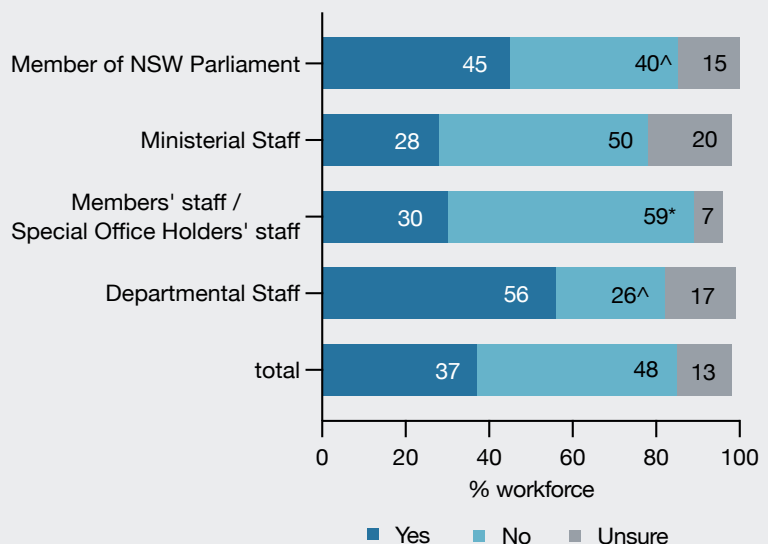
Review participants were asked a series of questions about their knowledge of, and confidence in, the complaints and reporting process within NSW Parliamentary workplaces. Overall, just over a third (37%) indicated that they know how to make a complaint or report sexual harassment, sexual assault or bullying (Figure 31). Around half (48%) indicated that they don't know how to complain or report, while a further 13 per cent were unsure.

When examining roles, Departmental Staff were more likely (56%) to indicate that they know how to complain or report, compared with Members' staff or Special Office Holders' staff (30%) and Ministerial Staff (28%).

No gender differences or age differences were apparent in terms of knowledge regarding how to make a report or complaint. Those who had been working in NSW Parliamentary workplaces for more than three years (43%) were more likely to indicate that they know how to complain or report compared with those working for three years or under (31%).

**Figure 31: Knowledge of how to make a report or complaint by role (%)**. Question: TE\_REPORT.

Do you know how to make a report or complaint about sexual harassment, sexual assault or bullying in a NSW Parliamentary workplace? Base: All survey participants (Total n=447 Member of NSW Parliament n=50, Ministerial Staff n=49, Members' staff or Special Office Holders' staff n=169, Departmental Staff n=179)<sup>40</sup>



<sup>40</sup> Some percentages may not sum to 100 due to rounding or some categories not being reported on the chart (i.e. 'Prefer not to say').

# 6

## Reporting bullying, sexual harassment, and sexual assault, and support for all parties in a complaint

Review participants were asked whether they would be confident in reporting incidences of sexual harassment, sexual assault or bullying either internally or externally. Overall, just over a third (38%) indicated that they would be most confident reporting within NSW Parliamentary workplace systems (Figure 32). Around half (47%) indicated that they would be most confident reporting externally, while a further 13 per cent were unsure.

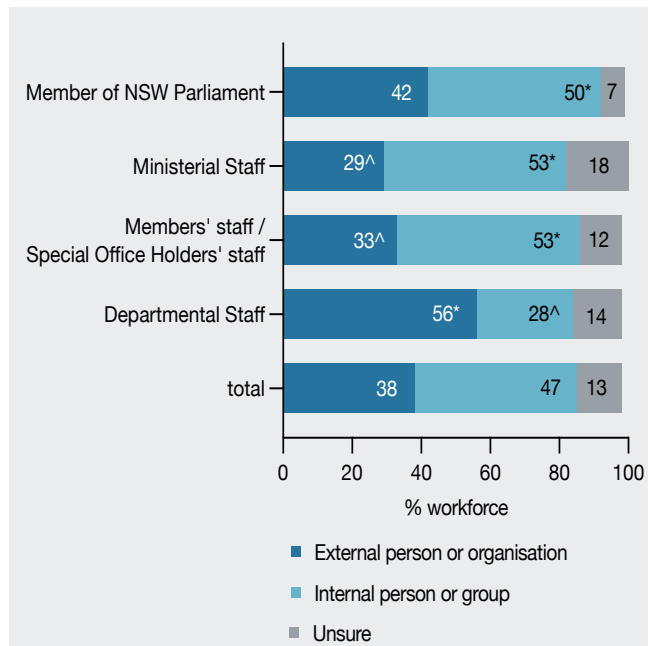
Examining specific roles, Departmental Staff were more likely (56%) to indicate that they would have the most confidence reporting internally compared with Members' staff or Special Office Holders' staff (33%) and Ministerial Staff (29%).

Members of NSW Parliament (50%), Members' staff or Special Office Holders' staff (53%) and Ministerial Staff (53%) were all more likely to be most confident reporting externally when compared with Departmental Staff (28%).

There were no differences when examined by gender. When examined by age, however, those aged 55 to 64 years were more likely (56%) to be most confident reporting internally than those aged 25 to 34 years (32%), 35 to 44 years (36%) and 45 to 54 years (38%). Further, those who had been working in NSW Parliamentary workplaces for more than three years (45%) were more likely to indicate that they would be most confident reporting internally compared with those working for three years or under (33%). Straight / heterosexual respondents (42%) were more likely to indicate that they would be most confident reporting internally compared with respondents who identified as having a diverse sexuality (23%).

Survey participants who suggested that they would be most confident reporting internally were asked to whom / which area specifically they would be most confident reporting. As outlined in Figure 33, the most commonly indicated ones were:

- ▶ Supervisor or manager (25%)
- ▶ Someone in a leadership / management role (if not direct manager) (22%)
- ▶ A Member of NSW Parliament (19%).



**Figure 32: Confidence in reporting by role (%)** Question: TE\_CONF. Who would you have the most confidence in making a report or complaint to? Base: All survey participants (Total n=447 Member of NSW Parliament n=50, Ministerial Staff n=49, Members' or Special Office Holders' staff n=169, Departmental Staff n=179).<sup>41</sup>

Members' staff or Special Office Holders' staff (37%) were more likely than Departmental Staff to be most confident reporting to a Member of NSW Parliament (0%) and a co-worker / colleague (14% compared with 0%). While Departmental Staff were more likely than Members' staff or Special Office Holders' staff to be most confident reporting to a supervisor or manager (48% compared with 6%) and someone in a leadership / management role (33% compared with 9%).

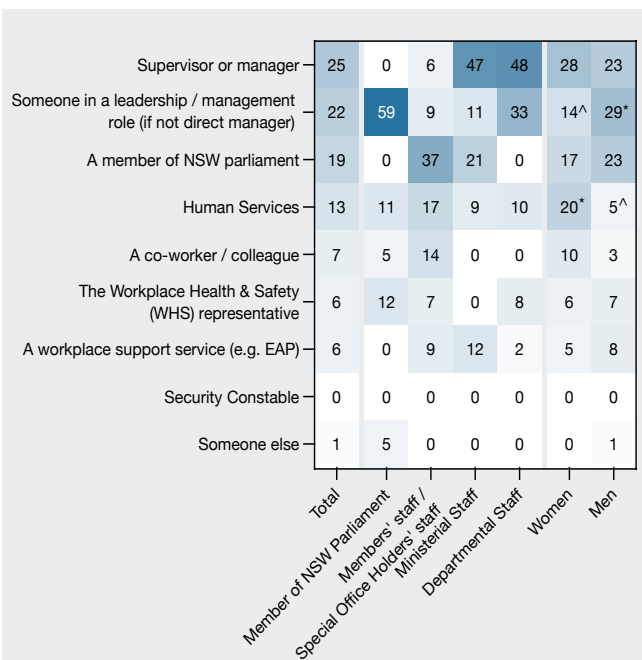
Men (29%) were more likely to indicate that they would be most confident reporting to someone in a leadership / management role (if not direct manager) than women (14%). Women (20%) were more likely to indicate that they would be most confident reporting to Human Services than men (5%).

<sup>41</sup> Some percentages may not sum to 100 due to rounding or some categories not being reported on the chart (i.e. 'Prefer not to say').

# 6

## Reporting bullying, sexual harassment, and sexual assault, and support for all parties in a complaint

Those who had been working in NSW Parliamentary workplaces for more than three years (19%) were more likely to indicate that they would be most confident reporting to Human Services compared with those working for three years or under (6%). Those working in NSW Parliamentary workplaces for three years or under (13%) were more likely to indicate that they would be most confident reporting to a co-worker / colleague compared with those working for more than three years (1%).

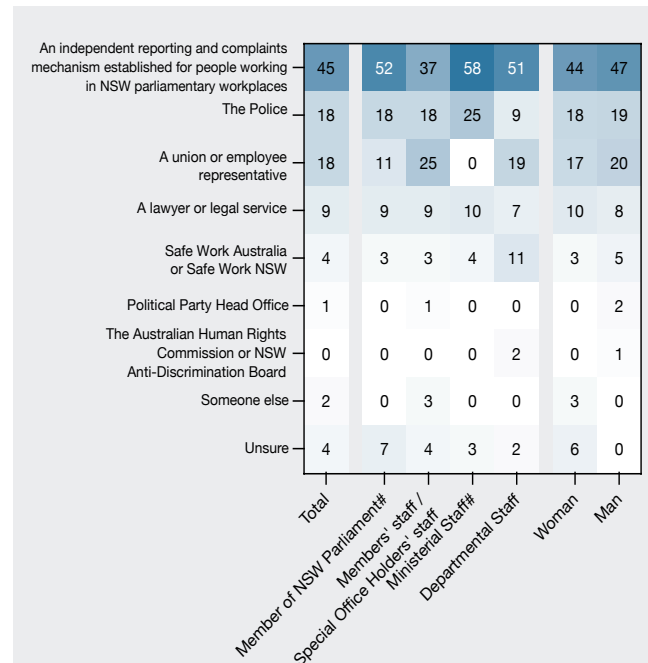


**Figure 33. Most confident reporting to internally by role and gender (%)** Question: TE\_INSIDE. Who is the person or group INSIDE or RELATED to the NSW Parliamentary workplace you would have the most confidence making a complaint or report to? Base: Participants that have most confident reporting internally (Total n=192 Member of NSW Parliament n=19, Ministerial Staff n=15, Members' or Special Office Holders' staff n=58, Departmental Staff n=100, women n=112, men n=76). \* indicates significantly higher results (p<.05) compared to those flagged with <sup>^</sup>

Survey participants who suggested that they would be most confident reporting externally were asked to whom/ which area specifically they would be most confident reporting (Figure 34). The most commonly indicated ones were:

- ▶ An independent reporting and complaints mechanism established for people working in NSW Parliamentary workplaces (45%)
- ▶ The police (18%)
- ▶ A union or employee representative (18%).

There were no differences by role, gender, or other demographics.



**Figure 34. Most confident reporting to externally by role and gender (%)** Question: item – TE\_OUTSIDE. Who is the person or group OUTSIDE or INDEPENDENT to the NSW Parliamentary workplace you would have the most confidence making a complaint or report to? Base: Participants that have most confident reporting externally (Total n=188 Member of NSW Parliament n=27, Ministerial Staff n=26, Members' or Special Office Holders' staff n=84, Departmental Staff n=51, men n=60, women n=121)

# 6

## Reporting bullying, sexual harassment, and sexual assault, and support for all parties in a complaint

### Perceived reporting impacts/ outcomes

All survey respondents were asked to indicate how likely they believe a number of actions would be to occur following a report about bullying, sexual harassment, or sexual assault (Figure 35). The statements registering the highest total levels of agreement (very or extremely likely) were:

- ▶ The senior staff member or leader would take the report seriously (56%)
- ▶ The senior staff member or leader would support the person making the report (54%)
- ▶ The senior staff member or leader would protect the safety of the person making the report (54%).

Those working as Departmental Staff were more likely to believe the following statements are very or extremely likely, compared with all other roles:

- ▶ The senior staff member or leader would support the person making the report (68%)
- ▶ The senior staff member or leader would take the report seriously (72%)
- ▶ The senior staff member or leader would protect the safety of the person making the report (68%)
- ▶ The senior staff member or leader would take action to address factors that may have led to the sexual harassment, sexual assault or bullying (59%)
- ▶ Action would be taken against the person who engaged in the sexual harassment, sexual assault or bullying (52%).

The senior staff member or leader would support the person making the report	54	68 *	45^	52^	47^	52	57
The senior staff member or leader would take the report seriously	56	72 *	50^	52^	52^	50^	64 *
The senior staff member or leader would protect the safety of the person making the report	54	68 *	42^	53^	45^	51	58
The senior staff member or leader would take action to address factors that may have led to the sexual harassment, sexual assault or bullying	45	59 *	36^	43^	38^	39^	52 *
Action would be taken against the person who engaged in the sexual harassment, sexual assault or bullying	38	52 *	31^	36^	32^	35	44
The person making the report or complaint would be subjected to retaliation / victimisation	17	11^	9^	22	26*	14	20
	Total	Departmental Staff	Ministerial Staff	Members' staff / Special Office Holders Staff	Member of NSW Parliament	women	men

**Figure 35: Perceived reporting impacts / outcomes by role and gender (% very or extremely likely).** **Question:** TE\_ATTS If someone were to report or make a report or complaint about sexual harassment, sexual assault or bullying to a more senior staff member or leader in a NSW Parliamentary workplace, how likely is it that...? **Base:** All survey participants (total n=447, women n=278, men n=152). \* indicates significantly higher results (p<.05) compared to those flagged with ^



# 6

## Reporting bullying, sexual harassment, and sexual assault, and support for all parties in a complaint

Members of NSW Parliament were more likely (26%) to believe that it is very or extremely likely that the person making the report or complaint would be subjected to retaliation / victimisation compared with Ministerial Staff (9%) and Departmental Staff (11%).

Men were more likely to believe the following statements are very or extremely likely:

- ▶ The senior staff member or leader would take the report seriously (72% compared with 50% of women)
- ▶ The senior staff member or leader would take action to address factors that may have led to the sexual harassment, sexual assault or bullying (52% compared with 39% of women).

Respondents who identified as having a diverse sexuality were more likely (32%) to believe that the person making the report or complaint would be subjected to retaliation / victimisation is very or extremely likely compared with straight / heterosexual respondents (14%).

### Conclusion

A range of cultural, policy and legislative barriers prevent individuals reporting bullying, sexual harassment or sexual assault. These barriers are compounded by the reporting system itself, particularly the lack of protection against retribution; the lack of a safe and independent body to which to report; the lack of trust in confidentiality; the perception, and too frequently the reality, that perpetrators will not be held accountable; and the variable quality of support provided to individuals who have experienced or witnessed harmful behaviours. Rebuilding trust and making it safe to report is critical in creating support for complainants and witnesses, as well as creating proportional consequences for perpetrators. As such, it is important not only for individual resolution but for driving systemic change within Parliamentary workplaces.

# Chapter 7: Conclusions and framework for action

The Parliamentary Executive Group, the Parliamentary Advisory Group, political leaders and workers from across NSW Parliamentary workplaces are united by a desire for these environments to be safe and inclusive for all staff and guests.

At present, the values, culture and behaviour of some NSW Parliamentary workplaces align with this aspiration, including several electorate offices and many areas within the three House Departments.

There are, however, many areas where substantial change is required, both to address the cultural drivers of bullying, sexual harassment and sexual misconduct and to improve pathways to reporting and support.

The Framework for Action set out in this chapter is drawn largely from the voices of workers in NSW Parliamentary workplaces – their lived experiences, their observations, views and opinions. It is also drawn from the advice of the Parliamentary Executive Group, the Parliamentary Advisory Group, relevant documents and data and promising practices from other comparable Parliaments.

The Framework for Action provides a basis for NSW Parliamentary workplaces to build on and strengthen their existing strategies in order to create a safe and inclusive culture. It sets out recommendations in key domains:

- ▶ Make prevention and early intervention a leadership and organisational priority in all NSW Parliamentary workplaces.
- ▶ Address the cultural factors that contribute to bullying, sexual harassment and sexual misconduct in Parliamentary workplaces.
- ▶ Create an enabling policy environment.
- ▶ Inform, empower, support and encourage everyone to speak up and take action on bullying, sexual harassment and sexual assault in Parliamentary workplaces.
- ▶ Create a safe reporting environment that is human-centric and trauma-informed.
- ▶ Transparent monitoring.

## 1. Make prevention and early intervention a leadership and organisational priority in all NSW Parliamentary workplaces

Leaders in NSW Parliamentary workplaces play a central role in setting workplace culture, both within their own office and across all Parliamentary workplaces.

The Review heard of many committed leaders who intentionally create safe and inclusive workplaces, create team cohesion and proactively address issues that arise at the earliest opportunity.

Equally, the Review also heard that leadership needs to be strengthened, with leaders at all levels making a visible commitment to eliminating harmful behaviours, and to holding themselves, staff and colleagues to account.

The Framework includes practical recommendations for demonstrating this leadership commitment. It also recommends that the Parliamentary Advisory Group continue to provide leadership and oversight of the cultural change work to create safe and inclusive work environments and eliminate harmful behaviours.

### 1.1 A shared leadership responsibility

Preventing and responding to bullying, sexual harassment and sexual misconduct, as well as creating safe and inclusive workplace cultures, is a shared responsibility for all leaders across NSW Parliamentary workplaces. All leaders should actively champion safe and inclusive workplaces and access training to ensure that they are skilled in providing a trauma-informed response to complaints. These responsibilities should be made explicit as the core business of all leaders, through position descriptions and Codes of Conduct for each cohort, and be supported by best practice training and mentoring.

## 1.2 Statement of Acknowledgement

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The Presiding Officers should convene a working group including the Parliamentary Executive Group (PEG), the Parliamentary Advisory Group (PAG) and survivors to prepare and deliver a jointly-endorsed, trauma-informed Statement of Acknowledgement. This Statement should acknowledge the harms caused by bullying, sexual harassment and sexual misconduct in NSW Parliamentary workplaces; acknowledge the experiences of diverse survivors; and commit to action and shared accountability to achieve safe and inclusive workplaces.

## 1.3 Governance and Coordination

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- ▶ The PAG should continue to provide strategic advice on the prevention of and response to bullying, sexual harassment and sexual misconduct in NSW Parliamentary workplaces, including regarding implementation of the recommendations of this Review. The PAG should identify the resources required to fulfil this role and work with the PEG to secure the required resources.
- ▶ The PAG should be further strengthened by:
  - Setting clear Terms of Reference and aims.
  - Clarifying the relationship between the PAG and the PEG.
  - Reporting annually to the Parliament on outcomes.
  - Strengthening membership of the PAG through:
    - Ensuring that membership includes representatives from each party and the crossbench (including MPs and staff) and staff of the Parliamentary Departments.
    - Creating at least one designated role of Survivor Representative/s and ensuring that those position/s are remunerated for their contribution and have access to support as required.
  - Inviting external subject matter experts to join the PAG, either as permanent members or as secondees while PAG is working on a specific issue.
  - Regular meetings between PAG members and their Party leaders. Where appropriate, this should include survivors/survivor representatives.

- ▶ Both Houses to consider debating the findings and recommendations of this Review, and in doing so identify options for the inclusion of diverse survivors' voices in that process. Parliament could then hold an annual Day of Acknowledgement to reflect on progress on these issues.

## 1.4 Collaboration across the Parliamentary system

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- ▶ The PEG should collaborate with other key leaders within Parliamentary workplaces, including leaders of political parties, the Department of Premier and Cabinet and unions representing Departmental and Members of Parliament staff (MoPS) to develop a coherent leadership approach to preventing and responding to bullying, sexual harassment and sexual misconduct, and harmonising policies and processes to the fullest extent possible.
- ▶ Each relevant union should develop strategies to address barriers to support and advice for staff from across the political spectrum. PEG should identify and address any organizational barriers within Parliamentary workplaces that prevent workers from engaging with that support.
- ▶ The PEG, the PAG and survivors should jointly develop a "Statement of Aspiration" that describes the Parliament's shared values for a safe and inclusive workplace. That Statement could be hung in a prominent location in each Chamber and inform annual review and reflection.

## 2. Address the cultural factors that contribute to bullying, sexual harassment and sexual misconduct in Parliamentary workplaces

Bullying, sexual harassment and sexual misconduct are the product of a range of cultural factors, including unequal distribution of power, casual sexism, discrimination against those with a diverse sexuality, and weak accountability.

Work must occur immediately to improve access to reporting and support. Alongside this, strong action is necessary to shift cultural dynamics, so that each person can make their full contribution to NSW Parliamentary workplaces.

### 2.1 Diversity and inclusion

- ▶ In order to create consistency across Parliamentary workplaces, PEG and party leaders should work together to strengthen the whole of Parliament approach to diversity and inclusion, with a view to increasing access to leadership and authority roles for women, First Nations people, people from culturally and linguistically diverse backgrounds, people who identify as LGBTIQ+ and people with disability. This could include setting targets to ensure representation of these groups in positions of leadership and authority, and increased resourcing to implement existing Diversity and Inclusion Strategies.
- ▶ The Department of Parliamentary Services (DPS) should commission independent expert training on diversity and inclusion to increase awareness across Parliamentary workplaces about the additional obstacles to progress that may be experienced by marginalised groups and that targets and merit can go hand in hand.
- ▶ PEG and PAG should work together to create leadership and development opportunities to increase the number of people from diverse backgrounds being offered opportunities within Parliamentary workplaces.

### 2.2 Power imbalance and accountability

- ▶ The Parliamentary Privilege and Ethics Committee (LA), and the Privileges Committee (LC) should clarify the conduct of an MP that can be investigated as a potential breach of the Code of Conduct.

### 2.3 Working hours and conditions

- ▶ The Presiding Officers and the Independent Parliamentary Remuneration Tribunal should review workloads within offices of MPs and MLCs, in consultation with MPs and staff, to determine whether current staffing conditions are appropriate and sustainable. This review should identify opportunities to reduce conditions that exacerbate risk, particularly in offices staffed by a single individual and late-night sittings.
- ▶ The Presiding Officers should professionalise the role of MoPS staff, through:
  - Development of clear and detailed Position Descriptions
  - Establishment of consistent expectations regarding performance development and access to training and support.

### 2.4 Alcohol

- ▶ The PEG, in consultation with the PAG, the broader Parliamentary community, and experts in alcohol-related harm minimisation, should develop an alcohol policy that covers all workers within Parliamentary workplaces, to address alcohol accessibility and consumption in Parliamentary workplaces and at workplace events. This should be with a view to continuing to make alcohol available on an appropriate basis, while mitigating the health and social risks, including the risks to the safety of others that can be associated with intoxication.
- ▶ DPS should strengthen and monitor the obligations of those hosting events in formal event spaces in Parliament House where alcohol is served, including in relation to compliance with the newly developed alcohol policy; the responsible service of alcohol; responding to individuals behaving inappropriately; and care for anyone who is intoxicated.

# Conclusions and framework for action

- ▶ DPS should ensure access to additional training for Special Constables directed at recognising and responding to situations where there may be heightened risk of harmful behaviours. The training should enable an increased understanding of trauma-informed responses, early intervention and crisis management.
- ▶ DPS should provide expert annual training on the alcohol policy, and Parliamentary Leaders support attendance, to all those who routinely work in Parliamentary workplaces. Specific additional training should be provided to catering staff on managing the requirements of Responsible Service of Alcohol.

## 2.5 LGBTIQ+ representation and safety

- The PEG, in consultation with Pride@Parliament and the PAG, should convene a Taskforce to examine the specific drivers of vulnerability for sexuality and gender diverse people within NSW Parliament and develop and resource a tailored strategy to reduce risk and improve access to reporting and support.

## 3. Create an enabling policy environment

Policy frameworks are a practical expression of an organisation's values and priorities and send powerful signals about the behaviours that are considered appropriate in that workplace.

An array of policies governs both prevention of, and the response to, bullying, sexual harassment and sexual misconduct in NSW Parliamentary workplaces. These include policies and legislation relating to the employment conditions of each of the key cohorts, the Codes of Conduct for each cohort, and the policies which set out how allegations of harmful behaviours will be investigated and addressed.

Many strengths are apparent in the existing policies, with the policies governing employees of the House Departments particularly clear on behavioural expectations and pathways to support.

Those strengths notwithstanding, there are key gaps in the policy framework, particularly the silence regarding

harmful behaviours in the Codes of Conduct for Members of the Legislative Assembly and Members of the Legislative Council, as well as the lack of structural protection for Members of Parliament staff experiencing bullying, sexual harassment or sexual misconduct.

The Parliamentary Administration has recently commenced a substantial review and redevelopment of these policies, so that the entire suite of policies can better reflect the shared commitment to safe and inclusive workplaces and the elimination of harmful behaviours. This should be completed in collaboration with diverse groups from across Parliamentary workplaces to ensure that revised policies are relevant for the range of workplaces and the different cohorts.

## 3.1 Codes of Conduct

- ▶ The Parliamentary Privilege and Ethics Committee (LA), and the Privileges Committee (LC) should review and strengthen the *Members' Code of Conduct* in each House to address bullying, sexual harassment and sexual misconduct more explicitly. This should include both explicitly prohibiting these behaviours; stronger accountability arrangements; proportional penalties for breach of the Code; and noting the positive obligation on MPs to create and uphold a safe workplace culture.
- ▶ PEG should commission DPS to review and update the Code of Conduct for Members' staff (2018) that includes the key barriers to reporting (either as complainant or witness), such as the loyalty clause, and how these are addressed.

## 3.2 Members of Parliament Staff Act (2013)

- ▶ PEG and the political leadership should commission an independent expert review of the *Members of Parliament Staff Act (2013)*; and the Presiding Officers should update the written employment agreements covering MPs' staff and the staff of Special Office Holders. This should include explicit protections for MoPS staff in order to remove structural barriers to reporting bullying, sexual harassment or sexual misconduct; creating provisions to stop MPs from terminating an employee while an investigation of a complaint is underway; and inclusion of a dispute resolution process.

# Conclusions and framework for action

## 3.3 NSW Parliament policies

- ▶ PEG should develop a stand-alone policy on bullying, sexual harassment and sexual misconduct. That policy should reflect contemporary best practice and:
  - Address bullying, sexual harassment and sexual misconduct as a Work, Health and Safety issue
  - Specifically address the experiences of Aboriginal and Torres Strait Islander people, people from culturally and linguistically diverse backgrounds, people who identify as LGBTIQ+ and people with disability, as well as the specific forms of harassment that they may experience
  - Include a strong focus on prevention and early intervention
  - Include proportional outcomes for substantiated breaches of the policy
  - Encourage and offer support to witnesses to come forward
  - Include a strong focus on preventing victimisation and retribution against those who report and those who are witnesses
  - Create options to keep individuals who have made a bullying, sexual harassment or sexual misconduct report safe while an investigation is underway, including the option for the respondent/s to be temporarily relocated to another office pending the conclusion of the investigation.
  - Include an option of specialist support for complainants and respondents.
- ▶ PEG should update related policies, including:
  - Policies related to the accessibility and consumption of alcohol within Parliamentary workplaces Policies related to security, in particular:
    - Access to Authorised Passes, with a view to reducing the number of people with permanent, unlimited access to Parliamentary workplaces, particularly after hours
    - Relevant Information Technology policies
    - Coverage of CCTV cameras in common areas (such as function areas) where there may be a higher risk of harmful behaviours.

## 3.4 Political parties

- ▶ Political parties should review their internal policies, with a view to strengthening prevention of, and response to, harmful behaviours, protecting complainants and eyewitnesses from retribution, and ensuring proportional outcomes for party members found to have breached those policies.

## 3.5 Standing Orders

- ▶ Members should lead discussion on updating the Standing Orders to require respectful behaviour in both Houses, particularly as they relate to sexism and racism. This should include codifying respectful treatment of public servants and other witnesses appearing at Parliamentary Committees.

## 4. Inform, empower, support and encourage everyone to speak up and take action on bullying, sexual harassment and sexual assault in Parliamentary workplaces

Policy frameworks need a range of supports to become a part of the fabric of an institution. In particular, the broad suite of capability development initiatives (training, coaching, mentoring, peer learning) play a key role in setting expectations, increasing knowledge, including knowledge of an organisations systems and processes, as well as building skills to identify, de-escalate and respond to a situation.

While workers in NSW Parliamentary workplaces have several training options available to them, the Review has heard that there is room for strengthening the offering. At present, training on harmful behaviours (including the policy framework and support options) is embedded into induction and an annual training program. The Framework for Action recommends that these training sessions be redesigned to address the learning needs of different cohorts more appropriately and effectively.

# Conclusions and framework for action

The Review has also heard that management capability needs to be strengthened, so that each worker has access to an appropriate level of guidance, feedback and supervision, as well as a pathway for accessing support when issues arise. Again, this should include tailored training that reflects the specific roles, responsibilities and learning preferences of Chiefs of Staff, Senior Electorate Officers and Members of Parliament.

Finally, the Review has identified that access to training can be challenging for some cohorts, particularly Members of Parliament and staff working for Members and Special Office Holders. To the extent possible, the Parliamentary Administration should identify and access those practical barriers and build mechanisms to maximise participation in that training.

## 4.1 Provision of best practice training on bullying, sexual harassment and sexual misconduct

- ▶ PEG should commission and resource a revised program of training that is highly interactive, delivered by an independent expert and in line with best practice adult education. This should include: assessing the cohort's learning needs and tailoring the training to those needs and key knowledge gaps (eg. tailored training for MPs and for senior staff in each MP's office regarding their leadership and management responsibilities); encompassing a wider range of learning styles (including scenarios and storytelling); and requiring follow up discussions and action planning in each office as a result of key learnings coming from the training.
- ▶ As part of this suite of training, DPS should explore options for MPs and senior staff to hear survivors' stories in a psychologically safe environment, in order to deepen their understanding of the lived experience of those who have suffered harm in their workplace.
- ▶ Party leaders should support this initiative by requiring MPs to attend this training, and to support their staff to attend.
- ▶ As staff of Independents and cross-benchers do not have access to party mechanisms, DPS should work with those staff to develop tailored induction, training and support networks as appropriate.

## 4.2 Provision of best practice leadership and management development for MPs and senior staff

- ▶ The PEG should increase investment in leadership and management development for MPs and senior staff, with a focus on strengthening people management skills. This leadership development should include access to coaching and external programs.

Party leaders should support this by requiring MPs to attend this training/development.

## 4.3 Access to and uptake of training

- ▶ PEG should explore options for making training on preventing and responding to bullying, sexual harassment and sexual assault, as well as employer responsibilities, mandatory for all who routinely work in Parliamentary workplaces, including MPs.

The Houses should explore options for making the training mandatory for MPs.

- ▶ PEG should explore options for monitoring compliance with completion of key training programs among MPs and MoPS staff, such as annual reporting via the register of disclosures.
- ▶ PEG should develop a communications strategy to increase awareness of policy expectations and reporting pathways and options, once the suite of policies has been revised. This could include videos covering relevant scenarios.
- ▶ PEG and political leaders should lead development of a communications strategy to increase support for staff to be released for training among MPs.
- ▶ PEG should enable MPs to access backfilling arrangements, so that staff can be released to participate in training.

## 5. Create a safe reporting environment that is human-centric and trauma-informed

A safe reporting environment makes it easy for people to come forward to seek support and resolution. It also sends a signal to all workers that harmful behaviours will not be brushed under the carpet. As such, it plays an important role for those directly affected, as well as for the organisation as a whole.

At present, confidence in the reporting systems in NSW Parliamentary workplaces is extremely low. Some of this is due to variable knowledge about the existing reporting pathways, as well as confusion about where and how to report an incident. More fundamental, however, is the concern about retribution for making a report. This is particularly acute for staff working for MPs and Special Office Holders, and for MPs. Concern about retribution in turn drives concern about confidentiality.

There is a clear need to strengthen and properly resource existing mechanisms to improve access to advice and early intervention, and to expand the reporting options available across Parliamentary workplaces.

As such, there is a need for additional resourcing, training, and guidance for staff in the Department of Parliamentary Services regarding providing a trauma-informed and human-centric response to complaints against Departmental and MoPS staff.

The NSW Parliamentary Administration has worked to augment the existing pathways and has recently created the position of 'Independent Complaints Officer' to create an independent mechanism for investigating complaints against MPs relating to bullying, harassment and sexual misconduct (among other complaints).

While welcoming this, the Review indicated significant concern that the resolution establishing the Independent Complaints Officer was too narrowly defined, and that the Independent Complaints Officer will not have sufficient structural authority to be fully independent of political processes.

The Review Team has investigated a range of options for creating an independent reporting function, including options for locating such an entity outside of NSW Parliament itself.

To date, the options identified have not been feasible due to constitutional constraints. Accordingly, the Framework for Action recommends that the NSW Parliament investigate, as a matter of urgency, alternatives for establishing a mechanism that can provide confidential advice to inquiries and complaints across the spectrum (that is, from early advice following a single incident to lodgement of a formal complaint); be entirely politically independent; and provide a trauma-informed and human-centric response to all parties in a complaint. This independent body would include staff trained in trauma-informed investigation and support and would work with the Independent Complaints Officer to redesign reporting pathways to ensure that they are human-centred and trauma-informed.

In the interim, the remit of, and resourcing allocated to, the Independent Complaints Officer should be expanded to ensure that that function is able to respond appropriately to the full range of inquiries and complaints.

Central to improving access will be addressing lingering concerns about the confidentiality of reports made regarding NSW Parliamentary workplaces. Recently, the House has updated Standing Order 52 to explicitly exclude papers relating to complaints made under the revised 'Respectful Workplace Policy' recently released by the Department of Premier and Cabinet. It is now timely to extend the Sessional Order, first to exclude all complaints relating to bullying, sexual harassment or sexual misconduct from calls for papers; and then to pass legislation that further consolidates those protections. This is necessary to create sufficient safety for complainants to come forward and to reduce the risk of complaints being weaponised.

### 5.1 Formulate options for creating an independent body to receive and investigate reports and support all parties

- ▶ The NSW Parliament should, as a matter of urgency, investigate the feasibility of establishing an independent reporting body. This independent body would have responsibility for receiving and investigating reports, and provision of advice and early intervention strategies to all those seeking support.



# Conclusions and framework for action

## 5.2 Resourcing, training and guidance for DPS to respond to bullying, sexual harassment and sexual misconduct

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- ▶ PEG should provide additional resources to the Department of Parliamentary Services to increase capacity, training and guidance on trauma-informed and human-centric responses to bullying, sexual harassment and sexual misconduct.

## 5.3 Scope and resourcing of the Independent Complaints Officer function

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- ▶ The House Departments should work with PAG to develop strategies to reduce barriers to accessing the Independent Complaints Officer, particularly to ensure political independence and to ensure that the function has access to the resources required to meet its responsibilities; and the Independent Complaints Officer should be enabled to address any impediments in the scope of the resolution.
- ▶ PEG should review the number and nature of complaints made to the Independent Complaints Officer in the first year, in order to assess whether the function is being accessed for complaints relating to bullying, sexual harassment and sexual assault, and support the Independent Complaints Officer to make any adaptations needed to improve confidence in and access to the Independent Complaints Officer.
- ▶ The House Departments, in consultation with the PAG and the Independent Complaints Officer, should jointly develop principles and protocols regarding external investigations, including ensuring:
  - that investigators are suitably skilled; use a trauma-informed approach to investigations; and work appropriately with the other support people engaging complainants, respondents and witnesses
  - that investigators are politically independent
  - that there are transparent expectations regarding timeframes for investigation and reporting
  - that there are increased opportunities for the participation of survivors in the investigation (including consulting with survivors about who is to be interviewed and sharing the final report with survivors).

## 5.4 Update and expand pathways to reporting

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- ▶ PEG, in consultation with PAG, should redesign reporting pathways, ensuring that people experiencing bullying, sexual harassment or sexual misconduct have access to formal, informal and anonymous reporting options that are human-centric and provide support from the first disclosure. The reporting pathways should emphasise the agency of the individual in choosing the pathway that is most appropriate for them and the value of seeking advice and/or reporting early (that is, seeking advice regarding early intervention options).

## 5.5 Protection from retribution

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- ▶ Parliamentary Privilege and Ethics Committee, and Privileges Committee, should ensure that revisions to Codes of Conduct include provisions that protect survivors and witnesses from retribution for making a report.

## 5.6 Support for survivors and other parties

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- ▶ PEG should ensure that survivors have access to an appropriate range of external supports, including the Employee Assistance Program and specialist trauma-informed psychologists (depending on individual need); and that there is also access to services with expertise in providing tailored responses to specific groups (in particular, LGBTIQ+ people and Aboriginal and Torres Strait Islander people). Supports should also be made available to other parties in a complaint, including eyewitnesses, the respondents and any affected team members.

## 5.7 Responding to incidents

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- ▶ DPS should ensure access to first responder training for Special Constables, with an emphasis on skills in trauma-informed support, and conducting trauma-informed investigations.

# Conclusions and framework for action

## 5.8 Standing Order 52

- ▶ The Legislative Council Procedure Committee should lead a process to secure a commitment that papers relating to bullying, sexual harassment and sexual misconduct will not be included in calls for papers under Standing Order 52. Amendments to the standing order or relevant amendments to legislative protections should be progressed to maximise the confidentiality of complainants.

## 5.9 New principles on confidentiality and transparency

- ▶ PEG should develop new principles on confidentiality and transparency, with a focus on:
  - Eliminating Non-Disclosure Agreements, unless specifically requested by the complainant
  - Enabling de-identified reporting on action taken on substantiated breaches of relevant policy/Code of Conduct provisions regarding bullying sexual harassment and sexual misconduct
- ▶ PEG and PAG should brief MPs, including party leaders, on these new principles with a view to them being adopted more broadly by all political parties.

## 5.10 Information campaign to raise awareness

- ▶ PEG and PAG should develop an information campaign promoting the revised reporting pathways and support options that is readily accessible to all people working in NSW Parliament workplaces.

## 6. Transparent monitoring

Monitoring plays a central role in determining progress – or lack thereof – over time.

Given the ambition of NSW Parliamentary workplaces to be sites of zero tolerance of bullying, harassment and sexual misconduct, it will be important to review the extent to which the recommendations of this Review have been implemented, as well as the extent to which prevalence of harmful behaviours then shifts over time.

As such, the Framework for Action recommends a multi-faceted approach to monitoring, including an annual cycle of monitoring, and an independent evaluation of progress within a certain timeframe.

## 6.1 Routine monitoring

- ▶ PEG and PAG should develop and implement a Monitoring and Evaluation Framework through:
  - Agreeing on indicators of progress for each of the domains of this Framework for Action, including indicators to measure activity and outcomes
  - Establishing a mechanism for annual collection of de-identified data and reporting to Parliament
  - Building capability in analysing data trends and identifying opportunities for early intervention
  - Allocating resources to implementation of the Monitoring and Evaluation Framework.

## 6.2 Audit of activities to create safe and inclusive workplaces

- ▶ The Parliamentary Privilege and Ethics Committee (LA) and Privileges Committee (LC) should develop indicators to support an annual audit of the actions taken by MPs to create safe work environments, with an annual report produced and tabled in the Parliament.

## 6.3 Identifying hotspots

- ▶ DPS should monitor data on staff turnover or expenditure on redundancies related to harmful behaviours, with a view to identifying workplaces where additional support, development or accountability may be required.

## Independent evaluation

- ▶ PEG should commission an independent evaluation two to three years after the completion of this Review to assess progress in relation to the implementation of these recommendations.

## Conclusion

Bullying, sexual harassment and sexual assault in workplace environments are challenges that all Australians want to see addressed and, certainly, the Review revealed strong and consistent themes about the prevalence of these behaviours in the NSW Parliament, indicating a need for concerted attention.

In particular, bullying emerged as a significant challenge right across NSW Parliamentary workplaces, while women and specific cohorts, such as young people and people who identify as LGBTIQ+, were particularly vulnerable to sexual harassment. Concerningly, actual or attempted sexual assault also emerged as the experience of a small proportion of people working across these environments.

Importantly, the Review revealed strong support for change, as well as a commitment to making any path towards reform achievable and sustainable. While the NSW Parliament has already made a strong start towards ensuring workplaces that reflect the expectations of the community, the commissioning of this Review has been another crucial step, one which has involved the indispensable contributions of people currently or previously working in these environments.

EB&Co. commends the NSW Parliament for recognising the need for a detailed exploration of the presence of bullying, sexual harassment and sexual misconduct across its workplaces, as well as the need to reduce barriers to reporting and improve responses. Equally, EB&Co. deeply appreciates the contribution of so many people working across these settings, who shared courageously their experiences of harmful behaviour, as well as their commitment to serving the people of this state.

The Framework for Action proposed here is a map for the NSW Parliament to follow – to honour the contributions of Review participants and to realise the ambition for Parliamentary workplaces that are genuinely inclusive, accountable and safe.

# Parliament Bibliography

## A. Articles/Books/Reports

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The Hon. Pru Goward, *Review of Policies and Procedures for Ministerial Offices – Bullying, Harassment and Sexual Misconduct*, NSW Department of Premier and Cabinet (19 April 2021) <https://www.dpc.nsw.gov.au/assets/dpc-nsw-gov-au/publications/1832/Goward-Report-April-2021.pdf>.

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## B. Legislation

Members of Parliament Staff Act 2013 (NSW).

# Appendix 1: Terms of Reference, NSW Parliamentary Advisory Group

The parliamentary workplace is unique and presents a number of challenges in terms of preventing, investigating and sanctioning bullying, sexual harassment and serious misconduct. These challenges include the political environment and culture, the way that power dynamics can manifest in the workplace, as well as the unusual and complex employment arrangements for Members and staff.

## The Advisory Group will:

1. Explore the nature and extent of bullying, sexual harassment and serious misconduct in the NSW Parliamentary precincts.
2. Establish best-practice in terms of the legal frameworks, policies, administrative practices and work place cultures relating to the prevention of and responses to bullying, sexual harassment and serious misconduct.
3. Examine the current legal framework (including the Members of Parliament Staff Act 2013), policies, administrative practices and workplace cultures and provide immediate and on-going feedback and recommendations for improvement.
4. Determine a roadmap identifying possible reform and action for consideration by the Presiding Officers and the parliamentary leadership.

The Advisory Group will provide a safe and supportive environment for victim-survivors. The Group will listen to the experiences of people that have experienced bullying, sexual harassment and serious misconduct in the parliamentary environment, and be guided by these experiences in determining the roadmap and making recommendations for reform. However, the Group will not investigate individual complaints or re-examine previous complaints, or make recommendations on any particular case.

# Appendix 2: NSW Parliament Cultural Review – Survey

\*(ALL) S\_ORDER

DUMMY VARIABLE FROM SAMPLE – RANDOM ASSIGNMENT

1. Normal code frame order [50%] | 2. Reverse code frame order [50%]

## INTRODUCTION

\*(ALL) INTRO

**Thank you for participating in this survey.**

This survey is being delivered by an independent research organisation, the Social Research Centre, on behalf of Elizabeth Broderick & Co. (EB & Co.).

The survey link that you've received is unique to you, so please do not forward it on or share it with anyone else. The survey can only be completed once.

The survey will take around 15-20 minutes to complete, this may be longer in some cases depending on your answers.

In this survey, you will be asked about your experience working in NSW parliamentary workplaces. The survey includes questions about you, bullying, sexual harassment, sexual assault and responses to these issues in NSW Parliamentary workplaces.

As this survey asks you to share your observations and experiences regarding bullying, sexual harassment and sexual assault, it may cause you distress. Some of the language used in this survey is explicit and some people may find it distressing and uncomfortable. However, it is important that we ask the questions in this way to ensure that you are clear on what we mean.

If you need support at any time, you can contact Employee Assistance Program (EAP) on [phone], which is available to support employees via phone, live chat or in person. A full list of other support available can be found here.

Participation in this survey is voluntary. Your responses are completely confidential and anonymous. Although your survey link is unique, your responses will be de-identified and aggregated with the responses of all other survey respondents. All results will be reported at a group level, in an effort to avoid an individual form being identified. You may skip any question if you prefer not to answer it. If you decide to take part and later change your mind, you are free to withdraw from the project until the survey closes. Please be aware that once the survey closes, your survey data will be permanently de-identified, meaning that it will no longer be possible for the researchers to identify or withdraw your survey responses from other responses. If you do withdraw from the study your survey responses will not be included in the final datafile or report. If you commence the survey and then decide not to take part, the answers to survey items answered to that point will be recorded, but not used in any reporting. If you wish to have this data deleted, please contact the Social Research Centre.

**Your privacy is protected as far as allowed by law and at no time throughout this process will persons within NSW Parliamentary workplaces know who has taken part in the survey or have access to individual survey responses.**

The survey is being conducted under Bellberry Human Research Ethics Committee approval (Reference number 2021-09-1123). If you have concerns about the ethical considerations of this survey, you can contact Bellberry Human Research Ethics Operations Manager at (08) 8361 3222 or via email at [bellberry@bellberry.com.au](mailto:bellberry@bellberry.com.au).

The Ethics Approval process requires us to ensure you have read the Participant Information Statement and to obtain your consent to do the survey by completing the table below before you start the survey. Please read the Participant Information Statement, complete the Consent Form on the next page and then start the survey.

## Need help?

In the event of any technical issues, please email [NSWParliament@srcentre.com.au](mailto:NSWParliament@srcentre.com.au) or call the Social Research Centre on 1800 023 040.

### **\*(ALL) [MULTI-RESPONSE] – CONSENT**

Before we ask for your consent to participate in the survey, please read the following Participant Information Statement and complete the Consent Form:

## What is this Review about?

You are invited to take part in an Independent Review (Review) that Elizabeth Broderick & Co (EB&Co) is conducting into bullying, harassment and sexual misconduct in NSW parliament. The Review will make recommendations aimed at ensuring NSW Parliamentary workplaces are free from bullying, harassment and sexual misconduct, and a safe place for all visitors that make use of the Parliament facilities.

EB&Co will submit a report to NSW Parliament in April 2022 setting out its findings and recommendations on these topics. The report will be published by NSW Parliament.

This Participant Information Sheet and Consent Form is for people aged 18 years and over

The review is being conducted in several stages, and the information in this statement relates to the online survey only. Other aspects of the review include interviews, discussion groups and written submissions.

## Who is conducting this Review?

The Review is being conducted by Elizabeth Broderick & Co (EB&Co), with the Social Research Centre conducting the online survey component.

The Social Research Centre is a wholly owned subsidiary of the Australian National University and a fully accredited research company.

You can contact the Social Research Centre by emailing [NSWParliament@srcentre.com.au](mailto:NSWParliament@srcentre.com.au) or contacting them on 1800 023 040. Their privacy policy, which is available on their website at [www.srcentre.com.au/research-participants/privacy](http://www.srcentre.com.au/research-participants/privacy), provides instructions for accessing or correcting personal information, or making queries or complaints about privacy and personal information provided.

## Who can be involved in the online survey?

To be involved in the Review, you must be over the age of 18 years and fall within at least one of the following categories:

- Member of NSW Parliament
- Members' Staff (Electorate Officer or Secretary/Research Assistant)
- Special Officer Holder staff (Presiding Officers, Whips or Opposition leader staff)
- Ministerial Staff (employed by Dept Premier and Cabinet)
- Departmental Staff (Employed directly by the Dept Parliamentary Services, Legislative Assembly, or Legislative Council – the latter two including Clerks, Procedural, Committees, Chamber and Support staff etc) – includes all staff employed directly and paid by the Parliament including ongoing, temporary, casual and directly engaged contract staff)
- Contractors working at Parliament House (not employed directly by Parliament, but another employer)
- Press Gallery member
- Special Constables
- Interns and volunteers working at NSW Parliament or an electorate office

## Do I have to be involved?

Participation in this Review (including the online survey) is voluntary and you may, without negative consequences decline to take part or withdraw from the research without providing an explanation at any time during the survey. You may also refuse to answer any questions asked during the survey.

If you decide to take part and later change your mind, you are free to withdraw from the project until the survey closes. Please be aware that once the survey closes, your survey data will be permanently de-identified, meaning that it will no longer be possible for the researchers to identify or withdraw your survey responses from other responses.

If you commence the survey and then decide not to take part, the answers to survey items answered to that point will be recorded, but not used in any reporting. If you wish to have this data deleted, please contact the Social Research Centre.

## What should I do if I have accessibility requirements?

If you would like to be involved in the Review and want to discuss how EB&Co can support your involvement by providing appropriate supports and/or adjustments, please contact the Review Team at: Confidentialnswparl@elizabethbroderick.com.au.

## What does taking part involve?

You will be asked to answer a series of questions via an online survey. In most cases you will simply be required to choose your reply from a list of options that will be display to you. Occasionally you might be asked to tell us a little more about your answer. Your responses will be recorded into our survey system and the researchers will receive a data file containing your responses (i.e. numbers and text) for analysis.

The survey will take around 15-20 minutes to complete, this may be longer in some cases depending on your answers.

## What will I be asked as a participant in the Review?

If you choose to contribute to the Review by participating in the online survey, EB&Co will ask you questions based on the Terms of Reference for the Review, including about:

- the workplace culture of NSW parliamentary workplaces;
- your experiences or observation of bullying sexual harassment and sexual assault while working at NSW parliamentary workplaces
- your awareness of relevant policies, practices and processes and your views on the adequacy of these.

EB&Co acknowledges that thinking about bullying, sexual harassment and sexual assault can cause distress and discomfort. If you experience distress or discomfort while participating in this Review, you can choose not to answer certain questions, skip questions, or stop participating at any time.

Contact details of support services will be provided throughout the survey.

## What will happen to information about me?

By giving your consent to participate in the online survey, you agree to the Social Research Centre and EB&Co collecting and using the information you provide for the purposes of the Review.

EB&Co will produce a report on the findings and recommendations of the Review in April 2022. The Report will be made public.

All information given during the online survey will be treated confidentially and anonymity will be preserved in reports or published articles. Survey responses will be de-identified as soon as practical following completion of the survey (end of fieldwork). All reports relating to this research will report on aggregated data, in an effort to avoid an individual from being identified.



This research is carried out in compliance with the Privacy Act and the Australian Privacy Principles, and the information you have provided will only be used for research purposes.

The de-identified data will be held electronically by the researchers. The de-identified data must be stored for a period of at least five years from the date of any publication arising from the research. Following the required storage period de-identified data will be securely destroyed.

Unless required by law, only the Review Team will have access to data which identifies you by name or from which your identity is otherwise apparent or can be reasonably ascertained. All personal information gathered by the Review Team will remain strictly confidential except so far as disclosure is required by the law (such as a court subpoena for the purposes of a legal matter). All personal information will be used only for the purpose of administering your participation in this study and in accordance with the laws governing the protection and privacy of personal information under Australian privacy legislation. By signing the consent form, you authorise the release of/or access to this confidential information to the Review Team and regulatory authorities.

It is understood that information provided to EB&Co and The Social Research in the course of this Review will not be subject to Standing Order 52 as EB&Co and The Social Research Centre are private companies and thus outside the remit of Standing Order 52. This means that the materials held by The Social Research Centre and EB&Co (such as your survey responses) cannot be requested by the NSW Parliament. Further enquiries on this aspect should be directed to the Clerk of the Parliaments.

## How and when will I find out the results of the Review?

EB&Co will submit its report to NSW Parliament in April 2022. The report will be made public.

## How is the Review being funded?

The Parliament of NSW is funding EB&Co to undertake the Review. EB&Co is an independent organisation, with expertise in conducting cultural reviews.

## What if I change my mind and want to withdraw from the Review after I have participated?

You may decide not to participate in the online survey at any time. If you have consented to being involved in the online survey and you change your mind, you can withdraw your consent at any time up to the end of the data collection period. Once the data collection period is completed, the data file will be anonymised and withdrawal will no longer be possible.

Withdrawal will not affect your relationship with EB&Co, the Review Team or NSW Parliament.

## Who can I speak to if I have questions?

If you would like any further information or have any questions concerning this Review, please contact the Review Team via email at [Confidentialnswparl@elizabethbroderick.com.au](mailto:Confidentialnswparl@elizabethbroderick.com.au).

In the event of any technical issues or if you would like to contact the Social Research Centre, please email [NSWParliament@srcentre.com.au](mailto:NSWParliament@srcentre.com.au) or call on 1800 023 040.

*The Review is being conducted under Bellberry Human Research Ethics Committee approval (HC Reference Number 2021-09-1123). If you have any concerns about the ethical considerations of this Review, you can contact the Bellberry Human Research Ethics Operations Manager on (08) 8361 3222 or via email at [bellberry@bellberry.com.au](mailto:bellberry@bellberry.com.au).*

## Support services

NSW Parliament has retained a psychologist trained in trauma-counselling for any employee or external contributor that may feel distress as a result of participating in this study and wish to access support. You can contact Julie Berg Psychology by contacting [email] or calling [phone].

You can also access free, confidential support and counselling through the Employee Assistance Program. You can contact EAP on [phone].

## National Support services

**Organisation**            **1800RESPECT:** National sexual assault, domestic and family violence counselling service  
**Telephone**                1800 737 732

**Organisation**            **Beyond Blue:** Anxiety, depression, and suicide prevention support service  
**Telephone**                1300 224 636

**Organisation**            **Lifeline:** Crisis support and suicide prevention  
**Telephone**                13 11 14

**Organisation**            **Headspace:** Supports young people aged between 12 and 25 years of age  
**Telephone**                1800 650 890

## NSW Support services

### NSW Rape Crisis Centre

Ph: (02) 9819 6565 or 1800 424 017 (outside Sydney)

Website: [www.nswrapecrisis.com.au](http://www.nswrapecrisis.com.au)

### Domestic Violence Line

Department of Community Services

Ph: 1800 656 463 (24 hours)

### Workplace health and safety authority

For advice and support: SafeWork NSW

Ph: 13 10 50

Website: <https://www.safework.nsw.gov.au/hazards-a-z/bullying/workplace-bullying>

The Participant Information Statement and Consent Form is also available here if you would like to print it out for reference.

## Declaration by the participant

By checking the options below:

1. I understand I am being asked to provide consent to participate in this Online Survey
2. I have read the Participant Information Statement and Consent Form – Online Survey above and available here
3. I am 18 years of age or older
4. I provide my consent for the information collected about me to be used for the purpose of the Review only
5. I understand that if necessary, I can ask questions and the Elizabeth Broderick & Co Team will respond to my questions
6. I freely agree to participate in this Online Survey as described and understand that I am free to withdraw / cease answering questions at any time prior to submitting the Online Survey and such withdrawal / cessation will not affect my relationship with any of the named organisations and/or Elizabeth Broderick & Co team members
7. I understand that if I do withdraw from the study, my survey responses will not be included in the final data file or report
8. I understand that I can download a copy of this Participant Information and Consent Form

To start the survey, please click the 'Next' button.

**[PROGRAMMER NOTE: ALL BOXES MUST BE CHECKED TO MOVE FORWARD]**

## Part 1 – Questions about Participant and their workplace

\*(ALL)

**AGE**                    **First of all, can we find out a little bit about you? What is your age?**

1. <RANGE 15-100> [UNDER 18 GO TO TERM1]
99. Prefer not to say

\*(AGE=99, REFUSED AGE)

**AGEGROUP**        **To which of the following age groups do you belong?**

1. 17 or younger [GO TO TERM1]
2. 18-24 years
3. 25-34 years
4. 35-44 years
5. 45-54 years
6. 55-64 years
7. 65 or older
99. Prefer not to say [GO TO TERM2]

\*(ALL)

**WORKPLACE**      **This survey is about your experiences while working in NSW parliamentary workplaces.**

We're interested in experiences you have had when working in any NSW parliamentary workplace including at NSW Parliament House, a Ministerial office at Martin Place, or Electorate Offices – or at any time while you were engaged in work or work-related travel, events, engagements, or functions. This includes both paid and unpaid work (e.g. volunteer).

**Are you currently working in a NSW parliamentary workplace?**

1. Yes I am currently working in a NSW parliamentary workplace
2. No I am NOT currently working in a NSW parliamentary workplace [GO TO TERM3]
99. Prefer not to say [GO TO TERM4]

\*(ALL)

**ROLE**                    **Which of the following best describes your current role?**

*If you are on extended leave or on secondment to a non-Parliamentary workplace organisation please refer to your last Parliamentary workplace role.*

1. Member of NSW Parliament
2. Members' Staff (Electorate Officer or Secretary/Research Assistant)
3. Special Officer Holder staff (Presiding Officers, Whips or Opposition leader staff)
4. Ministerial Staff (employed by Dept Premier and Cabinet)
5. Departmental Staff (Employed directly by the Dept Parliamentary Services, Legislative Assembly, or Legislative Council – the latter two including Clerks, Procedural, Committees, Chamber and Support staff etc) – includes all staff employed directly and paid by the Parliament including ongoing, temporary, casual and directly engaged contract staff)
6. Contractors working at Parliament House (not employed directly by Parliament, but another employer)
7. Press Gallery member
8. Special Constables
9. Interns and volunteers working at NSW Parliament or an electorate office
99. Prefer not to say

## \*(ROLE=99, REFUSED ROLE)

### ROLE2

**In order to complete the survey, we need to know your current role in a NSW parliamentary workplace. Please be assured that your answers are strictly confidential and that no information collected in the survey will be used to identify you. If you would like to participate in the survey please indicate which of the following best describes your current role.**

*If you would still prefer to not answer the question, simply tick the 'Prefer not to say' answer and we will end the survey.*

1. Member of NSW Parliament
2. Members' Staff (Electorate Officer or Secretary/Research Assistant)
3. Special Officer Holder staff (Presiding Officers, Whips or Opposition leader staff)
4. Ministerial Staff (employed by Dept Premier and Cabinet)
5. Departmental Staff (Employed directly by the Dept Parliamentary Services, Legislative Assembly, or Legislative Council – the latter two including Clerks, Procedural, Committees, Chamber and Support staff etc) – includes all staff employed directly and paid by the Parliament including ongoing, temporary, casual and directly engaged contract staff)
6. Contractors working at Parliament House (not employed directly by Parliament, but another employer)
7. Press Gallery member
8. Special Constables
9. Interns and volunteers working at NSW Parliament or an electorate office
96. Something else (please specify)
97. Not currently working in a NSW parliamentary workplace [GO TO TERM3]
99. Prefer not to say [GO TO TERM4]

## \*COMPUTE DUMMY VARIABLE

### \*(ALL)

#### LISTFLAG

**Flag for Members of Parliament (including Ministers)**

1. Yes (ROLE OR ROLE 2 =1)
2. No (ELSE)

### \*(ALL)

#### TIMEROLE

**How long have you been working in your current role?**

1. Less than 3 months
2. 3 but less than 6 months
3. 6 but less than 9 months
4. 9 months but less than 12 months
5. More than 1 year (please specify)
99. Prefer not to say

## \*(ROLE=5 OR ROLE2=5, DEPARTMENTAL ROLE)

### SENIORITY

**What is your seniority?**

1. Executive
2. Director
3. Senior Manager
4. Manager
5. Clerk Grade 5-8
6. Clerk grade 1-4
7. Directly employed contractor
99. Prefer not to say

\*(ALL)

## WORKBASE

**Think about where you work when Parliament is not sitting. This is your ‘work base’.**

**Currently, which of these NSW parliamentary workplaces is your work base?**

1. I am based at NSW Parliament House – regardless of whether Parliament is sitting or not
2. I am based in Ministerial offices (Martin Place)
3. I am based in an Electorate office
96. Somewhere else (please specify)
99. Prefer not to say

\*(ALL)

## PASTROLE

**Apart from your current role, have you held any other roles in a NSW parliamentary workplace at any time?**

1. Yes
2. No
99. Prefer not to say

\*(ALL)

## TIMEOTHER

**What is the total time you have spent working in NSW parliamentary workplaces?**

1. Less than 6 months
2. 6 months but less than 1 year
3. 1-3 years
5. More than 3 years (please specify)
99. Prefer not to say

---

## Part 2 – Perceptions of workplace culture

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\*(ALL)

## CULTURE

**Thinking about NSW parliamentary workplaces, to what extent do you agree or disagree with the following:**

\*(RANDOMISE STATEMENTS) [DISPLAY 6 PER PAGE]

- a. NSW Parliamentary workplaces are safe and respectful
- b. People behave in a respectful way towards others
- c. People are treated fairly and equally, regardless of their personal characteristics such as gender, age, race or cultural background, sexual orientation, disability or religious beliefs
- d. NSW Parliamentary workplaces are a diverse and inclusive environment
- e. NSW Parliamentary workplaces are inclusive of people who identify as part of the LGBTIQ+ community
- f. NSW Parliamentary workplaces are inclusive of people from different cultural and linguistic backgrounds
- g. NSW Parliamentary workplaces are inclusive of people with a disability
- h. There are negative attitudes towards women
- i. Homophobic jokes and comments are rare in my workplace
- j. Racist jokes and comments are rare in my workplace
- k. Sexualised conversation and sexualised banter are rare in my workplace
- l. Sexist comments and sexist jokes are rare in my workplace
- m. I feel confident calling out behaviour that is inappropriate
- n. I feel confident to speak if I don't agree with something said or done
- o. Fair and reasonable action is taken against anyone who engages in inappropriate behaviour, regardless of their seniority or status
- p. Complaints about inappropriate behaviour are taken seriously

- q. I always feel safe in my workplace (including while travelling or at a work-related event)
- r. The level of alcohol consumption amongst people working in NSW parliamentary workplaces does not affect the safety of others in the workplace
- s. Drinking alcohol during work hours is seen as acceptable
- t. Excessive drinking is common amongst people working in NSW parliamentary workplaces
- u. People in leadership roles promote and encourage respectful workplace behaviour
- v. The hierarchical nature of NSW parliamentary workplaces makes it difficult to call out unacceptable behaviour
- w. Everyone are held accountable to the same standards of behaviour in NSW parliamentary workplaces
- x. I feel safe working late at night at NSW Parliament House

[REVERSE SCALE BASED ON S\_ORDER VARIABLE]

- 1. Strongly agree
- 2. Agree
- 3. Disagree
- 4. Strongly disagree
- 98. Unsure
- 99. Prefer not to say

\*(ALL)

**IMPROVE**

**What do you think could be done to improve the culture of NSW parliamentary workplaces?**

- 1. <TEXT BOX> [MAX LENGTH, SHOW CHARACTER COUNTER]
- 99. Prefer not to say

---

## Part 3 – Questions about bullying in NSW Parliamentary workplaces

---

\*(ALL)

**B\_INTRO**

**The following questions ask about your direct experience of unacceptable behaviours related to bullying.**

We're interested in experiences you have had when working in any NSW parliamentary workplace including at NSW Parliament House, a Ministerial office at Martin Place, or Electorate Offices – or at any time while you were engaged in work or work-related travel, events, engagements, or functions. This includes both paid and unpaid work (e.g. volunteer).

We would like to assure you that your answers to these questions are completely confidential. If there is a particular question about bullying that you would prefer not to answer, you can select 'Prefer not to say' and move to on to the next question.

*Please read the definition below:*

**'Workplace bullying is repeated and unreasonable behaviour directed towards a worker or a group of workers that creates a risk to physical or mental health and safety. Bullying behaviours are manifested verbally, physically, in writing, online and/or through body language. They can take the form of action or lack of action.'**

Bullying does NOT include:

- Reasonable management action such as performance management processes, disciplinary action for misconduct, asking a worker to perform reasonable duties in keeping with their job, or maintaining reasonable workplace goals and standards.
- Differences of opinion.

\*(ALL)

**B\_EVER**

**Thinking about the definition of bullying (repeated and unreasonable behaviour, that's directed towards you or a group that you are part of, and creates a risk to your physical or mental health and safety).**

**Have you ever personally experienced bullying in a NSW parliamentary workplace?**

1. Yes
2. No
98. Unsure
99. Prefer not to say

\*(B\_EVER=1, EXPERIENCED BULLYING)

**B\_5Y**

**Have you personally experienced bullying in a NSW parliamentary workplace in the last 5 years?**

1. Yes
2. No
98. Unsure
99. Prefer not to say

\*(B\_5Y =1, EXPERIENCED BULLYING IN LAST 5 YEARS)

**B\_5YROLE**

**And when you experienced this, what role were you in at that time?**

*Please select all that apply.*

1. Minister GO TO B\_5YMINISTER, IF SINGLE RESPONSE
2. Member of NSW Parliament (not a Minister)
3. Members' Staff (Electorate Officer or Secretary/Research Assistant)
4. Special Officer Holder staff (Presiding Officers, Whips or Opposition leader staff)
5. Ministerial Staff (employed by Dept Premier and Cabinet) GO TO B\_5YMSTAFF, IF SINGLE RESPONSE
6. Departmental Staff (Employed directly by the Dept Parliamentary Services, Legislative Assembly, or Legislative Council – the latter two including Clerks, Procedural, Committees, Chamber and Support staff etc) – includes all staff employed directly and paid by the Parliament including ongoing, temporary, casual and directly engaged contract staff)
7. Contractors working at Parliament House (not employed directly by Parliament, but another employer)
8. Press Gallery member
9. Special Constables
10. Interns and volunteers working at NSW Parliament or an electorate office
96. Something else (please specify)
98. Unsure / Can't recall
99. Prefer not to say

\*(B\_5YROLE =1 ONLY, MINISTER AT THE TIME OF BULLYING)

**B\_5YMINISTER**

**And did you experience this at ministerial offices in Martin Place or somewhere else?**

1. Martin Place GO TO BB\_5Y
2. Somewhere else GO TO BB\_5Y
98. Unsure / Can't recall GO TO BB\_5Y
99. Prefer not to say GO TO BB\_5Y

**\*(B\_5YROLE =5 ONLY, MINISTERIAL STAFF AT THE TIME OF BULLYING)**

**B\_5YMSTAFF And did you experience this at NSW Parliament House or somewhere else?**

- 1. NSW Parliament House GO TO BB\_5Y
- 2. Somewhere else GO TO BB\_5Y
- 98. Unsure / Can't recall GO TO BB\_5Y
- 99. Prefer not to say GO TO BB\_5Y

**\*(ALL)**

**BB\_5Y In the last 5 years have you experienced any of the following in a NSW parliamentary workplace?**

*Please answer Yes or No to each.*

\*(STATEMENTS)

\*[RANDOMISE A-Q ORDER AND RECORD IN VARIABLE]

- a. Abusive, insulting or offensive language
- b. Displaying offensive material
- c. Unjustified criticism or complaints
- d. Spreading misinformation or malicious rumours
- e. Behaviour or language that frightens, humiliates, belittles or degrades, including criticism that is delivered with yelling or screaming
- f. Inappropriate comments about a person's lifestyle, appearance, or their family
- g. Teasing or regularly making someone the target of pranks or jokes
- h. Impeding a person's capacity to fulfil their duties by unreasonably overloading them with work, not providing enough work or appropriate work, or deliberately withholding access to information
- i. Setting unreasonable deadlines and other demands
- j. Interfering with someone's personal effects or work equipment
- k. Harmful or offensive initiation practices
- l. Deliberately excluding or isolating a person from normal work activities
- m. Threatening the security of a staff member's job
- n. Applying harmful and punitive administrative sanctions such as delays in processing a person's work or applications for training
- o. Creating unexplained job changes, setting meaningless tasks or tasks well beyond a person's normal range of duties
- p. Sending abusive or offensive emails or text messages or using digital and online social networks to make inappropriate comments which humiliate, slander, intimidate, or degrade a person
- q. Unfair treatment relating to rosters, leave, training, and other entitlements
- r. Any other form of bullying (please specify on next page)

\*(CODE FRAME)

- 1. Yes
- 2. No
- 98. Unsure
- 99. Prefer not to say



## \*(BB\_5Ya-r=1, EXPERIENCED BULLYING BEHAVIOURS IN LAST 5 YEARS)

\*PROGRAMMER NOTE: IF BB\_5Y=SINGLE INSERT <this> / IF BB5Y=MULTIPLE INSERT <these behaviours>

### **BB\_5YROLE** And when you experienced <this / these> behaviours, what role were you in at that time?

*Please select all that apply.*

1. Minister GO TO BB\_5YMINISTER, IF SINGLE RESPONSE
2. Member of NSW Parliament (not a Minister)
3. Members' Staff (Electorate Officer or Secretary/Research Assistant)
4. Special Officer Holder staff (Presiding Officers, Whips or Opposition leader staff)
5. Ministerial Staff (employed by Dept Premier and Cabinet) GO TO BB\_5YMSTAFF, IF SINGLE RESPONSE
6. Departmental Staff (Employed directly by the Dept Parliamentary Services, Legislative Assembly, or Legislative Council – the latter two including Clerks, Procedural, Committees, Chamber and Support staff etc) – includes all staff employed directly and paid by the Parliament including ongoing, temporary, casual and directly engaged contract staff)
7. Contractors working at Parliament House (not employed directly by Parliament, but another employer)
8. Press Gallery member
9. Special Constables
10. Interns and volunteers working at NSW Parliament or an electorate office
96. Something else (please specify)
98. Unsure / Can't recall
99. Prefer not to say

## \*(BB\_5Y\_r=1, SELECTED OTHER TYPE OF BULLYING)

### **BB\_5Y\_Oth** Please describe the other form of bullying you have experienced.

1. <TEXT BOX>

## \*(BB\_5YROLE =1 ONLY, MINISTER AT THE TIME OF BULLYING)

### **BB\_5YMINISTER** And did you experience this at ministerial offices in Martin Place or somewhere else?

1. Martin Place GO TO BB\_12M
2. Somewhere else GO TO BB\_12M
98. Unsure / Can't recall GO TO BB\_12M
99. Prefer not to say GO TO BB\_12M

## \*(BB\_5YROLE =5 ONLY, MINISTERIAL STAFF AT THE TIME OF BULLYING)

### **BB\_5YMSTAFF** And did you experience this at NSW Parliament House or somewhere else?

1. NSW Parliament House GO TO BB\_12M
2. Somewhere else GO TO BB\_12M
98. Unsure / Can't recall GO TO BB\_12M
99. Prefer not to say GO TO BB\_12M

**\*(BB\_5Ya-r=1, EXPERIENCED BULLYING BEHAVIOURS IN LAST 5 YEARS) [MULTI-RESPONSE]**

**BB\_12M** Did any of these behaviours occur in the last 12 months?

*Please select all that apply.*

[ONLY DISPLAY THOSE OF BB\_5Ya-r=1] [DISPLAY IN SAME ORDER AS BB\_5Y]

1. Abusive, insulting or offensive language
2. Displaying offensive material
3. Unjustified criticism or complaints
4. Spreading misinformation or malicious rumours
5. Behaviour or language that frightens, humiliates, belittles or degrades, including criticism that is delivered with yelling or screaming
6. Inappropriate comments about a person's lifestyle, appearance, or their family
7. Teasing or regularly making someone the target of pranks or jokes
8. Impeding a person's capacity to fulfil their duties by unreasonably overloading them with work, not providing enough work or appropriate work, or deliberately withholding access to information
9. Setting unreasonable deadlines and other demands
10. Interfering with someone's personal effects or work equipment
11. Harmful or offensive initiation practices
12. Deliberately excluding or isolating a person from normal work activities
13. Threatening the security of a staff member's job
14. Applying harmful and punitive administrative sanctions such as delays in processing a person's work or applications for training
15. Creating unexplained job changes, setting meaningless tasks or tasks well beyond a person's normal range of duties
16. Sending abusive or offensive emails or text messages or using digital and online social networks to make inappropriate comments which humiliate, slander, intimidate, or degrade a person
17. Unfair treatment relating to rosters, leave, training, and other entitlements
18. <insert BB\_5Yr response>
97. None of these behaviours occurred in the last 12 months ^
98. Unsure ^
99. Prefer not to say ^

**\*(BB\_12M=1-18, EXPERIENCED BULLYING BEHAVIOURS IN LAST 12 MONTHS)**

\*PROGRAMMER NOTE: IF BB\_12M=SINGLE INSERT <this> / IF BB\_12M=MULTIPLE INSERT <these behaviours>

**BB\_12MROLE** And when you experienced <this / these > behaviours, what role were you in at that time?

*Please select all that apply.*

1. Minister GO TO BB\_12MMINISTER, IF SINGLE RESPONSE
2. Member of NSW Parliament (not a Minister)
3. Members' Staff (Electorate Officer or Secretary/Research Assistant)
4. Special Officer Holder staff (Presiding Officers, Whips or Opposition leader staff)
5. Ministerial Staff (employed by Dept Premier and Cabinet) GO TO BB\_12MMSTAFF, IF SINGLE RESPONSE
6. Departmental Staff (Employed directly by the Dept Parliamentary Services, Legislative Assembly, or Legislative Council – the latter two including Clerks, Procedural, Committees, Chamber and Support staff etc) – includes all staff employed directly and paid by the Parliament including ongoing, temporary, casual and directly engaged contract staff)
7. Contractors working at Parliament House (not employed directly by Parliament, but another employer)
8. Press Gallery member
9. Special Constables
10. Interns and volunteers working at NSW Parliament or an electorate office
96. Something else (please specify)
98. Unsure / Can't recall
99. Prefer not to say

**\*(BB\_12MROLE =1 ONLY, MINISTER AT THE TIME OF BULLYING)**

**BB\_12MMINISTER** And did you experience this at ministerial offices in Martin Place or somewhere else?

- 1. Martin Place GO TO EXP\_B\_5Y
- 2. Somewhere else GO TO EXP\_B\_5Y
- 98. Unsure / Can't recall GO TO EXP\_B\_5Y
- 99. Prefer not to say GO TO EXP\_B\_5Y

**\*(BB\_12MROLE =5 ONLY, MINISTERIAL STAFF AT THE TIME OF BULLYING)**

**BB\_12MSTAFF** And did you experience this at NSW Parliament House or somewhere else?

- 1. NSW Parliament House GO TO EXP\_B\_5Y
- 2. Somewhere else GO TO EXP\_B\_5Y
- 98. Unsure / Can't recall GO TO EXP\_B\_5Y
- 99. Prefer not to say GO TO EXP\_B\_5Y

**\*COMPUTE DUMMY VARIABLE**

**EXP\_B\_5Y** Experienced bullying in last 5 years

- 1. Yes (B\_5Y=1 OR ANY OF BB\_5Ya-r=1)
- 2. No (ELSE)

**\*COMPUTE DUMMY VARIABLE**

**EXP\_B\_12M** Experienced bullying in last 12 MONTHS

- 1. Yes (BB\_12M=1-18)
- 2. No (ELSE)

**\*COMPUTE DUMMY VARIABLE**

**EXP\_B** Experienced bullying in last 12 MONTHS OR 5 YEARS

- 1. In last 12 months (EXP\_B\_12M=1)
- 2. In last 5 years, but not last 12 months (EXP\_B\_5Y=1 AND EXP\_B\_12M=2)
- 3. Not bullied in the last 5 years (ELSE)

**\*(EXP\_B\_5Y=1, EXPERIENCED BULLYING IN LAST 5 YEARS)**

**B\_NUMBER** The following questions ask about the most recent incident of bullying you've experienced in the last <DISPLAY IF B\_12M=1: "12 months", ELSE DISPLAY: "5 years".

Did this incident of bullying involve just one person or more than one person?

[HOVER OVER FOR 'most recent': We ask for the most recent as it increases the ability to recall the incident.]

- 1. One person
- 2. More than one person
- 98. Unsure
- 99. Prefer not to say

\*PROGRAMMER NOTE: For questions B\_GEND AND B\_RELATION AND B\_REP\_OUTCOME – DISPLAY BLUE TEXT IF B\_NUMBER=1, ELSE DISPLAY RED TEXT

\*(EXP\_B\_5Y=1, EXPERIENCED BULLYING IN LAST 5 YEARS)

**B\_GEND** Thinking about the persons involved in the bullying, what was / were their genders?

1. A man / All men
2. Mainly men (and some women) [DISPLAY IF B\_NUMBER>1]
3. Equal men and women [DISPLAY IF B\_NUMBER>1]
4. Mainly women (and some men) [DISPLAY IF B\_NUMBER>1]
5. A woman / All women
6. Other gender(s)
98. Unsure
99. Prefer not to say

\*(EXP\_B\_5Y=1, EXPERIENCED BULLYING IN LAST 5 YEARS) [MULTI-RESPONSE]

**B\_RELATION** What was the role of the person / people who engaged in the most recent incident of bullying...?

*Please select all that apply.*

1. Member of NSW Parliament
2. Members' Staff (Electorate Officer or Secretary/Research Assistant)
3. Special Officer Holder staff (Presiding Officers, Whips or Opposition leader staff)
4. Ministerial Staff (employed by Dept Premier and Cabinet)
5. Departmental Staff (Employed directly by the Dept Parliamentary Services, Legislative Assembly, or Legislative Council – the latter two including Clerks, Procedural, Committees, Chamber and Support staff etc) – includes all staff employed directly and paid by the Parliament including ongoing, temporary, casual and directly engaged contract staff)
6. Contractors working at Parliament House (not employed directly by Parliament, but another employer)
7. Press Gallery member
8. Special Constables
9. Interns and volunteers working at NSW Parliament or an electorate office
96. Someone else (please specify)
98. Unsure ^
99. Prefer not to say ^

\*(EXP\_B\_5Y=1, EXPERIENCED BULLYING IN LAST 5 YEARS) [MULTI-RESPONSE]

**B\_RANK** Would you describe the person / people who engaged in the most recent incident of bullying as...?

*Please select all that apply.*

1. More senior position than you
2. The same level as you
3. At a lower level than you
98. Unsure ^
99. Prefer not to say ^

**\*(EXP\_B\_5Y=1, EXPERIENCED BULLYING IN LAST 5 YEARS)**

**B\_WHERE**      **Where did the most recent incident of bullying take place ...?**

\*(RESPONSE FRAME)

1. In NSW Parliament House
2. In a Ministerial Office (at Martin Place)
3. In an electoral office
4. While travelling to work
5. At a work-related social event – such as after-work drinks or a function
6. Online or via electronic / digital means such as telephone, video call, email, text, social media, or other digital platform
96. Somewhere else (please specify)
98. Unsure
99. Prefer not to say

**\*(EXP\_B\_5Y=1, EXPERIENCED BULLYING IN LAST 5 YEARS) [MULTI-RESPONSE]**

**B\_AGE**      **About how old was / were the person / people involved?**

*Please select all that apply.*

1. 15-20 years
2. 21-30 years
3. 31-40 years
4. 41-50 years
5. 51-64 years
6. 65+ years
98. Unsure ^
99. Prefer not to say ^

**\*(EXP\_B\_5Y=1, EXPERIENCED BULLYING IN LAST 5 YEARS)**

**B\_LENGTH**      **How long did the most recent experience of bullying go on for?**

*If you are not sure, please provide your best estimate.*

1. Less than 1 month
2. 1 to 3 months
3. 4 to 6 months
4. 7 to 12 months
5. A year or longer
98. Unsure
99. Prefer not to say

**\*(EXP\_B\_5Y=1, EXPERIENCED BULLYING IN LAST 5 YEARS)**

**B\_OTHERS**      **As far as you know, has anyone else working in a NSW parliamentary workplace also experienced this type of bullying?**

1. Yes
2. No
98. Unsure
99. Prefer not to say

**\*(EXP\_B\_5Y=1, EXPERIENCED BULLYING IN LAST 5 YEARS)**

**B\_RARE**      **Would you say that this type of behaviour was very rare, rare, occurred sometimes, or was common at the time it happened to you?**

1. Very rare
2. Rare
3. Occurred sometimes
4. Common
98. Unsure
99. Prefer not to say

**\*(EXP\_B\_5Y=1, EXPERIENCED BULLYING IN LAST 5 YEARS)**

**B\_REPORT**      **Did you make a complaint or report about the incident of bullying you most recently experienced?**

1. Yes
2. No
98. Unsure
99. Prefer not to say

**\*(B\_REPORT=1, REPORTED INCIDENT)**

**B\_REP\_INOUT**      **You've said that you made a complaint or report about the most recent experience of bullying that you experienced. Who did you report the incident to?**

*Please select all that apply.*

1. A person or group INSIDE or RELATED to the NSW parliamentary workplace
2. A person or organisation OUTSIDE or INDEPENDENT of the NSW parliamentary workplace
98. Unsure
99. Prefer not to say

**\*(B\_REP\_INOUT=1, REPORTED INCIDENT INTERNALLY)**

**B\_REPTO\_IN**      **Who was the person or group INSIDE or RELATED to the NSW parliamentary workplace you made a complaint or report to?**

*Please select all that apply.*

1. A member of NSW parliament (including Minister, Presiding Officer or Special Office Holder)
2. Supervisor or manager
3. Someone in a leadership / management role (if not direct manager)
4. A co-worker / colleague
5. A workplace support service (e.g. EAP)
6. Human Services
7. The Workplace Health & Safety (WHS) representative
8. Security or Special Constable
96. Someone else associated with NSW parliamentary workplaces (please specify)
98. Unsure ^
99. Prefer not to say ^

**\*(B\_REP\_INOUT=2, REPORTED INCIDENT EXTERNALLY)**

**B\_REPTO\_OUT Who was the person or group OUTSIDE or INDEPENDENT of the NSW parliamentary workplace you made a complaint or report to?**

*Please select all that apply.*

1. A union or employee representative
2. A lawyer or legal service
3. The Australian Human Rights Commission or NSW Anti-Discrimination Board
4. Political Party Head Office
5. The Police
6. Safe Work Australia or Safe Work NSW
96. Another person or organisation (please specify)
98. Unsure ^
99. Prefer not to say ^

**\*(B\_REPORT=1, REPORTED INCIDENT)**

**B\_REP\_WHEN What was the time period between when the bullying began and when you first reported it?**

1. Same day or next working day
2. Less than 1 month (but not straight away)
3. 1 but less than 3 months
4. 4 but less than 6 months
5. 6 months or more
98. Unsure
99. Prefer not to say

**\*(B\_REPORT=1, REPORTED INCIDENT)**

**B\_FINAL Has your complaint or report been finalised yet?**

1. Yes
2. No
98. Unsure
99. Prefer not to say

**\*(B\_FINAL=1, REPORT FINALISED)**

**B\_FINAL\_WHO Who was your report or complaint finalised with?**

*Please select all that apply.*

1. A member of NSW parliament (including Minister)
2. Someone in a leadership / management role in the workplace
3. A co-worker / colleague
4. A workplace support service (e.g. EAP)
5. The Workplace Health & Safety (WHS) officer
6. Security or Special Constable
7. A union or employee representative
8. A lawyer or legal service
9. The Australian Human Rights Commission or NSW Anti-Discrimination Board
10. Political party Head Office
11. The Police
12. Safe Work Australia or Safe Work NSW
96. Another person or organisation (please specify)
98. Unsure ^
99. Prefer not to say ^

**\*(B\_FINAL=1, REPORT FINALISED)**

**B\_FINAL\_TIME** How long did it take to finalise your complaint or report? Was it...?

1. Same day or next working day
2. Less than 1 month (but not straight away)
3. 1 but less than 3 months
4. 4 but less than 6 months
5. 6 but less than 12 months
6. 12 months or more
98. Unsure
99. Prefer not to say

**\*(B\_REPORT=1, REPORTED INCIDENT)**

**B\_REP\_NEG** Did any of the following things occur as a result of your complaint or report?

*Please select all that apply.*

**\*(IF LISTFLAG = 2 (NOT A MEMBER), USE CODEFRAME 2)**

1. Your employer apologised for failing to prevent the bullying
2. Your employer paid you compensation because of the bullying
3. The bullying stopped
4. You received positive feedback for making the complaint
5. Your shifts or hours of work were changed without your consent
6. You were transferred
7. You resigned
8. You were dismissed or lost your job
9. You were demoted
10. You were disciplined
11. You were denied workplace opportunities, such as training or promotion
12. You were ostracised, victimised, ignored by colleagues or party members
13. You were labelled a trouble-maker
96. There were some other consequences for you (please specify)
97. There were no consequences for you ^
98. Unsure ^
99. Prefer not to say ^

**\*(IF LISTFLAG = 1 (MEMBER), USE CODEFRAME 1)**

3. The bullying stopped
4. You received positive feedback for making the complaint
7. You resigned
9. You were demoted
10. You were disciplined
12. You were ostracised, victimised, ignored by colleagues or party members
13. You were labelled a trouble-maker
96. There were some other consequences for you (please specify)
97. There were no consequences for you ^
98. Unsure ^
99. Prefer not to say ^



**\*(B\_REPORT=1, REPORTED INCIDENT)**

**B\_REP\_ACTION Did any of the following things happen to the person / people who bullied you following your complaint or report?**

*Please select all that apply.*

1. They were disciplined
2. They were formally warned
3. They were informally spoken to
4. They were transferred
5. They had their shifts or hours of work changed
6. They resigned
7. They apologised
8. They paid you compensation
96. There were some other consequences for the person (please specify)
97. There were no consequences for the person ^
98. Unsure ^
99. Prefer not to say ^

**\*(B\_REPORT=1)**

**B\_REP\_OUTCOME Did any of the following happen as a result of your complaint or report?**

*Please select all that apply.*

**\*(IF LISTFLAG = 2 (NOT A MEMBER), USE CODEFRAME 2)**

1. Your employer or another organisation responsible for your work in a NSW parliamentary workplace apologised for failing to prevent the bullying
2. Your employer or another organisation responsible for your work in a NSW parliamentary workplace paid you compensation because of the bullying
3. Your employer or another organisation responsible for your work in a NSW parliamentary workplace developed or changed their existing policy on bullying
4. Your employer or another organisation responsible for your work in a NSW parliamentary workplace changed a practice or procedure – for example, their complaints and reporting procedure
5. Your employer or another organisation responsible for your work in a NSW parliamentary workplace implemented training or education
96. There were some other changes following your complaint or report (please specify)
97. There were no consequences or changes following your complaint or report ^
98. Unsure ^
99. Prefer not to say ^

**\*(IF LISTFLAG = 1 (MEMBER), USE CODEFRAME 1)**

1. You received an apology from someone for failing to prevent the bullying
2. You received compensation because of the bullying
3. Parliament or another organisation developed or changed their existing policy on bullying
4. Parliament or another organisation changed a practice or procedure – for example, their complaints and reporting procedure.
5. Parliament or another organisation implemented training or education
96. There were some other changes following your complaint or report (please specify)
97. There were no consequences or changes following your complaint or report ^
98. Unsure ^
99. Prefer not to say ^

## \*(B\_REPORT=1, REPORTED INCIDENT)

**B\_REP\_SAT** How satisfied were you with overall process of dealing with your complaint or report?

[REVERSE SCALE BASED ON S\_ORDER VARIABLE]

1. Very dissatisfied
2. Dissatisfied
3. Neither satisfied nor dissatisfied
4. Satisfied
5. Very satisfied
98. Unsure
99. Prefer not to say

## \*(B\_REPORT=2, DID NOT REPORT)

**B\_NOTREP** People decide not to make a complaint or report for many different reasons. Which, if any, of the following were reasons why you did not make a complaint or report about the most recent incident of bullying?

*Please select all that apply.*

1. There was no provision to make a complaint
2. I was too scared or frightened
3. I thought I'd be blamed or people would treat me like the wrongdoer
4. I thought people would think I was over-reacting
5. I thought I would not be believed
6. I wasn't aware of how the complaint process worked or who to report to
7. My family, friends or co-workers advised me not to make a report
8. It was easier to keep quiet
9. I thought it would not change things or nothing would be done
10. I didn't think it was serious enough
11. I thought making a report would be embarrassing or difficult
12. I thought I would get fired
13. Concerns about lack of confidentiality
14. I thought my reputation or career would be damaged
15. I feared negative consequences for the person or people who bullied me
16. The person or people who bullied me were already being dealt with
17. I took care of the problem myself
96. Some other reason please (please specify)
98. Unsure ^
99. Prefer not to say ^

## \*(BB\_5Ya-r=1, EXPERIENCED BULLYING IN LAST 5 YEARS)

**B\_SUPPORT** Did you seek any support or advice about the most recent incident of bullying?

1. Yes
2. No
98. Unsure
99. Prefer not to say

## **\*(B\_SUPPORT=1, SOUGHT SUPPORT)**

### **B\_WHO\_SUPP Who did you seek support or advice from?**

*Please select all that apply.*

1. A member of NSW parliament (including Minister)
2. Someone in a leadership / management role in the workplace
3. A co-worker / colleague
4. A workplace support service (e.g. EAP)
5. The Workplace Health & Safety (WHS) Site officer
6. Security or Special Constable
7. A union or employee representative
8. A lawyer or legal service
9. Australian Human Rights Commission or NSW Anti-Discrimination Board
10. Political party Head Office
11. The Police
12. Safe Work Australia or Safe Work NSW
13. Friends or family
14. A counsellor or psychologist
15. The internet (including search engines such as Google)
16. A community-based or religious service
17. 1800 RESPECT
96. Another person or organisation (please specify)
98. Unsure ^
99. Prefer not to say ^

## **\*(B\_SUPPORT=2, DID NOT SEEK SUPPORT)**

### **B\_NO\_SUPP People decide not to seek support or advice for many different reasons. Which, if any, of the following were reasons why you did not seek support about the most recent incident of bullying?**

*Please select all that apply.*

1. I wasn't aware of how to seek support or advice or who to talk to
2. I thought I would not be believed
3. I thought seeking support would be embarrassing or difficult
4. Concerns about lack of confidentiality
5. I thought it would impact on my career
6. I did not need support
7. I thought people would think I was over-reacting
96. Some other reason (please specify)
98. Unsure ^
99. Prefer not to say ^

## Part 3A – Questions about witnessing bullying in NSW Parliamentary workplaces

\*(ALL)

**B\_HEARD**      **The next question is about any bullying of another person that may have occurred at a NSW parliamentary workplace at any time while you were working there that you may have observed, witnessed, or heard about. Have you...?**

*Please select all that apply.*

- 1 Observed or witnessed another person being bullied by someone working at a NSW Parliamentary workplace
- 2 Heard about it directly from a person who was bullied
- 3 Heard about it from people other than the person who was bullied
- 4 No – I haven't observed or heard about any bullying ^
98. Unsure ^
99. Prefer not to say ^

\*(B\_HEARD\_1-3=1, WITNESS OR HEARD ABOUT OTHER BULLYING)

**BW\_ROLE**      **And when you witnessed or heard about this, what role was the person being bullied in at that time?**

1. Minister
2. Member of NSW Parliament (not a Minister)
3. Members' Staff (Electorate Officer or Secretary/Research Assistant)
4. Special Officer Holder staff (Presiding Officers, Whips or Opposition leader staff)
5. Ministerial Staff (employed by Dept Premier and Cabinet)
6. Departmental Staff (Employed directly by the Dept Parliamentary Services, Legislative Assembly, or Legislative Council – the latter two including Clerks, Procedural, Committees, Chamber and Support staff etc) – includes all staff employed directly and paid by the Parliament including ongoing, temporary, casual and directly engaged contract staff)
7. Contractors working at Parliament House (not employed directly by Parliament, but another employer)
8. Press Gallery member
9. Special Constables
10. Interns and volunteers working at NSW Parliament or an electorate office
96. Something else (please specify)
98. Unsure / Can't recall
99. Prefer not to say

\*(B\_HEARD\_1-3=1, WITNESS OR HEARD ABOUT OTHER BULLYING)

**BW\_WHERE**      **And where did this incident occur?**

1. In NSW Parliament House
2. In a Ministerial office (at Martin Place)
3. In an electoral office
4. While travelling to work
5. At a work-related social event – such as after-work drinks or a function
6. Online or via electronic / digital means such as telephone, video call, email, text, social media, or other digital platform
96. Somewhere else (please specify)
98. Unsure ^
99. Prefer not to say ^

## \*(B\_HEARD\_1-3=1, WITNESS OR HEARD ABOUT OTHER BULLYING)

**B\_ACTION** Did you take any action in relation to the most recent incident of bullying that you witnessed or heard about?

1. Yes
2. No
98. Unsure
99. Prefer not to say

## \*(B\_ACTION=1, TOOK ACTION)

**B\_TOOK\_ACT** Which of the following actions did you take after witnessing or hearing about this most recent incident of bullying?

*Please select all that apply.*

1. Spoke to the bully
2. Reported the bully to a person or group INSIDE or RELATED to the NSW parliamentary workplace
3. Reported the bully to a person or organisation OUTSIDE or INDEPENDENT of the NSW parliamentary workplace
4. Talked with or listen to the person who experienced the bullying
5. Offered advice to the person who experienced the bullying
96. Took any other action (please specify)
98. Unsure ^
99. Prefer not to say ^

## \*(B\_TOOK\_ACT=2, REPORTED INCIDENT INTERNALLY)

**B\_REP\_IN** Who was the person or group INSIDE or RELATED to the NSW parliamentary workplace you made a complaint or report to?

*Please select all that apply.*

1. A member of NSW parliament (including Minister, Presiding Officer or Special Office Holder)
2. Supervisor or manager
3. Someone in a leadership / management role (if not direct manager)
4. A co-worker / colleague
5. A workplace support service (e.g. EAP)
6. Human Services
7. The Workplace Health & Safety (WHS) representative
8. Security Constable
96. Someone else associated with NSW parliamentary workplaces (please specify)
98. Unsure ^
99. Prefer not to say ^

## \*(B\_TOOK\_ACT=3, REPORTED INCIDENT EXTERNALLY)

**B\_REP\_OUT** Who was the person or group OUTSIDE or INDEPENDENT of the NSW parliamentary workplace you made a complaint or report to?

*Please select all that apply.*

1. A union or employee representative
2. A lawyer or legal service
3. The Australian Human Rights Commission or NSW Anti-Discrimination Board
4. Political Party Head Office
5. The Police
6. Safe Work Australia or Safe Work NSW
96. Another person or organisation (please specify)
98. Unsure ^
99. Prefer not to say ^

## **\*(B\_ACTION=1, TOOK ACTION)**

**B\_WIT\_ACTION** Did any of the following things occur as a result of you taking action in relation to this most recent incident of bullying?

*Please select all that apply.*

\*(IF LISTFLAG = 2 (NOT A MEMBER), USE CODEFRAME 2)

1. You received positive feedback for taking action
2. You were disciplined
3. You were transferred or changed your work hours
4. You resigned
5. You were dismissed or lost your job
6. You were demoted
7. You were ostracised, victimised, ignored by colleagues or party members
8. You were labelled a trouble-maker
96. There were some other consequences for you (please specify)
97. There were no consequences for you ^
98. Unsure ^
99. Prefer not to say ^

\*(IF LISTFLAG = 1 (MEMBER), USE CODEFRAME 1)

1. You received positive feedback for taking action
2. You were disciplined
4. You resigned
6. You were demoted
7. You were ostracised, victimised, ignored by colleagues or party members
8. You were labelled a trouble-maker
96. There were some other consequences for you (please specify)
97. There were no consequences for you ^
98. Unsure ^
99. Prefer not to say ^

## **\*(B\_ACTION=2, DID NOT TAKE ACTION)**

**B\_NO\_ACT** People may decide not to take action after witnessing or hearing about bullying for many different reasons. Which of the following were reasons why you decided not to take any action about the most recent incident of bullying you witnessed?

*Please select all that apply.*

\*(RANDOMISE RESPONSE ITEMS 1 TO 9)

1. I didn't want to make things worse for the person who was being bullied
2. I was worried about the negative impact that taking action might have on me
3. I didn't think it was serious enough to intervene or take action
4. I didn't think it was my responsibility
5. I knew that other people were supporting and assisting the person
6. I didn't know what to do
7. I didn't want to get involved
8. The person being bullied asked me not to take any action
9. I didn't know if the person being bullied wanted my help
96. Any other reasons (please specify)
98. Unsure ^
99. Prefer not to say ^

\*(ALL)

**B\_INFO** If you needed any information about bullying, which of the following would you be likely to go to?

*Please select all that apply.*

1. A member of NSW parliament (including Minister)
2. Someone in a leadership / management role in the workplace
3. A co-worker / colleague
4. A workplace support service (e.g. EAP)
5. The Workplace Health & Safety (WHS) Site officer
6. Security or Special Constable
7. A union or employee representative
8. A lawyer or legal service
9. Australian Human Rights Commission or NSW Anti-Discrimination Board
10. Political party Head Office
11. The Police
12. Safe Work Australia or Safe Work NSW
13. Friends or family
14. A counsellor or psychologist
15. The internet (including search engines such as Google)
16. A community-based or religious service
17. 1800 RESPECT
96. Another person or organisation (please specify)
98. Unsure ^
99. Prefer not to say ^

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## Part 4 – Questions about sexual harassment

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\*(ALL)

**SH\_INTRO** The next questions are about sexual harassment in NSW parliamentary workplaces.

We're interested in experiences you have had when working in any NSW parliamentary workplace including at NSW Parliament House, a Ministerial office at Martin Place, or Electorate Offices – or at any time while you were engaged in work or work-related travel, events, engagements, or functions. This includes both paid and unpaid work (e.g. volunteer).

We would like to assure you that your answers to these questions are completely confidential. If you would prefer not to answer a particular question you can simply select "Prefer not to say" and move on to the next question.

**“Sexual harassment is an unwelcome sexual advance, unwelcome request for sexual favours or other unwelcome conduct of a sexual nature which, in the circumstances, a reasonable person, aware of those circumstances, would anticipate the possibility that the person would feel offended, humiliated or intimidated.”**

\*(ALL)

**SH\_EVER** Have you ever personally experienced sexual harassment in a NSW parliamentary workplace?

1. Yes
2. No
98. Unsure
99. Prefer not to say

**\*(SH\_EVER=1, EXPERIENCED SEXUAL HARASSMENT)**

**SH\_5Y** Have you personally experienced sexual harassment in a NSW parliamentary workplace in the last 5 years?

1. Yes
2. No
98. Unsure
99. Prefer not to say

**\*(SH\_5Y, EXPERIENCED SEXUAL HARRASSMENT IN LAST 5 YEARS)**

**SH\_5YROLE** And when you experienced this, what role were you in at that time?

Please select all that apply.

1. Minister GO TO SH\_5YMINISTER, IF SINGLE RESPONSE
2. Member of NSW Parliament (not a Minister)
3. Members' Staff (Electorate Officer or Secretary/Research Assistant)
4. Special Officer Holder staff (Presiding Officers, Whips or Opposition leader staff)
5. Ministerial Staff (employed by Dept Premier and Cabinet) GO TO SH\_5YMSTAFF, IF SINGLE RESPONSE
6. Departmental Staff (Employed directly by the Dept Parliamentary Services, Legislative Assembly, or Legislative Council – the latter two including Clerks, Procedural, Committees, Chamber and Support staff etc) – includes all staff employed directly and paid by the Parliament including ongoing, temporary, casual and directly engaged contract staff)
7. Contractors working at Parliament House (not employed directly by Parliament, but another employer)
8. Press Gallery member
9. Special Constables
10. Interns and volunteers working at NSW Parliament or an electorate office
96. Something else (please specify)
98. Unsure / Can't recall
99. Prefer not to say

**\*(SH\_5YROLE =1 ONLY, MINISTER AT THE TIME OF SEXUAL HARRASSMENT)**

**SH\_5YMINISTER** And did you experience this at ministerial offices in Martin Place or somewhere else?

1. Martin Place GO TO SHB\_5Y
2. Somewhere else GO TO SHB\_5Y
98. Unsure / Can't recall GO TO SHB\_5Y
99. Prefer not to say GO TO SHB\_5Y

**\*(SH\_5YROLE =5 ONLY, MINISTERIAL STAFF AT THE TIME OF SEXUAL HARRASSMENT)**

**SH\_5YMSTAFF** And did you experience this at NSW Parliament House or somewhere else?

1. NSW Parliament House GO TO SHB\_5Y
2. Somewhere else GO TO SHB\_5Y
98. Unsure / Can't recall GO TO SHB\_5Y
99. Prefer not to say GO TO SHB\_5Y



\*(ALL)

SHB\_5Y

**Listed below are some different forms of sexual harassment.**

**In the last 5 years**, have you experienced any of the following behaviours in a way that was unwelcome in a NSW parliamentary workplace?

*Please answer Yes or No to each.*

\*(STATEMENTS)

\*[RANDOMISE A-M ORDER AND RECORD IN VARIABLE]

- a) Unwelcome touching, hugging, cornering, or kissing
- b) Inappropriate staring or leering that made you feel intimidated
- c) Sexual gestures, indecent exposure, or inappropriate display of the body
- d) Sexually suggestive comments or jokes that made you feel offended
- e) Sexually explicit pictures, posters, or gifts that made you feel offended
- f) Repeated or inappropriate invitations to go out on dates
- g) Intrusive questions about your private life or comments on your physical appearance that made you feel offended
- h) Indecent phone calls, including someone leaving a sexually explicit message on voicemail or an answering machine
- i) Sexually explicit comments made in emails, SMS messages, or on social media
- j) Repeated or inappropriate advances on email, social networking websites, or internet chat rooms
- k) Sharing or threatening to share intimate images or film of you without your consent
- l) Inappropriate physical contact
- m) Being followed, watched, or someone loitering nearby
- n) Requests or pressure for sex or other sexual acts
- o) Any other unwelcome conduct of a sexual nature (please specify on the next page)

\*(CODE FRAME)

- 1. Yes
- 2. No
- 98. Unsure
- 99. Prefer not to say

\*(SHB\_5Y\_o=1, **SELECTED OTHER TYPE OF SEXUAL HARASSMENT**)

SHB\_5Y\_Oth

**Please describe the other unwelcome conduct of a sexual nature that you experienced.**

- 1. <TEXT BOX>

**\*(SHB\_5Ya-or=1, EXPERIENCED SEXUAL HARRASSMENT BEHAVIOURS IN LAST 5 YEARS)**

\*PROGRAMMER NOTE: IF SHB\_5Y=SINGLE INSERT <this> / IF SHB\_5Y=MULTIPLE INSERT <these behaviours>

**SHB\_5YROLE And when you experienced <this / these> behaviours, what role were you in at that time?**

*Please select all that apply.*

1. Minister GO TO SHB\_5YMINISTER, IF SINGLE RESPONSE
2. Member of NSW Parliament (not a Minister)
3. Members' Staff (Electorate Officer or Secretary/Research Assistant)
4. Special Officer Holder staff (Presiding Officers, Whips or Opposition leader staff)
5. Ministerial Staff (employed by Dept Premier and Cabinet) GO TO SHB\_5YMSTAFF, IF SINGLE RESPONSE
6. Departmental Staff (Employed directly by the Dept Parliamentary Services, Legislative Assembly, or Legislative Council – the latter two including Clerks, Procedural, Committees, Chamber and Support staff etc) – includes all staff employed directly and paid by the Parliament including ongoing, temporary, casual and directly engaged contract staff)
7. Contractors working at Parliament House (not employed directly by Parliament, but another employer)
8. Press Gallery member
9. Special Constables
10. Interns and volunteers working at NSW Parliament or an electorate office
96. Something else (please specify)
98. Unsure / Can't recall
99. Prefer not to say

**\*(SHB\_5YROLE =1 ONLY, MINISTER AT THE TIME OF SEXUAL HARRASSMENT)**

**SHB\_5YMINISTER And did you experience this at ministerial offices in Martin Place or somewhere else?**

1. Martin Place GO TO SHB\_12M
2. Somewhere else GO TO SHB\_12M
98. Unsure / Can't recall GO TO SHB\_12M
99. Prefer not to say GO TO SHB\_12M

**\*(SHB\_5YROLE =5 ONLY, MINISTERIAL STAFF AT THE TIME OF SEXUAL HARRASSMENT)**

**SHB\_5YMSTAFF And did you experience this at NSW Parliament House or somewhere else?**

1. NSW Parliament House GO TO SHB\_12M
2. Somewhere else GO TO SHB\_12M
98. Unsure / Can't recall GO TO SHB\_12M
99. Prefer not to say GO TO SHB\_12M

**\*(SHB\_5Y\_a-o=1, EXPERIENCED SEXUAL HARASSMENT BEHAVIOURS IN LAST 5 YEARS) [MULTI-RESPONSE]**

**SHB\_12M Did any of these behaviours occur in the last 12 months?**

*Please select all that apply.*

[ONLY DISPLAY THOSE SELECTED AT SHB\_5Y] [DISPLAY IN SAME ORDER AS SHB\_5Y]

1. Unwelcome touching, hugging, cornering, or kissing
2. Inappropriate staring or leering that made you feel intimidated
3. Sexual gestures, indecent exposure, or inappropriate display of the body
4. Sexually suggestive comments or jokes that made you feel offended
5. Sexually explicit pictures, posters, or gifts that made you feel offended
6. Repeated or inappropriate invitations to go out on dates
7. Intrusive questions about your private life or comments on your physical appearance that made you feel offended
8. Indecent phone calls, including someone leaving a sexually explicit message on voicemail or an answering machine
9. Sexually explicit comments made in emails, SMS messages, or on social media
10. Repeated or inappropriate advances on email, social networking websites, or internet chat rooms
11. Sharing or threatening to share intimate images or film of you without your consent
12. Inappropriate physical contact
13. Being followed, watched, or someone loitering nearby
14. Requests or pressure for sex or other sexual acts
15. <insert SHB\_5Y\_Oth response>
97. None of these behaviours occurred in the last 12 months ^
98. Unsure ^
99. Prefer not to say ^

**\*(SHB\_12M=1-15, EXPERIENCED SEXUAL HARASSMENT BEHAVIOURS IN LAST 12 MONTHS)**

\*PROGRAMMER NOTE: IF SHB\_12M=SINGLE INSERT <this> / IF SHB\_12M=MULTIPLE INSERT <these behaviours>

**SHB\_5YROLE And when you experienced <this / these> behaviours, what role were you in at that time?**

*Please select all that apply.*

1. Minister GO TO SHB\_12MMINISTER, IF SINGLE RESPONSE
2. Member of NSW Parliament (not a Minister)
3. Members' Staff (Electorate Officer or Secretary/Research Assistant)
4. Special Officer Holder staff (Presiding Officers, Whips or Opposition leader staff)
5. Ministerial Staff (employed by Dept Premier and Cabinet)  
GO TO SHB\_12MMSTAFF, IF SINGLE RESPONSE
6. Departmental Staff (Employed directly by the Dept Parliamentary Services, Legislative Assembly, or Legislative Council – the latter two including Clerks, Procedural, Committees, Chamber and Support staff etc) – includes all staff employed directly and paid by the Parliament including ongoing, temporary, casual and directly engaged contract staff)
7. Contractors working at Parliament House (not employed directly by Parliament, but another employer)
8. Press Gallery member
9. Special Constables
10. Interns and volunteers working at NSW Parliament or an electorate office
96. Something else (please specify)
98. Unsure / Can't recall
99. Prefer not to say

**\*(SHB\_12MROLE =1 ONLY, MINISTER AT THE TIME OF SEXUAL HARRASSMENT)**

**SHB\_12MMINISTER** And did you experience this at ministerial offices in Martin Place or somewhere else?

- 1. Martin Place GO TO EXP\_SH\_5Y
- 2. Somewhere else GO TO EXP\_SH\_5Y
- 98. Unsure / Can't recall GO TO EXP\_SH\_5Y
- 99. Prefer not to say GO TO EXP\_SH\_5Y

**\*(SHB\_12MROLE =5 ONLY, MINISTERIAL STAFF AT THE TIME OF SEXUAL HARRASSMENT)**

**SHB\_12MMSTAFF** And did you experience this at NSW Parliament House or somewhere else?

- 1. NSW Parliament House GO TO EXP\_SH\_5Y
- 2. Somewhere else GO TO EXP\_SH\_5Y
- 98. Unsure / Can't recall GO TO EXP\_SH\_5Y
- 99. Prefer not to say GO TO EXP\_SH\_5Y

**\*COMPUTE DUMMY VARIABLE**

**EXP\_SH\_5Y** Experienced sexual harassment in last 5 years

- 2. Yes (SH\_5Y=1 OR ANY OF SHB\_5Ya-p=1)
- 3. No (ELSE)

**\*COMPUTE DUMMY VARIABLE**

**EXP\_SH\_12M** Experienced sexual harassment in last 12 MONTHS

- 1. Yes (SHB\_12M=1-16)
- 2. No (ELSE)

**\*COMPUTE DUMMY VARIABLE**

**EXP\_SH** Experienced sexual harassment in last 12 MONTHS OR 5 YEARS

- 1. In last 12 months (EXP\_SH\_12M=1)
- 2. In last 5 years, but not last 12 months (EXP\_SH\_5Y=1 AND EXP\_SH\_12M=2)
- 3. No (ELSE)

**\*(EXP\_SH\_5Y=1, EXPERIENCED SEXUAL HARRASSMENT IN LAST 5 YEARS) [MULTI-RESPONSE]**

**SH\_WHERE** And where did this most recent incident of sexual harassment take place??

\*(RESPONSE FRAME)

- 1. In NSW Parliament House
- 2. In a Ministerial Office (at Martin Place)
- 3. In an electoral office
- 4. While travelling to work
- 5. At a work-related social event – such as after-work drinks or a function
- 6. Online or via electronic / digital means such as telephone, video call, email, text, social media, or other digital platform
- 96. Somewhere else (please specify)
- 98. Unsure ^
- 99. Prefer not to say ^

\*(EXP\_SH\_5Y=1, EXPERIENCED SEXUAL HARASSMENT IN LAST 5 YEARS)

**SH\_FREQ** The following questions ask about the most recent incident of sexual harassment you've experienced.

**Was this incident a one-off incident or did it occur across multiple incidents?**

[HOVER OVER FOR 'most recent': We ask for the most recent as it increases the ability to recall the incident.]

1. One-off incident
2. Two times
3. Three to five times
4. Six to ten times
5. Eleven or more times
98. Unsure
99. Prefer not to say

\*(EXP\_SH\_5Y=1, EXPERIENCED SEXUAL HARASSMENT IN LAST 5 YEARS)

**SH\_NUMBER** Did this incident of sexual harassment involve just one person or more than one person?

1. One person
2. More than one person
98. Unsure
99. Prefer not to say

\*PROGRAMMER NOTE: For questions SH\_GEND AND SH\_RELATION AND SH\_REP\_OUTCOME – DISPLAY BLUE TEXT IF SH\_NUMBER=1, ELSE DISPLAY RED TEXT

\*(EXP\_SH\_5Y=1, EXPERIENCED SEXUAL HARASSMENT IN LAST 5 YEARS)

**SH\_GEND** Thinking about the persons involved in the sexual harassment, what was / were their genders?

1. A man / All men
2. Mainly men (and some women) [DISPLAY IF B\_NUMBER>1]
3. Equal men and women [DISPLAY IF B\_NUMBER>1]
4. Mainly women (and some men) [DISPLAY IF B\_NUMBER>1]
5. A woman / All women
6. Other gender(s)
98. Unsure
99. Prefer not to say

\*(EXP\_SH\_5Y=1, EXPERIENCED SEXUAL HARASSMENT IN LAST 5 YEARS) [MULTI-RESPONSE]

**SH\_RELATION** What was the role of the person / people who engaged in the sexual harassment...?

*Please select all that apply.*

1. Member of NSW Parliament
3. Members' Staff (Electorate Officer or Secretary / Research Assistant)
4. Special Officer Holder staff (Presiding Officers, Whips, or Opposition leader staff)
5. Ministerial Staff (employed by Dept Premier and Cabinet)
6. Departmental Staff (Employed directly by the Dept Parliamentary Services, Legislative Assembly, or Legislative Council – the latter two including Clerks, Procedural, Committees, Chamber and Support staff etc) – includes all staff employed directly and paid by the Parliament including ongoing, temporary, casual and directly engaged contract staff)
7. Contractors working at Parliament (not employed directly by Parliament, but another employer)
8. Press Gallery member

- 9. All Other Authorised pass holder (former members, Department staff, ministerial drivers, members' spouses/partners/immediate family, authorised media representatives (non-Press Gallery), Parliamentary
- 10. Interns, volunteers, and other authorised persons
- 96. Someone else (please specify)
- 98. Unsure ^
- 99. Prefer not to say ^

**\*(EXP\_SH\_5Y=1, EXPERIENCED SEXUAL HARASSMENT IN LAST 5 YEARS) [MULTI-RESPONSE]**

**SH\_RANK** Would you describe the person / people who engaged in the sexual harassment as...?

*Please select all that apply.*

- 1. More senior position than you
- 2. The same level as you
- 3. At a lower level than you
- 98. Unsure ^
- 99. Prefer not to say ^

**\*(EXP\_SH\_5Y=1, EXPERIENCED SEXUAL HARASSMENT IN LAST 5 YEARS) [MULTI-RESPONSE]**

**SH\_AGE** About how old was / were the person / people involved?

*Please select all that apply.*

- 1. 15-20 years
- 2. 21-30 years
- 3. 31-40 years
- 4. 41-50 years
- 5. 51-64 years
- 6. 65+ years
- 98. Unsure ^
- 99. Prefer not to say ^

**\*(EXP\_SH\_5Y=1, EXPERIENCED SEXUAL HARASSMENT IN LAST 5 YEARS)**

**SH\_LENGTH** How long did the most recent experience of sexual harassment go on for?

*If you are not sure, please provide your best estimate.*

- 1. Less than 1 month
- 2. 1 but less than 3 months
- 3. 4 but less than 6 months
- 4. 6 but less than 12 months
- 5. A year or longer
- 98. Unsure
- 99. Prefer not to say

**\*(EXP\_SH\_5Y=1, EXPERIENCED SEXUAL HARASSMENT IN LAST 5 YEARS)**

**SH\_OTHERS** As far as you know, has anyone else working in a NSW parliamentary workplace also experienced this type of sexual harassment in a way that was unwelcome?

- 1. Yes
- 2. No
- 98. Unsure
- 99. Prefer not to say

**\*(SH\_OTHERS=1, HAS HAPPENED TO OTHERS)**

**SH\_REPEAT** And was the person / people who engaged in this conduct the same person / people who harassed you?

1. Yes
2. No
98. Unsure
99. Prefer not to say

**\*(EXP\_SH\_5Y=1, EXPERIENCED SEXUAL HARASSMENT IN LAST 5 YEARS)**

**SH\_RARE** Would you say that this type of behaviour was very rare, rare, occurred sometimes, or was common at the time it happened to you?

1. Very rare
2. Rare
3. Occurred sometimes
4. Common
98. Unsure
99. Prefer not to say

**\*(EXP\_SH\_5Y=1, EXPERIENCED SEXUAL HARASSMENT IN LAST 5 YEARS)**

**SH\_REPORT** Did you make a complaint or report about the incident of sexual harassment you most recently experienced?

1. Yes
2. No
98. Unsure
99. Prefer not to say

**\*(SH\_REPORT=1, REPORTED INCIDENT)**

**SH\_REP\_INOUT** You've said that you made a complaint or report about the most recent experience of sexual harassment that you experienced. Who did you report the incident to?

*Please select all that apply.*

- 1 A person or group INSIDE or RELATED to the NSW parliamentary workplace
- 2 A person or organisation OUTSIDE or INDEPENDENT of the NSW parliamentary workplace
98. Unsure
99. Prefer not to say

**\*(SH\_REP\_INOUT=1, REPORTED INCIDENT INTERNALLY)**

**SH\_REPTO\_IN** Who was the person or group INSIDE or RELATED to the NSW parliamentary workplace you made a complaint or report to?

*Please select all that apply.*

1. A member of NSW parliament (including Minister, Presiding Officer or Special Office Holder)
2. Supervisor or manager
3. Someone in a leadership / management role (if not direct manager)
4. A co-worker / colleague
5. A workplace support service (e.g. EAP)
6. Human Services
7. The Workplace Health & Safety (WHS) representative
8. Security Constable
96. Someone else associated with NSW parliamentary workplaces (please specify)
98. Unsure ^
99. Prefer not to say ^

**\*(SH\_REP\_INOUT=2, REPORTED INCIDENT EXTERNALLY)**

**SH\_REPTO\_OUT Who was the person or group OUTSIDE or INDEPENDENT of the NSW parliamentary workplace you made a complaint or report to?**

*Please select all that apply.*

1. A union or employee representative
2. A lawyer or legal service
3. The Australian Human Rights Commission or NSW Anti-Discrimination Board
4. Political Party Head Office
5. The Police
6. Safe Work Australia or Safe Work NSW
96. Another person or organisation (please specify)
98. Unsure ^
99. Prefer not to say ^

**\*(SH\_REPORT=1, REPORTED INCIDENT)**

**SH\_REP\_WHEN What was the time period between when the harassment began and when you first reported it?**

1. Same day or next working day
2. Less than 1 month (but not straight away)
3. 1 but less than 3 months
4. 4 but less than 6 months
5. 6 months or more
98. Unsure
99. Prefer not to say

**\*(SH\_REPORT=1, REPORTED INCIDENT)**

**SH\_FINAL Has your complaint or report been finalised yet?**

1. Yes
2. No
98. Unsure
99. Prefer not to say

**\*(SH\_FINAL=1, REPORT FINALISED)**

**SH\_FINAL\_WHO Who was your report or complaint finalised with?**

*Please select all that apply.*

1. A member of NSW parliament (including Minister)
2. Someone in a leadership / management role in the workplace
3. A co-worker / colleague
4. A workplace support service (e.g. EAP)
5. The Workplace Health & Safety (WHS) officer
6. Security or Special Constable
7. A union or employee representative
8. A lawyer or legal service
9. The Australian Human Rights Commission or NSW Anti-Discrimination Board
10. Political party Head Office
11. The Police
12. Safe Work Australia or Safe Work NSW
96. Another person or organisation (please specify)
98. Unsure ^
99. Prefer not to say ^



**\*(SH\_FINAL=1, REPORT FINALISED)**

**SH\_FINAL\_TIME How long did it take to finalise your complaint or report? Was it...?**

- 1 Same day or next working day
- 2 Less than 1 month (but not straight away)
- 3 1 but less than 3 months
- 4 4 but less than 6 months
- 5 5 but less than 12 months
- 6 12 months or more
98. Unsure
99. Prefer not to say

**\*(SH\_REPORT=1, REPORTED INCIDENT)**

**SH\_REP\_NEG Did any of the following things occur as a result of your complaint or report?**

*Please select all that apply.*

*\*(IF LISTFLAG = 2 (NOT A MEMBER), USE CODEFRAME 2)*

1. Your employer apologised for failing to prevent the sexual harassment
2. Your employer paid you compensation because of the sexual harassment
3. The sexual harassment stopped
4. You received positive feedback for making the complaint
5. Your shifts or hours of work were changed without your consent
6. You were transferred
7. You resigned
8. You were dismissed or lost your job
9. You were demoted
10. You were disciplined
11. You were denied workplace opportunities, such as training or promotion
12. You were ostracised, victimised, ignored by colleagues or party members
13. You were labelled a trouble-maker
96. There were some other consequences for you (please specify)
97. There were no consequences for you ^
98. Unsure ^
99. Prefer not to say ^

*\*(IF LISTFLAG = 1 (MEMBER), USE CODEFRAME 1)*

3. The sexual harassment stopped
4. You received positive feedback for making the complaint
7. You resigned
9. You were demoted
10. You were disciplined
12. You were ostracised, victimised, ignored by colleagues or party members
13. You were labelled a trouble-maker
96. There were some other consequences for you (please specify)
97. There were no consequences for you ^
98. Unsure ^
99. Prefer not to say ^

## \*(SH\_REPORT=1, REPORTED INCIDENT)

### SH\_REP\_ACTION Did any of the following things happen to the person / people who harassed you following your complaint or report?

*Please select all that apply.*

1. They were disciplined
2. They were formally warned
3. They were informally spoken to
4. They were transferred
5. They had their shifts or hours of work changed
6. They resigned
7. They apologised
8. They paid you compensation
96. There were some other consequences for the harasser (please specify)
97. There were no consequences for the harasser ^
98. Unsure ^
99. Prefer not to say ^

## \*(SH\_REPORT=1)

### SH\_REP\_OUTCOME Did any of the following happen as a result of your complaint or report?

*Please select all that apply.*

\*(IF LISTFLAG = 2 (NOT A MEMBER), USE CODEFRAME 2)

1. Your employer or another organisation responsible for your work in a NSW parliamentary workplace apologised for failing to prevent the sexual harassment
2. Your employer or another organisation responsible for your work in a NSW parliamentary workplace paid you compensation because of the sexual harassment
3. Your employer or another organisation responsible for your work in a NSW parliamentary workplace developed or changed their existing policy on sexual harassment
4. Your employer or another organisation responsible for your work in a NSW parliamentary workplace changed a practice or procedure – for example, their complaints and reporting procedure
5. Your employer or another organisation responsible for your work in a NSW parliamentary workplace implemented training or education
96. There were some other changes following your complaint or report (please specify)
97. There were no consequences or changes following your complaint or report ^
98. Unsure ^
99. Prefer not to say ^

\*(IF LISTFLAG = 1 (MEMBER), USE CODEFRAME 1)

1. You received an apology from someone for failing to prevent the sexual harassment
2. You received compensation because of the sexual harassment
3. Parliament or another organisation developed or changed their existing policy on sexual harassment
4. Parliament or another organisation changed a practice or procedure – for example, their complaints and reporting procedure
5. Parliament or another organisation implemented training or education
96. There were some other changes following your complaint or report (please specify)
97. There were no consequences or changes following your complaint or report ^
98. Unsure ^
99. Prefer not to say ^

## \*(SH\_REPORT=1, REPORTED INCIDENT)

**SH\_REP\_SAT** How satisfied were you with overall process of dealing with your complaint or report?

[REVERSE SCALE BASED ON S\_ORDER VARIABLE]

1. Very dissatisfied
2. Dissatisfied
3. Neither satisfied nor dissatisfied
4. Satisfied
5. Very satisfied
98. Unsure
99. Prefer not to say

## \*(SH\_REPORT=2, DID NOT REPORT)

**SH\_NOTREP** People decide not to make a complaint or report for many different reasons. Which, if any, of the following were reasons why you did not make a complaint or report about the most recent incident of sexual harassment?

*Please select all that apply.*

1. There was no provision to make a complaint
2. I was too scared or frightened
3. I thought I'd be blamed or people would treat me like the wrongdoer
4. I thought people would think I was over-reacting
5. I thought I would not be believed
6. I wasn't aware of how the complaint process worked or who to report to
7. My family, friends or co-workers advised me not to make a report
8. It was easier to keep quiet
9. I thought it would not change things or nothing would be done
10. I didn't think it was serious enough
11. I thought making a report would be embarrassing or difficult
12. I thought I would get fired
13. Concerns about lack of confidentiality
14. I thought my reputation or career would be damaged
15. I feared negative consequences for the person or people who harassed me
16. The person or people who harassed me were already being dealt with
17. I took care of the problem myself
96. Some other reason please (please specify)
98. Unsure ^
99. Prefer not to say ^

## \*(EXP\_SH\_5Y=1, EXPERIENCED SEXUAL HARASSMENT IN LAST 5 YEARS)

**SH\_SUPPORT** Did you seek any support or advice about the most recent incident of sexual harassment?

1. Yes
2. No
98. Unsure
99. Prefer not to say

## \*(SH\_SUPPORT=1, SOUGHT SUPPORT)

### SH\_WHO\_SUPP Who did you seek support or advice from?

*Please select all that apply.*

1. A member of NSW parliament (including Minister)
2. Someone in a leadership / management role in the workplace
3. A co-worker / colleague
4. A workplace support service (e.g. EAP)
5. The Workplace Health & Safety (WHS) Site officer
6. Security or Special Constable
7. A union or employee representative
8. A lawyer or legal service
9. Australian Human Rights Commission or NSW Anti-Discrimination Board
10. Political party Head Office
11. The Police
12. Safe Work Australia or Safe Work NSW
13. Friends or family
14. A counsellor or psychologist
15. The internet (including search engines such as Google)
16. A community-based or religious service
17. 1800 RESPECT
96. Another person or organisation (please specify)
98. Unsure ^
99. Prefer not to say ^

## \*(SH\_SUPPORT=2, DID NOT SEEK SUPPORT)

### SH\_NO\_SUPP People decide not to seek support or advice for many different reasons. Which, if any, of the following were reasons why you did not seek support about the most recent incident of sexual harassment?

*Please select all that apply.*

1. I wasn't aware of how to seek support or advice or who to talk to
2. I thought I would not be believed
3. I thought seeking support would be embarrassing or difficult
4. Concerns about lack of confidentiality
5. I thought it would impact on my career
6. I did not need support
7. I thought people would think I was over-reacting
96. Some other reason (please specify)
98. Unsure ^
99. Prefer not to say ^

## Part 4A – Questions about witnessing sexual harassment in NSW Parliamentary workplaces

\*(ALL)

**SH\_HEARD**      **The next question is about any sexual harassment of another person that may have occurred at a NSW parliamentary workplace at any time while you were working there that you may have observed, witnessed, or heard about. Have you...?**

*Please select all that apply.*

- 1 Observed or witnessed another person being sexually harassed by someone working at a NSW Parliamentary workplace
- 2 Heard about it directly from a person who was sexually harassed
- 3 Heard about it from people other than the person who was sexually harassed
- 4 No – I haven't observed or heard about any sexual harassment ^
98. Unsure ^
99. Prefer not to say ^

\*(SH\_HEARD\_1-3=1, WITNESS OR HEARD ABOUT OTHER SEXUAL HARASSMENT)

**SHW\_ROLE**      **And when you witnessed or heard about this, what role was the person being of sexually harassed in at that time?**

1. Minister
2. Member of NSW Parliament (not a Minister)
3. Members' Staff (Electorate Officer or Secretary/Research Assistant)
4. Special Officer Holder staff (Presiding Officers, Whips or Opposition leader staff)
5. Ministerial Staff (employed by Dept Premier and Cabinet)
6. Departmental Staff (Employed directly by the Dept Parliamentary Services, Legislative Assembly, or Legislative Council – the latter two including Clerks, Procedural, Committees, Chamber and Support staff etc) – includes all staff employed directly and paid by the Parliament including ongoing, temporary, casual and directly engaged contract staff)
7. Contractors working at Parliament House (not employed directly by Parliament, but another employer)
8. Press Gallery member
9. Special Constables
10. Interns and volunteers working at NSW Parliament or an electorate office
96. Something else (please specify)
98. Unsure / Can't recall
99. Prefer not to say

\*(SH\_HEARD\_1-3=1, WITNESS OR HEARD ABOUT OTHER SEXUAL HARASSMENT)

**SHW\_WHERE**      **And where did this incident occur?**

1. In NSW Parliament House
2. In a Ministerial office (at Martin Place)
3. In an electoral office
4. While travelling to work
5. At a work-related social event – such as after-work drinks or a function
6. Online or via electronic / digital means such as telephone, video call, email, text, social media, or other digital platform
96. Somewhere else (please specify)
98. Unsure ^
99. Prefer not to say ^

**\*(SH\_HEARD\_1-3=1, WITNESS OR HEARD ABOUT OTHER SEXUAL HARASSMENT)**

**SH\_ACTION** Did you take any action in relation to the most recent incident of sexual harassment that you witnessed or heard about?

1. Yes
2. No
98. Unsure
99. Prefer not to say

**\*(SH\_ACTION=1, TOOK ACTION)**

**SH\_TOOK\_ACT** Which of the following actions did you take after witnessing or hearing about this most recent incident of sexual harassment?

*Please select all that apply.*

1. Spoke to the harasser
2. Reported the harassment to a person or group INSIDE or RELATED to the NSW parliamentary workplace
3. Reported the harassment to a person or organisation OUTSIDE or INDEPENDENT of the NSW parliamentary workplace
4. Talked with or listen to the person who experienced the sexual harassment
5. Offered advice to the person who experienced the sexual harassment
96. Took any other action (please specify)
98. Unsure ^
99. Prefer not to say ^

**\*(SH\_TOOK\_ACT=2, REPORTED INCIDENT INTERNALLY)**

**SH\_REP\_IN** Who was the person or group INSIDE or RELATED to the NSW parliamentary workplace you made a complaint or report to?

*Please select all that apply.*

1. A member of NSW parliament (including Minister, Presiding Officer or Special Office Holder)
2. Supervisor or manager
3. Someone in a leadership / management role (if not direct manager)
4. A co-worker / colleague
5. A workplace support service (e.g. EAP)
6. Human Services
7. The Workplace Health & Safety (WHS) representative
8. Security or Special Constable
96. Someone else associated with NSW parliamentary workplaces (please specify)
98. Unsure ^
99. Prefer not to say ^

**\*(SH\_TOOK\_ACT=3, REPORTED INCIDENT EXTERNALLY)**

**SH\_REP\_OUT** Who was the person or group OUTSIDE or INDEPENDENT of the NSW parliamentary workplace you made a complaint or report to?

*Please select all that apply.*

1. A union or employee representative
2. A lawyer or legal service
3. The Australian Human Rights Commission or NSW Anti-Discrimination Board
4. Political Party Head Office
5. The Police
6. Safe Work Australia or Safe Work NSW
96. Another person or organisation (please specify)
98. Unsure ^
99. Prefer not to say ^

## \*(SH\_ACTION=1, TOOK ACTION)

**SH\_WIT\_ACTION** Did any of the following things occur as a result of you taking action in relation to this most recent incident of sexual harassment?

*Please select all that apply.*

\*(IF LISTFLAG = 2 (NOT A MEMBER), USE CODEFRAME 2)

1. You received positive feedback for taking action
2. You were disciplined
3. You were transferred or changed your work hours
4. You resigned
5. You were dismissed or lost your job
6. You were demoted
7. You were ostracised, victimised, ignored by colleagues or party members
8. You were labelled a trouble-maker
96. There were some other consequences for you (please specify)
97. There were no consequences for you ^
98. Unsure ^
99. Prefer not to say ^

## \*(IF LISTFLAG = 1 (MEMBER), USE CODEFRAME 1)

1. You received positive feedback for taking action
2. You were disciplined
4. You resigned
6. You were demoted
7. You were ostracised, victimised, ignored by colleagues or party members
8. You were labelled a trouble-maker
96. There were some other consequences for you (please specify)
97. There were no consequences for you ^
98. Unsure ^
99. Prefer not to say ^

## \*(SH\_ACTION=2, DID NOT TAKE ACTION)

**SH\_NO\_ACT** People may decide not to take action after witnessing or hearing about sexual harassment for many different reasons. Which of the following were reasons why you decided not to take any action about the most recent incident of sexual harassment you witnessed?

*Please select all that apply.*

\*(RANDOMISE RESPONSE ITEMS 1 TO 9)

1. I didn't want to make things worse for the person who was being sexually harassed
2. I was worried about the negative impact that taking action might have on me
3. I didn't think it was serious enough to intervene or take action
4. I didn't think it was my responsibility
5. I knew that other people were supporting and assisting the person
6. I didn't know what to do
7. I didn't want to get involved
8. The person being sexually harassed asked me not to take any action
9. I didn't know if the person being sexually harassed wanted my help
96. Any other reasons (please specify)
98. Unsure ^
99. Prefer not to say ^

\*(ALL)

SH\_INFO

**If you needed any information about sexual harassment, which of the following would you be likely to go to?**

Please select all that apply.

1. A member of NSW parliament (including Minister)
2. Someone in a leadership / management role in the workplace
3. A co-worker / colleague
4. A workplace support service (e.g. EAP)
5. The Workplace Health & Safety (WHS) Site officer
6. Security or Special Constable
7. A union or employee representative
8. A lawyer or legal service
9. Australian Human Rights Commission or NSW Anti-Discrimination Board
10. Political party Head Office
11. The Police
12. Safe Work Australia or Safe Work NSW
13. Friends or family
14. A counsellor or psychologist
15. The internet (including search engines such as Google)
16. A community-based or religious service
17. 1800 RESPECT
96. Another person or organisation (please specify)
98. Unsure ^
99. Prefer not to say ^

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## Part 5 – Questions about sexual assault in NSW Parliamentary workplaces

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\*(ALL)

SA\_INTRO

**The next questions are about whether you have experienced, witnessed or heard about actual or attempted sexual assault in NSW parliamentary workplaces**

We would like to assure you that your answers to these questions are completely confidential.

Please read the definition below:

**“Sexual assault is an act of a sexual nature carried out against a person’s will through the use of physical force, intimidation or coercion, including any attempts to do this. This includes rape, attempted rape, aggravated sexual assault (assault with a weapon), indecent assault, penetration by objects, forced sexual activity that did not end in penetration and attempts to force a person into sexual activity. Incidents so defined would be an offence under state and territory criminal law.”**

This definition of sexual assault is drawn from the Australian Bureau of Statistics’ 2016 Personal Safety Survey.

We would like to assure you that your answers to these questions are completely confidential. If there is a particular question about sexual assault that you would prefer not to answer, you can select ‘Prefer not to say’ and move to on to the next question.



If at any stage you become distressed or require additional support from someone not involved in the Review, you can contact:

- **1800RESPECT**. the national sexual assault, domestic or family violence counselling service  
Phone 1800 737 732 or visit 1800Respect online counselling or [www.1800respect.org.au](http://www.1800respect.org.au)
- **LIFELINE** the national crisis support and suicide prevention service Phone 131114 or visit [lifeline.org.au](http://lifeline.org.au)
- **NSW Rape Crisis Centre** - Ph: (02) 9819 6565 or 1800 424 017 (outside Sydney)  
Website: [www.nswrapecrisis.com.au](http://www.nswrapecrisis.com.au)
- **Domestic Violence Line** - Department of Community Services, Ph: 1800 656 463 (24 hours)
- Workplace health and safety authority: For advice and support. SafeWork NSW, Ph: 13 10 50  
Website: <https://www.safework.nsw.gov.au/hazards-a-z/bullying/workplace-bullying>

**If your situation is urgent or you wish to report a criminal offence, contact 000 or police services in your jurisdiction.**

\*(ALL)

**SA\_EVER**

**Have you ever personally experienced an actual or attempted sexual assault in a NSW parliamentary workplace?**

1. Yes I have experienced an actual or attempted sexual assault
2. No I have NOT experienced an actual or attempted sexual assault
98. I am not sure if I have experienced an actual or attempted sexual assault
99. Prefer not to say

\*(SA\_EVER=1, EXPERIENCED SEXUAL ASSAULT)

**SA\_TIMES**

**How many times have you personally experienced actual or attempted sexual assault in a NSW parliamentary workplace?**

1. Enter number <ALLOWABLE RANGE 1-50>
98. Unsure
99. Prefer not to say

\*(SA\_EVER=1, EXPERIENCED SEXUAL ASSAULT)

**SA\_ROLE**

**And when you experienced this, what role were you in at that time?**

Please select all that apply.

1. Minister
2. Member of NSW Parliament (not a Minister)
3. Members' Staff (Electorate Officer or Secretary/Research Assistant)
4. Special Officer Holder staff (Presiding Officers, Whips or Opposition leader staff)
5. Ministerial Staff (employed by Dept Premier and Cabinet)
6. Departmental Staff (Employed directly by the Dept Parliamentary Services, Legislative Assembly, or Legislative Council – the latter two including Clerks, Procedural, Committees, Chamber and Support staff etc) – includes all staff employed directly and paid by the Parliament including ongoing, temporary, casual and directly engaged contract staff)
7. Contractors working at Parliament House (not employed directly by Parliament, but another employer)
8. Press Gallery member
9. Special Constables
10. Interns and volunteers working at NSW Parliament or an electorate office
96. Something else (please specify)
98. Unsure / Can't recall
99. Prefer not to say

\*PROGRAMMER NOTE: IF SA\_TIMES=1, 98, 99, EXPERIENCED SEXUAL ASSAULT ONCE/ DK /REF INSERT <this assault> / IF SA\_TIMES=2 OR MORE, EXPERIENCED SEXUAL ASSAULT MORE THAN ONCE INSERT <these assaults>

**\*(SA\_EVER=1, EXPERIENCED SEXUAL ASSAULT)**

**SA\_WHERE** You have told us that while working in a NSW parliamentary workplace, you have personally experienced attempted or actual sexual assault.

**Where did <this assault / these assaults> occur?**

*Please select all that apply.*

1. In NSW Parliament House
2. In a Ministerial office (at Martin Place)
3. In an electoral office
4. While travelling to work
5. At a work-related social event – such as after-work drinks or a function
96. Somewhere else (please specify)
98. Unsure ^
99. Prefer not to say ^

**\*(SA\_EVER=1, EXPERIENCED SEXUAL ASSAULT)**

**SA\_YEAR** [DISPLAY IF SA\_TIMES=2-20: The next group of questions are about your most recent experience of actual or attempted sexual assault in a NSW parliamentary workplace.

**In what year did this incident of actual or attempted sexual assault in a NSW parliamentary workplace occur?**

[HOVER OVER FOR ‘most recent’: We ask for the most recent as it increases the ability to recall the incident.]

1. Enter year: <RANGE 1940-CURRENT>
98. Unsure
99. Prefer not to say

**\*(SA\_EVER=1, EXPERIENCED SEXUAL ASSAULT)**

**SA\_NUMBER** Did this incident of actual or attempted sexual assault involve just one person or more than one person?

1. One person
2. More than one person
98. Unsure
99. Prefer not to say

**\*(SA\_NUMBER=2, MORE THAN ONE PERPETRATOR)**

**SA\_NUMBERS** How many people were directly involved in subjecting you to this most recent incident?

*If not sure please make your best estimate.*

1. <RANGE 2-20>
98. Unsure
99. Prefer not to say

\*PROGRAMMER NOTE: For questions SA\_GEND AND SA\_RELATION AND SA\_REP\_OUTCOME – DISPLAY BLUE TEXT IF SA\_NUMBER=1, ELSE DISPLAY RED TEXT

**\*(SA\_EVER=1, EXPERIENCED SEXUAL ASSAULT)**

**SA\_GEND**      **Thinking about the persons involved in the actual or attempted sexual assault, what was / were their genders?**

1. A man / All men
2. Mainly men (and some women) [DISPLAY IF B\_NUMBER>1]
3. Equal men and women [DISPLAY IF B\_NUMBER>1]
4. Mainly women (and some men) [DISPLAY IF B\_NUMBER>1]
5. A woman / All women
6. Other gender(s)
98. Unsure
99. Prefer not to say

**\*(SA\_EVER=1, EXPERIENCED SEXUAL ASSAULT) [MULTI-RESPONSE]**

**SA\_RELATION**      **What was the role of the person / people who engaged in the actual or attempted sexual assault...?**

*Please select all that apply.*

1. Member of NSW Parliament
3. Members' Staff (Electorate Officer or Secretary / Research Assistant)
4. Special Officer Holder staff (Presiding Officers, Whips, or Opposition leader staff)
5. Ministerial Staff (employed by Dept Premier and Cabinet)
6. Departmental Staff (Employed directly by the Dept Parliamentary Services, Legislative Assembly, or Legislative Council – the latter two including Clerks, Procedural, Committees, Chamber and Support staff etc) – includes all staff employed directly and paid by the Parliament including ongoing, temporary, casual and directly engaged contract staff)
7. Contractors working at Parliament (not employed directly by Parliament, but another employer)
8. Press Gallery member
9. All Other Authorised pass holder (former members, Department staff, ministerial drivers, members' spouses/partners/immediate family, authorised media representatives (non-Press Gallery), Parliamentary
10. Interns, volunteers, and other authorised persons
96. Someone else (please specify)
98. Unsure ^
99. Prefer not to say ^

**(SA\_EVER=1, EXPERIENCED SEXUAL ASSAULT) [MULTI-RESPONSE]**

**SA\_RANK**      **Would you describe the person / people who engaged in the actual or attempted sexual assault as...?**

*Please select all that apply.*

1. More senior position than you
2. The same level as you
3. At a lower level than you
98. Unsure ^
99. Prefer not to say ^

**\*(SA\_EVER=1, EXPERIENCED SEXUAL ASSAULT) [MULTI-RESPONSE]**

**SA\_AGE** About how old was / were the person / people involved?

*Please select all that apply.*

1. 15-20 years
2. 21-30 years
3. 31-40 years
4. 41-50 years
5. 51-64 years
6. 65+ years
98. Unsure ^
99. Prefer not to say ^

**\*(SA\_EVER=1, EXPERIENCED SEXUAL ASSAULT)**

**SA\_FREQ** Would you say that this type of behaviour was very rare, rare, occurred sometimes or was common at the time it happened to you?

1. Very rare
2. Rare
3. Occurred sometimes
4. Common
98. Unsure
99. Prefer not to say

**\*(SA\_EVER=1, EXPERIENCED SEXUAL ASSAULT)**

**SA\_REPORT** Did you make a complaint or report about the actual or attempted sexual assault that you were most recently subjected to?

1. Yes
2. No
98. Unsure
99. Prefer not to say

**\*(SA\_REPORT=1, MADE A REPORT)**

**SA\_REP\_INOUT** You've said that you made a complaint or report about the most recent experience of sexual assault that you experienced. Who did you report the incident to?

*Please select all that apply.*

1. A person or group INSIDE or RELATED to the NSW parliamentary workplace
2. A person or organisation OUTSIDE or INDEPENDENT of the NSW parliamentary workplace
98. Unsure ^
99. Prefer not to say ^

## \*(SA\_REP\_INOUT=1, MADE REPORT TO INSIDE PERSON)

**SA\_REP\_IN** Who was the person or group **INSIDE** or **RELATED** to the NSW parliamentary workplace you made a complaint or report to?

*Please select all that apply.*

1. A member of NSW parliament (including Minister, Presiding Officer or Special Office Holder)
2. Supervisor or manager
3. Someone in a leadership / management role (if not direct manager)
4. A co-worker / colleague
5. A workplace support service (e.g. EAP)
6. Human Services
7. The Workplace Health & Safety (WHS) representative
8. Security Constable
96. Someone else associated with NSW parliamentary workplaces (please specify)
98. Unsure ^
99. Prefer not to say ^

## \*(SA\_REP\_INOUT=2, MADE REPORT TO OUTSIDE PERSON)

**SA\_REP\_OUT** Who was the person or group **OUTSIDE** or **INDEPENDENT** of the NSW parliamentary workplace you made a complaint or report to?

*Please select all that apply.*

1. A union or employee representative
2. A lawyer or legal service
3. The Australian Human Rights Commission or NSW Anti-Discrimination Board
4. Political Party Head Office
5. The Police
6. Safe Work Australia or Safe Work NSW
96. Another person or organisation (please specify)
98. Unsure ^
99. Prefer not to say ^

## \*(SA\_REPORT=1, MADE A REPORT)

**SA\_REP\_WHEN** What was the time period between when the incident occurred and when you first reported it?

1. Same day or next working day
2. Less than 1 month (but not straight away)
3. 1 but less than 3 months
4. 4 but less than 6 months
5. 6 months or more
98. Unsure
99. Prefer not to say

## \*(SA\_REPORT=1, MADE A REPORT)

**SA\_FINAL** Has your complaint or report been finalised yet?

1. Yes
2. No
98. Unsure
99. Prefer not to say

**\*(SA\_FINAL=1, REPORT FINALISED)**

**SA\_FINAL\_WHO Who was your report or complaint finalised with?**

*Please select all that apply.*

1. A member of NSW parliament (including Minister)
2. Someone in a leadership / management role in the workplace
3. A co-worker / colleague
4. A workplace support service (e.g. EAP)
5. The Workplace Health & Safety (WHS) officer
6. Security or Special Constable
7. A union or employee representative
8. A lawyer or legal service
9. The Australian Human Rights Commission or NSW Anti-Discrimination Board
10. Political party Head Office
11. The Police
12. Safe Work Australia or Safe Work NSW
96. Another person or organisation (please specify)
98. Unsure ^
99. Prefer not to say ^

**\*(SA\_FINAL=1, REPORT FINALISED)**

**SA\_FINAL\_TIME How long did it take to finalise your complaint or report? Was it...?**

1. Same day or next working day
2. Less than 1 month (but not straight away)
3. 1 but less than 3 months
4. 4 but less than 6 months
5. 6 but less than 12 months
6. 12 months or more
98. Unsure
99. Prefer not to say

**\*(SA\_REPORT=1, MADE A REPORT)**

**SA\_REP\_NEG Did any of the following things occur as a result of you reporting this incident?**

*Please select all that apply.*

*\*(IF LISTFLAG = 2 (NOT A MEMBER), USE CODEFRAME 2)*

1. Your employer apologised for failing to prevent the sexual assault
2. Your employer paid you compensation because of the sexual assault
4. You received positive feedback for making the complaint
5. Your shifts or hours of work were changed without your consent
6. You were transferred
7. You resigned
8. You were dismissed or lost your job
9. You were demoted
10. You were disciplined
11. You were denied workplace opportunities, such as training or promotion
12. You were ostracised, victimised, ignored by colleagues or party members
13. You were labelled a trouble-maker
96. There were some other consequences for you (please specify)
97. There were no consequences for you ^
98. Unsure ^
99. Prefer not to say ^

\*(IF LISTFLAG = 1 (MEMBER), USE CODEFRAME 1)

4. You received positive feedback for making the complaint
7. You resigned
9. You were demoted
10. You were disciplined
12. You were ostracised, victimised, ignored by colleagues or party members
13. You were labelled a trouble-maker
96. There were some other consequences for you (please specify)
97. There were no consequences for you ^
98. Unsure ^
99. Prefer not to say ^

\*(SA\_REPORT=1, MADE A REPORT)

**SA\_REP\_ACTION** Did any of the following things happen to the person or people who assaulted you following your complaint or after reporting the incident?

*Please select all that apply.*

1. They were disciplined
2. They were formally warned
3. They were informally spoken to
4. They were transferred
5. They had their shifts or hours of work changed
6. They resigned
7. They apologised
8. They paid you compensation
9. They were reported to the Police
10. They were charged with assault
11. They were found guilty in a court of law
96. There were some other consequences for the person who subjected you to the attempted to actual assault (please specify)
97. There were no consequences for the person who subjected you to the attempted to actual assault ^
98. Unsure ^
99. Prefer not to say ^

\*(SA\_REPORT=1)

**SA\_REP\_OUTCOME** Did any of the following happen as a result of your complaint or report?

*Please select all that apply.*

\*(IF LISTFLAG = 2 (NOT A MEMBER), USE CODEFRAME 2)

1. Your employer or another organisation responsible for your work in a NSW parliamentary workplace apologised for failing to prevent the sexual assault
2. Your employer or another organisation responsible for your work in a NSW parliamentary workplace paid you compensation because of the sexual assault
3. Your employer or another organisation responsible for your work in a NSW parliamentary workplace developed or changed their existing policy on sexual assault
4. Your employer or another organisation responsible for your work in a NSW parliamentary workplace changed a practice or procedure – for example, their complaints and reporting procedure
5. Your employer or another organisation responsible for your work in a NSW parliamentary workplace implemented training or education
96. There were some other changes following your complaint or report (please specify)
97. There were no consequences or changes following your complaint or report ^
98. Unsure ^
99. Prefer not to say ^

\*(IF LISTFLAG = 1 (MEMBER), USE CODEFRAME 1)

1. You received an apology from someone for failing to prevent the sexual assault
2. You received compensation because of the sexual assault
3. Parliament or another organisation developed or changed their existing policy on sexual assault
4. Parliament or another organisation changed a practice or procedure – for example, their complaints and reporting procedure
5. Parliament or another organisation implemented training or education
96. There were some other changes following your complaint or report (please specify)
97. There were no consequences or changes following your complaint or report ^
98. Unsure ^
99. Prefer not to say ^

\*(SA\_REPORT=1, MADE A REPORT)

**SA\_REP\_SAT** How satisfied were you with overall process of dealing with your complaint or report?

[REVERSE SCALE BASED ON S\_ORDER VARIABLE]

1. Very dissatisfied
2. Dissatisfied
3. Neither satisfied nor dissatisfied
4. Satisfied
5. Very satisfied
98. Unsure
99. Prefer not to say

\*(SA\_REPORT=2, DID NOT MAKE REPORT)

**SA\_NOTREP** People decide not to make a complaint or report for many different reasons. Which of the following were reasons why you did not make a complaint or report about this incident of actual or attempted sexual assault?

*Please select all that apply.*

1. There was no provision to make a complaint
2. I was too scared or frightened
3. I thought I'd be blamed or people would treat me like the wrongdoer
4. I thought people would think I was over-reacting
5. I thought I would not be believed
6. I wasn't aware of how the complaint process worked or who to report to
7. My family, friends or co-workers advised me not to make a report
8. It was easier to keep quiet
9. I thought it would not change things or nothing would be done
10. I didn't think it was serious enough
11. I thought making a report would be embarrassing or difficult
12. I thought I would get fired
13. Concerns about lack of confidentiality
14. I thought my reputation or career would be damaged
15. I feared negative consequences for the person or people who assaulted me
16. The person or people who assaulted me were already being dealt with
17. I took care of the problem myself
96. Some other reason (specify)
98. Unsure ^
99. Prefer not to say ^



**\*(SA\_EVER=1, EXPERIENCED SEXUAL ASSAULT)**

**SA\_SUPPORT Did you seek any support or advice about this most recent incident?**

1. Yes
2. No
98. Unsure
99. Prefer not to say

**\*(SA\_SUPPORT=1, SOUGHT HELP)**

**SA\_SUPP\_INOUT Who did you seek support or advice from?**

*Please select all that apply.*

1. A person or group INSIDE or RELATED to the NSW parliamentary workplace
2. A person or organisation OUTSIDE or INDEPENDENT of the NSW parliamentary workplace
98. Unsure
99. Prefer not to say

**\*(SA\_SUPP\_INOUT=1, SOUGHT HELP INSIDE)**

**SA\_SUPP\_IN Who was the person or group INSIDE or RELATED to the NSW parliamentary workplace you made a complaint or report to?**

*Please select all that apply.*

1. A member of NSW parliament (including Minister, Presiding Officer or Special Office Holder)
2. Supervisor or manager
3. Someone in a leadership / management role (if not direct manager)
4. A co-worker / colleague
5. A workplace support service (e.g. EAP)
6. Human Services
7. The Workplace Health & Safety (WHS) representative
8. Security Constable
96. Someone else associated with NSW parliamentary workplaces (please specify)
98. Unsure ^
99. Prefer not to say ^

**\*(SA\_SUPP\_INOUT=1, SOUGHT HELP OUTSIDE)**

**SA\_SUPP\_OUT Who was the person or group OUTSIDE or INDEPENDENT of the NSW parliamentary workplace you made a complaint or report to?**

*Please select all that apply.*

1. A union or employee representative
2. A lawyer or legal service
3. The Australian Human Rights Commission or NSW Anti-Discrimination Board
4. Political Party Head Office
5. The Police
6. Safe Work Australia or Safe Work NSW
96. Another person or organisation (please specify)
98. Unsure ^
99. Prefer not to say ^

\*(SA\_SUPPORT=2, DID NOT SEEK HELP)

**SA\_NO\_SUPP** People decide not to seek support or advice for many reasons. Which of the following were reasons why you did not seek support or advice about this incident of actual or attempted sexual assault?

*Please select all that apply.*

1. I wasn't aware of how to seek support or advice or who to talk to
2. I thought I would not be believed
3. I thought seeking support would be embarrassing or difficult
4. Concerns about lack of confidentiality
5. I thought it would impact on my career
6. I did not need support
7. I thought people would think I was over-reacting
96. Some other reason (specify)
98. Unsure ^
99. Prefer not to say ^

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## Part 5A – Questions about witnessing sexual assault in NSW Parliamentary workplaces

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\*(ALL)

**SA\_HEARD** The next question is about any actual or attempted sexual assault of another person that may have occurred at a NSW parliamentary workplace while you were working there. At any time while you were working, have you...?

*Please select all that apply.*

1. Personally observed or witnessed someone being sexually assaulted
2. Personally heard about it directly from a person who was sexually assaulted
3. Personally heard about it from a third person / someone other than the person who was sexually assaulted
4. No – I haven't observed or heard about any sexual assault ^
98. Unsure ^
99. Prefer not to say ^

\*(SA\_HEARD = 1-3, WITNESSED OR HEARD ABOUT OTHER SEXUAL ASSAULT)

**SAW\_ROLE** And when you witnessed or heard about the actual or attempted sexual assault that you personally witnessed or heard about is, what role was the person being assaulted in at that time?

1. Minister
2. Member of NSW Parliament (not a Minister)
3. Members' Staff (Electorate Officer or Secretary/Research Assistant)
4. Special Officer Holder staff (Presiding Officers, Whips or Opposition leader staff)
5. Ministerial Staff (employed by Dept Premier and Cabinet)
6. Departmental Staff (Employed directly by the Dept Parliamentary Services, Legislative Assembly, or Legislative Council – the latter two including Clerks, Procedural, Committees, Chamber and Support staff etc) – includes all staff employed directly and paid by the Parliament including ongoing, temporary, casual and directly engaged contract staff)
7. Contractors working at Parliament House (not employed directly by Parliament, but another employer)
8. Press Gallery member
9. Special Constables
10. Interns and volunteers working at NSW Parliament or an electorate office
96. Something else (please specify)
98. Unsure / Can't recall
99. Prefer not to say

**\*(SA\_HEARD = 1-3, WITNESSED OR HEARD ABOUT OTHER SEXUAL ASSAULT)**

**SAW\_WHERE And where did this incident occur?**

1. In NSW Parliament House
2. In a Ministerial office (at Martin Place)
3. In an electoral office
4. While travelling to work
5. At a work-related social event – such as after-work drinks or a function
96. Somewhere else (please specify)
98. Unsure ^
99. Prefer not to say ^

**\*(SA\_HEARD = 1-3 AND SA\_EVER=1, WITNESSED OR HEARD ABOUT OTHER SEXUAL ASSAULT AND EXPERIENCED SEXUAL ASSAULT)**

**SA\_SAME And was the person/people who engaged in this conduct the same person/people who sexually assaulted or attempted to sexually assault you?**

1. Yes
2. No
98. Unsure
99. Prefer not to say

**\*(SA\_HEARD = 1-3, WITNESSED OR HEARD ABOUT OTHER SEXUAL ASSAULT)**

**SA\_ACTION Thinking about the most recent incident of actual or attempted sexual assault that you personally witnessed or heard about, did you take any action in relation to this incident?**

[HOVER OVER FOR 'most recent': We ask for the most recent as it increases the ability to recall the incident.]

1. Yes
2. No
98. Unsure
99. Prefer not to say

**\*(SA\_ACTION=1, TOOK ACTION)**

**SA\_TOOK\_ACT Which of the following actions did you take after personally witnessing or hearing about this most recent incident of actual or attempted sexual assault?**

*Please select all that apply.*

1. Spoke to the person who committed the actual or attempted sexual assault
2. Reported the actual or attempted sexual assault to a person or group INSIDE or RELATED to the NSW parliamentary workplace
3. Reported the actual or attempted sexual assault to a person or organisation OUTSIDE/or INDEPENDENT of the NSW parliamentary workplace
4. Talk with or listen to the person who experienced the actual or attempted sexual assault
5. Offer advice to the person who experienced the actual or attempted sexual assault
96. Take any other action (please specify)
98. Unsure ^
99. Prefer not to say ^

## \*(SA\_TOOK\_ACT = 2, REPORTED ACTION INTERNALLY)

**SA\_ACT\_IN** Who was the person or group **INSIDE** or **RELATED** to the NSW parliamentary workplace you made a complaint or report to?

*Please select all that apply.*

1. A member of NSW parliament (including Minister, Presiding Officer or Special Office Holder)
2. Supervisor or manager
3. Someone in a leadership / management role (if not direct manager)
4. A co-worker / colleague
5. A workplace support service (e.g. EAP)
6. Human Services
7. The Workplace Health & Safety (WHS) representative
8. Security or Special Constable
96. Someone else associated with NSW parliamentary workplaces (please specify)
98. Unsure ^
99. Prefer not to say ^

## \*(SA\_TOOK\_ACT = 3, REPORTED ACTION EXTERNALLY)

**SA\_ACT\_OUT** Who was the person or group **OUTSIDE** or **INDEPENDENT** of the NSW parliamentary workplace you made a complaint or report to?

*Please select all that apply.*

1. A union or employee representative
2. A lawyer or legal service
3. The Australian Human Rights Commission or NSW Anti-Discrimination Board
4. Political Party Head Office
5. The Police
6. Safe Work Australia or Safe Work NSW
96. Another person or organisation (please specify)
98. Unsure ^
99. Prefer not to say ^

## \*(SA\_ACTION=1, TOOK ACTION)

**SA\_WIT\_OUTCOME** Did any of the following things occur as a result of you taking action after witnessing or hearing about this most recent incident of actual or attempted sexual assault?

*Please select all that apply.*

\*(IF LISTFLAG = 2 (NOT A MEMBER), USE CODEFRAME 2)

1. You received positive feedback for taking action
2. You were disciplined
3. You were transferred or changed your work hours
4. You resigned
5. You were dismissed or lost your job
6. You were demoted
7. You were ostracised, victimised, ignored by colleagues or party members
8. You were labelled a trouble-maker
96. There were some other consequences for you (please specify)
97. There were no consequences for you ^
98. Unsure ^
99. Prefer not to say ^

\*(IF LISTFLAG = 1 (MEMBER), USE CODEFRAME 1)

1. You received positive feedback for taking action
2. You were disciplined
4. You resigned
6. You were demoted
7. You were ostracised, victimised, ignored by colleagues or party members
8. You were labelled a trouble-maker
96. There were some other consequences for you (please specify)
97. There were no consequences for you ^
98. Unsure ^
99. Prefer not to say ^

\*(SA\_ACTION=2, DID NOT TAKE ACTION)

**SA\_NO\_ACT** People may decide not to take action after witnessing or hearing about actual or attempted sexual assault for many different reasons. Which of the following were reasons why you decided not to take any action about the most recent incident of actual or attempted sexual assault you witnessed?

*Please select all that apply.*

1. I didn't want to make things worse for the person who was being sexually assaulted
2. I felt it would endanger the victim
3. I felt worried about my own safety
4. I was worried about the negative impact that taking action might have on me
5. I didn't think it was serious enough to intervene or take action
6. I didn't think it was my responsibility
7. I knew that other people were supporting and assisting the person
8. I didn't know what to do
9. I didn't want to get involved
10. The person being sexually assaulted asked me not to take any action
11. I didn't know if the person being sexually assaulted wanted my help
96. Any other reasons (please specify)
98. Unsure ^
99. Prefer not to say ^

\*(ALL)

**SA\_INFO** If you needed any information about actual or attempted sexual assault, which of the following would you be likely to go to?

*Please select all that apply.*

1. A member of NSW parliament (including Minister)
2. Someone in a leadership / management role in the workplace
3. A co-worker / colleague
4. A workplace support service (e.g. EAP)
5. The Workplace Health & Safety (WHS) Site officer
6. Security or Special Constable
7. A union or employee representative
8. A lawyer or legal service
9. Australian Human Rights Commission or NSW Anti-Discrimination Board
10. Political party Head Office
11. The Police

- 12. Safe Work Australia or Safe Work NSW
- 13. Friends or family
- 14. A counsellor or psychologist
- 15. The internet (including search engines such as Google)
- 16. A community-based or religious service
- 17. 1800 RESPECT
- 96. Another person or organisation (please specify)
- 98. Unsure ^
- 99. Prefer not to say ^

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## Part 6 – Questions about training, support, policies & procedures, reporting, responses, and expectations

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\*(ALL)

**TE\_DONE** While working in NSW parliamentary workplaces, have you received training / education on workplace bullying OR sexual harassment OR sexual assault?

*Please select all that apply.*

- 1. Yes, training and education on workplace bullying
- 2. Yes, training and education on sexual harassment
- 3. Yes, training and education on sexual assault
- 97. No, I have not had training or education on any of these ^
- 98. Unsure ^
- 99. Prefer not to say ^

\*(ALL)

**TE\_SUPPORTS** Which of the following supports provided by NSW parliamentary workplaces for those affected by bullying, sexual harassment, or sexual assault are you aware of?

*Please select all that apply.*

- 1. Employee Assistance Program
- 2. WHS Site Officer for your workplace or Health and Safety Representative for your workgroup
- 96. Other services I am aware of (please specify)
- 97. None of these ^
- 98. Unsure ^
- 99. Prefer not to say ^

\*(ALL)

**TE\_KNOW** How knowledgeable are you about the policies, processes and practices in NSW parliamentary workplaces in relation to sexual harassment, sexual assault or bullying?

- 1 I know nothing about them
- 2 I know very little about them
- 3 I have some knowledge about them
- 4 I know a lot about them
- 5 I know everything about them
- 98. Unsure
- 99. Prefer not to say

\*(ALL)

**TE\_REPORT** Do you know how to make a report or complaint about sexual harassment, sexual assault or bullying in a NSW parliamentary workplace?

1. Yes
2. No
98. Unsure
99. Prefer not to say

\*(ALL)

**TE\_CONF** Who would you have the most confidence in making a report or complaint to?

1. A person or group INSIDE or RELATED to the NSW parliamentary workplace
2. A person or organisation OUTSIDE or INDEPENDENT of the NSW parliamentary workplace
98. Unsure
99. Prefer not to say

\*(TE\_CONF=1, MOST CONFIDENCE IN INSIDE PERSON)

**TE\_INSIDE** Who is the person or group INSIDE or RELATED to the NSW parliamentary workplace you would have the most confidence making a complaint or report to?

1. A member of NSW parliament (including Minister, Presiding Officer or Special Office Holder)
2. Supervisor or manager
3. Someone in a leadership / management role (if not direct manager)
4. A co-worker / colleague
5. A workplace support service (e.g. EAP)
6. Human Services
7. The Workplace Health & Safety (WHS) representative
8. Security Constable
96. Someone else associated with NSW parliamentary workplaces (please specify)
98. Unsure
99. Prefer not to say

\*(TE\_CONF=2, MOST CONFIDENCE IN OUTSIDE PERSON)

**TE\_OUTSIDE** Who is the person or group OUTSIDE or INDEPENDENT to the NSW parliamentary workplace you would have the most confidence making a complaint or report to?

1. An independent reporting and complaints mechanism established for people working in NSW parliamentary workplaces
2. A union or employee representative
3. A lawyer or legal service
4. The Australian Human Rights Commission or NSW Anti-Discrimination Board
5. Political Party Head Office
6. The Police
7. Safe Work Australia or Safe Work NSW
96. Someone else outside NSW parliamentary workplaces (please specify)
98. Unsure
99. Prefer not to say

\*(ALL)

TE\_ATTS

**If someone were to report or make a report or complaint about sexual harassment, sexual assault or bullying to a more senior staff member or leader in a NSW parliamentary workplace, how likely is it that...?**

\*(RANDOMISE STATEMENTS)

- a. The senior staff member or leader would support the person making the report
- b. The senior staff member or leader would take the report seriously
- c. The senior staff member or leader would protect the safety of the person making the report
- d. The senior staff member or leader would take action to address factors that may have led to the sexual harassment, sexual assault or bullying
- e. The person making the report or complaint would be subjected to retaliation / victimisation
- f. Action would be taken against the person who engaged in the sexual harassment, sexual assault or bullying

[REVERSE SCALE BASED ON S\_ORDER VARIABLE]

1. Not at all likely
2. A little likely
3. Somewhat likely
4. Very likely
5. Extremely likely
98. Unsure
99. Prefer not to say

\*(ALL)

SUGGEST

**What suggestions do you have on how to ensure NSW parliamentary workplaces are safe and respectful?**

1. <TEXT BOX>
97. No suggestions
98. Unsure
99. Prefer not to say

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## Part 7 – Demographics

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\*(ALL)

GENDER

**To finish off, just some questions about yourself.**

How do you describe your gender?

1. Woman / female
2. Man / male
3. Transgender
4. Non-binary
96. Different term (please describe)
99. Prefer not to say



**\*(ALL)**

**ATSI**

**Are you of Aboriginal and/or Torres Strait Islander descent?**

1. Yes – Aboriginal
2. Yes – Torres Strait Islander
3. Yes – Both Aboriginal and Torres Strait Islander
4. No
98. Unsure
99. Prefer not to say

**\*(ALL)**

**DISAB**

**Do you have a disability?**

1. Yes
2. No
99. Prefer not to say

**\*(ALL)**

**LOTE**

**Do you use a language other than English at home?**

If you use more than one language, please select the one that is used most often. Include the use of sign languages (for example, AUSLAN) in the 'Other' box.

1. No, English only
2. Yes, Mandarin
3. Yes, Italian
4. Yes, Arabic
5. Yes, Cantonese
6. Yes, Greek
7. Yes, Vietnamese
96. Other (please specify)
99. Prefer not to say

**\*(ALL)**

**SEXUAL** Which of the following best describes your sexual orientation?

1. Straight or heterosexual
2. Gay
3. Lesbian
4. Bisexual
5. Pansexual
6. Queer
7. Asexual or aromantic
8. Undecided, not sure, or questioning
96. Other (please specify)
99. Prefer not to say

**CLOSE**

\*(ALL)

**CLOSE**

**That was the final question in the survey. Thank you for your time. You have made a valuable contribution to this important Review.**

Thinking about and relaying experiences of sexual harassment, sexual assault or bullying can be distressing. If your engagement with this survey has caused you any distress, or you require additional support from someone not involved in the Review, we encourage you to seek assistance. Free, confidential counselling support is available through:

- NSW Parliament has retained a psychologist trained in trauma-counselling for any employee or external contributor that may feel distress as a result of participating in this study and wish to access support. You can contact Julie Berg Psychology by contacting [email] or calling [phone].
- EAP service on [phone]
- **1800RESPECT**. the national sexual assault, domestic or family violence counselling service - Phone 1800 737 732 or visit 1800Respect online counselling or [www.1800respect.org.au](http://www.1800respect.org.au)
- **LIFELINE** the national crisis support and suicide prevention service Phone 131114 or visit [lifeline.org.au](http://lifeline.org.au)
- **NSW Rape Crisis Centre** - Ph: (02) 9819 6565 or 1800 424 017 (outside Sydney)  
Website: [www.nswrapecrisis.com.au](http://www.nswrapecrisis.com.au)
- **Domestic Violence Line** - Department of Community Services, Ph: 1800 656 463 (24 hours)
- **Workplace health and safety authority**: For advice and support. SafeWork NSW, Ph: 13 10 50  
Website: <https://www.safework.nsw.gov.au/hazards-a-z/bullying/workplace-bullying>

**If your situation is urgent or you wish to report a criminal offence, contact 000 or police services in your jurisdiction.**

You can view the above list of organisations that can provide information and assistance with issues that may have been brought up by this survey here so you can print or download if you would like.

\*(ALL)

**SUBMIT**

**Thank you for your time. Your answers have been submitted. You can now close the browser.**

## TERMS

\*(AGE<18 OR AGEGROUP=1, UNDER 18)

### TERM1

**We are sorry but the survey can only be completed by people who are at least 18 years old. Thank you for your interest in the Review.**

If at any stage you become distressed or require additional support from someone not involved in the Review, you can contact:

- NSW Parliament has retained a psychologist trained in trauma-counselling for any employee or external contributor that may feel distress as a result of participating in this study and wish to access support. You can contact Julie Berg Psychology by contacting [email] or calling [phone].
- EAP service on [phone]
- **1800RESPECT.** the national sexual assault, domestic or family violence counselling service - Phone 1800 737 732 or visit 1800Respect online counselling or [www.1800respect.org.au](http://www.1800respect.org.au)
- **LIFELINE** the national crisis support and suicide prevention service Phone 131114 or visit [lifeline.org.au](http://lifeline.org.au)
- **NSW Rape Crisis Centre** - Ph: (02) 9819 6565 or 1800 424 017 (outside Sydney)  
Website: [www.nswrapecrisis.com.au](http://www.nswrapecrisis.com.au)
- **Domestic Violence Line** - Department of Community Services, Ph: 1800 656 463 (24 hours)
- **Workplace health and safety authority:** For advice and support. SafeWork NSW, Ph: 13 10 50  
Website: <https://www.safework.nsw.gov.au/hazards-a-z/bullying/workplace-bullying>

\*(AGEGROUP=99, REFUSED AGE GROUP)

### TERM2

**Thank you for your time and assistance but for this survey we need to know your approximate age.**

If you are interested in providing feedback to the Review you can obtain further information about these processes by clicking here.

If at any stage you become distressed or require additional support from someone not involved in the Review, you can contact:

- NSW Parliament has retained a psychologist trained in trauma-counselling for any employee or external contributor that may feel distress as a result of participating in this study and wish to access support. You can contact Julie Berg Psychology by contacting [email] or calling [phone].
- EAP service on [phone]
- **1800RESPECT.** the national sexual assault, domestic or family violence counselling service  
Phone 1800 737 732 or visit 1800Respect online counselling or [www.1800respect.org.au](http://www.1800respect.org.au)
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- **Domestic Violence Line** - Department of Community Services, Ph: 1800 656 463 (24 hours)
- **Workplace health and safety authority:** For advice and support. SafeWork NSW, Ph: 13 10 50  
Website: <https://www.safework.nsw.gov.au/hazards-a-z/bullying/workplace-bullying>

## \*(WORKPLACE=2 OR ROLE2=97, NOT WORKING IN NSW PARLIAMENT)

### TERM3

**We are sorry but the survey can only be completed by people who are currently working in a NSW parliamentary workplace. Thank you for your interest in the Review.**

*If you are interested in providing feedback to the Review you can obtain further information about these processes by clicking here.*

If at any stage you become distressed or require additional support from someone not involved in the Review, you can contact:

- NSW Parliament has retained a psychologist trained in trauma-counselling for any employee or external contributor that may feel distress as a result of participating in this study and wish to access support. You can contact Julie Berg Psychology by contacting [email] or calling [phone].
- EAP service on [phone]
- **1800RESPECT.** the national sexual assault, domestic or family violence counselling service Phone 1800 737 732 or visit 1800Respect online counselling or [www.1800respect.org.au](http://www.1800respect.org.au)
- **LIFELINE** the national crisis support and suicide prevention service Phone 131114 or visit [lifeline.org.au](http://lifeline.org.au)
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- **Workplace health and safety authority:** For advice and support. SafeWork NSW, Ph: 13 10 50  
Website: <https://www.safework.nsw.gov.au/hazards-a-z/bullying/workplace-bullying>

## \*(WORKPLACE=3 OR ROLE2=99, REFUSED WHETHER WORKING IN NSW WORKPLACE)

### TERM4

**We are sorry but the survey can only be completed by people who are able to provide information about their work in a NSW parliamentary workplace. Thank you for your interest in the Review.**

*If you are interested in providing feedback to the Review through another mechanism (for example a written submission or interview), you can obtain further information about these processes by clicking here.*

If at any stage you become distressed or require additional support from someone not involved in the Review, you can contact:

- NSW Parliament has retained a psychologist trained in trauma-counselling for any employee or external contributor that may feel distress as a result of participating in this study and wish to access support. You can contact Julie Berg Psychology by contacting [email] or calling [phone].
- EAP service on [phone]
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- **LIFELINE** the national crisis support and suicide prevention service Phone 131114 or visit [lifeline.org.au](http://lifeline.org.au)
- **NSW Rape Crisis Centre** - Ph: (02) 9819 6565 or 1800 424 017 (outside Sydney)  
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- **Workplace health and safety authority:** For advice and support. SafeWork NSW, Ph: 13 10 50  
Website: <https://www.safework.nsw.gov.au/hazards-a-z/bullying/workplace-bullying>

# Leading for Change

Independent Review  
of Bullying, Sexual  
Harassment and  
Sexual Misconduct  
in NSW Parliamentary  
Workplaces 2022



ELIZABETH  
BRODERICK  
& Co.