



EC23-000281

Senator Louise Pratt  
Chair  
Finance and Public Administration Legislation Committee  
Parliament House  
Canberra ACT 2600

Dear Senator Pratt

I am writing to correct evidence given during the Australian Public Service Commission's (ASPC) appearance at the 25 May 2023 Budget Estimates hearing.

During APSC's Budget Estimates appearance, you, as the Chair, asked the following question:

CHAIR: I've got some questions now in relation to what tracking agencies and departments have done to strengthen approaches to preventing and responding to bullying, sexual harassment and assault in relation to positive duty under the new laws. Is there capacity for that progress to be outlined to the committee or tabled?

I responded to your question with the following:

Ms Wilson: I'd like to start by saying that all APS employees and agencies have a shared obligation to create respectful workplaces and call out negative behaviour and everyday sexism in the workplace. Agencies must already report all sexual harassment complaints and high-level outcomes to the commission through our annual APS agency survey. In February this year, we updated the commissioner's directions to include a provision requiring agencies to consult with the commissioner before any disputes relating to sexual harassment are settled using agreements that include non-disclosure or confidentiality terms.

I might now turn to a lot of the work that we've been doing to support agencies by promoting awareness of the new Respect at Work Act provisions and how we're brokering the sharing of information. We have a lot of information on our website, and we updated that again in February this year. We provide a lot of links to the existing guidance material that is on the Respect@Work and Comcare websites. Might I just say that the guidance material on both those websites is excellent. It's incredibly comprehensive. We advertise the availability of all these resources through a range of channels that we have. We're currently working in partnership with the Australian Human Rights Commission. They have audit and compliance responsibilities under the new legislation. We'll continue to work with them as they develop the support materials for organisations to meet their positive duty obligations.

I wish to correct my statement relating to the Commissioner's Directions. The Commissioner's Directions were updated in 2022, not February this year.

The APSC requests the Hansard (page 30) reflect the amended text, with the correct year, below:

Ms Wilson: I'd like to start by saying that all APS employees and agencies have a shared obligation to create respectful workplaces and call out negative behaviour and everyday sexism in the workplace. Agencies must already report all sexual harassment complaints and high-level outcomes to the commission through our annual APS agency survey. In February 2022, we updated the commissioner's directions to include a provision requiring agencies to consult with the commissioner before any disputes relating to sexual harassment are settled using agreements that include non-disclosure or confidentiality terms.

Yours sincerely

Ms Helen Wilson  
Deputy Commissioner  
Workforce Policy, Integrity and Operations  
18 July 23