

Respect@Work Council

Terms of Reference 2021

Chair	Sex Discrimination Commissioner, Australian Human Rights Commission.
Membership	<p>The Respect@Work Council (hereinafter referred to as the Council) consists of the following core members:</p> <ul style="list-style-type: none">• Sex Discrimination Commissioner, Australian Human Rights Commission• General Manager, Fair Work Commission• Fair Work Ombudsman• CEO, Safe Work Australia• Chair, Heads of Workplace Safety Authorities• Chair, Heads of Workers' Compensation Authorities• Chair, Australian Council of Human Rights Authorities• Deputy Secretary, Integrity and International Group, Attorney-General's Department <p>The Council will also include associate members to provide expertise and advice on specific issues or areas of work relating to sexual harassment and will not have decision making authority on the Council. Associate members will include representatives of:</p> <ul style="list-style-type: none">• Australian Building and Construction Commission• Ai Group• ACCI• ACTU, and• COSBOA <p>Other organisations including government, non-government and independent organisations, individuals with relevant experience or expertise as agreed by the Council or appointed by the Minister, including experts on women's safety and the prevention of violence.</p> <p>The Council will consult with any additional stakeholders, where relevant and appropriate, to inform its work.</p>
Operations	<p>Meetings will be held at least quarterly, commencing in March 2021 if possible. Meetings will be held in-person in Canberra, and include online options for members to participate in meetings if required.</p> <p>Travel costs will be paid for by member organisations.</p> <p>The Council can settle additional operational procedures (if required) separately to these Terms of Reference.</p>

<p>Decision making</p>	<p>The Council will make decisions on the basis of consensus, wherever possible.</p> <p>The Council can determine an agreed process for decision making if consensus cannot be reached.</p>
<p>Secretariat</p>	<p>The Council will be supported by a secretariat led by the Attorney-General's Department. The secretariat will organise meetings, draft agendas, record and circulate minutes, keep appropriate records and prepare policy papers. The secretariat will also be responsible for delivery, monitoring and evaluation of projects undertaken by the Council.</p>
<p>Purpose and scope of Council responsibility</p>	<p>The purpose of the Council is to bring together leaders from relevant bodies and sectors to consider how existing frameworks can be better used to prevent and respond to workplace sexual harassment, to promote safer workplaces and reduce undue burden on employers and victims of workplace sexual harassment.</p> <p>Taking into consideration the findings and recommendations from the Australian Human Rights Commission's <i>Respect@Work: National Inquiry into Sexual Harassment in Australian Workplaces</i> report (the Report), the Council's responsibilities include:</p> <ul style="list-style-type: none"> - undertaking work to improve consistency, clarity and coordination across the key legal and regulatory frameworks to ensure they are forward facing and effective in preventing and responding to workplace sexual harassment - overseeing and supporting implementation of commitments funded in the 2020-21 Budget, including: <ul style="list-style-type: none"> o development of the Respect@Work online platform of free and accessible practical resources for employers and workers o development of training and education resources on the nature, drivers and impacts of sexual harassment, as well as the rights and responsibilities of employees and employers o overseeing a national survey to be conducted in 2021-2022 on the prevalence, nature and reporting of sexual harassment in Australia, with a particular focus on the workplace - recommending ways to improve data collection across the key legal and regulatory frameworks, including by developing agreed and consistent methods of collecting, monitoring and reporting of de-identified data relating to workplace sexual harassment complaints, and through the development of formal information sharing and data exchange mechanisms

	<ul style="list-style-type: none"> - providing expert advice to the Australian Government, and state and territory governments as appropriate, on workplace sexual harassment matters, including proposals for policy and legislative change, and - progressing other projects or initiatives to address workplace sexual harassment identified by the Council, as agreed with the Assistant Minister to the Attorney-General.
Review and reporting	<p>The Council may determine a preferred approach to reporting publicly on the outcomes of meetings.</p> <p>The Council will provide a report to the Assistant Minister to the Attorney-General on the operations and delivery of the Council's responsibilities annually.</p> <p>The Council will provide a final report to the Attorney-General's Department no later than 30 June 2023.</p>
Amendment, Modification or Variation	<p>These Terms of Reference may be amended, varied or modified in writing after consultation and agreement by the Council and the Assistant Minister to the Attorney-General.</p>
Endorsement	<p>These Terms of Reference were endorsed by the Assistant Minister to the Attorney-General on 9 March 2021.</p>