INDEPENDENT REVIEW

into sex discrimination and
sexual harassment, including
predatory behaviour,
in Victoria Police

Phase 2 Audit | **2017**

Victorian Equal Opportunity
& Human Rights Commission

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including predatory behaviour, in Victoria Police – Phase 2 Audit**

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Privacy

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Message from the Commissioner

Policing is at its heart about respect. Respect for the law, due process, the authority of the state as expressed through its institutions. In the eyes of many Victorians, police are seen as the community's arbiters of respect; they uphold and enforce the agreed standards of behaviour that enable us all to live in a cohesive, safe and prosperous society. Under emerging models of policing, respect is even more paramount: community policing demands that the fundamental relationship between the people and its police be one of mutual trust and respect – a relationship of equality.

Our 2015 report into sex discrimination, sexual harassment and predatory behaviour within Victoria Police revealed that respect – in particular, respect for women – was sorely lacking within the organisation. This was evident not only in the behaviours of some employees, but in the systems and structures that acted to discriminate or disadvantage female employees. The Review peeled back the layers on a culture that not only caused harm to some of its people but undermined the organisation's capability and ability to perform at its best. To deliver more respectful and effective policing services for the community, it was clear that Victoria Police needed to start by addressing the issues closer to home.

Victoria Police did not shy away from the findings detailed in our 2015 report. In a public demonstration of the organisation's leadership and dedication, it accepted and committed to all 20 recommendations in full. Chief Commissioner Graham Ashton publicly and sincerely apologised for the harm caused to all present and past employees, and has since led the charge with both determination and humility to effect change. In another act of admirable leadership, Victoria Police committed to continuing to do this work in the public eye and with our external oversight and scrutiny, including through two audits of the organisation's progress.

Since the Phase 1 Review was released, Victoria Police has demonstrated impressive dedication, in part evidenced by the significant investment that has been devoted to implementing the reforms. A new Command was established to oversee the implementation efforts, led by a dedicated Assistant Commissioner. Across the organisation, 21 projects have been created and resourced in order to breathe life into the recommendations. The expert knowledge and strategic guidance of a broad range of external experts has been willingly sought across implementation. Senior leaders have engaged directly with staff and supported localised responses in their own Commands or Directorates. In June 2017, Victoria Police launched its first ever *Gender Equality Strategy and Action Plan*. This strategy is unequivocal in its vision for Victoria Police to be a 'diverse and inclusive workplace that demands equality and respect for women'.

The success of enduring reform is building the structures to enforce the commitment of an organisation beyond changes in leadership and political environment. These structural foundations are beginning to become evident. Significant achievements to date have included the creation of a parental leave backfill program (set to become operational in 2018); extensive data collection to build a baseline for measurement; a revised workplace flexibility policy; face-to-face engagement with staff across the organisation; extensive work to redesign the internal disciplinary system; the creation of a triage and case management model for complaints of workplace harm, and the establishment of a range of pilots to foster women's leadership capability. This Audit seeks to provide an in-depth assessment of progress towards the successful implementation of all 20 recommendations,

highlighting where further work or a directional shift is required. I commend Victoria Police for the significant work that has taken place, particularly against the backdrop of the unrelenting and varied community demand that the organisation must respond to.

This work has not been without significant challenges and difficult introspection. There is an adage that goes: 'There is no comfort in learning and no learning in comfort'. Reflection and the associated discomfort are critical parts of the change journey. Through this audit and our ongoing engagement with Victoria Police, we have seen a number of senior leaders speak frankly and authentically about both the professional and personal challenges of this work. To critically reflect, to listen to different and confronting viewpoints, and to allow yourself to be vulnerable are impressive leadership traits and essential in this kind of transformational change.

Creating the foundations for change takes time. Creating attitudinal and behavioural change may take even longer. Transforming the culture of a workforce that has served the community for 165 years is an enormous task, and this job has just begun. There is still significant work to be done across all 20 recommendations and there is still resistance to some of this work. I urge Victoria Police to continue its rigour and determination in the face of difficult change, and to meet the complexity of transforming a large organisation with a very broad range of priorities.

I would like to recognise and thank all participants of the Review and the Audit for their candour, bravery and strength. Because of your contributions and courage, Victoria Police is transforming into a safer, more respectful place for all employees. In particular, I would like to acknowledge Chief Commissioner Graham Ashton for his steadfast dedication and leadership; Deputy Commissioner Wendy Steendam for her tireless commitment, devotion to reform and for standing as a voice and champion of women across the organisation; and Assistant Commissioner Luke Cornelius for leading the program of reforms and working to appeal to the hearts and minds of the organisation and the broader emergency services sector. In the face of challenging work, they have persevered to ensure that the changes that followed the Phase 1 Review remain at the forefront of Victoria Police's priorities. Respect is at the heart of this work, and this work takes real heart to lead.

It is a privilege to lead the Commission's ongoing work with Victoria Police. I would like to acknowledge the talented and rigorous team at the Commission who have contributed to this work – Diane White, Claire Marshall, Jordan Fenton, Anastasia Kaldi and Louis Brailsford. This work contributes to our vision for Victoria as a fair, safe and inclusive place where everyone is respected and treated with dignity, and is critical to advancing safety and equality for women across all facets of our society. We are committed to assisting Victoria Police in meeting its goals; your success is our success. I am confident that the continuing persistence of the organisation, its leadership and its people will nurture a police service that is more capable, effective and evocative of community pride and connection.

Kristen Hilton
Victorian Equal Opportunity and Human Rights Commissioner

Message from the Chief Commissioner of Victoria Police

A little more than 18 months ago, I committed Victoria Police to the most significant cultural reform in our history.

I did this because the evidence was overwhelming – Victoria Police was not a safe place for its employees.

We asked the Victorian Equal Opportunity and Human Rights Commission to undertake the Independent Review because we recognised that outside help was needed to create the safe, inclusive and respectful Victoria Police that our workforce and community needs us to be.

Furthermore, we knew that if we continued to discriminate against women and our LGBTI employees and allow abuse to occur in our own workplace, we could never be a credible voice for change or stand up for them in our community. I saw this work as critical.

Today I am proud of the significant progress that has been made. The leadership commitment to driving the change needed has been deeply reassuring.

Across the organisation, work programs and structures are being implemented that will set the foundations for meaningful progress. I am frequently hearing from colleagues about the changes they are seeing. There is much to be pleased with.

Earlier this year, after rigorous consultation and review of best practice models, we launched two key frameworks to shape our future strategies. These include the Diversity and Inclusion Framework and the *Gender Equality Strategy and Action Plan*. To ensure these documents are being delivered, our workplaces have 'Stand Action Plans' that reflect progress and measures.

Our Stand Practice Leader Network is driving local leadership change across our organisation. To date, over 200 leaders (at Senior Sergeant and VPS 4 and above level) have been provided with tools and support to help role model the behaviours that will help shape safer, more inclusive and respectful workplaces.

We are not shying away from tackling the most serious offending head on, and our Taskforce Salus has sought tirelessly to weed out perpetrators from within our organisation, while protecting victims and linking them with welfare support. Some serious offenders have been exited from the organisation, many charged with criminal offences.

Taskforce Salus is not ending. It will remain an ongoing necessity for as long as these behaviours continue within our ranks, aided by an increased confidence among our employees to report workplace harm as the culture changes.

As reassuring as this is, I am also deeply aware that these are early steps on a long journey.

The deep-rooted change we are seeking will take sustained and determined commitment from all of us, and I want everyone to know that we will stay the course.

We know that there is still harm occurring and I again apologise on behalf of our organisation to all of those who have experienced it. If you have been subjected to workplace harm, I encourage you to report this behaviour. You will be supported.

We know that there are still barriers that need to be dismantled. And we know that we must stand against the entrenched culture of everyday sexism that has been normalised within our organisation for too long.

While I acknowledge and thank the many Victoria Police employees who are taking a stand for a respectful and safe workplace by reporting harmful behaviours, the fact that some within our ranks continue to harm their colleagues is appalling. I want everyone to know that these behaviours will not be tolerated. Perpetrators will be identified and held to account.

The work I have committed us to is so much more than dealing with a relatively small number of perpetrators, committing the most serious workplace harm. Our work is much more fundamentally about creating a workplace in which discrimination and harassment, in any form, is no longer a feature of everyday working life.

It is about removing those barriers, whether conscious or unconscious, and allowing all of our employees to reach their full potential in serving the community.

I want the Victoria Police that I lead – and that the community and its workforce deserves – to be a workplace where employees can access flexible working arrangements, without gender-based barriers to development and advancement.

I want them to have a full and rewarding career without fear of discrimination or harassment because of their gender or sexual orientation.

I am quietly proud that the progress we have made to date has helped pave the way for many other organisations nationally as they have sought to confront and deal with issues within their own workplaces.

I would like to recognise and thank everyone who stands with me in making Victoria Police a safer, more inclusive and more respectful workplace. I would also like to acknowledge those who have and continue to work on these reforms across our organisation. Your effort and dedication to this challenging work is a key factor to its success.

Furthermore, I thank Commissioner Kristen Hilton and her team at the Victorian Equal Opportunity and Human Rights Commission. Their ongoing guidance, commitment and support has been invaluable in informing our approach as we continue this most important work.

I welcome the opportunity to continue our work, refocus our efforts and carefully consider the advice that has been provided in this Phase 2 Audit, as I lead our delivery of the 20 recommendations to their implementation.

Graham Ashton APM
Chief Commissioner of Police

Safety and help-seeking

The Phase 2 Audit prioritises the safety and confidentiality of participants. All quotes and case studies in the Audit have been de-identified and no individual has been named. All case studies and quotes have been provided with express consent of participants who have had the opportunity to ensure they are satisfied the material has been de-identified.

The Phase 2 Audit acknowledges that the material in this report may cause distress.

Centres Against Sexual Assault (CASA)

Centres Against Sexual Assault (CASAs) are non-profit, government funded organisations that provide support and intervention to women, children and men who are victim/survivors of sexual assault and who have experienced or been affected by sexual harassment. You can be referred to your local CASA or contact them directly.

CASA House (Melbourne CBD)

Phone: (03) 9635 3610 (business hours)
Email: casa@thewomens.org.au
Web: casahouse.com.au

Sexual Assault Crisis Line

The Sexual Assault Crisis Line offers after-hours crisis counselling for people who have experienced past or recent sexual assault. During business hours, the number redirects to your local CASA services.

Phone: 1800 806 292 (24 hours)
Web: sacl.com.au

Victoria Police Welfare Service

Victoria Police Welfare Service (VPWS) provides timely and effective support, advice and referral services in consultation with Peer Support, Police Psychology, Internal Witness Support and Chaplaincy to all Victorian Police employees and their immediate families.

Address: Level 5 & 9, Tower 3, Victoria Police Centre, 637 Flinders Street, Docklands 3008
Phone: (03) 9247 3344 (24 hours)
Email: WelfareServices-OIC@police.vic.gov.au

Safe Space

The Safe Space hotline is available to current and former Victoria Police personnel, as well as their families. It provides confidential help and information for victims of workplace harm, such as sex discrimination and sexual harassment. Safe Space is independent of the Employee Assistance Program and Victoria Police.

Phone: 1300 364 522 (24 hours)

The Police Association Victoria

You can visit the Police Association Victoria website to get the details for its confidential 24-hour counselling service for members and their families.

Phone: 1800 800 537

Web: tpav.org.au

In an emergency, always dial '000'.

Other support and information

Beyond Blue

Phone: 1300 22 4636 (24 hours)
Web: beyondblue.org.au

1800 RESPECT: National sexual assault, domestic and family violence counselling service

Qualified and experienced counsellors provide telephone and online counselling, information and assistance to access other services to all people in Australia affected by sexual assault and domestic and family violence, including family and friends. It is available 24 hours a day, seven days a week.

Phone: 1800 RESPECT (1800 737 732)
Web: 1800respect.org.au

InTouch Multicultural Centre against Family Violence

Provides culturally sensitive risk assessment, information, support, advocacy and referrals to women and children from culturally and linguistically diverse backgrounds in situations of family violence.

Phone: 1800 755 988 or (03) 9413 6500
Email: admin@intouch.asn.au
Web: intouch.org.au

Living Well (for men)

Living Well (based in Queensland) offers a range of services and resources specifically designed to assist men who have experienced childhood sexual abuse or sexual assault, their partners, friends and family and service providers.

Phone: (07) 3028 4648
Web: livingwell.org.au

Victoria Police Legacy

Victoria Police Legacy provides support and services to retired or serving members of Victoria Police who have lost a spouse, partner or parent.

Phone: (03) 9663 4280 or 1800 065 999 (country callers)
Email: info@policelegacyvic.org.au
Web: policelegacyvic.org.au

No To Violence (Men's Referral Service)

No To Violence provides anonymous and confidential telephone counselling, information and referrals to men to help them take action to stop using violent and controlling behaviour.

Phone: 1300 766 491

Web: ntvmrs.org.au

Safe Steps (formerly Women's Domestic Violence Crisis Service)

A statewide not-for-profit service for women and children experiencing abuse from a partner or ex-partner, another family member or someone close to them. Provides emergency accommodation, a free 24-hour crisis line, outreach services, advocacy, referral and information and support services.

Phone: 1800 015 188 or (03) 9322 3555

Email: admin@safesteps.org.au

Web: safesteps.org.au

Making a complaint of sexual harassment

Victorian Equal Opportunity and Human Rights Commission

If you wish to enquire about, or make a formal complaint of sex discrimination or sexual harassment, you can contact the Victorian Equal Opportunity and Human Rights Commission

Phone: 1300 292 153 or (03) 9032 3583

Hearing impaired (TTY): 1300 289 621

Interpreters: 1300 152 494

Email information@veohrc.vic.gov.au

Web: humanrightscommission.vic.gov.au

Fax: 1300 891 858

Please note, the Victorian Equal Opportunity and Human Rights Commission will not share any identifying information with Victoria Police or other services without your express permission.

Australian Human Rights Commission

You can also enquire about, or make a formal complaint of sex discrimination or sexual harassment, to the Australian Human Rights Commission.

Phone: 1300 656 419 or (02) 9284 9888

Hearing impaired (TTY): 1800 620 241 (toll free)

Email: infoservice@humanrights.gov.au

Web: humanrights.gov.au/complaints-information

Fax: (02) 9284 9611

Free interpretation and translation services are available by contacting 13 14 50 and asking for the Australian Human Rights Commission.

Victoria Police – Taskforce Salus

Taskforce Salus can investigate allegations of serious sex discrimination, sexual harassment and predatory behaviour made against current or former Victoria Police personnel.

Phone: (03) 8327 6845

Email: TASKFORCESALUS-OIC@police.vic.gov.au

Terms of reference

The Expert Panel, led by Commissioner Kristen Hilton, Victorian Equal Opportunity and Human Rights Commission, will review, report and make recommendations on:

1. The nature and prevalence of sex discrimination and sexual harassment including predatory behaviour among Victoria Police personnel.
2. The drivers of sex discrimination and sexual harassment among Victoria Police personnel.
3. The impact of sex discrimination and sexual harassment on people targeted by these behaviours.
4. Initiatives required to drive cultural and practice change including the adequacy and effectiveness of existing initiatives and of approaches to training, education, mentoring and development.
5. Organisational change strategies to promote safety, equality and freedom from sexual harassment in Victoria Police.
6. Any other matters the Panel considers appropriate that are incidental to the above terms of reference. Additionally, 18 months after the release of the Phase 1 Review and then again 12 months later, a further independent Report will be prepared which:
   - audits the implementation by Victoria Police of the recommendations in the Panel's Report
   - makes any further recommendations necessary.

The Expert Panel will consult widely in conducting the Review.

The Victorian Equal Opportunity and Human Rights Commission (the Commission) and Victoria Police agreed that issues out of scope were:

- prevalence of sex discrimination, sexual harassment including predatory behaviours by Victoria Police personnel towards community members
- prevalence of family violence where Victoria Police personnel are alleged perpetrators or victims
- barriers to community members reporting sexual harassment and predatory behaviour by Victoria Police personnel.

These limitations were based on complementary initiatives being undertaken by Victoria Police and other agencies, as well as the scope of the Commission's research powers under section 157 of the *Equal Opportunity Act 2010* (Vic).

Acknowledgements

The Commission would like to acknowledge the considerable assistance and support provided by Victoria Police over the course of the Phase 2 Audit. In particular, the Commission thanks Chief Commissioner Graham Ashton, Deputy Commissioner Wendy Steendam, and Assistant Commissioner Luke Cornelius, for their ongoing commitment to the Commission's work with Victoria Police.

The Commission received significant assistance throughout the Audit from the VEOHRC Review Response, Partnerships and Innovation Office (VRRPI). In particular, the Audit would like to thank and acknowledge the extensive support and expertise provided by the VRRPI Programme Management team of Bronwyn Poole, Natalie Stevens, Kelsey Sully and Joel Pearlman. The Audit would also like to thank Superintendent Karen Nyholm and Lyndsey Whitla for their steadfast assistance over the course of the Audit.

The Phase 2 Audit sought extensive documentation and data from a number of departments and commands within the Capability portfolio. Their assistance included responses to documentation requests and the compilation of large amounts of information for the Audit's consideration. The Commission thanks all of the staff from across the projects who assisted in this process and enabled the Audit to reflect the breadth of work taking place across the organisation.

The Audit undertook a large number of interviews with Victoria Police employees and senior leaders, and key external experts on the Phase 1 Review advisory boards. The Commission thanks all interview participants for their generosity and their invaluable insights.

This Audit has been supported by a dedicated team consisting of Anastasia Kaldi, Claire Marshall, Diane White, Jordan Fenton and Louis Brailsford. The Commission would like to thank the Independent Review team for their tireless work, unwavering dedication and the rigour with which they approached the Audit. The Independent Review team is grateful for the guidance and support provided by Chris Povey, the Expert Panel and Australian Sex Discrimination Commissioner Kate Jenkins over the course of the Audit.

The Commission thanks all Victoria Police employees who have engaged with the findings of the Phase 1 Review, and continue to strive towards a safer, more diverse and capable organisation. Their personal commitment and leadership, while not always visible or acknowledged, plays a critical role in supporting Victoria Police to achieve its vision.

Terminology

Throughout the report, the terms victim, target and victim/target are used interchangeably to describe people who have experienced some form of sex discrimination, sexual harassment or predatory behaviour. We acknowledge the word victim may be problematic as, for many people, it may be seen as perpetuating stereotypes about lack of agency or resilience for people targeted by these behaviours.

The term victim/survivor is used to describe people who have experienced sexual assault, consistent with its usage by the Centres Against Sexual Assault and Victoria Police's Sexual Offences and Child Abuse Investigation Teams.

Legal disclaimer

This information is intended as a guide only. It is not a substitute for legal advice on any of the issues raised in this report. The experiences of participants that are reflected in the report are the perspectives and experiences of individual participants as shared with the Victorian Equal Opportunity and Human Rights Commission.

Expert Panel

The Expert Panel comprises:

Chair: Victorian Equal Opportunity and Human Rights Commissioner, Kristen Hilton

Kristen Hilton was appointed as the Victorian Equal Opportunity and Human Rights Commissioner in 2016.

Prior to her appointment, Kristen was the Executive Director, Legal Practice, with Victoria Legal Aid and has previously worked with the organisation as Executive Director, Civil Justice and Access.

Kristen was previously the Executive Director of the Public Interest Law Clearing House and has extensive knowledge of current civil law and human rights issues and the needs of marginalised and disadvantaged individuals.

Kristen has practised in the private profession and in a number of community legal centres. Kristen currently chairs the National Male Champions of Change Group for Emergency Services and sits on the Victorian Ministerial Council for Gender Equality.

Major General Gerard Fogarty AO (retired)

On retirement from the Australian Army in November 2013, Gerard assumed the appointment of Chief Executive Officer of Defence Health Limited, a restricted not-for-profit private health insurance company located in Melbourne.

His military career was predominately in the fields of Command, Leadership, and Human Resource Management.

Gerard has served as a Commissioner on the Military Rehabilitation and Compensation Commission and a Deputy Commissioner on the Safety Rehabilitation and Compensation Commission.

He is presently a Director of HAMBS, a company based in Adelaide which supports the Hospital and Medical Benefits System application, Private Healthcare Australia, the Private Health Insurance Code of Conduct Committee and Chair of Members Own Health Funds. He is also a Director of the Defence Health Foundation, an advisor to the Prince's Charities Trust and the Defence Science and Technology Organisation's Human Performance Research Network.

Professor Paula McDonald

Paula McDonald is Professor of work and organisation in the Business School at the Queensland University of Technology. Her research aims to advance social justice goals with respect to work and employment relationships.

From 2010 to 2012, Paula led an Australian Research Council Discovery project, which examined organisational and institutional responses to workplace sexual harassment and its impacts on targets. She worked with the Australian Human Rights Commission on their 2008 and 2012 prevalence studies of sexual harassment and in 2014 on the development of employer resources to address the problem.

Paula has published more than 20 journal articles, book chapters and reports on sexual harassment and gendered forms of discrimination, addressing issues such as prevention and response frameworks, media representations, bystander interventions and dispute resolution processes.

In 2013, Paula gave expert evidence to the Canadian House of Commons Standing Committee on an investigation into sexual harassment in the federal workplace and she regularly responds to media requests and speaks to industry groups about her research.

Executive summary

Introduction

Victoria Police is one of Victoria's oldest and most valued public institutions. It is entrusted with a critical role in protecting and serving our community, and it is the place that many Victorians turn in their times of greatest need. With over 19,000 employees, it has a footprint that expands to every corner of the state and its people carry out diverse functions in what are often challenging environments. It is an organisation that is grappling with a rapidly evolving law enforcement environment, and the community it seeks to reflect and protect is more diverse than it has ever been.

Over the past two years, Victoria Police has set its path for a transformational journey. Through significant investment and sustained efforts across a broad range of areas, Victoria Police has commenced implementation of a broad package of reforms that seek to reduce the prevalence of sex discrimination and sexual harassment within its workforce. At their most basic level, successful implementation of the reforms will ensure that Victoria Police complies with its legislative obligation to provide a safe workplace, but in delivering on the reforms Victoria Police has the ability to realise its broader strategic vision for a more capable, equitable and connected policing service that better meets the needs of the Victorian community.

Background to the Audit

In 2014, Victoria Police commissioned an independent review into sex discrimination and sexual harassment, including predatory behaviour, within its own workforce. The Phase 1 Review sought to understand the prevalence, drivers and impact of these behaviours on Victoria Police personnel. It revealed a pervasive culture of sexism and sexual harassment that left many women feeling disillusioned and sidelined, hindering the organisation's capability and its ability to live up to community expectations. In 2015 the Phase 1 Review made 20 recommendations to drive broad structural change across the organisation, with a focus on improving organisational responses to harm and preventing harm through building a more diverse and inclusive culture.

This is the first of two audits to assess Victoria Police's progress towards building a safer, more respectful organisation. This Audit, Phase 2 of the review, sought to assess Victoria Police's progress towards implementing the 20 recommendations. It analyses the work undertaken by Victoria Police to create and embed structural change. Phase 3 of the Review will assess the impact of the reforms and assess whether there has been a measurable improvement across a range of key indicators. This will include assessing the prevalence of sex discrimination and sexual harassment since the Phase 1 Review, and key markers of gender equality such as workplace flexibility, the attraction and retention of women across all levels, and women's ability to progress through the organisation.

The most meaningful change is about addressing harm, both contemporary and historical harm. There are a lot of people in this organisation who have been hurt and they have long histories here, and it resonates and impacts the way they engage with the organisation. We are people and that is where our primary focus should be. The programs, processes and structures are important but the outcomes for our people are the most important.

– Internal interviewee

The Phase 2 Audit has found that Victoria Police has undertaken significant work towards the successful implementation of the 20 recommendations made in the Phase 1 Review. It has demonstrated its commitment to building a more gender diverse, safe and capable organisation that role models behaviours and attitudes to the Victorian community. Further work is required to deliver on the intent of all 20 recommendations, embed changes and ensure their enduring success. Full implementation of this body of work, supported by effective data collection and rigorous evaluation, will work to transform Victoria Police's culture and its capability to deliver effective policing services that meet the contemporary needs of the community.

Leadership

Following the release of the Phase 1 Review in December 2015, Victoria Police moved swiftly to demonstrate leadership and set up the necessary structures to support the implementation of the recommendations.

The Chief Commissioner made a heartfelt apology to past and present personnel who had suffered harm, and made a commitment to implement all 20 of the Phase 1 Review's recommendations. The decision to establish a standalone Command and appoint a dedicated Assistant Commissioner to coordinate the program of reforms is a powerful symbol of this commitment to change. There has been strong leadership from the Chief Commissioner and the Executive Command who have demonstrated a continuing focus on the reforms in the 18 months following the Phase 1 Review. A continued focus and visible leadership from the Chief Commissioner and Executive Command will remain critical as implementation continues.

Face-to-face engagement with staff was a key area of the organisation's focus following the launch of the Phase 1 Review, with a large number of Command members presenting to staff on the Review's findings. Senior leaders in the regional operations context were particularly active and travelled across large geographical regions to directly engage with staff.

Based on available data, close to 2000 employees attended a presentation from a senior leader on the reported harm and the case for change. In addition, an engagement road show was run over the course of 2016 and early 2017, reaching more than 2000 staff.

To ensure that the momentum is not lost and the messages remain fresh there is now an opportunity for all Command leaders to reconnect with personnel to share the organisation's vision forward and the broader focus on building a more diverse and capable organisation. The Stand Practice Leaders Network, a peer-to-peer mentoring program that aims to build leadership at a middle-management level, has been rolled out and has the potential to be an effective mechanism for building leadership across the organisation.

Victoria Police has worked to ensure that strong, authentic leadership and storytelling is central to developing organisational understanding of the business case for change. The Phase 2 Audit has seen encouraging examples of senior leaders reflecting on their behaviours and speaking authentically about their role in the dominant culture. Where senior leaders have spoken to employees with honesty and authenticity, the Audit observed a positive response from employees. The Audit also heard of some instances where senior leaders have not demonstrated behaviours and attitudes consistent with Victoria Police's vision for a safe, respectful organisation, and notes that efforts to create cultural and structural change may be undermined in circumstances where leaders do not model the highest behavioural standards.

> *[The story told by the senior leader] had a significant impact on the Senior Sergeants who now understand how to share a story like that with their own people. The power of sharing cannot be understated.*
> **– Internal interviewee**

Victoria Police has taken an active leadership role in supporting gender equality in the external environment. The Chief Commissioner is a Male of Champion of Change and other key leaders have supported efforts to build gender diversity in other policing jurisdictions and the broader emergency services sector. Victoria Police has also been at the forefront of public sector initiatives in adopting a primary prevention approach in areas of risk management and in committing to an 'all roles flex' approach to workplace flexibility. The Phase 2 Audit has heard that this work has led to improved organisational visibility and opportunity for flexible working practices. Uptake of flexible work arrangements will be further assessed in the Phase 3 Audit.

Governance and project implementation

Victoria Police has created a project and governance structure to support the implementation of the Phase 1 Review. In total, 21 projects have been established spread across six different Departments or Commands under the Capability portfolio, and overseen by the VEOHRC Review Implementation Steering Committee. The structure of the projects is intended to build collective ownership for the reforms. The breadth of work has at times impacted on the ability to deliver the reforms in a coordinated and integrated manner. Enhanced collaboration and stronger coordination through the centralised program management function, matched with appropriate resourcing at the project level, will be required to continue delivering on the reforms.

External and specialist expertise have been well utilised through the establishment of two dedicated advisory bodies, the Academic Governance Board and the Independent Advisory Board, and the reconfiguration of the Corporate Advisory Group. To maximise the value of the available expertise, Victoria Police needs to ensure it provides all three bodies with sufficient proximity to the broader program of work.

Strategy

Victoria Police launched its inaugural *Gender Equality Strategy and Action Plan* in June 2017. The Strategy articulates Victoria Police's vision for a more gender diverse organisation, and provides a framework and principles upon which to build and measure change. The Strategy is supported by an Action Plan setting out a range of actions towards broad reform. Further clarity and alignment is required to ensure clear lines of accountability and robust data collection, as well as a clear and measurable articulation of what progress Victoria Police aims to achieve within the three-year plan.

The Gender Equality Strategy is aligned to Victoria Police's *Capability Plan 2016–2025*, and refers to a range of other key strategies and initiatives. A deeper understanding of how the Strategy acts as a strategic enabler to realise a range of internal and external priorities, including the Community Safety Statement, would assist in building a cohesive and compelling narrative for change. Along with the Strategy, Victoria Police has launched the 'Stand' brand as a communications narrative to support the reforms of the Phase 1 Review. The 'Stand' brand provides a platform for an organisational focus on reducing workplace harm, but would benefit from further development in order to ensure that it clearly builds the case for gender equality.

Localised action plans at the Command and Directorate level are yet to be rolled out in a cohesive manner. These action plans are a critical tool to embed accountability and commitment across the Command leadership group and should drive meaningful progress across the organisation and provide greater visibility of the reform efforts at local levels. Centralised support in the creation of the action plans will be critical to ensure that initiatives and metrics align with the organisation-wide strategy and are informed by evidence as to what is required in an area to support broader strategic priorities.

An extensive program of work to review and, where necessary, update all policies relating to equal opportunity has commenced. Efforts have been made to prioritise policies that were specifically identified by the Phase 1 Review as being out-of-date or incorrect.

> *We have done a lot of work to try to build women's confidence to apply for higher level roles, and to prepare them for promotions. There has been active encouragement around getting more women into the pipeline and the active work around getting women to throw their hats into the ring. There is a lot of dialogue and active work of mentoring required across the organisation to encourage women.*
>
> – **Internal interviewee**

Data collection and analysis

Effective data collection and analysis will play a critical role in Victoria Police's implementation efforts, and extensive work has been undertaken to create a baseline against which to measure progress. The Phase 2 Audit has seen a broad commitment to increased data collection, work that will be critical for Victoria Police to effectively measure the impact of organisational change. Data across key metrics is being regularly reported into the Compstat forum and through six-monthly reports to each Command and Directorate.

To ensure leaders can digest and understand the extensive data provided, further analysis of regular reporting would be valuable. The Equity and Diversity Dashboard, which contains a number of key metrics that can be drilled down to individual workplace level, will be a valuable tool in driving change at a local level and supervisors should be incentivised to use it

Victoria Police carried out its first gender pay gap analysis in 2016, which revealed an organisation-wide gender pay gap of 9.1 per cent. The actual pay gap may be slightly higher due to the exclusion

> *One thing that has changed is that we are more prepared to have people come in to examine our business.*
> **– Internal interviewee**

of some salaries at the senior leadership level. A 'like for like' gender pay gap analysis is required to understand how the pay gap manifests between sworn members and Victoria Public Sector (VPS) staff, who in some situations carry out similar roles in accordance with significantly different salary scales and associated benefits. A pay gap analysis of the full Command group is also required to get a clear view of the gender pay gap at the senior leadership level. The Phase 2 Audit notes that Victoria Police's work to analyse and identify the drivers behind the gap sets the organisation ahead of many other government and private agencies and is to be commended.

The Phase 1 Review recommended that the principle of '50/50, if not, why not?' be applied to data collected across recruitment and promotions, including access to training and development opportunities. The first 50/50 audit looked at selected sworn environments across a range of metrics related to promotion, and provided valuable intelligence about the barriers that continue to face women in seeking promotion in these areas. The work to prepare and deliver this audit is significant, and has created an opportunity for Victoria Police to analyse and understand the barriers for women in promotional opportunities across all of the organisation's Divisional Commands. Further work is required in order to embed the 50/50 audit principles into decision-making processes across all promotional decisions, including VPS staff, and to embed the 50/50 audit into ongoing, business-as-usual processes.

Extensive data are now being collected to understand the prevalence of sex discrimination, sexual harassment and predatory behaviour across Victoria Police, and a proactive approach has been adopted to identify perpetrators of harm. This includes extensive mapping and data linking through Taskforce Salus. Data collected across various functions of the organisation should be shared in order to support the identification and response of inappropriate behaviours, while recognising the sensitive and confidential nature of the data.

Work has commenced on an exit interview process that will provide valuable data on employee's reasons for leaving the organisation. The most recent People Matter Survey data suggests that a lack of workplace flexibility and limited options for career progression impact on female employees' desire to leave the organisation more than their male counterparts. This data will help Victoria Police better understand and address why women leave the organisation.

I think there has been some significant change that is beginning to come from this work – the backfilling of parental leave is one. The lack of cover for parental leave was a significant structural barrier to other police officers feeling comfortable about someone taking parental leave. This should help to address that.

– External interviewee

Workplace flexibility

Through the Gender Equality Strategy, Victoria Police will implement an 'all roles flex' policy. This sends a powerful symbol of Victoria Police's commitment to increasing flexibility. Clear communication of this commitment from the most senior levels down to local leadership will encourage staff to utilise the range of flexible work options.

Victoria Police secured significant funding from government to create a parental leave backfill for sworn members who take parental leave as a primary caregiver. A model has been devised and the recruitment of backfill positions has commenced, with backfill roles available from 1 July 2018. The availability of backfill capacity will play a significant role in reducing the barriers to parental leave uptake and associated discrimination in operational policing contexts. By Victoria Police's own estimates, this program will require additional investment in order to backfill pregnant employees undertaking alternate duties prior to commencing leave. The Phase 2 Audit recognises the initiative and engagement undertaken by Victoria Police to work toward provide backfill for all operational roles.

Increasing gender diversity at all levels

Significant progress is underway to attract more women to apply for policing roles, to evaluate the application process, and to create a more gender diverse workplace. More opportunities for women to engage in professional development and prospects for promotion are being created across the organisation.

The Gender Equality Strategy articulates a target that 50 per cent of all Police Recruits and Protective Services Officer Recruits will be female, which demonstrates a strong commitment to increasing gender diversity. At this stage, the available data shows that women progress through the multi-staged recruitment process at a lower rate than men, meaning less women are successful in commencing recruit training. The fitness test and medical test are two gateways where women drop off at a higher rate than men. These tests should be reviewed to ensure that they reflect the contemporary needs of an entry-level Constable and PSO.

Work has been undertaken to identify the barriers that women face in progressing through the organisation, including looking at accessibility barriers to the training and development programs offered through People Development Command (PDC). A number of pilots, including mentorship programs, are being trialled to support women into leadership roles.

> *If the desired leadership style acknowledges 'feminine' qualities – for example, empathy and people management – it is more likely that a woman might say 'That sounds like me, I could do that.' If it's put there as 'We are looking for people who can build a high functioning team and who can allocate resources', it can help women to think 'That looks like me.'*
> **– Internal interviewee**

Targeted interventions are required in areas where women face the most significant barriers, such as at the Senior Constable and Sergeant ranks. Greater professional development opportunities and support may also be needed for VPS staff and PSOs. Although early in their development, Women in Policing Local Committees have provided an important mechanism to support women in developing and progressing through the organisation.

A review of the Australia New Zealand Policing Advisory Agency inherent role requirements of a general duties police officer was undertaken, with some minor changes made to ensure the role reflects contemporary requirements. Significant work remains to review capabilities across all other roles. This work will contribute to the realisation of broader aims articulated through the *Blue Paper: A Vision for Victoria Police in 2025* and *Capability Plan 2016–2025*, as well as supporting efforts to improve gender diversity.

Setting expectations of appropriate behaviours

Across various platforms, senior leaders have clearly articulated that the organisation does not tolerate sexual harassment or sex discrimination within its workforce. Further guidance remains required to support managers and supervisors to understand their legislative obligations around reporting sex discrimination and sexual harassment. This will be assisted through the rollout of workplace harm training for all managers and supervisors, which Victoria Police has committed to begin in 2018.

Significant work has been undertaken to promote safe and appropriate behaviours within PDC, which was identified by the Phase 1 Review as an environment where female recruits experience particular vulnerability. This has included the creation of a range of mechanisms to monitor risks and track recruit safety during their placement at PDC and in Designated Training Workplaces. A 'professional boundaries' course has been created and piloted for all sworn instructors in the PDC context, and will create a new opportunity for sworn instructors to understand their professional obligations and the impact of power imbalances on the recruit cohort.

A mandatory field for assessment has been added to the Professional Development Assessments of all VPS 4–7 staff and Senior Sergeants and above. This requires managers and supervisors to assess whether the staff member has demonstrated that they are respectful and ethical leaders who work to prevent discrimination and harassment, and afford all staff equal opportunities. Changes have also been made to the Executive Performance Plans of all executives to emphasise leadership skills and their positions as organisational role models.

> *I made a promise to myself the day the report was released that I cannot and will not walk past poor behaviour. I will call it out and I will challenge people. This extends to challenging people at the senior levels; we need to ensure we are modelling the behaviours for the rest of the organisation.*
>
> **– Internal interviewee**

Further work and scoping of a human resource business partnering model remains to be done, following extensive internal consultations and a desire to align the model with other functions that provide similar support to supervisory teams. Once operational, the human resource business partnering model has the potential to be a source of valuable strategic guidance to local leadership teams and will act to mutually reinforce reforms in the broader program of work. On the projected level of resourcing, the human resource business partnering function may not have capacity to effectively assist managers and supervisors across the organisation in the intensive way that is required in this kind of model.

Improving responses to workplace harm

There has been extensive work to improve organisational responses to sex discrimination, sexual harassment and predatory behaviour. Prior to the release of the Phase 1 Review, Victoria Police established a specialist taskforce to respond to complaints relating to behaviours of personnel that could amount to sexual harassment or sexual assault. Taskforce Salus has built a strong reputation within the organisation through its victim-centric approach to addressing gendered harm. Victoria Police also created Safe Space, an independent and confidential phone service for people to seek assistance and support. The Phase 2 Audit found that there has been low engagement with Safe Space to date.

> *We have seen a commitment from Salus to address all complaints at all levels. We have seen them address minor matters and historical matters. There is a commitment to do that through Salus, which is driving confidence within the force.*
>
> **– External interviewee**

Victoria Police has recently established OneLink, a workplace harm unit that will triage and case manage all complaints relating to sex discrimination and sexual harassment. OneLink will also receive complaints relating to bullying. Mapping of existing welfare services and supports remains to be done, which will assist in ensuring OneLink staff have a clear understanding of referral pathways and increase effectiveness and employee understanding of the support services available to them.

Extensive work has been undertaken to reform the internal disciplinary system to ensure a more efficient, timely and victim-centric response to problematic behaviours within the organisation. This has required Victoria Police to consider the broad range of recommendations made across a number of external reviews. When implemented, the work should result in a more simplified disciplinary system. Further work has commenced to review mechanisms to concurrently pursue criminal proceedings and disciplinary matters, as well as consideration of changes that will ensure that an employee who resigns under investigation can be identified by future employees and volunteer organisations.

External environment

Implementation of a number of the Phase 1 Review recommendations require the cooperation of government or other external agencies. Victoria Police has worked effectively with government and external agencies to advocate for reform, and actively sought to promote legislative change where necessary.

Public consultation and early thinking on the design of a redress and restorative engagement scheme has been led by the Victorian Government, with the assistance of Victoria Police. A decision from the Victorian Government is still required as to the scope and scale of the scheme. A redress and restorative engagement scheme would enable victims to receive acknowledgement of harm, and provide a powerful avenue for senior leaders to understand the impact of behaviours. Victoria Police continues to work closely and effectively with government to advocate for changes to the Protected Disclosure Act 2012 (Vic) and other key legislative instruments in order to ensure reporting mechanisms operate effectively and in a victim-centric manner.

An independent review of the defined benefits superannuation scheme for emergency services has been undertaken, which included gender equity considerations. This work has been led by the Victorian Government, and Victoria Police has assisted through the provision of analysis of workforce data on the whole-of-lifecycle impact of the defined benefits scheme of women compared to men. The Phase 2 Audit notes the valuable analysis that Victoria Police has undertaken as to the impact of the defined benefits scheme on women within the organisation.

The Police Registration and Services Board has undertaken proactive work to ensure its decision making in the area of both appeals and disciplinary matters reflects consideration of unconscious bias and the individual and organisational impact of gendered harm. It has sought to increase the skills and diversity of its sessional members to ensure expertise in the areas of gendered harm and human rights.

Elevating key voices

Across the implementation of reforms and moving into business as usual, there remains a need to support and elevate key voices, including those of women, LGBTI staff and staff who have been subject to harm. The creation of the Women in Policing local committees across all Commands and Directorates offers a significant opportunity to hear and respond to the experiences and insights of women across the organisation. The Women in Policing Advisory Group, which will support the local committees, has the potential to be a key strategic body in advising on issues that impact women in the organisation. To deliver on this purpose, the Advisory Group needs to be elevated in order to play a more strategic function, and should be treated as a source of valued expertise.

> *There needs to be safe spaces for women. No question. Male Champions of Change can connect to that but women need to be supported. There needs to be safe spaces for women.*
>
> **– External interviewee**

Victoria Police should ensure that the needs and perspectives of VPS staff are elevated and considered across all reform efforts. This is necessary in order to recognise the unique experiences of VPS employees, as highlighted in the Phase 1 Review.

Evaluating the change

Victoria Police has invested significant effort and resources into the implementation of recommendations to date. In order to ensure that the reforms have the necessary impact and enable Victoria Police to realise its necessary state, a robust approach to evaluation is required. To date, there has been limited evaluation of new structures, programs or pilots. Clear evaluation frameworks, supported by robust data collection, are required across all major initiatives, including the creation of OneLink, workplace harm training, parental leave backfill, professional boundaries training, the redress and restorative engagement scheme, and the communications tactics employed as part of the reform efforts. For smaller investments, it is necessary to have a consistent approach to evaluation that ensures data are collected and analysed. Where evaluations are carried out, thought should be given as to how lessons can be shared across the implementation efforts.

Going forward

The Phase 2 Audit commends the extensive work undertaken by Victoria Police since the release of the Phase 1 Review. Its findings demonstrate Victoria Police's commitment to change, while also acknowledging the challenging nature of implementing a broad and significant body of intersecting reforms to a large and complex organisation. To assist Victoria Police in its ongoing implementation, the Audit provides guidance to ensure that changes are embedded and interventions are well targeted, measured and, where necessary, improved. Delivering on the intent of all 20 recommendations through this guidance will enable Victoria Police to deliver on its desire to create transformational change.

> *This is an issue for all of us. I don't think it is for women to fix … but the women don't want to be excluded from the changes either. They want their voices heard. We are a part of the history and part of the problem – and importantly part of the solution – and we need our voices heard.*
>
> **– Internal interviewee**

Chapter 1: Introduction, audit approach and methodology

The Phase 1 Review

In 2014, Victoria Police commissioned the Victorian Equal Opportunity and Human Rights Commission (the Commission) to examine and report on the prevalence, drivers and impacts of sexual harassment and sex discrimination within its ranks. To demonstrate the commitment of the organisation to the principles of equality and diversity and preventing violence against women, Victoria Police directed that the review should be delivered publicly.

An Expert Panel was formed to deliver the review, led by former Commissioner, now Australian Sex Discrimination Commissioner, Kate Jenkins. The review's terms of reference included reviewing, reporting and making recommendations on the nature, prevalence, drivers and impact of sexual harassment, sex discrimination and predatory behaviour among Victoria Police personnel. The review was to make recommendations on initiatives and organisational strategies to drive cultural and practice change within Victoria Police and promote safety, equality and freedom from gendered harm within the organisation.

The Phase 1 Review utilised a range of data collection methods to ensure a broad range of contributions from the Victoria Police workforce, former personnel, and the supporters and families of those affected by gendered harm. Quantitative and qualitative data sources included an online survey, corporate data, confidential interviews, written submissions, expert interviews and site visits.

The Phase 1 Review was delivered in December 2015, and revealed an entrenched culture of everyday sexism, strict adherence to gender stereotypes, a high tolerance for sexual harassment and sexualised workplace behaviours, and structural and attitudinal barriers to gender equality. This landscape had left many current and former employees of Victoria Police harmed, relegated and dissatisfied.

The Phase 1 Review handed down 20 mutually-reinforcing and interlocking recommendations, intended to build a roadmap toward building gender equality into the values, culture and operations of Victoria Police. An Action Plan was created, setting out three phases for implementation. The Action Plan intended for the reforms to become embedded into the organisation and part of 'business as usual', so that work towards ensuring safe and respectful workplaces would extend long beyond the lifecycle of the review. Victoria Police committed to the implementation of all 20 recommendations of the Phase 1 Review.

The Phase 2 Audit

To ensure transparency, accountability and to demonstrate the commitment of the organisation to effecting transformational change, Victoria Police requested that the Commission monitor its progress towards the implementation of the recommendations and deliver two further public audits.

The first of the two Audits (the Phase 2 Audit) commenced in March 2017. The purpose of the Phase 2 Audit is to monitor and report on Victoria Police's progress in implementing the recommendations and action plan, as set out in the Phase 1 Review.

The focus of the Audit is on the work undertaken by Victoria Police to implement the 20 recommendations. The Phase 2 Audit did not seek to measure changes across the key gender equity indicators, or seek to assess whether key metrics had shifted since the Phase 1 Review. The Audit recognises that the cultural and behavioural changes required to make Victoria Police a safe and respectful workforce will take time and sustained effort by the organisation. It also recognises that the foundational piece in transforming the organisation is the structures created to effect and enforce change, and that this work will be critical in ensuring that reform occurs.

The purpose of the Audit is to:

- assess the work undertaken by Victoria Police and analyse whether it is progressing toward achieving the intent of the recommendations and Action Plan

- provide Victoria Police with guidance to assist in its ongoing implementation work

- focus Victoria Police on key areas where progress is stalling or may not be meeting the intention of the Phase 1 Review.

As with the Phase 1 Review, the Audit's methodology has been assessed as complying with the National Statement on Ethical Conduct in Human Research (2007) by the Department of Justice and Regulation's Human Research Ethics Committee.

The Phase 2 Audit assesses the progress of Victoria Police against an agreed audit framework building upon the Action Plan contained in the Phase 1 Review. The Commission has reviewed a range of quantitative and qualitative evidence to analyse the progress of Victoria Police in meeting the recommendations of the Phase 1 Review. This evidence looks to a range of sources, including organisational documentation, qualitative data from expert interviews and workforce data. Review of this evidence allowed the Audit to engage in an evidence and enquiry based evaluation, rather than undertaking a black-letter audit evaluating the organisation's compliance with the Phase 1 recommendations.

The sources of evidence used to inform the Audit include:

- extensive project documentation, including project plans, analysis, and workforce data

- completed project deliverables, including approved models, proposals and scoping documentation

- Victoria Police internal and external communications, including minutes from governance meetings

- documentation relating to key external agencies

- surveys conducted by Victoria Police

- expert interviews with senior leadership, including a number of members of the Executive Command and Command groups

- expert interviews with strategically significant personnel across Victoria Police who have a role in the implementation of the Review's recommendations. This includes personnel from across the six main areas under which projects sit

- expert interviews with key external perspectives, including members of the advisory structures in place to support the implementation of the recommendations, namely the Academic Governance Board, the Corporate Advisory Group and the Independent Advisory Board. These interviews were semi-structured, with the Audit asking a series of questions relevant to the role of the person and particular programs of work over which they held specific insight or information

- meetings with senior members of key external agencies with a view of the work taking place within Victoria Police or which have a role in the delivery of the recommendations. This includes the Department of Justice and Regulation, the Independent Broad-based Anti-corruption Commission, the Police Association Victoria, the Community and Public Sector Union, and the Police Registration and Services Board

- a small number of focus groups with a range of personnel across the agency.

The Phase 2 Audit's data and documentation collection formally completed on 30 June 2017, although additional information received after this date has been noted. The Audit reflects the organisation's progress since the release of the Phase 1 Review in December 2015.

As detailed above, the Audit is limited to review and analysis of the program of work conducted by Victoria Police in response to the Phase 1 Review. The Audit did not conduct analysis relating to:

- confidential interviews, except for a small number of interviews conducted on a confidential basis for the purpose of analysing the structural workings of an internal unit

- data measuring behavioural or attitudinal changes within the organisation

- data relating to experiences of victims and targets of workplace harm

- changes in data across key metrics relating to gender equality, as the data baseline was set in June 2016 and a sufficient period of time had not lapsed in order to measure change across key datasets.

On a number of occasions, current and former Victoria Police employees approached the Commission raising concerns and detailing their experiences of workplace harm. The Phase 2 Audit has not been able to detail these concerns or the harm given it was outside the scope of the audit framework. In these instances, the Review team listened to and acknowledged these experiences, explained the limitations of the Audit and encouraged personnel to engage with the Phase 3 Audit. The Review team sought to deal with these approaches in accordance with best practice victim-centric principles, including listening and validating people's experiences before supporting them to engage with other support services or formal complaints processes. This includes the Commission's conciliation function, which deals with complaints relating to sex discrimination and sexual harassment.

During the audit phase, Victoria Police has continued to seek the Commission's expertise and guidance in its implementation work. This was part of the agreed relationship between the Commission and Victoria Police under its continuous disclosure model. This has included the Commission providing high-level feedback on a number of pieces of work and at times meeting with members of the project teams to provide guidance. Where necessary, the Commission has noted its involvement in any areas of work in the body of the Audit. When providing this feedback and while engaging with Victoria Police, the Commission has adhered strictly to the confidentiality and privacy of all participants in both the Phase 1 Review and the Audit. The safety and wellbeing of victims and targets of workplace harm and current and former employees of Victoria Police continues to be the paramount focus of the Commission's work with the organisation.

The Phase 3 Audit

In early 2018, the Commission will commence data collection and analysis for the Phase 3 Audit of the Independent Review. The Phase 3 Audit will assess Victoria Police's progress towards creating cultural, behavioural and attitudinal change across the organisation. It will look at:

- the treatment of women across the organisation since the Phase 1 Review
- experiences of sexual harassment, sex discrimination, victimisation and predatory behaviour across the organisation
- workforce data that measure the experience of women in Victoria Police from recruitment to exit.

The Phase 3 Audit will assess the success of initiatives by the organisation to create a safer and more respectful workplace, and make further recommendations where the Audit determines they are necessary.

The Phase 3 Audit will engage broadly across the organisation, and will invite current and former employees to participate in confidential interviews and focus groups, make written submissions, and respond to a confidential online survey. It will result in a final public report by the Commission on progress towards the creation of an inclusive, safe and non-discriminatory culture within Victoria Police.

Chapter 2: Apology, redress and restorative engagement

Key findings

- The Phase 1 Review made clear that committed leadership would be required for the organisation to address the pervasive culture of sexism, sex discrimination and sexual harassment. Since the release of the Phase 1 Review, the Audit observed significant evidence of leadership commitment to implementing the reforms.

- The Chief Commissioner has played a key role in leading structural and cultural change. This included making two formal apologies to acknowledge the broad range of harms suffered by past and present members of Victoria Police, and visibly prioritising this work.

- A redress and restorative engagement scheme is yet to be implemented. The delivery of the scheme largely rests with the Victorian Government. Victoria Police has undertaken significant work to support the creation of a redress and restorative engagement scheme.

- In lieu of a formal redress and restorative engagement scheme, Victoria Police has participated in a number of conciliations through the Commission using a bespoke restorative engagement scheme. This model has been used for complaints relating to sex discrimination and sexual harassment, and has enable participants to seek some financial compensation and afforded the opportunity to tell their story.

- A strong, unwavering commitment to the highest standards of behaviours from senior leaders is critical if Victoria Police seeks to realise this ambitious change agenda. The Phase 2 Audit heard concerns that some senior leaders continue to fail to exhibit appropriate behaviours and attitudes.

Phase 1 Review findings

The Phase 1 Review found evidence of a sexist organisational climate and high rates of sexual harassment, as well as chronic underreporting of both sex discrimination and sexual harassment. The Review heard directly from victims and targets who had directly experienced or witnessed harm, and heard of the significant and corrosive physical, psychological and economic impacts of the harm. This harm often extended not only to the immediate victim, but members of their family. The Review specifically noted that some participants disclosed that they were currently experiencing sexual harassment by currently-serving, senior-ranking employees.

In light of the significant, cumulative harm, which was often compounded by inadequate organisational responses, the Phase 1 Review recommended the development of a redress scheme and restorative engagement initiative, as well as a public acknowledgement of harm.

Recommendation 1

Based on contemporary best practice, Victoria Police (supported by the Victorian Government) should develop a redress scheme for Victoria Police personnel that includes:

- a restorative engagement initiative
- a reparation scheme – financial and non-financial
- public acknowledgement of harm.

Intent of the recommendation

The purpose of Recommendation 1 was to provide acknowledgement of the harm suffered by Victoria Police employees, and to demonstrate a commitment to change going forward. Through a public apology and the creation of a redress scheme with financial and non-financial elements, it was envisaged that Victoria Police would send a powerful message that the agency acknowledged the widespread harm that had taken place, and its significant and often enduring impact on those who had suffered. It sought to provide the opportunity for the agency to make a public commitment to do better.

Given the role of some senior leaders in acting inappropriately, seeing leaders speak publicly without acknowledging their complicity could lead to a feeling that the apology is tokenistic. This could be dealt with by acknowledging that there remain issues at the leadership level, but that there will be moves to ensure that a core criterion for all leadership positions is a demonstrated commitment to no tolerance for inappropriate behaviours.

The Phase 1 Review gave clear guidance on the best-practice principles for establishing a restorative engagement initiative and reparation scheme, with a focus of victim-centricity. The Review noted the importance of drawing on specialist and technical expertise. It noted that any scheme should involve rigorous consultation, including with employees who may participate in the scheme.

Indicators of successful implementation

Apology for harm made

- Apology for harm suffered by current and former employees is made in public and communicated to all personnel, and sets out an agenda to drive meaningful change.
- Apology or subsequent communications acknowledge the role of some senior leaders in the harm caused, and note that a core criterion for all leadership positions going forward is zero tolerance of inappropriate behaviours.

Redress and Restorative Engagement Scheme established

- Establishment of a scheme that provides financial and non-financial redress and restorative engagement.
- Design of the Redress and Restorative Engagement Scheme informed by specialist expertise, including through rigorous engagement with current and former employees who have been subject to harm.
- Scheme reflects best-practice victim-centric principles across all aspects of its design, including funding, resourcing, senior leadership's involvement, communication, and policies and processes.

Implementation action

As at 30 June 2016, the Audit has observed the following key activities by Victoria Police towards the implementation of Recommendation 1:

- public apology made by the Chief Commissioner at the release of the Phase 1 Review in December 2015 and at the January 2016 Pride March

- engagement with the Victorian Government to establish a redress and restorative engagement scheme

- the establishment of a steering committee between Victoria Police and the Victorian Government to guide the establishment of the redress and restorative engagement scheme

- engagement with other jurisdictions to inform design of the redress and restorative engagement scheme, including the Australian Defence Force's Defence Abuse Response Taskforce

- expert guidance sought from the Independent Advisory Board (IAB), which includes members with expertise in the area of redress and restorative engagement schemes.

The Phase 2 Audit notes that successful implementation of Recommendation 1 is contingent on support and funding from the Victorian Government. Key activities towards implementation led by the Department of Justice and Regulation include:

- a public consultation process on the design and scope of a redress and restorative engagement scheme

- an actuarial assessment to model the possible costs of the scheme, carried out by an independent consultant

- a summary of key findings from the consultation process and options for the scheme's design presented to Government for consideration.

Audit findings

Apology and commitment to change

Overview

During the launch of the Phase 1 Review, the Chief Commissioner made a formal apology to past and present members of Victoria Police who had experienced sex discrimination, sexual harassment or predatory behaviour. In doing so, he acknowledged the broad range of harms experienced by past and present Victoria Police employees.

> *Unreservedly, I apologise formally and personally for the discrimination that has occurred to our current and former employees, and for the experiences they've gone through.*
>
> *There were some ugly stories in those reports. Some of our people told us some terrible experiences … They had undergone discrimination. They had undergone harassment, they had undergone predatory behaviour. And this includes general exclusionary behaviour right through to criminal offending.*
> **– Chief Commissioner Graham Ashton, 9 December 2015**

When I saw this role advertised and I contemplated applying, this review was one of the things that convinced me to put my hat in the ring. The fact that the Chief Commissioner had been prepared to take an unflinching look at what was going on, make that public and commitment to do something about it was to me extremely positive. Making the results public did two important things: it demonstrated the commitment to the Victorian community, and it put everyone in the organisation on notice that change is happening and there are consequences for bad behaviour. I probably would not have applied for the job had this work not be undertaken. – **Internal interviewee**

As part of the apology, the Chief Commissioner committed to implementing all of the Phase 1 Review's 20 recommendations and set out a path forward.

I think the report will change Victoria Police forever and there'll certainly be no turning back from this point … The change starts today. Our response to this report will be all encompassing. – **Chief Commissioner Graham Ashton, 9 December 2015**

In January 2016, the Chief Commissioner made a second formal apology at the Pride March, an annual celebration of LGBTI rights and the broader LGBTI community. The Phase 2 Audit understands that this apology acknowledged the unique harm suffered by LGBTI staff, and set out a commitment to inclusion for LGBTI staff.

The Phase 2 Audit was informed in August 2017 that Victoria Police has engaged Chief Executive Women to carry out the Leadership Shadow process. This involves a facilitated discussion that asks leaders to consider four key questions: 'what I say', 'how I act', 'what I prioritise', and 'how I measure'. The model seeks to support leaders to question the kind of leader that they are and how they might change in order to improve gender diversity within their organisation. The Phase 2 Audit understands that this will be rolled out to leaders at the VPS 6 or Superintendent level and above in late 2017.

Findings

Apology and acknowledgment of harm

The Phase 2 Audit found that there had been a genuine and heartfelt apology by the Chief Commissioner on at least two occasions. There was clear desire to make the apology in the public eye and to ensure it was heard across both the organisation and community.

The launch of the Phase 1 Review was covered by a number of mainstream media outlets, with much of the coverage noting the Chief Commissioner's apology and the organisation's commitment to do better.

Within the organisation, the Chief Commissioner's apology was covered in a short corporate news article in the *Victoria Police Gazette*.[1] The Gazette article linked to a video of the Chief Commissioner talking about the Phase 1 Review's findings. The apology has been referenced in the context of a number of other corporate communication activities since December 2015.[2]

In making the apology at the same time as the launch of the Phase 1 Review's findings, the Chief Commissioner made clear from the outset that both he and the organisation took responsibility for the harm suffered and the need to effect change going forward. This was a powerful signal from the outset of the organisational commitment to change.

The Phase 2 Audit notes that the audience for the apology was not just current Victoria Police employees, but past employees and the broader community. Given the importance of building community confidence in police, as outlined in various strategies such as the recent Community Safety Statement, the apology had an important role to play in restoring trust and confidence.

There have been a number of other examples of where there has been a positive public spotlight on Victoria Police and its commitment to change as a result of its public acknowledgement of harm and willingness to allow external scrutiny to ensure change is realised.[3]

Acknowledgement of past behaviours

The Phase 1 Review highlighted the need for the apology and subsequent communications to acknowledge the role of some senior leaders in the harm that had taken place and the culture that existed. This need for ownership or acknowledgement of the role senior leaders have played was also acknowledged by a number of participants in the Audit.

> *When people deliver messages and people know their past, and there is no ownership, of course they question it. When people in the forums acknowledge what they've done wrong in the past, it's heard. When others don't acknowledge and lecture people, it becomes a laughing stock. It's about the people who deliver the message.*
> – **Internal interviewee**

The Phase 2 Audit heard of a number of instances where senior leaders – including a number of senior men – had reflected in leadership contexts on the role they had played in allowing a culture of disrespect and sexism to grow and thrive. The Audit commends the leadership of those who have openly acknowledged their role in the culture and demonstrated authenticity and honesty in their engagement with staff.

> *I went from a boys' school to a boys' club, with all these signals on how we treat women … I describe that to my staff. When I was growing up, my personality was one of a 'boofhead'. I played sport, joined a boys' club, raced cars, chased people around. My maturity as a male wasn't as good as what it could have been … There are things I've done where I haven't covered myself in glory at all. I've been bombastic at times.*
> – **Internal interviewee**

> *The important thing is to be able to reflect and challenge yourself on how you may have contributed to this issue. We all need to recognise our part.* – **Internal interviewee**

The Phase 2 Audit heard overwhelming support for those senior leaders who had spoken about their actions and inactions in the past, and those who demonstrated the capacity to critically reflect. A number of interviewees responded very positively to the idea of senior leaders – in particular, senior men – being more reflective and vulnerable in terms of acknowledging their own behaviours and roles in the culture.

The Audit notes that in some instances senior leaders had done this, but that their reflections on their role in the culture had been interpreted as contrived. Any attempt to acknowledge involvement in the culture must be genuine and authentic.

> *When it is done badly, it is as if some people are a bit frightened to talk about the contents of the report and will skirt around the edges. Their takeaways tend to be about minor issues. People just tune out. I have seen it happen and it is hard to get the conversation back to the important bit.* – **Internal interviewee**

For those in senior leadership positions, it is important to openly acknowledge poor behaviours even if those behaviours were historical. Further, it is important that senior leaders reflect on the broad range of behaviours and actions that contribute to a culture of disrespect and everyday sexism.

The Audit notes that setting this culture of reflection and acknowledgement will assist in encouraging participation in the restorative engagement scheme.

> *There were stories from senior leaders reflecting on how they had used bullying behaviour in the past. They now owned this behaviour and invited individuals to come forward and talk about how bullying had affected their lives. It's this human storytelling that creates transformative change.* – **External interviewee**

The broader work being undertaken to assist senior leaders to tell their stories, both through workshops and in the Stand Practice Leaders Network, and to encourage authentic engagement around the content of the Phase 1 Review is explored further in Chapter 5. The Audit notes that the Leadership Shadow process will also assist leaders to critically reflect on their leadership style, which may include reflection on personal behaviours and attitudes.

The need for sustained efforts

The Phase 2 Audit did hear that there was a perception that there remain some people in senior roles who do not model appropriate behaviours – and are even promoted – despite their records. A strong, unwavering commitment to the highest standards of behaviours from senior leaders is critical if Victoria Police seek to realise this ambitious change agenda.

> *In the leadership team, there needs to be absolute commitment. You need to have the courage to make some hard decisions.* – **External interviewee**

> *If people are not adhering to the organisation's values then I think there should be greater visibility of individuals being held to account. I also believe our leadership would be respected for taking this approach.* – **Internal interviewee**

While the focus of the Audit was not on receiving confidential accounts of contemporary harm or poor behaviour, a number of instances of poor behaviour were raised during the interview process. The positive work by Victoria Police and its commitment to improve is significantly undermined by conduct of this kind. When senior leaders become aware of inappropriate behaviours, it is important that they take complaints seriously and in accordance with best practice.

> *It is about sending a strong message about what you do not tolerate … If you have a leadership title, it is not just living the message but being an exemplar and exhibiting the behaviours you wish to see.* – **External interviewee**

While the Audit heard some instances of inappropriate responses or actions, the Audit also heard about an increasing willingness to call these behaviours out.

> *I made a promise to myself the day the report was released that I cannot and will not walk past poor behaviour. I will call it out and I will challenge people. This extends to challenging people at the senior levels; we need to ensure we are modelling the behaviours for the rest of the organisation.* – **Internal interviewee**

This focus on calling out and challenging behaviours, where safe to do so, is an encouraging sign in making clear the expected standards of behaviour and demonstrating a genuine commitment to organisational change.

Guidance going forward

In the Audit's interviews with senior leaders, it heard powerful messages about what this work meant to them and their reflections on the role they had played in allowing the culture to exist. It is critical that these messages and reflections reach personnel. Victoria Police should consider how best to share these reflections and stories more broadly.

Given the concerns about some senior leaders' attitudes or behaviours, there would be value in senior leaders visibly renewing their commitment to act in a respectful and inclusive way. Command members have recently committed to undertake the Leadership Shadow process, which encourages a focus on self-reflection and development.

The focus on leaders' behaviours must be broader than on 'high-end' behaviours such as sexual harassment. It must also be on the broad range of behaviours that fall short of Victoria Police's desired standards. This includes, for example, minimising harm, being a bystander and demonstrating a lack of respect for each other.

Where behaviours significantly transgress what the organisation deems acceptable, senior leaders should face consequences.

Where possible, the organisation should seek to highlight and celebrate examples of both women and men speaking with authenticity and courage about their role in the organisational climate and harm suffered. In doing so, Victoria Police should also be cognisant of those who have been subject to harmful behaviours and ensure their experiences are also highlighted.

Redress and restorative engagement scheme

Overview

Following the release of the Phase 1 Review, Victoria Police commenced engagement with the Department of Justice and Regulation to scope a redress and restorative engagement scheme. A steering committee to guide the work was convened with a number of representatives from Victoria Police, the Department of Justice and Regulation, the Department of Premier and Cabinet, and the Department of Treasury and Finance.

The work to scope and develop the scheme has been led by the Department of Justice and Regulation, with extensive support from Victoria Police. Work undertaken to date by the two agencies includes:

- examination of best practice around the development and delivery of redress and restorative engagement schemes, including through engagement with the Australian Defence Force to understand the operation of the Defence Abuse Response Taskforce

- the development and delivery of a public consultation process

- an assessment of the costings to develop a redress and restorative engagement scheme in order to support government decision-making on the scope and settings of a scheme

- informed by the consultation, the preparation of an options paper for consideration by Government.

The Phase 2 Audit notes the considerable efforts undertaken by Victoria Police to encourage past and present employees to participate in the Department's consultation process. This included through a range of internal communication channels, including The Gazette, targeted emails and

intranet updates, as well engaging with a broad range of external stakeholders that would have direct engagement with people who may have experienced harm. This included approaches to both the Community and Public Sector Union and the Police Association Victoria.

The Phase 2 Audit did not receive evidence as to the number of submissions made or the content of submissions made.

In lieu of a formal redress and restorative engagement scheme, the Commission has worked with Victoria Police to deliver a small-scale restorative engagement scheme for participants from the Review who had suffered and disclosed harm during the review process and members of Victoria Police who have faced harm since. This scheme has been provided through the Commission's dispute resolution function under section 113(1) of the *Equal Opportunity Act 2010* (Vic). Through this process, Victoria Police has provided financial payments and formal apologies to a number of victims of harm. The Commission provided extensive details on the scheme in its submission to the Department of Justice and Regulation in May 2017.

Findings on redress and restorative scheme

A redress and restorative engagement scheme is yet to be implemented 18 months after the Phase 1 Review. The Phase 2 Audit commends Victoria Police for its extensive engagement to support the creation of a redress and restorative engagement scheme, noting that delivery of the scheme largely rests with the Victorian Government. The Audit notes the significant efforts of both the Victorian Government and Victoria Police to consult broadly around the design of the scheme, including through strong engagement with other jurisdictions.

The Audit observed the importance of the redress and restorative engagement scheme in order to acknowledge the harm and move Victoria Police towards becoming a safe, inclusive and respectful workplace. This was a sentiment echoed by a number of interviewees.

> *The most meaningful change is about addressing harm, both contemporary and historical harm. There are a lot of people in this organisation who have been hurt and they have long histories here, and it resonates and impacts the way they engage with the organisation. We are people and that is where our primary focus should be. The programs, processes and structures are important but the outcomes for our people are the most important.* – **Internal interviewee**

The Audit heard the importance of a restorative engagement process in galvanising senior leaders and sparking cultural change.

> *I absolutely think restorative engagement or what I call purposeful storytelling has shifted senior members of organisations. I do not know whether it is embarked upon or safe to do in Victoria Police, or how extensive it is. I think the restorative engagement process must happen and is the single best lever for change in terms of getting the organisation to step up.* – **External interviewee**

One interviewee noted the value that he had taken from engaging in the Commission's small-scale restorative engagement process on behalf of Victoria Police.

> *The restorative engagement piece will be really helpful to my colleagues. My involvement in restorative engagement type conversations has made me a better person and leader. I think my colleagues will significantly benefit from that too.* – **Internal interviewee**

The Phase 2 Audit notes that there is significant opportunity for the organisation to grow through participation in the redress and restorative engagement scheme, and for the scheme to support the desired cultural change. If the scheme is implemented by Government, Victoria Police needs to consider how the experiences of senior leaders participating in the scheme will filter down across the organisation and effect change, should the scheme proceed. Victoria Police will need to support these leaders to speak frequently and widely about what they see and learn, and need to ensure wide, effective communication about the power of these stories.

The Audit observed that there is a clear desire from Victoria Police to implement a best-practice model, and learn from Defence Abuse Response Taskforce and other jurisdictions. The Audit notes the importance of the model being rooted in the victim-centric principles outlined in the Phase 1 Review. This includes as much as possible avoiding the grading of harms, given the impact of harm can vary significantly across what may appear similar circumstances.

The Phase 2 Audit was not able to assess the impact of the delays in establishing the scheme on Victoria Police employees' faith in broader change. However, a number of interviewees and external experts acknowledged the risk that Victoria Police would be seen as not committed to change given the significant delay and the lack of clarity as to whether the scheme will be delivered with a financial component.

Guidance going forward

Given the delays in establishing a restorative engagement process, Victoria Police may wish to consider other alternatives to provide a strong voice for victims in the interim. This could be a powerful way to galvanise staff and shift organisational attitudes, as well as elevating the voice of victims and survivors. This could involve working with a survivor to tell their story in order to demonstrate the impact of harm within the organisation. Any approach would have to be done sensitively, ethically, in accordance with victim-centric principles, and only if the participants actively sought to engage. Supporting people who have been harmed within the organisation to speak about their experience would be done in addition to and alongside a formal redress and restorative engagement scheme, not as an alternative.

The Phase 2 Audit notes that in the design and implementation of a redress and restorative engagement scheme, Victoria Police will need to be clear that the scheme is available for Victorian Public Sector (VPS) staff. For example, Victoria Police will need to give consideration as to how senior VPS leaders will be involved in the roll out of the scheme. The focus groups carried out as part of the Audit highlighted that VPS staff do not always feel that new initiatives or changes are intended for their use or benefit, so it is important that thought be given to the way the scheme will be tailored and promoted to VPS staff.

While acknowledging the financial implications for the Victorian Government, the Audit considers it important that the scheme delivers on both the financial and restorative elements of the scheme, and ensures payments cater for the broad range of harms experienced.

Restorative engagement is a process – and it involves the biggest gift you can sometimes give to a person, which is to listen to their story – for a full hour or more, in this case – and actually understand why their story matters. This is a cultural shift for most people in large organisations – not in the first instance to act, but to actively listen … To truly validate a person's experience, one needs to listen to it and so be able to say – genuinely – I've really learned something from listening to your story'.
– **External interviewee**

Summary of guidance going forward

- Victoria Police should continue to explore ways to authentically share reflections from leaders about aspects of the culture that have enabled harm and gender inequality, as well as, where applicable, their role in that culture.

- Victoria Police should ensure that senior leaders are held to account for their behaviours across a broad range of behaviours, including 'lower level' sexism, discriminatory attitudes and disrespectful behaviours.

- While the restorative engagement scheme is being scoped, Victoria Police should consider alternatives to provide a platform for victims' experiences and voices in a way that embeds principles of victim-centricity.

- Victoria Police and the Victorian Government should continue their work towards designing and implementing a comprehensive redress and restorative engagement scheme in accordance with the guidance provided through the Phase 1 Review.

Endnotes

1   Victoria Police, *Apology to victims of sexual harassment,* Monday 14 December.

2   For example, Victoria Police Media & Corporate Communications Department, *A Short Guide to the Independent Review into sex discrimination and sexual harassment including predatory behaviour in Victoria Police* (Victoria Police, 2016).

3   The Victorian Equal Opportunity and Human Rights Commission has often publicly noted the positive example set by Victoria Police in its willingness to publicly acknowledge the harm that has taken place and commit to do better.

Chapter 3: Governance and project implementation

Key findings

- Victoria Police has dedicated significant resources to implementing the recommendations from the Phase 1 Review. This includes the establishment of 21 projects and a standalone Command to oversee the program of works. This investment speaks to the organisational commitment to bringing about change.

- External expertise has been well utilised across a number of areas of implementation. This has included through the dedicated advisory structures set up or recalibrated to support the implementation, including the Corporate Advisory Group (CAG), Independent Advisory Board (IAB) and Academic Governance Board (AGB). Victoria Police needs to consider how to best utilise its three advisory groups in light of the work required across the program of works and areas that require ongoing specialist expertise.

- Executive Command has demonstrated commitment to the reforms through regular oversight, and a dedicated steering committee has overseen the broad program of works.

- The implementation steering committee, VRISC, has demonstrated an important focus on accountability and reporting. However, this has at times limited the focus on strategy and collaboration across the highly interdependent projects.

- The dedicated Command, the VEOHRC Review Response, Partnerships and Innovation (VRRPI) Unit, is best placed to provide coordination across the program of works. In the next stage of implementation, the VRRPI Unit should ensure strong collaboration and support across the various projects.

Phase 1 Review context

The Phase 1 Review set out a detailed Action Plan for implementing the 20 recommendations. The work required to deliver on the Action Plan would span various functions across the entire organisation. The Phase 1 Review identified that given the breadth of the work to be done to deliver on the recommendations, a strong framework of governance and strategic oversight was required to ensure projects progressed in a considered, timely and integrated manner.

The Review heard concerns about the ability of existing governance arrangements to drive a strategic, whole-of-organisation approach. It found that Victoria Police required greater specialist expertise to deliver on the intent of the recommendations, and that existing structures lacked external perspectives. It identified a risk of work being siloed when sitting across various areas, both functionally and divisionally or geographically.

In light of the need for improved strategic leadership and oversight, Recommendation 2 of the Phase 1 Review was that Executive Command establish an appropriate, independent advisory structure to guide the intent and implementation of the Review's recommendation. This would be known as the Gender and Diversity Governance Structure, and its primary function would be to provide external, expert advice to Executive Command.

Recommendation 2

The Executive Command establishes an appropriate, independent advisory structure to guide the intent and implementation of the Review's recommendations.

The advisory structure should include senior, external expertise that reports directly to Executive Command and meets quarterly with the Chief Commissioner as the strategy is developed.

It should provide guidance in the areas of:

- best-practice responses to working with men and women to build awareness of gender inequality, gender identity and role stereotypes, and of the link between gender inequality and violence against women

- best-practice restorative justice processes

- best-practice victim empowerment models of addressing workplace harm, with specific expertise in sexual harm, sexual assault and sexual harassment as well as secondary victimisation

- best-practice responses to sex discrimination and sex-based hostility

- best-practice bystander actions to build gender equality

- organisational development and change.

In addition to the Gender and Diversity Governance Structure, the Phase 1 Review recommended the creation of two other governance structures:

- an Academic Governance Board (Recommendation 9)

- an Independent Advisory Board to guide implementation of the workplace harm model (Recommendation 13)

The relevant extracts from the two recommendations are set out below.

Extract from Recommendation 9

People Development Command will establish an academic governance structure that includes independent expert(s) with a primary focus in the field of gender, sex discrimination and sexual harassment to advise on academic policies and all curricula and to guide teaching and learning activities that support respectful and safe gender relationships on a life-long learning continuum.

Extract from Recommendation 13

An Independent Advisory Board is established to guide the establishment of a Workplace Harm Unit and to provide ongoing support and advice to the unit once operational.

The Phase 1 Review did not specify how Victoria Police should arrange its governance and project implementation structures beyond these specific recommendations. As extensively set out on the following pages, the Audit has sought to assess the overall effectiveness of the governance and project structures. This has a significant bearing on the way in which project implementation is tracking across all other recommendations.

This chapter assesses:

- Victoria Police's progress towards successful implementation of Recommendation 2, and Recommendations 9 and 13 as relevant to the governance of implementation activity

- the effectiveness and efficacy of the overarching governance and project structures in place to implement all recommendations

- the use of specialist expertise across projects, both internally and externally.

This chapter does not consider the way in which governance has supported or contributed to implementation of specific recommendations. These findings are contained in the chapter that corresponds to the relevant recommendation. However, by its nature, the overall governance and project implementation framework impacts across all recommendations.

Intent of recommendations relating to governance

The Phase 1 Review envisioned that the Chief Commissioner and Executive Command would be responsible for driving the implementation of the recommendations. Therefore, a key focus of the governance structures would be to ensure that Executive Command has access to external expertise over the course of the implementation.

As a first step, it was intended that Victoria Police would create the Gender and Diversity Advisory Structure, which would be the body to oversee the creation of the *Gender Equality Strategy and Action Plan*. The creation of this strategy was to be the first step in implementation and would support the implementation of all other recommendations.

To complement the Gender and Diversity Advisory Structure, the Independent Advisory Board and Academic Governance Board would provide specialist and expert advice to guide the implementation of key aspects of the package of reforms.

Indicators of successful implementation

Recommendation 2, and extracts from Recommendations 9 and 13

Implementation guided through strategic leadership and oversight

- An advisory structure is established with ownership and responsibility for the implementation of recommendations, providing a point of singular oversight to ensure that interdependencies are managed effectively

- The advisory structure reports directly to Executive Command, and meets quarterly with the Chief Commissioner as the Gender and Diversity Strategy is developed.

- The advisory structure includes senior, external expertise across a range of key areas including:

  - best-practice responses to working with men and women to build awareness of gender inequality, gender identity and role stereotypes, and of the link between gender inequality and violence against women

  - best-practice restorative justice processes

- best-practice victim empowerment models of addressing workplace harm, with specific expertise in sexual harm, sexual assault and sexual harassment as well as secondary victimisation

- best-practice responses to sex discrimination and sex-based hostility

- best-practice bystander actions to build gender equality

- organisational development and change

Organisational structure reconfigured to support strong strategic focus on people functions

- Human Resource Department is elevated to ensure Executive Command representation.

- Human Resource Department is aligned with other people functions (namely People Development Command and Professional Standards Command).

Academic governance arrangement in place

- Academic governance includes independent expert advisors with specialisation in preventing and responding to sexual harassment and sex discrimination.

Establishment of an Independent Advisory Board

- An Independent Advisory Board is established to guide the establishment of a Workplace Harm Unit and to provide ongoing support and advice to the unit once operational.

- The Board's membership includes:

  - people with expertise in equal opportunity issues, bullying, violence against women, discrimination and restorative intervention, and secondary victimisation

  - representation from the Human Resource Department

  - some crossover with academic governance arrangement in the People Development Command.

- The Board reports directly to the Deputy Commissioner, Capability, and its functions include:

  - providing advice on setting practice standards and guidelines, determining referral pathways and information sharing protocols

  - advising Victoria Police on recruitment of organisations and individuals to the Workplace Harm Unit

  - developing and implementing quality assurance mechanisms to ensure best practice and minimum standards are adhered to.

Summary of key activity to date

Victoria Police has put in place a structure to progress the implementation of the Phase 1 recommendations and to support the wider cultural reform agenda. This structure has a number of features, including:

- **decision-making bodies:** Executive Command and the VEOHRC Review Implementation Steering Committee (VRISC)

- **advisory bodies without decision-making functions:** the Corporate Advisory Group (CAG), the Academic Governance Board (AGB) and the Independent Advisory Board (IAB)

- **a coordinating and reporting body:** the VEOHRC Review Response, Partnerships and Innovation (VRRPI) Unit

- **a decentralised project structure:** 21 separate projects spread over six different Commands or Divisions, and in some areas structures to support the projects at a Command/Divisional level (see table on page 47)

- **working groups and committees:** a working group across accountable Commands or Departments, and other ad hoc working groups specific to certain projects.

Together, these structures provide the governance and project structure to implement the recommendations.

Audit findings

Executive Command

Overview

Executive Command is Victoria Police's key body for setting the strategic direction of the organisation and advancing new initiatives and reforms. Its membership is made up of the Chief Commissioner, three Deputy Commissioners, two Executive Directors, an independent member, and the Chief Information Officer. It is chaired by the Chief Commissioner of Police. The current independent member of Executive Command is the Chair of CAG.

Executive Command meets monthly for one day, and considers a wide range of issues and priorities spanning Victoria Police's operations and functions. The Deputy Commissioner, Capability is the Executive Sponsor of the VEOHRC Review Implementation and sits on Executive Command.

Since prior to the release of the Phase 1 Review, Executive Command has considered the VEOHRC Review Implementation at every meeting, either as a matter for noting or for discussion. For each meeting, Executive Command receives a briefing paper on the key activities taking place across a range of areas. The Assistant Commissioner, VRRPI attends each Executive Command meeting to speak to the update and provide further briefings as required.

The Phase 2 Audit also notes that Executive Command members have been engaged in the Review's implementation in other ways, such as through the Command workshops, through membership on CAG, and through other related consultations and events.

Beyond the standing agenda item on the VEOHRC Review Implementation, Executive Command has regular oversight and decision-making functions over a broad range of inter-related issues. This includes projects and reform agendas that interlock with the VEOHRC Review Implementation, such as the Capability Framework, BlueConnect, the Community Safety Statement and recruitment strategies. Executive Command also receives a number of standing briefings relating to risk management, workplace standards, changes in policy and legislation and a people report.

Findings

Executive Command has maintained high-level oversight of the work taking place as part of the implementation program of works. It has demonstrated significant commitment to progressing the broad package of reforms. A powerful symbol of Executive Command's commitment has been the sustained and significant investment that the reforms have received.

The regular focus on the implementation at Executive Command meetings has supported collective leadership around progressing the body of reforms, despite all formal implementation projects sitting within the Capability portfolio. This is important for ensuring that the changes are cognisant of, and can be well integrated into, the wider organisation.

Guidance going forward

Given that all of the formal implementation activity sits within just the one portfolio, Executive Command, it is important that Executive Command maintain collective ownership through strong oversight on the program of reforms. This could include:

- expanding the monthly briefing to include a section on key challenges in implementation
- providing Executive Command with a risk register that highlights and tracks risks across the project implementation
- at each Executive Command meeting, providing a 'spotlight' on a particular area of implementation to enable Executive Command to better understand how implementation is tracking and contribute strategic advice.

The Chief Commissioner may also benefit from greater insight into the implementation work, especially from key external perspectives. There would be a benefit in the Chief Commissioner engaging with the external members of the Independent Advisory Board and Academic Governance Board, given the close proximity the two bodies have with respect to key parcels of work. This could take place through, for example, an annual meeting between the external members of both bodies with the Chief Commissioner and Deputy Commissioner, Capability. This would also support greater integration between the two external bodies, as explored below.

VEOHRC Review Implementation Steering Committee

Overview

The VEOHRC Review Implementation Steering Committee (VRISC) was established to provide 'effective governance for the implementation of the VEOHRC Independent Review Report by monitoring and driving the organisation's response to and implementation of the recommendations'. VRISC was established in December 2015, soon after the Phase 1 Review was published.

VRISC's terms of reference set out its primary functions, which include:

- monitoring progress against the recommendations and monitoring action items
- reporting through chain of command to the Chief Commissioner and to the Commission, the Ministers for Police and Corrections, and relevant stakeholders
- providing a forum for discussion of any area of concern relating to implementation
- monitoring performance of Commands and Departments against a master reporting framework, which considers key metrics identified in the Review.

The membership of VRISC includes all of the relevant Department heads with project implementation accountabilities, a range of other Command members and an independent member. The Superintendent, Taskforce Salus, and the Associate Director, VRRPI, have a standing invitation. VRISC is chaired by the Executive Sponsor, the Deputy Commissioner, Capability.

VRISC meets on a monthly basis for two hours. The standard VRISC agenda includes:

- a briefing from Taskforce Salus and reporting on key Salus statistics
- an overall update on progress against the recommendations and other matters relating to implementation
- a briefing on communications and engagement
- discussion of key strategic documents relating to project implementation
- an update from the VRRPI Programme Management Team on governance and reporting, including reporting against the risk register and change requests from the projects
- any items to be referred to the Corporate Advisory Group or Independent Advisory Board for advice.

VRISC operates on a monthly reporting cycle. Every second month, project leads across each of the 21 projects are required to submit a report that provides an overview of activity undertaken in the past month, planned activity for the coming month and an update against the project risks and timelines under the project implementation plan.

Under the VRISC Charter, minutes from the VRISC meeting are to be provided to Executive Command. This is done by providing the minutes to Executive Command's People Committee; however, this is on a noting, rather than discussion, basis.

Findings

The Phase 2 Audit found that VRISC is well-placed to provide oversight of the reform effort. It meets regularly and has a high level of insight into the way in which implementation is progressing. Its membership provides a range of perspectives from senior leaders across Command and beyond the Capability portfolio, with key project leads represented as well as key regional, operational and Victorian Public Sector (VPS) employees' perspectives.

> *Initially, I thought there'd be a problem between the committee being city-centric and non-urban but that's worked itself out. There are people [on VRISC] who have responsibility for regional areas, so they're out and about in the country getting feedback, both positive and not so positive.* – **External interviewee**

The Phase 2 Audit commends the decision to include an external member, and found that this role brings a valuable external perspective.

> *Having the external person, Di Foggo, has been fabulous, because she looks at it with fresh eyes. And she isn't there to go 'That's right, that's wrong', but she'll come back and give you constructive thought and feedback.* – **Internal interviewee**

> *Di Foggo sits on VRISC and she was the best thing to happen there. She does not have blue shirt thinking – command and control are ingrained in all of us. And she will often say 'how is this going to deliver for that person' and our response is 'she is right'. We need more of that. There is too much blue shirt – we should have more independent members. It brings such a different perspective.* – **Internal interviewee**

This range of perspectives positions VRISC well to carry out its function to guide and oversee implementation. The Phase 2 Audit notes that Recommendation 2 of the Phase 1 Review intended for there to be a broad range of specialist expertise in the primary governance structure overseeing the implementation. The current membership of VRISC includes a number of senior leaders with expertise in violence against women, change management and broad policing environments.

The Audit found evidence that the primary focus of VRISC has been orientated strongly towards reporting and accountability. At times, this focus has limited its ability to provide strategic guidance

and promote a cohesive and collective approach to implementation. While the Audit commends Victoria Police's desire to ensure accountability and drive the delivery of the work, this must be balanced against a range of considerations, including the quality of the work and the ability to be nimble and work in an iterative way. The Phase 2 Audit welcomes a more strategic focus, based on a number of concerns it heard about the focus of VRISC during data collection in March/April 2017.

> *We have lots of insight into project plans. The volume of material is enormous, and it's often hard for me to see the wood for the trees.* – **Internal interviewee**

> *The governance structure is still very based around compliance, rather than thinking through the issues together and giving strategic direction.* – **Internal interviewee**

The Phase 2 Audit also heard concerns about the level of reporting each project was required to undertake for VRISC. The Audit heard that, in some areas, this had impacted on the ability to focus on delivering the work. The Audit notes that the move to bi-monthly reporting in July 2016 may have alleviated this pressure to some extent; however, this was still raised as a prominent issue across a number of interviews in March and April 2017.

> *I understand and support the need for good governance and reporting and it is often difficult in public sector organisations to get the balance between those requirements and delivery right. I do think that there is a danger that meeting project timelines becomes the focus rather than doing things in a way that is integrated with existing systems and processes, takes into account broader organisational objectives and that would achieve sustainable change.* – **Internal interviewee**

> *I have seen the reporting requirements overtake our ability to do the project work. We spend time as an organisation reporting on work rather than doing the work.* – **Internal interviewee**

For Victoria Police to realise the benefits of its significant investment to date, it is necessary to ensure a healthy balance between accountability and providing a space for strategic thinking. The Phase 2 Audit was told during the course of its engagement with senior leaders over July and August 2017 that there was a view that there had been recent moves to ensure this balance is met.

VRISC's membership is limited to those in senior leadership positions, all of whom have significant portfolios and responsibilities beyond the VEOHRC Review Implementation. The Phase 2 Audit heard a desire from project staff to ensure they are given sufficient proximity to VRISC and its discussions, given their knowledge of the work and need to respond to feedback. The Audit heard some views that the relationship between VRISC and the project areas tends to be 'one way' – the information and reporting goes up to VRISC, but little is fed back to the areas carrying out the work and where guidance is needed.

> *It would be helpful if the project managers came to speak to us directly. It would be much more effective than reading so much material. We could engage with them and probe more into how it is or is not impacting or going to impact within the workforce.* – **Internal interviewee**

Guidance going forward

Victoria Police should continue in its current model for VRISC meetings, where meetings alternate between strategy and reporting on a month-by-month basis. Meetings focused on strategy should enable VRISC to hear from and explore issues with a range of perspectives, and in a way that is less focused on the project implementation. This could be through, for example, taking a more thematic approach to the issues that span implementation efforts. It could also include bringing in greater 'on-the-ground' perspectives, to better understand the impact of reforms across VPS and sworn environments, and greater interrogation of workforce data.

VRRPI and project coordination

Overview

Victoria Police's initial internal response to the Phase 1 Review's recommendations was to establish a centralised body for coordination and monitoring of the implementation activity. The VRRPI Unit is a dedicated Command established to provide effective coordination across implementation efforts, and act as a point of leadership and support for activity across the organisation.

The VRRPI Unit's functions include:

- overarching program management of the VEOHRC Review Implementation, and reporting and secretariat support for VRISC and the Independent Advisory Board

- coordination and providing secretariat support for the Programme of Works working group (detailed below)

- providing a central point of reporting and coordination for other bodies with a role in implementation including CAG, VEOHRC and government

- supporting the function of the Assistant Commissioner, VRRPI

- leading four projects (see table on page 47)

- design and delivery of an organisation-wide engagement roadshow following the release of the Phase 1 Review.

VRRPI's functions with respect to leadership and communications and engagement are explored further in Chapter 5.

VRRPI was responsible for the initial division of projects. It proposed a model to create a largely decentralised model for the implementation, which locates accountability for delivery of the recommendations across the organisation. This model was endorsed by VRISC. Implementation activity is spread across six Commands or Divisions (including VRRPI itself), all of which fall within the broader Capability portfolio. This structure was created with the intention to embed accountability across the Capability portfolio, and support work to be embedded within business-as-usual structures.

In total, 21 projects have been created to deliver on the recommendations. Each Command or Directorate has taken a different approach to resourcing and coordination of its projects. The table on the following pages sets out the relevant area, the projects for which it is accountable, the model for resourcing the project and the relevant governance or advisory groups sitting above the project. The Phase 2 Audit was advised that the process for settling the resourcing of each area was done in consultation with each Department or Command, prior to a bid for investment being put to Executive Command.

Command or Directorate	Relevant projects	Dedicated resourcing for project implementation	Internal project structure and governance
Corporate Strategy Operational Improvement Department (CSOID)	• Policy Review	One dedicated VPS 5 Senior Policy Officer	The dedicated VPS 5 staff member is responsible for project management and delivery of the CSOID project. This role is responsible for reporting into VRISC via VRRPI. The role reports to the Director, Policy and Legislation Division, who reports to the Executive Director of CSOID. This role also has a line of reporting to the Assistant Commissioner, VRRPI.
Human Resource Department (HRD)	• HR Strategy and Services Realignment • Workplace harm model • Policy and Employment Conditions • Reporting • Leadership and performance • Welfare and support services • Review of inherent requirements • Professional development assessments	No additional dedicated resources to support project implementation. All project work, reporting and coordination was to be absorbed within existing roles and was deemed 'in kind' resourcing. Additional resourcing was sought for consultants to carry out some project work. Further resourcing has been provided on an ongoing basis for the delivery of ongoing structures such as the workplace harm unit and the HR business partnering model. Since November 2016, there has been one dedicated role working to coordinate HRD's six projects, which is a role that is defined as a Senior Communications Officer. This role was not resourced as part of the implementation program of work. Rather, it was a role that was allocated as part of the recurrent funding for the HR business partnering model and has been repurposed to support the coordination of projects.	HRD created an internal governance structure, which consists of the relevant project leads across HRD's six projects. This structure is designed to provide 'oversight and governance of VEOHRC recommendations' relating HRD. These are not dedicated project roles, rather they are responsible for a broad range of HRD functions beyond their relevant project. The Senior Communications Officer role sits within the Office of the HRD Executive Director and reports to the Executive Director of HRD. This role is responsible for reporting into VRISC via VRRPI. The two projects relating the Strategy and Workplace Harm Unit are also subject to advice and oversight by CAG and the Independent Advisory Board respectively. While HRD does not provide secretariat support to these bodies, it is responsible for reporting to the bodies via VRRPI. All other roles that have a defined role in delivering on the projects report through ordinary reporting lines to either the Manager of Workplace Relations or the Executive Director of HRD.

Command or Directorate	Relevant projects	Dedicated resourcing for project implementation	Internal project structure and governance
Media and Corporate Communications Department	• Communication and Engagement Strategy	Dedicated resources include: • one FTE VPS 6 Organisational Change Communications Manager • 0.8 FTE VPS 5 Senior Communications Officer. • External consultants were engaged to carry out work prior to the VPS 6 commencing in May 2016. External consultants have been used across various other aspects of the project delivery.	The dedicated VPS 6 staff member is responsible for project management and delivery of the MCCD project. This role is responsible for reporting into VRISC via VRRPI. The Organisation Change Communication Manager reports to the Executive Director of MCCD. This role also has a reporting line to the Assistant Commissioner of VRRPI.
People Development Command	• Project Implementation and Governance • Training Accessibility • Academic Governance Structure • Risk Management • Curriculum Review • Workplace Harm training • Employee Career Support • Professional Boundaries Training • Maximum Time in Posiition	Dedicated resources in the PDC VEOHRC Project Unit include: • one VPS 6 VEOHRC Unit Manager • one VPS 6.2 Lead Expert • one VPS 5.2 Integration Manger • one VPS 5.2 Expert • three VPS 5 Project Officers/Senior Sergeants • three VPS 4 Project Officers / Sergeants. The Review notes that at the time of writing many of these roles were vacant.	PDC established a dedicated project team to carry out project implementation and reporting requirements, known as the PDC VEOHRC Unit. This Unit is responsible for project management and delivery of all of the projects in PDC. The VEOHRC Unit Manager and the Lead Expert report to the Assistant Commissioner, PDC. The Integration Manager is responsible for the project management of the PDC projects and for reporting to VRISC via VRRPI. In addition to VRISC, the Academic Governance Board provides advice and oversight to all of the People Development Command projects. The Integration Manager is also responsible for reporting and secretariat support to the Academic Governance Board.

Command or Directorate	Relevant projects	Dedicated resourcing for project implementation	Internal project structure and governance
Professional Standards Command	• Streamlined and simplified discipline system	No additional dedicated resources to support project implementation. There are two dedicated Senior Sergeants carrying out all project work, reporting and coordination, supported by a Superintendent. These roles were not dedicated resources, rather absorbed within existing roles and deemed 'in kind'.	The Superintendent Project Lead (which is not a designated project role) is responsible for project management and delivery of the projects in PSC. The Senior Sergeants carry out reporting to VRISC via VRRPI. The Superintendent reports to the Assistant Commissioner, PSC.
VEOHRC Review Response, Partnerships and Innovation Command (VRRPI)	• Independent Advisory Structure • Establishment of Safe Space • Redress and Restorative Engagement Scheme • Stand Practice Leaders Network (a new project added in May 2017) • Overall coordination and reporting into VRISC (detailed below)	Dedicated resourcing to carry out the VRRPI projects include: • one Superintendent (Redress and Restorative Engagement) • two Senior Sergeants (Engagement team). A team has also been established to coordinate the reporting to VRISC and support the implementation of recommendations across other projects. This includes: • one Assistant Commissioner • one Assistant Director of VRRPI • one Inspector (Staff Officer to the Assistant Commissioner) • one VPS 5 Programme Manager • two VPS 4 Project Officers • one VPS 3 Executive Assistant.	The four projects in the VRRPI team have been supported by a dedicated project team. The ongoing reporting and coordination function is carried out by a dedicated project management team that operates alongside the other project staff. The Programme Manager reports to the Assistant Director, VRRPI. The Assistant Director, Inspector and Superintendent report to the Assistant Commissioner. The Assistant Commissioner reports to the Deputy Commissioner, Capability.

The scope of each project is outlined in the relevant Project Implementation Plan. Each plan identifies:

- the scope of the project (including defining out-of-scope elements) and how it relates to the relevant recommendation under the Phase 1 Review
- the objectives of the project and its expected benefits
- key milestones, estimated costs and interdependencies across other projects
- constraints, limitations and risks, and the planned action for mitigation
- the governance structure for the relevant project, with key roles, relationships and accountabilities outlined.

The 21 Project Implementation Plans are overseen by VRISC. All changes to project scope or timeframes are submitted to VRISC via VRRPI for approval.

Each project is responsible for reporting to VRISC on a bi-monthly basis. These reports are provided by the Command or Directorate to VRRPI, which brings together the reporting for VRISC.

Findings

Role of VRRPI

The establishment of a standalone Command and appointment of a dedicated Assistant Commissioner is a powerful signal of Victoria Police's commitment to implementing reforms and effecting change.

VRRPI plays a central role in the coordination and governance of the VEOHRC Review Implementation. It has visibility over the work taking place across projects, and there is significant program management and technical expertise embedded within the Unit. Further, the Unit has played a key role in elevating the importance of the work across the organisation, and providing thought leadership across both the internal and external environment (as explored further in Chapter 5).

During the data collection period, the Phase 2 Audit observed that some project staff saw VRRPI's role as limited to reporting and accountability. At times, this perception had inhibited collaboration and reduced the potential for VRRPI to provide effective coordination. The Audit observed that this was not as much a result of personnel or individual approaches, but rather that the project structure had inhibited VRRPI from undertaking a coordination and facilitation role. The Audit observed that VRRPI has increasingly sought to take on a coordinating function, and to assist projects where possible.

> *The focus of the VRRPI team has been auditing and reporting. The centralised project team should be the conduit to the project leads and provide strategic level guidance.*
> – **Internal interviewee**

The Phase 2 Audit observed that some project staff seemed unaware of VRRPI's role in coordinating and facilitating the work across projects. Some project staff understood VRRPI to be another line of accountability and another layer in the governance framework. This highlights a lack of clarity between the centralised unit and the projects about what VRRPI exists to do.

> *I would like to see more information sharing. I think I have a responsibility to go out and get that information. It's hard to be proactive with the level of work I have. It would be great if there was a single place we could go just to get the information.*
> – **Internal interviewee**

Those working on the projects across the project areas expressed a desire for a more cohesive and centralised approach to managing the program of work and welcomed a more collaborative and integrated approach.

> *VRRPI are the only part of the organisation that has complete view of how the work is tracking and strategic direction is lacking. The work needs someone sitting across the areas. We are really missing that layer.* – **Internal interviewee**

Management of interdependencies

All but one of the 21 projects were established soon after the release of the Phase 1 Review. The Audit notes the significant work in developing these 21 projects, but also notes that there has not always been clarity around the projects, their scope or how the projects intersect.

The Phase 2 Audit found that managing the program of work as 21 discrete projects located across six areas of the organisation has led to some inefficiencies, siloing of work, and, in places, a lack of collective ownership. This has, in places, led to duplication of effort or similar work being carried out across multiple areas with limited sharing of knowledge, expertise or learnings.[1]

> *I am finding that we have a lot of people functioning in different areas working into the same space but not in a joined up way.* – **Internal interviewee**

The Audit notes that the project implementation plans do seek to identify interdependencies. Further, the VRRPI Unit has sought to manage interdependencies through a number of mechanisms:

- the creation of a dependency matrix
- the creation of a Programme of Works Working Group, which brings together a nominated representative from each Command or Department with direct project implementation responsibility.

The Phase 2 Audit found that these mechanisms have been somewhat effective in identifying, but not managing, interdependencies. A more collaborative approach to coordination across the projects is required to ensure Victoria Police not only manages but leverages off the significant interdependencies across the program of reforms.

Resourcing of projects

Significant resourcing has been dedicated to implementation efforts, which has provided a powerful symbol of Victoria Police's commitment to implementing the reforms.

Of the 21 projects, the majority fall within either the Human Resource Department (HRD) (six projects) or the Peopl Development Command (PDC) (five projects). The Phase 2 Audit observed that the projects across these two areas are some of the most significant projects in terms of complexity and organisation-wide implications. As is evident in the table above, dedicated resourcing across these two areas of work has been markedly different.

The Audit found that the approach to the way in which projects are resourced and managed has impacted on Victoria Police's ability to drive implementation in a coordinated manner with the necessary expertise for the work required. Some areas have been provided additional resources dedicated solely to implementation efforts. Other areas have had limited dedicated resourcing and have not sought to bring on dedicated staff to support implementation. The Phase 2 Audit observed that, while staff movement and attrition is inevitable over the life of a three-year project, the level of movement and attrition to date has been significant and resulted in the loss of knowledge and expertise, delays when new staff are required to come on board and upskill, and disruption to relationships and momentum.

The Audit notes that specialist expertise in the areas of gender equality, sex discrimination and sexual harassment had been embedded within just one area of project implementation, with development of an expert team in the PDC. The Audit commended this approach, and heard how it was seen as progress for Victoria Police in how it values expertise beyond frontline policing.

The Audit notes the challenges faced by those with internal, rather than external, expertise across the implementation efforts, with respect to the way in which their expertise are valued within the organisation.

> *When you are there as an internal employee you are no longer an expert. Expertise is disqualified internally. There should be a developing of expertise there.*
> – **External interviewee**

As with any other area of its operations and business, Victoria Police needs to acknowledge and value specialist expertise in the areas required to deliver on the recommendations.

> *The leaders need to acknowledge that yes, they are quite powerful and sit at the highest ranks, but when it comes to this stuff it does not mean that they understand this specialist area. If they welcomed input into their messaging and sought advice then I think that would strengthen their approach but I do not think there is a respect for that.*
> – **Internal interviewee**

Guidance going forward

As a first step, the Audit recommends that following the release of this audit, Victoria Police:

• undertakes a review of all work still required under the broader program of works in order to deliver on the 20 recommendations, to support the now complete Gender and Diversity Strategy, and to embed the guidance from the Phase 2 Audit

• engages with projects and determine any changes to existing project structures or scopes

• examines the necessary expertise required to support the ongoing project work and implementation efforts.

The Phase 2 Audit supports a model that optimises collaboration and coordination across the projects, with a view to ensuring the central VRRPI team has a clear view over work across the projects to ensure that linkages can be realised.

Corporate Advisory Group

Overview

CAG is the first of three advisory bodies that have been either created or recalibrated as part of the overall governance framework for the implementation of the Phase 1 recommendations.

CAG arose of the State Services Authority's *Inquiry into the command, management and functions of the senior structure of Victoria Police*.[2] Since its inception, CAG has come to focus on a broader range of corporate strategy issues. The Chief Commissioner sets the areas on which they seek advice and CAG advises based on the issues put forward. CAG meets quarterly.

Following the release of the Phase 1 Review, it was decided that CAG would be expanded to guide the intent and implementation of the Review's recommendations. It was envisaged that this would satisfy the intent of Recommendation 2 of the Phase 1 Review, which was to ensure implementation activity benefited from specialist expertise, and allow Victoria Police to utilise an existing body rather than create a new advisory structure.

In March 2016, the CAG agreed to take on this expanded role, and Victoria Police expanded its membership in order to ensure it had the specific skills sets prescribed under Recommendation 2. Specifically, two new members were appointed to CAG:

• Elizabeth Broderick, Former Australian Sex Discrimination Commission and leading expert in gender equality and organisational change in the context of both policing and defence

• Helen Silver AO, Chief General Manager of the Workers' Compensation Division at Allianz Australia, and former Secretary of the Victorian Department of Premier and Cabinet.

Since March 2016, there have been a number of other new appointments to CAG.

Since March 2016 and the time at which the group's membership was expanded, CAG has met five times and in all but one meeting there has been a discussion of the VEOHRC Review Implementation. These discussions have tended to focus on the development of the Gender and Diversity Strategy. The Phase 2 Audit also heard that in some instances Victoria Police has sought out-of-session advice and expertise from the members with specialist expertise on discrete pieces of work.

Findings

There has been a clear attempt to focus the CAG on the VEOHRC Review implementation and the group has provided valuable strategic contributions.

The expansion of the membership of CAG to include specialist expertise in sex discrimination, sexual harassment and gender equality has enabled the group to provide high level strategic advice to the Chief Commissioner on the specific aspects of implementation that he brings before the group.

The Audit notes that CAG has a wealth of expertise outside of the areas specified under Recommendation 2, in particular around complex organisational change and strategy, and that these expertise have been evident in CAG's advice. The Audit also notes that gender diversity across the group has significantly improved, going from no female external members to four of the nine external members. As noted in Chapter 9, visibly increasing gender diversity in senior roles and structures plays an important part in role modelling the desired change to the wider organisation.

In only meeting on a quarterly basis and given the group's broad scope, the VEOHRC Review Implementation is subject to around one hour of discussion four times per year. The Audit observed that the group is limited in its ability to assess progress of implementation and members acknowledged that CAG's role is constrained due to a number of other priorities. As a result, CAG members have relatively limited insight into the work taking place across the implementation efforts but are engaged in the overall direction of the work.

Independent Advisory Board

Overview

The IAB is the second of three advisory structures specifically recommended under the Phase 1 Review. It was created soon after the Phase 1 Review was handed down, and met for the first time less than two months after the publication of the Review.

The IAB Charter sets out the purpose of the IAB as to 'expert advice and support to the workplace harm model'. The workplace harm model, as relevant to the IAB, includes both the establishment of a workplace harm model and the redress and restorative engagement scheme.

Under the Charter, the Board is to be made up of seven senior and external experts. Currently, there are five external members and two members of Victoria Police's Command – the Assistant Commissioner, VRRPI and the Executive Director, Human Resource Department. These two members have accountability for projects under the IAB's remit. One of the external members of the Board also sits on the AGB. The Phase 2 Audit was advised that the membership of the IAB has recently been extended to include the Manager of OneLink, who commenced in late June 2017, and the Manager of Workplace Relations.

Under its Charter, the IAB is to meet quarterly for a day for the life of the Review period. The current Charter provides for it to continue in existence until 30 June 2018. The Phase 2 Audit notes that the IAB has opted to have bi-monthly rather than quarterly meetings, albeit for a shorter duration, and supports this more regular function given the need to provide timely advice as the relevant bodies of work move forward.

Findings

The Audit found that the IAB is an effective advisory body, and provides valuable external expertise to the work within its remit.

Its membership covers the specialist skills in the areas specified under Recommendation 13. This includes members with expertise in gender equality and violence against women, workplace relations and employment law, sex discrimination and sexual harassment, restorative justice, and working with victims/survivors of sexual assault.

The Audit heard that the IAB's expertise had been utilised effectively across a range of operational as well as strategic issues. Where the Board has been required to advise on more operational issues, its input has been welcomed and appreciated. The Audit found that there was the need for greater clarity around the role of the IAB, and that it should be redefined as an advisory group rather than a board in its current functioning.

In considering the materials provided to the IAB over the course of its existence, the Audit notes that at each meeting the IAB's advice has been sought in relation to both the OneLink and the redress and restorative engagement scheme. The Audit notes that slow progress in establishing OneLink, which has been exacerbated by a number of changes in the senior leadership of HRD since December 2015, has limited the IAB's effectiveness in providing guidance and advice in the establishment of the unit. The value of the IAB's advice, including how it has been reflected in the progress of the workplace harm unit, is explored further in Chapter 14. Similarly, there has been limited progress towards to design and implementation of a redress and restorative engagement scheme, meaning that the IAB has been limited in the advice and expertise it can provide.

The IAB expressed the desire to have greater visibility of work taking place beyond the workplace harm unit. The Phase 2 Audit found that IAB members generally felt like they had a low level of insight into the broader program of work. In order for the IAB to provide effective advice on the workplace harm unit and the redress and restorative engagement scheme, it needs to have a broader understanding of the reforms and work taking place across the broader program of work.

> *I feel IAB only sees a part of the whole remit, and occasionally I feel this may impact our ability to have an overview of the reform program.* – **External interviewee**

> *I feel like we're a little blinkered – we don't have the visibility, and they don't want to bombard us with materials but I'd like to see them so we can look it at holistically. This information is important. In terms of how the organisation is going, I'm a little bit blinded.* – **External interviewee**

The projects that receive specialist advice from the Board spoke highly of its readiness to provide guidance and assistance, and the value of the advice provided. A range of other areas of implementation do not currently benefit from specialist external expertise, given CAG's particular role and the defined scope of the AGB (as detailed on the following page). The value of the IAB's expertise would be useful in areas where Victoria Police lacks the specialist expertise, especially in areas relating to sex discrimination and sexual harassment.

Guidance going forward

Victoria Police should assess the current ambit of the IAB, and consider whether implementation efforts would benefit from it having an enhanced role, especially in areas that are not currently subject to any external oversight or specialist expertise through a dedicated advisory structure.[3] This would also enable the IAB to have a more holistic understanding of the broader work and to provide advice accordingly. This assessment of the scope of the IAB should include consideration of extending the Board's term until 12 months after the completion of formal implementation, to enable it to continue to provide advice and oversight as the implementation efforts translate into business as usual.

Academic Governance Board

Overview

The AGB is the third of the advisory structures specifically recommended under the Phase 1 Review. The Board has been established to provide effective governance for the review of Victoria Police's training and education functions and curricula development with respect to gender equity to align learning intent and future capability, including advice on: academic policies, curricula development and teaching and learning activities that support respectful and safe gender relationships. The terms of reference for the Board relate to the implementation of Recommendations 9 and 10 of the Phase 1 Review. The Board meets on a bi-monthly basis and its current term is set until June 2018.

The terms of reference specify that the Board is to comprise six Victoria Police representatives and up to four independent external representatives. The Board is required to have three members with specialist expertise in the areas of gender, sex discrimination and sexual harassment, workplace health and prevention of violence against women. In addition, one external representative is required to be from the PRSB.

Findings

The Phase 2 Audit found that the AGB's membership has a good mix of both internal and external expertise, and strong expertise in the areas specified under Recommendation 9. The inclusion of a member from the PRSB is a positive addition to the Board's membership. The Audit notes that one member of the Board also brings a wealth of expertise from engaging in similar reform in the Australian Defence Force.

As with both the IAB and CAG, the Audit commends Victoria Police on the way it has sought to embed external expertise across its governance structures. The Audit notes that this is not something that is seen to be done more broadly across Victoria Police, and sees significant value being contributed through these external perspectives.

> *One thing that has changed is that we are more prepared to have people come in to examine our business.* – **Internal interviewee**

> *From my perspective, Victoria Police is really trying to bring in external people. The people sitting around the Academic Governance Board are very good. They take a lot of notice of what is happening and I also know [the Chief Commissioner] brought Liz Broderick and others onto [the Corporate Advisory Group] so there's no doubt about the sincerity of Victoria Police trying to get external perspectives.* – **External interviewee**

Unlike all other governance structures established to support implementation, the Board does not include any representation from the VRRPI Unit. This gap means that the VRRPI Unit may have less visibility of the advice coming from the AGB.

The Phase 2 Audit notes the positive relationship, at a project level, between the VRRPI Unit and PDC project team. However, a link between the VRRPI Unit and the AGB would be of benefit, especially given the linkages between the work of the PDC and other projects. The overall program management function should be represented in all aspects of the project infrastructure.

Unlike other governance structures, the AGB has representation from key project staff. This enables the Board to better understand progress on the ground, and similarly for the project staff to gain an understanding of advice provided by the Board. There has been an effort from PDC to review and improve the functioning of the AGB so that it can maximise the Board's function.

The Phase 2 Audit notes that the internal representation includes the Executive Director of HRD and a Regional Support Superintendent, both of whom are valuable additions in providing a broad range of internal perspectives. The Audit heard that the regional and 'on the ground' perspectives have been of particular value from the perspective of external members.

The Audit observed significant and valuable expertise being contributed through the AGB. The AGB generally felt its expertise and advice were valued and taken on board, while also noting that in many instances the work was not sufficiently progressed to understand how the advice had informed the final outcome.

> *I would say that the governing board takes external experts very seriously … they seem very open to [our advice].* – **External interviewee**

The AGB noted that there was a lack of clarity as to how its advice was actioned and translated into delivery, which may point to a broader lack of clarity as to whether the AGB is of an advisory or governance nature.

> *Is the purpose the board as a governance board or is it an advisory board? Because if it is a governance board, in some sense, you'd think it would have some ability to have final say over direction … The Board could ask, if it was actually a 'governance' board, for proof on effectiveness or outcomes from all the action been taken and ask for some accountability. But I don't think that was intended by Victoria Police so in that context it is an advisory board.* – **External interviewee**

Similarly to the IAB, the AGB has limited insights into the broader program of work and the implementation of recommendations across other areas. The Board would benefit from broader insights into the wider implementation activities, especially given the independencies across projects and the work taking place in the HRD, MCCD, CSOID and PSC areas. Similarly, the other projects would benefit from greater visibility around the AGB's advice and insights. This could be through, for example, the sharing of minutes, inviting other project leads to attend the meetings, or information sharing at the working group level.

Guidance going forward

The Audit recommends that greater linkages be created between the VRRPI Unit and the AGB. This could include the Assistant Commissioner, VRRPI, as a member of the AGB, and the Project Manager of the centralised unit attending.

The Audit recommend that Victoria Police put in place a mechanism for reporting back to members of the AGB how any input or advice was taken on board and actioned and, if not, the reasons for that decision. This would also be of benefit to the IAB.

As per the guidance for the IAB, Victoria Police should consider the ongoing scope of the AGB in light of the required work to deliver on the Phase 1 Review. This includes considering expanding the length of the Board's term and considering whether to make the Board a permanent fixture in providing advice in the education and training context (see Chapters 10 and 11).

Summary of guidance going forward

- Victoria Police should provide additional mechanisms for Executive Command to have greater oversight of the implementation work, including expanded monthly briefings and a greater focus of risks and challenges across the projects.

- Victoria Police should explore mechanisms and approaches to support a more collaborative and strategic focus through VRISC.

- Following the release of the Phase 2 Audit, Victoria Police should undertake an internal review of all work still required to deliver on the Phase 1 Review's recommendations in order to determine any changes to existing project structures or scopes and the necessary expertise required to support the ongoing implementation efforts.

- Victoria Police should ensure that the IAB and AGB have greater insight into the broader program of works, and to ensure strong linkages between the boards and the central VRRPI Unit.

- Victoria Police should assess the scope and term of the IAB and AGB in order to ensure projects across the program of work benefit from the two bodies' extensive expertise and valuable insights, and to ensure external expertise is available as implementation work transitions to business as usual.

- Victoria Police should explore extension of the terms for both the IAB and AGB.

- Victoria Police should introduce clear lines of reporting back to the IAB and AGB on the way in which feedback and advice is taken on board or, if not, the reasons for departing from the advice provided.

Endnotes

1   For example, the Audit notes the similar work being done in scoping the workplace harm training curriculum and in components of the curriculum for the Stand Practice Leaders Network. This is explored further in Chapter 10.

2   State Services Authority, *Inquiry into the command, management and functions of the senior structure of Victoria Police* (State of Victoria, 2011) 14.

3   This includes the areas currently under the Media and Corporate Communications area, the Professional Standards Command and the Human Resources Department that is not currently within the Independent Advisory Board's scope.

Chapter 4:
Strategy, data collection and local strategies

Key findings

- Victoria Police has created its inaugural *Gender Equality Strategy and Action Plan 2017–2020* (the Strategy), which sets out the organisation's commitment to building a more diverse and inclusive workplace that demands equality and respect for women. The Strategy articulates its desired end goals and ties together the work taking place across the organisation following the Phase 1 Review, with links to the *Victoria Police Capability Plan 2016–2025*.

- A deeper understanding of how gender equality initiatives act as a broader strategic enabler would assist Victoria Police to build its business case for gender equality and build a cohesive narrative about how the Strategy intersects with other key initiatives.

- Further clarity is required across the measures, metrics and indicators under the Action Plan, including clarity as to accountability for reporting, the nature of public reporting to be carried out, and what progress Victoria Police seeks to make within the three years of the Strategy.

- A comprehensive analysis of baseline data requirements took place to set the baseline against which Victoria Police would be measured. Work is underway to address data gaps. This highlighted the significant inequities across almost all ranks, levels and role types, with an organisation-wide pay gap of 9.5 per cent. The most pronounced gender pay gap was at the Executive Officer 3 (EO 3) level, and significant gender pay gaps existed at the ranks of Inspector and Superintendent. Further analysis is required to understand the gender pay gap for 'like' jobs.

- Further work is required to scope, design and implement a gender impact analysis tool and develop a formal policy and process review process to ensure gender equity principles are embedded across future organisational initiatives.

- A Women in Policing Advisory Group and local committees will assist in elevating and supporting women across the organisation and providing intelligence on systemic issues. The Advisory Group has the potential to be a strategic voice on organisational issues impacting women.

- Local work plans across all Commands, Departments and Regions are yet to be comprehensively rolled out. Clear guidance is required in order to ensure that local initiatives support the realisation of the Strategy's goals, and ensure a consistent approach to data collection.

Phase 1 Review context

The Phase 1 Review found there was a lack of strategic focus on equity and diversity issues across Victoria Police, and a lack of clear strategies, performance objectives and measures to drive gender equality. The Review identified the need for a cohesive organisation-wide gender and diversity strategy to guide all work to enhance gender equality in Victoria Police. It found that there were a number of other key strategies currently in the workplace harm and safety space that have similar organisational levers, creating opportunity to align strategies for mutually reinforcing effect.

In considering the scope of a gender and diversity strategy, the Phase 1 Review identified that there had been an over-reliance on intervention measures in response to harm, rather than preventative measures to prevent harm occurring or escalating in the first place. Therefore, there would need to be a deep commitment to both prevention (in building a gender equitable and respectful workplace), and at the same time to response (improving structures and processes to respond to employees experiencing workplace harm as a result of the behaviours of their colleagues and managers).

From a data collection and reporting perspective, the Phase 1 Review noted the inadequacy of data collection across a number of areas and the absence of a clear baseline from which the organisation could monitor and track its progress. In terms of improving the use of data, the Review noted the need for a shift in focus from monitoring and reporting on incident counts of harm to looking at organisational climate measures.

To build a clearer picture of progress against a range of both preventative and response-based metrics, the Phase 1 Review recommended a performance framework that would cascade down each level of the organisation, and articulate accountabilities on both an individual and organisational level.

Recommendation 3

Victoria Police develops a whole-of-organisation Gender and Diversity Vision and Strategy linked to the organisational performance and capability framework to drive cultural and practice change. This vision and strategy should be owned by and be accountable to the Chief Commissioner.
It should:

- articulate the Victoria Police vision to build gender equitable workplaces in clear and unequivocal terms. This will be a first step and require consistent, visible leadership at the most senior levels. The Review notes that time spent consulting and engaging employees in this work will build a platform for all recommendations in this Review

- identify and leverage the interdependencies among current and emerging workplace and community facing strategies

- sustain commitment and work to build whole-of-organisation knowledge and understanding of the relationship between gender equality and healthy, safe and respectful workplaces

- align the intent, accountabilities and implementation of efforts to implement responses to this Review alongside other key change initiatives

- develop a formal policy and process review mechanism to ensure gender equity principles are embedded in all organisational initiatives

- ensure gender impact analysis is embedded in policy and strategy development and review processes

- develop an organisation-wide gender performance framework and annual monitoring. Organisational performance objectives and measures should be linked to safe and respectful workplaces if the vision and effort to achieve a safe and respectful workforce is to be sustained. These measures should embed proactive data, process and outcome measures and cascade down to the performance and capability requirements of all managers and employees. They should include employee insight and satisfaction of the shifting workplace climate

- prioritise safety and wellbeing of employees who have experienced workplace harm. For people engaging in inappropriate behaviours, a range of swift and appropriate management and policing responses are needed, depending on the nature of the behaviour

- cascading from this Strategy, each Command should establish, develop and implement an equity and diversity work plan and report progress to Executive Command bi-annually. The quality and progress of these work plans should be considered as part of Command performance and individual performance assessments of leadership. These in turn should be supported by performance assessment recommendations

- resource and coordinate women in policing committees for all female employees across all Regions, including rural areas. These forums should provide expertise to inform Command/ Departmental Equity and Diversity Strategies.

Intent of the recommendation

It was intended that the Strategy would support a cohesive, whole-of-organisation approach to the implementation of recommendations across the agency, as well as driving forward a clear, unifying vision of gender equality. The Strategy would be a tool in helping the agency understand the relationship between gender equality and healthy, safe and respectful workplaces.

It was intended that the vision be articulated as a first step in Victoria Police's journey toward implementing the recommendations of the Phase 1 Review, and led by senior leadership through consistent, visible leadership. The development of the vision and Strategy would also be a way to engage employees and build the platform of principles for implementing all recommendations of the Phase 1 Review. The vision would need to be led and owned by the Chief Commissioner and Executive Command.

Importantly, the Strategy and vision would need to be cognisant of and, where possible, align with the intent, accountabilities and implementation of other key change initiatives, workplace strategies and community facing strategies. These strategies include the *Mental Health Review*, the Capability Framework, the *Equality is Not The Same …* report, Zero Harm and *Future Directions for Victim-Centric* Policing 2015 (as detailed in the *Victoria Police Corporate Plan 2015-18*). The integration of these strategies and other change initiatives would be critical in an agency where employees are faced with large amounts of information and messaging, and have limited capacity to engage with and focus on multiple agendas. Gender equality and the recommendations from the Phase 1 Review would need to be embedded into business as usual processes.

The Strategy would support a formal policy and process review mechanism and a gender impact analysis in policy and strategy development and review processes. This will ensure that gender equality remains front of mind in all organisational initiatives going forward, and that a gendered lens is taken when considering the impact of policies and processes.

Central to the success of the Strategy would be a clear measurement framework, subject to annual reporting and leveraging off a clear baseline of data. This would ensure that progress towards the

desired state can be measured, and that clear lines of accountability are embedded – including at the most senior levels.

The Review recognised that the Strategy could not 'live in HR'; it had to reach into all parts of the agency and needed to be sufficiently tailored to individual work areas. In order to ensure that action and accountability took place across the agency, it was recommended that each Command should establish, develop and implement an equity and diversity work plan and report progress to Executive Command bi-annually. The plans would be linked to the broader organisation-wide Gender and Diversity Strategy.

To provide expertise into the Command or Departmental work plans, the Phase 1 Review recommended that women in policing committees be established across all Regions and areas. The Review specifically provided that these committees be for female-identifying employees. The Review found that in many cases, the voices of women – particularly women who had been subject to harm – had been silenced and not listened to. It was critical that the focus on women's experience is not lost in an attempt to bring men along. The women in policing committees would provide the opportunity to provide a safe, inclusive space for women, in recognising that for many women in Victoria Police their ordinary work environments may not be safe and inclusive.

Indicators of successful implementation

Vision and strategy developed

- The vision and Strategy is owned by and accountable to the Chief Commissioner, and articulates a clear and unequivocal vision to build a gender equitable workplace.

- The vision is articulated as a first step in the implementation journey, and built through consultation with employees and engagement with senior leadership.

- Strategy supports the work to build whole-of-organisation knowledge and understanding of the relationship between gender equality and healthy, safe and respectful behaviours.

Gender strategy aligned with other key strategies and initiatives

- In devising the Strategy, the intent, accountabilities and implementation of other key organisational strategies and change initiatives are systemically considered and analysed to build alignment.

Mechanisms in place to ensure sustained focus on gender equality

- A formal policy and process review mechanism is developed to ensure that gender equity principles are embedded across all organisational initiatives.

- A gender impact analysis mechanism is developed for use in the policy and strategy development and review process.

Improved data collection and annual monitoring through a performance framework

- An organisation-wide gender performance framework is built, which features a range of data, process and outcomes measures against which performance will be annually monitored.

- A baseline is created through the introduction of granular reporting, disaggregated by gender by business units, in relation to workplace recruitment, flexibility, retention and advancement. Data collection also tracks and reports on the process for promotion and appeals against promotion.

- Clear guidance is provided to Divisions to support data and performance measurement requirements at all levels.

- Reporting requirements are integrated into regular reporting mechanisms (for example, Compstat).

- Objectives and measures under the framework are linked to safe and respectful workplaces, and specifically includes measures of employee insight and satisfaction of the shift in the workplace climate.

- A request is made for data from future rounds of the Victorian Public Sector Commission's People Matter Survey to be broken down by gender against employment category, employment type and classification.

- Once the framework is in place, measures are embedded into the capability requirements of all managers and employees.

Strategy complements swift, appropriate response to inappropriate behaviour

- Strategy is complemented by swift and appropriate management and policing responses to people currently engaging in inappropriate behaviours, and approaches prioritise the safety and wellbeing of employees who have experienced workplace harm.

Command work plans implemented

- An equity and diversity work plan is developed and implemented for each Command/ Department, and mechanisms are put in place to ensure bi-annual progress reporting to Executive Command on each plan.

Leadership KPIs

- Command leaders' individual performance assessments are updated to contain key performance indicators around the quality and progress of their work plan.

- Command performance and risk management agendas are updated to reflect the creation of the performance framework and Command work plan.

Comparative remuneration benchmarking in place

- A model is established for annual benchmarking and reporting on the comparative remuneration between men and women, as outlined in the *Workplace Gender Equality Act 2012* (Cth).

Women in Policing committees

- A Women in Policing committee is resourced and established across each Region.

- Committees play a critical role in informing the Command/Departmental work plan.

Summary of key activity to date

As at 30 June 2017, the Audit has observed the following key activities by Victoria Police towards the implementation of Recommendation 3:

- development of an organisation-wide *Gender Equality Strategy and Action Plan*, which forms part of a broader Diversity and Inclusion Framework. The Action Plan includes a performance framework with metrics relating to gender equality, including establishment of some baseline data metrics and indicators of success.

- the establishment of a baseline of key metrics relating to gender equality as at May 2016 and a program of work to rectify gaps in data

- creation of an Equity and Diversity Dashboard to enable managers to drill down to team level to review their performance against key metrics

- Victorian Public Sector Commission's People Matter Survey amended to enable data to be broken down by gender

- a gender pay gap analysis across most levels of the organisation

- implementation of work plans across a small number of Commands and Regions

- establishment of the Women in Policing Advisory Group (WIPAG), and the creation of some Women in Policing local committees across Regions and Divisions.

Audit findings

Gender Equality Strategy and Action Plan

Overview

In June 2017, Victoria Police launched its inaugural *Gender Equality Strategy and Action Plan*. The Strategy articulates Victoria Police's vision for a 'diverse and inclusive workplace that demands equality and respect for women'.[1]

The Strategy commits Victoria Police to:

- end sex discrimination, sexual harassment and predatory behaviour

- build a gender equitable organisation, free from workplace harm, where women have equal access to opportunities for professional development and career progression, and have equal representation in leadership positions

- listen and understand employee experiences, and empowering through education and support to achieve tangible and lasting change

- strengthen the evidence-base of people data to ensure accountability, and for progress to be reported annually and publicly through the workforce diversity dashboard.

The Strategy articulates Victoria Police's perceived current state against its desired state.[2]

Where we are now	What it will look like when we are gender equitable
Workforce values that tolerate diversity	Our values are embedded in everything we do
A culture that is not always confident to call out inappropriate behaviour	A culture of respect and integrity that prevents workplace harm
Employees accessing flexible working arrangements feel undervalued	Greater uptake of non-gendered flexible working arrangements (such as part-time work)
Structural barriers restrict access and participation in professional development opportunities	Gender equality in access and participation in professional development opportunities, including higher duties, at-level assignments, training and education
Change is not managed or communicated well	Gender equality in recruitment and promotion processes
Employees who do not have the right skills for the job in which they are employed	Visible leadership
Capability gaps to deliver on strategic priorities	High performance culture supported by streamlined performance management processes
Conduct and performance issues not well managed	A culture that values the health, safety and wellbeing of all

The Strategy sets out the road map for achieving this vision through an action plan that is divided into three of the nine 'transformational pathways' outlined in the *Victoria Police Capability Plan 2016–2025*:

- Safety: More focused on the health, safety and wellbeing of our people
- Gender, Diversity and Flexibility: A more professional, flexible and diverse workforce
- *Leadership:* More confident, humble, respectful and people-focused leadership.

Under each pathway, the action plan seeks to articulate:

- the evidence base that underpins the area of focus and the reason it needs to shift (What we know*)*
- the necessary steps or actions to move towards the organisation's desired state (What we are doing*)*
- the indicators and desired outcome against which progress will be measured, including the baseline for measurement.

The Strategy was developed over the course of 18 months following the release of the Phase 1 Review, and released in June 2017. The Phase 2 Audit notes broad consultation with Command and Executive Command members, CAG and VRISC.

The Strategy forms part of the *Diversity and Inclusion Framework 2017–2020*, which recognises that the Strategy will be one limb of a broader framework focusing on diversity and inclusion.

As noted in the Phase 1 Review, there are a number of key internal and external strategies that intersect and interlock with Victoria Police's work to improve gender equality. These include:

- Victoria Police's Blue Paper: *A Vision for Victoria Police in 2025*
- *Capability Framework 2016 – 2025* and annual Capability Plans
- the 2013 *Equality is Not The Same …* report, looking at police engagement with diverse communities
- the Zero Harm Strategy
- *Future Directions for Victim-Centric Policing*, released in 2015.

Since the release of the Phase 1 Review, a number of other key strategies and initiatives have been launched, including:

- Victoria Police's *Mental Health Review* (2016), and the *Mental Health Strategy and Wellbeing Action Plan* (2017)
- the Report of the Royal Commission into Family Violence, released in March 2016, which looks extensively at the role of Victoria Police in responding to family violence
- *Safe and Strong*, Victorian Government's Gender Equality Strategy, released in December 2016
- the Victorian Government's *Community Safety Statement*, released in December 2016.

Findings

Strategy

The Strategy focuses on not only improving responses to harm when they occur but on building a gender equitable organisation that prevents the harm in the first instance. This focus on prevention across a number of the actions will support the work to increase organisational understanding of the relationship between gender equality and healthy, safe and respectful behaviours. There is potential for Victoria Police to be more explicit about the link between gender equality and the prevention of violence against women in its rationale for the change, as explored in Chapter 5.

Significant effort and consultation took place in order to develop the Strategy and it was released 18 months after the Phase 1 Review. The Phase 2 Audit found that the delay in devising and launching the Strategy has impacted on the broader implementation efforts. This has been particularly evident in the area of communications and engagement (see Chapter 5), where there has been a lack of a cohesive narrative around the rationale for diversity in Victoria Police and the role of gender equality in preventing workplace harm.

> *The VEOHRC Review was huge and talked about many interrelated issues. I feel that most people took one or two things that resonated or outraged them and then forgot the bigger picture. For example, they would focus on predatory and offending behaviour and not see the other issues like flexible working arrangements. It has been really difficult for people to speak to all of it and see the linkages between the issues. I feel we are trying to tackle too much at once without a logical or sequential plan in place for real attitudinal change.*
> – **Internal interviewee**

Strategic alignment

As noted above, a broad range of strategies intersect with the work being done to drive gender equality. The Phase 1 Review noted the importance of the Strategy aligning with the intent, accountability and implementation of the other key change initiatives and strategies.

There is scope for deeper analysis as to how the Strategy and the body of reforms arising out of the Phase 1 Review act as strategic enablers for the realisation of the Capability Plan's transformational pathways and other key strategic priorities such as the Community Safety Statement. Victoria Police may also consider the way in which its gender equality actions support the realisation of the goals of the *Mental Health Strategy and Wellbeing Action Plan*, the *Equality is Not The Same …* report, the Royal Commission into Family Violence's vision for Victoria Police, the Zero Harm Strategy, and the *Principles of Victim Centric Policing*. This analysis would assist Victoria Police in building an effective business case for gender equality within the organisation, as it would seek to demonstrate the importance of the Strategy in realising a broad range of internal and external strategic priorities.

How building gender equality will help Victoria Police deliver on the Community Safety Statement

In December 2016, the Victorian Government released the Community Safety Statement. The Statement seeks to improve community safety through a comprehensive investment package that aims to expand and improve Victoria Police's capability and presence. It addresses five key areas: reducing harm, increasing connection to the community, putting victims first, holding offenders to account, and improving Victoria Police's capability, culture and technology.

The Statement provides funding for key recommendations from the Phase 1 Review, including the training for managers and supervisors in preventing and responding to workplace harm and the parental leave backfill. In this way, the Community Safety Statement supports the realisation of the Phase 1 Review. However, the implementation of the Phase 1 Review and the organisation's focus on building gender diversity will also support the realisation of the Community Safety Statement:

- *Increasing community connectivity and building community trust (Principle 2):* In order to gain and maintain community trust, Victoria Police needs to be reflective of its community and act with the highest levels of integrity and respect. Behaviours that reflect poorly on Victoria Police and a workforce that reflects only a small proportion of the community will undermine this broader focus on improving community connection. The organisation's focus on respect and inclusiveness as evidenced in the Strategy will support Victoria Police to build community trust and connection.

- *Putting victims first (Principle 3):* The Statement reflects the changing capability required to be a 'good police officer', and that skills such as listening and demonstrating empathy are essential in modern day policing. These skills are not exclusive to women but, due to broader societal gender norms and expectations, women are often highly adept at these skills. Further, these are skills that do not neatly align with a culture of rigid masculinity, as has been a pervasive culture within Victoria Police. Changing this culture and building capability across a broader range of people skills is a key focus of the Phase 1 Review and Victoria Police's work in building gender equality, and has the potential to drive the more victim-centric response desired through the Statement. The focus on putting victims first also means that Victoria Police has the opportunity to translate its learnings from the internal focus on developing victim-centric approaches to workplace harm, such as through Taskforce Salus and OneLink, into its external functions.

- *Holding offenders to account (Principle 4):* If Victoria Police fails to demonstrate the expected level of behaviour in its own ranks and hold its own personnel to account, it risks delegitimising its wider efforts to increase offender accountability. The Phase 1 Review implementation efforts and the Strategy include a focus on responding swiftly and decisively to workplace harm, and making clear that it will not be tolerated within the organisation, which will ensure Victoria Police role models the standard of behaviour it expects from the community.

We have a lot of issues about how we manage and treat people, and how we respect each other. This Review is part of the respect agenda. **– Internal interviewee**

Action Plan

The Phase 2 Audit found that a number of the proposed measures, metrics and indicators under the Action Plan require further clarity and consideration. This includes:

- clarity around what the proposed action is: many of the current 'actions' do not clearly define a measurable action

- ensuring there is a causal link between the proposed action and the desired outcome, noting that in some instances it is not evident how the 'action' will lead to the desired outcome

- ensuring the measurement indicators link to both the action and the desired outcome

- clarity around what the desired outcome is within the three-year strategy period (noting that this will likely be different from the desired state, which may be a longer-term goal)

- clarity around accountability in terms of the area or senior leader responsible for delivery and reporting on progress.

The Phase 2 Audit notes the Strategy commits to reporting on progress annually and publicly through the Workforce Diversity Dashboard. This commitment to ongoing transparency and public accountability is commendable. The Audit recommends that Victoria Police considers a public 'progress update' against the measures under the action plan, as well as the key metrics recorded through its Gender and Diversity Dashboard. Reporting on the progress of key initiatives under the action plan as well as the workforce data recorded through the dashboard would provide a comprehensive picture of the organisation's progress.

In August 2017, the Audit was informed that Victoria Police plans to undertake further work on the Action Plan to create greater clarity across the actions and initiatives to be undertaken, the measures for assessing progress, and accountability for reporting. Following this work, the Audit recommends that the Strategy is refreshed for 2018–19 to ensure it reflects a clear pathway forward for the organisation.

Guidance going forward

The Phase 2 Audit recommends that analysis be undertaken and shared across key project areas and Command as to:

- the way in which the Strategy and broader program of work across the implementation act as a strategic enabler for other key organisational priorities and initiatives

- key areas of alignment between the Strategy and the work taking place across the organisation to implement the *Mental Health Review*, the *Equality is Not The Same …* report, the Principles of Victim-Centric Policing and the Royal Commission into Family Violence, as well as any other programs of work that Victoria Police identifies as being interrelated.

The Phase 2 Audit recommends that the Strategy be updated in order to provide clarity as to the measures, metrics and indicators under the Action Plan, including clarity as to accountability for reporting, the nature of public reporting to be carried out, and what progress Victoria Police seeks to make within the three years of the Strategy. Consideration should be given as to how accountability under the Action Plan can be dispersed across the organisation.

Mechanisms to embed ongoing focus on gender equality

The Phase 1 Review recommended a number of mechanisms to ensure an ongoing focus on gender equality. At an organisational level, this included:

- improved data collection and annual reporting through a performance framework
- benchmarking and reporting on the gender pay gap
- a formal policy and process review mechanism to ensure that gender equity principles are embedded across all organisational initiatives
- a gender impact analysis mechanism to use in the policy and strategy development and review process.

At a Regional, Divisional and Departmental level, this included:

- the creation of local work plans across every Command and Directorate, with biannual reporting to Executive Command
- the creation of Women in Policing local committees to support women across the organisation and provide ongoing intelligence on the operation of the Strategy.

At an individual level, this included:

- updating Command leaders' individual performance assessments to contain key performance indicators around the quality and progress of their work plan.

The Phase 2 Audit considers progress against each of these mechanisms below.

Data collection and reporting

Overview

In November 2016, Victoria Police completed extensive analysis to identify key performance measures relating to gender equality to inform data collection and monitoring through the Strategy. This would in turn create an evidence base for building general and targeted interventions to enhance diversity across workplaces, regions, work types, and at career progression points. Through the analysis, a baseline was set as at May 2016.[3]

Through the analysis, a number of reporting gaps were identified where data were either not recorded, available or in the format required. The key data gaps included:

- limited data regarding flexibility arrangements with no data on rejections of requests or reasons for refusal
- a lack of data on retention rates from parental leave as any other form of leave, taken in conjunction with parental leave, can alter the return-to-work date
- limited data on job families – this framework has not yet been fully developed and so has not been established in HR Assist
- no formal exit interview process, and thus limited qualitative information is available regarding reasons for leaving the organisation
- applications for development opportunities are not established in a workflow process that can be reported
- a lack of structured data for tracking applications for transfer, promotion and appeal broken down by gender and individual.

Having identified these gaps, Victoria Police undertook analysis of the required work to address the gaps and ensure databases capture and report on the necessary data. This looked at whether or not the functionality was possible through existing databases, the cost of any necessary work to add functionality and, if not feasible, other ways in which the data could be accessed. The Phase 2 Audit understands that work to address these data gaps is now underway.

Setting the baseline to assess progress towards greater gender equality

Setting the baseline for data reporting going forward will enable Victoria Police to track and report on its progress over the coming years. Through its analysis, Victoria Police has set the data baseline across the following key indicators.

Gender composition

- the organisation as a whole, including a breakdown of each stream (Police, Recruits, PSO and VPS)
- Police ranks (including Recruits), PSO ranks, and VPS grades
- age groups (for Police, PSOs and VPS)
- management categories (executive, management, supervisory or other)
- executive employees, including breakdowns of senior Police ranks and senior VPS grades
- management categories and employment type (full-time, part-time or casual), including a breakdown for Police and PSOs and a breakdown for VPS
- CAG
- Executive Command.

Flexible working arrangements

- the use of each flexible work option by employee type (Police, PSO or VPS), gender and management/supervisory status.

Attrition

- types of employee separations (retirement, resignation, dismissal, death or other), broken down by gender and employment type (full-time or part-time)
- employee separations by age group and gender
- employee separations by gender, broken down by Police and PSO rank and VPS grade
- employee separations by years of service at separation and gender.

Talent pipeline

- Recruits for Police and PSO roles by gender
- Recruit separations for Police and PSO by gender
- Police Recruit separations, broken down by separation reason ('Recruit unsuccessful', 'personal reasons resignation' or 'unspecific reasons resignation')
- Police promotions, broken down by rank and gender
- VPS promotions, broken down by grade.

Appeals

Gender composition of:

- appeals by appellant rank
- appeals by selectee rank
- outcomes of appeals against female selectees by appellant rank.

Transfers through Expression of Interest Process

Gender composition by:

- Police employee transfers
- PSO employee transfers
- VPS employee transfers.

Participation in training and development programs

Gender composition of:

- the VPS/FO 1–4 Capability Development Suite
- the VPS/FO 5–7 Capability Program
- the Senior Management Leadership Development Program, Graduate Certificate Program, Graduate Diploma Program, and Leaders Mentoring Program, as a proportion of workforce composition
- Police graduates versus Recruits
- Detective Training School promotion qualification
- Inspector, Senior Sergeant and Sergeant promotion qualifications
- access to higher duties and at level assignments by employee type (police, PSO or VPS) and rank.

Performance ratings

Gender composition of:

- Police employees who failed to achieve progression, broken down by reason
- VPS employees who failed to achieve progression, broken down by reason for VPS 1–4 and VPS 5–7.

Job satisfaction (measured through People Matter Survey)

Gender and employment type breakdown of:

- views on employment principle of 'merit'
- intention to leave, broken down by influencing factors.

Workplace harm (measured through People Matter Survey)

Gender and employment type breakdown of:

- experiences of bullying
- experiences of discrimination, broken down by types of discrimination
- experience of sexual harassment.

The Phase 1 Review recommended that Victoria Police make a request for data from future rounds of the Victorian Public Sector Commission's People Matter Survey to be broken down by gender against employment category, employment type and classification. Data and documentation provided to the Audit indicates that data can now be broken down by gender against employment type (ongoing, fixed term or other) and employment category (Police, PSO or VPS). However, the Audit notes that classification or rank was not collected in the 2016 People Matter Survey.

At the time of writing, the Audit had not observed a 2017 report tracking progress. It is noted that under the Phase 1 Review, key points for the assessment of progress with respect to promotional pathways included at 18 month and three year points after the establishment of the baseline. Based on the time at which the baseline was determined, this will see Victoria Police aiming to have:

- women's access to upgrading and training opportunities at least proportionate to their representation in the overall relevant workforce (Police, PSO and VPS) by November 2017

- women accessing 50 per cent of all upgrading and training opportunities across all of the organisation (Police, PSO and VPS) by May 2019.

To support greater focus on key datasets at a more localised level, Victoria Police has developed a number of reporting and monitoring tools. This includes:

- A six-monthly Gender and Diversity Performance Report, which is produced for each Department, Region, Command and Division, and provides six-monthly data on workforce composition, flexible work, merit pathways, recruitment and appeals, and exits

- An 'Equality and Diversity Dashboard', which tracks key gender equality datasets:

  - workforce composition for sworn and VPS employees including a change in the percentage of female employees since the base data date of 31 May 2016

  - current percentage of female employees by employee type (Police, PSO, VPS, Recruits, Reservists) to PSA/Branch level

  - percentage of higher duties across all employee types and ranks split by gender for the most recent 12 months compared to the base data date of 31 May 2016

  - percentage of at level assignments undertaken by female or male employees for the most recent 12 months compared to the base data date of 31 May 2016

  - percentage of promotions and transfers by female or male employees for the most recent 12 months compared to the base data date of 31 May 2016.

The Phase 2 Audit was informed that both the six-monthly Gender and Diversity Performance Report and the Equality and Diversity Dashboard are used in the Compstat forums, as well as being available to all staff on the Victoria Police intranet.

Findings on data monitoring and reporting framework

Significant work has gone into building a comprehensive monitoring and reporting framework. The reporting and analysis undertaken in order to ascertain a baseline as at May 2016 provides a comprehensive baseline of key metrics, which will enable Victoria Police to assess its progress and interrogate the effectiveness of its broad reforms to improve gender equality.

The Phase 2 Audit notes that it was intended that the baseline data analysis be used to create a set of performance indicators as part of the Strategy. However, as noted above, the measures referenced in the Strategy are not yet clear as to the key data that will be monitored and are not yet consistent with the full indicators identified through the baseline report.

The key metrics against which a baseline was developed differ from the key metrics upon which six-monthly localised reporting is based. The six-monthly reports enable Victoria Police to assess data at a Divisional, Departmental, Regional and Command level, which provides greater granularity than the

approach taken through the data baseline report. It would be useful to align the six-monthly reports with the metrics measured and reported on through the baseline data analysis and, where necessary, add additional metrics to these reports so that there is a comprehensive picture of key metrics at this more granular level.

The Phase 2 Audit notes the availability of datasets across Departments, Commands, Divisions and Regions. However, the current six-monthly data report is extensive and provided in a format that will be difficult for areas to assess key areas of progress. While the dashboard provides a snap shot of a number of some key metrics, the Audit notes that it provides limited analysis, considers only a small number of metrics (with a focus on promotional pathways) and is accessible only by 'information seekers' through the intranet.

For Victoria Police to maximise on its rich data collection to date and the work undertaken to establish a baseline across a range of metrics, the Audit encourages further work to consider how reporting is disseminated across management and supervisory levels to assist in measuring the progress against their work plans. Further, in completing work on the performance measurement under the Strategy, Victoria Police should consider how it communicates its progress both internally and publicly. The Phase 2 Audit notes the importance of communicating progress across metrics and with a focus on clear, simple and effective communication. A 'report card' style could be an effective way of ensuring all Victoria Police employees can easily understand how the organisation is tracking.

Guidance going forward

To maximise the value of the extensive work carried out to set a baseline and ensure regular reporting and robust scrutiny with respect to key metrics, the Audit recommends that:

- Victoria Police undertakes work to align the six-monthly reports provided the Commands, Divisions, Departments and Regions with the full data baseline. This should also be consistent with the datasets reported through the Strategy

- Victoria Police considers providing greater analysis of the six-monthly Command, Division, Department and Region reports, to maximise understanding of key areas requiring improvement and progress to date.

- If not done through the Strategy , consideration is given to clear, accessible and effective communication of annual findings of the analysis against the data baseline. This should be done at an organisation-wide level so that all employees have a clear view of progress.

- A request is made to the VPSC for future rounds of the People Matter Survey to break down the results by classification. Where there are issues of low response rates, clustering by Executive, Manager/Supervisory and Non-Manager/Supervisory for each employee type (PSO, VPS and Police) may be appropriate.

Across all datasets, the Audit notes that it is not clear where Police Custody Officers (PCOs) are recorded as measured, and suggests that this be clarified going forward.

Gender pay gap analysis

Overview

In November 2016, Victoria Police carried out a gender pay gap analysis in accordance with the Workplace Gender Equality Act. The purpose of the analysis was to:

- identify any gender-related pay gaps within Victoria Police
- assess whether any discrepancies are justifiable or explainable
- identify areas for further investigation
- recommend strategies for managing and improving gender pay equity.

The Phase 1 Review recommended that Victoria Police benchmark against comparative agencies, however it is noted that undertaking a pay gap analysis is not mandatory for public sector agencies under the Act. Victoria Police did not have access to gender pay gap analyses from other policing jurisdictions.

Victoria Police has instead benchmarked against the Workplace Gender Equality Agency (WGEA) public administration and safety group, which had a gender pay gap of 7.7 per cent. The pay gap for the public sector was 12 per cent and the national pay gap as at November 2015 was 17.3 per cent.

Victoria Police's analysis was divided in a number of different ways:

• at the organisational level

• by employee type: VPS, Police and PSO

• by rank and classification, within the VPS, Police and PSO groupings

• by management category.

A number of senior roles were exempt from the analysis, including the Chief Commissioner, all employees at the Executive Officer Level 2 (EO 2) level, and Assistant and Deputy Commissioners. This included eight EO 2 level executives, 15 Assistant Commissioners, and three Deputy Commissioners. The analysis noted that remuneration ranges for Assistant Commissioners and Deputy Commissioners are fixed and all of these positions commence and progress at the same rate of pay. These salary levels were not included in the analysis on the basis of confidentiality considerations.

Findings from Victoria Police's Gender Pay Gap Analysis, November 2016

Organisation-wide

The organisation-wide gender pay gap as at May 2016 was calculated at 9.5 per cent in favour of male employees, excluding Command and Recruits. The average salary for female employees was $78,508 compared with $86,734. It is likely to be slightly higher than this, given that a number of senior leadership roles that are predominately held by men were excluded from the analysis.

Gender pay gap for Victorian Public Sector, 2016

* There were no VPS 1 employees during the data capture period.

VPS employees

- VPS employees had the largest pay gap at 9.6 per cent at the baseline period. The average salary for a female VPS employee was $67,957 compared to $75,182 for a male VPS employee.

- There was a pay gap at almost every VPS level, especially at more senior levels (VPS 5–7 and EO 3). The most significant gap was at the EO 3 level, which has a gender pay gap of 7.3 per cent with men earning $13,993 more than their female counterparts. This was followed by the VPS 6 level, where there is a pay gap of 4.4 per cent and on average men earn $5,718 more than their female counterparts.

- At a number of levels, men commenced roles at a higher salary than their female counterparts. This was most significant at the VPS 5 level, where on average men commenced their roles earning $7,629 more than the average salary at which women commenced. Women commenced roles on a slightly higher salary at the VPS 3 level.

- The most significant difference in average salaries is at the VPS 5–7 range. The gender pay gap is 2.2 per cent at the VPS 5 level, 4.4 per cent at the VPS 6 level and 2.9 per cent at the VPS 7 level.
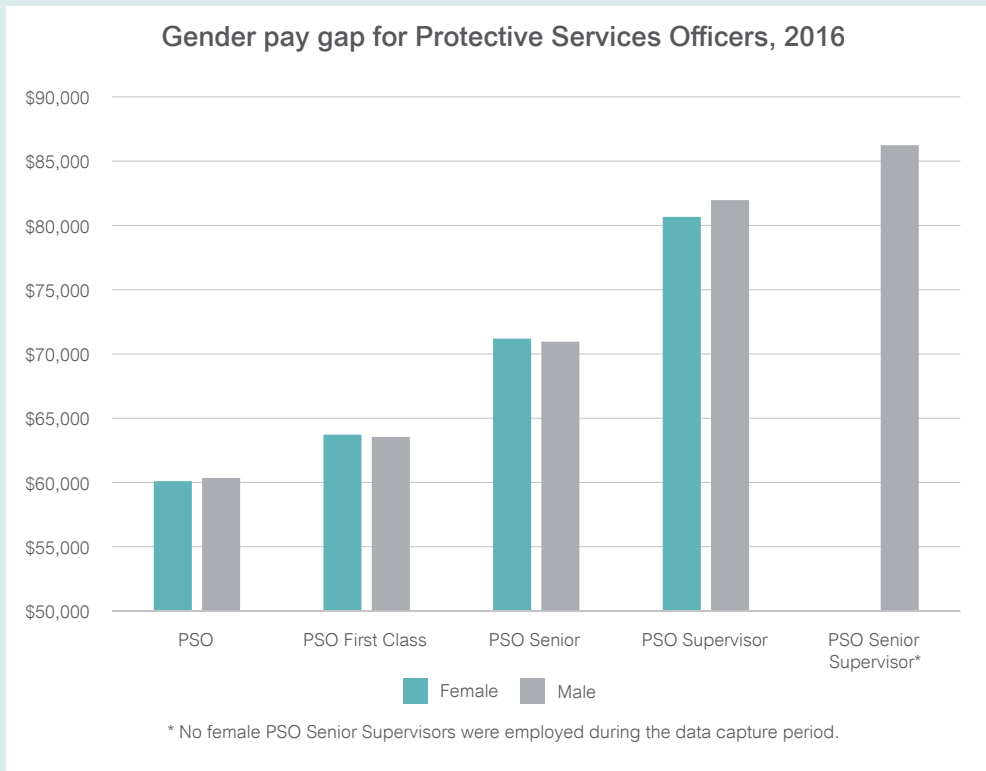
Gender pay gap for Police, 2016
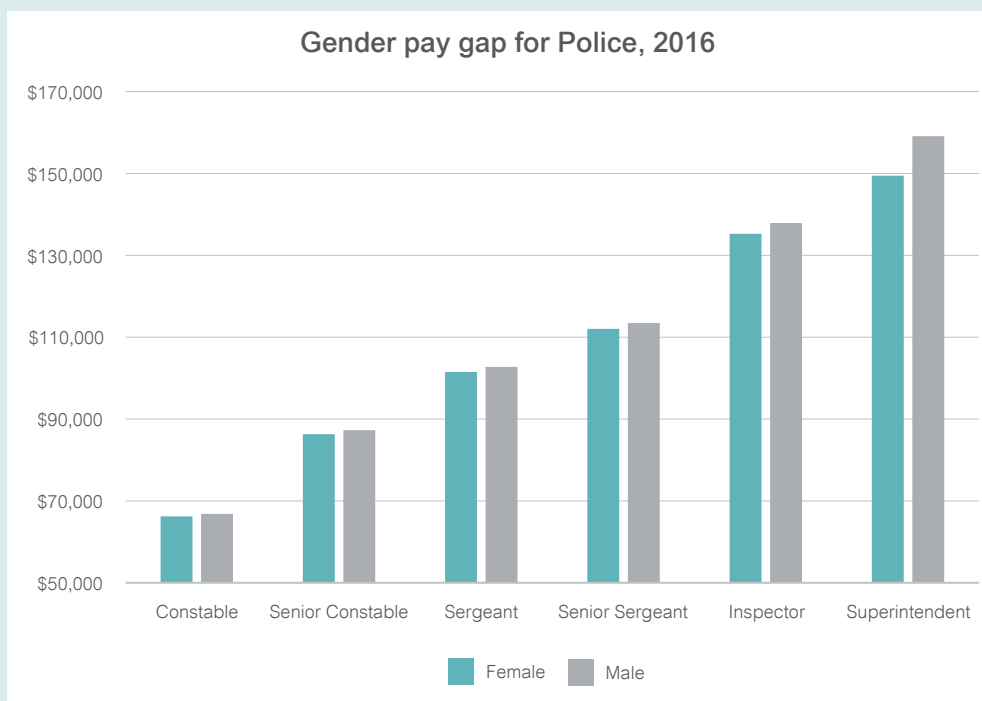
Police

- Police had a pay gap of 6.6 per cent at the baseline period. The average salary for a female Police member was $85,180 compared to the average salary of a male police member at $91,181, with a difference of $6,001.

- There is a pay gap at all ranks, ranging between 0.9 per cent for at Constable level and 6.1 per cent at Superintendent level.

- The largest pay gaps are at the Inspector and Superintendent ranks. The pay gap at the Inspector level was 1.9 per cent, with male Inspectors earning $2,626 more than female Inspectors. The pay gap at Superintendent level was 6.1 per cent, with male Superintendents earning $9,669 more than female Superintendents.

- No gender pay gap analysis was carried out for Police at the Command level (Commander, Assistant Commissioner, Deputy Commissioner or Chief Commissioner level).

Gender pay gap for Protective Services Officers, 2016

* No female PSO Senior Supervisors were employed during the data capture period.

Protective Services Officers

- Protective Services Officers (PSOs) have a gender pay gap of 0.6 per cent at the baseline period.
- There are no female PSO Senior Supervisors. There was a slight pay gap at the PSO First Class level in favour of women (0.3 per cent or $175 per year); however, there are very few women at this level.

The analysis hypothesised that the main reasons for the difference in earnings between genders may include:

- women's lack of access to training and development opportunities, limiting access to promotions and pay increases, as well as progression into leadership roles
- structural barriers and processes that restrict prospects for workers with family responsibilities resulting in reduced shifts that incur overtime, allowances and promotional prospects
- conscious or unconscious gender bias experienced when setting salary on commencement and promotion for VPS and Executive Officer employees, and women being less likely to negotiate a higher salary
- workers on flexible work arrangements having difficulty attending training courses that required compulsory attendance at set days or times
- the lack of support for non-standard flexible work options limiting women's career choices, particularly for leadership roles
- additional payments such as overtime and allowances applying more often to operational roles that are usually more accessible to men than to service support roles, which are usually held by female employees.

In addition to the work taking place as a result of the Phase 1 Review, the analysis recommended:

- reviewing policies and procedures to ensure that they are transparent and consistent in remuneration-related decisions
- providing managers with guidance on avoiding bias in recruitment, selection and remuneration decisions
- recording reasons for starting on a salary above the base for VPS employees through the relevant HR program
- ensuring a gender balance in terms of negotiations during the enterprise bargaining process, for example through the Women in Policing Network.

It also recommended, consistent with the Phase 1 Review, that the analysis be carried out on an annual basis in order to measure and report on the progress of pay equity, to identify areas for improvement, and that a request be made to Australia New Zealand Policing Advisory Agency (ANZPAA) detailing the data required in order to benchmark against comparative policing jurisdictions.

The analysis was shared with VRISC and recommended that the findings of the analysis be shared with the Command group.

Findings

The Phase 2 Audit commends Victoria Police's robust analysis of the gender pay gap across various role types and ranks or levels. Few organisations have approached this analysis with such rigour. This analysis provides a useful baseline against which progress can be measured, and identifies a number of key barriers to pay equity within Victoria Police.

The Audit supports the implementation of all recommendations made in the analysis, as listed above, noting that these go beyond the Phase 1 Review's recommendations. The Audit had not observed evidence as to whether these recommendations of the analysis have been actioned, and encourages Victoria Police to ensure the additional recommendations are actioned. Future reporting should include an analysis of the reasons why a VPS employee starts above the base salary, disaggregated by gender and level.

The Audit notes the importance of including the senior Command and Executive Command level roles in this analysis. On the May 2016 figures, men occupied 23 out of the 27 roles (85.2 per cent) that were excluded from the analysis. Further, the rank of Commander was not included in the analysis, which is comprised of 70 per cent male and 30 per cent female. The WGEA makes clear the impact that senior executive roles have in determining an organisation's gender pay gap. In future assessments, all roles across the organisation should be included.

The Audit notes that within Victoria Police there are a number of non-operational roles undertaken by both VPS and Police members. Due to the different enterprise agreements in place for these cohorts, a VPS member and a Police member can carry out a similar role and be paid according to separate pay scales. For example, a VPS 5 is deemed the 'equivalent rank' as an Inspector; however, a VPS 5 base salary is $92,253 compared to the base salary of an Inspector at $132,987.[4] A Police member will also receive a range of benefits and additional leave entitlements for which the VPS employee will not be eligible. While in an operational context the work undertaken by a sworn police member may not have a VPS equivalent, the Audit observed that in non-operational contexts a sworn officer will often undertake a 'like' role to that of a VPS staff member.

The analysis done to date does not include an assessment of 'like for like gaps', as recommended by the WGEA. This would involve carrying out analysis of the pay gaps between women and men undertaking work of equal or comparable value, comparing jobs at the same performance standard.[5] This is particularly important in Victoria Police given the gendered nature of the workforce composition in terms of Police members (male dominated) and VPS (female dominated). This analysis should

consider not only the base salary of the two 'like' roles but also the benefits, allowances and paid leave available to each cohort. Given the diversity of roles carried out by Police members in a non-operational context, this could be done as a selection of key areas where roles are most comparable. The Audit understands that Police members retain some obligations that a VPS member in a 'like' role will not be expected to perform. However, a deeper analysis is required to understand whether, in practice, these obligations materially change the role carried out by the Police member on a day-to-day basis.

The Audit notes that, according to current analysis, the EO 3 level is the area of the organisation with the most significant gender pay gap. Analysis also suggests that men who have entered into these roles have commenced at a salary that is higher than existing female staff. Victoria Police should consider increased scrutiny at this level to better understand the drivers of this gap and consider mechanisms to ensure a more consistent approach to Executive level salary negotiations. The Audit notes that greater controls at this level would be consistent with the Assistant Commissioner and Deputy Commissioner ranks, where all staff start and progress at the same level.

The Audit notes the importance of addressing the gender pay gap at the senior executive level if it is to address the organisation-wide gender pay gap. Research by WGEA found that organisations that increased women in executive leadership roles by more than 10 per cent decreased the organisation-wide gender pay gap by 3 per cent.[6] There has not been any analysis of the gender pay gap of the Command group as a whole, which brings together both sworn and VPS senior leaders. This would be of significant value to the organisation in understanding its gender pay gap at this senior leadership level, and would be akin to the analysis of senior executive teams in other public sector organisations.

It is not clear whether the gender pay gap will be part of Victoria Police's public reporting under the Strategy. The Audit notes that this would be a powerful outward facing symbol of Victoria Police's commitment to gender equality and to reducing its gender pay gap.

Guidance going forward

Building on the significant and positive work done to date to understand the gender pay gap in Victoria Police, the Audit recommends that:

- The baseline analysis and subsequent annual reporting is extended to include all Victoria Police staff including those at the Chief Commissioner, EO 2, Deputy Commissioner and Assistant Commissioner level.

- There is a gender pay gap analysis of the Command group as a whole (both VPS and sworn roles), as Victoria Police's senior leadership group.

- There is further analysis of the gender pay gap at the EO 3 level, including further consideration of the drivers behind the gap, and possible mechanisms to ensure a more consistent approach is taken to the salary level at which employees commence.

- Victoria Police undertakes analysis to assess the gender pay gap between 'like' roles, in particular in a non-operational context where VPS and Police employees carry out similar roles. This analysis should consider the benefits, allowances and additional leave accrued by the Police members. It will be necessary to look at the day-to-day functions of the two roles in understanding which roles are 'like' for the purpose of the analysis.

- Consistent with the recommendations made by Victoria Police's internal analysis:

  – The policy review process taking place ensures polices support transparent and fair decisions about remuneration.

  – Managers are provided with guidance on avoiding bias in remuneration decisions.

  – HR Assist is updated to record reasons for when a VPS employee starts on a salary above the base, and this is reported on as part of the annual gender pay gap analysis.

- Enterprise bargaining processes be done through a gender balanced team of negotiators.
- Victoria Police requests from ANZPAA data from other policing jurisdictions in order to benchmark against other policing jurisdictions.

- Consideration is given to communicating the findings of the gender pay gap annual analysis across the organisation and through the broader public reporting on the Strategy.

Policy review and gender impact assessment

Overview

The Phase 2 Audit observed that significant work has taken place to create and implement a framework for the review of policies through an equity and diversity lens, as set out in Chapter 6. This included a full review of the Victoria Police Manual Rules and Guidelines through an 'equity and diversity matrix'. This matrix looked at a series of protected attributes under the *Equal Opportunity Act 2010* (Vic), and for each attribute required the policy content holder to note the policy's existing wording, justification for the provision and the action required.

The Audit requested evidence of any work undertaken to scope a formal policy review mechanism or framework, including:

- the principles against which policies will be reviewed

- where the function will be located or owned within the organisation in terms of reporting

- how the mechanism or framework will be embedded into existing project or policy tools

- how its creation will be communicated.

The Audit also requested any work undertaken on scoping and gender impact analysis tools. The Audit was advised that Corporate Strategy and Operational Improvements Department (CSOID), which is overseeing the policy review process, was planning to create a gender impact assessment tool for ongoing use. The Audit was advised that Victoria Police has engaged with the Workplace Gender Equality Agency to assist in developing this tool.

Guidance going forward

The Phase 2 Audit observes that significant work is required to deliver on this aspect of Recommendation 3.
As stated in Recommendation 3, Victoria Police should:

- develop a formal policy and process review mechanism to ensure gender equity principles are embedded in all organisational initiatives

- ensure gender impact analysis is embedded in policy and strategy development and review processes.

Women in Policing advisory group and local committees

Overview

Victoria Police has commenced the organisation-wide rollout of Women in Policing Local Committees (local committees). The stated mission of the local committees is 'to influence for an inclusive workplace, where all women feel supported, valued, safe and encouraged to achieve their potential'.

Once established, every Region, Command and Department will have a local committee (totalling around 30 committees). Some areas may also choose to have a committee at a Divisional level. The purpose of the committees is to:

- promote a respectful, equitable and diverse workplace

- recognise and celebrate the contribution women make to the Victoria Police workforce

- provide information, support and act as a reference for women in their relevant Command, Region or Department

- provide advice, support and assistance in the implementation of women-focused initiatives

- promote professional development opportunities for women within the respective Region, Command or Department

- establish networking opportunities with a view to supporting broader coaching and mentoring initiatives, in particular for women who have been recently transferred or employed

- identify and report systemic issues impacting women in Victoria Police.[7]

The committees' areas of focus have been informed by a survey completed by around 30 women across the organisation. The survey found a high interest in committees that provide mentoring or coaching and opportunities to hear from a range of perspectives on issues that impact women in police.

Membership for local committees is open to those who identify as female and who have an ongoing role in the area. Membership is determined through a call for nominations, with those who are interested submitting an expression of interest through HRD. Nominees are required to obtain support from local management and undergo a probity check. Final membership is determined by the relevant Divisional leadership group. Membership is for two years.

The committees will be overseen by a Women in Policing Advisory Group (WIPAG). The mission of the WIPAG is to 'provide strategic direction, representation and leadership to enhance organisational capability by progressing issues and priorities on behalf of all women across all Regions and levels of the Victoria Police workforce'. Local committees will report on a quarterly basis into the WIPAG, as well as provide strategic input at a Regional, Command or Departmental level.

In addition to supporting the establishment and ongoing operation of the local committees, the advisory group is responsible for:

- influencing and informing initiatives within the Strategy and other recommendations within the VEOHRC Phase 1 Review

- providing consistent and visible leadership at senior levels of Victoria Police

- advising on professional development opportunities as they relate to women

- influencing and reviewing policies and procedures to build a gender equitable workplace

- influencing mentoring and coaching models

- identifying emerging and systemic issues that impact on women in the workplace

- advocating for, and recognising, women's achievements across all levels of Victoria Police.

WIPAG's membership includes representatives from a range of Commands and Departments, with a focus on a broad range of skills and expertise relevant to gender equity issues and workplace relations as well as a demonstrated committed to supporting women in the organisation. Each WIPAG member has responsibility for a Department or Command that is not represented by membership, and is responsible for informing that Department and Command on the group's work and meeting outcomes. Further, a chair from a local group will be invited to attend the advisory group on a rotational basis.

The WIPAG will report on a biannual basis into the People, Culture and Safety Committee, which is a sub-committee of Executive Command. Processes have been put in place to support the reporting

requirements of the local committees into the advisory group, including a bi-monthly reporting template. The template seeks updates on key activities undertaken and planned across a broad range of areas including professional development, mentoring and coaching, networking sessions and recognition of women's achievements.

At the March 2017 International Women's Day event, Victoria Police announced it would be rolling out Women in Policing Committees across the organisation. As at 30 June 2017, the terms of reference for both the local committees and advisory group had been approved. The Audit understands that around four Commands or Departments have established local committees, with the North West Metro Regional Command having established four committees across different Divisions.

For the committees that have been established, the Audit notes that local committees had undertaken a range of activities aimed at supporting women in the local area. These activities have provided a space for women to come together primarily for networking and professional development opportunities. Events or activities that have taken place or have been planned include:

- various forums and networking events with a range of internal and external speakers, targeted to women in the relevant Command
- a pilot leadership day for female Senior Sergeants in Southern Metro Region
- a PSO-specific event for women in the Transit and Public Support Command
- the creation of a Women in Policing Local Committee newsletter in the Transit and Public Support Command
- the creation of specific intranet pages in some areas.

A further communications strategy has been developed to support the rollout of the Committees.

Findings

Women in Policing Advisory Group

As established, WIPAG is well placed to provide valuable input across a broad range of policy and strategic issues. It provides a diverse range of voices of senior women in a range of different areas across the organisation.

The Phase 2 Audit notes that current focus of WIPAG is almost solely on the establishment of the local committees or, to a lesser extent, other matters relating to HRD's work. While the establishment of the local committees is an important responsibility for the group, it is critical that it embeds a broader strategic focus.

The Audit found that the focus and operation of WIPAG will need to shift in order for it to become a group of strategic influence, and in order for it to be able to carry out its strategic advisory role across key issues facing women in the organisation. The Audit heard that this focus would be welcomed by members, and was advised by HRD that it is expected that WIPAG's operation will mature over time.

> *I would like it to be seen as an advisory group and valued by Victoria Police as such. The idea of WIPAG playing this kind of strategic advisory role is just starting to be formulated. It hasn't been completely landed on yet.* – **Internal interviewee**

This shift in focus will need to be supported by senior leaders, especially those working on the VEOHRC Review Implementation, including VRISC.

We have an opportunity, certainly evident in the Women in Policing Local Committees, which allows local management to tap into the voice of women and generate understanding of lived experience. We need to develop an ongoing sense of what female colleagues are looking for. We will see themes around confidence and development and addressing the barriers to access and opportunity coming through. That will give us executable information, which is really important in changing culture and working through this will generate a sense of achievement which in itself will be motivating.
– **Internal interviewee**

Women in Policing Local Committees

The Phase 2 Audit notes that the local committees are at an early stage of establishment, and that a number of committees were yet to be established at the time of writing.

As currently scoped the committees have a number of areas of focus. If utilised and supported to perform these functions, the committees have the potential to be a valuable source of advice and input on systemic issues impacting women, as well as a space to support and champion women, both individually and at an organisational level.

The Audit heard that there is a desire for greater clarity around the scope and purpose of local committees.

I think that Women in Policing groups are still maturing. We need to get the balance right between being relevant and responsive to local issues and concerns and doing the strategic work of the organisational. They are not necessarily mutually exclusive but this potential tension needs to be managed. – **Internal interviewee**

In communications around the committees, it is important that there is clarity as to:

- *The rationale for the committees*: this should speak to the broader issues impacting on women and identified in the Phase 1 Review.[8] The rationale should clearly link with the functions of the committee and its membership as being only open to women in the initial stages.

- *The purpose of the committees*: it should be made clear that the committees will have a broad range of purposes and functions, including to celebrate and elevate women and to provide intelligence on issues impacting women in the workplace.

- *What can be expected from the committees*: there needs to be clarity around what kind of outputs can be expected from the committees, across the broad functions they have.

- *How women can join or participate in committee activities*: it should be made clear that there are various ways that women in the relevant area can participate, even if not members. For example, it should be clear that local committee members will have a role in channelling systemic issues into management.

The Audit notes the importance of clear communication around the committees, given the backlash that similar initiatives have attracted in the past.

Christine [Nixon] introduced Policewoman of the Year, and other forms of those types of initiatives. Introducing this award was reasonable but, the messaging wasn't approached properly. For example, the Policing Women's Forums created segregation among employees both and I am aware of numerous female employees who found the approach divisive. – **Internal interviewee**

The Phase 2 Audit notes that some committees have been established organically and prior to the formal rollout. This has been the result of proactive localised leadership through individual Assistant Commissioners or Directors and is commendable. Where necessary, there may need to be some alignment of purpose and scope of existing committees. However, each committee will invariably have its own focus, priorities and momentum. The focus of WIPAG should be on enabling local committees to operate as fits best for their individual context, rather than on achieving conformity between committees, given that the overarching purpose of the committees is to build a 'ground up' model for enhancing the role and voice of women within the organisation.

Membership of Women in Policing Local Committees

The membership of local committees is open to all female-identifying staff regardless of rank or work type. This is due to the importance of women having a strong voice in the changes within the organisation, both through implementation and going forward.

> There needs to be safe spaces for women. No question. Male champions of change can connect to that but women need to be supported. There needs to be safe spaces for women. – **External interviewee**

As currently scoped, committee membership will be opened up to men 12 months after establishment. The Audit acknowledges that there are competing policy considerations for whether the committees remain for female-identifying members only, including the desire to have both men and women actively taking ownership for gender equality. If there is a decision to open committees to men, there should be a clear rationale for this policy decision beyond it being to placate backlash.

> *This is an issue for all of us. I don't think it is for women to fix … but the women don't want to be excluded from the changes either. They want their voices heard. We are a part of the history and part of the problem – and importantly part of the solution – and we need our voices heard. This is why we have worked to establish the Women in Policing groups, and why women are ensuring they are part of the conversation too.* **– Internal interviewee**

Further, there would be merit in undertaking an evaluation of the operation of the committees prior to committing to opening the membership to male-identifying members. If the committees are operating effectively and members report value in having a women-only space, consideration should be given to maintaining a female-identifying criteria for membership.

The Audit heard of the importance of ensuring that the groups contain a range of perspectives across rank and role type. This is particularly important given the issues raised in the Phase 1 Review, which demonstrated the specific harm experienced by women in VPS roles and women in lower ranked positions. In regional and specialist Divisions, where there is a focus on operational policing, it will be particularly important to ensure that VPS women are represented on the groups.

Local committee reporting

The Phase 2 Audit found that there has been an effort to ensure regular reporting from the local committees into WIPAG, with local committees required to report on a quarterly basis through a reporting template.

The current reporting template is geared well towards the reporting of activities undertaken and planned, and for sharing success stories and highlighting achievements. There is scope for greater clarity around the reporting of systemic issues impacting on women. The localised nature and proximity to a broad range of issues impacting on women means the groups will be well placed to identify issues. It is necessary to ensure these issues can be effectively fed up to WIPAG through reporting tools.

It is necessary for there to be an organisational commitment to take on board and address issues raised through the local committees through a 'two-way' relationship between the local committees and WIPAG, and local management. If issues raised through the committees are not fed up from

The piece comes down to: how does the business make sure the role of women in policing [committees] is more than just tokenism? One of the things that concerns me is that it could go the same way as the Constable's consultative committee. They were often set up to handball management responsibility and absolve line management from having to take ownership of the issues in their workplace. I do not want to see the WIPCs going the same way, nor do I want their role to be tokenistic
– Internal interviewee

WIPAG, there is a risk that confidence in the committees will wane, and members will see their function as tokenistic and feel disillusioned about their purpose. With the right support, and an ability to feed information up to the highest levels, the local committees could play an invaluable role in providing insight on gender issues across the organisation.

The terms of reference for the local committees currently note that it is expected that Leadership Groups and/or Management Teams at the Divisional level will proactively seek out opportunities to engage with the Women in Policing Local Committee Chair and assist in addressing issues raised. It is important that regular reporting mechanisms are put in place to facilitate this.

Guidance going forward

In order to embed itself as a body of strategic importance and given breadth of work taking place within its remit as part of the broad program of reforms, there would be value in elevating the role of WIPAG in the VEOHRC Review Implementation. This could include having the Chair of WIPAG as a member of VRISC, or for WIPAG to have the minutes of VRISC meetings provided for noting and discussion. Key projects should be brought to WIPAG for advice. VRISC should consider work that should be put before WIPAG for advice, as it does with CAG. This would also demonstrate a commitment within Victoria Police to value the expertise of women within the organisation.

To ensure that the reporting for local committees does not become too onerous and given that local committees will meet only quarterly, there would be merit in moving to a quarterly reporting cycle. The reporting template should provide greater scope for the local committees to identify and report to the advisory group on systemic issues across a broad range of areas including career pathways, flexible work arrangements and parental leave, access to training, and the treatment of women

To assure support at a local level, it would be helpful for each Region, Command and Department to articulate how it will support its local committee. In some areas, this has been through the appointment of a dedicated staff member. Command leaders should be encouraged to consider what resourcing, both in terms of budget allocation for committee activities and staffing, is required to ensure the success of the local committees. The Southern Metro Region model, explored further below with regards to Command Plans, demonstrates the value of having dedicated staffing and resources to support the local committee.

The Phase 2 Audit suggests that annual reporting on the Strategy include a summary of local committee activities, with a focus on areas where the committees are operating well and where committees need further support and assistance. The reporting should also include metrics on the membership committees, including a breakdown by rank and work type (Police, PSO or VPS).

There is scope for creating more formal mechanisms for local committees to liaise with the leadership group or management level at a Divisional or Command/Directorate level in a two-way reporting relationship. The Audit recommends that the relevant Support Services Superintendent, or equivalent senior role in the VPS context, be designated a specific role and function with respect to local committees. This could include regular meetings with the local committee chair. Further, WIPAG could consider whether it invites senior leaders to meetings on a rotating basis, as it does with local committee chairs, to ensure greater visibility of issues raised in this forum.

The risk of input being perceived as tokenistic could be mitigated by having a clear 'reporting back'

mechanism, whereby both the WIPAG and the local senior leadership team are required to report back to the local committees on a regular basis, including on the outcome of any issues that are fed up or reported from the committees to the advisory group. More broadly, there is scope for local areas to utilise local committees in the creation and implementation of their Command work plan. This is explored further below.

Command and Directorate work plans

Overview

- It was intended that each Command and Directorate would create a localised Command and Directorate work plan, which would cascade from the organisation-wide *Gender Equality Strategy and Action Plan*.

- Given the delay in finalising the Strategy, some areas have undertaken to create their own Command work plans. As at 30 June 2017, the following areas had established a tailored Command work plan or implemented specific priorities under existing People and Culture business plans:

  - North West Metro Region
  - Western Region
  - Eastern Region
  - Crime Command
  - Southern Metro Region
  - Transit and Public Safety Command.

To support each work plan, some Commands have also dedicated specific staff and resourcing.

Case study: A local focus on gender equality in Southern Metro Region

Southern Metro Region is one of Victoria Police's four Regions, covering 30 stations and an estimated population of 1.4 million.[9] In the September 2016 Pulse Check, the Southern Metro Region had a low response rate, with the data indicating that there was a lower level of understanding of Safe Space and reduced confidence in organisational responses to workplace harm.

These data informed the Region's 2016–17 Action Plan, which identified a need to reduce workplace harm and build resilience in employees. One of the initiatives to arise from this was the Southern Metro Region Stand Action Plan. A dedicated Senior Sergeant position was created to support and oversee the actions and strategies in the Stand Action Plan. These actions and strategies included:

- engagement through a Regional Diversity Consultative Committee, Divisional women's forums for women focusing on career progression and part-time employment, and forums for Inspectors and Senior Sergeants focusing on flexible work and promotional pathways
- changes to induction and PDA discussions to include expectations on standards and behaviours in regards to workplace harm
- inclusion in selection panels of a behavioural question relating to professional, flexible and diverse workplaces
- development of a Work Group Champions program comprising Sergeant-level personnel who support managers, model behaviours and provide feedback to the Regional Stand Co-ordinator
- identification within Divisions of coaches and mentors for women.

The Action Plan covers multiple aspects of gender-based discrimination and workplace harm. Its initiatives explicitly include both sworn and VPS personnel. It also recognises the importance of a 'bottom up' approach alongside 'top down' leadership in driving cultural change informed by local feedback.

Findings

The creation of tailored localised work plans and dedicated resourcing to support the implementation of the work plans to date is a powerful example of strong local leadership outside of the context of formal implementation structures. The next step will be to ensure that work plans are embedded across the organisation and in a consistent way that achieves the broader strategic aims of the Strategy.

The Southern Metro Region work plan provides a strong example of a localised work plan that meets the intent of Recommendation 3. The work plan contains a broad range of strategies that align with the actions set out in the Strategy, while noting the work plan was devised prior to the release of the strategy. The Phase 2 Audit commends the clear desire to take a proactive approach and devise a range of targeted strategies to address the issues outlined in Phase 1 of the Review. Further, the use of both of 'top down' and 'bottom up' approach has contributed to a plan that has ownership at various levels and accountability spread across the Command.

Guidance going forward

To ensure that work plans are linked to and consistent with the Strategy, Victoria Police should provide clear guidance on:

- key areas of focus for the work plans, with clear linkages to the priorities under the Strategy and Action Plan
- key metrics that should be reported through the work plans
- reporting accountabilities.

To assist each area in creating its work plan, examples of effective work plans and information about creating effective interventions should be provided.

In shaping local work plans, guidance should be encouraged to consult with local women in policing committees in determining key local initiatives.

The Phase 1 Review recommended that each area report biannually to Executive Command. The Phase 2 Audit recommends that the results of each work plan be made available to staff in the relevant area on an annual basis, including progress against key metrics. On an organisation-wide level, Victoria Police could consider publishing a summary of the progress against all work plans on an annual basis, with a focus on sharing key success stories and positive localised initiatives.

Leadership accountability for work plans

The Phase 1 Review made specific reference to ensuring Command and Directorate leaders were accountable for the quality and progress of their work plans through Command performance and individual performance assessments of leadership. The Phase 2 Audit notes that Executive Officer performance plan for 2016/17 included a number of performance measures that go to the question of leadership, including:

- role modelling Victoria Police values and integrity across Command
- commitment to the principles of equity and inclusion and elimination of workplace harm, conflict and discrimination within Victoria Police.

In order to implement Recommendation 3, further work will be required to ensure leadership accountability for the quality of and progress against the individual Command or Directorate work plans. Victoria Police could consider scanning existing mechanisms to embed leadership accountability for delivery on the work plans (including the performance assessment process) and

undertaking this work based on assessment of what will be most effective in ensuring accountability and an effective and cohesive approach to work plans. In doing so, Victoria Police could consider:

- having Women in Policing committees carry out assessments on the quality and progress of each work plan

- requiring each Command or Directorate to report to VRISC on a six-monthly basis in the first year of the work plan

- holding a dedicated Command meeting to track the progress of all work plans six months into operation.

Summary of guidance going forward

Strategy and Action Plan

- Victoria Police should undertake analysis as to the way in which its the Strategy acts as a strategic enabler for, and aligns with, other key organisational priorities and initiatives.

- Victoria Police should update the Strategy to provide clarity as to its measures, metrics and indicators, including clarity as to accountability for reporting, the nature of public reporting to be carried out, and what progress Victoria Police seeks to make within the three years of the Strategy.

Data collection and monitoring

- Victoria Police should update its six-monthly local reports with the full data baseline and consider providing greater analysis of reports to local areas to maximise understanding of key areas requiring improvement and progress to date.

- Ensure clear, accessible and effective communication of annual findings of the analysis against the data baseline at an organisation-wide level.

- Request that future rounds of the People Matter Survey break down the results by classification.

- Ensure the key metrics for Police Custody Officer roles are measured and reported upon.

Gender pay gap analysis

- Extend the baseline analysis and subsequent reporting to include senior leadership roles, including the Command group that have been to date excluded from the analysis.

- Undertake analysis to assess the gender pay gap between 'like' roles in a non-operational context, in particular in a non-operational context where VPS and Police employees carry out similar roles.

- Undertake further analysis to understand the drivers behind the pay gap at the EO 3 level and consider a more consistent approach to the commencement salary at this level, and to understand why women are not receiving progression at the same rate as men in a sworn context.

- Implement internal recommendations made following the first gender pay gap analysis and benchmark future analysis against comparable policing jurisdictions if data are made available.

- Communicate the findings of the gender pay gap analysis across the organisation and through the broader public reporting on the Strategy.

Policy review and gender impact assessment

• Develop a formal policy and process review mechanism and gender impact analysis to ensure gender equity principles are embedded in all organisational initiatives and in policy and strategy processes, as recommended by the Phase 1 Review.

Women in Policing Advisory Group and local committees

• Elevate the role of the WIPAG in the VEOHRC Review Implementation.

• Consider a quarterly reporting cycle for local committees and ensure the reporting mechanism provides scope for the reporting on systemic issues into the WIPAG.

• Report on the activities of local committees through the annual reporting on the Strategy, including on the makeup of committees.

• Create formal mechanisms for a 'two way' relationship between local leadership and its committee, including through engaging local leaders through WIPAG.

Command and Directorate work plans

• Provide clear guidance in the establishment of work plans to ensure clear linkages with priorities under the Strategy and the data collection framework.

• Consider publishing a summary of the progress against all work plans on annual basis, with a focus on sharing key success stories and positive localised initiatives.

• Embed accountability measures for the quality and progress against work plans at an individual leadership level.

Endnotes

1   Victoria Police, *Gender Equality Strategy and Action Plan* (2017) 1.

2   Ibid 4.

3   The Phase 2 Audit notes that for some datasets reporting happens by calendar year. For these datasets, the baseline has been established as at December 2015.

4   *Victoria Police (Police Officers (excluding Commanders), Protective Services Officers, Police Reservists and Police Recruits) Enterprise Agreement 2015* (Vic) sch A. Base salary for Inspector level as at 1 July 2017.

5   Workplace Gender Equality Agency (WGEA), *What is the gender pay gap?* (7 November 2013) <https://www.wgea.gov.au/addressing-pay-equity/what-gender-pay-gap>.

6   WGEA, Leadership balance drives gender pay gaps down: new report (2 March 2017) <https://www.wgea.gov.au/news-and-media/leadership-balance-drives-gender-pay-gaps-down-new-report-0>.

7   Victoria Police, *Women in Policing Local Committees – Terms of Reference* (Victoria Police, 2017).8 Data request June 2017.

8   This could include the lack of promotional pathways for women, the impact of the culture of sexism on women in particular, and the findings about the lack of voice women had in the organisation.
For example, WIPAG was provided an update on the updated Flexible Work Policy and the Family Violence Leave policy. VRRPI and the Executive Director HRD both are represented on the group and provide some updates on work progressing through VRISC.

9   Victoria Police, *Annual Report 2015–16* (2016) 9.

Chapter 5: Communications and engagement

Key findings

- Victoria Police undertook effective and extensive face-to-face engagement with staff following the release of the Phase 1 Review. This included senior leaders presenting to staff and a dedicated engagement roadshow. Based on figures provided, the Audit notes that at least 11.2 per cent of the organisation attended a dedicated presentation by a senior leader in the six months following the Phase 1 Review, and 13.4 per cent of the organisation had attended a presentation as part of the engagement roadshow within 12 months of the Phase 1 Review's launch.

- Victoria Police has taken an active and commendable role in promoting gender equality in the broader policing and emergency management sector.

- A clear overarching narrative that builds the case for diversity in Victoria Police and effectively draws together broader strategic priorities across the Capability portfolio is still required. The creation of the 'Stand' brand needs to be supported by a clear narrative around the need for gender diversity.

- The *VEOHRC Review Response Communication and Engagement Strategy* (the Communication Strategy) was released in August 2016, eight months after the release of the Phase 1 Review. The strategy should be updated to provide a clear sense of the proposed communications and engagement activities going forward.

- A range of online and print tactics have been employed to communicate the findings of the Phase 1 Review and the rollout of other packages of work. A focus on positive stories that speak to the rationale for diversity would strengthen Victoria Police's approach to communications going forward.

- A range of tactics have been employed to support managers and leaders to be at the forefront of communications and engagement efforts, including a Supervisor Toolkit, a storytelling workshop for senior leaders and a peer-to-peer mentoring network for mid-rank supervisors across the organisation.

- There is currently no clear overarching framework for assessing the effectiveness of communications and engagement tactics. Key metrics relating to the uptake and effectiveness of communications tactics should be reported in to VRISC. The Pulse Checks have provided some useful data on the uptake of some tactics.

Phase 1 Review findings

The Phase 1 Review found substantial evidence of a sexist organisational climate and attitudes that justified, excused, trivialised or minimised poor behaviours. The Review found the need to reset the organisational culture, to shift to one of responsibility, seriousness and ownership. In order to support the necessary organisational change and the organisation's envisaged future state, Victoria Police would need to develop a comprehensive communications and engagement strategy.

Recommendation 4

That Victoria Police develops a comprehensive communications and employee engagement strategy, informed by organisational change principles to:

- build awareness of the rationale for diversity

- redefine the notion of 'merit' and increase understanding of the existence of structural barriers to recruitment, retention and advancement

- champion senior men and women who access flexible work arrangements, including part-time and parental leave

- reinforce that performance and accountability of employees must align with the vision, values and strategy

- support learning and professional development across the workforce about sex discrimination and sexual harassment, including predatory behaviour, its drivers, impacts and implications

- develop a clear organisational statement and expectation that all employees, regardless of rank or level, should 'call out' sexual harassment and discrimination if they feel safe to do so, and that they will be supported by management.

Intent of the recommendation

To support the implementation of the organisation's vision under the Gender and Diversity Strategy (now known as the *Gender Equality Strategy and Action Plan*, see Chapter 4), the Phase 1 Review recommended a comprehensive communications and employee engagement strategy informed by organisational change principles.

It was intended that the Communication Strategy would ensure that employees receive consistent and regular messages reinforcing the value of gender diversity to the organisation and to all employees. The Communication Strategy would help employees understand the nature, drivers and impact of sexual harassment and sex discrimination. It would seek to ensure that employees received unambiguous and practical messages about the behaviours expected of them in the course of their everyday work. It would also highlight positive behaviour and outcomes, including championing senior men and women using flexible work arrangements. Finally, the strategy would help employees understand their options if they have concerns about workplace attitudes and behaviours that are inconsistent with the intent of Victoria Police's vision for gender equality.

The Review noted that the strategy would need to be transparent around its approach and address negative attitudes towards the special measures taken in increasing diversity.

Indicators of successful implementation

Comprehensive communication and employee engagement strategy developed

- A long-term communications strategy is developed, built on organisational change principles, to build awareness, understanding, and skills for employees to play their role in supporting gender equity and responding confidently to sex discrimination and sexual harassment.

- Tactics or strategies are employed that:

  - speak in a compelling way to the rationale for diversity

  - redefine the notion of 'merit' and increase understanding of the existence of structural barriers to recruitment, retention and advancement

  - champion men and women who access flexible work arrangements

  - reinforce that performance and accountability must align with the vision, values and strategy

  - support learning and professional development across the workforce about workplace harm, its drivers, impacts and implications

  - contain unambiguous and practical messages about behaviours expected

  - set a clear expectation to call out workplace harm (if safe to do) regardless of rank or level, which will be backed by senior leaders.

- Strategies and tactics are consistent in their messaging.

- Strategies and tactics are evaluated and monitored, with performance metrics approved by the Gender and Diversity Strategy advisory structure.

- Gender expertise is sought and evident in the development and execution of strategies.

Implementation action

As at 30 June 2017, the Audit has observed the following key activities by Victoria Police towards the implementation of Recommendation 4:

- creation of a *Communication and Engagement Strategy* to support the implementation of the Review, finalised in August 2016

- a series of forums and meetings led by Command members across the organisation

- an engagement roadshow delivered to over 2000 employees across the organisation

- development of an overarching brand, 'Stand', to support the broader implementation of recommendations

- development and rollout of a range of print and online products to communicate key messages relating to the Review and its implementation

- creation of the Supervisor Toolkit to provide assistance to managers and supervisors in leading conversations about the Review's findings and key issues relating to gender equality

- development of the Stand Practice Leaders Network to develop and support leaders at the middle management level

- strategies and tools to support Command leaders as the organisation's senior leadership group.

Audit findings

Communications and Engagement Strategy

Overview

In August 2016, Victoria Police finalised its internal Communication Strategy. The stated purpose of the strategy was:

> *To deliver organisational culture change in the context of denial, broad resistance and decades of condoned/institutionalised behaviour (that is, sexism, disrespectful behaviours, inappropriate relationships and/or conduct including harassment, bullying, stalking and sexual assault).*[1]

The Communication Strategy sets out a range of key themes to inform Victoria Police's communications activities. These include:

- a focus on leadership, with a focus on leveraging managers and supervisors

- blending communications around change into existing mechanisms, such as existing forums, workplace conversations and performance feedback

- measuring progress and 'flexing' as needed, with measurement of a baseline by an external market research agency and a six-monthly survey as well as 'targeted pulse checking'.

The Communication Strategy outlines a range of organisational change principles relevant to the exercise,[2] as well as a number of specific challenges to change management within Victoria Police including:

- existing cultural norms that act as barriers to achieving change, including longstanding inequality and lack of diversity; a culture that supports the status quo and protects perpetrators; and a lack of understanding about the rationale for change

- the need to get the 'care factor' through the sharing of the impact of workplace harm on victims, rather than quoting statistics or survey results

- the fact that the focus in the early stages post-release of the Phase 1 Review was on serious and 'high-impact' predatory behaviour, assault and harassment, rather than on 'low level, high impact behaviours' such as inappropriate and discriminatory attitudes and comments, which received less airtime and messaging.

The Communication Strategy looks at a range of different considerations for targeting different cohorts within Victoria Police, based on internal research on preferred communications channels. It notes that there may be as many as 50 different, potentially overlapping audiences within the organisation, requiring tailored and targeted communication strategies. The strategy recognises a range of areas of backlash or where communications had been ineffective since the release of the Phase 1 Review. This included:

- issues whereby both male and female employees had been defensive, and felt that 'everyone' is being punished following the Phase 1 Review

- Senior Sergeants being targeted for messaging but without explanation as to their pivotal role in leading change

- low understanding of the relationship between everyday sexism and harmful behaviours, or what constitutes inappropriate behaviours.

The Communication Strategy sets out a themed approach to communications, which would be orientated around the broader rollout of work across the VEOHRC Review Implementation. While the strategy envisaged a forward scheduling approach to communicating other packages of work, it acknowledges that there would be 'amendments and updates' over the course of the project.

The Communication Strategy includes a range of 20 different 'tactics'. As explored below, these are framed as broad ideas or overarching approaches or mantras rather than specific, actionable tactics. It also outlines a range of different evaluative metrics that could be used to support an understanding of the strategy's effectiveness, including:

- surveying (the VEOHRC 'resurvey', Pulse Check surveys, and the People Matter Survey)
- data on access to support services
- feedback on resources such as the Supervisor Toolkit, a short guide to the Phase 1 Review and videos
- progression on the 'change/commitment continuum'
- further development of 'employee resistance factor library'.

Findings

The Phase 2 Audit found that the Communication Strategy provides a useful summary of key considerations and principles for communicating the findings of the Phase 1 Review and resulting series of reforms. It brings together a broad range of organisational change approaches and draws on key challenges specific to Victoria Police's context. However, in its current form, it does not provide a clear path forward as to key messages and tactics that will be employed, or provide a clear overarching narrative to tie together the broad range of reforms. A cohesive plan that clearly articulates overarching aims and the path forward would assist Victoria Police in driving a cohesive approach to future communications.

The Communication Strategy was finalised in August 2016, eight months after the launch of the Phase 1 Review. It has not been updated or refreshed since. The lack of a strategy for the first eight months may have led to an inconsistent approach and lack of a unified view as to the overarching purpose of tactics.

There is a focus in the Communication Strategy on promoting positive change and sharing success stories, approached through an engaging and collaborative posture. To date, the Audit observed that this has not been clearly embedded across communications tactics or consistently applied. The Audit notes the importance of embedding this principle to ensure staff remain engaged.

The Audit notes that the Communication Strategy requires further clarity around the measurement of the effectiveness of communication approaches. The strategy lists a range of possible evaluative approaches but instruction on how these will be used and how they will reflect the effectiveness of the specific tactic. The Audit notes that key evaluative measures across many of the communications approaches to date have not been fed into VRISC or the advisory bodies

Guidance going forward

The Phase 2 Audit observes the need for a clear overarching narrative to:

- build the case for diversity within the context of Victoria Police
- draw together the broader reforms and strategies relating to culture and improving capability
- make clear the link between gender equality and prevention of workplace harm
- clearly articulate the role of everyday sexism and discrimination as an enabler of other forms of workplace harm.

Initially, it was incumbent upon all of us to engage the workforce, ensuring that our people knew what the findings meant and creating that burning platform for change. Our work was to be relentless, appreciating that some of our people would be in denial – this remains an ongoing challenge. – **Internal interviewee**

In building this narrative, the Audit suggests that Victoria Police work closely with subject matter experts in the area of gender equality and prevention of violence against women, and consider the approaches taken by other organisations and jurisdictions across both the private and public sectors.

Victoria Police should strengthen its evaluative framework around activity in the communications and engagement area. This includes setting clear targets and goals against which progress will be measured, and regular reporting against this framework into VRISC.

Face-to-face engagement with staff

Overview

Following the release of the Phase 1 Review, Victoria Police sought to engage broadly with staff through face-to-face presentations, discussions and forums. The Phase 2 Audit addresses two of the primary modes of organisation-wide engagement with staff in a face-to-face setting: the Command briefings and the engagement road show.[3]

Command briefings

Prior to and immediately following the release of the Phase 1 Review in December 2015, Victoria Police's Command group conducted in-person briefings with their staff at all levels. The briefings were aimed to provide information regarding the report and its recommendations, Victoria Police's response to the recommendations, and information about where people could go for assistance.

The presentations across different areas varied in approach, intensity and level of senior leadership engagement. The presentations took place between December 2015 and March 2016.

Proactive approaches to briefing staff post-report

Following the release of the Phase 1 Review, all Commands, Regions and Departments were instructed to hold a briefing for staff. A number of areas took a proactive approach to support staff engagement in the area, with examples highlighted below.

People Development Command (PDC) took a multi-pronged approach which included:

- conversations at a local level, with all staff encouraged to read the chapter most relevant to PDC's work

- 12 forums for all staff to attend as briefing opportunities to discuss the report, its findings and expectations, each opened by the Assistant Commissioner or senior Command member. Each forum included small group work and participation at the briefings was recorded to enable visibility as to who had attended. A further 10 externally facilitated forums took place in order to allow staff to unpack the discussions in the earlier forums

- a post-forum email containing details of support services, a copy of the Assistant Commissioner's presentation and invitation to provide further feedback outside of the group forum.

The forms were facilitated by an external facilitator, which included the use of an audience response system that allowed audience members to participate and comment anonymously. The Phase 2 Audit heard that this drew out the audience's underlying attitudes and opinions in a way that was safe and could then be addressed and responded to appropriately.

In the Western Region, the Assistant Commissioner carried out 10 separate presentations across the Region over the course of two months. These varied in size, with the Assistant Commissioner attending some sessions with as few as two staff in a small regional station context and as many as 80 in a larger station context. In total, the Assistant Commissioner presented to approximately 229 staff within the Region.

In the North-West Metro Region Command, the Assistant Commissioner presented eight sessions over the course of December 2015. These ranged in size, with a mix of small Divisional sessions and large group forums. A total of approximately 353 staff attended a two-hour presentation. These presentations were targeted to different cohorts across the Region, including senior leaders (Senior Sergeants and Inspectors) and Victorian Public Sector (VPS) staff in station environments. Following the sessions, further engagement was to be done at a more localised level through the senior leadership group. Each session involved a co-presentation model, with the Assistant Commissioner being joined by other senior leaders, including those directly involved in the Review response. An additional five sessions were also held for Sergeants in the Region.

The Eastern Region Command conducted approximately nine sessions spread across a large geographical region. Most sessions were presented by the Superintendent at the Divisional level. Extensive feedback was received and compiled from around 30 per cent of those who had attended the forums, with free text enabling staff to provide feedback on the session and on the broader issues raised in the Review.

The Southern Metro Command held four sessions, three of which were at the Senior Sergeant level and one at mixed rank level. Each group ranged from 15 to 35 staff. Presentations were carried out by the Assistant Commissioner or Commander, and in some cases both.

Following the presentations, all Command members were required to complete an evaluation of their presentations, with a focus on staff engagement with the report and its findings. Of the 51 Commands, Departments and Regions, 21 (41 per cent) returned an evaluation form, with two areas completing an alternate or additional thorough evaluation report.

The feedback was analysed, with a range of key themes emerging, which include:

- the importance of authentic engagement from senior leaders and their participation in face-to-face briefings

- the value of follow up briefings and opportunities for staff members to reflect and provide further feedback and insights

- the benefit of collaborative and consultative approaches, rather than lecture-style models of engagement

- where personal experiences and stories were shared by senior leaders, this was seen to encourage a greater level of discussion

- the need to provide assistance and materials to staff to engage with the Review's findings and content

- a high level of audience interest in the organisation's response and next steps.

Each presentation to a Command, Directorate or Region was required to rate the extent to which the audience had engaged with the Phase 1 Review. The feedback suggested that around 73 per cent of audiences had engaged with the Review in some way (including from reading about it in the papers, talking about it in the workplace, reading the report or leading discussions in the workplace). 27 per cent of audiences were reported as having had very low levels of engagement.

Based on the estimated number of participants reporting across all Commands, Regions and Directorates, a total of 2060 staff members were presented to by a Command member or other senior leader – most of which took place within a month of the Phase 1 Review's release. The Phase 2 Audit notes that this figure is at best an estimate, and that it does not include any presentations completed by Command members who did not complete a feedback form (with only 21 of the 52 Command members providing details of their briefings).[4]

In the first Pulse Check, which had a response rate of 12 per cent with 2192 responses, 49 per cent of the participants indicated that they had participated in a briefing hosted by their Command or Department head,[5] and 41 per cent had participated in a briefing by their local management team.[6]

The Audit heard that since the Phase 1 Review's release a number of Command members have continued to lead discussions about the Review's findings and Victoria Police's response. This includes through regional forums and as part of senior leadership discussions at more localised levels. For example, the Audit heard that the Chief Commissioner will discuss the findings of the report in the visits he makes to different parts of the organisation.

Engagement road show

Following the release of the Phase 1 Review and in addition to the Command briefings, a team of two Senior Sergeants from VRRPI embarked on an engagement road show. The presentation provided:

- an overview of the Phase 1 Review's findings and recommendations

- a reflection on the drivers of the culture, including an overview of structural barriers to women fully participating in learning and development opportunities

- a summary of the 'change resistance factors', setting out the identified resistance factor and an example of what the backlash may sound like

- a summary of Pulse Check results, with a focus on change since the Phase 1 Review's release

- an overview of the Supervisor Toolkit (for presentations after December 2016)

- details of the welfare and support services available.

The Phase 2 Audit notes that the presentation could be amended for different audiences on request.

Over the course of 2016, the engagement team held 91 presentations with 2522 staff attending. A further six internal presentations were conducted by the engagement team in 2017, with an additional 153 staff attending these sessions.[7] A total of 642 staff received a briefing from the Engagement team within six months of the Phase 1 Review being handed down, and a total of 2366 staff had received a briefing within 12 months of the Phase 1 Review being handed down. The Audit was advised that, in addition to the engagement road show, Eastern Region dedicated a Senior Sergeant to engaging staff across the Region to complement the VRRPI engagement roadshow.

In the July 2016 Pulse Check, 20 per cent of respondents had received a briefing by the VRRPI Engagement Team. The Audit notes that as at 30 June 2016, 668 people had received briefings across the total head count of 18,146.[8] On these figures, only 4 per cent of staff had received the engagement team briefing at the time of the first Pulse Check, which suggests the figures reported through the Pulse Check may not have been representative of the number of people across the organisation who had received a briefing. The Audit notes that there may have been some presentations not captured by the formal data collection by the VRRPI Unit; however, this points to the need for consistent and thorough evaluation.

For each session, the engagement team completed a short report on the session. Each report noted:

- the demographic of the audience and number of attendees
- a summary of what worked well, what could be improved and key insights from the audience's response
- any issues that had been raised by local management prior to the presentation (such as local incidents that the presenters would need to be aware of)
- an overall assessment of current understanding.

The Audit was provided with two reports from the 97 sessions by way of example, and so it was unable to undertake any analysis of themes that emerged from the sessions.

Findings

The Phase 2 Audit notes the extensive time and effort that went into carrying out face-to-face engagement following the release of the Phase 1 Review. Based on figures provided, the Audit notes that at least 11.2 per cent of the organisation attended a dedicated presentation by a senior leader in the six months following the Phase 1 Review, and 13.4 per cent of the organisation had attended a presentation as part of the engagement roadshow within 12 months of the Phase 1 Review's launch.[9] The Audit notes that these figures are based on the estimates recorded by senior leaders and the engagement team during the presentations, and do not capture any presentations by senior leaders who did not complete evaluations. The Audit recognises the significant effort by a number of senior leaders to connect with staff in rural and regional areas.

The Audit suggests that deeper analysis and evaluation of the effectiveness of the roadshow would be of value going forward, in particular in supporting managers and leaders to communicate with staff.

Guidance going forward

The Phase 2 Audit notes the continuing importance of face-to-face engagement. It has been an effective mode of engagement across the organisation. In line with the Audit's guidance as to refreshing the Communication Strategy, the Audit suggests Victoria Police considers the scope to do a follow up Command presentation to look at the key broader reforms and progress to build a more diverse and equitable organisation. Victoria Police could tie this into the launch of this Audit as well as the *Mental Health Strategy and Wellbeing Action Plan*, and provide a more cohesive narrative around the need to support and strengthen capability across the organisation.

Stand brand

Overview

One of the priorities under the Communication Strategy was the development of a campaign identity for the VEOHRC Review Response and the resulting reforms.

The purpose of the campaign identity was to:

- develop a mechanism to establish internal ownership of the VEOHRC Review findings
- provide a name and/or tagline that resonates with the workforce to build positive associations with the VEOHRC Review Response
- develop a long-term brand for future projects (other than 'Workplace Harm') that support a safe, inclusive and respectful workplace
- create opportunities for employees to connect with VRRPI initiatives as part of an overall employee engagement strategy.

Victoria Police engaged an external agency to design and deliver on a visual identity for the Review response, including through focus groups with staff (VPS, Police and PSOs) across a range of locations and ranks. Through this process, Victoria Police decided on the brand 'Stand'. The tagline to Stand is 'to build a safe, inclusive and respectful workplace free from workplace harm'.

The rationale behind the Stand brand was described as:

> *The action of standing is a sign of respect that carries with it recognition of importance and/ demonstrating individual support. Stand is also a sign of strength (to 'stand your ground' or 'take a stand' for someone or something that you believe is important) … Stand reinforces when employees respect and look after each other, Victoria Police can become an organisation free of Workplace Harm.*

The logic underpinning the visual identity for Stand was described as:

> *Inspiration for the 'Stand' visual identity is strength in numbers with an image of people representing all employees standing together in preventing Workplace Harm. The orange brand highlighting the 'A' reminds us of our first priority to connect Workplace Harm to our Zero Harm strategy and our core value of safety.*

In December 2016, a package of materials was sent to all work units with a range of Stand related merchandise. Since October 2016, a range of materials relating to the Review have been branded with the 'Stand' identity, including the Gender Equality Strategy, the Supervisor Toolkit, the Stand Practice Leaders Network and the Stand PDA criteria.

Findings

The Phase 2 Audit observes the importance of the internal brand, having a clear story or narrative behind it, rather than being just a logo or visual identity. The Audit found that there was limited explanation as to what Stand 'stands' for, and what the brand means to the organisation. Stand was released before the Gender Equality Strategy. It should be rearticulated and clarified within the overarching narrative of that strategy and the broader range of reforms.

The Audit observed that the lack of a clear narrative to support the Stand agenda and the decision to not formally launch it has resulted in a poor understanding of what Stand means. The lack of messaging around its purpose means that people tend to focus only on the agenda that relates to workplace harm rather than the broader focus on building gender equality.

> *No one knows what 'Stand' stands for. It's got to 'stand' for something.* `
> **– Focus group participant**

> *The current 'Stand' messaging has not resonated in the way it should have. It is seen as being the result of the Review. This messaging needed to be coupled with a broader understanding of what it was that people connect with. The language of strength is good – but the messaging missed the mark.* **– External interviewee**

The Phase 2 Audit observed that, in lieu of a clear articulation of Stand's function and purpose, staff thought it was about not being a bystander and encouraging reporting. While this is part of the wider reform agenda, it does not speak to the full scope of the changes and opportunities for staff across the organisation.

> *If we don't give clarity of message in a way that is tangible so that people can achieve this end goal, then people make their own ideas around what it means. There is still work to be done around this but it is work that needs to be done and is part of this journey.*
> – **Internal interviewee**

The Audit notes that the focus on the phrase 'workplace harm' was central to many aspects of the branding. This plays into a narrative that the broad agenda is solely focused on responses to harm, rather than the broader reforms.

> *The term 'workplace harm' has proved to be difficult terminology for employees to understand and engage with.* – **Internal interviewee**

A stronger narrative is required to move the change agenda away from the 'VEOHRC Review' and create a sense of ownership within the organisation.

The Audit notes the positive consultation that went into consulting with ranks and areas across the organisation (Police, PSO and VPS) but considers that there is a need for greater understanding of the effectiveness of Stand and an emphasis on ensuring the message is clear, accurate and resonates.

Guidance going forward

Now that the *Gender Equality Strategy and Action Plan* has been launched, the Audit suggests Victoria Police review the effectiveness of Stand to determine whether it provides a platform for communicating the broad reform agenda. There remains the need for a clear narrative for change that speaks to the rationale for diversity and effectively ties together the various changes at a strategic, policy and practical level.

Online and print communications tactics

Overview

Following the release of the Phase 1 Review, Victoria Police has employed a range of online and print communication tactics to communicate key messages relating to the Review. This has included:

- a number of short videos
- a printed four-page 'short guide' to the Phase 1 Review, sent to all workplaces across the entire organisation and available online
- the development of an intranet page with key information about the Review and Victoria Police's response
- the use of the intranet online forum to explore key issues and themes relevant to the Review
- posters and Stand branded materials and merchandise (such as post-it notes and stickers)
- a *Year in Review* short publication detailing progress towards the implementation of the Review's recommendations
- features and stories in the *Victoria Police Gazette* and *Police Life* magazine, including an edition focused on 100 years of women in policing
- targeted emails providing information on initiatives and changes as required.

Findings

The Phase 2 Audit notes the number of different online and print platforms across which Victoria Police had sought to communicate the findings of the Phase 1 Review and the broader themes around gender diversity. For people seeking information, the Audit notes that there is a range of materials available, including through the dedicated Stand intranet page.

The Audit notes the difficulty in using platforms such as the intranet and targeted emails in a busy and cluttered communications environment. The Audit heard views that the online tactics employed to date had a low reach.

Face-to-face is the most effective form of communications … many people – particularly those at the front end of our business – have very little time to read emails. It is unlikely that electronic messaging will change attitudes. – **Internal interviewee**

Our employees (depending on job role) can receive large volumes of emails and most do not have mobile access to email or intranet. So, getting the message out online is one of many communication channels needed to connect with the workforce.
– **Internal interviewee**

A number of videos were made following the release of the Phase 1 Review, including targeted videos for sworn and VPS personnel and a video about Safe Space. These videos were not able to be hosted on Victoria Police's intranet, rather staff were required to access the videos by password on an external website. The Audit was not provided with data as to the number of views each video generated. In the September 2016 Pulse Check survey, participants were asked whether they had watched the video about Safe Space, to which 63 per cent (2064 participants) stated that they had.

The Audit notes that the short guide to the Phase 1 Review and the Year in Review short publication were both disseminated by print across the whole organisation, providing an opportunity to connect with audiences who may not respond to online tactics. The three Pulse Check surveys had questions about the Phase 1 Short Guide and the Year in Review publication. The Pulse Checks found that 67 per cent of people (2201 participants) had seen the Phase 1 Review Short Guide, and 51 per cent (1750 of 3440 participants) had received and read the Year in Review publication. The Audit notes that these figures suggest that printed material has been an effective way of communicating with staff.

The Audit observed that there was a focus on 'myth busting' in some of the communications material, in particular the Year in Review document. The Audit notes that a focus on 'myths' and erroneous beliefs may seek to reinforce a view, rather than debunk it, and that the repetition of a myth can entrench the belief.[10] Communications should focus on stating a truthful and accurate message instead of drawing further attention to misinformation. The Audit notes that there are various ways of addressing backlash that do not involve a 'myth busting' approach, may be more effective and avoid reinforcing negative views.

The Audit notes that there are some mechanisms available for staff to engage in dialogue around the issues raised in the Phase 1 Review and relating to the broader program of works. These include internal online forums and the free text space in the Pulse Checks. The Audit heard that the online forums have been a contentious space, with concerns that the discussion is at times unproductive. The Audit found that the free text space in the Pulse Checks is valuable in hearing directly from staff. However, it is limited as a mechanism for dialogue and discussion.

The Audit commends the significant and positive communications activity around the celebration of 100 Years of Women in Police in July 2017. This included the rostering on of an entire shift of female police officers across Melbourne's West to mark the occasion, events, and the unveiling of a plaque in honour of Victoria's first female police officer, Madge O'Connor. These commemorations were supported by internal communications and covered extensively by mainstream media. This kind of activity provides a valuable example of how communications can be approached without reference to the Phase 1 Review yet in a way that demonstrates Victoria Police's commitment to increased gender diversity.

Guidance going forward

The Phase 2 Audit reiterates its guidance for reassessing and strengthening the Communication Strategy going forward, and that online and print communication tactics should be part of a broader cohesive strategy that is underpinned by a consistent narrative and clear set of guiding principles.

In revising the overarching strategy, the Audit recommends that Victoria Police review the effectiveness of online and print tactics to date. The Audit suggests a mix of tactics going forward, given the different communications preferences across the organisation, and that tactics (both in messaging and mode of communications) should be tailored to different audiences. Tactics that provide the opportunity for a productive and meaningful two-way dialogue outside of an open forum should be considered.

Supporting managers and supervisors to communicate change

As recognised in the Communication Strategy, managers and leaders play a key role in disseminating key messages and leading the desired change. Since the release of the Phase 1 Review, a number of programs and resources have been created to support effective leadership and communication from managers across various levels. This has included:

- the creation of the Supervisor Toolkit, which provides tools and assistance for managers and supervisors in leading conversations around the Phase 1 Review's findings
- the provision of 'hot issues' briefings to station leaders for staff readouts
- the development of the Stand Practice Leaders Network
- an authentic storytelling workshop for Command leaders in early 2017.

In addition to these programs or initiatives, the Audit heard that a number of Commands have taken a proactive approach to support managers to communicate change at a local level.

The Phase 2 Audit considers each of these key tools or strategies below.

Supervisor Toolkit

Overview

In March 2017, Victoria Police released its Stand Supervisor Toolkit. The toolkit aims to provide managers and supervisors with resources across a broad range of topics related to sex discrimination and sexual harassment. The toolkit is available to all employees via the intranet. It is not available in print version, rather it was intended to be a 'living document' that would be updated over time.

The toolkit seeks to be a 'reference point for information about the [Phase 1] Review' and a 'one-stop shop' for managers and supervisors in how they respond to the Review. It provides guidance on what is expected of a supervisor, in responding to the Review and in leading change in their workplace as well as a range of information on the Review. Areas of focus include:

- how to lead teams through change, by acknowledging and responding to the stage at which staff are at
- details on reporting, including obligations under the *Protected Disclosure Act 2012* (Vic)
- managers' obligations under the *Equal Opportunity Act 2010* (Vic)
- unconscious bias
- having conversations with teams about the Review and gender-based harm, including how to lead challenging discussions
- running a group reflection workshop

- having a challenging one-on-one conversation
- responding to a staff member who discloses harm or an incident in the workplace
- undertaking an 'ethical health assessment' in the workplace
- available support services.

The toolkit also provides a range of worksheets to assist managers in preparing for conversations and presentations around the content of the Phase 1 Review, and a number of conversation planners for discussions around pregnancy and flexible work arrangements.

The toolkit was sent to all supervisors in December 2016, and a follow-up short article about the toolkit was contained in *The Police Gazette* in April 2017. The Phase 2 Audit was advised that the toolkit was also referenced by the engagement team in their subsequent presentations as part of the engagement roadshow. The Audit notes that only six engagement sessions have taken place since the release of the toolkit, with the majority of engagement sessions taking place prior to the release of the toolkit.

The Audit was advised that the toolkit was reviewed by representatives from a number of different areas across the Capability portfolio, but heard that key areas were not consulted until shortly before the toolkit's publication. The Audit was also advised that a pilot workshop was held to test the contents of the toolkit with supervisors, and participants were invited to provide feedback.

Findings

The Phase 2 Audit welcomes Victoria Police's intention to provide managers and supervisors with practical support and practical guidance following the launch of the Phase 1 Review. The creation of tools such as lesson plans and conversation guides are valuable for supervisors who may not be comfortable leading teams through discussions about the Phase 1 Review in a confident and sensitive manner.

The Audit heard that the toolkit is lengthy and provides extensive background information that may be too detailed to be of assistance to a manager seeking practical guidance.

> *The [Supervisor] Toolkit is just too large and complicated. It is an available document but lacks the practical support for our people speak to their staff and help them through issues. Communications, training and engagement should be about equipping our people about when and how to have those conversations.* – **Internal interviewee**

The Audit heard that there was a desire to undertake a roadshow with the toolkit to demonstrate its value to supervisors; however, no evidence was provided to suggest that this has taken place.

The Audit heard that the decision to host the toolkit on the intranet and not provide printed copies may have impacted its uptake. As noted in the Communication Strategy, the intranet and email are not the preferred form of communication within the agency and printed materials are considered more effective.

> *[Not] everyone will go into that site. [The materials in the toolkit] are good documents. But whether they are being picked up and used I am not sure.* – **Internal interviewee**

The Audit recognises that the toolkit was, in part, developed to address the delays in delivery across a number of other packages, in particular the review of policies and the development of training. However, the Audit heard concerns that there was a lack of consultation and engagement with the areas working on these projects, which could have resulted in duplication or inconsistency.

The Audit notes that, like the print and online content, the toolkit has a focus on the reporting and harm related aspects of the reform agenda, rather than the recommendations and findings around the need to build gender diversity within the organisation. There is also a heavy focus on the 'change resistance factors', including exercises that are orientated around myth busting, and the content is often geared towards a sworn environment.

Guidance going forward

The Phase 2 Audit notes the importance of providing practical, easily accessible and well-tailored support to managers and supervisors. The Audit recommends that the toolkit be reviewed and that Victoria Police considers the value of a concise, accessible and practical guide for managers and supervisors that looks at what practical steps they can take to build a safe, diverse and supportive workplace. Victoria Police could consider the value of a publication that brings together guidance across Capability Strategies, including Zero Harm and changes flowing from the *Mental Health Strategy and Wellbeing Action Plan*. Given the low uptake of the toolkit via the intranet, Victoria Police should consider the utility of making practical guidance available in hard copy.

In producing this guide, Victoria Police should ensure content holders are involved in the early stages of planning and writing, and that expertise in the area of gender and violence prevention is sought in its framing. This guide should be developed in close consultation with the engagement team delivering the Stand Practice Leaders Network, to best understand the contemporary needs of managers and supervisors. Any ongoing evaluation of the Stand Practice Leaders Network could seek to measure the utility of the toolkit for managers and supervisors.

Stand Practice Leaders Network

Overview

The Stand Practice Leaders Network is a peer-to-peer leadership network aimed at enhancing leadership capability and practice within mid-level ranks of both sworn and VPS employees in order to build safe, inclusive and respectful workplaces. It provides formal coaching and development through a model that leverages local networks to engage the broader workforce around the Stand agenda. The network was seen as having a dual function in supporting the broader reforms by:

- establishing a group of leaders who can then be used to disseminate information and lead change within their local areas

- enabling a mechanism for the network to provide information and intelligence back to the central Communications and Engagement team to assist in informing future strategic direction.

The model involves bringing together influential leaders across a broad range of areas and regions for a two-day offsite workshop that would include exploring:

- the Phase 1 Report and post-review organisational landscape
- key principles relating to gender equality
- bystander intervention
- progressing Regional/Departmental and Command action plans.

Local management are asked to identify influential leaders who have a demonstrated commitment to building safe, inclusive and respectful workplaces, and to support the leaders' participation in the network.

Following the two-day workshop, leaders are provided on-going support, development and coaching opportunities through a range of activities including bi-monthly one-day re-connect workshops and the provision of information and tools to help leaders drive change.

The first pilot network was held in March 2017, which received positive feedback around the value of the network. Following this network, the model has been further rolled out. The Phase 2 Audit was advised that by the end of 2017, it is expected that more than 300 Senior Sergeants or VPS 4 supervisors and above will have participated in the network.

The Audit observed that organisational leaders play a key role in the workshops, with presentations from the Assistant Commissioner, VRRPI, and a guest speaker at the dinner event. These speakers have included members of Executive Command and the Command group.

Following each two-day workshop, participants are required to complete a feedback form, which asks them to rate each session for its utility and provide free text feedback. The Audit received the feedback summaries for three of the workshops held to date.

Findings

The Phase 2 Audit found the Stand Practice Leaders Network to be an effective way to enhance local leadership at the mid-rank level and build capability to drive gender equality across the organisation.

The Audit notes the positive feedback received from participants from the first three workshops. Participants are asked to rank the utility of each session. Over all of the sessions held to date, 82 per cent found the session either helpful or very helpful. At the end of the two-day workshop, participants are invited to provide comments on the 'overall value of the two-day workshop' and the Audit observed overwhelmingly positive feedback.

> *Great value. It was the first time I've felt since the report was released, that I can work proactively to support the recommendations and prepare for likely situations. I'm now more clear on the why as opposed to the compliance response.* – **Evaluation form feedback**

> *Developed a good group of supportive like-minded people who I know I will call for advice in future to discuss. Good selection of departments represented. I thought the agenda was very interesting and interactive and inclusive.* – **Evaluation form feedback**

The Audit observed that the model causes leaders to feel invested in, and that they derived benefit from the program. Participants viewed it as a professional development opportunity, an opportunity for networking, and something that would improve their capability as a manager and leader.

> *Hope to become a better leader, manager, champion of change – hope this is possible putting to use tips and strategies learnt over the last couple of days.*
> – **Evaluation form feedback**

The Audit observed that this was an example of where Victoria Police had built on the lessons of the earlier engagement roadshow, where it had been observed that some senior leaders were disengaged with the roadshow process. Rather than a presentation model, the network approach enables collaboration, peer support, accountability and skill development. The Audit heard examples of where the network would workshop issues facing local leaders, allowing for discussion to draw out challenging and differing views. The Audit observed that the collaborative approach enabled participants to feel supported rather than judged or punished, which can lead to disengagement.

The Audit notes some concerns that the content of the two-day workshop may duplicate the workplace harm training developed through PDC for managers and supervisors (see Chapter 10). The Audit notes that this package of work has faced delays but will be developed and rolled out in 2018. This interdependency has been identified in the project plan for the Stand Practice Leaders Network.

The Audit notes the positive use of organisational leaders in the workshops, including members of both Command and Executive Command. The Audit heard that these leaders had spoken effectively and with authenticity, demonstrating the power of effective storytelling to participants.

Guidance going forward

The Phase 2 Audit supports the continuing rollout of the Stand Practice Leaders Network over the course of 2017. The Audit observed that the network had been aimed at mid-ranked leaders who were identified by local management as showing potential and likely to be strong leaders for gender equality. While the Audit understands that over 300 mid-rank leaders will have been through the network by the end of 2017, this remains only a portion of this large cohort. Victoria Police will need to develop a strategy to engage and upskill leaders at the mid-rank level who have not been part of the network, including those that are less engaged with the reform agenda.

If the Stand Practice Leaders Network is to be an ongoing program, the Audit suggests that the network program be reviewed to ensure it is complementary to the formal education package. In developing the training for managers and supervisor, the Audit suggests that PDC engage with VRRPI to benefit from the learnings of the Stand Practice Leaders Network.

Due to the positive response of many participants in the network, Victoria Police may wish to consider how to use the network's success stories as part of the broader communications activity.

On an ongoing basis, the Audit suggests that the network could be a space for the exploration of key datasets in the Gender and Diversity Dashboard (see Chapter 4) and for discussing results of the '50/50, if not, why not?' audits at a localised level.

Storytelling workshops

Overview

Following the Command briefings and in line with the Communication Strategy's focus on the use of authentic storytelling techniques, further work has taken place to build storytelling capability within the Command group. This has included a pilot storytelling workshop to 'improve the ability of senior leaders to engage staff in the culture and behaviour changes needed to respond to the VEOHRC Review Report and to communicate more effectively around other strategic initiatives'.

A pilot 90-minute presentation was held with the full Command group in February 2017. Following this, a smaller group of 14 Command members undertook a full-day pilot workshop. It is understood that the pilot was to be rolled out across all Command members, and would be then followed by a targeted six-month program including personal direct coaching, video coaching and 'micro-tasking' for a smaller group of leaders.

A short series of evaluative questions were put to those Command members who participated in the pilot. At the time of writing, the Audit was advised that evaluation forms had been completed and collected, but that there had been a decision not to complete the evaluation of the pilot.

The Audit was also informed that there were no immediate plans to continue the storytelling workshops. Given that the Audit has not seen any evidence as to the content of the workshop or any feedback from the participants, it is limited in its ability to make findings on the workshop.

Guidance going forward

As noted in Chapter 2, authentic use of stories can be a powerful symbol of leadership and can garner broader commitment and buy-in. The Audit recommends that Victoria Police completes its evaluation of the storytelling workshops, and consider other ways to support leaders across the organisation to engage in storytelling approaches. The Audit notes the linkages with the *Mental Health Strategy and Wellbeing Action Plan*, where a storytelling approach is likely to be a similarly valuable strategy for connecting staff with reforms and the need for change.

External engagement

Victoria Police has taken an active role in promoting gender equality in the broader policing and emergency management sector. This has included presentations from senior leaders at a number of emergency services forums and events, as well as providing support and expertise to other policing jurisdictions such as the Australian Federal Police, Queensland Police Service and South Australia Police. The Audit commends Victoria Police's outward-facing engagement, and the support it has provided to other organisations.

Measuring attitudinal change

The Phase 2 Audit was informed that Victoria Police is planning to undertake market research to understand attitudinal change across the organisation, and notes the importance of setting a clear baseline for this assessment. Victoria Police will need to consider how to deal with the limitation that a baseline for measuring change has not been clearly established since the Phase 1 Review was handed down. However, the Audit supports a robust approach to measuring attitudinal change.

Summary of guidance going forward

Communication and Engagement Strategy

- Working with subject matter experts and building on the *Gender Equality Strategy and Action Plan*, Victoria Police should establish a clear overarching narrative to:
  - build the case for gender diversity specifically within Victoria Police
  - draw together broader reforms and strategies relating to culture and improving capability
  - make clear the link between gender equality and the prevention of workplace harm
  - articulate the role of everyday sexism and discrimination as an enabler of other forms of workplace harm.
- Victoria Police should review the effectiveness of the Communications Strategy and the Stand brand to determine whether both provide the platform for communicating this overarching narrative and the broad reform agenda.
- Flowing from a review of the existing strategy and informed by the communications principles, Victoria Police should create a communications action plan that clearly sets out the tactics to support the overarching narrative, including the accountability and phasing of delivery.
- Victoria Police should identify clear targets and goals against which communications tactics will be measured as part of a broader evaluative framework for communications activity.

Face-to-face engagement

- Victoria Police should consider the opportunity for a further series of Command briefings, moving beyond the findings of the Phase 1 Review, and instead focusing on the broader reforms and progress to build a more diverse and capable organisation. This could tie into the *Mental Health Strategy and Wellbeing Action Plan.*

Online and print communication tactics

- In revising the overarching strategy, Victoria Police should consider the effectiveness of online and print tactics to date and how to best tailor communications to diverse cohorts. It should also consider the value of platforms that provide for productive and meaningful two-way dialogue outside of an open forum.

Support for managers and supervisors

- Victoria Police should review the Supervisor Toolkit with a focus on providing concise, accessible and practical guide for managers and supervisors. In doing so, Victoria Police could consider the utility of a short publication for managers and supervisors that brings together guidance across capability strategies, including Zero Harm and the *Mental Health Strategy and Wellbeing Action Plan*, based on consultation and an understanding of the contemporary needs of managers and supervisors.

- Victoria Police should develop a strategy to engage and upskill leaders at mid-rank level who are not part of the Stand Practice Leaders Network.

- Victoria Police should consider whether the Stand Practice Leaders Network could be a space for exploration at a localised level of key datasets under the Gender and Diversity Dashboard and the '50/50, if not, why not?' audits.

- Victoria Police should complete an evaluation of the Command storytelling workshop and explore ongoing opportunities to upskill and support leaders in these skills.

Endnotes

1   Victoria Police, *Gender Equality Strategy and Action Plan* (2017) 4.

2   This includes the 'change grid' model, which suggests that change is a process of four stages: denial, resistance, exploration, and commitment and that each stage of the process, different responses are required to respond to the employee's stage; a model that looks at the primary and secondary ways in which leaders can effect culture change; a model that looks at the interrelationship between system, symbols and behaviours; a model that looks at the way that resistance impacts on culture change; a reflective leadership model, which is based on three phases of organisational change management: listening, learning and personal reflection, and a call to action; and a Seven Steps to Success model that is based on the need to align senior leaders on the need for change, and delivers high-quality leadership to lead the change efforts.

3   The Audit acknowledges that a range of different forms of face-to-face engagement would have taken place across all levels of the organisation, including informal and localised conversations. The Audit did not seek to assess the extent or impact of these less formal forms of face-to-face engagement.

4   The Audit notes that some of the areas that did not provide detail of their briefings were areas where a briefing may not have been required. For example, the 52 Command members includes seven Executive Command members, who have senior leaders within Command who would be responsible for carrying out the briefings. Therefore, these seven leaders may not have been required to lead briefings.

5   From July 2016 Pulse Check results, provided by Victoria Police: to the question 'Have you participated in a workplace VEOHRC briefing on sex discrimination and sexual harassment including predatory behaviour within Victoria Police … hosted by your Command/Department head?' 49 per cent said yes, 47 per cent said no, and 4 per cent did not answer.

6   From July 2016 Pulse Check results, provided by Victoria Police: to the question 'Have you participated in a workplace VEOHRC briefing on sex discrimination and sexual harassment including predatory behaviour within Victoria Police … hosted by your Local Management Team?' 41 per cent said yes, 49 per cent said no and 10 per cent did not answer.

7   The Audit notes that in 2017, the Engagement Team presented to three external audiences: South Australia Police, the YMCA and a Men's Forum.

8   Victoria Police, Annual Report 2015–16 (2016) 69.

9   Based on a total organisation headcount of 18,146 as at 30 June 2016. See Victoria Police, above n 8.

10 Norbert Schwarz, Eryn Newman & William Leach, 'Making the truth stick & the myths fade: Lessons from cognitive psychology' (2016) 2(1) *Behavioural Science & Policy* 85.

Chapter 6: Policy review

Key findings

- There has been a wide review of policies in Victoria Police, with 73 policy chapters being reviewed in order to assess necessary changes arising out of the Phase 1 Review. Work has commenced on most policy chapters, with the review of 26 being completed. This has resulted in substantive changes to four of the 73 policy chapters.

- A structured handover process for managers has been drafted and published. This will be a positive tool for ensuring continuity in management and ensure concerns about performance are effectively transitioned between managers. The Phase 2 Audit identified that it would benefit from further clarity on a number of points.

- There has been significant consultation and work on updating policies on conflicts of interest and appropriate relationships in the workplace, and this policy is progressing towards finalisation.

- Due to current legislative reform processes, no policy guidance has been developed on the interpretational criteria in the *Victoria Police Act 2013* (Vic), the *Protected Disclosure Act 2012* (Vic) and the *Independent Broad-based Anti-corruption Commission Act 2011* (Vic). While these processes may change the guidance required, Victoria Police may need to consider interim solutions given the length of time a legislative change process can reasonably be expected to take and the identified need for guidance now.

- Improved guidance on complaints regarding Executive-level personnel has been developed.

Phase 1 Review findings

The Phase 1 Review found significant gaps in policies and guidelines across business and people management areas. Policies and guidelines that did exist were often outdated, inaccurate, unclear or even contradictory in nature. Some policy instruments provided information based on outdated legislation and regulations, resulting in significant organisational risk.

The Review identified contradictory information in Victoria Police's policies and guidance regarding responsibilities around managing complaints of sexual harassment and sex discrimination. These policies and processes did not have a consistent victim-centric approach, and recommended the use of practices that were potentially harmful to or distressing for victims. The Review highlighted a need for Victoria Police to develop more targeted policies on appropriate workplace relationships, mandatory reporting requirements, complaints against Executive level personnel, and handover processes at Inspector rank and above.

The Review recommended that Victoria Police review and update all relevant policies and guidelines to ensure compliance with legal obligations, as well as provide clear guidance to managers on how to effectively respond to workplace harm and build a gender equitable and diverse workplace. Guidance would clarify the linkages with the new workplace harm model, set unequivocal standards for workplace behaviour and managers, and reflect victim safety principles and the *Victims' Charter Act 2006* (Vic).

Recommendation 5

Review and update all relevant policies and procedures to ensure they are compliant with legal obligations and provide clear direction for managers to respond effectively to workplace harm and build gender equitable and diverse workplaces. This includes:

- ensuring that the legal tests for sexual harassment, discrimination and victimisation are accurate, and that current policies and procedures ensure remedial action

- as part of the workplace harm model, developing clear and detailed guidelines for managers and supervisors on their roles and responsibilities to responding to employees internal reports of sexual harassment, sex discrimination or victimisation and complaints in a fair, safe and supportive way. This should include clear indications of victim safety principles and reference to the Victims' Charter Act

- introducing a structured handover process for rotating management positions for Inspector rank and above

- strengthening of Victoria Police's Conflict of Interest Policy to define sexual relationships that can be regarded as a conflict of interest, and providing guidance for managers to respond appropriately

  - The policy should include an explicit list of behaviours and define the proximity of working relationships at which conflicts should be declared. For example, sexual relationships between employees and anyone who has formal supervisory responsibility for them, as well as anyone within their chain of command, should be considered a conflict of interest, irrespective of the status of their relationship.

  - There should be additional, clearly stated requirements for all teaching staff, mentors, supervisors and field coaches to refrain from improper use of their power over Recruits and Probationary Constables. This includes participating in any sexual relationships with Recruits and Probationary Constables.

- providing further practical and coordinated policy guidance to all personnel on the interpretational criteria for the:

  - Victoria Police Act terms conduct, misconduct and reason to believe

  - Protected Disclosure Act terms improper conduct and detrimental action

  - Independent Broad-based Anti-corruption Commission Act term corrupt conduct (see also Recommendation 16)

- amending the Victoria Police Manual to provide information regarding complaint processes related to executive level personnel.

Intent of the recommendation

The purpose of Recommendation 5 was to establish a strong policy platform to assist Victoria Police to reach its desired organisational vision, as well as to help all staff understand their rights and responsibilities as employees. While policies alone cannot change culture or address complex and entrenched organisational issues, good corporate policies provide a strong framework upon which organisations can build their desired values and standards of behaviour.

The Review recognised that policies should be supported by robust processes and guidelines. These allow staff to interpret, implement and realise Victoria Police's vision as part of their everyday work. These policy support structures should be accessible across the organisation, allowing managers and supervisors to clearly understand their responsibilities and how to implement them, as well as allowing employees to understand their rights and responsibilities. Victoria Police would need to effectively communicate its policies and procedures to all employees, particularly managers and supervisors, and embed any changes into relevant training. The Review also intended for Victoria Police to monitor and update its policies and procedures to ensure that they reflect and support internal needs and values, as well as changes in the external environment.

Indicators of successful implementation

Clear and legally compliant policies and guidelines

- Policies and procedures relating to gender equity, diversity and workplace harm are reviewed and, where necessary, updated to ensure compliance with legal obligations and to provide clarity.

- For policies that relate to workplace harm, policies are reviewed and, where necessary, updated to ensure managers take remedial action.

- Robust guidelines and procedures are put in place to operationalise policies, and to support employees to interpret and implement policy aims.

- Relevant policies are aligned to the *Gender Equality Strategy and Action Plan* and broader organisational strategy.

- Changes to policies or procedures are effectively communicated to all employees, in particular managers and supervisors, and where necessary training and support is provided.

- Mechanisms are in place to ensure that policies and guidance operate effectively and continue to reflect contemporary organisational values and legal obligations.

Clear guidelines for managers in responding to workplace harm

- With the guidance of the Independent Advisory Board, guidelines and tools are developed to provide clear guidance to managers and supervisors of their roles and responsibilities in responding to internal reports and complaints of sex discrimination, sexual harassment and predatory behaviour in a fair, safe and supportive way.

- Guidelines and tools makes clear the linkages and pathways around the new workplace harm model, set unequivocal standards for workplace behaviour and managerial responsibilities, and reflect victim safety principles and the Victims' Charter Act.

- The existence of guidelines or tools is effectively communicated to all employees, in particular managers and supervisors, and embedded in relevant training.

Improved consistency in management practices, including greater visibility of workplace harm across the organisation

- A structured handover process is established for Inspector and above ranks and Victorian Public Sector (VPS) equivalent level roles.

- Training and guidance is provided to managers and supervisors on how the handover process is to operate, and mechanisms are put in place to ensure the handover process is operating effectively.

Improved clarity around inappropriate workplace relationships

- Victoria Police's Conflict of Interest policy is reviewed and strengthened to ensure it:
  - explicitly lists behaviours that can be regarded as a conflict of interest and defines the proximity of working relationships at which a conflict should be declared
  - makes clear that sexual relationships between employees and anyone who has formal supervisory responsibility for them, as well as anyone within their chain of command, should be declared as a conflict of interest
  - provides clear guidance for all teaching staff, mentors, supervisors and field coaches to refrain from improper use of their power over Recruits and Probationary Constables.

- Practical guidance is developed to assist managers to interpret and apply the Conflict of Interest policy, and mechanisms are put in place to ensure the policy is operating effectively.

- Changes to the Conflict of Interest policy are effectively communicated to all employees, in particular managers and supervisors.

Interpretational guidance provided

- Policies are updated to provide practical and coordinated policy guidance on the interpretation of criteria under the Victoria Police Act, the Protected Disclosure Act and the Independent Broad-based Anti-corruption Commission Act, as set out in the Phase 1 Review.

- Policies make clear the criteria for making a complaint where a target/victim has not given consent for the complaint to be made.

- The Victoria Police Manua (VPM)l is amended to provide guidance on reporting and responding to complaints relating to Executive level personnel.

Summary of key activity to date

As at 30 June 2017, the Audit has observed the following key activities by Victoria Police towards the implementation of Recommendation 5:

- large scale review of policies in progress, including a review of the VPM that identified 73 chapters as requiring review and possible amendment

- engagement of an external consultant to review all Human Resource Department (HRD) policies

- consultation with relevant policy holder areas, including other Commands and the internal Policy Liaison Officer Network, as well as external stakeholders

- development of new policy development and review methodologies and distribution to the responsible Commands and Directorates

- extensive consultation to inform the changes to the Conflict of Interest policy, now drafted and subject to further review

- completed revisions to the Workplace Flexibility chapter (see Chapter 8), the Workplace Standards and Management chapter and the Complaints and Discipline chapter (noting further amendments are required to the Complaints and Discipline chapter)

- development of a statement detailing principles of victim-centricity as a consistent cross-Command reference point.

Audit findings

Policy review

Overview

Following the release of the Phase 1 Review, a project was created to address aspects of Recommendation 5. The scope of the project includes:

- a review of policies and procedures related to complaints against Executive level personnel, conflicts of interest, interpretation of disciplinary terms, structured handover processes, and sexual harassment, discrimination and victimisation

- a review of policies and procedures to ensure compliance with legal obligations

- the development of a policy process with embedded gender equity principles

- support to other areas of the organisation in relation to policy development and legislative reform stemming from other Review response projects.

The project was established in a way that sees the Corporate Strategy and Operational Improvements Department (CSOID) as the central point for coordination and facilitation in the policy development and review process. However, CSOID does not generally create policies itself. In line with the Victoria Police Policy Owner Framework, the development of policies is the responsibility of subject matter experts in the policy holder area. As a result, the work required to complete the policy review process is spread across a number of parts of the organisation.

CSOID undertook a review of the VPM, with 73 policy chapters being reviewed in order to assess necessary changes arising out of the Phase 1 Review. These policies were primarily located across HRD, People Development Command (PDC) and Professional Standards Command. Given that many policies have linkages with the broader implementation efforts, there has been a number of interdependencies with the broader program of work.

The Phase 2 Audit was advised in August 2017 that:

- Review and/or revision of 26 out of the 73 policy chapters had been completed

- Review and/or revision of 44 out of the 73 policy chapters had commenced but was not complete

- Review and/or revision of 3 out of the 73 chapters had not commenced.

The Audit sighted four revised or new policies as at August 2017, being:

- the Workplace Standards and Management policy chapter, with amendments made to the policy guidance on the new structured handover process

- the Complaints and Discipline policy chapter, with amendments made to the process for Executive level complaints

- the Workplace Flexibility policy chapter, with extensive changes made and consolidation of a range of existing policies relating to workplace flexibility (see Chapter 8)

- the creation of Family Violence Leave policy.

The Audit understands that the policy methodology used for this project is similar to Victoria Police's business as usual methodology, with the addition of an equity and diversity matrix. The matrix is applied to all relevant policies, requiring policy holders to consider the potential effect of policies on a broad range of protected personal attributes. The methodology also includes prioritisation of the policies explicitly identified in the Phase 1 Review.

The methodology has also been changed to expedite the lengthy policy approval process, and relieve added work pressure for members of the Policy Liaison Officer Network. Under the new methodology, active consultation with the network occurs on most policy changes, but if a change is minor and consultation is not deemed necessary, the network may be bypassed.

Findings

The Audit observed the extensive review process that Victoria Police embarked on to ensure a comprehensive review of all policy instruments through an equity and diversity lens. The broad range of policies that were assessed against the equity and diversity matrix demonstrates Victoria Police's commitment to ensure legislative compliance and accuracy. Only four policies have been subject to final changes as at August 2017, while noting the significant nature of the changes to the Workplace Flexibility policy chapter. The Audit observed that the review process was yet to be complete for a number of key areas that are deemed a 'priority', due to specific reference in the Phase 1 Review, including:

- deployment, including the transfer and promotion policy for Police members and Victorian Public Sector (VPS) employees, and transfer of members facing disciplinary action

- performance management, both of sworn and VPS staff

- the Equal Opportunity Policy Statement

- grievances and appeals

- bullying, discrimination and harassment, and sexual harassment[1]

- management of misconduct

- various forms of leave

- end of service classification

- professional and ethical standards

- conflicts of interest

- complaints and disciplinary processes (noting the only change to date has been in relation to complaints against Executive level personnel)

- protected disclosures.

The Phase 2 Audit notes that the reason for the delay across a number of these policy instruments was due in part to work being undertaken across the organisation arising out of the Phase 1 Review. While the Audit notes the large number of interdependencies across the projects, the delay in implementing revised policy guidance may mean that staff are still operating with potentially outdated, inconsistent and incorrect policy advice.

Due to the small number of approved policies, communications and training on updated policies has been minimal. The Audit understands that CSOID and HRD trialled a face-to-face information session on the new Family Violence Leave Policy, and heard that the session received positive feedback. The Audit notes that communication strategies had been rolled out around the revised Workplace Flexibility policy, which is outlined in Chapter 8.

The Audit notes that the policies relating to workplace harm have not yet been finalised, and therefore guidelines and practical tools to provide clear guidance to managers and supervisors of their roles and responsibilities in responding to internal reports and complaints of sex discrimination, sexual harassment and predatory behaviour in a fair, safe and supportive way, have not yet been created. This practical guidance will need to be created in order to successfully implement Recommendation 5.

Guidance going forward

The Phase 2 Audit recommends that Victoria Police identify policies where interim updates can be made to existing policies, especially where interdependencies are likely to lead to significant delays. For example, the policy instruments relating to the discipline system and protected disclosure regime may need to be updated prior to the full reforms to the discipline system under Recommendation 20 and the legislative reforms to the Protected Disclosure Act. Work to create practical guidance for managers and supervisors to respond to workplace harm in a fair, safe and supportive way could be created pending the finalisation of the various related policy and legislative instruments.

Victoria Police should also consider strategically how it can best communicate policy changes to ensure awareness of changes and consistent uptake across the workforce. Significant policy changes should be supported by and integrated into workforce training.

Victoria Police should ensure that practical guidance is provided to managers and supervisors with respect to their roles and responsibilities in responding to internal reports and complaints of sex discrimination, sexual harassment and predatory behaviour in a fair, safe and supportive way, as was recommended in the Phase 1 Review. The guidance developed should align with the content of workplace harm training for managers and supervisors delivered under Recommendation 9.

Structured handover process

Overview

Victoria Police has undertaken work to create a structured handover process and build on the existing policy guidance in the VPM. This process has been incorporated into the Workplace Standards and Management chapter. The changes set an expectation that managers complete a handover process with the person assuming their role. It is expected that this policy change will provide improved direction to managers, resulting in more consistent management practices across the organisation. The Audit notes that the new policy goes beyond the Review's initial recommendation of targeting Inspector rank and above, and targets all supervisors and managers. The Audit welcomes this as part of improvements to management capabilities across Victoria Police.

To optimise the process, Victoria Police could consider including specific guidance to supervisors for recording any flexible working arrangements, existing keep-in-touch plans and notable leave arrangements.

The Audit notes that the policy states that the handover should be recorded and this information be managed appropriately and confidentially. The Audit notes that it does not currently provide detailed guidance around this. Guidance around this should be included, as confidential or sensitive information, including information on workplace harm, may be recorded.

Victoria Police has indicated that it intends to develop a specific communication plan around the policy; however, the Audit did not see any evidence of this plan. The Audit also did not see evidence as to how consistency and uptake of the process will be assessed.

Guidance going forward

Victoria Police should ensure clear guidance around the management of confidential and sensitive information in the handover process, and extend the process to cover flexible working and leave arrangements and stay-in-touch plans.

Care should be taken to ensure managers and supervisors are aware of the tool and encouraged to use it for managing handover processes. This could be done through both targeted communication and through training and education courses that focus on management and supervisor cohorts.

Conflict of interest policy

Victoria Police has undertaken extensive work on the drafting of a conflict of interest policy, including consideration of how the proposed changes comply with relevant legislative intentions. The Phase 2 Audit understands that at the time of writing an updated draft policy was to go to Command for further consultation before being further progressed and finalised.

CSOID and PDC collaborated on ensuring that the new policy is reflected in professional boundaries training being developed within PDC (see Chapter 11). The links between these two projects is important, and it is important that the training and the policy are consistent.

Victoria Police is aware that this is a sensitive policy change. The Audit welcomes Victoria Police's plans to invest time and resources in communicating this policy, and its importance and appropriateness in light of the Phase 1 Review findings, once it receives final approval. Ensuring that managers and supervisors are supported to effectively communicate the policy to their own staff will be important to ensure it is effectively embedded within the organisation.

Interpretational guidance

The Phase 2 Audit observed that, to date, there has been no development of policy guidance on the interpretational criteria in the Victoria Police Act, the Protected Disclosure Act and the Independent Broad-based Anti-corruption Commission Act. This guidance would primarily assist Police and PSOs to assess whether they have reason to believe another officer is guilty of misconduct, which would trigger mandatory reporting requirements. Aspects of these Acts are currently subject to legislative review. The Audit notes that any policy development or updates have been seen to be dependent on the outcome of the legislative process.

While the Audit notes the shifting legislative environment, there remains a significant gap in guidance for Victoria Police personnel about their legal obligations to act on complaints of sexual harassment and discrimination, as well as behaviour that may amount to misconduct. The Phase 1 Review found that this guidance was necessary to provide clarity around the criteria for making complaints in cases where a target or victim has not given consent for the complaint to be made. It is particularly important that personnel are aware of the considerations for acting without a target or victim's consent.

The final outcome of any legislative change process could be some time away, given the length of time that it takes for changes to progress through the legislative process. The Phase 2 Audit suggests that Victoria Police consider ways to provide this clear guidance without waiting for legislative change. If there is significant legislative change, policies and guidelines can then be updated.

Recommendation 5 also noted that Victoria Police provide increased guidance on reporting of and responding to complaints regarding Executive level personnel. The Audit reviewed the draft amendment to the VPM. It notes that there is some high-level guidance contained in this amendment in relation to complaints about Commissioners and Directors, but it does not detail what categories of conduct about which complaints can be made.

Victoria Police should proceed with the development of policy guidance on legal obligations, and revise this in future as required if legislative change eventuates.

Summary of guidance going forward

Policy review

- Victoria Police should identify polices where interim updates can be made to existing policies pending full-scale changes, especially where interdependencies may be at play for a significant length of time.

- Careful consideration should be given as to the most effective way to communicate policy changes to ensure awareness of the changes and consistent uptake across the workforce.

- Victoria Police should develop guidance for managers and supervisors with respect to their roles and responsibilities in responding to internal reports and complaints of sex discrimination, sexual harassment and predatory behaviour in a fair, safe and supportive way, as was recommended in the Phase 1 Review.

Structured handover process

- Victoria Police should ensure guidance is provided around the management of confidential and sensitive information as part of the handover process, and extend the process to consider flexible working and leave arrangements and stay-in-touch plans.

- Victoria Police should explore mechanisms to ensure that managers and supervisors are aware of the tool and encouraged to use it for managing handover processes, and to assess the uptake of the process.

Interpretational guidance

- Victoria Police should proceed with the development of policy guidance on legal obligations around mandatory reporting irrespective of legislative change, and revise this in future as required.

Endnotes

1   The Phase 2 Audit notes that these are currently categorised under a policy instrument called 'Workplace Conflict'. The Phase 1 Review refers to a tendency to incorrectly consider sex discrimination, sexual harassment and predatory behaviour as 'workplace conflict'. The Audit suggests that this policy instrument be renamed to ensure that these behaviours are not framed as a conflict between parties rather than harm perpetrated by one employee against another.

Chapter 7:
Recruitment and attrition

Key findings

- Victoria Police has engaged in significant work to understand the barriers experienced by women in the organisation from attraction to the point of resignation or retirement. This work has informed data collection for the purposes of the *Gender Equality Strategy and Action Plan* and is intended to underpin all work toward improving the recruitment, attrition and promotional pathways of women in line with Recommendations 6 and 8.

- Victoria Police has engaged in foundational work to improve levels of female Recruits in the organisation. This has included an analysis of the barriers for women entering the organisation and specific attraction and engagement strategies to respond to these barriers. Five distinct attraction strategies have been created, with a series of proactive short- and long-term measures in place to attract more women to the organisation. The Phase 2 Audit has found that this approach is a valuable opportunity for the organisation to evaluate the best strategies for attracting women to the organisation while also increasing the gender diversity of its ranks.

- Victoria Police has assessed the gateways in the recruitment process to gain an understanding of the specific barriers for female applicants. This work has identified particular points of disadvantage for women in the recruitment process, including particular insight into the fitness testing standards for recruits.

- The Phase 2 Audit encourages Victoria Police to progress work in reviewing the fitness gateways to ensure they meet the requirements of entry-level roles.

- Victoria Police has commenced consideration of a range of mechanisms to provide no-fee support for meeting the standards required by the fitness gateway. This work has included a proposal to develop a smartphone application with a custom-built training model, which is an innovative and accessible approach to support future Recruits.

- An analysis of turnover rates was undertaken to understand the drivers of attrition within the organisation. Thoughtful work has commenced to explore the best mechanism to undertake exit interviews, collect data and analyse drivers for attrition. The Phase 2 Audit commends the work of Victoria Police in working toward implementing exit interviews and the commencement of data collection to identify drivers for the organisation's attrition.

Phase 1 Review findings

The Phase 1 Review found that Victoria Police needed to improve rates of recruitment and retention for women in the organisation to better reflect the community it serves, improve organisational capability, and reduce rates of sexual harassment and sex discrimination in its ranks. It found that the recruitment process needed to better consider the future capability needs of the organisation and the need for increased representation of women in leadership roles.

The Phase 1 Review noted a shift in the demographics of Recruits, with Recruits beginning their police career later in life. The Phase 1 Review also noted a promising increase in the representation of female Recruits. A number of factors were attributed to these shifts, including a changing workforce, changes to the physical recruitment standards, and more opportunities for part-time and flexible work. The Phase 1 Review heard that, while these changes improved the proportion of women coming into the organisation, they had also caused significant organisational backlash and an increase in gender-based harassment. Protective Services Officers (PSOs) had overall low representation of women, with continuing low rates of women in recruitment enquiries, successful recruitment processes and sworn ranks. The Phase 1 Review made particular note of the lack of representation of women in leadership roles as a significant symptom of sex discrimination and sexual harassment in the organisation.

The Phase 1 Review found that Victoria Police's probity screening during the recruitment process may not sufficiently identify Recruits who have discriminatory attitudes towards women and minority groups or assess whether an applicant held the good character and values critical to ensuring the vision of Victoria Police as a safe and respectful workplace serving a diverse community. It found that, although Recruits were required to be 'of good character', the focus of this enquiry was based on the applicant's criminal history and whether they had excessive driving offences.

The Phase 1 Review described the rigorous progression for selecting suitable applicants to complete the recruitment process. Women were less likely than men to complete the PSO recruitment process although they were more likely to progress through the police recruitment process than their male counterparts. The Phase 1 Review flagged the fitness test as a particular obstacle for women in the recruitment process, noting that this was the biggest attrition point for women with 37 per cent of female Police Recruits and 57 per cent of female PSO Officer applicants dropping out at this recruitment gateway.

The Phase 1 Review reported that there was limited data collection or insight into Recruits who resigned from People Development Command (PDC) and the drivers behind their resignation, including a lack of understanding as to whether sexual harassment or sex discrimination factored into resignation rates.

It also noted that workforce data reflected that sworn women on average left Victoria Police at 41 years of age, following 14 years of service. Sworn men left at an average age of 48, following 23 years of service. Victorian Public Sector (VPS) employees stayed with the organisation for considerably shorter periods, with women leaving at a younger age than men. The Review observed that the role of Police Custody Officer had not existed for long enough to collect meaningful data on attrition rates.

The Phase 1 Review found that gender stereotypes, sexual harassment, sex discrimination, predatory behaviour and hostile working environments caused some women to leave the organisation. It also found that victimisation of women who had reported this kind of behaviour led to further departures from the organisation. Other drivers of attrition rates for women included issues with workplace flexibility and the availability of part-time opportunities within the organisation, with low levels of part-time uptake for sworn women beyond the level of Senior Sergeant and overall low levels of sworn men utilising flexible working arrangements.

Recommendation 6

Victoria Police review recruitment and exit processes, including:

- recruitment practices to ensure they align with best practice in screening to ensure the attitudes and expectations of all future Recruits align to the values and vision of the organisation, including an emphasis on respect and diversity

- physical employment standards to ensure they are aligned with role requirements and consistent with Victoria Police's occupational health and safety obligations

- offering support to potential Police and Protective Services Officer Recruits at no fee to meet any physical standards associated with general recruitment as well as recruitment to specialist roles within the organisation

- collecting and monitoring information about reasons for attrition at all stages of recruitment processes as part of broader monitoring under the Equity and Diversity Strategy

- instituting exit interviews for all resignations and retirements and collect and monitor data in relation to reasons for leaving and attrition of particular groups by gender, rank/level and work type.

Intent of the recommendation

The Phase 1 Review intended for Victoria Police to review its recruitment practices to identify whether future employees held discriminatory attitudes towards women and disadvantaged and minority groups within the community. It suggested that this may include greater emphasis on values testing and gender and diversity attitudinal screening in accordance with best-practice screening principles.

It was recognised that while the fitness test had been revised, a fairer standard for assessing Recruits would be based upon a reasonable assessment of the genuine requirements of a role. Work to determine what the inherent physical requirements were for each role would have close connections to the redevelopment of the Victoria Police Capability Framework. In order to effectively assess these requirements, the Phase 1 Review envisaged that Victoria Police would consider objective evidence to determine whether the fitness testing required for each role reflected the requirements of the role. A rigorous and evidence-based analysis would avoid indirect discrimination of Recruits within the meaning of section 9 of the *Equal Opportunity Act 2010* (Vic). To provide further opportunities to all applicants, the Phase 1 Review recommended that Victoria Police provide no-fee support to assist applicants to meet physical standards for roles.

As part of the organisation-wide data collection and monitoring recommended under the Gender and Diversity Vision and Strategy (now known as the *Gender Equality Strategy and Action Plan*, detailed in Chapter 4), the Phase 1 Review recommended that Victoria Police undertake collection of data that captured the reasons for Recruit resignations, with a focus on analysis of the data enabling the organisation to learn about the training and work experience of new Recruits and Probationary Constables. It also recommended that all departures from the organisation, including resignation and retirements across all sworn and VPS roles, be followed by an exit interview. This monitoring would feed into the *Gender Equality Strategy and Action Plan*'s data collection and monitoring process, allowing Victoria Police to identify the reasons for attrition for particular groups within the workforce and to develop strategies to counter attrition rates where they are disproportionate to a group's overall representation of the workforce.

Indicators of successful implementation

Improved gender diversity through data-informed strategies

• Recruitment and exit processes are aligned with the *Gender Equality Strategy and Action Plan*, including collection, monitoring and reporting of gender disaggregated data around attraction, entry into the Academy, and all stages of the recruitment process.

• Processes are put in place to enable the collection, monitoring and reporting of reasons for female attrition during recruitment, especially where women choose to drop out.

• Mechanisms are in place to collect, monitor and report on data on attrition across all levels of the organisation, including the establishment of an exit interview process to collect consistent data on reasons for leaving, and attrition of particular groups by gender, rank/level and work type.

• Mechanisms are in place to ensure that data are used to identify interventions and programs to reduce barriers for women in recruitment and retention.

• Mechanisms are in place to ensure any strategies and interventions that are developed are regularly monitored and evaluated, and continue to be informed by data collected.

Ensuring Recruits share organisational vision and values

• Attitudinal screening processes are developed according to best practice and are designed to ensure the attitudes of all Recruits align to the values and vision of the organisation, including alerting Victoria Police to discriminatory attitudes of Recruits towards women or marginalised groups.

• Recruitment processes are reviewed to ensure attitudinal screening tests are applied to all Recruits, including lateral transfers.

• Mechanisms are developed to monitor any attitudinal changes in Recruits throughout their training to understand how the organisation's culture impacts on new Recruits.

Addressing unnecessary barriers to recruitment in physical recruitment

• A review of the job requirements of an entry-level police officer and PSO is undertaken.

• Informed by this review, physical tasks to be performed during the recruitment fitness tests are revised to ensure that tests relate to the job requirements and the level at which it is set is clearly linked to the job performance required.

• Mechanisms and tools are created and rolled out to provide free support to all potential Police and PSO Recruits to help them meet the physical standards for general recruitment.

• Mechanisms and tools are created and rolled out to provide free support police or PSOs to meet specialist physical standards required for specialist roles.

Equal representation of women and men on all future squads

• An explicit target for recruitment of at least 50 per cent women in future Police and PSO squads is established and articulated.

• A mechanism exists to undertake '50/50, if not, why not?' audits and analysis at all stages of recruitment, including entry into the Academy, with analysis used to inform targeted strategies.

• The rationale for the creation of the target and the '50/50, if not, why not?' audits is clearly communicated across the organisation and in the Academy context.

Summary of key activity to date

As at 30 June 2017, Victoria Police has undertaken a holistic body of work to benchmark, assess and guide the body of reforms to improve the progression of women in the organisation from recruitment to exit. This has included:

- a review of attraction practices to encourage larger numbers of women to apply to sworn policing roles
- a number of short and medium-term attraction strategies to engage women in the community to consider policing careers
- a review and analysis of gender aggregated gateway data relating to stages of the Police and PSO recruitment process
- research to benchmark Victoria Police recruitment processes against other national and international employers
- a review of recruitment practices and recommendations to reform existing recruitment practices
- initiation of a review of fitness gateway testing by external experts
- consideration of concepts to provide no-fee assistance to applicants for sworn roles at the fitness gateway of the application process, including the development of a smartphone application
- an analysis of the current exit process towards planning for exit interviews for all resignations and retirements from Victoria Police.

The Phase 2 Audit notes that a range of external facing communications tactics (for example, celebrating 100 Years of Women in Policing and the Be a Force for Good campaign) may have also acted to promote the contribution that women can make to the organisation.

Audit findings

Employee lifecycle reporting process

Victoria Police has commenced a process to undertake research, benchmarking and assessment of the barriers women experience from the point of attraction to the point of resignation or retirement. The guiding principle for this work is that:

The principles of gender equity and fairness are the core of key attraction and recruitment policies, processes and practices at Victoria Police.

This program of work includes all of the reforms under Recommendation 6, as well as the 50/50 audits for transfer and promotion detailed in Chapter 9.

Findings

The Phase 2 Audit commends this holistic approach to improving the progression of sworn women through the organisation. The goal of this body of work is to assist in progressing the organisation towards 50/50 targets for future Recruit squads and reduce the number of workplaces in the organisation where women are underrepresented. The Audit notes that these targets are set out in the *Gender Equality Strategy and Action Plan*. It is noted that the baseline for this data collection commenced in May 2016, and that explicit targets are required in order to drive progress.

The Audit notes that future work is intended to develop similar initiatives for VPS employees and encourages Victoria Police to ensure the progression of work focused on this cohort.

Attraction strategies

Victoria Police engaged in foundational work to improve the numbers of female Recruits to sworn roles in the organisation. The Phase 2 Audit commends the work of the organisation in working to raising the numbers of women in its ranks.

Victoria Police engaged an external consultant to analyse the barriers preventing women from applying for both policing and PSO roles. The external consultant conducted a number of focus groups and interviews to understand the attitudes of women in the community toward Victoria Police. The consultant identified three critical barriers in their research:

- concern for personal safety, driven by the stereotype of frontline policing, violent offenders and dangerous situations

- the absence of work-life balance, driven by an understanding that a policing role is demanding and lacking in flexibility

- uncertainty around individual fitness levels, with women assuming that they would not pass the fitness test without understanding what it entails.

Five attraction strategies have been proposed by Victoria Police to attract female applicants, based on different avenues to address the concerns detailed above. These engagements include the use of different communication styles encouraging the idea of policing connecting candidates with the community, with an emphasis on the diversity of roles offered, while also addressing safety concerns in a realistic manner, and providing advice on the actual requirements of the fitness test. The five attraction strategies are:

1. Proactive engagement events targeted at women. A number of events were held by Victoria Police in 2016 to attract women to the organisation. These included Women in Policing career expos (attracting 416 women, 70 of whom later submitted an application); webinars (658 registrations for the police webinar and 292 for the PSO webinars); a series of seminars at the Victoria Police Museum (208 attendees); and a number of participations in large scale industry and employment expos and events.

2. Targeted marketing and behavioural insights encouraging ongoing engagement with prospective applicants across a variety of platforms. This includes electronic communications tailored to target demographics including secondary school students, 18–24 year old women, and women aged 24 and over; an employee referral program, and targeted media campaigns

3. Focus and support for applicants for sworn roles to meet fitness standards through the assessment gateway.

4. A formal mentoring program for prospective applicants with structured engagement and guidance tested through a small pilot. This is based on reviews of similar mentoring programs in Hong Kong and the United States.

5. Strategic evaluation and ongoing engagement that monitors and evaluates proposed strategies for the purpose of providing continuous improvement.

The Audit also notes that the Be a Force for Good campaign to attract new employees for both sworn and VPS roles commenced in January 2017, with explicit goals to improve the gender balance and diversity of the workforce so that it represents the community that Victoria Police serves. The Audit understands that the senior executives involved in the implementation of reforms recommended by the Phase 1 Review had an active role in developing and refining the campaign, and notes the intention of the campaign to work toward greater numbers of women within policing ranks.

Findings

The Phase 2 Audit found that the body of work conducted by Victoria Police to improve attraction strategies is commendable, with the organisation continuing to test a variety of methods to attract more women into its ranks.

> *The strategy is to get out and deliver the message that the role is not gender specific. We need to normalise women in policing and normalise it in the community, and get the community to understand that policing is a role that can be performed by men or women.* – **Internal interviewee**

> *The barriers are that many people perceive the role of the police officer as very physical, requiring physical strength, and that it is dominated by men. So that's created a perception in the broader community that it is mostly a male not a female role, but that's not the truth.* – **Internal interviewee**

It is important that the mentoring program has a robust selection and review process, and refers to the work of the organisation in assessing candidates for Field Coaching roles under Recommendation 10 (see Chapter 11) as a framework for assessing candidates for the mentor program.

The Audit notes that strategic evaluation of proposed strategies is planned, and emphasises that this work should commence early in the project to ensure that the conversion of interested parties to candidates is measured and analysed.

Guidance going forward

- The Audit suggests an evaluation process to assess the efficacy of the proposed attraction projects. This should include collection of data that measures the proportion of participants in attraction programs that make an application for a sworn role within the organisation, and analysis that reviews the data to improve or make changes to attraction strategies based on the data collected.

- The Audit encourages Victoria Police to look to the process for assessing Field Coaches (see Chapter 11) in identifying mentors for the flagship mentor program.

Review of recruitment practices – data collection

Overview

The Phase 2 Audit viewed data collated by Victoria Police for Recruits in March 2017 and during the 2016-17 financial year, which demonstrated the rates of progression through each assessment gateway during the recruitment process for both Police and PSO positions. The following key data points were observed:

In March 2017:

- 286 women (29.6 per cent) and 682 men (70.4 per cent) lodged an application for a Police Recruit position. Of these, 219 women (31.1 per cent with a 76 per cent success rate of female applicants) and 133 men (68.9 per cent with a 71 per cent success rate of male applicants) progressed to the exam.

- 38 women (17.7 per cent) and 176 men (82.2 per cent) lodged an application for a PSO Recruit position. Of these, 32 women (19.4 per cent with an 84 per cent success rate of applicants) and 133 men (80.6 per cent with a 75 per cent success rate of applicants) progressed to the exam.

- 32 women (36.3 per cent) and 56 men (63.6 per cent) were inducted as police officers. No PSOs were inducted during this month.

Over the 2016–17 financial year:

- 75 per cent of female Police applicants passed the entrance exam stage compared to 70 per cent of male police applicants. 30 per cent of female PSOs passed the entrance exam, compared with 27 per cent of males.

- 75 per cent of both female and male Police applicants passed the video interview stage of the assessment process. 74 per cent of female PSOs passed the video interview stage, compared with 75 per cent of male applicants.

- 73 per cent of female Police applicants passed the fitness stage, compared with 97 per cent of male applicants. 48 per cent of female PSO candidates passed this stage compared with 92 per cent of male applicants candidates.

- 78 per cent of female Police applicants passed psychological testing compared with 73 per cent of male applicants. 89 per cent of female PSO candidates and 79 per cent of male candidates passed this stage.

- 84 per cent of female police candidates passed medical testing compared with 92 per cent of male candidates. 80 per cent of female PSO candidates passed this stage compared with 88 per cent of male candidates.

- 94 per cent of female Police candidates passed comprehensive background checks compared with 97 per cent of male candidates. 22 per cent of female PSO candidates passed this stage compared with 78 per cent of male candidates.

- 96 per cent of female Police candidates passed the panel interview stage compared with 91 per cent of male candidates. 83 per cent of female PSO candidates passed this stage compared with 82 per cent of male candidates.

Findings

The Phase 2 Audit found that these data collection reflects the intent of the Phase 1 Review. It encourages Victoria Police to ensure that data collection is accompanied by an assessment of what the drivers for attrition are at all stages of the recruitment process, noting the particular barriers identified by the Audit:

- For both sworn ranks in March 2017, fewer women than men made an application for the recruitment process. This is particularly marked with PSO roles. It is noted that one month of data is not sufficient to make a broad finding in relation to the rates of applications.

- For women in March 2017, 36.3 per cent of inductees were women. This is compared to the percentage of Recruits in the 2015 calendar year up to August, which was 51 per cent. As above, it is not clear whether a month of data is representative of patterns throughout a longer period of data collection.

- Female police applicants were 32 per cent more likely to fail the fitness test than men. The Audit notes that this is a significant improvement on the rates at the time of the Phase 1 Review, where 57 per cent of females dropped out at this stage. However, women continue to progress through this stage at lower rates than men.

- For female PSO applicants, the rates of passing at the fitness gateway are significantly lower than female applicants at only 48 per cent. The data collected over this period represents a drop in successful progression from the time of the Phase 1 Review, where women passed this stage at 57 per cent. The Audit notes that the organisation should carefully consider the support provided to female applicants of this rank at this stage of the application process, as well as whether the fitness testing represented the genuine requirements of the rank.

- It is noted that only 22 per cent of female PSO candidates passed comprehensive background checks, which include reviews of a range of checks and balances such as intelligence database checks, travel history and associations. The Audit cannot comment on why such low rates of women passed at this stage compared to men, but notes that the significant discrepancies require consideration by the organisation.

Review of recruitment practices – gateway processes

Victoria Police has commenced work to review the gateway processes for sworn Police and PSO recruitment, identify potential barriers in the recruitment process, make recommendations to increase gender diversity, and ensure equal opportunity in the recruitment process.

A review of all recruitment gateways was undertaken to identify whether gender bias existed in assessments at each gateway and to assess whether processes aligned with principles of best practice.

The table below identifies each recruitment gateway, its key assessments and whether the organisation identified gendered bias in this assessment. When a Recruit passes a gateway stage, they are invited to move to the next stage of assessment.

Stage	Assessment type and standards	Victoria Police assessment	Audit findings
1: Prequalifying	• Basic history requirements, including employment history, education, current Australian driver's license and first aid certificate • BMI requirements • assessment as to whether the candidate has a 'rational motivation' for applying • adequate writing skills.	As all applicants are evaluated using the same assessment standards, no gender bias was found in this stage of assessment.	The pre-qualifying assessment stage does not reveal gender bias, particularly when data are reviewed relating to the success rates of men and women in proceeding to the next stage of assessment.

Stage	Assessment type and standards	Victoria Police assessment	Audit findings
2: Exam	Testing for: • cognitive abilities, including verbal, numerical and abstract reasoning • literacy skills based on Level 4 of the Australian Core Skills Framework • oral communication skills • computer literacy skills.	The assessment noted that the entrance exam is administered by the Australian Council for Education Research, which was consulted and confirmed that the examination skills are gender neutral. It also noted a review of the Core Skills Framework's appropriateness for a new Police diploma will occur in 2017. The assessment also noted that women pass the exam at higher rates than men. The assessment was that best-practice principles were used in the exam and that no gender bias had been identified.	The guidance of the Australian Human Rights Commission's recruitment guide, which states that aptitude testing should only be used to assess a candidate's suitability for a position based on the selection criteria, which are based on the specific requirements of the job. The Phase 2 Audit also notes that the tests should be adjusted to accommodate needs of people with disabilities or from different cultural backgrounds.[1] It also notes that extremely low levels of both male and female applicants pass this assessment stage for PSO roles, although it cannot comment on drivers of these data.
3: Preliminary checks	Applicant completion of document pack, including: • fingerprinting • further vetting of outstanding fines and warrants • video interview by a Recruitment Consultant • prior history and driving offence scoring matrix.	The assessment noted that video interviewing was at one point replaced with telephone interviewing because of concerns relating to decision-making bias; however, it was re-introduced on the basis that more than one person was able to evaluate a candidate's performance. The assessment stated that interviews are randomly spot checked to ensure that interviewers are making unbiased decisions. On this basis, this stage was found to have no gender bias.	The Phase 1 Review reported on the significant impact on unconscious bias in a perceived merit-based system, even when random checks are undertaken to ensure the absence of bias. The Audit suggests that all interviewers engaged in interviews across the recruitment process undertake unconscious bias training.

Stage	Assessment type and standards	Victoria Police assessment	Audit findings
4: Fitness testing	Completion of fitness testing, including: • agility run • handgrip (30kg each hand) • push-ups (five on toes) • prone bridge (60 seconds) • beep test • swim (100m in four minutes).	The assessment noted that the physical standards of this test have been adjusted to meet the requirements of the role, and that male applicants are given two chances to past this test, while women are given three chances. The assessment notes the lower pass rates of women in this gateway and notes a review will be undertaken as part of the program of work undertaken to implement Recommendation 8.	The Audit's evaluation and findings relating to fitness testing are discussed in detail in this chapter below.

Stage	Assessment type and standards	Victoria Police assessment	Audit findings
5. Psychological assessment	Completion of personality assessments, including: • two personality tests • a predictive test for uniform law enforcement candidates • a one-on-one interview with a psychologist.	The assessment notes that questions are gender neutral and the norms are based on both female and male populations. The assessment noted that women are more likely to admit to mental health issues, and often need further examination or a one-on-one interview with a psychologist. This has been balanced with further checks, with a finding only made that a person is unsuitable if they meet criteria that suggests they have an unmanaged illness, a lack of insight about their illness, or medical issues that impact psychological health. The assessment found that best-practice screening principles are used and found no gender bias in this gateway.	A number of checks and balances have been introduced to ensure that Victoria Police's psychological screening gateway has fair results, but it notes that more women disclose mental health issues than men. Victoria Police should look to the recommendations of the *Mental Health Review* and make further enquiries to ensure this stage does not discriminate women, noting that a higher likelihood of disclosure does not necessarily represent higher proportionate rates of mental illness.

Stage	Assessment type and standards	Victoria Police assessment	Audit findings
6: Medical testing	Medical testing, including: • self-assessment • assessment by applicant GP • audiologist assessment • eye assessment.	The assessment liaised with the Victoria Police Senior Medical Officer who identified that women were more likely to admit to previous health issues, increasing their time in the gateway. The assessment found that due to their higher reporting rates, there was an unintended bias against women. It noted these medical questions would be reviewed to ensure they only included information that was necessary.	The Audit agrees with the assessment of this gateway and encourages Victoria Police to review and update the questions necessary for progressing past this stage.
7: Comprehensive background testing	Comprehensive testing, including: • employment history • criminal history • driving history • employer and personal references • checks on associates and social media.	The assessment noted that the level of checks relate to the individual circumstances of an individual. It notes that all consultants received regular one-on-one coaching on standards to review files; that all decision-making is overseen by a Senior Sergeant who constantly reviews files for bias in decision-making; and that applicants are able to appeal findings at this stage for the decision to be reviewed by an independent panel.	The analysis of the data received by the Audit reflects the extremely high rates of women applying for PSO roles who do not pass this gateway in comparison to other cohorts, and refers to the guidance emphasising the need for an equivalent review of recruitment processes for this sworn rank.

Stage	Assessment type and standards	Victoria Police assessment	Audit findings
8: Panel interview	Panel interview assessing: • applicant's motivation for applying • past performance • professional presentation • logical thought processes • verbal communication.	The assessment noted that all interviews are gender neutral, with panellists completing probity checks and undertaking interview training. Panels are recommended to have equal numbers of men and women. Where this is not possible, there are assessment notes to ensure checks and balances in place to reduce the risk of biased decision-making. Further detail on the nature of these checks and balances was not provided. The questions asked by the panel are regularly reviewed to ensure they meet the current needs of the organisation with respect to cultural, gender and social issues. It is noted that unconscious bias training will be undertaken by recruitment consultants in 2017 and that this will soon form part of the panel training.	The Audit encourages Victoria Police to extend planned unconscious bias training for recruitment consultants to all panellist members. Victoria Police data reflects high pass rates for sworn ranks analysed at this part of the panel process, with women passing through this gateway at slightly higher rates than men. The Audit emphasises the recommendation of the Phase 1 Review that Victoria Police ensure that applicants hold the good character and values critical to maintaining the vision of Victoria Police as a safe and respectful workplace serving a diverse community. It has not seen evidence as to whether this assessment stage includes an evaluation of the values of the candidate, and encourages Victoria Police to undertake further analysis of this stage so that the assessment aligns with the current values of the organisation, noting the proposed amendments to these values as detailed in Chapter 17.

Guidance going forward

- Victoria Police should continue to collect data on attrition rates through the recruitment process, and ensure that this collection is accompanied by an assessment that focuses on the reasons for attrition at gateway stages of the applicant process. Where gateway stages reflect significant gender gaps in attrition, Victoria Police should ensure analysis of these gateways reflects the drivers behind these disparities, and that proposals are developed to address gender gaps in recruitment practices.

- Victoria Police should review on a regular and ongoing basis the staged assessment process undertaken by candidates for sworn roles for bias and support this analysis by regularly collecting gender disaggregated data reflecting pass rates of each stage of the assessment process.

- Victoria Police should undertake proposed unconscious bias training for all recruitment specialists and panellists who participate in decision-making processes through the assessment process. The Phase 2 Audit suggests that this training is also undertaken by employees who conduct video interviews.

- Victoria Police should review how the assessment process measures the values of a candidate and whether they align with those of the organisation, noting that non-alignment in some instances may not discount a candidate from progression and instead reflect the need for targeted training and education.

Review of fitness testing standards

In mid-2016, Victoria Police began planning to engage external experts to review and redesign the fitness testing regime for the General Duties Police Officer role. Work has commenced to collaborate with subject matter experts from People Development Command with support of external expertise.

Preliminary analysis has commenced to review the success rates of 2069 female applicants for police and PSO roles at the fitness gateway. Victoria Police reviewed data for this gateway between July 2014 and June 2016, and identified that in this period 21 per cent of female police applicants and 59.8 per cent of female PSO applicants failed at the fitness gateway. For both cohorts, the component testing an applicant's running speed and agility brought the highest fail rate. This was followed by the push up component, requiring applicants to complete five strict push-ups and the beep test component of the fitness testing.

The Phase 2 Audit viewed documents containing concepts and planning for a specially designed Victoria Police fitness application for smartphones that would be custom-built by a local company employing fitness and design specialists. The application will build upon an existing base platform that includes professionally developed fitness training and instruction. The application will be tailored to meet the fitness requirements of prospective applicants based on the level of skill and ability of each individual accessing the application.

Findings

The Phase 2 Audit encourages Victoria Police to progress the engagement of external experts to review the fitness gateway in line with the recommendations of the Phase 1 Review. The data provided to the Audit identifies significant overall attrition at the fitness gateway for women, with the agility and speed, beep testing and push-up stages being significantly more difficult for women to pass. These failure rates reflect significant gender disparity at a key stage of the recruitment process adding to lower overall rates of women inducted to sworn roles.

The Audit notes that Victoria Police are considering an innovative and accessible approach to assisting applicants to pass this fitness gateway via the development of a mobile application. It also notes that an element of this recommendation was fitness requirements for specialist roles, and encourages Victoria Police to explore how the application can be tailored to cater for the specific fitness testing for these progression points.

The Audit has heard that other initiatives have been explored, including a new fitness video available on the Victoria Police Careers Website and 'come and try' fitness days.

Guidance going forward

- Victoria Police should progress engagement of external experts to review, and if necessary, redesign elements of the fitness testing to reflect the actual requirements of the General Duties Police Officer Role. This should include:
  - consideration of the data collected to analyse failure rates for women at this application gateway
  - an assessment of whether specific stages of the fitness testing reflect the actual requirements of the role (for example, the handgrip stage and whether the weight of the grip at this stage reflects a legitimate need for this strength)
  - redesign of elements if they are assessed as inconsistent with role requirements.

- The Phase 2 Audit encourages the proposed development of a free smartphone application to assist prospective Recruits to achieve a standard of fitness required by the fitness gateway. If a decision is made to progress this initiative, Victoria Police should review how the smartphone application can be used to develop tailored fitness training to assist employees in their applications for specialist roles.

Exit interviews

Victoria Police undertook an analysis of turnover rates from its workforce, which indicated that the separation rate for the past two financial years (4 per cent for 2015–16 and 4.4 per cent for 2014–15) was substantially lower than the recommended Australian ideal staff turnover rate for an agile workforce of 10 per cent. The analysis noted that it was still important to understand why employees choose to leave the workforce. The analysis detailed the existing process for resignations and retirement, and noted that there was no mechanism for formal reporting on the reasons employees leave the organisation. Where informal mechanisms existed, they are approached in an ad-hoc manner and vary depending on local management practices.

The analysis noted there was no best-practice standard for collection of exit information, reviewing the practices of other Australian policing jurisdictions. It noted that most jurisdictions offered an exit survey or an exit interview. The majority of these jurisdictions offered both for resigning and retiring employees.

The analysis recommended that an internally managed process be considered. This process would include an optional online survey and a follow-up exit interview conducted either by telephone or face-to-face.

The Phase 2 Audit viewed governance documents that identified an initial lack of agreement from VRISC on the exit process going forward. However, it understands that a short-term internally resourced option is being progressed for the development, implementation and management of an online survey, with an optional exit interview conducted by HRD.

Findings

The Phase 2 Audit affirms HRD's assessment that exit surveys and interviews are an important tool to improve the organisation's understanding of attrition rates, and notes the findings in Chapter 9 that women exit Victoria Police after shorter lengths of employment. Women exiting the organisation also cite different reasons, including personal and familial reasons, to men.

The Audit notes the concerns identified in the analysis around employee discomfort in disclosing their reasons for leaving the organisation to a current Victoria Police employee, and suggests that Victoria Police implement victim-centric and best-practice standards in the conduct of exit interviews. This

would include interview locations appropriate to the needs of the interviewee, offering to conduct interviews with an employee of the same gender, and ensuring that all information recorded in the process is de-identified and confidential.

The Audit has not viewed plans as to how data collection and analysis around the exit interview process will be implemented, formalised or analysed. It suggests that Victoria Police ensure that this data collection is accompanied by thorough analysis, and each area, Departments and Commands receive de-identified data that identifies patterns and trends within Regions. Where it is appropriate, these data should be shared with Taskforce Salus to improve organisational data collection processes around risk assessment to identify predatory behaviour, as detailed in Chapter 14.

Guidance going forward

- Victoria Police should undertake work to ensure that exit interviews promote the safety and wellbeing of all participants. This work should include ensuring that:
  - exit interviews are conducted by employees or external administrators who are separate to the work group of the interviewee
  - all data and information received during the process is kept confidential
  - interviewers are able to direct interviewees to external supports where this is required.
- Victoria Police should disseminate de-identified data and analysis to relevant Regions, Departments and Commands for the purpose of identifying issues and risks. Where appropriate, these data should also be shared with Taskforce Salus and OneLink.

Summary of guidance going forward

Attraction

- The Phase 2 Audit recommends an evaluation process to assess the efficacy of the proposed attraction projects.
- The Phase 2 Audit encourages Victoria Police to look to the process for assessing Field Coaches in identifying mentors for the flagship mentor program.

Recruitment practices

- Victoria Police should continue to collect data on attrition rates through the recruitment process, and ensure that this collection is accompanied by an assessment that focuses on the reasons for attrition at gateway stages of the applicant process. Where there are significant differences between the attrition of female and male candidates, analysis is required to understand the drivers of the differing attrition rates and proposals devised to reduce disparities.
- In continuing to review the staged assessment process undertaken by candidates for sworn roles for bias, Victoria Police should support this analysis by regularly collecting gender disaggregated data reflecting pass rates of each stage of the assessment process.
- Victoria Police should undertake proposed unconscious bias training for all recruitment specialists and panellists who participate in the decision-making stages of the assessment process, including video interview assessors.
- Victoria Police should assess how the assessment process measures the values of a candidate and whether they align with those of the organisation.

Fitness testing

- Victoria Police should progress engagement of external experts to review, and if necessary, redesign elements of the fitness testing to reflect the actual requirements of entry-level sworn roles.

- The Phase 2 Audit encourages the proposed development of a free smartphone application to assist prospective Recruits to achieve a standard of fitness required by the fitness gateway. Consideration should be given as to how this could be used in assisting applicants for specialist roles.

Exit interviews

- Victoria Police should undertake work to ensure that exit interviews are conducted in line with principles of victim-centricity, promoting the safety and wellbeing of all participants.

- Victoria Police should ensure that data collection and analysis from exit interviews is disseminated to relevant Regions, Departments and Commands for the purpose of identifying issues and risks. Where appropriate, these data should also be shared with Taskforce Salus and OneLink.

Endnotes

1   Australian Human Rights Commission, *A step-by-step guide to preventing discrimination in recruitment* (2014) 7.

Chapter 8: Workplace flexibility

Key findings

- The revised Workplace Flexibility Policy signals a clear desire to foster and support workplace flexibility across the whole organisation. A suite of tools, guidelines, forms and checklists have been created to support managers to apply the policy. Further guidance or clarity is required in some areas to enhance the policy and tools, and to ensure best practice.

- A commitment to making 'all roles flex' has been articulated through the *Gender Equality Strategy and Action Plan*. This commitment represents a significant shift in the way in which workplace flexibility is considered from an organisational perspective. Further work will be required to identify and address structural barriers to workplace flexibility in order for Victoria Police to deliver on this commitment. Clear and consistent communications from senior levels will also assist in ensuring that all employees are aware of this commitment.

- A clear organisational policy on job sharing is required. The Phase 2 Audit notes that it heard promising examples of where job sharing has been supported, while further work is needed to address barriers to job sharing and provide policy guidance to managers.

- A data baseline has been established across a number of key workplace flexibility metrics. Further clarity is required around the metrics in the *Gender Equality Strategy and Action Plan*, and workplace flexibility metrics should be included in the Gender and Diversity Dashboard.

- Significant investment has been secured to deliver a parental leave backfill program. This program will play a significant role in reducing the stigma and barriers to parental leave uptake in operational policing contexts. A range of models have been scoped to apply across various operational contexts. Further funding will be required to deliver on the full scope of the program.

- While not the focus of the Phase 2 Audit, the Audit heard from a number of interviewees that attitudes toward workplace flexibility are shifting in a positive direction and there was a greater acceptance and support of flexible work.

Phase 1 Review findings

The Phase 1 Review identified a lack of workplace flexibility in Victoria Police, which affected the ability to attract and retain women in the workforce. It found a need for improved access to workplace flexibility options, which would improve the recruitment and retention of women, increase the representation of women at all levels, and benefit the whole workforce.

The Review found evidence that women experienced direct and indirect discrimination if they became pregnant, took parental leave or sought to access flexible working arrangements, including part-time work. Attitudinal barriers were reinforced by structural barriers such as inflexible rostering systems and staffing budgets, outdated policies, a lack of backfill provisions, a lack of keep-in-touch programs for people on long-term leave, and a lack of clarity around flexible working entitlements in the enterprise agreements.

The Phase 1 Review identified the need for greater support and guidance for managers and employees on how to negotiate flexible work arrangements and balance the competing interests and needs of the organisation with that of employees. Flexible work policies provided a high level of local management discretion in assessing 'reasonable business grounds' for refusal. This resulted in inconsistent flexible work practices across the organisation and decisions being made based on managers' individual views about part-time and flexible work.

The Phase 1 Review noted the importance of improved data collection and monitoring of the uptake of access to flexible work, and reasons for flexible work requests being denied.

Recommendation 7

Victoria Police review and amend all arrangements relating to flexible work including:

- identifying mechanisms and processes to ensure backfill for paid and unpaid parental leave and light duties is implemented

- reviewing and standardise policy and processes relating to flexible work arrangement and particularly the parental leave cycle, reflecting best practice in relation to preparing for leave, staying connected while on leave, reintegration into the workplace and career acceleration

- ensuring data collection and monitoring captures access to flexible employment options for both women and men and the reasons for not accessing any entitlements in this area

- ensuring all of its supervisors are trained in dealing with flexible working requests and what it means to refuse someone on reasonable business grounds.

Intent of the recommendation

In order to change attitudes towards flexible work, the Phase 1 Review noted the importance of flexible work being viewed as a whole-of-workforce issue rather than a women's issue. This would require greater uptake of flexible work by men, as well as visible modelling of good flexibility practices by senior leaders. Monitoring of flexible work uptake would ensure greater managerial accountability and allow for targeted interventions and support where required.

Structural changes would also be needed to break down organisational barriers to flexible work. The Phase 1 Review saw a need for Victoria Police to rethink traditional business practices and consider how the workplace could best support and embrace modern work practices. Managers and employees would need to be provided with suitable technology, clear policies and procedures, appropriate training, and specialist advice and support where needed. In addition, the allocation of internal funding would have to be reviewed to allow managers to budget, workforce plan and roster more easily.

The Phase 1 Review also recommended that Victoria Police fund a parental leave backfill program to safeguard general duties capacity. This would help prevent discrimination against employees who become pregnant and support parents of any gender to take up caring responsibilities.

Indicators of successful implementation

Improved flexible work and parental leave practices

- Through the *Gender Equality Strategy and Action Plan*, data on flexible work arrangements and parental leave entitlements is collected, regularly monitored and reported upon. This includes data on the uptake of flexible arrangements, number and proportion of flexibility requests declined, and reasons for refusal; parental leave uptake return rate and retention rate (one, two and five years post-return to work); and the ratio of part-time to full-time employees at supervisory, management and Executive levels.

- Mechanisms are in place to ensure that data are used to identify interventions and programs to reduce barriers to the access and use of flexible work and parental leave entitlements for both men and women.

- Backfill mechanisms and processes for paid and unpaid parental leave and alternate duties are implemented.

- Mechanisms for reviewing the effectiveness of backfill mechanisms and processes are embedded in the design process.

Policy and processes reflect best-practice flexible work approaches

- Flexible work and family-friendly policies provide clarity and reflect contemporary legislative obligations.

- Flexible work policies and processes, in line with best practice, are designed to be accessible to benefit all employees.

- Best-practice policies and processes related to the parental leave cycle exist, including around preparing for leave, staying connected while on leave, reintegrating into the workplace, and career acceleration.

- Communications tactics are employed to increase awareness of entitlements, particularly targeted to managers and supervisors.

- Organisational training is updated where necessary to reflect contemporary policy around workplace flexibility.

- Mechanisms are in place to understand whether the barriers to uptake of entitlements are being addressed, and to ensure policies and practices remain contemporary.

Improved understanding and application of flexible work policy by managers and supervisors

- Mechanisms are in place to support and guide managers on how best to negotiate flexible work arrangements, including appropriate technology, training, access to specialist support and advice, and clear policies, processes and guidelines.

- Management training builds understanding of how to balance competing interests of the organisation with a request to accommodate the employee's caring responsibilities.

- Incentives exist to prioritise increasing managers' understanding and application of flexible work.

Summary of key activities to date

As at 30 June 2017, the Audit has observed the following key activities by Victoria Police towards the implementation of Recommendation 7:

- development, consultation and publication of a revised workplace flexibility policy with accompanying guidance and tools

- development of guidelines and forms to support managers in the areas of pregnancy in the workplace and flexible working arrangements

- the inclusion of a number of actions relating to workplace flexibility in the *Gender Equality Strategy and Action Plan*, including a commitment to 'all roles flex'

- identification of data gaps and continuing work to improve collection, analysis and reporting of data on flexible work and parental leave

- securing funding for a parental leave backfill program through the Community Safety Statement

- the creation of a parental leave backfill model, pending final approval.

Audit findings

Workplace flexibility

Overview

In March 2017, Victoria Police published its revised Workplace Flexibility Policy (the VPM policy). The policy forms part of the Victoria Police Manual (VPM) and governs a range of flexible work options, including:

- workplace flexibility

- pregnancy in the workplace

- lactation breaks

- part-time employment

- flexi-time

- working from home.

The VPM policy sets out the obligation on both employees and managers, based on legislative requirements under the *Equal Opportunity Act 2010* (Vic), the *Fair Work Act 2009* (Cth) and federal anti-discrimination legislation, as well as the relevant enterprise agreements – the *Victoria Police (Police Officers (excluding Commanders), Protective Services Officers, Police Reservists and Police Recruits) Enterprise Agreement 2015* (the Sworn Agreement) and the *Victorian Public Service Enterprise Agreement 2016* (the VPS Agreement).

The Workplace Flexibility Policy was identified as a priority policy for review and revision. Under this process, the VPM policy was subject to a process that included:

- a review by an external consultant to determine necessary changes based on contemporary legislative obligations

- extensive consultation, including with the Policy Liaison Officer Network; a range of senior leaders in HRD; the Victorian Government and the Victorian Government Solicitor's Office; the Information, Systems and Security Command; the Police Association Victoria; and the Community and Public Sector Union

- further review and changes by the Employee Relations team and engagement with the HR Systems unit to make necessary amendments to online forms.

The revised VPM policy incorporates a range of amendments and new areas of policy guidance. This includes:

- the creation of a policy on lactation breaks, reflecting the new provision for paid lactation breaks under the Sworn Agreement

- a new section on working from home, which had been contained under a different chapter in the VPM

- a range of updated provisions relating to the right to request flexible working arrangements in certain circumstances as provided under the Sworn and VPS Agreements.

The revised policy was published on 3 July 2017. A communications plan was developed to support the rollout of the policy. In addition to initial communication on the rollout of the policy, the Audit was advised that training will be rolled out to support managers to understand the processes relating to flexible work requests, as well as what it means to refuse someone on reasonable business grounds. Training on the application of the policy will also be incorporated into existing Inspector or Senior Sergeant Qualifying Development programs, which considers workplace flexibility as well as other industrial provisions.

To support the VPM policy, Victoria Police has created a number of forms and guides to support the application of the policy. This includes:

- a guide and workplace support plan to assist in the application of the policy as it relates to pregnancy in the workplace, staying in touch during parental leave, and returning to work after parental leave

- an information pack on pregnancy medical information and certification

- a plan to support managers and employees to put in place arrangements for lactation breaks

- a workplace flexibility checklist for managers assessing applications under the policy

- an application form and an operational health and safety (OHS) self-assessment for home-based work.

To support the uptake of entitlements under the policy and align data capture with the new policy, a range of systems updates have been required. This has included:

- changes to VPS timesheets to enable data capture and reporting on the number of employees accessing flexi-time

- a part-time application form to enable reporting and data capture on the number of part-time requests refused

- additional wage types and absent codes to ensure staff accessing parental leave are recorded appropriately.

The Phase 2 Audit was advised that further work is continuing to assess the system capabilities and required enhancements to capture all flexible work data.

Findings

The revised VPM policy provides a strong policy foundation for managers and employees seeking to access flexible work options. It brings together a range of existing policies, making it easy for both managers and employees to understand their rights and obligations. In addition, it introduces a new entitlement to lactation breaks for employees who choose to breastfeed at work. Under the policy, employees who seek to breastfeed or express milk at work are entitled to appropriate workplace facilities, where practicable, and paid lactation breaks.

Victoria Police opted to extend the entitlement to all employees, including VPS staff, who do not have the same entitlement under their enterprise agreement. This is an example of Victoria Police seeking to foster a supportive and inclusive work environment, and going beyond the minimum legislative or enterprise agreement obligation.

The Phase 2 Audit notes a number of ways in which the policy seeks to reflect and support best practice from an equal opportunity perspective. This includes:

- where the organisation's needs can accommodate them, all Victoria Police employees can access working from home or part-time arrangements

- clear guidance on the list of factors and circumstances that must be considered in granting or declining an application for flexible work arrangements

- provisions for regular review of flexible work arrangements

- making clear that pregnancy or potential pregnancy is not a basis on which to deny or limit opportunities for promotion, transfer or training, or any other benefits connected with employment, including specifically noting that pregnant employees can be selected for promotions with a physical component

- enabling pregnant police members to wear plain clothes and access a civilian allowance while pregnant (noting that the policy does not make civilian clothes mandatory during pregnancy)

- enabling pregnant employees to be exempt from shift work or night shifts where a risk assessment deems it necessary or medical certificate is provided

- making clear that, when undertaking alternate duties during pregnancy, an employee must be provided with work that involves meaningful duties, commensurate with the employee's skills, training and experience

- clearly specifying that part-time employees should be considered for assignment opportunities in the same way as full-time employees

- emphasis on the general right under the Equal Opportunity Act for parents and carers to have caring responsibilities reasonably accommodated, and that an employer must not unreasonably refuse to accommodate these responsibilities

- the conscious decision to use gender-neutral language in the policy, in order to recognise that trans and gender diverse employees, particularly trans men, may become pregnant and should be covered by the policy.

The Phase 2 Audit notes a number of areas where the policy could be enhanced to demonstrate best practice. These suggested enhancements are detailed below.

Guidance going forward

Access to flexible work

The revised policy guidance for factors in determining an application for flexible work reflect the legislative guidance under the Fair Work Act. Victoria Police also has obligations under the Equal Opportunity Act, which provides that an employer must ensure that an employee's sex or family responsibilities do not unfairly influence a decision to reject the employee's request. The Phase 2 Audit notes that the Fair Work Act flexible working arrangement provisions only apply to employees who have completed 12 months' continuous service with their employer immediately prior to making the request. To ensure clarity, the Audit suggests that Victoria Police make clear the obligations on employers and protections for employees under both Acts, given that the Equal Opportunity Act provides broader protections for employees.

Notification of pregnancy in the workplace

The VPM policy notes that pregnant employees *must* notify their manager of their pregnancy as soon as practicable and ideally by the end of their first trimester. The policy states that this is because some aspects of an employee's role 'may pose a risk to the employee and their unborn child'.

The Phase 2 Audit notes that there is no legislative requirement for an employee to notify their employer of pregnancy under the Equal Opportunity Act, Fair Work Act or *Sex Discrimination Act 1984* (Cth). While there may be health and safety reasons to notify an employer of pregnancy, Victoria Police employees undertake a diverse range of roles – both operational and non-operational – and an early notification will not be required from a health and safety perspective across many roles. Further, there may be a range of reasons that an employee does not wish to reveal their pregnancy in the workplace. For example, this could include confidentiality concerns or the fact that the pregnant employee may not have yet decided to tell family and friends.

The Audit suggests that the VPM policy is amended to ensure this obligation to report pregnancy is not mandatory, but is instead encouraged based on the employee's informed decision, informed through specific information about the risks that their roles may pose to their pregnancy. The Audit notes that there is currently inconsistency between the guide and policy, with only the policy using mandatory language around the reporting of pregnancy.

Risk assessment and determining alternate duties

Under the revised VPM policy, it is the manager's obligation to carry out the risk assessment of the employee's duties and 'make an informed decision regarding appropriate duties during the pregnancy based on advice provided from the Registered Medical Practitioner'. This is to be done in consultation with the employee. The VPM policy notes:

> *Any risk assessment must take into account the following:*
> * *any potential risks to the health and safety of the pregnant employee and the unborn child*
> * *an OHS risk assessment of the work environment*
> * *the pregnant employee's preference and circumstances including level of expertise*
> * *Operational Safety and Tactics Training requirements for operational duties medical advice.*

As the policy is currently worded, a manager is responsible for making his or her own assessment of the potential risks to the health and safety of the employee and the 'unborn child'. This allows the manager to make a subjective assessment as to whether risks in the workplace will impact on the employee or the employee's pregnancy. The Phase 2 Audit considers that this is not an appropriate assessment for the manager to be undertaking as it requires an understanding of the nature of the employee's health and how certain activities will impact on their pregnancy. The identification of possible risks in the workplace should be done through the OHS risk assessment and through an objective guide on the risks inherent across certain roles and contexts. With this information, the employee's medical practitioner is then well placed to assess how the risks could impact on the employee's pregnancy or health.

Further, by providing guidance to managers under the *Pregnancy in the Workplace and Return to Work After Parental Leave Guide*, the guide notes that 'each individual pregnancy differs and therefore the risks vary from one employee to another'. This implies that a manager has a role in determining what is appropriate for a pregnant employee in light of the circumstances of their pregnancy, when this is an assessment for the medical practitioner to make. The manager's assessment of the risks of a role should be independent of the circumstances of the employee's pregnancy.

The VPM policy should clearly articulate that the manager is to rely on the advice on the medical practitioner as to how the work may be a risk to the employee or the employee's pregnancy. Across the policy, the Audit also suggests that the wording be amended from 'unborn child' to 'employee's pregnancy' to reflect contemporary and best practice language around pregnancy.

In determining appropriate duties, the current guide for the medical practitioner does not set out any detail as to what practical adjustments can be made in accommodating pregnant employees in the context of operational policing. This information may be of assistance to enable medical practitioners to comment on how an adjustment may be made to suit the particular medical requirements of the specific employee.

The Phase 2 Audit notes that the accompanying guide for medical practitioners is weighted towards operational policing, and does not provide space for the medical practitioner to provide any comments on the necessary reasonable adjustments that may be required in non-operational roles. The Audit notes that the policy requires all employees – including VPS employees, non-operational policing, PSOs and PCOs – to undertake the medical certification process with their doctor. Victoria Police may wish to develop a separate medical information pack for:

- non-operational police
- VPS employees
- Protective Services Officers (PSOs) and Police Custody Officers.

This would enable the medical practitioner to make a more informed assessment about the relevant risks and the appropriate duties in the context of these roles, which are significantly different from an operational policing context.

The Audit notes that the risk assessment and determination of alternate duties may change over the course of the employee's pregnancy. A pregnant employee may not require alternate duties until late in the pregnancy. However, the current policy requires that employees notify their manager as early as possible, which means that the alternate duties may not be required at the early stage but be necessary at a later stage. It may be useful for the policy to note this, and that an employee can seek to reassess the arrangement as the pregnancy progresses.

Grievances

A number of the decisions under the VPM policy require a manager to make an assessment, based on a range of stated factors. The subjective assessment required means that there are likely to be situations where an employee disagrees with their manager's assessment. The revised policy does not make clear the employee's ability to challenge these decisions. The Phase 2 Audit suggests that

the policy clearly links to the Grievance Policy, and clearly specifies the employee's ability to lodge a grievance. This should be emphasised in the parts of the policy where a subjective assessment is required by the manager (for example, in determining whether or not to provide for a flexible work arrangement or a work from home arrangement).

Interpretational guidance

Across a number of areas in the VPM policy further interpretational guidance would be valuable. For example, the policy could provide a range of practical examples of what may and may not be a reasonable business ground for refusing an application. This could also be done through the *Flexible Work Checklist*, which could include case studies and examples of both the correct and incorrect application of the policy.

The Phase 2 Audit notes that the *Flexible Work Checklist* provides valuable assistance to managers in applying the VPM policy. There would be utility in creating a similar simple and easy guide for employees who seek to apply for flexible work, in terms of understanding their rights and the processes for challenging a decision.

Pregnancy in the Workplace Guide and Workplace Support Plan

The *Pregnancy in the Workplace and Return to Work after Parental Leave Guide* and the accompanying workplace support plan are valuable additions to the suite of policy tools that support the operation of the VPM policy. A number of changes would strengthen the guide and support plan to ensure compliance with best practice:

- The guide sets out guidance to managers and other employees about inappropriate behaviours and comments towards pregnant employees. The Phase 2 Audit notes that some of the examples of inappropriate comments that are provided may not be appropriate for a policy instrument and may reinforce negative attitudes towards pregnant employees.[1]

- The guide and support plan provide useful guidance that will assist in keeping employees connected to work while on parental leave and assist in their reintegration to the workplace. The guide and plan should be clear that contact while on parental leave is optional and not compulsory, given that staying in touch is not something that the employee has an obligation to do.

- The *Pregnancy Medical Information Pack and Certification* and the *Workplace Guide and Workplace Support Plan* are geared towards operational policing staff. For example, the support plan checklist notes the requirement for a 'fit for duties medical certificate' if working within a six-week period immediately prior to the expected date of birth. Victoria Police should consider whether separate guides would be more appropriate for VPS and non-operational policing roles.

The Phase 2 Audit also notes that the requirement for a 'fit for duties medical certificate' is not set out under the Workplace Flexibility Policy. Victoria Police should review the tools supporting the VPM policy to ensure that they reflect the obligations and requirements set out under the policy.

Recruits and Probationary Constables

The Phase 2 Audit notes that the Policing, Foundation Division of PDC must be consulted for any flexible work arrangement relating to an unconfirmed Constable or Recruit. This is in order to assess the impact on the employee's training program. The Audit suggests that further guidance be provided as to what factors should be considered in assessing a request made by a Recruit or Probationary Constable. The policy should make clear that a Recruit or Probationary Constable can request a flexible arrangement, while noting that different considerations may be at play in determining whether the arrangement can be approved.

We had two policewomen approach us for a shared role. It's called true job sharing, which we don't really have in Victoria Police … We worked with the two policewomen. It was pretty clear that with our current arrangements that it would be difficult to take two people to the appeal process. We have got to make a comparative process of efficiencies. It is difficult when you have two separate people being compared to a third.
– Internal interviewee

Job share arrangements

Overview

The Phase 1 Review noted the value of job share arrangements in supporting employees with caring responsibilities, in particular women who have traditionally faced barriers to career progression as a result of working part-time. The VPM policy remains silent on the availability of job share arrangements.

Findings

The Phase 2 Audit heard that job share arrangements are being increasingly supported within Victoria Police, which is a positive shift.

In my experience in the VPS space, there have been more job sharing opportunities. I cannot speak to sworn, but in the VPS place we are encouraged to talk about flexibility.
– Internal interviewee

I have discussed part-time employment with some senior officers in the region and encouraged them to consider part-time work as part of their transition to retirement. We have also discussed job sharing. **– Internal interviewee**

The Phase 2 Audit notes that this is not consistent across the organisation. Other interviewees reported that job sharing was still not an available option and that structural barriers existed to its uptake. This included perceived barriers around the promotional process for sworn police members, and the issues with recruiting people on a job share basis when there is already considerable pressure on People Development Command in terms of numbers.

There is still no such thing as job sharing. We haven't seen a significant increase in sharing positions. There are more part-time opportunities and more flexibility.
– External interviewee

The VPM policy does not contain reference to the availability of job share arrangements. There remains a need for consistent policy guidance on the availability of job share arrangements, and a deeper understanding of the barriers that exist to the uptake of job share arrangements.

Guidance going forward

The Phase 2 Audit understands that work has commenced on research into legal obligations and requirements for job share arrangements. The Audit suggests that, in considering a job share arrangements policy, Victoria Police may need to undertake a comprehensive scan to understand the barriers to job share arrangements. This could be part of a broader review of barriers to flexible work, as explored below, and should consider both structural and attitudinal barriers.

In the interim, Victoria Police may wish to add policy guidance on job sharing to ensure a consistent organisation-wide approach is taken to assessing whether or not job share arrangements are available. With the policy currently silent as to job sharing, there is a risk of inconsistent practice in terms of its availability.

Strategy, data collection and monitoring on workplace flexibility

Overview

Victoria Police released its *Gender Equality Strategy and Action Plan* in June 2017, which includes a clear focus on workplace flexibility. The strategy sets out Victoria Police's business case for increased workplace flexibility:

> *Improved access to workplace flexibility, including the implementation of a parental leave backfilling capability for Police members and greater support for managers in driving access to flexible working arrangements, has the potential to benefit all Victoria Police employees, but in particular women who are disproportionately impacted by a lack of workplace flexibility. Improved workplace flexibility has downstream benefits for Victoria Police, as it will enable the attraction of more women, increasing the number of women in our leadership pipeline.*

The strategy acknowledges that there are actual and perceived disincentives to advertising positions flexibly. The strategy commits to 'remove these barriers and support the Victorian Government's commitment to "All Roles Flex"'. This reflects the Victorian Public Sector Commission's (VPSC) commitment to implement an 'all roles flex' approach across the Victorian Public Sector by the end of 2016.

To support the implementation of the 'all roles flex' commitment, the VPSC released a set of guiding principles to mainstream flexibility across the VPS. These principles are:

- *Everyone's opportunity:* Everyone has the opportunity to embrace flexible work arrangements.

- *Right to request:* All employees have the right to request flexibility in their role, the types of which will differ from role to role.

- *All forms flex:* All forms of flexible working will be genuinely considered by manager and employee.

- *Organisational enablement:* Flexibility is enabled by organisational systems, processes and services (including access to technology).

- *Leadership:* Flexibility is led and role modelled by senior leadership.

- *Flexible implementation:* Arrangements will reflect different workforces, organisational arrangements and operational requirements across the VPS. Any arrangement should be reviewed on a regular basis.

In December 2015, Victoria Police undertook some analysis of what would be required to deliver on the VPSC's commitment to 'all roles flex'. The analysis noted that significant work had been undertaken to update the VPM policy, which reflects a strong commitment to workplace flexibility, as well as the work being done across the organisation to implement the recommendations from the Phase 1 Review. The analysis noted that the most significant challenge to embed flexible work across Victoria Police is the acceptance and consideration of managers and supervisors towards flexible work. It notes that one further practical step towards 'all roles flex' could be to further promote flexible work arrangements, for example through statements on all position descriptions and job advertisements.

Under the Action Plan, Victoria Police commits to a number of actions aimed at increasing workplace flexibility and sets out the baseline, indicators and outcome relating to the action.

Actions under the *Gender Equality Strategy and Action Plan* relating to workplace flexibility and parental leave

What we're doing	Baseline	Indicators	Outcome
We will ensure contemporary and agile workplace processes to support flexible working arrangement by introducing a parental backfill capability.	New initiatives Baseline to be determined	Development and implementation of model	Removing a barrier to equality and career progression
We will introduce a policy of organisational flexibility for all roles, with a requirement to justify '50/50, if not, why not?'.	Rate of positions advertised flexibly	The number of positions advertised flexibly and the percentage of uptake across the organisation	Workplace flexibility becomes an organisational standard
We will remove the disincentives for local work areas to increase flexible working arrangements by standardising policies and processes for the retention of additional hours within local areas.	New initiative Baseline to be determined	Development of policy and processes	Increase to the number of employees accessing flexible work arrangements
We will improve parental leave return and parental leave retention rates.	Rates of parental leave return and retention	Increase employee retention	Overall increase in employees returning from parental leave

Following the Phase 1 Review, Victoria Police undertook analysis to establish a baseline across a number of metrics. As relevant to workplace flexibility, the analysis identified a number of data gaps including:

- limited data regarding flexibility arrangements with no data on rejection of requests or reasons for refusal

- a lack of data regarding retention rates on return from parental leave, as any leave taken in conjunction with parental leave can alter the return to work date.

The report establishes baselines for the use of a number of flexible work options by employee type (Police, PSO or VPS) and gender. This includes use of purchased leave, leave without pay, parental leave and study leave.

It also establishes baselines for flexible option use for:

- non-management/supervisory police and PSO

- management/supervisory police and PSO

- non-management/supervisory VPS

- management/supervisory VPS.

The baseline datasets also capture parental leave retention rates at one, two and five years.

The Audit understands that these data, along with other datasets relating to gender equality, will be gathered and reported on a six-monthly basis. This will be reported on a whole-of-organisation, Region/Command/Department, and Divisional level. The Audit understands that the report against the baseline data will be distributed to Region/Command and Department heads. Data reporting by rank/classification, employee type and location is available to all employees through the HR portal and has been since April 2010. It is unclear whether this extends to datasets relating to workplace flexibility.

The Audit notes that staff are able to request datasets directly from HRD, which will also provide guidance in understanding the relevance of the datasets to their work.

The Audit notes that a Gender and Diversity Dashboard has been developed, which reports on six datasets. As discussed below, none of the six datasets relate to workplace flexibility or parental leave uptake.

Findings

'All roles flex'

The Phase 2 Audit notes that there is no detail yet in the *Gender Equality Strategy and Action Plan* as to what is necessary or what action will be taken to get Victoria Police to 'all roles flex' as defined by the VPSC. Further clarity is needed across this action, including the data that will be collected to assess progress (as detailed below).

As Victoria Police has acknowledged, moving to a culture where working flexibly is business as usual – as is the stated goal of the VPSC – will take further work beyond strong policy settings, and requires a deeper understanding of the barriers to workplace flexibility. The Audit notes that it heard that there was a perception that barriers to flexible work uptake are greater in sworn roles than VPS roles.

> *Positive things are happening. But it might just happen in pockets. It is not always filtering across – it is considered easier for VPS, rather than sworn employees.*
> – **Internal interviewee**

> *VPS would definitely have a stronger workplace flexibility arrangement than our counterparts … You would be lucky if 1 per cent of males utilise workplace flexibility in some workplaces. I do not know if we do not promote them but those are things that we can continue to improve. Also there are perception issues – that it is easier for people in a corporate environment to have flexible workplace arrangements than someone on the van.*
> – **Internal interviewee**

The Audit also notes a commitment under the *Gender Equality Strategy and Action Plan* to 'standardising policies and processes for the retention of additional hours within local areas', in order to address a barrier to flexible work. The Audit notes Victoria Police's analysis that this has been a major barrier to local managers supporting workplace flexibility, which stated:

> *Anecdotally, at Victoria Police managers have been known to resist the implementation of flexible work arrangements such as part-time hours in regional operations because it is difficult to maintain shift requirements when individuals are not available for the full shift. More often than not, it is believed the regions end up losing the balance of the hours.*

As noted both in the Phase 1 Review and the VPSC guiding principles, senior leaders need to role model and normalise flexible working arrangements. The Audit heard that a number of senior leaders do utilise flexible work arrangements (for example, working from home or flexible hours), while noting that there are few senior leaders who work part-time. The Audit notes that Victoria Police's own analysis shows that male Assistant Commissioners are the highest users of the workplace flexibility entitlement of purchased leave.

There is still a huge way to go to encourage men to take parental leave at Victoria Police. To do this, we need more examples of male employees who have taken parental leave and have continued to meet their individual career goals. When more male employees take flexible work arrangements it will normalise a culture of work/life balance. – **Internal interviewee**

I came in late this morning because I had an appointment for my son. Everyone knew I could not attend a [function]. I emailed it through and everyone knew I was attending a school visit. It is not particularly notable but it gives people an appreciation of what can be done. – **Internal interviewee**

I am different because I have school age kids. I have myself purchased an extra two weeks' leave each year. I am leaving early [for family obligations]. I have long done that … I also now see many of my colleagues, particularly those with young family members choosing to be more flexible around balancing work and family commitments. – **Internal interviewee**

The Audit heard that further work was required to communicate that staff, including senior leaders, are embracing flexible work arrangements.

There are issues around identifying barriers. A key part of it is for people at my level to model flexibility. We need to make sure staff know about it. – **Internal interviewee**

[We] have been recovering some of the positive stories – like flexible working hours. Those little stories are the most powerful – people want to hear about that. Everyone is thinking of these big bang wins but let's just get the little wins out there because they are the things we can build upon. – **Internal interviewee**

The Phase 1 Review identified this as a critical area for effective communications, and noted the growing body of examples of this across the VPS from which Victoria Police can draw. The Audit has not observed any instances where senior leaders' flexible work arrangements have been spotlighted or celebrated through communications activity.

Data collection and monitoring

As noted in Chapter 4, Victoria Police has undertaken analysis to inform baseline data requirements. As noted above, this baseline includes datasets on a number of workplace flexibility options. However, the Audit understands that data are not captured as to:

- time in lieu and flex-time arrangements
- work-from-home arrangements
- job sharing.[2]

The Phase 2 Audit also notes that current data collection at an organisation-wide level does not report on uptake of flexible work arrangements by Recruits or Probationary Constables.

Victoria Police has noted that current systems do not capture reasons for refusal of applications for workplace flexibility. The Audit understands that work is being undertaken to introduce the functionality required to record and report on reasons for declining an application. Beyond this, the Audit did not receive any evidence to suggest that any additional datasets will be captured going forward as relevant to workplace flexibility.

Guidance going forward

'All roles flex'

Further analysis is required to understand the barriers to the uptake of flexible work options, with a focus on any barriers to flexibility from a systems, processes and services perspective. This analysis should consider the broad range of contexts across the organisation, in recognition of the diverse range of roles undertaken. It should also consider the different barriers depending on gender, rank and role type. Once these barriers have been identified, Victoria Police can consider options and costings for reducing and, where possible, eliminating existing organisational barriers.

The Phase 2 Audit reiterates the guidance provided in the Phase 1 Review about the importance of showcasing and highlighting flexible work arrangements. The Audit notes that the VPSC toolkit for public sector organisations provides a model high-level communication plan to assist in embedding an 'all roles flex' approach. This plan involves a range of tactics to encourage managers and employees to have discussions about flexible work arrangements. It includes an announcement from the head of the organisation that formally communicates the move to 'all roles flex'. This is then followed by further communication from the Departmental heads both to employees and specifically to managers and supervisors, to ensure they understand their obligations.

The Audit suggests that Victoria Police consider a similar approach, starting with communication from senior leaders, making clear the organisation's commitment to 'all roles flex', and cascading down to leaders at more local levels. In addition to the guidance from the VPSC, these communications could include reference to the fact that a number of senior leaders already utilise flexible work arrangements. Complementary communication activity could involve profiling these senior leaders.

A move to best practice and the vision articulated by the VPC could also include a clear statement that flexible work arrangements can be considered for any reason, with the focus on being whether the arrangement can be reasonably accommodated rather than a value judgment on the reason flexibility has been sought. This would include enabling flexible work arrangements for reasons beyond the list of circumstances in which an employer is legally obliged to consider the request.

Data collection and monitoring

As noted in Chapter 4, the development of the Gender and Diversity Dashboard is a positive development and will assist Victoria Police in monitoring its progress across a number of indicators. The Phase 2 Audit notes that, as currently configured, none of the dashboard's datasets relate to workplace flexibility. The focus is currently on promotional pathways and workforce composition. Given that the dashboard is designed to be the key tool for reporting back to Commands and Departments and through the Compstat forum, a greater focus on workplace flexibility would assist in ensuring accountability across these key metrics.

As explored in Chapter 4, the performance framework under the *Gender Equality Strategy and Action Plan* captures limited data on workplace flexibility. As currently scoped, the only baseline data collected and measured under the Action Plan will be return rates from parental leave. For the action of moving to 'all roles flex', the baseline of 'number of roles advertised' will not enable measurement of the proposed performance indicator, which also considers the uptake of flexible roles across the organisation. This metric requires further clarity given the broad range of arrangements that constitute working flexibly. The Audit suggests that the Action Plan could identify the key baseline datasets for a range of key flexible work arrangements, and measure the change across these key datasets. The Audit reiterates the need to improve the clarity of metrics under the Action Plan.

The work undertaken by Victoria Police notes that the rate and reasons for men not accessing parental leave are not currently captured. Victoria Police notes that it is not always known when an employee's partner gives birth, and suggests these data be best captured through a survey. The Audit agrees that this could be an effective and practical way of gathering these data, and suggests that Victoria Police consider an existing survey mechanism for this to be captured (such as the People Matter Survey).

I think this shift in thinking is enormously positive in the organisation. You certainly see more part-timers now. With the constant promotion of VEOHRC, if nothing else, it encourages people to ask the question and have a conversation with their boss around flexible working arrangements and work from home. In the VPS, the expectation is that the first answer should never be no. Management is required to think about what the work requirements are, and acknowledge that happy workers work better. **– Internal interviewee**

Uptake of workplace flexibility

The scope of the Phase 2 Audit did not include assessing any changes in the uptake of workplace flexibility arrangements, given that key changes were not embedded at the time of data collection. However, the Audit notes that a number of expert interviews discussed uptake of flexible work and the impact of the Phase 1 Review in encouraging greater uptake of entitlements. These insights suggested that the Review and subsequent focus on workplace flexibility has supported employees to uptake their flexible work arrangements.

The work [around flexible work] is definitely heading us in the right direction in terms of the ability to change that and make it easier to progress and be promoted and be treated equally in the workplace … It's positive that the organisation recognised there's an issue and is accepting of all the recommendations and are making sure it's all implemented. It's changing, but it's going to be a slow change. **– Internal interviewee**

With regards to modelling flexibility in the VPS space, this is easier and I haven't seen any instances where people haven't been allowed to take up flexible work where they want to. I am seeing more staggered start time, job sharing, working from home and so forth. We are becoming increasingly flexible including allowing greater flexibility of locations. **– Internal interviewee**

Changes to the uptake of flexible work will be further assessed in the context of the Phase 3 Audit, including through the organisation-wide survey.

Parental leave backfill

Overview

In December 2016, Victoria Police secured funding for a parental leave backfill program, as part of the broader Community Safety Statement package. The additional funding was based on a proposal for 219 Police and seven PSOs, which would enable Victoria Police to backfill vacancies resulting from parental leave.

Following the funding announcement, Victoria Police commenced work on establishing a model for the backfill program. At the time of writing, the model was subject to consultation with the Police Association Victoria prior to final approval.

As scoped, the program will be inclusive of all paid and unpaid primary caregiver leave, as well as alternate duties. The program will not apply to secondary caregiver leave, although this may be considered in later stages of the program.

Other forms of leave often taken in conjunction with parental leave, such as recreation leave and long service leave, are also within the scope of the program.

Given the range of different contexts across which the program will operate, Victoria Police has developed a program with four customised models. The four models cover four different workplace scenarios. The proposed operation of the program is summarised below.

Victoria Police's parental leave backfill program

The parental leave backfill program will enable Victoria Police to provide backfill capacity to Police and PSOs. The program will operate in four different ways:

- **Operational General Duties:** Parental leave positions will be created at the police station of the parental leave absence. Positions will be created and filled as core positions; however, they will not be an ongoing part of the area's funded profile. Upon the member returning from parental leave, the member occupying the parental leave position will be transferred to the next available core vacancy at that work location. If the parental leave absence is at a police station that has a low turnover, the parental leave position will be created at the closest or more central 24-hour police station with a higher turnover. In this scenario, the initial parental leave absence at the smaller police station will be filled through temporary duties from the larger station.

- **Regional Operations (non-general duties):** Parental leave positions will be backfilled through temporary duties, as a development opportunity for existing members. A core operational general duties position will be created and filled to backfill the subsequent absence created by the officer taking up the development opportunity. This will be done through the model set out for operational general duties roles, with the member who occupies the parental leave position given the next available core vacancy. This will occur once the member on parental leave returns to the workplace and the member backfilling their position has returned to their core position at the station. This model will apply to non-general duty operational roles, such as Criminal Investigation Units, Highway Patrol, and Sexual Offence and Child Abuse Investigation Teams.

- **Specialist Commands and Corporate Departments:** A fixed number of police will be provided to Specialist Commands and Corporate Departments that experience a large and consistent number of parental leave absences. Commands and Departments with a lower and less consistent number of parental leave absences will be case managed. This is due to the specialist nature of the duties and training requirements to perform the roles.

- **PSOs:** A fixed number of PSOs will be provided to Transit and Public Safety Command to backfill parental leave absences.

The implementation of the parental backfill program will be phased over two years commencing from June 2018. In the first phase of the rollout, the program will only apply to primary caregivers on paid parental leave. The Audit understands that in the early stages, preference will be given to small work units where the absence has a significant impact on service delivery and remaining staff, or where there are multiple parental leave absences from a work unit at a given time. The initial rollout will not apply to alternate duties due to resourcing limitations, but the Audit understands it will extend to alternate duties in the later phases of the rollout.

As of 30 June 2017, Victoria Police has identified the key next steps required to operationalise the model. This includes further stakeholder consultation, developing clear policies and procedures to underpin the model, a dedicated communications strategy, and mechanisms for data capture and reporting. An options paper will be developed with further detail on the establishment and implementation of the model.

Findings

The Phase 2 Audit notes the significant progress towards the establishment of a parental leave backfill program, including Victoria Police's efforts to successfully secure significant government investment. The introduction of the backfill represents an important step towards reducing the barriers to workplace flexibility and addressing sex discrimination in the workplace.

> *I think there has been some significant change that is beginning to come from this work – the backfilling of parental leave is one. The lack of cover for parental leave was a significant structural barrier to other police officers feeling comfortable about someone taking parental leave. This should help to address that.* – **External interviewee**

The Audit notes the considerable thought that has been given to scoping a model that will not only deliver backfill capacity but enable professional development opportunities. The Audit welcomes the tailored approach that will see the model operating in four different ways across different work environments.

In scoping the program, Victoria Police assessed the proposed option under the Phase 1 Review to create a 'reliever pool'. However, this option was found to not be viable due to the Enterprise Bargaining Agreement and the costs of moving people on a temporary basis. The Audit supports Victoria Police's proposed model as one that meets the intent of the recommendation while being cognisant of Victoria Police's operating and industrial context.

As Victoria Police has acknowledged, the bid to government was an estimate based on data available at the time and will not be sufficient to deliver a full backfill capability. As a result, alternate duties will not be captured within the initial rollout of the program. The Audit understands that Victoria Police is currently investigating other options to cover the shortfall, including reprioritisation of funds currently set aside for Leave Without Pay funding. The Audit notes that further government investment may be required in order to fund the additional positions and cater for continued growth, especially as the number of female employees continues to increase.

The Audit reiterates the importance of providing backfill where a pregnant employee is unable to carry out ordinary duties given the discrimination and negative experiences women reported in the Phase 1 Review. As long as backfill is not provided to pregnant employees undertaking alternate duties, there is a risk that discrimination and poor treatment of pregnant employees will continue.

Guidance going forward

Rollout of program

The program will commence rollout from 1 July 2018 with a phased approach. The Phase 2 Audit notes the importance of clear policy guidance to ensure that managers and supervisors understand the necessary steps to access the program. This may be through the Workplace Flexibility Policy or a separate standalone policy that links to the broader policy framework.

Given the various assumptions built into the program and its four models, the Audit notes the importance of monitoring and analysis of the implementation. The Audit notes that an evaluation plan is yet to be devised, but suggests this be in place prior to the rollout of the program with a plan for early evaluation of how the four models are operating and suggesting necessary changes to the models going forward. The Audit notes that the rollout of the parental leave backfill program will form part of the six-monthly public reporting by the Community Safety Trustee.

Summary of guidance going forward

Workplace Flexibility Policy

The Phase 2 Audit recommends that the following changes be made to the VPM policy and associated guides, checklists and forms:

- Policy and associated tools are updated to provide guidance on assessing applications for flexible work under both the Equal Opportunity Act and Fair Work Act.

- Policy and associated tools make it clear that the obligation to report pregnancy is not mandatory, but instead encouraged based on the employee's decision, informed through specific information about the risks that their roles may pose to their pregnancy.

- The policy and associated tools are reworded to make it clear that the primary basis of the risk assessment is the medical practitioner's advice in light of any identified risks in the work environment. The policy should clearly articulate, to avoid doubt, that the manager is to rely on the advice of the medical practitioner rather than make a subjective assessment as to how the work may pose a risk to the employee or the employee's pregnancy.

- The VPM policy and associated tools are amended to change language from 'unborn child' to 'employee's pregnancy'; clearly set out the ability to lodge a grievance under the Grievance Policy; and are reviewed to determine where interpretational guidance would assist (including tools for employees who are seeking to utilise the policy).

- Separate guides for medical practitioners and for pregnant employees are created for non-operational police, VPS employees, and Protective Services Officers and Police Custody Officers.

- Protocols for staying in touch while on leave are clearly marked as optional for the employee.

- Policy and tools provide greater guidance on assessing applications for flexible work in the context of unconfirmed Constables and Recruits, and for job share arrangements.

Strategy, data collection and monitoring

- Victoria Police should undertake analysis of barriers to uptake of flexible work, across various operational and non-operational contexts and by gender, rank and role type. This would include analysis of barriers to job share arrangements, which could inform the current work on considering an organisational policy on job sharing.

- Once a deep analysis of barriers is undertaken, Victoria Police should create a costed options paper on reducing and, where possible, eliminating existing organisational barriers to flexible work. This could include further work to provide details as to what will be necessary to standardise policies and processes around the retention of additional hours within local areas.

- Victoria Police should implement a communications strategy to signal the move to 'all roles flex', and provide clear details on how employees can apply for flexible work arrangements. This should include a clear commitment to flexibility from the Chief Commissioner and other senior leaders.

- Further work should be undertaken to capture data on flexible hours and work-from-home arrangements, including for Recruits and Probationary Constables

- Key workplace flexibility datasets should be added to the Gender and Diversity Dashboard and embedded into Compstat and organisation-wide reporting

- The baseline and metrics under the *Gender Equality Strategy and Action Plan* that relate to workplace flexibility should be clarified and updated.

- Victoria Police should identify a survey mechanism or similar to measure the uptake of parental leave by men and men's reasons for not taking parental leave.

Parental leave backfill program

- Victoria Police will need to source or reprioritise further funding to ensure that the backfill covers alternate duties, and that these duties are captured as soon as possible in the program's rollout.

- Victoria Police should ensure an evaluation framework is in place from the point that the backfill is implemented to ensure that the various assumptions underpinning the model are valid, and any necessary changes to the program can be made in its early stages.

Endnotes

1   The guide notes that managers and employees should not 'make inappropriate comments such as "see what happens when you employ women" or referring to the need to accommodate a pregnant employee or an employee with parental responsibilities as "messing up the roster"'.

2   The Phase 2 Audit notes that this is not currently a formal flexible work option within Victoria Police. However, as noted above, there are people currently accessing job share arrangements and these are not being reported through human resource data.

Chapter 9: Promotional pathways for women

Key findings

- Victoria Police has progressed significant work to improve the promotional pathways for women across the organisation. This work has included the first '50/50, if not, why not?' audit of all roles across Victoria Police and gender disaggregated data analysis of each rank and role to inform the baseline for measures against the *Gender Equality Strategy and Action Plan*.

- The first 50/50 audit identified work units and roles types representing low numbers of women across the organisation. A number of barriers were identified to women applying for higher and specialist roles, including a lack of access to upgrading and secondment opportunities, internal mandatory qualifications and training, and non-compulsory formal learning opportunities including specialist and management courses. This considerable work and analysis by Victoria Police is commended by the Audit.

- The Phase 2 Audit notes that there may be backlash towards measures to improve promotional pathways for women, and emphasised the need for a robust organisational business case for change that articulates why gender equity across all roles is vital for the organisation's capability.

Phase 1 Review findings

The Phase 1 Review found that career progression for women within Victoria Police was significantly impacted by gender inequity in the organisation's promotional pathways. The Review reported that gender inequality and hostility towards women are critical drivers of sexual harassment and sex discrimination, and noted that these drivers were reinforced by the promotional processes of the organisation.

The Phase 1 Review reported on systemic discrimination among both the sworn and Victorian Police Sector (VPS) personnel. Data analysed by the Review showed disproportionately low representation of women in leadership, executive and supervisory roles, with varied levels of women across different workplaces and Regions. Significantly, the Review found that although 67 per cent of VPS staff were women, the majority of these were in VPS 2 and VPS 3 roles with limited opportunities for career progression. The Review reported that VPS employees were seen as support staff and were provided limited options for professional development and opportunities to build skills. Protective Services Officers (PSOs) had very low numbers of women overall, representing only 9 per cent of PSO officers and 13 per cent of all supervisors.

The Review found that women were not applying for promotions or transfers because they had low levels of confidence, limited role modelling of women in leadership roles, poor experiences of the treatment of women within the organisation and were aware of the stigma around accessing flexible working arrangements.

The promotional process for sworn officers within Victoria Police requires consideration of a candidate's 'efficiency' within the meaning of the *Victoria Police Act 2013* (Vic), without having regard to their relative seniority to other candidates for promotion[1] unless the promotion is for the position of Senior Constable,[2] or if there are multiple candidates for a Senior Sergeant, Sergeant or Senior Constable role and the candidates are equally efficient.[3] Selection for transfers between Divisions is guided by the *Victoria Police (Police Officers (excluding Commanders), Protective Services Officers, Police Reservists and Police Recruits) Enterprise Agreement 2015* (the Sworn Agreement), which provides for an expression of interest process to fill ongoing, full-time police positions below Sergeant rank. The Review found that the expression of interest process disadvantaged women as it only allowed for full-time transfers and did not allow for part-time or flexible applications, unless the applicant applied for a full-time role and successfully negotiated a part-time position.

The Review heard that employees within the organisation perceived unethical factors contributing to recruitment processes. It noted that the organisational culture had a significant impact on the promotional process, and that a lack of organisational accountability and monitoring around recruitment meant that it was unclear whether appropriate processes based on merit were followed. As detailed in Chapter 12, the Phase 1 Review found that the organisation continued to value time in position over people management skills and operational skills, despite it being explicitly disallowed for consideration in the promotion of most ranks by the Victoria Police Act.

The Review noted that experience and access to professional development were critical in supporting the advancement and promotion of employees, but that women were disadvantaged in their ability to gain access to these opportunities. Workforce data for both sworn and VPS positions demonstrated that women were given proportionately fewer positions acting in higher roles. The Review found that this was a combination of both a culture of sex discrimination within the organisation as well as limited opportunities for career enrichment training due to the full-time, central and inflexible provision of training for employees, as discussed in Chapter 10.

The Review found that the Sworn Agreement's clauses on the promotion and pay progression had a disproportionate impact on women, parents and carers, as they stipulate that progression relies on the employee working for a 12-month, full-time period before being considered for progression. This had a particular impact on women who took parental leave.[4] The Review noted that the Agreement contained an exception to the rule, providing an employee with discretion to allow progression in circumstances where a person demonstrated suitability for progression but had not received 12 months' salary,[5] but found that it was not clear if managers and supervisors were aware of the provision or how to utilise it.

Based on these findings, the Phase 1 Review made a recommendation aimed at improving promotional pathways for women across all ranks, with a focus on identifying and addressing barriers to progression.

Victoria Police review and improve arrangements relating to promotional pathways for women including:

- through central and localised Equity and Diversity strategies and work plans, regularly review gender disaggregated data relating to key promotion criteria on who is accessing upgrade and transfer opportunities

- training to be developed by People Development Command about utilising clause 63.6 of the Agreement (clause 65.12 of the 2015 Agreement)to allow progression for Constables who have taken a period of unpaid parental leave and do not have 12 months' salary payment at their current progression point, but otherwise meet the performance and capability criteria for promotion

- designing and implementing employee career planning and support, which includes clear pathways and support for women to pursue professional development and training in leadership and non-traditional roles and formal sponsorship

- under academic governance guidance, reviewing the Senior Management Leadership Program and learning support mechanisms to ensure alignment with the contemporary requirements and needs of women for leadership.

Intent of the recommendation

The Phase 1 Review intended that Victoria Police create internal mechanisms to ensure that opportunities for promotion were improved for women in the organisation. This would include the review, design and implementation of career planning and support that includes pathways for women to pursue professional development, training and promotional opportunities. These reforms would rely on interlinkages with other bodies of work delivered under other recommendations within the Review. This includes data collection relating to upgrades and transfers under the gender performance framework and annual monitoring plans created as part of the whole-of-organisation Gender and Diversity Vision and Strategy (now known as the *Gender Equality Strategy and Action Plan*) and local work plans under Recommendation 3 (detailed in Chapter 4) and the development of central strategies to promote gender equity and diversity.

These data would be utilised to identify obstacles to upgrade and transfer opportunities for women across the organisation, with measures in place to respond to hurdles and blockers in the promotional pathway when they are identified. The data would also form part of the key performance measures set out under the Action Plan against Recommendation 3. As detailed in Chapter 4, the development of clear measurement frameworks are critical to ensure accountability, measurement of progress and iterations of work programs where data shows a reform measure is not effective.

Under the Phase 1 Review's action plan, it was envisaged that women's access to upgrading and training opportunities at all levels would be proportionate to their overall workforce representation within 18 months of the commencement of implementation, with 50 per cent of upgrade and transfer opportunities accessed by women within three years.

The Phase 1 Review envisaged that this work would be supported by a '50 per cent women/50 per cent men: if not, why not?' audit in partnership with the Deployment Unit and local management (Recommendation 3).

Indicators of successful implementation

Increased visibility and accountability for improvements to women's career progression

- Central and regional equity and diversity strategies exist, which are tailored with reference to relevant demographic data to allow for the measurement of progress in women's career progression across a broad range of indicators.

- Gender disaggregated data on local workforce composition by rank/level and service is collected and regularly monitored and reported on through a dashboard or similar to understand the blockers in women's promotional pipeline. This includes data on promotions, including application, shortlisting, success rates and appeals, and data on access for upgrade and transfer opportunities.

- Mechanisms are in place to ensure that data through the *Gender Equality Strategy and Action Plan* is used to identify interventions and programs to reduce promotional barriers for women (in addition to those specifically noted in the Phase 1 Review).

Proactive steps to improve women's promotional pathways through targeted professional development strategies

- Promotional pathways are reviewed, with barriers to women's promotion identified. This occurs for all workforces (sworn, PSO, VPS).

- Based on barriers identified, targeted strategies are scoped and implemented to fast-track and support women's promotional pathways (noting options set out in Phase 1 Review). This includes training in leadership, and in non-traditional roles, as well as formal sponsorship.

- Mechanisms for reviewing the effectiveness of targeted strategies are embedded in the design and implementation of all strategies.

- Communications tactics are employed across all targeted strategies, to ensure that the rationale for the strategies is well-understood and that employees are aware of available opportunities.

Content of leadership programs reflects contemporary organisational requirements and align with the needs of women across the organisation

- Key leadership courses are critically reviewed and, as necessary, redesigned to reflect contemporary organisational requirements (including changing capability) and to support women's continued advancement.

- Key leadership courses build knowledge, understanding and management capability around gender equity and respectful workplaces, as a core learning requirement.

- The development of further training is overseen and guided by specialist gender expertise, including through the Academic Governance Board.

- Mechanisms are put in place for redesigned leadership programs to be monitored and evaluated to understand whether barriers are being addressed.

- Mechanisms are in place to monitor women's access to leadership training, with a view to tracking whether women's leadership is proportional to their representation across the workforce (at 18 months) and eventually at 50 per cent of all senior management training opportunities (at three years).

- Mechanisms are in place to ensure that where there is not a sufficient pool of women to draw from in providing opportunities, managers are accountable for identifying and nominating women with demonstrated potential.

Improved gender equality in applications and selections

- A target of '50/50, if not, why not?' for application and selections, including promotions and transfer opportunities, across all roles is established and clearly articulated.

- A mechanism exists to undertake the '50/50, if not, why not?' audit and analysis across all application and selection process, with a clear line of accountability.

- A mechanism exists for analysing the results of '50/50, if not, why not?' audits and to ensure that outcomes of the analysis are used to inform strategies, programs and ongoing changes.

- The rationale for '50/50, if not, why not?' is understood and well-articulated across the organisation.

Increased understanding and uptake of the exception clause around progression for Constables

- A review of employee knowledge and uptake of clause 65.12 of the 2015 Sworn Agreement is undertaken.

- Informed by this review and through specialist expertise of Academic Governance Board, education on the availability and use of clause 63.6 is included in organisational training for managers and supervisors.

- Communication tactics are employed to increase awareness of entitlements under clause 65.12, particularly targeted towards managers and supervisors.

- Mechanisms are put in place to ensure the use of clause 65.12 is monitored and reported upon to demonstrated effectiveness of changes and training.

Summary of key activity to date

As at 30 June 2017, Victoria Police has worked on the following project work to improve the organisation's promotional pathways for women:

- analysis of baseline data to establish the performance monitoring framework measuring the *Gender Equality Strategy and Action Plan*, including data on transfers and higher duties and training opportunities.

- commencement of 50/50 Audits of Sworn Applications for Transfer and Promotion

- an environmental scan of practices in other policing jurisdictions, private and public sectors to shape the work of the organisation in improving professional development opportunities for women

- development of a model for career support, mentoring and sponsorship for women in Victoria Police, including pilot programs and an evaluation process

- implementation of pilot leadership programs.

Audit findings

Data collection and reporting

As detailed in Chapter 4, Victoria Police has created a *Gender Equality Strategy and Action Plan*. One of the measures in the plan is targeting bias in recruitment, transfer and promotions under the principle of '50 per cent men, 50 per cent women: if not, why not?' to increase the number of women applying for positions. The indicator for the success of this pathway is a percentage increase in female applications, with an outcome of embedding gender awareness into recruitment processes.

The data collection establishes a baseline for the gender composition across the organisation by employment type. A baseline for the transfer and promotion of employees has been established by employment type, rank and grade and gender. Data collection has also commenced measuring participation in training, development and mentoring programs by gender.

A number of limitations to the collection of data were noted by a Victoria Police analysis of data gaps, including a lack of reporting mechanisms to measure applications for development opportunities. It also noted that the organisation did not have the ability to collect structured data in order to measure applications for transfer, promotion and appeal disaggregated by gender. There were also no structured data that measured the progress of applicants through the recruitment process from the point of making an application, whether they are selected for the panel process, to the outcome of an application.

Victoria Police has commenced tracking gender equality into metrics reports run at both the organisational and Command level. The Phase 2 Audit understands that these data will be accumulated every six months with reports distributed across the organisation and to Divisional Commands. The Audit notes that the reporting templates have been built around progress indicators established by the Phase 1 Review, such as proportions of women in ranks across the organisation.

In addition to these data collection, a Gender and Diversity Dashboard has been created that will be used in the Compstat reporting process, which is held every six months and brings together leaders at the level of Inspector and above with a focus on interrogating data across a range of operational and organisational metrics. It is noted that some datasets cannot currently be collated, such as in the selection process detailed above.

While data collection in relation to the 50/50 audits is planned to continue, the Audit has not observed forward planning for the continuity of this work at regular intervals.

Findings

Establishing a baseline

As detailed in Chapter 4, Victoria Police undertook an analysis of baseline data for the organisation to measure and report its progress in improving gender equality. The methodology included an analysis of the composition of the workforce including Police, Forensic Officers, Police Custody Officers, Police Medical Officers and VPS staff, and the incorporation of a broad range of organisational data inputs to measure the progress towards greater gender equality within Victoria Police.

As discussed in Chapter 4, work plans created under the Gender Equality Strategy have yet to be comprehensively and uniformly rolled out. Now that the *Gender Equality Strategy and Action Plan* has been launched and the work plans are to be developed, this direction as to the inclusion of key measures of women's career progression needs to be provided in the rollout of the local work plans.

Regular reporting

As set out in the Phase 1 Review, women's access to upgrading and training opportunities at all levels should be at least proportionate to their workforce representation within 18 months of the commencement of baseline data collection, and 50/50 within three years. The Phase 2 Audit notes that the 18 month mark falls at November 2017. The Phase 1 Review intended for 50/50 audits to be ongoing to measure the progress of the organisation in achieving gender balance across all roles, and it is critical for this reporting and analysis to continue until gender balance is reached.

Guidance going forward

- Victoria Police should identify mechanisms to ensure that structured data relating to the promotional process is disaggregated by gender and analysed, including applications for roles, selection panel processes, and successful candidates, and that this is included in the collection of data under the *Gender Equality Strategy and Action Plan*.

- Once mechanisms for collecting this structured data are established, it should form part of the reporting for both the Compstat reports.

- Victoria Police should ensure that forward planning is undertaken to ensure the continuity of 50/50 audits. The Phase 2 Audit notes that these data collection and reporting is critical to identify Divisional Commands where women are applying, progressing through the application process and are being awarded roles at consistently lower rates than men.

50/50 audits

Overview

Victoria Police has developed a methodology and principles to guide the 50/50 audits. The principle of the 50/50 ratio is stated as:

> *(A)n ideal state where no member is defined or limited by gender with relation to career progression. In support of that ideal:*
>
> – *All employees receive fair and consistent treatment and have unequivocal access to freedom of choice in the pursuit of opportunity and in applying for transfer or promotion*
>
> – *All managers are flexible in creating alternative pathways for progression that meet the needs of employees whilst maintaining service standards*
>
> – *All workplaces are free from all forms of disadvantage and bias associated with gender stereotyping*

In preparation for the first 50/50 audit, a survey was distributed to local management representatives across all Departments and Regions who advertised positions during the 2016 calendar year to identify their approaches and attitudes to recruitment processes. The survey had a total of 149 respondents across all Regions and Departments, with 83 per cent of panel members being male and 48.3 per cent at the rank of Senior Sergeant. The average panel member sat on two to three selection panels a year. 14.1 per cent of panel members sat on five to 10 panels per year, and more than half of respondents reported they had sat on more than 15 panels throughout their career.

The survey asked panel members to report on the factors influencing their assessment of an applicant's efficiency. The most important consideration for respondents was the applicant's response to a scenario interview question, followed by the experience of the applicant, including the diversity of their experience and their time in position, followed by the applicant's motivations for applying for a position and the opinions of and discussion with the independent panel member.

When considering the seniority of a member, the panel members considered their time spent performing duties relevant to the role as the most significant factor, followed by their time spent in their current rank, and their time spent as substantive to position being filled. 14 per cent of panellists considered the registration number of the applicant, which identifies when they were sworn, and 27 per cent considered the time spent in their current position.

> *'[What] does Victoria Police value in defining success?' That is success of an individual. By that I mean is it just about good operational practice or do they value other skills, experience and capabilities. This stretches across a lot of things. For example, if you have been a family violence liaison officer, is that seen as being operational? I think there could still be a value judgement around that role as not as being as operational. The benchmark of success is still around time being spent as operational.*
> – **External interviewee**

Applicants were asked about the extent to which they agreed with a number of statements in the context of their role as owner of a vacancy. The majority (77 per cent) reported that they would like their work unit to reflect the diverse community they serve, and 62 per cent reported that they would try to select applicants from diverse backgrounds and walks of life.

Applicants reflected on part-time and full-time roles within their unit. 14 per cent said that full-time experience was more valuable to them, and 17 per cent said that they would avoid appointing a part-time applicant due to an assumed adverse impact on business requirements.

Finally, applicants were asked which initiatives would assist them to fill positions within their unit. More than half requested a flowchart or checklist to guide them through the process and guidance on how to provide feedback to applicants. Almost a third requested an online training session on how to make selections in line with the Phase 1 Review.

The first 50/50 audit was delivered in early 2017. Data collection relating to applications for transfer and promotion commenced in 2016. Four Regions and Commands, including the Southern Metropolitan Region, the Eastern Region, People Development Command and the Transit and Public Safety Command were analysed, as they represented a broad cross-section of Victoria Police. The limitation of data collection, as noted above, meant that the organisation had to undertake a manual review of each selection in these Regions and Commands for the designated period.

For sworn officers, the 50/50 audit identified the work units and role types where women are underrepresented in applications, identifying the Operational Safety Division within People Development Command and Security Services within the Transit and Public Safety Command as areas with particularly low numbers of women applicants (12 per cent and 7 per cent, respectively). Case studies reviewed by the Audit identified that an issue presenting barriers to these Commands was the nature of tactical and operational work as a barrier or disincentive to female applicants, but could not identify the drivers to these trends from available data.

The 50/50 audit identified that victim-centric roles such as those within Sexual Offence and Child Abuse Investigation Team's units had an overrepresentation of women applicants as proportionate to their representation in the organisation, and identified attraction to those roles as hours of work, investigation-based duties, and that case studies indicated that those roles requiring nurturing and educational functions made them more attractive to women than tactical and operational roles. The 50/50 audit noted that there are lower opportunities for promotion and specialisation options in these areas due to fewer vacancies for roles, and recommended that Victoria Police focus on targeted attraction strategies in specific work areas.

The 50/50 audit undertook an analysis of all ranks across the organisation, and noted that the applications for all higher ranks exceeded the percentage of women at the rank directly below them. The 50/50 audit identified that the main promotional barrier for women in the organisation was the progression from Constable or Senior Constable to Sergeant rank. The following barriers were identified for women at this progression point:

- access to upgrading options and secondment opportunities, with men accessing these at a disproportionately higher rate than women. It is noted that the local manager survey that reflected that 84 per cent of local management representatives saw length of service as very important or extremely influential on the success of their application

- access to internal mandatory qualifications, including pre-promotional training and exams

- access to non-compulsory advantageous formal learning opportunities, including specialist and management based courses.

For PSOs, the 50/50 audit found that women were extremely underrepresented in all ranks, but applied for promotional roles at a higher rate than their representations and were more likely to access higher duties roles. The 50/50 audit identified that a lack of representation was the most significant barrier to women in leadership positions at this rank, and identified that applicant attraction mechanisms were underway within the organisation.

The 50/50 audit looked to procedural and inherent barriers in the workforce impacting women's decisions to make applications. It referred to the findings of the 2015 People Matter Survey and the Pulse Check Surveys that showed that women in the organisation doubted that the merit selection process was transparent and unbiased, and were generally dissatisfied with transfer and promotional processes.

The 50/50 audit analysed the findings of the local manager survey identified the following barriers to applicants within the organisation who are women:

- identifying data triggering conscious and unconscious bias

- selection panel members' ability to understand, access and mitigate assessment of merit and conflict of interest

- unbalanced selection panel composition

- lack of access to flexible working conditions and part-time opportunities.

The 50/50 audit has recommended a review of the Transfer and Promotion Unit process to ensure procedural fairness. This would include a structured training program for panel members to improve their understanding of merit selection, cognitive bias and best practice, with a requirement that at least one panel member has completed the training until all panel members had participated. This would be accompanied by targeted communications to the Unit's members to increase understanding of fairness, transparency, merit selection and lack of discrimination.

[T]he messaging needs to be reviewed. For some reason, the central merit based processes around recruitment have been lost. That messaging got missed, and this has had a detrimental effect. A colleague and friend of mine was promoted … she is a fantastic person, but her merit has been called into question because she's a woman.
– Internal interviewee

Findings

The Phase 2 Audit notes that the first 50/50 audit represents considerable work and manual review of significant amounts of data and commends Victoria Police's dedication to this work. It notes that the 50/50 audit has identified the Regions and Commands subject to data collection where sworn women have less opportunities to promotion and specialisation options, and are underrepresented in higher roles. The 50/50 audit proposed a number of options for addressing these barriers.

The Audit also notes the critical importance of organisational messaging to create the business case for change. The Audit heard a number of reports during the expert interview process of staff backlash against building women's confidence and capability to apply for higher roles.

I recently ran panels for a Senior Sergeant job. Three women were panelled and they were clearly the best applicants given their operational and managerial experience. There were no female leaders in that workplace and the opportunity to compliment it with diverse thinking was a welcomed addition. After I appointed the female, the decision was appealed by a couple of males who thought I had only appointed her because she was a female. It went to review and they upheld my decision. There was an understanding through the process that diversity mattered, and that she was the best candidate for the job with an additional attribute, her gender. **– Internal interviewee**

The Audit emphasises the need, as reported in Chapter 5, to engage in organisation-wide communication that clearly articulates why gender equity in all roles across Victoria Police is vital for the capability of the organisation and the community.

Guidance going forward

- Victoria Police should work to ensure that future 50/50 audits include consideration of all Divisional Commands, Regions and Departments.

- Victoria Police should work to ensure that future 50/50 audits include data collection in relation to Police Custody Officers, VPS Executive roles, Executive Command roles, and VPS roles.

- The data collection through the audit process should include all stages of the selection process from application through to panel interviews and final offer.

- Victoria Police should progress the recommendations of the first 50/50 audit and assess on baseline data whether new attraction strategies and training for the Promotion and Transfer Unit are creating more opportunities for women in the organisation.

- Victoria Police should assess whether the training and promotional programs delivered under the organisation's new career development and support programs for women adequately respond to the issues identified by the first 50/50 audit relating to the lack of promotional opportunities for women in the organisation.

- Where data gaps, systemic issues or specific Regional, Departmental or Command based gender inequality issues are identified by the data collection, Victoria Police should ensure that robust analysis is undertaken to identify and treat the issue. For example, if a particular Divisional Command reports proportionately lower representation of female applicants for roles, work would be undertaken to identify the reasons for disproportionate representation in that particular Divisional Command and solutions analysed to meet the gender barriers identified.

Progression for Constables

Overview

A new enterprise agreement was committed to between Victoria Police and the Police Federation of Australia in 2015. Clause 63.3 under the previous agreement is now contained in clause 65.12 of the new Agreement. The Phase 2 Audit understands that Victoria Police has recently undertaken some early thinking around options for training managers and supervisors to utilise this clause.

Findings

The Phase 2 Audit reemphasises the findings of the Phase 1 Review that note the impact of the progression rules on employees who have taken unpaid parental leave in circumstances where the clause is not considered and the importance of raising management awareness to apply this clause. The Audit notes that opportunities may exist within the organisation's delivery of workplace harm training (detailed in Chapter 10) to managers and supervisors to include content on the interpretation and application of clause 65.12. It finds that it could be comfortably incorporated alongside the content in this training that has been envisaged to teach practical management processes to promote workplace diversity and gender equality, and increase understanding of flexibility in roles.

The Audit emphasises the particular importance of data collection for measuring the application of this clause to considerations for progression. Victoria Police might consider how data collection and reporting on the utilisation of clause 65.12 could be incorporated under the *Gender Equality Strategy and Action Plan* performance monitoring framework, which will report annually, or through the Compstat forum, which looks at a range of datasets relating to promotions. Further work may be required to enable data on the uptake of clause 65.12 to be captured and reported upon.

Guidance going forward

• Victoria Police should measure the current status of employee engagement and understanding with clause 65.12, including the development of a baseline that establishes how often the clause is utilised. Particular consideration should be given to how the organisation can improve employee knowledge of the clause so that staff can request that management consider it in their progression process.

• Victoria Police should consider the best mechanism with which to convey awareness of clause 65.12 to managers and supervisors responsible for considering progression of Constables. It may consider utilising the annual workplace harm training for managers and supervisors to include content on the clause and its application.

• Victoria Police should consider how it might monitor managerial use of clause 65.12 so that the organisation can understand its uptake. This may include an analysis of whether the organisation's data capturing process includes recording instances where progression has not been granted and the reasons for it not being granted.

Employee career development and support

Overview

Victoria Police conducted an environmental scan to look at models of career support in other policing jurisdictions, the public sector and the private sector. This included analysis of sponsorship, mentoring and leadership development programs, a literature review of academic research, and a review of programs and initiatives previously and currently utilised within Victoria Police.

The key findings of the scan are summarised below:

- Despite a focus on mentoring to support career development, academic research suggests that mentoring alone does not increase representation of women at senior levels.

- Key factors that impede women from reaching leadership roles include ineffective utilisation of professional relationships, continuing perception that male sponsors are preferable because of perceived capability and capacity, and unconscious bias at the Executive level when identifying employees to mentor and/or sponsor.

- Formal, transparent and merit-based sponsorship is incorporated with leadership development and networking and supported by visible Executive level support for the importance of gender equality is an effective mechanism to advance women to senior levels.

A number of key initiatives utilised by other jurisdictions to assist women's career progression were reviewed, as well as internal initiatives to progress women in the workforce.

The environmental scan proposed six separate pilot models for career support to be implemented in 2017. The pilot models were selected to represent best-practice career intervention models identified by the organisation's environmental scan, and include:

- a 12-month formal sponsorship program to commence in late 2017 for senior female Police members (five Superintendents and five Inspectors), with sponsors from the Command group. Participants will be selected on the basis of their performance and commitment to self-development

- a five-month women's leadership and sponsorship model run through a university PhD research project for 24 Senior Sergeants and 12 Inspectors sponsored by Superintendents and Commanders in group sponsorship sessions. The project concluded in July 2017, with an internal evaluation and a final report being delivered to Victoria Police in August 2018

- ongoing four-month Women's Leadership Programs run through the Australian Institute of Police Management for 24 Senior Sergeants and 24 Inspectors. The Phase 2 Audit was advised that by the end of 2017, 84 per cent of all female Senior Sergeants and 34 per cent of Senior Sergeants will have participated in the program

- a Command-level initiative partnering with the Transit and Public Safety Command focused on a top-down program of intervention in a traditionally male dominated area. This initiative includes a bystander intervention program, a Command-level women's network and a mentoring program. Elements of this program have been rolled out incrementally between September 2016 and July 2017

- local-level initiative 'Investing in a Professional and Equitable Work Environment' developed by two Sergeants with a framework that includes a women's network, workshops and strategic development.

The briefing paper was presented to the Academic Governance Board in late 2016, and the Board supported the model proposing five separate pilots.

In early 2017, a briefing paper went to VEOHRC Review Implementation Steering Committee (VRISC) setting out a career support framework for women including centralised programs and a devolved local-level model. The following principles were established in the briefing paper to guide organisational best-practice requirements for increasing representation of women in leadership:

- long-term, visible and active commitment from the most senior levels
- practices that are a part of core business objectives are measured and reported
- broad-based approaches beyond training development, encompassing system, process and culture change.[6]

The briefing paper set out the proposed pilots detailed in the environmental scan as well as a number of publicly available leadership programs. The briefing paper set out an individual evaluation methodology to include participant feedback and self-assessment, sponsor feedback and analysis. The PhD project will include an evaluation that includes analysis of psychological questionnaires and participant interviews.

The briefing paper notes that the evaluation of these pilots will not be available until early 2018, and proposes that the framework will be progressively developed as each pilot is evaluated. The methodology was endorsed by VRISC, with support provided for the pilot programs.

Findings

Victoria Police are engaging with a wide range of models to improve leadership and career development opportunities for women in the organisation, and the Audit commends its commitment to piloting a number of different programs to progress women. The Phase 2 Audit notes that successful piloting of models for career support requires careful analysis of their success rates, as compared to a control group of women who do not receive career support within the organisation, to provide reliable baseline data on which to assess the effectiveness of the program. This work may benefit from engagement with the Australian Defence Force, noting that a number of different leadership development and mentor programs were trialled and assessed by the Australian Army, Royal Australian Air Force and Royal Australian Navy following the Review into the Treatment of Women in the Australian Defence Force.[7]

> *We have done a lot of work to try to build women's confidence to apply for higher level roles and to prepare them for promotions. There has been active encouragement around getting more women into the pipeline and the active work around getting women to throw their hats into the ring. There is a lot of dialogue and active work of mentoring required across the organisation to encourage women.* – **Internal interviewee**

The Audit observed that the environmental scan addressed different models for career support, but did not analyse the efficacy of those models or their success rates. For example, the scan addressed a number of internal programs dating back to 2000, but did not analyse or compare outcomes from these programs for women who participated in them.

Victoria Police should also consider the interaction between the availability of development opportunities and other factors for low progression rates within policing, and ensure that data and learnings are shared between projects relating to increasing workforce flexibility, reforms in promotional processes, and promoting career development for women.[8]

Victoria Police may wish to consider additional barriers to the uptake of leadership opportunities by women, with research suggesting that access to childcare and the impact of shift work are critical factors for women's participation in leadership opportunities.[9] This could include consideration of data collected through the People Matter survey and the exit interview process to develop a clearer understanding of the barriers to women's progression in the organisation. Once there is a clear view of how these barriers impact women in the specific context of Victoria Police, targeted strategies to address these barriers can be designed.[10]

In recruitment when a female gets promoted to a higher level … there are still open conversations that as a female she only got the role because of gender. In my opinion people are trying to find excuses for their own incompetence. – **Internal interviewee**

As noted in Chapter 5, building an organisational business case for increased opportunities for women within Victoria Police is critical for the success of this body of reforms. Victoria Police should ensure that organisational messaging around the increased provision of leadership programs to women acknowledges the importance and organisational benefits of increasing numbers of women at higher levels of Victoria Police.

The Audit notes that a Pilot Leadership program involving 16 Senior Constables in the Southern Metro Region was held in April 2017, with a further pilot program planned. While the Audit has not viewed detail on the content or evaluation of this program, it encourages a focus on the development of women at this rank. The Audit notes the finding of the Phase 1 Review that a critical point for intervention for sworn women in the Victoria Police workforce was between Senior Constable and Sergeant. Victoria Police should consider looking to how women at Senior Constable level can receive further developmental and career support to progress to higher levels of the organisation.

The Phase 1 Review emphasised that VPS women in Victoria Police were significantly skewed towards the lower levels of the VPS, and that there were low levels overall for representation of women within the PSO workforce. The focus of the pilot programs is sworn police, with no apparent opportunities developed for PSO or VPS employees. The Audit notes that there is currently no data available for representation of women who are Police Custody Officers. The Audit emphasises that career development opportunities must be provided for all women in the organisation to meet the intention of this recommendation.

Guidance going forward

- Victoria Police should ensure that the evaluation of pilots under the Employee Career Support model establishes a baseline for comparison between women who access leadership programs and career development opportunities and those who do not, and measures their progress in the organisation over time. This will ensure that the evaluation of these programs identifies the models that create the most opportunities for women in the organisation and in time will allow the organisation to promote the most effective model for career development and support.

- Victoria Police should ensure that career development programs extend to the development of women at the rank of Senior Constable, noting the finding of the Phase 1 Review that this was a critical point for intervention within the sworn workforce. The Phase 2 Audit acknowledges and commends the commitment and ingenuity demonstrated by the two Sergeants who developed this program.

- Noting the findings of the Phase 1 Review, Victoria Police should look to developing tailored leadership development and career support for PSOs and VPS staff.

- Victoria Police should ensure that its analysis of career development and support programs also incorporates consideration of increased opportunities for flexibility in the workplace, reforms to the promotional process and other relevant reform agendas to ensure an evaluation of the success of programs. This will require analysis of the different opportunities provided for women across the organisation, uptake of flexible working opportunities and difference in Regional and Departmental representation.

- Victoria Police should ensure that the review of pilot programs under the Employee Career Support model includes an evaluation aimed at identifying barriers that exist in the professional pathway for women in the organisation and reframe future programs to counter those barriers.

Review of the Senior Management Leadership Program

The Phase 1 Review found that the people management, leadership skills and capability of staff required development to assist them in building gender equitable, safe and respectful workplaces. The Phase 1 Review intended that the Senior Management Leadership Program was reviewed to assess whether it met the development needs of both male and female emerging leaders in the organisation.

The Phase 2 Audit has heard that this review has not commenced as the Senior Management Leadership Program had been discontinued. The Audit notes that the Leadership Capability Uplift program is will commence shortly, and that funding for this program has been secured from government. The Leadership Capability Uplift Program is a development program that will be run out of PDC with a focus on building the management and capability skills of Senior Sergeants. It is noted in the Community Safety Strategy that a middle-management focus will ensure cultural change across the organisation.

The Audit has viewed documentation setting out the model and principles of the Leadership Capability Uplift Program and notes that the proposed content has been developed to ensure that the skill sets of future leaders are improved to assist them to support and lead the safe, respectful and equitable workplaces envisioned by the Phase 1 Review. The Audit has not observed any consideration of the specific needs of emerging women leaders in the organisation in this program of work.

The Audit notes that the next steps recommended for the Leadership Capability Uplift Program include the development of an evaluation framework.

Victoria Police should ensure that the proposed evaluation of the Leadership Capability Uplift Program includes an assessment of whether the program meets the development needs of emerging women leaders within the organisation.

> *Getting the gender mix right across Command is important. ... [It] is the role of the whole Command. It has got to come from the top.* – **Internal interviewee**

> *We need to hold our organisation accountable for diversity at the very top. I hope they are looking at what we need and ensure they truly understand their leadership obligations in this area.* – **Internal interviewee**

Summary of guidance going forward

Data collection and monitoring

- Victoria Police should identify mechanisms to ensure that structured data relating to the promotional process is disaggregated by gender and analysed, including applications for roles, selection panel process and successful candidates

- Once mechanisms for collecting this structured data are established, it should form part of the reporting under the *Gender Equality Strategy and Action Plan* and the Compstat reports.

50/50 audits

- Victoria Police should work to ensure that future 50/50 audits include consideration of all Divisional Commands, Regions, and Departments.

- Victoria Police should work to ensure that future 50/50 audits include data collection relation to Police Custody Officers, VPS Executive roles, Executive Command roles and VPS roles.

- Victoria Police should progress the recommendations of the first 50/50 audit and assess on the baseline data established by the 50/50 audit whether new attraction strategies and training for the Promotion and Transfer Unit is creating more opportunities for women in the organisation.

- Victoria Police should assess whether the training and promotional programs delivered under the organisation's new career development and support programs for women adequately respond to the issues identified by the first 50/50 audit around the lack of promotional opportunities for women in the organisation.

- Where data gaps, systemic issues or specific Regional, Departmental or Command-based gender inequality issues are identified by the data collection, Victoria Police should ensure that robust analysis is undertaken to identify and treat the issue.

Progression for Constables

- Victoria Police should take measures to assess the current status of employee engagement and understanding with clause 65.12, including the development of a baseline that establishes how often the clause is utilised.

- Victoria Police should consider the best mechanism with which to convey awareness of clause 65.12 to managers and supervisors responsible for considering progression of Constables. The organisation may consider utilising the annual workplace harm training for managers and supervisors to include content on the clause and its application.

- Victoria Police should consider how it might monitor managerial use of clause 65.12 so that the organisation can understand its uptake.

Career development and support

- Victoria Police should ensure that the evaluation of pilots under the Employee Career Support model establishes a baseline for comparison between women who access leadership programs and career development opportunities and those who do not, and measures their progress in the organisation over time.

- Victoria Police should ensure that career development programs extend to the development of women at the rank of Senior Constable level.

- Victoria Police should look to developing tailored leadership development and career support for Protective Services Officers and VPS staff.

- Victoria Police should review data relating to Police Custody Officers and if issues are identified with female representation at management and leadership levels, look to developing tailored leadership development and career support for these staff.

- Victoria Police should ensure that analysis of career development and support programs also incorporates consideration of increased opportunities for flexibility in the workplace, reforms to the promotional process and other relevant reform agendas to ensure an evaluation of the success of programs.

- Victoria Police should ensure pilot programs are evaluated and future programs reflect any additional barriers identified.

Leadership Capability Uplift Program

- Victoria Police should ensure the proposed evaluation of the Leadership Capability Uplift Program includes an assessment of whether the program meets the needs of emerging women leaders within the organisation.

Endnotes

1   *Victoria Police Act 2013* (Vic) s 31(2).

2   *Victoria Police Act 2013* (Vic) s 31(4).

3   *Victoria Police Act 2013* (Vic) s 31(3).

4   *Victoria Police (Police Officers (excluding Commanders), Protective Services Officers, Police Reservists and Police Recruits) Enterprise Agreement 2015* cl 63.

5   *Victoria Police (Police Officers (excluding Commanders), Protective Services Officers, Police Reservists and Police Recruits) Enterprise Agreement 2015* cl 63.7.

6   Briefing Paper- VRISC, Employee Career Support, March 2017, 3

7   Australian Human Rights Commission, *Review into the Treatment of Women in the Defence Force – Audit Report – 2014* (2014) 114–119.

8   Note the findings in Aiyana Ward & Tim Prenzler, 'Good practice case studies in the advancement of women in policing' (2016) 18(4) *International Journal of Police Science and Management* 242.

9   Salomon Alcocer Guajardo, 'Women in policing: A longitudinal assessment of female officers in supervisory positions in the New York City Police Department' (2016) 26(1) *Women & Criminal Justice* 20.

10 Ibid.

Chapter 10:
Education and training

Key findings

- Significant work has been progressed by People Development Command to review its education and training functions. This work has included identification of organisational factors resulting in the inaccessibility of training and promotional programs to form a robust understanding of the barriers that exist for employees, development of a framework to assess program accessibility, and pilots to improve training delivery. The Phase 2 Audit supports and commends the organisation's focus on innovative methods to deliver training and education, while maintaining best-practice adult learning standards.

- Data analysed by the Audit has identified that the majority of promotional programs delivered by Victoria Police are not currently accessible for employees who require part-time or flexible training, such as employees with carer of parental responsibilities. There are further barriers for employees who are in regional and rural areas due to the metropolitan location of many training programs.

- Victoria Police has undertaken a review of its curriculum to look toward how content on gender equity, sex discrimination and sexual harassment can be incorporated into foundational, promotional and professional development programs within People Development Command (PDC). The Phase 2 Audit notes that this a significant commitment by the organisation to impart content to each learning cohort.

- The Phase 2 Audit commends the significant and challenging conceptual analysis that Victoria Police has produced to define accessibility to training and create criteria through which training can be assessed for its accessibility. The Audit finds that the criteria for accessibility provides an effective lens through which Victoria Police can assess the delivery of training and promotional opportunities, as well creating a framework of enquiry to test the accessibility of proposed new delivery models.

- A scoping exercise has been undertaken on the requirements of delivering organisation-wide workplace harm training, with training still under development to be delivered in two distinct programs to managers and supervisors, and general employees.

Phase 1 Review findings

The Phase 1 Review found that significant proportions of the sworn Victoria Police workforce remained at Senior Constable level for their entire careers with limited opportunities for professional development. The Phase 1 Review found that there was a low representation of women in supervisory and officer level positions across the organisation, with even lower levels in rural and regional areas.

Accessibility of training

Promotion to higher ranks for sworn Victoria Police require an employee to demonstrate capabilities and experience, including successful participation in training opportunities. For example, at the time of

the Phase 1 Review, some candidates for a Sergeant position took the Sergeant pre-promotional exam. If a candidate passed the pre-promotional exam, they also attended a two-week Sergeant's qualifying program to be considered for promotional opportunities. Victoria Police advised that the program is delivered full-time at the Victoria Police Academy, with no options for part-time training.

For an employee on a flexible working arrangement, with parental or carer responsibilities, or for an employee who resides in a rural or regional area, access to training programs and consequent promotional opportunities was directly impacted by the Victoria Police training delivery model. The Phase 1 Review found that this inherently disadvantaged women by limiting access to training, and may amount to indirect discrimination in breach of the *Equal Opportunity Act 2010* (Vic).

Funding of training

At the time of the Phase 1 Review, most formal training in Victoria Police was developed and delivered by PDC. Divisional Commands of Victoria Police employed Divisional training officers to select and manage training for their responsible areas. The Phase 1 Review found that most training priorities were focused on operational policing, with limited opportunities and low prioritisation of training in management issues and responses to sex discrimination, sexual harassment and behavioural standards in workplaces. Divisions do not have a dedicated training budget.

The Phase 1 Review found that the existing funding models and management practices created a barrier for women in accessing specialist training and promotional opportunities. It reported that access to consistent, high quality and specialist training for Victoria Police employees was an important factor in implementing best-practice supervision and management, and embedding values-based behaviours within the organisation.

Training employees to understand and identify workplace harm

The Phase 1 Review emphasised that creating a safe, respectful and inclusive workplace requires that all employees understand what sexual harassment, sex discrimination and predatory behaviours are; can identify the drivers and impact of the behaviours; and understand the organisational consequences for perpetrators. The Review found that there was a low organisational understanding of these behaviours, and noted that management and supervisors in particular had inconsistent knowledge and confidence in identifying and responding to unsafe workplace behaviours; were not confident in referring employees to the correct organisational pathway for formal reporting and support; and did not understand their rights and responsibilities.

Recommendation 9

In relation to learning and professional development, Victoria Police should review its training and education functions to align learning intent and future capability needs as expressed in the Education Master Plan with organisational processes. These include:

- The funding and training delivery model

- People Development Command will establish an academic governance structure that includes independent expert(s) with a primary focus in the field of gender, sex discrimination and sexual harassment to advise on academic policies and all curricula and to guide teaching and learning activities that support respectful and safe gender relationships on a life-long learning continuum.

- Ownership and funding for the review and development of all training curricula will reside with People Development Command and be informed by academic governance processes, which will include external expertise:

  – under academic governance guidance, review the Senior Management Leadership Program and learning support mechanisms to ensure alignment with the contemporary requirements and needs of women for leadership

  – within 18 months, women's access to leadership training is at least proportional to their representation in the overall, relevant workforce (Police, PSO, VPS). Within three years, 50 per cent of all senior management training opportunities are accessed by women. Where there is not a sufficient pool of women to draw from, managers will nominate women with demonstrated people management capabilities and leadership potential.

- Contemporary, evidence-based management and supervisory training should be developed and incorporated into all Foundation, promotional and professional development training.

- The content and face-to-face delivery of the training should be developed and delivered in partnership with expert advisors/specialist external training providers that have expertise in workplace management of harms based on sexual harassment, sex discrimination and gender equality.

- This training will include the rights and administrative responsibilities of employees and employers in the workplace and be contextualised for each learner cohort. Training will incorporate:

  – definitions and meanings of sexual harassment, sex discrimination and victimisation and their drivers and impact

  – their responsibilities to prevent and respond to incidents of sexual harassment, gender-based hostility and sex discrimination, including positive duty and liability under the Equal Opportunity Act

  – appropriate responses to the target of those behaviours to minimise the harm they experience and enhance their safety in the workplace

  – appropriate responses to the alleged perpetrator(s)

  – competence to refer/access informal and formal options available to the target/victim

  – understanding managers' roles in classification and recording issues and the appropriate place to do this

  – understanding of managers' rights and responsibilities in considering requests for flexible work arrangements and strategies to establish and manage them

  – understanding managers' responsibilities to support bystander action and create safe and health workplaces

  – understanding and promoting workplace diversity, in particular gender equality, and practical applications of this through use of management processes, including performance management

  – the need to provide managers with guidance on making safe and appropriate referrals

  – best-practice bystander intervention in sexual harassment and sex discrimination.

- Participation in face-to-face training will be compulsory for all managers and supervisors annually.

- All other employees should participate in training biannually.

Intent of the recommendation

The Phase 1 Review intended that Victoria Police undertake a review of the funding and training model to enhance accessibility for all eligible employees, including:

- employees in rural and regional areas

- employees with parental and caring responsibilities

- employees with flexible work arrangements.

The Phase 1 Review envisaged that this work would be overseen by an academic governance arrangement including independent expert advisors who have specialisation in preventing and responding to sexual harassment and sex discrimination. The recommendations and expertise of expert advisors would lead to the development of a new delivery training model, developed with oversight by academic governance and input from subject matter experts. This work would include an exploration of alternative funding models for the delivery of training, with the development of a new funding model to improve employee access to training.

The Phase 1 Review also intended for Victoria Police to deliver training to improve employee awareness and understanding of appropriate and inappropriate workplace behaviours and the organisational value of building gender equitable workplaces. The Review intended for specific focus to be given to the knowledge base of managers and supervisors to ensure that they had the skill sets to prevent and respond to instances of sexual harassment and sex discrimination.

Indicators of successful implementation

Academic governance arrangement in place (as detailed in Chapter 3)

- Academic governance includes independent expert advisors with specialisation in preventing and responding to sexual harassment and sex discrimination.

- Academic governance provides expertise and input on the development of workplace harm training, review of training models, and improvements in existing training and professional development courses.

Training on workplace harm developed and in place for all employees

- Training is developed and in place to ensure sexual harassment and sex discrimination is understood at all levels of Victoria Police, and employees understand the extent of harm caused by inappropriate and unlawful behaviours and best-practice bystander intervention.

- Mechanisms are in place to measure and report on uptake of training, with all employees required to undertake training every two years.

- External training partners are selected to co-deliver aspects of training relating to sexual harassment, sex discrimination and gender training, and where necessary, 'train the trainer' sessions are provided to internal instructors.

Training developed and implemented on managers' and supervisors' roles and obligations in responding to workplace harm

- Specialised, regular and mandatory training is designed and rolled out to all supervisors and managers on how to identify, respond to and prevent sexual harassment and sex discrimination in the workplace, taught by experts in the fields of gender equality and harm. Specifically, this training:

  - ensures that everyone with a supervisory or management role understands and applies the laws, obligations and liabilities relating to incidents of sexual harassment and sex discrimination

  - ensures that all managers and supervisors provide victim-centric support to victims and targets of sexual harassment and sex discrimination, where they are safe, are able to talk openly, and are provided with confidentiality and choice

  - provides pathways for the formal and informal options available to targets and victims of sexual harassment and sex discrimination, and are able to guide complainants through reporting pathways, as well as welfare and support services

  - ensures all managers and supervisors understand the organisational mechanisms available to protect the workplace from alleged perpetrators, and make safe and appropriate referrals

  - assists managers and supervisors to use and understand reporting and recording mechanisms to respond to workplace issues

  - ensures that managers and supervisors are trained to actively support principles of gender equality and diversity and work to create healthy workplaces, including flexible work arrangements

  - assists in the understanding of best-practice bystander intervention in sexual harassment and sex discrimination.

- Mechanisms are in place to ensure that managers utilise the PDA system to develop employee understanding and modelling of organisational values.

- Mechanisms are in place to track the performance of managers and identify and treat risks.

- External training partners are selected to co-deliver aspects of training relating to sexual harassment, sex discrimination and gender training.

- Mechanisms are in place to measure and report on uptake of training, with all managers and supervisors required to partake in face-to-face training annually.

Funding and training delivery model reviewed and enhanced

- Overseen by academic governance, existing funding and delivery of training to all eligible Victoria Police employees is reviewed to understand the impact of the existing model on access to training programs, with particular consideration given to accessibility for employees who have caring responsibilities, flexible work arrangements, and live in regional areas.

- In line with the review of the training model and the recommendations and expertise of expert advisors, a new delivery training model is developed with oversight by the academic governance structure and input from subject matter experts.

- Funding options for the new training model are explored and a new funding model is developed to improve employee access to training.

Summary of key activity to date

The following work has been undertaken by Victoria Police to review its training and education functions:

- establishment of an Academic Governance Board (AGB) to provide expert, strategic oversight and guidance to the work performed in implementing Recommendations 9 and 10

- foundational work to define the accessibility of training and create criteria with which Victoria Police can evaluate the accessibility of its training and development programs

- identification of the critical barriers impeding the accessibility of training and education across the organisation

- analysis to identify the program delivery methods utilised by other policing jurisdictions to improve access to training

- a pilot delivery model and evaluation of a development program for staff who train employees on operational safety and tactics.

- commencement of a review of the curriculum delivered by PDC to evaluate whether program content includes material on gender equity, sex discrimination and sexual harassment

- commencement of planning to deliver organisation-wide workplace harm training to all employees

- commencement of planning to deliver workplace harm training to management and supervisory staff.

Audit findings

Data on current Victoria Police courses and programs

Victoria Police delivers a large number of training and promotional programs for its workforce. These programs include foundational training for new Recruits, leadership training for management and supervisory staff, specific training for specialist roles and driving courses. Victoria Police provided the Audit with data identifying the key elements of all training delivered by PDC. The following factors were identified in the data for each program or course delivered by the organisation:

- the requisite role or rank required to participate in the program

- the eligibility criteria for acceptance into the program

- the requirements for each program, including delivery mode, duration and location

- whether the program or course had provisions to allow for part-time participation

- whether the program was pre or post-promotional.

Findings

The Phase 2 Audit undertook an analysis of the data provided by Victoria Police to gain an understanding of the delivery modes of current training programs across the organisation. The data analysis revealed that the majority of training opportunities provided by the organisation are delivered on a full-time, face-to-face basis in a metropolitan location, with limited opportunities for flexible learning arrangements for employees who work part-time or have caring responsibilities.

The data identified the following key points:

- Five foundational training programs and courses are delivered by the Foundational Training Division. These include the Police Foundation program (33 weeks), the Taking Charge course for Constables (two weeks) and the lateral entry program for Air Wing (pilots, 13 weeks), which are mostly delivered full-time at the Victoria Police Academy with no option for part-time or flexible participation. Some elements of the foundational programs contain on-the-job-learning and field placements. Two programs – the Prior Police Services Applicants program for individuals with previous operational experience (average of 15 weeks) and the Senior Constable Special Operations Group training (average of 12 weeks) – had elements allowing them to be undertaken flexibly, including abridged and individualised program delivery dependant on the experience of the individual and the availability of online training modules.

- Four courses and programs are delivered by the Centre for Custody and Protective Services. These include Foundation Training for Protective Services Officers (12 weeks) and Police Custody Officers (eight weeks) and two probationary Thinking Ahead courses for Protective Services Officers (two weeks) delivered full-time at the Academy.

- Three programs are delivered by the Promotional Programs Unit. A Senior Sergeant Qualifying program (two weeks) is delivered full-time at the Academy. Week one of the two-week program is focused on supervision and management and is available on application to VPS 3 and VPS 4 staff in supervisory roles. The Qualifying Programs for Senior Sergeants and Inspectors are self-paced, with a two-week full-time learning period required at the Academy for Inspectors and a nine-day full-time learning period at the Academy for Senior Sergeants, and can also be attended by VPS staff where appropriate.

- Four programs are delivered by the Centre for Leadership Development for Inspectors and Superintendents. The Development Programs for newly promoted Inspectors (four days) and Superintendents (five days) are delivered full-time at either the Academy or the Airlie Conference Centre. Annual development programs for Inspectors (one day annually) and Superintendents (two days annually) are delivered at Airlie.

- Two programs are delivered by the Centre for Intelligence Practice to qualify for intelligence positions. The training program for Intelligence Practitioners includes a total of five weeks, full-time at the Academy. The training for Tactical Intelligence Practitioners includes a total of two weeks full-time at the Academy.

- Two courses are provided by the Centre for Investigator Training. An Advanced Diploma of Police Investigation requires a total of seven weeks full-time at the Academy, and the Investigation Management Course requires a total of two weeks full-time at the Academy.

- There are two mandatory annual training courses for all Police and Protective Services Officers. One-day Operational Safety and Tactics Training (OSTT) is delivered every six months at a variety of central and regional locations, while Armed Offender Training is delivered at a variety of central and regional locations, with an online component completed prior to face-to-face training.

- Eight courses are delivered by the Driver Training Unit in Brunswick. Two courses were mandatory, with one week full-time in the Standard Operational Car Course for Probationary Constables and three days full-time for the Silver Bridging Course for all sworn employees. A Highway Patrol officer must complete a two week full-time course in Brunswick or at a rural location as required within six months of transfer to their position. A variety of other courses deliver levels of qualifications for certain categories of police officer over short (one or half day) periods.

- One course is delivered by the Centre for Road Policing Investigation Unit for Highway Patrol and Major Collision Investigation Unit officers. The course is three weeks full-time at the Academy.

The Phase 2 Audit notes that the body of training and programs delivered by PDC is large, and that staffing, management, delivery and examination would be resource and time intensive in a large organisation. It also notes the additional pressure on PDC following the Community Safety Statement, which will see an additional 2729 police trained by 2021.

The Audit did identify that currently, most foundational and promotional training is not accessible for employees who require part-time or flexible training due to external commitments and responsibilities, such as carer or parental commitments.

The Audit reaffirms the finding of the Phase 1 Review that the delivery of these programs has the potential to substantiate indirect discrimination within the Equal Opportunity Act.

Review of the funding and training delivery model

PDC identified that a review of the funding and training delivery model required a framework for understanding what is meant by training accessibility, with a particular focus on the identification of factors leading to gender inequity in access to training. A distinct project was formed to build a framework on which further work to undertake a review of the organisation's training and funding model can be progressed.

The framework project completed the following key pieces of work:

- an environmental scan and research leading to development of a discussion paper, reviewed by the AGB

- a review of a model for an Instructor Training Pilot

- stakeholder consultation

- a preliminary findings paper on training accessibility within Victoria Police

Three critical areas of reform were identified:

- *policy and process:* examining organisational documentation and practices relating to selection processes, eligibility for positions, prerequisites for positions and management practices

- *delivery model:* exploring the utility and impact of training delivery methods, the organisational learning culture and underpinning frameworks leading to the development and trial of a new delivery model

- *funding model:* exploring options for different funding models, investments in training, and funding impacts on employee access to training leading to a new funding model being developed and recommended.

Victoria Police has undertaken extensive work to understand barriers to women accessing training. This work has included a number of restructures of the project plan to understand the purpose of Recommendation 9 and to scope the work required across the organisation.

Initial work guided by subject matter experts focused on the meaning of 'training accessibility' and identification of drivers of gender inequity in accessing training opportunities. Victoria Police undertook a statistical analysis that identified that as of 18 May 2016, a higher proportion of female Police (5.6 per cent) and Victorian Public Sector (VPS) staff (13.5 per cent) were in part-time positions compared with an overall low level of male employees (1.3 per cent and 1.5 per cent, respectively). There was no data available to identify employees on flexible working arrangements beyond part-time status. It noted that because a significant proportion of the police workforce was at the lowest ranks, promotional opportunities would always be subject to employee demand in a competitive environment. It also noted that approximately 10 per cent of Police attended promotional training programs, meaning that opportunities for continuous professional development for the First Constable to Senior Sergeant ranks were extremely limited.

Other Australian policing jurisdictions were engaged to provide information and data in relation to their strategies for retaining and developing women in their workforce, providing accessibility for specialist and promotional training, and the flexible delivery of training. Queensland Police Service, South Australia Police and Western Australia Police provided feedback and information around their training methodology, flexible working opportunities and aspirational targets. This information was provided by way of context to the AGB to inform national progress in key gender equality reform areas.

The paper identified a number of key considerations that impact accessibility to training with suggestions for areas of improvement. These included:

- the impact of organisational promotional and training options on primary carer responsibilities and part-time employment

- the impact of metropolitan delivery of promotional programs for regional and rural employees

- the effect of the requirement for management support to access training, including the impact of managerial unconscious bias

- the effect of organisational and cultural assumptions relating to the gender of those who access promotional programs, identifying the importance of transparent selection criteria for training programs

- the importance of a focus on capability and ensuring that programs meet organisational capabilities and developmental needs

- the impact of generational differences in a growing workforce, including the expectations and requirements of younger generations

- the impact of delivery methodologies, including the impact on employees when training is delivered full-time in a metropolitan location, and the potential utility of external access for training delivery

- the timing and dates of training, noting that delivery is currently inflexible with little option for employees to request flexible delivery beyond postponing their participation

- limited organisational opportunities for accessing training, including demand for specialist training program opportunities outweighing supply and the impact of low rates of attrition and part-time positions in specialist roles.

[A lot] of work has had to go into defining what is meant by this notion [of accessibility]. What is meant by that is that while it is understood that there are clear accessibility barriers when it comes to physically being able to access a course – for example, ICT barriers, infrastructure barriers or delivery method barriers – there are also barriers that exist before a person even reaches a point in their career where they are able to begin to think about 'course accessibility'. We need to understand who is being denied and why they are being denied. Why can't they access the opportunities? – **Internal interviewee**

Australia New Zealand Policing Advisory Agency findings to understand obstacles and learnings of other jurisdictions

Victoria Police engaged with the Australian and New Zealand Policing Advisory Agency (ANZPAA) to seek information on barriers to training and education accessibility with particular regard to women learners, work to improve the accessibility of training, and examples of best-practice reforms in other Australian and New Zealand policing jurisdictions. ANZPAA's request for data and information was replied to by the Australian Federal Police, Northern Territory Police, Fire and Emergency Services, Queensland Police Service, South Australia Police, Tasmania Police, and Western Australia Police. Findings from the ANZPAA request were incorporated into an overview paper. The work identified that other jurisdictions had incorporated a number of mixed delivery learning models to training products to include online learning opportunities, weekend and flexible training, and local options for program delivery outside of metropolitan locations. Barriers to flexible training mirrored those identified by Victoria Police below, including full-time programs, a lack of options for regional employees and inflexible training opportunities.

Preliminary findings of the accessibility project

An evaluation of the accessibility project was completed in early 2017. The evaluation made key findings about the biggest obstacles to accessing training across the organisation, and made the following recommendations to improve accessibility:

• that Victoria Police commences scoping requirements to invest in technology and infrastructure to enable learner access to training

• that Victoria Police considers blended delivery models on appropriate programs to expand upon traditional delivery models

• the Prosecutor Training Course blended delivery model is accepted as a suitable model for roll-out after completion of the pilot phase. The Phase 2 Audit heard that the pilot commenced delivery in April 2017 and is a 30-week program

• that Victoria Police undertakes an examination of best-practice approaches for education delivery in external settings to evaluate application to existing organisational processes and programs.

The AGB reviewed the report and noted the significant organisational tension between quality learning outcomes and accessibility and reflected the importance of developing an organisational culture.

The AGB discussed the definition of accessibility and the need for a clear definition so that organisational success indicators could be defined. It noted that there should be consideration of the attributes protected by the Equal Opportunity Act. The Audit notes that the Equal Opportunity Act prohibits discrimination against employees by denying or limiting access by the employee to opportunities for promotion, transfer or training and that Victoria Police should ensure that training opportunities do not discriminate against employees whose attributes are protected by legislation.[1]

Developing a framework to understand equitable access to training

Following the research and analysis detailed above, Victoria Police developed a project plan which clearly defined 'access to training' within the meaning of Recommendation 9 as:

- training which is readily and easily available to all who wish to access it

- policies and procedures surrounding training which are fair and equitable, free from bias and discrimination

- associated practices which encourage all eligible employees to access training opportunities, irrespective of their gender, sexuality, age, race, gender, religion, family responsibilities, or location

- training delivery methods which promote gender equity by accommodating the unique needs and lifestyles of all employees

- training programs which are physically accessible for all employees.

Pilot of accessibility improvements

Following the release of the Phase 1 Review, Victoria Police undertook a trial to deliver the OSTT Program for instructors who deliver OSTT to all sworn employees within Victoria Police every six months. The purpose of the pilot was to deliver a program that would enhance accessibility for Victoria Police employees. OSTT instructors are sworn employees working in specialist areas or in Divisional Commands and Regions. Previously, the program was delivered face-to-face in a central location.

An evaluation of the pilot program was undertaken by Victoria Police, with data for the evaluation sourced from participants in the program and the 'master' instructors. Victoria Police identified a number of key issues in the program delivery, including:

- the reliance on 'master' instructors to deliver the pilot was identified as a significant vulnerability. Suitably qualified 'master' instructors were not readily available across the organisation

- selection of 'master' instructors was a subjective process, with no formal criteria identified to select these employees

- sufficient training was not provided to 'master' instructors to deliver the online theory modules

- a lack of organisational messaging and change management was delivered to prepare staff for a different delivery methodology, meaning that the new model was challenging for learners to adapt to

- the mentoring model experienced significant problems. A small pool of 'master' instructors were stretched to capacity in servicing the needs of learners, and were required to fit their duties around their ordinary role requirements

- issues with training content and evaluation, including student privacy issues, content issues and quality assurance issues

- a lack of data with which Victoria Police could quantify difference in student productivity or a reduction/increase of student learning time.

Overall, there was limited evidence on which the organisation could demonstrate increased flexibility through the change in delivery methodology. PDC noted that the mentor program had been suspended due to the organisation's need to qualify staff quickly to meet service delivery demands. A 'hybrid' program has been created to quickly qualify students. Critically, the evaluation report confirmed that no OSTT instructor had been qualified solely through the mentor program.

PDC made a number of recommendations for the mentor program if Victoria Police decided to evaluate it. These included:

- transparent and consistent formal selection criteria for 'master' instructors

- improved technical capacity for courses and reporting on student process

- more comprehensive data collection to measure the efficacy of the program

- more resources to design and develop the program

- further consideration of how training accessibility could be enhanced by learner cohorts identified by the Phase 1 Review

- work on design flaw resulting in the mentor program taking more time than the face-to-face program.

Findings

The Phase 2 Audit commends the significant and challenging conceptual analysis that Victoria Police has produced to define accessibility to training and create criteria through which training can be assessed for its accessibility. The Audit found that the criteria for accessibility provides an effective lens through which Victoria Police can assess the delivery of training and promotional opportunities, as well creating a framework of enquiry to test the accessibility of proposed new delivery models.

The Audit notes that careful consideration by Victoria Police in relation to the availability of training will be particularly significant in the coming years, particularly regarding the impact of the Community Safety Statement, which will see an additional 2729 police trained by 2021. This will create an increased demand of managerial and supervisory roles, and Victoria Police should undertake work to ensure that these additional roles are filled with consideration of the findings of the Phase 1 Review, which relate to the training model and women's promotional pathways, as well as the guidance contained in the Phase 2 Audit.

The Audit emphasises that the organisation's analysis of the current delivery of training found that Victoria Police's training model retained a narrow competency-based training focus, with little data retained or analysed by the organisation to understand how effective the model was. The Audit notes that the evaluation of the delivery of training should incorporate learnings from restructured courses as well as the work of other jurisdictions, evaluations of the efficacy and utility of existing programs and modules, and a careful consideration of what accessibility to training entails.

The Audit agrees with the preliminary findings of the accessibility project identifying proposals for critical areas to build upon that require exploration and reform by Victoria Police. It also notes that significant learnings can be gathered from the evaluation of the OSTT trainer pilot program and the obstacles faced by both teachers and learners of content delivered in online environments. PDC's Media and Online Training Unit are engaging in work to drive innovative training models, delivery methods and technology adaptations, and Victoria Police should consider utilising their internal expertise, and building on these resources and internal capabilities to improve delivery of integrated and modular learning methods to improve accessibility.

The Audit notes that a program is being trialled to improve access to promotion by delivering an alternative pathway for Senior Sergeants who wish to be promoted to Inspector level. The alternative program is online distance communication via scholarships with the University of Tasmania, awarding successful participants a Bachelor of Arts with Professional Honours in Public Sector Leadership and Management. The Audit encourages this option for flexible and accessible promotional training and notes that this trial will be monitored and evaluated by the project team performing work under Recommendation 9.

The Audit has heard concerns that there has been a shift in the focus of the program from a focus on specific cohorts to a general and generic focus on accessibility. The Phase 1 Review reported on the significant barriers experienced by employees on flexible and part-time arrangements, employees with caring and parenting responsibilities, and employees in rural and regional areas. The Audit notes that Victoria Police should ensure its work going forward specifically considers the impact of new approaches to programs on these cohorts, and how efforts to improve accessibility will improve the experience of these cohorts.

The Audit notes that organisations with a culture of learning have been shown to create an environment where employees are more inclusive, collaborative and open to change.[2] The Audit views the creation of this learning environment as aligned with the Community Safety Statement's fifth priority for Victoria Police to improve the capability, culture and integrity of the organisation.[3] The Audit notes that future work on the creation of accessible programs within PDC should carefully consider broader organisational priorities as well as best-practice principles for adult learning.

The Audit notes the significant value that can be gained from liaising with other jurisdictions in the work of Victoria Police to review their training model, and encourages Victoria Police to continue seeking learning and support from other jurisdictions. While the Audit notes significant differences in terms of organisational size, priority and capability between local jurisdictions, a community of shared learning allows for ideas and opportunities as well as the experience of what has not worked to be reviewed by Victoria Police.

The Audit notes that programs delivered by PDC are available to employees by either promotion or specialist role attainment. For other training programs, local managers often have discretion as to who they nominate.

Victoria Police should not be deterred by the obstacles demonstrated in the pilot of the OSTT mentor program. It emphasises the recommendation of the evaluation that the OSTT mentor program consider accessibility for part-time employees, employees on flexible working arrangements, rural and regional employees, and employees with carer and parental responsibilities. The Audit also notes that employee engagement to communicate the business case for a reformed delivery model and to evaluate the model's efficacy is critical in its success. Victoria Police may consider taking organisational learnings from the delivery of modular training programs to other large policing jurisdictions.

The Audit has reviewed issues identified with previous pilots of the OSTT mentor program and notes that substantially similar issues were identified by the pilots. It is important that Victoria Police reflect on the experience of previous pilots so that the same issues are not replicated.

Guidance going forward

• Victoria Police should consider developing intermediary mechanisms to enhance accessibility to the foundational and promotional programs, noting that the delivery of these programs reflected significant employee inaccessibility due to a continuing reliance on face-to-face engagement, a focus on metropolitan program delivery, and a full-time learning schedule.

• Victoria Police should reflect on the learnings of other jurisdictions in improving accessibility to training programs and continue work toward building a community of policing practice, noting that Victoria Police is seen as a leader in organisational reform to build equitable workplaces.

• Victoria Police should look to the learnings of the pilot OSTT mentor program and previous pilots of this program, the Prosecutor Training Course and the Alternative Inspectors Qualifying Program and ensure that the organisation reflects on these pilots, considers what elements of each pilot enhance accessibility for employees, and looks at how these successes can be incorporated into revised training models going forward.

- Victoria Police should ensure that accessibility to induction and promotional programs includes particular consideration of the cohorts identified by the Phase 1 Review, including women, regional and rural employees, employees on part-time and flexible working arrangements, and employees with carer and parenting responsibilities.

- Victoria Police should facilitate the creation of targets for Divisional Commands for the percentages of women who are nominated for training courses. These targets should be at least proportionate to the number of women in that regional workforce.

Curriculum review of training and development programs

Victoria Police coordinated a project to collect baseline data on a number of foundational, promotional and professional development programs delivered by PDC. The purpose of the data collection was to establish if and how content on gender equity, sex discrimination and sexual harassment was delivered by programs, and to build a benchmark on which the content of future curriculum could be delivered.

The data collection process has initially involved employees engaging in a desktop review of curriculum content. A curriculum evaluation methodology was developed and reviewed by the AGB, who provided detailed feedback and approved the tool. The methodology included analysis of whether content allowed learners to acquire, apply and demonstrate knowledge relating to sex discrimination, sexual harassment, gender-based bullying, predatory behaviour, victimisation, bias, power, equal opportunity, and human rights. For promotional courses and professional development programs, content was evaluated to assess whether learners were provided with content on support and complaint processes, critical thinking capabilities, intersectionality in the workplace, management responsibilities and obligations, employee rights, and principles of victim-centricity. Content was given a rating based on criteria developed in consultation with key organisational stakeholders.

At the time of the Audit, desktop reviews had been conducted of the following programs:

- the Inspector Development Program

- the Superintendent Development Program

- the Police Induction Program

- the Protective Services Officers Induction Program

- the Police Custody Officers Induction Program

- the Taking Charge Program for Probationary Constables

- the Thinking Ahead Programs for Probationary Protective Services Officers.

At a midpoint in the project, the project team provided a briefing paper to the AGB seeking feedback on the analysis framework. A preliminary analysis of the Police Custody Officers Induction Program curriculum was also provided to allow an opportunity to critique the feedback and reporting mechanism for the curriculum review. The broad feedback from the AGB included approval of the process, although concerns were raised in relation to the sheer amount of work required to review the program of work scheduled across the project.

The Phase 2 Audit viewed a finalised version of the eight-week Police Custody Officers Induction Program curriculum review. It made substantial recommendations for strengthening the current curriculum to include content on the legal and policy landscape relating to gender equity and inappropriate workplace behaviours, employee responsibilities, definitions and concepts relating to sex, gender identity and gender expression, and content on welfare services and resources available to Victoria Police employees.

The Audit has been advised that an integrated plan for the curriculum review is being developed to incorporate other reform agendas, including the *Equality is Not The Same …* report and the *Mental*

Health Review, and encourages the organisation to progress with a holistic approach to the curriculum review that incorporates multiple reform agendas.

Findings

The Phase 2 Audit acknowledges that the curriculum review represents a significant time and resource commitment, and that each review requires a substantial commitment to program attendance, quantitative and qualitative analysis and reporting. It also notes that significant content must be delivered to learners in a relatively short time period.

The Audit suggests that consideration is given to the purpose and cohort for which training content is delivered, with reference to best-practice adult learning principles and the manner in which the audience will engage with and utilise the content. Victoria Police should consider which content is required for each cohort and look to how the evaluation might best reflect the learning requirements of each program.

The Audit notes that the Protective Custody Officers Induction Program contains substantial content on national laws and organisational standards, employee responsibilities and moral and ethical decision-making processes. It also contained significant content on social, political and cultural contexts relating to police service delivery, and understanding the impact of power imbalances. The Audit notes that while the landscape of laws and policies are significant from an organisational perspective, any update of the curriculum should be balanced with considerations of the utility and purpose of delivering specific content, and the learning requirements of the audience that it is delivered to.

The Audit also notes the finding of the Phase 1 Review that the Field Coaching Program provided excellent potential for Recruit placements to re-engage with formal training and engage in contemporary learning with an experienced mentor. Victoria Police may consider the Field Coaching Program as a further ground to examine and reaffirm the content provided in foundational training in a collaborative and supportive environment, noting the findings of the Audit in Chapter 11 in relation to Dedicated Training Workplaces.

Broadly, the Audit acknowledges robust and thorough work to review the broad range of programs and training delivered by the organisation and notes significant progress in the implementation of the Review's recommendations.

Guidance going forward

• Victoria Police should ensure that content added to programs is delivered in a manner that is best practice and in line with Adult Learning principles, and is appropriate for its audience. This should include careful evaluation of the learning requirements of each specific role, rather than a general analysis framework applied to all roles.

• Victoria Police should consider how the Field Coaching Program could be re-scoped to include a reiteration of relevant content delivered in line with the recommendations of the Phase 1 Review.

Workplace harm training

Victoria Police has established a project to develop and deliver organisation-wide workplace harm training. The initial project implementation plan involved a logistical analysis to understand the resourcing impacts of organisation-wide delivery, a procurement process to engage an external partner to co-design and deliver training, a concept plan and delivery strategy; the development of an organisation-wide training package; and a manager and supervisor level training package.

A scoping exercise was undertaken to understand the size of the Victoria Police workforce, the employee cohort that required training delivered through the Divisional Commands, and an approximation of staffing resources required to deliver training. Two delivery periods were scheduled to stagger training delivery with an initial delivery to managers and supervisors, and a further delivery period to other employees.

Delivery of the program

Workplace harm training was envisaged by the Review as being delivered organisation-wide in a face-to-face environment, with training delivered and developed by expert advisors and specialist external training providers with expertise in workplace management of the categories of harm identified by the Phase 1 Review.

The Phase 2 Audit understands that the organisation gave a revised directive for the funding source and delivery method of the workplace harm training. The following changes to delivery were directed:

• funding for training for managers and supervisors would be derived from the Community Safety Statement funding for Leadership Capability Uplift.

• an e-learning package to deliver workplace harm training will be provided to all employees in late 2017. It is understood that this training will be developed in the coming months.

At the time of writing, it was unclear whether Victoria Police planned to implement the e-learning package on an ongoing basis or whether face-to-face training would be provided to all staff beyond 2017. The Audit understands that a decision will be made as to the delivery of training in the coming months.

Findings

The Phase 2 Audit recognises that Victoria Police is a large organisation and delivery of this training requires training for thousands of employees located across the state. In delivering this training, the Audit suggests that Victoria Police considers the logistical requirements of delivering the six-monthly OSTT Program and Active Shooter Training across the organisation.

The Audit understands that there is significant work underway to deliver organisation-wide workforce harm training within the intent of the Phase 1 Review; however, the Audit has limited insight in relation to the content of the training. Victoria Police should maintain their commitment to deliver this training, noting that the delivery was envisaged by the Phase 1 Review as an organisational priority.

Subject matter experts raised concerns within the organisation that there were significant welfare risks created by online delivery of training content. This included the risk of a lack of learner reflection on what the subject matter experts described as 'entrenched sociocultural factors', such as recognition of employee social disadvantage and experiences of re-victimisation created by an unmonitored learning environment.

There were also concerns raised that a focus on legislative obligations and key concepts would deter the reflective learning that is required for cultural change. The Audit agrees with these concerns.

The Audit reaffirms the findings of the Phase 1 Review that the attitudinal issues within the organisation were driven by systemic inequality, entrenched cultural norms, enabling practices and structures within Victoria Police and the traditional conception of the policing identity. This complex body of drivers requires significant, organisation-wide work to identify, understand and change. Addressing and challenging the attitudes of individuals within the organisation through workplace harm training is a challenging cognitive process and, as noted by subject matter experts above, can create significant risks for victims and targets of harm.

The Audit considers that Victoria Police should take measures to ensure that subject matter experts undertake a robust understanding of what an online delivery model would entail to ensure that this training meets the intent of the Review.

The Audit notes that there is useful guidance in the learnings of other organisations delivering comparable training, and encourages Victoria Police to explore other options for the delivery of organisation-wide workplace harm training.

[There] are significant risks around delivery of this content in an online setting – for example, someone in a one-up station, on their own, participating in training around sexual harassment, and their rights. They would have no immediate support because they are alone. – **Internal interviewee**

Case study: Sexual ethics training for ADFA employees

In 2011, the Australian Human Rights Commission delivered Phase One of the Review into the Treatment of Women in the Australian Defence Force (ADF). The Review identified that the organisation provided limited to training to cadets and employees in relation to consent, healthy and respectful relationships, sexism in the workplace and the impact of controlling and threatening behaviour. It recommended the delivery of an externally-run education program as a tool to prevent unacceptable behaviour and misconduct by the organisation's employees, and recommended for this training to be delivered to all cadets. A further recommendation was for the organisation to create tailored training on the complaints management and reporting process in relation to incidents of sexual harassment, abuse, assault or discrimination for all groups within the ADF. A Phase Two Report was delivered in 2012 to provide a preliminary assessment of the organisation's work towards implementation of the Phase One Review's recommendations and included further guidance for the organisation.

In 2013, the first of two Audits was delivered to assess the progress of the implementation of reforms recommended by the first two Reports. The Audit found that preliminary delivery of the training for cadets as a 'sexual ethics' lecture delivered by an external expert resulted in mixed engagement for cadets, and was not appropriately designed or integrated to address the intention of the Phase 1 Review's recommendations. The Audit notes that the lecture did not cover the content required to address all critical learning areas, nor did it sufficiently work toward creating a respectful, inclusive culture within the ADF.

In 2014, a second Audit was delivered by the Australian Human Rights Commission. The Sexual Misconduct Prevention and Response Office (SeMPRO) was established with the purpose of providing care and support to victims of sexual misconduct, with a limb of the office dedicated to prevention of sexual misconduct via prevention and education. At the time of the Audit, SeMPRO had developed a plan to deliver sexual ethics education with assistance from an external expert in its development. The delivery of sexual ethics education was catered to each cohort, with military staff trained to deliver the courses. A framework was created for an evaluation process planned at two-year periods, to be conducted by an external evaluator to assess the effectiveness of the courses based on indicators measuring behavioural and attitudinal changes.

The experience of the ADF in rolling out its sexual misconduct training to a large organisation of multiple cohorts with different learning needs illustrates the complex and challenging nature of the delivery of this kind of training.

Guidance going forward

- The Phase 2 Audit notes that there is an organisational preference for the online delivery of workplace harm training, and notes that it was the intention of the Phase 1 Review for this training to be delivered face-to-face. The Audit suggests that Victoria Police reviews the risks attached to online delivery of workplace harm training and explore the way in which other large organisations deliver similar training, with a view to identifying how best to ensure a face-to-face approach in the future.

- Victoria Police should ensure any external partners engaged to deliver training are subject matter experts that are sufficiently experienced and knowledgeable to deliver training content within the intent of the Phase 1 Review.

Summary of guidance going forward

Funding and training delivery model

- Victoria Police should consider developing intermediary mechanisms to enhance accessibility to the induction and promotional programs.

- Victoria Police should reflect on the learnings of other jurisdictions in improving accessibility to training programs and continue work toward building a community of policing practice.

- Victoria Police should look to the learnings of pilot programs aimed at increasing accessibility and ensure that programs are consistently evaluated.

- Victoria Police should ensure that accessibility to induction and promotional programs includes particular consideration of the cohorts identified by the Phase 1 Review, including women, regional and rural employees, employees on part-time and flexible working arrangements, and employees with carer and parenting responsibilities.

- Victoria Police should facilitate the creation of targets for Divisional Commands for the percentages of women who are nominated for training courses. These targets should at least be the proportionate number of women in that regional workforce.

Curriculum review

- Victoria Police should ensure that content added to programs is delivered in a manner that is best practice and in line with Adult Learning principles, and is appropriate for its audience.

- Victoria Police should consider how the Field Coaching Program could be re-scoped to include a reiteration of relevant content delivered in line with the recommendations of the Phase 1 Review.

Workplace harm training

- Victoria Police should review the risks attached to online delivery of workplace harm training and explore options for it to be delivered face-to-face, including consideration of how other agencies with similarly large workforces approach face-to-face training in areas that require behavioural and attitudinal change.

- Victoria Police should ensure any external partners engaged to deliver training are subject matter experts that are sufficiently experienced and knowledgeable to deliver training content within the intent of the Phase 1 Review.

Endnotes

1   *Equal Opportunity Act 2010 (Vic)* s 18.

2   Carolyn Klinge, 'A conceptual framework for mentoring in a learning organisation' (2015) 26(4) *Adult Learning* 161.

3   Victorian Government, *Community Safety Statement 2017* (2017).

Chapter 11: Academy and training environment

Key findings

- Victoria Police has undertaken a robust and thoughtful review of the People Development Command (PDC) environment to improve risk management and address drivers of sexual harassment, sex discrimination and predatory behaviour targeted at specific cohorts. The Phase 2 Audit has found that the framework is based on best-practice principles for risk identification and management.

- Considerable work has been undertaken to deliver new professional boundaries training to all sworn teaching staff and implement a maximum time in position of five years for all sworn teaching staff. The Audit commends the initiative of the organisation in implementing the standard for the entire PDC workforce, rather than limiting it to the cohort identified by the Phase 1 Review.

- Victoria Police has undertaken work to ensure the safety and culture of Dedicated Training Workplaces for the organisation's recruits. The Phase 2 Audit notes the significance of this work, particularly in light of the additional recruits that will receive foundational training as part of the Community Safety Statement. Further work has been undertaken to improve the selection of Field Coaches and ensure they model the values of the organisation in their position as mentors through one of the most important foundational training experiences for new Recruits.

Phase 1 Review findings

The Academy is the Victoria Police centre for learning and teaching, and Victoria Police is a Registered Training Organisation recognised by the Victorian Registration and Qualification Authority. Police Recruits undertake their foundational training in the Academy in a program combining the delivery of operational learning and the values and expectations of the organisation. Police Recruits engage in placements in Dedicated Training Workplaces, overseen by a Field Coach.

The Phase 1 Review found that there had been history of risks within the PDC environment relating to teaching staff misusing their position of power. It heard evidence of instances of sexual harassment and predatory behaviour within PDC, as well as intimate relationships between trainers and Recruits that compromised the professional objectivity of trainers and may have been predicated on the vulnerability of the Recruit. The Phase 1 Review heard that the particular vulnerability of Recruits is in part due to their investment in the role and a concern that they will not be suitable for the role, or will not fit into the organisation.

At the time of the Phase 1 Review, work had been undertaken to enhance the understanding of teaching staff of the professional boundaries required between learners and trainers to ensure their interactions were professional and respectful. The Phase 1 Review also noted that significant changes had been undertaken to challenge a culture of inappropriate behaviour and misuse of power with an expectation that staff and Recruits demonstrate the values of the organisation. The Phase 1 Review noted that while this work was important, it found that inappropriate behaviours based on power imbalances between teaching staff and Recruits had continued and risked undermining PDC as a centre of excellence for teaching and learning.

The Phase 1 Review heard that while DTW are assessed and accredited by People Development Command (PDC), Field Coaches were nominated by their workplaces and were not subject to meeting specific criteria or a consistent selection process.

The Phase 1 Review also heard that at the end of their formal education, Recruits were surveyed about their experiences of foundational training. The survey included an evaluation of their learning experience, as well as any experiences of inappropriate behaviours during their training. Where there was inappropriate behaviour or areas identified that required improvement, PDC took proactive measures to address concerns and risks.

Recommendation 10

People Development Command strengthens management of risks associated with the Academy environment by:

- reviewing and updating the professional boundaries course by the recommended academic governance structure to further focus it on issues of sexual harassment, sex discrimination and predatory behaviour, as well as to introduce gender equity and equality concepts to instructors

- maximum time in position is instituted for police teaching staff in People Development Command

- further tightening of the selection of field coaches with explicit regard for Victoria Police values, including respect and equality for women and men alike

- further prescription of the management steps taken by the Academy to manage risks and victim/target safety detected, including through the Evaluation Strategy or Learner Surveys of sexual harassment or gender-based discrimination.

Intent of the recommendation

The Phase 1 Review envisaged that the professional boundaries training delivered to staff in PDC would be reviewed by the recommended academic governance structure and improved to introduce concepts of gender equity and equality to instructors, as well as embedding content on the nature, drivers and impact of sexual harassment, sex discrimination and predatory behaviour. The Phase 1 Review found that improved training guided by the expert advice of the academic governance structure would help to increase the safety of the Victoria Police learning environment by ensuring that all PDC staff understood their professional obligations, and could identify and take measures to respond to problematic and inappropriate behaviour.

It was recommended in the Action Plan that Victoria Police review the training provided to all staff within the School of Policing, Academy Services and Learning and Development Standards within six months of the release of the Phase 1 Review, with a continuing annual review of this content.

The Phase 1 Review also recommended that maximum time in position was instituted for all Police teaching staff within PDC. While the Phase 1 Review noted that many sworn teaching positions within PDC have maximum time in position provisions within their contract, some employees had no condition within their contract and others had seen their condition expire. The Review intended that these defined teaching periods would be enforced to ensure that contemporary operational experience is possessed by all sworn instructors. The Review noted that excellence in learning police craft should be informed in PDC by current operational policing experience and expertise.

The Phase 1 Review intended that PDC would improve risk management by proactively identifying and treating risks, including implementing mechanisms to highlight areas where there were concerns of inappropriate or unprofessional behaviour. This includes improving the data collection process at the end of a Recruit's training, and taking measures to ensure the safety of victims and targets of sexual harassment and predatory behaviour.

Refinement of the selection of Field Coaches was recommended by the Phase 1 Review to ensure that coaches in Dedicated Training Workplaces are appropriately skilled and qualified to oversee Recruits, with an emphasis on Field Coaches demonstrating Victoria Police's values. The Phase 1 Review saw that this would assist to provide safe, professional learning environments for trainees and ensure that they are mentored by employees who model the key values of the organisation.

Indicators of successful implementation

Improved Academy and training environment

- A review is undertaken of the training provided to all staff in the School of Policing, as well as staff in Academy Services and Learning and Development Standards, within six months of the Review and then refreshed annually.

- Further training and guidance is developed for Academy staff to ensure that they demonstrate appropriate professional boundaries. Specifically, staff are trained to:

  – appreciate and mitigate the risks caused by imbalances of power

  – develop a robust and evidence-based understanding of the concepts of gender equity and equality

  – understand the nature and prevalence of and identify sexual harassment, sex discrimination and predatory behaviours.

- Changes are made to ensure police teaching staff only remain in their roles for a designated maximum period (maximum time in position).

- Mechanisms are in place to ensure that Field Coaches are rigorously selected and trained to meet the requirements of probationary staff in Dedicated Training Workplaces, including explicit regard for Victoria Police values (including respect and equality).

- Content and delivery of training programs for all staff within the School of Policing, Academy Services and Learning and Development Standards are annually monitored and evaluated to ensure they deliver on their intended outcomes.

Management of risks in the Academy context

- The Academy implements a strong risk identification process with mechanisms to treat identified risks.

- Mechanisms are in place to ensure that the Academy identifies and manages all risks in its environment through robust data collection and post-training surveys.

Improved response to workplace harm in the Academy context

- A victim-centric process is created within the Academy to assist targets and victims of workplace harm, with strong connections to the Workplace Harm Unit.

Summary of key activity to date

As at 30 June 2017, Victoria Police had implemented the following measures to work towards a safer PDC environment with stronger mechanisms for risk management:

- a review of the current risk identification and management process within PDC
- development of an improved Risk Management Framework and Risk Register
- commencement of the re-development of content, curriculum materials and re-design of a new professional boundaries course
- review of existing maximum time in position process for sworn educators
- development of a new maximum time in position process for sworn educators
- creation of Continuous Professional Development plans for new staff commencing five-year maximum time in position roles
- development of a communications strategy to manage the maximum time in position processes
- audit of the selection criteria and risk assessment processes for Field Coaches
- development of new selection criteria and methodology for the selection of Field Coaches
- development of new selection criteria and methodology for the retention of existing Field Coaches
- improved service delivery in the Foundational Student Management Unit, including additional staffing resources to provide student support and guidance through welfare issues.

Audit findings

Risk management

In late 2016, Victoria Police undertook an analysis of the existing PDC Risk Management Framework and analysed it against Australian and Victorian Government standards for risk management and the recommendations of the Phase 1 Review. The analysis identified a number of issues with the existing Framework, including the following critical issues:

- The Framework was not detailed enough to ensure that all risks were identified.
- Recording of risks was largely ad-hoc and relied on proactive reporting rather than data collection or hazard assessment.
- It was unclear whether controls were sufficient to address identified risks.
- Risk treatment controls could be improved.
- It was unclear whether the monitoring of risks and controls embedded sufficient accountability and decision-making processes with PDC.

A proposal for a new Framework for the management of risks was developed, with the following objective adopted to guide the development of the body of work:

A safe, inclusive and respectful workplace for all staff and students, free from sexual discrimination, sexual harassment and predatory behaviour

The following key components are contained in the proposed new Framework:

- a Risk Register that puts greater reliance on proactive risk identification and less on reporting of incidents. Mechanisms for proactive risk identification include risk workshops, hazard assessments in specific areas by workgroup managers, and consideration of risk escalation in annual planning processes

- further Risk Controls to treat known risks within specific cohorts that ensure that risk management practices are consistent across both PDC and within Dedicated Training Workplaces:

  - for Recruits as an identified vulnerable cohort, these controls include more rigorous and consistent selection and induction of PDC Instructors, increased professional development for Instructors, and increased remedial assistance for Recruits delivered by an independent third party

  - for staff in PDC, it identifies that specific workplaces have under-representation of women compared to other areas of the organisation and notes this leads to particular vulnerabilities within work environments. A strategy has been suggested for development to increase female representation within PDC to mitigate demographically created risks

  - for management, it is identified that a lack of capability in identifying and responding to incidents of sexual harassment and sex discrimination will be treated by organisation-wide workplace harm training delivered under Recommendation 10 (see Chapter 11)

- a process for monitoring and reviewing risks and risk controls that brings together and analyses available data collection mechanisms within People Development Command and improves data collection sourced from surveys that relates to sexual harassment and sex discrimination. This process will be overseen and governed by senior leadership within PDC and the Academic Governance Board (AGB)

- a prevention model that engages with a public health approach to risk, addressing underlying drivers of problems to identify and treat risk.

The Phase 2 Audit has heard that the risk framework is not yet operational and that further reforms are required before it is put in to practice.

Findings

The Phase 2 Audit found that the proposed Framework is robust and based on best-practice principles for the identification, management and prevention of risks, and suggests some minor modifications to the Framework.

The Risk Register's focus on proactive risk identification is consistent with the findings of the Phase 1 Review that under-reporting was a significant issue within the organisation, and it aligns with systematic approaches to risk in framework design as identified in the Victorian Government's Risk Management Framework.[1] The Audit suggests that, in keeping with the Victorian Government's framework, the suggested cohorts be expanded to include inter-agency risks (for example, risks that have the capacity to impact both PDC and the Department of Justice and Regulation) and risks that have the capacity to impact both Victoria Police and the state.[2]

The proactive risk controls identified for specific cohorts align with the intention of the Phase 1 Review and suggest practical treatments. The Audit suggests that the following controls are considered within the scope of the Framework:

- controls that address the recommendations of the *Mental Health Review*, with particular consideration given to recommendations 8 and 19 of that Review as they directly relate to training and development programs (8) and training for Recruits (19)[3]

- controls that identify the outcomes of professional boundaries training and workplace harm training delivered to PDC staff that identify gaps in employee knowledge and are measured against new and emerging risks in the PDC environment.

The Phase 2 Audit found that the proposed controls that ensure the evaluation and review of risk identification and management to guarantee their effectiveness are supported by clear accountability within PDC leadership for these processes, in line with the Victorian Government's framework.[4] The Audit notes that Victoria Police might consider reviewing the AGB's terms of reference to incorporate a formal risk management function and ensure that the Board has appropriate capacity and internal capability for a new, broad responsibility, and refers to the guidance contained in Chapter 3 to extend the term of the Board, with further consideration given to whether it should remain a permanent structure.

The proposed primary prevention approach to risk is evidence-based and aligns with the methodology contained in the Victorian Government's 10-Year Plan to respond to family violence. The 10 Year Plan includes a Gender Equality Strategy based on research that shows gender inequality is a critical driver of rates of violence against women, and is aimed at responding to and changing attitudes that maintain gender inequality and discrimination.[5]

The Audit notes that applying this approach to the PDC environment will require careful consideration by Victoria Police of the reinforcing strategies required for successful primary prevention efforts, and the preliminary outcomes of workplace harm and professional boundaries training to understand and effectively treat the current attitudes and drivers within PDC. It also notes that the Victorian Government's primary prevention plan is the first of its kind in Australia and that significant learnings can be taken from the government's work in this area. It suggests that Victoria Police engage with government to understand key learnings and challenges in the development of the Primary Prevention Strategy.

The Audit also notes that significant data collection and analysis can be accessed by PDC through Taskforce Salus, OneLink and the human resource business partnering model, and suggests that PDC considers the utilisation of that data to inform their risk management processes.

The Foundation Student Management Unit

Victoria Police's Risk Management Framework analysis identifies the Foundation Student Management Unit as a critical area in the management of risk in the Recruit cohort. The Unit is responsible for the welfare and support as well as disciplinary management of all Recruits, Probationary Constables, Protective Services Officers and Police Custody Officers during their training. The Phase 2 Audit has heard that additional staffing resources have been added to the Unit to support a splitting of its disciplinary and welfare functions. PDC advised the Audit that this has changed the nature of the relationship between the Unit and Recruits and increased levels of Recruits contacting the Unit for support and guidance on welfare issues.

Guidance going forward

- Victoria Police should consider identifying additional cohorts within their Risk Management Framework to include inter-agency and state risks.
- Victoria Police should consider additional controls addressing recommendations 8 and 19 of the *Mental Health Review*.
- Victoria Police should consider additional controls that identify risks and gaps in employee knowledge and ensure these data are fed back into the development of professional boundaries and workplace harm training.
- Victoria Police liaises with government to share learnings and principles from the implementation of a primary prevention approach to workplace harm.

- Victoria Police ensures that reporting pathways for Recruits enable them to control information relating to their complaint and that all complaints are dealt with in ways that embed principles of victim-centricity.

- Victoria Police engages directly with Recruits to increase their understanding of the work of OneLink and Taskforce Salus and considers how messaging can promote these internal complaint mechanisms to a vulnerable cohort.

Zero Harm Committee

In mid-2016 PDC reformed what was previously a Health and Safety Committee to create a new Zero Harm Committee. The Committee's reformation included a new focus on issues and risks within PDC that were identified by the Phase 1 Review. The Committee meets weekly and includes the highest ranking staff within PDC and representatives from HRD.

The Phase 2 Audit reviewed minutes from a number of meetings held in the last financial year. A thorough Action Register is maintained by the Committee to record the status of issues and ensure that they are being dealt with appropriately.

Findings

The Zero Harm Committee is being well-utilised by PDC as an ancillary mechanism to identify and treat risks within the Academy environment. The Phase 2 Audit observed a rigorous and evidence-based approach to issues of indirect discrimination within PDC, as well as formal mechanisms for serious incidents reported to the Committee. The Audit notes that the continuing presence of the Assistant Commissioner and other senior officers and their contributions to addressing issues raised in meetings gives the work of the Committee credibility and helps to ensure that treatment for risks is met swiftly.

Professional boundaries training

Understanding and evaluating the current delivery model

Victoria Police has undergone an evaluation of the existing professional boundaries training delivered to teaching staff within PDC. In mid-2016, four members of the AGB and key PDC staff responsible for the implementation of the reforms of the Phase 1 Review attended a professional boundaries course conducted for the purpose of participating and reviewing the program. The AGB attendees noted a number of issues with the training, including a lack of clarity relating to purpose and learning outcomes, a lack of explanation around organisational values, poor explanation of the meaning and impact of power imbalances, and a risk that learners could be shamed or re-traumatised. Attendees also observed that the course they attended included some instances of victim-blaming, as well as unprofessional language and inappropriate jokes.

Formulating new professional boundaries training

The attendees from the AGB made a number of recommendations for the reformulation of the course, its content and the teaching methods to deliver it. In keeping with this advice and the learnings of the Phase 1 Review, Victoria Police has created a new framework, script and delivery methods for professional boundaries training, with significant feedback and iteration sought and implemented by internal and external subject matter experts. The learning design of the program has been overseen by a newly recruited educational specialist with significant expertise in workforce training.

The Phase 2 Audit has reviewed the curriculum materials for the professional boundaries training. The content includes:

- a theoretical framework with a focus on the power inherent in the instructor role with a focus on the gendered dynamic of instructor-student relationships and the drivers of sex discrimination and

sexual harassment. The framework clearly identifies the desired outcome of the training, which is that sworn instructors understand violations of professional boundaries and the categories of harm caused by these violations; prevent future violations; and, where they occur, build instructor capacity to identify and act upon violations

- a strengths-based delivery methodology to encourage reflective learning where learners reflect on their own values and behaviours. The methodology focuses on learners being taught a spectrum of violations of professional boundaries so that they develop understanding of the impact of all violations. This includes particular focus on subtle sexism and its pervasiveness

- a thorough training manual and manuscript has been created to ensure consistent delivery and learning outcomes through the delivery of training.

Training delivery

Careful consideration was given to who should deliver professional boundaries training. The Phase 2 Audit understands that Victoria Police has engaged qualified external facilitators to deliver new professional boundaries training.

The new program will be delivered over four hours to newly-appointed teaching staff, with refresher programs delivered annually to ongoing staff that includes any new identified risks and organisational learnings. The Audit understand that two pilots have been trialled, with significant feedback collected from participants.

Findings

The Phase 2 Audit found that Victoria Police has engaged in significant work towards developing a best-practice professional boundaries program, with significant progress made toward delivery of a model that will ensure a safe and respectful learning environment. The Audit notes that the project plan includes an annual review and suggests that Victoria Police works toward establishing baselines for evaluating the success of the program. This may include consideration of the volume and nature of incidents being reported (noting that an increase in reporting by instructors may reflect evidence that the training is effective), assessments of learner evaluations and continuing review of training content to ensure its relevance.

The Audit notes the issues identified by the pilots of the training, and heard that some challenges have been identified with employee reception, the delivery of facilitators, and frustration from participants that there was duplication of content between different training programs. The learnings of the trials should be carefully considered by the organisation to ensure that the roll-out responds to these issues and delivers content that ensures employee knowledge of their professional responsibilities.

The Audit also emphasises the organisational value of regular evaluations and review of the professional boundaries training and notes that this evaluation is flagged in the project plan but is yet to be developed.

Guidance going forward

- Victoria Police should develop a baseline on which to evaluate the ongoing effectiveness of professional boundaries training. This evaluation should look to indicators that are based on behavioural and attitudinal change.

- Evaluations of the delivery of professional boundaries training should include an assessment of learner outcomes and the impact of the training on risk identification and management in the PDC environment.

Maximum time in position

Victoria Police has performed significant work to institute a five-year maximum time in position for all sworn teaching staff within PDC. Victoria Police has extended the work performed under this recommendation to include consideration of all sworn positions across PDC as it considers that sworn educators in non-teaching roles still impact the operations of the Command and the educational content of courses.

PDC has worked closely with the HRD to understand the impact of the instigation of Command-wide maximum time in position requirements, with particular reference to the industrial impact relating to employees with expired maximum time in position provisions and those who have never been subject to maximum time in position.

Victoria Police has instituted a strategic plan to ensure that risks, including industrial relations and cultural issues in the PDC environment, are diagnosed and treated. The strategic plan includes:

- calculation of the ideal maximum time in position length to address the business requirements of the organisation with the intent of the Phase 1 Review

- creation of operational rotation requirements and policy changes for all police staff to ensure that they perform operational duties for three months every two years and retain their expertise in operational policing.

A new process has been developed to ensure that there is accountability within PDC for adherence to the maximum time in position process and that management understands and can implement the process. PDC's governance unit is responsible for providing annual and quarterly lists identifying employees whose maximum time in position has expired to ensure that organisational planning and management is timely and consistent.

A new Continuous Professional Development plan for employees within PDC embeds the expectation that all staff subject to maximum time in position apply for vacancies in the six-month period before the period expires. The plan contains an expectation that management engage proactively with staff to ensure that they understand the requirements of a maximum time in position clause and support the professional objectives of the employee, including a five-year plan to ensure that an employee envisages their career path following their time at the Academy.

A PDC functional analysis found that in early 2017, 31 per cent of staff within PDC had seen their maximum time in position provision expire or had never been subject to the provision. It also noted that the *Victoria Police (Police Officers (excluding Commanders), Protective Services Officers, Police Reservists and Police Recruits) Enterprise Agreement 2015* (the Sworn Agreement) included a clause providing that if maximum time in position was not actioned within six months of its expiry that an employee was no longer required to vacate their position. Further work is underway to ensure that analysis addresses the scope of the work going forward. The Phase 2 Audit understands that the findings of the analysis have not been finalised and require review and approval.

Findings

The Phase 2 Audit notes that the finding of the Phase 1 Review to institute maximum time in position for police teaching staff was made in the context of risk management, but emphasises that most employees in PDC demonstrate the values of Victoria Police and maintain best-practice behaviours. It has heard that some staff are concerned that the Phase 1 Review's recommendation relating to maximum time in position has resulted in an incorrect connotation that instructors within PDC were 'predators'. While the Phase 1 Review did hear evidence that there had been instances of predatory behaviour, sexual harassment and sex discrimination within the Academy environment, this was certainly not universal and did not represent all staff within the Academy. The intention of this recommendation was to ensure that instructors within PDC maintained contemporary operational experience to ensure the Academy's reputation as a centre for excellence in learning.

The Audit has observed that implementation of this recommendation has required complex and sensitive work. It notes that Victoria Police continues to encounter issues with sworn employees within PDC who had no maximum time in position condition or whose provision has expired. It also notes the issues that have arisen in relation to the Sworn Agreement.

The Audit has observed that while issues with existing employees require more strategic work in consultation between HRD and PDC, the proposed mechanisms to ensure that maximum time in position is enforced for new employees are clearly established and embed clear accountability for management, governance and employees. For employees who have expired or no maximum time in position on their contract, the Audit accepts that significant work has been performed to address this issue and that industrial considerations mean that the full implementation of this recommendation for this cohort may not be possible.

The Audit suggests that management staff are provided with more guidance to support employees coming into PDC so that they can plan for their career at the end of their contract. The Audit notes that the maximum time in position policy has suffered negative feedback since its instigation, and has heard that this has been in part due to inconsistent delivery of the policy as well as a lack of employee support.

Guidance going forward

- Victoria Police should consider providing additional guidance for management staff to ensure that they support an employee's career goals during their time in PDC, including providing additional developmental opportunities based on goals.

Dedicated Training Workplaces and Field Coaches

Victoria Police has developed an improved process to review and assess the selection criteria for Dedicated Training Workplaces, and to ensure that risk management in these stations was robust and considered the safety and development of new Recruits and Probationary Constables.

The Phase 1 Review recommended that Victoria Police further tighten the selection of Field Coaches with explicit regard to Victoria Police values. The organisation undertook a consultation period and identified that broader work needed to be performed to ensure that Recruits were placed in safe and supportive environments at Dedicated Training Workplaces. This work was extended in light of the findings of the Phase 1 Review that Recruits and Constables had experienced inappropriate workplace behaviour, sexual harassment and sex discrimination in Dedicated Training Workplaces during their foundational training. Victoria Police emphasised that the welfare and wellbeing of Recruits during their work placements was critical in their socialisation into the organisation.

Dedicated Training Workplaces

A risk management review report was researched and drafted by Victoria Police to understand the process of a Recruit through foundational training and identify risks within the training process. The report identified that there were 99 uniform Dedicated Training Workplaces and 42 Highway Patrol Dedicated Training Workplaces in metropolitan, regional and rural locations. Sites undergo biannual assessment by the organisation which includes a risk assessment. To be selected by the organisation as a Dedicated Training Workplace, a metropolitan site must nominate itself through an expression of interest process. Once a location has been nominated or selected, a risk assessment is undertaken. If the location passes, an agreement is drafted between the site and PDC to establish the obligations of the site and the expectations of the organisation. Under a new risk-management process, the Dedicated Training Workplace Unit continuously monitors and evaluates sites through a Recruit's field placement. The monitoring process includes reflective sessions and Recruit surveys, a feedback mechanism and continuing risk register, biannual site visits, and corrective measures if issues and risks arise.

The following changes to the Dedicated Training Workplace selection and review processes were recommended by the organisation's report:

• as recommended by the AGB, a further mechanism to evaluate the culture of a site is undertaken as a part of the selection process

• a review is undertaken of feedback surveys to ensure that sufficient data are collected relating to the culture of the site as well as employee welfare and wellbeing.

The Audit has also heard that significant work has been undertaken by the Dedicated Training Workplace Unit to ensure that risks and issues are swiftly dealt with.

Field Coaches

In late 2016, PDC undertook a process to review the selection criteria for Field Coaches and create a new framework for ensuring that the selection process had explicit regard for Victoria Police values. As found by the Phase 1 Review, there were previously no official criteria for the selection of Field Coaches. At the time of the Phase 1 Review, prospective Field Coaches were nominated by management in Dedicated Training Workplaces and completed one day of mentor training and two days of field coaching.

Work was undertaken to identify the key skills, capabilities and qualities that all Field Coaches should embody, and new proposed Selection Criteria has been developed for consideration by management when selecting a Field Coach. A proposal has emphasised that Field Coaches should volunteer for positions, rather than be nominated by management. It is emphasised that the role of a Field Coach is to support recruits through their learnings in Designated Training Workplaces to provide constructive feedback and guidance, and to model the values and behaviours expected of Victoria Police employees.

Findings

The Phase 2 Audit commends the work of Victoria Police to extend the scope of this work to include reforms ensuring the safety of Dedicated Training Workplaces.

As previously mentioned, the Community Safety Statement will see an additional 2729 police recruited by Victoria Police in the next four years. This will result in increased pressure to nominate Dedicated Training Workforces to mentor a large new cohort, requiring thorough and thoughtful organisational processes to ensure the safety of Recruits. The Audit emphasises the importance of this work and recommends that Victoria Police ensures this assessment and evaluation process remains robust, that identified risks are swiftly treated, and that inappropriate and problematic behaviours are quickly identified and responded to. The safety and wellbeing of Recruits in respectful Dedicated Training Workplaces is paramount to meeting the fifth priority of the Community Safety Statement, which aims to improve the capability and culture of the organisation and achieve the first priority of improving the safety of the Victorian community.

The Audit recommends that Victoria Police explore further options to monitor Dedicated Training Workplaces to ensure they are supportive, safe environments for Recruits. These could include a higher frequency of site visits, ensuring that regional and rural sites, which are identified as having strategic organisational value, have their organisational benefits weighed against their culture, and ensuring that data from Taskforce Salus, OneLink and the human resource Business Partnering Model informs the selection of Dedicated Training Workplaces.

The Victoria Police Blue Paper sets out the strategic vision for the Academy as a base through which its workforce learns in a dynamic and modern training environment where theory and the practice of policing are delivered in flexible, tailored programs. It envisages that operational police who are 'practice leaders' will deliver training in coordination with educational specialists. In the field, the Blue Paper sees new Recruits continuing to develop in Dedicated Training Workplaces with the support and supervision of workplace mentors and the guidance of tailored professional development plans.

The Audit notes that Field Coaches are, and will continue to be, a critical part of this mentoring process. Use of the proposed selection criteria is critical to ensure that Field Coaches model to recruits the values of the organisation and can guide them through the placements that form part of their foundational experience of the organisation.

The Audit also notes that implementation of the Community Safety Statement will create additional pressure on Dedicated Training Workplaces to nominate new Field Coaches to cater for an influx of Recruits. The Audit notes the organisation's finding that new selection criteria cannot identify a history of predatory behaviour by a prospective Field Coach, and suggests that People Development Command and the Dedicated Training Workplace Unit consider robust probity checks in their selection of Field Coaches. The particular vulnerability of Recruits was identified by the Phase 1 Review, and it is critical that Victoria Police ensure that their Field Coaches can create safe and respectful workplaces in a growing organisation.

Guidance going forward

- Victoria Police considers further options to ensure the safety of Dedicated Training Workplaces, including more frequent site visits and consideration of data from Taskforce Salus and OneLink in the selection and evaluation of sites. This process may include the introduction of random site visits and on-the-job evaluations of the progress and experience of learners.

- Victoria Police ensures that robust probity checks are undertaken in the selection of Field Coaches to identify nominees who have demonstrated inappropriate workplace behaviours.

Summary of guidance going forward

Risk Management Framework

- Victoria Police should consider identifying additional cohorts within their Risk Management Framework to include inter-agency and state risks.

- Victoria Police should consider additional controls addressing recommendations 8 and 19 of the *Mental Health Review*.

- Victoria Police should consider additional controls that identify risks and gaps in employee knowledge and ensure these data are fed back into the development of professional boundaries and workplace harm training.

- Victoria Police should liaise with government to share learnings and principles from the implementation of a primary prevention approach to workplace harm.

- Victoria Police should ensure that reporting pathways for Recruits enable them to control information relating to their complaint and that all complaints are dealt with in ways that embed principles of victim-centricity.

- Victoria Police should engage directly with Recruits to increase their understanding of the work of OneLink and Taskforce Salus and consider how these internal complaint mechanisms can best be marketed to a vulnerable cohort.

When the [new recruits under the Community Safety Strategy] get to the police stations, the managers need to be talking the same talk. Going to the police station is a new induction. The attitudes and values of trainees are shaped – that is the risk. The opportunity is there: the capacity to potentially drive cultural change quickly is massive. If you don't get all the preventive and education reforms out at the same time and resource conflict resolution responses properly – rather than six months – it becomes a problem. – **External interviewee**

Professional boundaries training

- Victoria Police should consider developing a baseline on which to evaluate the ongoing effectiveness of professional boundaries training.

- The organisation should ensure that its evaluations of the delivery of professional boundaries training include an assessment of learner outcomes and the impact of the training on risk identification and management in the PDC environment.

Maximum time in position

- Victoria Police should consider providing additional guidance for management staff to ensure that they support an employee's career goals during their time in PDC, including providing additional developmental opportunities based on goals.

Dedicated Training Workplaces and Field Coaches

- Victoria Police considers further options to ensure the safety of Dedicated Training Workplaces, including more frequent site visits and consideration of data from Taskforce Salus and OneLink in the selection and evaluation of sites.

- Victoria Police ensures that robust probity checks are undertaken in the selection of Field Coaches to identify nominees who have demonstrated inappropriate workplace behaviours.

Endnotes

1   Department of Treasury and Finance, *Victorian Government Risk Management Framework – December 2016* (State of Victoria, 2016) 17.

2   Ibid 8.

3   Victoria Police, *Victoria Police Mental Health Review* (State of Victoria, 2016) 10. Recommendation 8: Reorganise and update all leadership programs around an overarching people oriented leadership framework, ensuring consistency of messaging across programs. Mental health literacy content should also be embedded and examinable as a mandatory component in all leadership development programs, especially Sergeant and Senior Sergeant levels, as well as training in undertaking supportive conversations. Recommendation 19: Resilience content in recruit training should be refreshed and updated, and mental health literacy and physical health education content be added. This content should be positioned as 'foundational' on the same level as operational skills training and thus should also be examinable.

4   Department of Treasury and Finance, above n 1, 13.

5   Department of Premier and Cabinet, *Ending Family Violence: Victoria's Plan for Change* (State of Victoria, 2016) 25–27.

Chapter 12:
Role requirements

Key findings

- Victoria Police has undertaken work to review the inherent requirements of a general duties police officer role to analyse the foundation skills, capabilities and key attributes of a police officer against the criteria set out in the Australia New Zealand Policing Advisory Agency (ANZPAA) inherent requirements.

- The Phase 2 Audit has found that this work does not fully sufficiently reflect the intention of the Phase 1 Review in working towards aligning sworn and Victorian Public Sector (VPS) roles across the whole organisation, and mitigating the gender impact of current role descriptions.

- The Phase 2 Audit notes that more work is required for Victoria Police to understand the core knowledge, skills and attributes required of all Victoria Police employees, across all sworn and VPS roles at all levels, including specialist units.

Phase 1 Review findings

The Phase 1 Review found that women in the organisation in both sworn and VPS roles tended to be of lower rank than male employees. Women in VPS roles reported career stagnation at low VPS levels, with limited opportunities for progression in rural and regional areas. At the time of the Review, female Police officers were almost at level as Recruits, representing 49 per cent of the trainee cohort. At Constable and Senior Constable level, this proportion dropped to 30 per cent. At Sergeant, Senior Sergeant and Inspector level, women represented 13 per cent of employees, and 21 per cent of Assistant Commissioner level employees were women. This disparity was particularly marked in rural and regional areas, where only 11 per cent of supervisor and management employees in sworn roles of Senior Sergeant and above were women.

The Phase 1 Review found that the low levels of women in senior roles was a result of systemic discrimination within the organisation. The Phase 1 Review also found that significantly more women than men were appealed when selected for promotions and transfers.

The Phase 1 Review reported that the traditional masculine characteristics of a police officer such as physical size, toughness and an ability to work full-time without being impacted by caring or parental responsibilities were highly valued within the organisation, and that an employee with these traits was more likely to be selected for a promotion than an employee who did not embody them. The Phase 1 Review noted that updates to the organisation's policies relating to promotional processes and new criteria for promotion and transfer within the *Victoria Police Act 2013* (Vic), and preferences for candidates that held traditional skills such as longer time in position and operational experience continued over candidates with greater efficiency.

At the time of the Phase 1 Review, the organisation's capability framework reflected the diverse set of capabilities required for particular roles; however, the Review consistently heard that technical and operational skills continued to by valued over professional and interpersonal skills.

Recommendation 11

That Victoria Police reviews the inherent requirements for roles to ensure they reflect the tasks required.

Intent of the recommendation

The Phase 1 Review envisaged that the organisation analyse and re-scope the requirements and criteria for all roles to ensure that the roles reflect the true requirements of policing roles – such as management experience, interpersonal skills and efficiency, rather than the traditional masculine policing values. The Phase 1 Review found that reviewing these requirements to ensure that they reflect what skills are required for roles across the organisation would enable the organisation to diversify and allow women to access roles that have been traditionally unavailable to them.

The Phase 1 Review noted that Victoria Police's Corporate Plan and the Blue Paper reflect the ambitions and commitments of the organisation to 'create a capable, flexible and professional workforce' as well as to improve organisational capacity building through lateral entry and early identification of talent. Victoria Police will progress to these organisational goals if it analyses and understands the actual duties performed in a role, and the prerequisites required for an employee to fill that role.

Indicators of successful implementation

Roles reflect contemporary requirements

- All role descriptions are reviewed and, as necessary, updated to reflect contemporary policing requirements and community expectations, including capabilities outlined in the Capability Framework. This includes (but is not limited to):
    - Protective Services Officers
    - Police Custody Officers
    - Probationary Constable
    - Constables, First Constables, Senior Constables and Leading Senior Constables
    - Sergeants and Senior Sergeants
    - Inspectors and Chief Inspectors
    - Specialist roles, including Detectives, Prosecutions Officers, Dog Squad Officers, Highway Patrol, Water Police, Crime Scene Officers, Mounted Branch, Public Order Response Team Officers, Operations Response Unit Officers, Critical Incident Response Unit Officers, Negotiators, and Special Operations Group Officers
    - VPS staff at all grades.
- Recruitment processes reflect that Victoria Police values interpersonal and management skills as highly as it values operational experience.

Summary of key activity to date

As at 30 June 2017, the Audit has observed the following key activities by Victoria Police towards the implementation of Recommendation 11:

• Victoria Police engaged an external service provider to review the inherent requirements of a General Duties Police Officer through an 'equity and diversity lens', based upon an ANZPAA inherent requirements policy document

• the external provider delivered a report proposing adoption of the ANZPAA requirements with minor modifications

• the report was provided to VRISC on two separate occasions; however, VRISC declined to approve the recommendations of the report.

Audit findings

In August 2015, Victoria Police approved a policy document developed by ANZPAA. This document sets out a summary of what the base and foundational skills, capabilities and attributes are required of a Police Officer in Australia and New Zealand. Each agreeing jurisdiction committed to take the policy into consideration when setting their own organisation's skill-based policies.

Victoria Police engaged an external provider to evaluate Victoria Police's role requirements for a General Duties Police Officer, limited to roles of Constables, Senior Constables, Sergeants and Senior Sergeants attached to uniform stations across the state, and engaged in response, rather than proactive, roles. The provider was directed not to analyse the requirements of specialist roles, squads and taskforces. The aim of the project was set out as establishing a platform to broaden Victoria Police's understanding of attributes required for roles, including supervisory and management roles, and to develop upon the traditional, stereotypically masculine attributes of policing.

The external provider was directed to look at both physical requirements, such as strength and mobility, and non-physical requirements, such as communication, ethical behaviour, cognitive abilities, empathy, ability to collaborate, and behaviour. The provider was also directed to assess whether these roles required full-time employees, and whether they should be undertaken by women, men, or people of a particular ethnicity or age.

An external consultant was selected with reference to their experience in gender strategies, pay equity and workplace flexibility. In undertaking the work, the consultant engaged with focus groups across the organisation and held a number of stakeholder panels to develop trend patterns.

The consultant also undertook a desktop review of Victoria Police's Capability Framework, position descriptions, and other internal documents, and aligned these with a proposed, slightly amended set of inherent requirements.

On the basis of its data collection and analysis, the external consultant's report found that the ANZPAA inherent requirements were an accurate reflection of the General Duties Police Officer role, and recommended minor amendments to the criteria set out in the requirements. These included amendments to the role objective of policing to include supporting the administration of justice, and the addition of a number of minor accountabilities, functional aspects of policing and tasks, and behaviours used to demonstrate those functional aspects.

The initial analysis was tabled in late 2016 and was not endorsed for use by VRISC. VRISC noted that:

- the methodology was flawed due to focus group feedback that imparted cultural bias on the findings and outcomes of the report

- the differing of views between country and city focus groups impacted data outcomes

- there was a lack of validation through ANZPAA of the proposed additions to the inherent requirements

- there was an incomplete spectrum of role accountabilities and specific unit functions.

The external consultant was asked to provide a further, amended report to VRISC. This report was tabled in February. VRISC rejected the additional requirements proposed by the report as it found that the requirements lacked a strong evidence base, and were not satisfactorily unbiased or non-discriminatory.

VRISC agreed that further work was required to meet the intention of the Phase 1 Review before a Victoria Police set of inherent requirements were formally endorsed.

Findings

The Phase 1 Review envisaged that Victoria Police undertake a review to understand the inherent requirements of all roles across the organisation. The Phase 1 Review found that the composition of the workforce showed low numbers of representation for women in leadership and management roles in both sworn and VPS roles. At the recruitment level, the Phase 1 Review found that a fairer standard required a reasonable and objective entry test around the genuine and inherent requirements of the position.

As detailed in Chapter 9, women experienced higher levels of attrition than men in Victoria Police. The Phase 1 Review found that a lack of options for workplace flexibility, and limited access and uptake to part-time and flexible employment was likely to be significant in understanding the attrition rates. It noted that a traditional, masculine stereotype of policing capabilities had a significant impact on women's progression through Victoria Police ranks. It also found that policing continues to uphold masculine attributes of brave, strong, autonomous men who form part of a 'boys club' with other police.[1] Research shows that hyper-masculine cultures can lead not only to the marginalisation of women, but to issues with decision-making, risk-taking, human rights violations, and have detrimental impacts on the health and relationships of male employees.[2] Changes to the criteria that reflect the modern requirements of policing roles would align with Victoria Police's fifth goal in the Community Safety Strategy and the strategic direction of the Capability Plan to ensure that the workforce is as appropriately skilled and diverse as the Victorian community it represents.

The Phase 1 Review recommended that the development of the *Gender Equality Strategy and Action Plan* (see Chapter 4) should coordinate a review of the inherent requirements required for all roles across the organisation. This review should develop a clear understanding of those requirements, and identify and moderate any gender impact revealed through the process of the Review.

The Blue Paper emphasised the importance of Victoria Police having the right people with the right capabilities in the right roles. The Capability Framework mapped the range of core capabilities and their descriptors against Victoria Police's priorities. These documents provide an organisational, strategic focus for fulfilling the intention of Recommendation 11.

Recommendation 11 envisaged that all roles within Victoria Police would be considered within the scope of the review of inherent requirements. However, the Audit has observed that the review takes a narrower approach by focusing on the general duties of a Police Officer at Senior Sergeant level and below.

> *In the promotion selection space, the way that you describe who you are looking for and what 'good' looks like can be really important. More transparency about what is valued could assist. Articulating what good leadership looks like, and acknowledging the different styles of good leadership, is important. For example, using masculinised words – like decisive, confident and results-focused – in job ads can discourage female applicants. If the desired leadership style acknowledges 'feminine' qualities – for example, empathy and people management – it is more likely that a woman might say 'That sounds like me, I could do that.' If it's put there as 'We are looking for people who can build a high functioning team and who can allocate resources', it can help women to think 'That looks like me.'*
> – **Internal interviewee**

The Phase 1 Review notes that the ANZPAA requirements provide an evidence-based, useful ground on which Victoria Police can build on and develop to inform the inherent requirements for their own roles. However, it also notes that the organisational environment, community expectations, social and environmental trends are distinct to Victoria Police and require specific responses to the expectations and needs of the Victorian community. These specific public demands for Victoria Police's services were well-articulated in the Victoria Police Blue Paper and the Victoria Police Capability Framework, which clearly outlined the roles, functions and jurisdictional factors specific to policing in Victoria. Victoria Police has its own specific visions, agendas and strategies.

The Phase 2 Audit also notes that Victoria is subject to its own legislative schemes that govern employment, equal opportunity and human rights in Victoria. Adapting the ANZPAA inherent requirements to apply to Victoria Police may fail to meet these unique organisational specifications if a review of these requirements fails to gain a deep understanding of what skills and capabilities Victoria Police employees at different levels should embody.

The Australian Human Rights Commission's 2014 audit report *Review into the treatment of women in the Australian Defence Force* found that leadership positions were recruited on assessment of a candidates capabilities, including competence, ability and performance. This Audit also noted that other considerations, such as mutual trust and respect, were considered in recruitment processes. The Audit noted that these considerations were 'opaque and consequently hard to define or enshrine in policy',[3] and noted that it was important to systemically counter these 'opaque' considerations by challenging traditions, assumptions and customs of the organisation.

As documented in the Phase 1 Review, considerable work had been undertaken to update the legislative parameters for selection for higher duties within Victoria Police, and to modernise internal policies to reflect a broader understanding of merit and capability, yet operational and masculine traits continued to be preferred by recruitment panels. The broader issue of potential bias in decision making through the recruitment process should be considered by Victoria Police.

> *We also need to transform our definition of leadership and of leadership roles. This doesn't only apply to Victoria Police, but currently it is common practice to appoint people who are good technical specialist rather than good managers. If you have a good cop, that does not mean they will make the best manager. We need to look at how we define the requirements of the leadership role, how we go about selecting the right person and how we go about developing them as leaders to transition into the role.*
> – **Internal interviewee**

Guidance going forward

- Victoria Police should undertake work to understand the core knowledge, skills and attributes required of all Victoria Police employees, across all levels and specialist units. This work may consider:

  - review of Capability Frameworks of other public sector and policing jurisdictions, including the ANZPAA inherent requirements

  - position-specific employee engagement to understand the skills utilised and implemented by employees in specific roles

  - analysis of legislative frameworks and organisational obligations.

- Victoria Police should give particular consideration to roles above Senior Sergeant level and the skills and capabilities required for these roles given the significant supervisory and leadership components of these roles.

- Victoria Police should ensure equivalent consideration is given to reviewing the inherent requirements of VPS roles.

- Victoria Police should review existing role capabilities for gender impact and bias to understand how role capabilities have the potential to create barriers for women to access promotional opportunities.

- Victoria Police should consider amendments to role capabilities where the project identifies gaps or specifications that are not compatible with modern, equitable and flexible policing.

- Victoria Police should consider that the review of role requirements should be followed by an understanding of how these informal or undocumented considerations impact promotional processes. Victoria Police should consider whether this process includes unconscious bias training for panel members.

Endnotes

1   Angela L. Workman-Stark, *Inclusive Policing from the Inside Out* (Springer, 2017) 23.

2   Robin J. Ely & Debra E. Meyerson, 'An organisational approach to undoing gender: The unlikely case of offshore oil platforms' (2010) 30 *Research in Organisational Behavior* 3.

3   Australian Human Rights Commission, *Review into the treatment of women in the Australian Defence Force* (2012) 56.

Chapter 13: The Professional Development Assessment system

Key findings

- Victoria Police has undertaken a review of the Professional Development Assessment (PDA) system and the Employee Capability Framework to determine where performance in workplace equality and respect can be captured in the annual performance assessment cycle. New performance objectives have been created to ensure that management and supervisory staff are strong and ethical leaders who work to prevent discrimination and harassment, afford all staff equal opportunities, and demonstrate and ensure respect. The Phase 2 Audit commends this work in ensuring the higher levels of the organisation embody and are measured against its values.

- No reforms have been made to the PDAs of staff below VPS 4 or Senior Sergeant. Instead, managers and supervisors have been encouraged to explore ways to include assessment on workplace equality and respect in annual PDA assessments. The Phase 2 Audit has found that this cohort represents 85 per cent of the organisation, and encourages Victoria Police to explore how these behavioural and values expectations can be incorporated into the annual review process.

- A new template has been developed for executive PDAs that emphasises leadership skills and their position as organisational role models. These new performance plans commenced in the 2016–17 financial year. The Phase 2 Audit has noted that evaluation is required to understand the effectiveness of these performance indicators.

- Victoria Police has determined that the PDA system is an appropriate tracking mechanism for recording inappropriate workplace behaviours, and has viewed documentation that encourages management and supervisory staff to utilise the employee development system to track problematic behaviours.

Phase 1 Review findings

The Review found that it was important for managers and supervisors to ensure that employees are supported to demonstrate Victoria Police values and are developed to meet their career goals. A key tool for the management of Victoria Police employees is the PDA, which management staff use to work with employees on their professional development and performance.

The Phase 1 Review heard that the PDA was underutilised by Victoria Police management and supervisors as a tool for performance development, and was sometimes improperly used as a mechanism to record unprofessional or inappropriate workplace behaviours. It noted that a policy prevented supervisory staff from recording management interventions around inappropriate behaviours, and that this policy was not always complied with. The Phase 1 Review found that the use of the PDA tool as a recording mechanism for inappropriate workplace behaviours compromised its utility as a professional development tool, particularly where learning opportunities were not provided to assist an employee to improve. It also raised concerns that the PDA system only held data for short periods, and was not a system used by the organisation to track the previous behaviour of individuals where they were being considered for promotional or transfer opportunities.

Recommendation 12

- Consistent with and feeding into the organisation-wide gender performance framework, performance in workplace equality and respect should be a compulsory performance field or performance appraisal and reward and incentive systems. This includes being a compulsory field of Professional Development Assessments (PDAs) and executive management performance agreements.

- Inclusive management should be regarded as an area of continuous and ongoing professional development for all employees.

- Managers who do not have and record conversations to support equality and respect in staff PDAs should be assessed as not meeting key performance indicators.

- Upward assessment processes for all supervisors and managers should be introduced as part of the performance development process. Feedback from this process should inform ongoing training needs assessment and development of the supervision and management training curriculum to be developed by People Development Command.

- Performance development measures for executives should be implemented to support people development in the workplaces they manage. Measures should emphasise effectiveness over compliance. Consider processes that formally acknowledge executives assessed to be effective in developing people and building organisational capability, including those who pro-actively develop employees to reflect the intended diversity of the Victoria Police workforce at all levels.

- Victoria Police reweights the capability descriptors guiding performance assessment for supervisors and managers at all levels with additional focus on people management skills and demonstrated leadership in building a skilled and diverse workforce.

- Victoria Police should review and identify the appropriate tracking and recording mechanism(s) for inappropriate workplace behaviours that warrant ongoing supervision and management.

Intent of the recommendation

The Phase 1 Review intended that the PDA system be utilised across the organisation as a tool for measuring an employee's demonstration of workplace values and to assist employee professional development. For managers and supervisors, the Review saw that the PDA system should be improved to ensure that managers were assessed on how they supported organisational values development in their engagement with staff, and whether their people management skills and leadership were appropriately weighted in their performance skills. This would include a re-weighting of the organisation's capability framework to set out the key capabilities and assessment points for roles across the organisation.

For Executive-level staff, it was emphasised that their progress in ensuring the development of employees in their workplaces, and their work to build the diversity and safety of the organisation, should be measured.

For employees who demonstrated inappropriate behaviours that require recording and management, the Phase 1 Review emphasised that the organisation needed to review how these behaviours were tracked and reported on. The Review also noted that separate workplace data recording mechanisms should be established through the workplace harm model to collect de-identified data on sexual harassment and sex discrimination in workplaces. This is addressed in Chapter 14.

Indicators of successful implementation

Selection of supervisors and managers reflects contemporary understanding of capability

- Mechanisms are in place to ensure that employees selected for supervisory and management roles demonstrate high interpersonal and management skills, and the performance assessment processes for these roles reflect the importance of these skills.

Performance management systems reviewed and updated

- The PDA system is reviewed and updated so that it is an effective tool for managing and ensuring the professional development of employees. This includes:

  - Capability descriptors used to guide performance assessments are reweighted, with additional focus on people management skills and demonstrated leadership in building a skilled and diverse workforce.

  - Structures are in place to ensure that all employees are assessed within the PDA cycle for modelling values of workplace equality and respect, and managers are assessed for holding and recording conversations around these values.

  - Managers and supervisors are assessed within the PDA cycle for demonstrating inclusive management.

- Confidential 360-degree feedback is instituted across the organisation for all managers and is considered an integral performance and development process.

Executives are accountable for developing inclusive workplaces and professional capabilities

- Performance development measures are implemented for Executive level staff to measure their progress in developing inclusive workplaces and their own professional capabilities.

- Processes are explored and implemented for the formal acknowledgement of Executives who are assessed to be developing people and building organisational capability, including those who pro-actively develop employees to reflect the intended diversity of the Victoria Police workforce at all levels.

Inappropriate behaviours consistently recorded and monitored

- Existing internal and external mechanisms to record and treat inappropriate behaviours are reviewed to assess effectiveness and ensure inappropriate workplace behaviours that warrant ongoing supervision and management are appropriately recorded.

- Changes are made as necessary to ensure that inappropriate workplace behaviours are addressed by the appropriate channels and that employees demonstrating these behaviours are provided with specific management.

- Support and guidance for managers to use the recording and monitoring mechanism are in place.

Implementation action

As at 30 June 2017, Victoria Police had worked on the following projects working toward the delivery of a reformed PDA system:

- a review of the Victoria Police Employee Capability Framework detailing the key capabilities required to perform roles within the organisation
- a review of the Victoria Police PDA system
- new mandatory Stand performance objectives for the PDAs for all Senior Sergeants, VPS 4 staff and above
- work to train management staff to have conversations with employees about expectations relating to behavioural standards and measures and ways to incorporate it in an employee's PDA
- a new Executive Performance Plan for Command members
- content of the Supervisor Toolkit relating to management of inappropriate workplace behaviours
- preliminary work to develop and transfer to a new PDA system.

Audit findings

The PDA system and management capability

Review of the PDA system and the Employee Capability Framework

Victoria Police undertook a review of its PDA system and its Employee Capability Framework to determine whether performance in workplace equality and respect were compulsory assessments within the annual review system, noting that the PDA system is based on the descriptors within the capability framework. The review noted the following:

- Objectives within the PDA system are a compulsory field for the ranks of Senior Sergeant and above and VPS 4 and above, who account for approximately 15 per cent of the organisation's workforce. These objectives are developed between an employee and their assessor, who is ordinarily their supervisor or manager.
- Ratings against the Employee Capability Framework for the specific requirements of each sworn and Victorian Public Sector (VPS) role are compulsory for all employees.

The review found that the Employee Capability Framework included the following capabilities for all sworn and VPS employees under the field 'establishes productive working relationships':

- treats everyone with respect, courtesy and dignity. For roles of Senior Sergeant and VPS 4 and above, this requirement includes a responsibility to ensure that other employees or team members do likewise
- acknowledges and respects a broad range of social and cultural customs, beliefs and values
- understands the value of gender, cultural and generational diversity.

The analysis emphasised that these capability headings have been developed and agreed to with input from the Community and Public Sector Union and the Police Association Victoria, and created by industrial instruments. The review notes that these frameworks are readily available for all staff on the intranet, and that performance incentives require staff to meet a satisfactory rating against their capability assessors.

Gaps within the current PDA system were analysed in relation to the drivers identified in Chapter 10 of the Phase 1 Review. This gap analysis looked at how issues with managerial knowledge and understanding of the PDA system could be improved via organisational training and improved functionality.

The review also noted that further education and training was required for all employees in relation to managing performance, expectations and behavioural standards, and noted that the Performance Development Unit were looking to develop a training package on providing all employees with tools and skills to manage and develop expectations of performance and behaviour.

New PDA performance objectives – VPS 4, Senior Sergeant and above

Victoria Police engaged in the development of a new PDA performance objective template to meet the requirements of Recommendation 12, and that these requirements would be automatically uploaded into the performance assessments of all employees required to meet performance objectives (Senior Sergeants and VPS 4 and above). These performance objectives include that employees:

> *Ensure that I am a strong, consistent & ethical leader, by:*
> * *preventing all forms of discrimination and harassment*
> * *affording all staff equal opportunities; and*
> * *demonstrating and ensuring respect.*

The measurements against these performance objectives include ensuring Stand messaging is embedded and communicated in training programs, readouts and workplaces; that induction packages and PDA conversations include standards of behaviour and inclusive practices; and identifying staff capability gaps and providing pathways to increase development opportunities and career progression.

These proactive performance objectives were endorsed by VRISC, which noted that 'practical implementation measures' would need to be considered before the implementation of the new performance objectives. It is unclear what these practical considerations are. The new performance measures were incorporated into the PDAs of employees at this level on 1 July 2017.

Performance objectives – Sergeant, VPS 3 and below

As noted above, the agreed capabilities within the Employee Capability Framework have been agreed to by both the Community and Public Sector Union and the Police Association Victoria, and that they underpin progression against the *Victoria Police (Police Officers (excluding Commanders), Protective Services Officers, Police Reservists and Police Recruits) Enterprise Agreement 2015* and the *Victorian Public Service Enterprise Agreement 2015*. Victoria Police has emphasised that the PDA process, as supported by the Framework, 'specifically accommodates the management of behaviour related to workplace equality and respect principles'. The organisation has determined that employee education, performance assessment and training in relation to the employee management system were the best mechanisms to ensure that the PDA is used as an effective tool for managing the behaviour of employees.

Victoria Police has developed a plan intended to give guidance for management and supervisory staff on how performance fields could include assessment on workplace equality and respect in the annual PDA for employees who are Sergeant and below, or VPS 3 and below.

An intranet page was launched in December 2016 that includes guidance on where reference to the principles of the Phase 1 Review could be documented in an employee's performance assessment. A number of suggestions for inclusion of these fields are incorporated in the intranet page. These suggestions refer to workplace equality and respect standards and the capabilities for all roles described above (within the Employee Capability Framework) are referred to as 'VEOHRC expectations'. The intranet page also notes that the organisation does not hold employees

accountable to the Phase 1 Review, but they are instead held accountable to legislative requirements, organisational values, the Force Code of Ethics/Conduct, and the capability framework. It also encourages management and supervisors not to use standardised templates for performance discussions. The intranet page includes the following suggestions:

- including a reference to 'VEOHRC expectations' in all sworn and VPS induction packages

- including a reference to 'VEOHRC expectations' in discussions at the beginning of PDA cycles

- providing a copy of Victoria Police's short guide to the Phase 1 Review to all employees.

The Human Resource Department (HRD) has advised that management staff are being provided with training to apply these suggestions to their interactions with employees.

Findings

The Phase 2 Audit commends the work to include Stand principles within the performance objectives for management and supervisory roles, which will go towards the successful implementation of Recommendation 12. In particular, the analysis to understand organisational drivers, relating to the issues around the PDA system that led to the recommendations of the Phase 1 Review, is commended.

The Audit notes that there is potential for the PDA system to include 360-degree or upward assessment processes for management and supervisory staff as recommended in the Phase 1 Review. This would require work between HRD in the facilitation of 360-degree assessment processes and PDC in the development of commensurate, appropriate training where development is required via the supervision and management curriculum.

The Audit notes that the organisation's data reflects that approximately 85 per cent of the Victoria Police workforce does not have mandatory performance objectives on their PDA. Recommendation 12 suggested that performance in workplace equality and respect be measured as a compulsory field of PDAs across all employees.

The Audit notes that placing reliance on the demonstration of values-based behaviour on monitoring by management and supervisory staff via the PDA system risks avoiding the individual accountability of lower-level staff, who make up the majority of the organisation. The Audit encourages Victoria Police to reflect on how these expectations can be incorporated into the PDA system, and suggests internal work as well as consultation with unions.

The Audit suggests that Victoria Police consider how the development of inclusive management skills, which see managers working towards building diverse workforces and equal representation, can be included in the professional development of all employees. This may be considered as an additional limb of workplace harm training, as detailed in Chapter 10.

Guidance going forward

- Victoria Police should explore ways to include performance in workplace equality and respect as a compulsory measure in employee PDAs for employees at the level of Sergeant and below, and VPS 3 and below. This may include consultation with the Police Association Victoria and the Community and Public Sector Union around how these measures could reflect the role-based capabilities included in the Employee Capability Framework.

- Victoria Police should consider the inclusion of training around Stand PDA objectives within the programs of work to improve management and supervisory training around the use of the PDA system.

- Victoria Police should commence work toward 360-degree or upward assessment processes, as recommended by the Phase 1 Review.

- Victoria Police should evaluate how the organisation can introduce inclusive management as an area of continuous and ongoing professional development, as recommended by the Phase 1 Review.

Executive Professional Development Assessment

Overview

The Victoria Police Executive Officer Performance Plan template has been re-developed, with new weighting criteria that reflect the role of the employee within the organisation and role-specific accountabilities. A key focus of the new performance plan is leadership, with 50 per cent of performance assessment weighted towards these criteria. This includes a requirement that Command members are role models for Victoria Police values, and that they demonstrate commitment to equity, inclusion and the elimination of workplace harm, conflict and discrimination.

The performance plan includes measures relating to a culture of feedback and accountability through engaging staff, completing constructive performance reviews, and driving safety and wellbeing. It is understood that the new performance plans commenced in the 2016–17 financial year performance cycle.

Findings

The new Executive template achieves the intention of the Phase 1 Review relating to Executive Officer performance management. In order to assess whether the changes to the reporting framework encourage accountability, Victoria Police should consider how to evaluate the use of these performance plans in the 2016–17 period to understand their effectiveness, including receiving employee feedback on their efficacy.

Tracking and recording inappropriate workplace behaviours

Overview

The Phase 2 Audit viewed a number of organisational briefings relating to the use of the PDA system, including the review of the PDA system gap analysis. The briefings noted that the analysis had determined that the PDA system, supported by organisational policy, provided an appropriate mechanism for tracking both appropriate and inappropriate workplace behaviours. The documentation reviewed by the Audit stated that training for staff will ensure that the PDA is used as an effective tool for managing employee behaviours in the workplace.

Findings

The Phase 1 Review heard from a majority of managers and supervisors that there was no clear organisational guidance or standard operative procedures for management when it came to managing concerns around inappropriate workplace behaviours, particularly where no complaint had been made.

The Phase 1 Review found that inappropriate behaviours, including sexual harassment, were often referred to the closest female manager or were not dealt with at all, and that this could result in a failure to comply with the positive duty of managers and supervisors to respond appropriately to sexual harassment, discrimination and victimisation in the workplace.[1] Where it was determined that a behaviour was appropriate for inclusion in an employee's PDA because it did not meet a threshold for formal action, the Phase 1 Review stated:

The intent of the PDA, which is to guide professional development, is compromised by its use as a mechanism to record inappropriate workplace behaviour where commensurate learning opportunities are not provided, or if there is an assessment that the incident(s) will not be resolved by professional development.

The Phase 1 Review intended for management and supervisory staff to refer inappropriate behaviours to the appropriate internal mechanism. These mechanisms are set out in the Supervisor Toolkit, as analysed by the Audit in Chapter 5. They included guidance for the appropriate referral point and resources for employees, as well as a risk management guide. The Phase 2 Audit notes that the Supervisor Toolkit includes an assessment guide for managers to determine whether inappropriate behaviour should be recorded in the PDA. It includes guidance that 'if it's not in the PDA, it didn't happen!' but notes that the 'PDA is a development tool not a form of punishment, be fair and constructive'. The Supervisor Toolkit notes that any entry in the PDA relating to sexual harassment or sex discrimination should be specific, timely and detailed enough to enable all parties to understand underperformance while being mindful of privacy and principles of victim-centricity.

The Audit suggests that Victoria Police look at how these types of behaviours can be managed inside of the PDA system by providing opportunities for the employee to engage in specific training or learning that responds to the behaviour. It also suggests that Victoria Police include specific training and guidance for managers and supervisors around the use of the PDA system in identifying inappropriate behaviours and responding to them with learning opportunities.

The Audit encourages Victoria Police to look at whether inappropriate behaviours warranting a formal complaint process should be dealt with by performance development, or whether they require a more formal organisational response.

Guidance going forward

- Victoria Police should review how inappropriate behaviours recorded in the PDA system can be met with appropriate developmental and learning opportunities. The outcomes of this review should be followed by specific training for managers and supervisors.

- Victoria Police should undertake an analysis to:

  – understand the categories of inappropriate behaviour that are not appropriate for management under the PDA system

  – review what formal management responses may be necessary for these categories of behaviour

  – consider the necessary guidance for managers and supervisors.

Summary of guidance going forward

The PDA system and management capability

- Victoria Police should explore ways to include performance in workplace equality and respect as a compulsory measure in employee PDAs for employees at the level of Sergeant and below, and VPS 3 and below. This may include consultation with the Police Association Victoria and the Community and Public Sector Union around how these measures could reflect the role-based capabilities included in the Employee Capability Framework.

- Victoria Police should consider the inclusion of training around Stand PDA objectives within the programs of work to improve management and supervisory training around the use of the PDA system.

- Victoria Police should commence work toward 360-degree or upward assessment processes, as recommended by the Phase 1 Review.

- Victoria Police should evaluate how the organisation can introduce inclusive management as an area of continuous and ongoing professional development, as recommended by the Phase 1 Review.

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- Victoria Police should undertake an analysis to:

  – understand the categories of inappropriate behaviour that are not appropriate for management under the PDA system

  – review what formal management responses may be necessary for these categories of behaviour

  – consider the necessary guidance for managers and supervisors.

Endnotes

1   *Equal Opportunity Act 2010* (Vic) s 15; *Occupational Health and Safety Act 2004* (Vic) ss 20–21, 23.

Chapter 14: Workplace harm model (OneLink)

Key findings

- Victoria Police has established:

  - Safe Space, a confidential and independent 24-hour hotline for victims and targets of sexual harassment and sex discrimination

  - OneLink, a centralised triage and case-management model for victims and targets of sexual harassment, sex discrimination and predatory behaviour

  - Taskforce Salus, a highly efficient and organisationally respected unit to investigate incidents of sexual harassment and sex discrimination.

  This work represents important reform to the case-management, welfare and complaints framework for victims and targets of gendered harm within the organisation, and the Audit notes the significant and dedicated work of Victoria Police in their creation.

- Victoria Police has determined to extend OneLink's remit to include bullying. This may result in a significantly larger workload for OneLink, and requires a broader understanding of the complex drivers and impacts of bullying as well as protocols to respond to complaints of this behaviour.

- OneLink has commenced operation, with foundational policies established to direct its operation. The Phase 2 Audit encourages Victoria Police to look to the success of Taskforce Salus in creation of further policies and protocols to guide the work of OneLink.

Phase 1 Review findings

The Phase 1 Review found extensive rates of sex discrimination and sexual harassment across Victoria Police, accentuated by an organisational tolerance for everyday sexism, derogatory and unfavourable behaviours towards women and insufficient organisational responses to harm. A complex, inefficient and under-resourced formal reporting pathway for complaints of sex discrimination and sexual harassment resulted in underreporting of harmful behaviours, and significant re-victimisation, confidentiality concerns and dissatisfaction among those who engaged with the formal process.

The Review recommended a new organisational model and dedicated unit to provide victim-focused responses to sex discrimination, sex harassment, victimisation and detrimental action ('workplace harm'), and a specialist external hotline providing confidential support to victims and targets of workplace harm.

Victoria Police establish a workplace harm model that includes:

- immediate establishment of an external 'safe space' service to provide confidential support to victims/targets of workplace harm
- an internal victim-centric workplace harm unit to triage and case manage internal complaints about workplace harm
- an Independent Advisory Board to provide expert advice and support to the Workplace Harm Unit
- an expert human resource business partnering model to support local management.

Intent of the recommendation

The intent of Recommendation 13 was to establish a specialist unit for formal responses to victims and targets of workplace harm, supported by an evidence-based model guided by key principles of victim-centricity, confidentiality and safety and staffed by expert case managers. The unit would be supported by an independent advisory structure composed of external experts in best-practice, victim-centric approaches to workplace harm.

The confidential external 'safe space' service was identified as an organisational priority so that victims and targets of workplace harm, regardless of their rank, Victorian Public Sector (VPS) grade, or location, would receive confidential and timely external support. This recommendation reflected the lack of organisational advocacy, welfare and support reported by victims and targets of workplace harm.

The Action Plan envisaged that the external advisory board and confidential phone line would be established during Phase 1, while the specialist unit and model would become operational over Phase 1 and 2.

The Review envisaged that data collected by the specialist unit would be measured and linked to an enhanced organisation-wide data collection model attached to the *Gender Equality Strategy and Action Plan*, as detailed in Chapter 4. It was recommended that VPS and sworn management and supervisory staff should receive specific training in the identification, management and organisational referral system to assist targets and victims of workplace harm to seek support and engage with the formal complaint system. The Review also recommended that Victoria Police increase organisational understanding of mandated reporting under the *Victoria Police Act 2013* (Vic) in circumstances where misconduct required victims and targets to report.

Indicators of successful implementation

Establishment of Safe Space

- An external Safe Space is established to provide safety, advocacy, confidentiality and specialist support and advice to victims/targets of workplace harm. Its features include:
  - clear protocols guiding the information sharing and confidentiality of employees who access the service
  - evidence-based protocols for victim-centric responses
  - accessible and confidential reporting pathways, including to other support services such as CASA
  - support mechanisms for victims/targets who wish to make a formal complaint if they choose to do so (or are required to do so under the Victoria Police Act)
  - equitable services to all personnel, regardless of role in the workforce and location.
- The service chosen to deliver the Safe Space is independent from Victoria Police and skilled in specialist responses to workplace harm, including responding sensitively and ethically to victims of sexual harm.
- Safe Space is developed in parallel with other actions by Victoria Police to build safe, victim-centric responses aimed at building confidence and capacity for victims to report harm.
- De-identified data are collected and analysed to evaluate the effectiveness and operations of the Safe Space and inform the development of the Workplace Harm Unit.
- Safe Space is promoted broadly to all personnel.

Establishment of an Independent Advisory Board

- An Independent Advisory Board is established to guide the establishment of a Workplace Harm Unit and to provide ongoing support and advice to the unit once operational.
- The Board's membership includes:
  - people with expertise in equal opportunity issues, bullying, violence against women, discrimination and restorative intervention, and secondary victimisation
  - representation from the Human Resource Department
  - some crossover with the academic governance arrangement in People Development Command.
- The Board reports directly to the Deputy Commissioner, Capability, and its functions include:
  - providing advice on setting practice standards and guidelines, determining referral pathways and information sharing protocols
  - advising Victoria Police on recruitment of organisations and individuals to the Workplace Harm Unit
  - developing and implementing quality assurance mechanisms to ensure best practice and minimum standards are adhered to.

Establishment of a Workplace Harm Unit

- A Workplace Harm Unit is established to triage and case manage all internal complaints about workplace harm. The Unit:

  – is underpinned by a robust and evidence-based model guiding its functions and operations to provide specialist, victim-centric triage, case management and support to all employees who are victims or targets of sexual harassment and sex discrimination

  – has clear and consistent protocols to classify and record complaints about workplace harm, consistent with relevant legal definitions and best-practice victim-centric approaches for sex discrimination, sexual harassment and victimisation

  – has clear and consistent protocols with respect to confidentiality, referral pathways, information sharing, decision-making, dispute resolution, work plan and reporting processes

  – employs specialist staff in the areas of HR, equal opportunity issues, bullying, violence against women and restorative intervention, who are comprehensively trained and developed to respond to sexual harassment and sex discrimination

  – has triage options that include specialist support to address workplace harm (both internal and external), Safe Space, advocacy and advice, workplace interventions through the HR business partnering model, and investigations

  – provides ongoing case management, support and advocacy, based on an 'empowerment model' whereby targets/victims own the process at all times

  – has a formal relationship with the Human Resource Department, in particular HR business partners in order to support proactive evidence-based initiatives

  – is empowered to make decisions and recommendations on outcomes of complaints, with decisions referred to the Executive Director of the Human Resource Department if local management disagrees.

- The organisation tracks all data received by the Workplace Harm Unit and Safe Space, including complaint outcomes and satisfaction of complainants, and responds swiftly and appropriately to individual and systemic issues and risks.
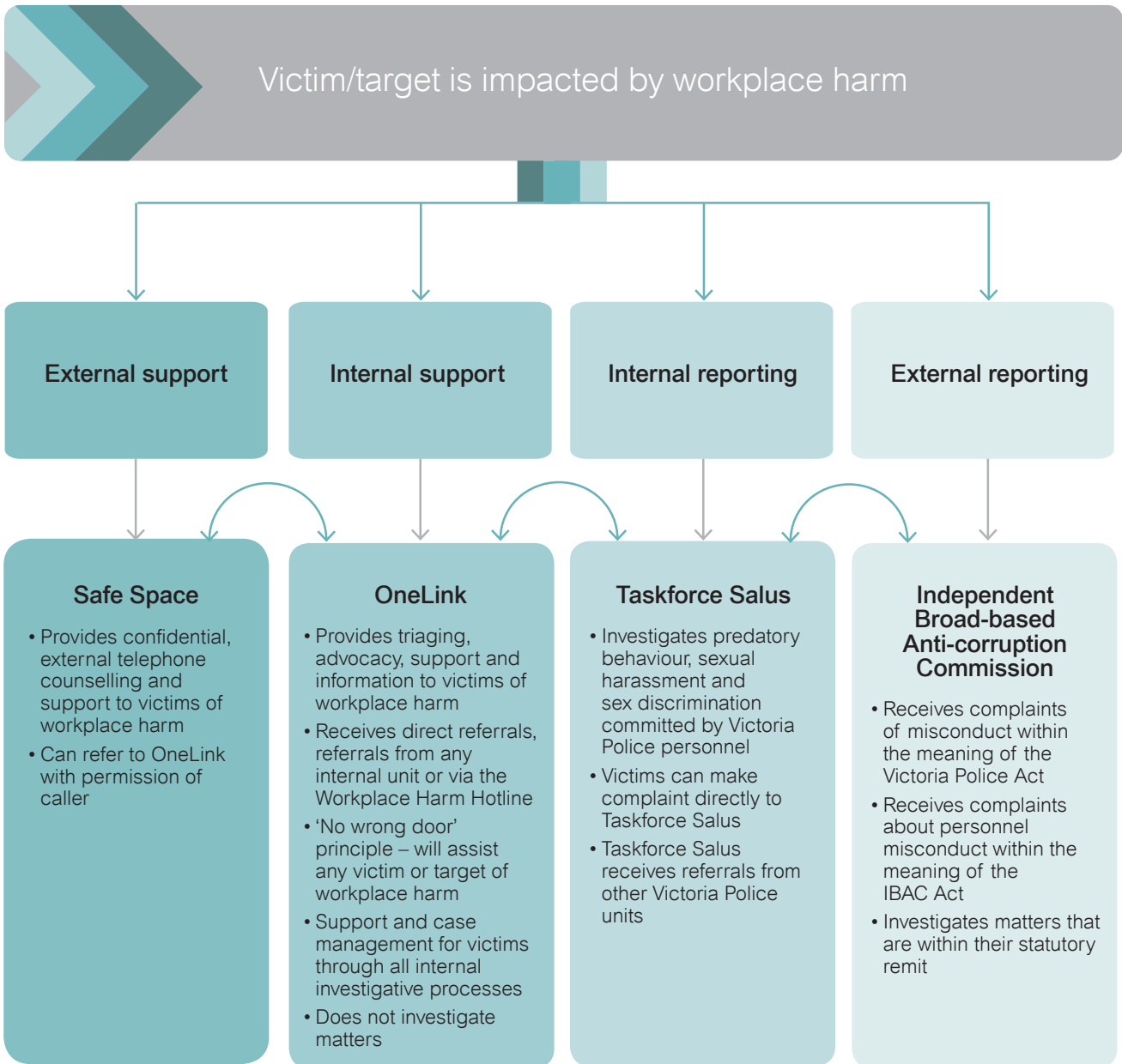
Implementation action

As at 30 June 2017, Victoria Police has created the following structures and work packages to deliver on the intention of Recommendation 13:

- engagement of an external provider and establishment of Safe Space, a 24-hour confidential hotline for employees of Victoria Police who are victims and targets of workplace harm, on 9 December 2015

- monthly reporting requirements established between Safe Space and Victoria Police for the transfer of de-identified data

- establishment of a skilled Independent Advisory Board (IAB) of external experts

- quarterly meetings of the IAB to provide strategic and best-practice guidance to the Human Resource Department

- dedicated staffing resources for OneLink, including a VPS 6 Manager, a VPS 5 Analyst, and three VPS 4 Case Managers

- strategic framework establishing principles and structure of OneLink

- submissions to VRISC to broaden the scope of the unit to include bullying and workplace conflict

- work developed to inform reporting protocols and an information and data sharing framework for OneLink.

Related action

- Establishment of Taskforce Salus, a specialist Victoria Police unit established to identify and investigate serious predatory behaviour and sexual harassment committed by Victoria Police personnel.

- Data monitoring and collection by Taskforce Salus to identify organisational risks and historical instances of sexual harassment, sex discrimination and predatory behaviour to identify high-risk or serial perpetrators within Victoria Police.

Diagram – internal supports created following Independent Review

Victim/target is impacted by workplace harm

External support	Internal support	Internal reporting	External reporting

Safe Space

- Provides confidential, external telephone counselling and support to victims of workplace harm
- Can refer to OneLink with permission of caller

OneLink

- Provides triaging, advocacy, support and information to victims of workplace harm
- Receives direct referrals, referrals from any internal unit or via the Workplace Harm Hotline
- 'No wrong door' principle – will assist any victim or target of workplace harm
- Support and case management for victims through all internal investigative processes
- Does not investigate matters

Taskforce Salus

- Investigates predatory behaviour, sexual harassment and sex discrimination committed by Victoria Police personnel
- Victims can make complaint directly to Taskforce Salus
- Taskforce Salus receives referrals from other Victoria Police units

Independent Broad-based Anti-corruption Commission

- Receives complaints of misconduct within the meaning of the Victoria Police Act
- Receives complaints about personnel misconduct within the meaning of the IBAC Act
- Investigates matters that are within their statutory remit

Audit findings

Establishment of Safe Space

Safe Space was funded and launched by Victoria Police as a priority following the release of the Phase 1 Review. An external service was procured to provide 24-hour specialist support and advice to employees of Victoria Police who are victims and targets of sex discrimination, sexual harassment, or predatory behaviours. Safe Space clinicians are generalist counsellors lead by a clinical manager with specialist counselling experience. Safe Space has a specific remit and can make referrals to the Workplace Harm Unit with the permission of the caller, but does not investigate complaints.

Organisational messaging has been sent via email to alert management and supervisory staff and key stakeholders of the service provided by Safe Space. Read-out instructions were also provided to all station Commanders so that they could speak directly to employees about the availability and purpose of the service. The Audit has heard examples of this content being incorporated in station read-outs, and has observed consistent visibility of the service via posters and other visual merchandise at central, regional and rural station visits, as well as at Victoria Police Centre. Victoria Police has also produced a short video to assist supervisors to talk with staff about the support services available to them. Accompanying the video were talking points around the purpose and ambit of Safe Space. However, the Audit has observed that a Pulse Check survey in September 2016 identified a low organisational understanding of Safe Space.

Victoria Police has developed a referral framework to ensure that employees who are eligible for the service are identified and referred to the appropriate pathway. The referral framework requires that Safe Space clinicians assess a matter to establish whether a complaint is within the scope of the service, and provides referral pathways to alternative counselling and support services if it is not.

Findings

The Phase 2 Audit notes that Victoria Police has made a significant effort to communicate the service provided by Safe Space to employees, but employee engagement with the service remains low.

Safe Space has received a low number of calls since its establishment. The Audit heard that some complaints had been raised about the service provided. This includes an incident where a complainant was told by a clinician that they did not provide services outside of hours, and two incidents where clinicians were unable to provide targeted, specialist support.

> *Someone in this area rang [Safe Space], and because she didn't describe it [her experience] properly it's been characterised as bullying … [This particular woman] was told you need to go and see other areas [in the Victoria Police welfare structure], and I think it's because the questions weren't asked properly. In her area, you have a lot of young women. I think we need to do mystery calls with different scenarios to make sure the right questions are asked. We need to make sure that the people who call are guided because often they don't understand it themselves. [Complainants] don't necessarily understand that the behaviours are a pattern, or are sexual harassment.* – **Internal interviewee**

The Audit also heard evidence that there was low organisational trust in Safe Space, adversely impacting the levels of engagement with the service.

> *People are choosing to use other services rather than Safe Space. What does that tell us? People are not trusting the Safe Space. They are not trusting that set up. We have high levels of reporting of workplace incidents, but they are not being named as workplace harm. It means that communication, trust, the structures are not working. And that is the problem. There needs to be a better understanding that you are able to report everyday sexism, and I am not sure that this message is being pushed out to the organisation.*
> – **External interviewee**

The Audit also heard via focus groups with Victoria Police employees that they did not understand the service provided by Safe Space, or the circumstances that would lead to an employee accessing it.

The Audit notes that this may demonstrate a lack of organisational understanding of the purpose and remit of Safe Space, despite consistent messaging. It may also reflect low trust in the services provided by Safe Space, which may have been amplified by reports of inconsistent service provision by external providers.

A separate Workplace Harm Hotline was established following the Phase 1 Review and was serviced during business hours by Human Resource Department (HRD) staff. It is understood that this hotline will be transitioned to sit within OneLink. However, this duplication of telephone services has the potential to confuse employees, given that there has already been organisational messaging around both Safe Space and the Workplace Harm Hotline.

Guidance going forward

- In order to ensure that all employees who engage with Safe Space receive specialised assistance, Victoria Police should work with the external service provider to deliver specific training to clinicians providing the service in identifying sexual harassment, sex discrimination and predatory behaviour; and offering targeted, victim-centric support.

- Ongoing engagement with management and supervisory staff should ensure that they understand the purpose of Safe Space and alternative pathways for staff who raise issues beyond its remit, with consideration given to the Audit findings and guidance contained in Chapter 10 in relation to training on workplace harm, and Chapter 14 in relation to the scope of welfare services within Victoria Police.

- De-identified data received by Safe Space should consistently be fed into the Workplace Harm Unit and/or Taskforce Salus so that Victoria Police can understand and address the scope and impact of workplace harm within the organisation.

Independent Advisory Board

A Charter establishing the terms of reference, purpose and guiding principles of the IAB was established in 2015. Membership for the IAB is limited to seven senior members, including a member of HRD. The Charter provides that the members collectively must have expertise in equal opportunity issues, bullying, violence against women, discrimination, restorative intervention, and secondary victimisation. The function and remit of the IAB is outlined in detail in Chapter 3.

The advice of the IAB has been sought primarily in the development and implementation of the workplace harm model and OneLink and the restorative engagement and redress scheme, which is outlined in Chapter 2.

> *It's been more as a sounding board, we've had to revisit the Terms of Reference along the way to identify how we can add value. A lot of the time it's in the form of reviewing the strategic docs and guidance on practical pathways, and the wording that's going to be communicated more broadly about the role of the Workplace Harm Unit. Although that's been focused on the minutiae, it's been really important and helpful to iron out those consistencies that could lead individuals down a different pathway. There were some issues around how the victim-centric model would play out given there are so many potential pathways for that model. The diversity of the Board is great, as is the practical guidance provided on how the Workplace Harm Unit can achieve its objectives and go back to the Review along the way.* – **External interviewee**

The Phase 2 Audit notes that the IAB is scheduled to cease operation in June 2018 under its current Charter.

Guidance going forward

- The IAB should be provided with sufficient information to give their expert guidance. This will help ensure that OneLink's operation is in keeping with best practice and that central principles of victim-centricity are maintained throughout its functions.

- With reference to the findings in Chapter 3, Victoria Police should consider options for the continuity of the IAB to provide ongoing strategic and best-practice guidance to OneLink, particularly during its early stages.

OneLink

OneLink, a unit to triage and case manage all instances of workplace harm, was established in 2017 and staffed with a dedicated manager and caseworkers. The launch of OneLink was planned as a 'soft launch' to allow the unit to improve, test and update its functions in the preliminary period of its operation.

The Phase 1 Review intended for a workplace harm model to provide the foundation for the operation of the OneLink and Safe Space. The Phase 2 Audit team heard that the workplace harm model had experienced a number of iterations and delays. Leadership turnover within HRD had impacted the delivery of the model.

> *The model in theory is fantastic. Getting it there is probably a fault of the culture of the organisation and the lack of trust that has been there in relation to the ability of us to do something about the issues. It's got all the right intentions, says all the right things, we've got good buy-in from the stakeholders. There are concerns about who will be the case manager in circumstances where a case gets to the psychological and welfare areas. There are some practical application issues that we are working through with those areas. They are not insurmountable, and we just need to work around them. The idea is to make it as seamless as possible – one person to speak to, empower them and advocate for them through the system. –* **Internal interviewee**

Victoria Police has created a strategic model to embed the high-level principles and a strategic vision for OneLink as a unit that triages all complaints of sexual harassment, sex discrimination, bullying and victimisation. It includes broad proposals for the structure and case management of OneLink, and models for interaction with internal and external stakeholders. A robust privacy impact assessment was also compiled to ensure the privacy and security of personal information collected by the OneLink.

The IAB has supplied comprehensive analysis and guidance on the language, scope and principles of the workplace harm model via their bi-monthly meetings. This advice included guidance on the triage system embedded in the model, the importance of the operational independence of the unit, and victim-centric principles to guide case management processes.

The Audit has seen limited examples of protocols for the operation of OneLink. Evidence received by the Audit has included some flowcharts to demonstrate the relationship between the Workplace Harm Unit and other organisational areas, as well as flow charts that indicate the access process to the Unit for different categories of employee impacted by sex discrimination, sexual harassment or predatory behaviour.

An assessment template has been developed to gather information on complaints for the purpose of reporting and understanding the content of the complaint and ensuring the safety of the target or victim. It is intended as a holistic record of all services and supports engaged by the victim to ensure that all complaints are recorded and triaged appropriately. The template includes directions on the types of information required for triage purposes, and directions to refer matters internally or externally depending on the content of the complaint. It includes a risk factor matrix with protective factors to mitigate perceived risks to the safety of victims and targets, bystanders and the family and friends of victims.

A complaints template for the use of complainants and their managements and supervisors has been developed to ensure that relevant and comprehensive information on a complaint, as well as questions directed to the wellbeing of the complainant, are recorded by OneLink in their triage assessments.

Findings

The Phase 2 Audit notes that significant work has progressed to ensure the workplace harm model is an effective system to triage and case-manage victims in a manner that embeds principles of victim-centricity. In the early stages of the model, it will be important to ensure that staff are well-supported and guided in acting in the best interests of the victim.

The strategic document for the workplace harm model provides for the strategic direction of the Unit. Further instructional documentation to guide the work of OneLink would be valuable, such as identifying whether a matter that is ostensibly bullying contains elements of sex-based discrimination.

As noted above, the privacy impact assessment developed for use of services falling under OneLink represents best-practice principles of privacy and victim-centricity. The Audit notes that it is critical for the safety and confidentiality of participants for the privacy structures to be strictly adhered to, and that protocols and policies are developed to ensure employee understanding and adherence.

Case study: Taskforce Salus

Taskforce Salus was created in January 2015 shortly after the announcement that the review would be taking place. The Phase 2 Audit has heard that the Taskforce is highly regarded and trusted throughout Victoria Police, effective, and appropriately focused on victim-centric processes. Its remit includes the investigation of predatory behaviour committed by Victoria Police personnel, as well as sexual harassment and sex discrimination committed by Victoria Police personnel against current and former employees. It is also tasked with contributing to the body of knowledge and change projects relating to these behaviours.

From its establishment to 14 June 2017, Taskforce Salus has commenced a total of 203 investigations. Each quarter has seen the numbers of investigations increasing.

Rather than engage in a targeted marketing campaign, Taskforce Salus relied on positive outcomes that led to word-of-mouth referrals. The Review heard that the Taskforce's operating model and the positive experience of most victims and targets engaging with its service had resulted in a high organisational profile.

> *Salus is … a shining light. They did a great communications campaign. It was 'Let's get down to the people severely affected and do it right' and there was a lot of word of mouth. They engaged with multiple people affected by the same incidents and gave a really good service. Those people felt comfortable and that multiplied.*
> – **Internal interviewee**

Taskforce Salus has been established under terms of reference that set out clear objectives for its operation. It employs 22 FTE staff, is overseen by a Superintendent and Inspector, and is supported by two additional Witness Support Unit staff members at Sergeant level. The staff comprise three separate investigation teams and a dedicated intelligence team. The Taskforce utilises a case management and intelligence system that allows for triaging of victims as well as data gathering for the purpose of risk identification and intelligence gathering.

There is significant work performed by Salus in mapping risks and predatory behaviour across the organisation. This work includes a significant review of predatory and inappropriate behaviours across the organisation, a review of historical complaint files, and a robust risk assessment process to review a member's behaviour and assess their level of organisational risk. Salus provides regular briefings to Executive Command on the data and risks identified by its intelligence, and draws organisational attention to high risk areas and Divisions.

> *From what we have seen of Salus investigations they appear to take into account that predatory behaviour is pattern-prone. In the past Victoria Police has looked at allegations in isolation and aimed to establish the veracity of a single event without expanding their view. Salus certainly seems to take a broader view.* – **External interviewee**

> *We have seen a commitment from Salus to address all complaints at all levels. We have seen them address minor matters and historical matters. There is a commitment to do that through Salus, which is driving confidence within the force.* – **External interviewee**

While Salus staff have not received formal or specific training on victim-centricity, the induction package provided to all employees, operating procedures and guidelines and case management principles all embed these principles. A Victim Management Plan has been created to guide the manner in which investigators case manage targets and victims who engage with the Taskforce, and regular messaging and contact is established through the Taskforce's case management system. This system ensures that victims and targets are contacted to assess their wellbeing; updated as to the status of the investigation and any variation in timeframes; and advised of any outcomes.

Taskforce Salus is located externally to Victoria Police Centre in a discreet location. The Review team heard that this provides a feeling of comfort and confidentiality for employees who engage with the service.

Guidance going forward

- Victoria Police should ensure clear and consistent organisational messaging to ensure that reporting and support are accessible by victims and targets of sexual harassment, sex discrimination and predatory behaviour.

- Victoria Police should identify where there may be perceived duplication in services (for example, the services provided by the Workplace Harm Hotline and Safe Space) and explore ways to make accessing multiple, similar services less confusing.

- It is important that a robust workplace harm model is developed by the organisation to ensure that OneLink is an effective and victim-centric service that addresses the following principles, as outlined in the Phase 1 Review:

  - victim-driven

  - specialist/expert

  - safe

  - confidential (based on the consent of the victim/target at all times)

  - evaluated based on harm and victim satisfaction.

- The workplace harm model should include the following:

  - guiding principles for all work delivered under the model

  - a model on the operation of Safe Space and its interaction with OneLink and the organisation's broader suite of support services

- a resourcing model for OneLink that addresses the projected demand on the unit and sets out its governance and reporting structures

- a case management model that is based on the standards of victim-centricity. Victoria Police could consider utilising the Interpose system for OneLink and take learnings from Taskforce Salus around the utility and effectiveness of the system

- an explanation of how OneLink will interact with the expert human resource business partnering model and other existing mechanisms to support managers and supervisors.

- Victoria Police should consider the impact and interdependencies of the workplace harm model with other organisational priorities, such as the *Mental Health Review*. This should include an understanding of how different structures established under the body of organisational reforms interact with each other.

- Victoria Police may consider developing an internal working group with representatives from related structures, including the Workplace Harm Unit, Safe Space, Taskforce Salus, Police Psychology, and representatives from HRD and relevant Regions. The working group's purpose may include sharing of operational learnings, identification of organisational risks, and assessment of the functionality of existing protocols and procedures.

- The learnings of Taskforce Salus should be considered and, where appropriate, implemented into the workplace harm model. This may include considerations of the protocols utilised by Taskforce Salus and learnings on how victim-centricity is embedded across its operations.

- The Phase 2 Audit considers that there may be significant organisational value in aligning the functions of Taskforce Salus and OneLink, and suggests that Victoria Police considers how these units could work together.

- The organisation should establish mechanisms to review and assess the functionality and operation of OneLink, and evaluate whether it is meeting its strategic purposes and is operating in accordance with its principles. This review could be overseen by the IAB. The findings of the internal review should guide iterations to the broader workplace harm model and the structure of the unit where issues and risks are identified.

Expanding the remit of the workplace harm model to include bullying

In mid-2017, a decision was made to include complaints of bullying and workplace conflict within the scope of the workplace harm model. A costs pressure bid has been submitted to Executive Command to fund the expansion of this model. The bid included a request for funding for four additional VPS 4 case managers. The expansion of the model has been discussed with the Audit team. The advice provided to Victoria Police was that an expanded model should be properly resourced and underpinned by a clear understanding of the drivers and impact of bullying and workplace conflict.

> *Employees who feel the harm don't necessarily know how to differentiate between different forms of poor/disrespectful behaviours. The issues are not necessarily distinguishable for those who are experiencing the harm … In reality I don't think you can separate behaviours so easily … My view is that we are a long way off people being able to articulate what they are experiencing as distinct from bullying as compared to other behaviours … Bullying is a catch-all phrase and it appears to be the easiest way for people to articulate behavioural complaints.* – **Internal interviewee**

The Phase 2 Audit heard that there are significant rates of complaints within Victoria Police of bullying and workplace conflict. Many of these are dealt with by a unit within HRD, which receives complaints about bullying, workplace conflict and employee misconduct. The Audit heard this area currently has only four FTE employees.

The proposal of expanding the remit of the model has been considered by the Independent Advisory Board. It was emphasised by Board members that incidents of sexual harassment and sex discrimination were distinct from bullying and workplace conflict, and required different skill sets by staff responding to complaints. It was also raised by Board members that staff in these units must have specific experience and training to identify and manage these distinct issues.

> *I think bullying should sit separately [from the Workplace Harm Unit]. It was not in the proposed model and is a very different issue. I think what we're hearing is that some people would feel more comfortable reporting workplace harm as bullying, and I think that means that we need to be sure that the Workplace Harm Unit is somewhere the people feel safe to report, and that communications around it are clear, and that people feel comfortable reporting. I think that the people who are taking bullying claims need to be skilled and supported in knowing how to redirect those people to the Workplace Harm Unit.* – **External interviewee**

The Phase 2 Audit heard that the triaging function of OneLink was a critical element of its organisational value. Audit data suggests that a complex environment of welfare and support services is resulting in low engagement. The Audit heard that the training of the employees of OneLink to identify the nature of the harm experienced and address it appropriately and confidentially was of fundamental importance to its success.

Findings

The Phase 2 Audit notes that bullying and workplace conflict, like sexual harassment and sex discrimination, are complex and deeply impacting systemic issues that require expert assistance to address. However, the gendered dimensions of sexual harassment and sex discrimination mean that targets and victims of these issues may require different supports, referrals and case management than victims of bullying.

Guidance going forward

- In expanding the ambit of OneLink, Victoria Police should assess the model to ensure that it is fit for purpose for all targets and victims who seek support from OneLink.
- Victoria Police could consider seeking specific guidance on organisational responses to bullying and workplace conflict to ensure that the workplace harm model addresses these separate issues.
- Victoria Police should ensure that resourcing for the unit reflects an organisational need for case management and support for victims and targets of bullying and workplace conflict.

Summary of guidance going forward

Safe Space

- Victoria Police should consider providing specific training to Safe Space clinicians on dealing with sex discrimination, sexual harassment and predatory behaviour
- De-identified data received by Safe Space should consistently be fed into the OneLink and Taskforce Salus data collection mechanisms

Workplace harm model

- Victoria Police should ensure that all strategic, policy and operational decisions and critical issues relating to the workplace harm model are raised with the Independent Advisory Board to seek their advice and feedback.

- Victoria Police should consider options for its continuity to provide ongoing strategic and best-practice guidance to the Workplace Harm Unit.

- Victoria Police should ensure clear and consistent organisational messaging to ensure that reporting and support are accessible by victims and targets of sexual harassment, sex discrimination and predatory behaviour.

- Victoria Police should identify where there may be perceived duplication in services (for example, the services provided by the Workplace Harm Hotline and Safe Space) and explore ways to make accessing multiple, similar services less confusing.

- It is important that a robust workplace harm model is developed by the organisation to ensure that OneLink is an effective and victim-centric service that addresses the following principles, as outlined in the Phase 1 Review:
  - victim-driven
  - specialist/expert
  - safe
  - confidential (based on the consent of the victim/target at all times)
  - evaluated based on harm and victim satisfaction.

- The workplace harm model should include the following:
  - a model on the operation of Safe Space and its interaction with OneLink and the organisation's broader suite of support services
  - a resourcing model for OneLink that addresses the projected demand on the unit and sets out its governance and reporting structures
  - a case management model that is based on the standards of victim-centricity. Victoria Police could consider utilising the Interpose system for OneLink and take learnings from Taskforce Salus around the utility and effectiveness of the system
  - an explanation of how OneLink will interact with the expert human resource business partnering model and other existing mechanisms to support managers and supervisors.

- Victoria Police should consider the impact and interdependencies of the workplace harm model with other organisational priorities, such as the *Mental Health Review*.

- Victoria Police may consider developing an internal Working Group with representatives from related structures, including the Workplace Harm Unit, Safe Space, Taskforce Salus, Police Psychology, and representatives from HRD and relevant Regions.

- The learnings of Taskforce Salus should be considered and, where appropriate, implemented into the workplace harm model.

- The Phase 2 Audit considers that there may be significant organisational value in aligning the functions of Taskforce Salus and OneLink.

- The organisation should establish mechanisms to review and assess the functionality and operation of OneLink, and evaluate whether it is meeting its strategic purposes and is operating in accordance with its principles.

Chapter 15: Alignment of welfare services

Key findings

- Victoria Police has not commenced a full program of work to review and align support services within the organisation. Preliminary work to identify available services has been undertaken in the development of the workplace harm model, which the Audit notes could be built upon to deliver the intention of Recommendation 14.

- A project team has been established by Victoria Police to respond to the recommendations of the *Mental Health Review*. The Phase 2 Audit notes that while the recommendations of the *Mental Health Review* are critical to responding to the cumulative trauma and psychological distress experienced by some employees and the organisational stigma toward mental health issues, they do not operate to replace the intention of Recommendation 14, which was to review and align the complex body of internal and external welfare and supportive services available to Victoria Police employees.

Phase 1 Review findings

The Phase 1 Review found that Victoria Police employees had access to a broad range of internal and external welfare and support services. The Review found that the complex system raised a number of issues for employees. These included lack of resourcing impacting the capacity of internal welfare services to provide support to employees, and issues with the skills sets and training of employees within internal welfare services.

The Phase 1 Review found that there were mixed levels of understanding of the extent, nature and impact of sexual harassment and sex discrimination for employees within internal welfare services, particularly for Peer Support Officers. The structure and location of some internal support services impacted employees' experience of discretion and privacy, and there were broad employee concerns about confidentiality, privacy and the stigma attached to accessing welfare services. Inadequate access to support for regional and rural employees were reported to the Phase 1 Review, as well as organisation-wide lack of support for internal targets and victims of workplace harm. The Phase 1 Review heard of inconsistent referrals to welfare and support services by management and supervisors, as well as a broad lack of information provided to employees in relation to the welfare and support services available.

Recommendation 14

The roles of Welfare Services, including peer support, and Police Psychology be reviewed to ensure their purpose and remit are clarified and to ensure they are properly aligned, resourced and skilled to provide their core functions.

Intent of the recommendation

The Review intended for Victoria Police to review and define the functions of all welfare and support services provided to employees of the organisation, understand the resourcing demands and skill requirements for each service, and implement any changes required to ensure their ongoing optimal functionality.

Indicators of successful implementation

Welfare and support services are aligned and adequately resourced

- The different functions of Welfare and Support Services are understood, clearly delineated and communicated, with specific attention to the role OneLink will have in responding to sex discrimination and sexual harassment.

- Organisational policy is reviewed and updated to reflect these functions.

- Protocols and training are developed to:

  - ensure that management and supervisory staff have a clear understanding of the available pathways for welfare and support and are able to refer employees to the right avenue for assistance

  - facilitate and ensure confidential information sharing between all Welfare and Support Services.

- A review of the organisational system of welfare and support is undertaken to understand whether its functions are adequately resourced with specialist employees.

- Mechanisms are in place to ensure that data collected by all welfare and support services is collated and evaluated to identify risks and improve functions.

Implementation action

As at 30 June 2017, the Audit has observed the following key activities by Victoria Police relating to the implementation of Recommendation 14:

- 14 FTE positions within the Police Psychology Unit have been created, including 10 psychologists, two team leaders and two educator positions, in line with recommendation 12 of the independent review into the mental health and wellbeing of Victoria Police employees (the *Mental Health Review*).

- A Mental Health Review Project team was established to meet the 39 recommendations of the *Mental Health Review*, which were all accepted by Victoria Police in May 2016.

Audit findings

The Phase 2 Audit notes that work has not commenced to review and align the functions of welfare and support services within Victoria Police.

Project work under the Mental Health Review

The *Mental Health Review* is a critical report recognising the extent of the cumulative trauma and subsequent psychological distress experienced by Victoria Police employees in the line of their work. The *Mental Health Review* engaged across the organisation and delivered findings around the availability and funding of mental health services for employees, identified gaps in the delivery of those services, and made 39 recommendations for an improved organisational response to mental health and wellbeing of employees.

The *Mental Health Review* noted the significant interdependencies between the findings and recommendations of the Phase 1 Review. It noted the connection between the drivers of gender-based discrimination, sexual harassment and predatory behaviour and the drivers of stigma of mental health issues and organisational tolerance of inappropriate behaviours, and it found that the findings of both Reviews required interrelated, broad cultural change.

The 39 recommendations of the *Mental Health Review* have important linkages to the recommendations of the Phase 1 Review. In many instances, the recommendations are intended to be complementary. Critically, the recommendations of the *Mental Health Review* do not replicate or replace the work required to meet the intention and purpose of Recommendation 14, which is intended to map and understand the current internal welfare and support system to identify gaps in service delivery and resourcing.

As noted above, a dedicated project team has been created to respond to the recommendations of the *Mental Health Review*. The Audit has not been provided with information on how this team will deliver on Recommendation 14 of the Phase 1 Review within the scope of their work beyond advice heard from expert interviewees.

In the development of the workplace harm model, some work has gone towards mapping the support and welfare services available to Victoria Police and understanding how they will interact with OneLink. Victoria Police may be able to extend this preliminary work to inform mapping of its services and supports and meet the intention of the Phase 1 Review.

Victoria Police employees have a whole range of good support services available to them. Having said that, the very thing that is intended as a positive can sometimes act as a deterrent to help seeking because the landscape can be so confusing and difficult to navigate for the service user. This is rather ironic because people who need these services are often in distress and don't have a good ability to cope already. – **Internal interviewee**

Guidance going forward

Understanding the purpose and remit of existing resources

- Identifying, mapping and aligning of available services should be a priority with a clear organisational understanding developed of what supports and welfare are currently available to staff and pathways for staff to access them. Preliminary work performed by the Human Resource Department in the development of the workplace harm model could be referred to in providing the foundations of this work.

- Work should be undertaken to identify where the *Mental Health Review* implementation intersects with this work.

- The data collected by existing services should be analysed and gaps in collection are identified. This should feed in, where appropriate, to broader data collection mechanisms under the *Gender Equality Strategy and Action Plan*.

- The accountabilities, special focus and referral pathways for welfare and support services should be described and delineated, with direct engagement with case management and supervisory staff responsible for specific units to understand their workload.

Aligning services

- Gaps in service provision should be identified and work should be commenced to identify how to fill these gaps, with consideration of the newly developed OneLink model.

- Work undertaken should align with the development of training for managers and supervisors under Recommendation 9, in order to develop competencies to refer and access current informal and formal options for welfare and support (see Chapter 10).

Resourcing services

- Victoria Police should identify gaps in resources for internal welfare and support services, and consider models to appropriately staff and upskill units.

Chapter 16: Human resource business partnering

Key findings

- Work has commenced to scope a strategic human resource (HR) business partnering function that would complement existing support to managers and supervisors. A model had yet to be settled and implemented.

- There is significant strategic alignment between the HR business partnering model and a number of the initiatives and reforms arising from the Phase 1 Review that intersect with or support the role of HR business partners.

- The current resourcing for the model has been set at a ratio of 1:2500 employees. However, as the model has been scoped to date, this resourcing is closer to over 1:4500 employees. This may be insufficient to deliver on the intent of the HR business partnering function, even with alignment with existing roles that support managers and supervisors.

- Data collection and information sharing requirements should be clearly embedded from the start of operation to ensure effective evaluation and compliance with best-practice confidentiality, record keeping and privacy obligations. Clearly communicating the purpose and function of HR business partners will be essential to expectation setting and ensuring effective uptake by managers and supervisors.

Phase 1 Review findings

The Phase 1 Review found that managers and supervisors in Victoria Police had at times failed in their duty to set appropriate workplace standards and act on complaints and incidents relating to workplace harm. Poor management practices arose, in part, due to a lack of understanding of sex discrimination and sexual harassment, including appropriate responses to complaints. The Review found instances where managers and supervisors had dismissed or minimised genuine complaints, did not know how to identify inappropriate behaviours, or erroneously applied a criminal standard of proof in responding to complaints of inappropriate workplace behaviours. Managers and supervisors appeared to be less adept at identifying sex discrimination than they were at identifying behaviours considered to be more serious.

The Review found that managers and supervisors lacked access to specialist expertise, guidance and support to recognise and address workplace harm. Victoria Police had limited organisational capacity to provide this support and invest in improving management skills and knowledge.

The Review recommended that Victoria Police establish a centralised and elevated HR business partnering model to build the capacity of local managers to manage their staff.

Recommendation 15

Establish a specialist human resource business partnering model to:

- coach and mentor managers and supervisors throughout the business to enhance their supervisory and management skills

- provide secondary human resource consultations to managers where specific issues had been perceived or identified, including sexual harassment, predatory behaviour and sex discrimination

- support Divisional engagement with the workplace harm model and provide expert preventative guidance (gender diversity) and interventions for workplaces that were at risk of, or impacted by, inappropriate behaviour.

Intent of the recommendation

It was intended that the HR business partnering model would support managers and supervisors with strategic HR advice, to assist in building more gender equitable workplaces and respond appropriately to instances of workplace harm. Under the recommendation, the model would:

- provide specialists to support Regions by mentoring and building managers' capacity to manage their staff (rather than manage issues for them)

- work with the Workplace Harm Unit (now named OneLink) to support managers with local interventions to address identified workplace harm. De-identified data provided by the Workplace Harm Unit would support this work.

Under the intended model, business partnering specialists would work across the Regions to support local workplaces as required, as well as develop and execute integrated strategies to deliver contemporary human resource best practice. The model would be staffed by specialist senior HR practitioners recruited for expertise in coaching and mentoring, conflict resolution, training and professional development.

Implementation activity

As at 30 June 2017, the Audit has observed the following key activities by Victoria Police towards the implementation of Recommendation 15:

- scoping of a model to deliver a strategic HR business partnering function

- consultation across Command to further understand the needs of an HR business partnering model in light of existing functions to support managers and supervisors across the organisation.

Audit findings

Overview

Victoria Police has committed to the implementation of an organisation-wide HR business partnering model. As at 30 June 2017, the model was not yet fully scoped, staffed or operational. As a result, the Audit is somewhat limited in its ability to assess the model against the intent of the recommendation set out in the Phase 1 Review. The Phase 2 Audit reviewed a November 2016 discussion paper setting out the thinking around the scope and resourcing of the model.

To date, activity to scope the model has included:

- consultation with key internal stakeholders, data analysis, industry benchmarking, and a comprehensive environmental scan

- analysis of Victoria Police's Business Partnering Model in the Corporate Finance Department, which was introduced in mid-2016. This model is resourced through 12 staff, with nine business partners who spend a minimum of two days each week at their client's site

- analysis of the themes from a 2014 Human Resource Department (HRD) Stakeholder Engagement Strategy development process. This was the product of extensive engagement with over 100 stakeholders to ascertain the business needs across the organisation. The analysis identified that the creation of the HR business partnering model would align well with the findings of the 2014 consultation.

Victoria Police also consulted with Western Australia Police, which has an HR business partnering model. Victoria Police's environmental scanning noted that a large number of other Victorian Public Sector (VPS) organisations have HR business partnering models, but noted that Victoria Police had not undertaken analysis of these models or their resourcing.

Based on the research and consultation, Victoria Police's model would see business partners:

- working in partnership with the relevant Department, Region or Command to provide HR advice and support on complex people and policy matters

- developing and maintaining strong partnerships with senior leaders and managers to identify and respond to trends, people and performance hotspots, and emerging business issues

- identifying opportunities within the relevant Department, Region or Command to build capability in the area of contemporary people and business management practices

- sharing information and working collaboratively across HRD and with subject matter experts on complex and sensitive industrial related people management matters

- developing early intervention strategies on a range of employee-related matters that lead to better decisions and resolution of issues, including the facilitation of learning and development for management teams and employees

- assisting leadership teams to identify leadership and organisational capability gaps.

Scoping to date has specifically noted that the provision of advice on transactional HR matters would be outside the scope of the roles. Instead, those matters would be handled by existing HR teams such as recruitment, payroll, injury management and WorkCover.

Under the model set out in the November 2016 paper, resourcing would be set at a ratio of 1:2500 employees, with six dedicated roles at a VPS 6 level. One role would be a dedicated HR Business Partnering Manager and another would be a Communications Manager. The model would report

into the Office of the HRD Executive Director and the Workplace Relations Division. The November 2016 paper notes that this arrangement would enable for a broad strategic view across HRD and better alignment with the range of priorities arising out of both the Phase 1 Review and *Mental Health Review*. It would also maintain close linkages with the key HR business area that oversees behaviour-related issues. The Phase 2 Audit notes that this would mirror the same reporting lines as OneLink.

The Audit understands that soon after the November 2016 model was devised, HRD had another change in its senior leadership, with a new Executive Director appointed in late 2016. Between November 2016 and July 2017, the Audit understands that there has been:

- further consultation between the new Executive Director and senior leaders about the scope and operation of the model. This has included consultation with eight Command members spread across a range of Commands and Departments

- a pilot of an HR business partnering model in the Western Region, which is one of the five Regions within the Regional Operations Command

- participation by the HR Business Partnering Manager on a Victorian Government business partnering working group, which brings together a range of government agencies and departments that have HR business partnering models to discuss best practice and share experiences

- further work towards finalising the HR business partnering model, with a view to tabling the final model at the August 2017 VRISC meeting.

The Audit understands that a communications plan and evaluation plan will be considered once the final model is in place. The Audit heard that it is expected that the model will be fully scoped, staffed and operational by the end of 2017.

Findings

Scope of the model

The Phase 2 Audit notes that the final scope of the model is yet to be settled at the time of writing. However, based on the November 2016 model, it is evident that there has been considerable analysis and consultation to understand the organisation's business partnering needs. While the rescoping efforts have caused delays in the establishment of the model, the Audit acknowledges the desire to align the model with the broader needs and strategic direction of HRD.

In the work that has been done to date, the Audit welcomes the clear focus on supporting managers and supervisors to better respond to instances of workplace harm, as well as identifying and implementing early intervention strategies. There is a clear desire to ensure the model operates at a strategic rather than transactional level, and a focus on working collaboratively with both senior leadership teams and broader HR functions across HRD.

> *We think it is a strategic role – not playing down in the weeds. We have already got people who can provide support at HR. At the moment, [that support] is at a transactional level.*
> – **Internal interviewee**

To date, the model has benefited from extensive consultation, both across Victoria Police, other policing jurisdictions and the VPS. The decision to pilot the model in one Region provides a valuable opportunity to learn lessons on the proposed scope and make further adjustments as required.

The Audit notes that resourcing for the model has been set at a ratio of 1:2500 employees. The Audit could not ascertain the rationale for this ratio.

The resourcing for the model has been set at a ratio of 1:2500 employees. Current calculations assume a total of 15,000 FTE employees, when Victoria Police's total FTE is 18,864.12 as at 31 August 2017. In addition, the Audit notes that an additional 2729 frontline Police and Protective Services Officers will be recruited in the next three years under the Community Safety Statement. The 1:2500 ratio appears to be based on all six roles being HR business partners. Under the November 2016 model, at least two roles would not be HR business partners. Based on current employee numbers and the fact that only four roles will be dedicated to the role of HR business partner, the Audit notes that the ratio may in fact be closer to 1:4700.

The Audit notes that the Western Australia model is set at a ratio of approximately 1:500, while noting the considerable geographical differences between the states. The Audit also notes that Victoria Police's corporate finance business partnering model operates on a ratio of around 1:2100 employees, with three additional staff providing management and senior analytics support.[1]

Based on the proposed staffing ratio, it will be challenging for Victoria Police to deliver a strategic HR business partnering function. This level of resourcing would require each Business Partner to support a large number of leadership teams across a broad range of functions, which may make it challenging to build and maintain strategic relationships. With stretched resourcing, there is a risk that the model will be unable to deliver on the early intervention and proactive aspects of the model, and instead will be consumed by immediate issues. The Audit notes that providing strategic HR support will often be more time consuming than providing one-off advice, and may require business partners to work intensively with a management team over a prolonged period.

[The model] will be working with each leadership team to understand what their big issues are. You put a plan together and be strategic. It is not something that can be fixed overnight. Whatever problem it is, it will not just be a quick fix. – **Internal interviewee**

The Audit understands that further resourcing is being considered to implement the model. The Audit sighted documentation that stated that possible avenues of additional resourcing includes the use of existing positions in HRD that have a strong alignment to the HR business partnering model. The Audit was advised that this could include the use of existing roles in the Building Effective Workplaces Unit, which is currently staffed by VPS 4 and VPS 5 roles. It is unclear whether these roles would be fully repurposed or whether the functions would be added to the existing responsibilities of the roles. The Audit notes that there are a number of risks inherent in this approach, including:

• VPS 4 or VPS 5 roles are unlikely to be sufficiently senior or experienced to carry out the strategic functions envisaged under the current business partnering model or as intended under the Phase 1 Review. The Audit notes that a central function of the role involves advising and supporting senior leadership teams and that the roles will need to have sufficient influence and seniority to effectively carry out this function.

• If the roles were to remain as part of the Building Effective Workplaces Unit, there is a risk that the roles will be overloaded and unable to deliver on the functions across both areas.

The Audit acknowledges the challenges of resourcing a model across an organisation as large as Victoria Police. However, the Audit observed continued support and acknowledgement of the need for a strategic HR function, and the view that this investment will deliver significant benefits for the organisation.

Guidance going forward

The Phase 2 Audit notes the importance of developing clear internal policies and guidelines to support the HR business partners to carry out their function. These should clearly define the parameters of the model, in order to guide business partners to carry out the role in a sustainable and consistent manner. The business partners will be required to advise and act across a broad range of issues. There should be careful consideration of the data collection and information sharing requirements of the model, with a focus on best-practice confidentiality, record keeping and privacy obligations. A comprehensive HR business partnering manual may be a useful tool to guide the operation of the model, especially in its early stages of operation.

The Audit notes that a communications plan will be rolled out ahead of the model becoming operational. The Audit notes the importance of providing clear guidance to managers and leadership teams about the role of HR business partners. A simple and easy-to-use fact sheet with case study examples may be a useful tool to provide managers and leadership teams to assist in understanding both how the model will assist them as well as highlighting ways that they can embed the strategic function within their existing leadership model.

In considering future resourcing of the model, the Audit recommends that Victoria Police:

• undertake an analysis of the staffing ratios underpinning a range of other VPS organisations' business partnering models and other similar internal functions in order to determine an evidence base for the model's staffing ratio

• reflect on the model's functions as set out in the final model, to determine the level of seniority required to deliver on the desired functions.

As Victoria Police noted in the November 2016 paper, it will be necessary to closely monitor and assess the resourcing of the model once operational. Given that current resourcing appears to be inadequate to deliver on the intended scope of the model, Victoria Police may wish to consider phasing the rollout of the business partners across the organisation. Once additional resources have been secured, the model could then be rolled out to other Commands and Departments.

In determining the remit of each business partner, Victoria Police should ensure careful attention is paid to the specific characteristics of each area and Region. Factors such as the nature of the work carried out or its geographical spread may impact on the level and type of service it requires. The Audit notes that it may be valuable for this assessment to be undertaken prior to the recruitment of the additional business partner roles, to allow for tailored expertise to be recruited if required.

The Audit notes that the draft position description does not specify the need for specialist expertise in the areas of sex discrimination, sexual harassment or prevention of violence against women. Given the prevalence of gender-based harm found in the Phase 1 Review, the Audit suggests that specialist expertise in these areas would be of considerable value across all business partnering roles.

Strategic alignment

Findings

The Phase 2 Audit notes the desire to align the HR business partnering model with other key strategic priorities, such as the Blue Paper, the Capability Plan and the *Mental Health Review*. With a broad focus on improving management and leadership capability, the HR business partnering model has the potential to support the realisation of these broader strategic priorities. The Audit notes the importance of adequate and appropriate resourcing if the roles are to undertake this broader function. This is of particular importance in the area of mental health, where significant and specialist expertise may be required to provide strategic support to managers and supervisors.

We need to focus on targeting and training the Senior Sergeant and Sergeant cohort. We also need to have enough people out there who are engaging with them through the business partnering model so as to ensure behaviour becomes a continual conversation. The more you are exposed to professionalism and the right habits the more you replicate it. But you need that influence. Senior Sergeants and Sergeants are out there on their own running stations and they need some positive influence. – **Internal interviewee**

The Audit notes a number of other areas of the Phase 1 Review Implementation that may intersect or support the role of the HR business partners as currently scoped. For example:

- the creation of OneLink, which will provide the Business Partnering Unit with critical intelligence to inform key areas requiring support and intervention

- the work to review the capabilities across all roles, which could assist business partners to devise strategies to best meet the future needs of roles across various areas

- workplace harm training for all employees on a biannual basis and for all managers and supervisors on an annual basis, which could enable business partners to align and target learning and development priorities for certain leadership groups in way that complements the broader and generic organisation-wide training

- the creation of Women in Policing Local Committees, which could provide local intelligence to assist in identifying hotspots and building local strategies

- the review and update of a broad range of HR and other people-related policies, which will require HR business partners to support local management in adopting and applying a range of new key policies

- the development of a centralised exit interview process, which could provide key insights into local management and cultural issues in informing targeted strategies

- the creation of a risk framework in the Academy context, which could assist identifying concerning behaviours requiring a strategic response in the Academy context

- data collection across a broad range of areas, including through the gender and diversity dashboard, the '50/50, if not, why not?' audits, the professional boundaries training evaluation, and the reporting from Taskforce Salus and the Workplace Harm Unit.

Guidance going forward

Victoria Police should undertake a thorough scan of existing strategic mechanisms from which the HR business partners can draw information and data. In addition, once operational, the business partnering model has the potential to play a key communications and intelligence gathering role in the implementation of a range of other recommendations, including those listed above.

Beyond formal implementation, Victoria Police should ensure that HR business partners are well represented across a range of strategic forums, such as Compstat and regional officers' forums. This will ensure that the business partners both benefit from and contribute to the development of organisational knowledge and strategies in the area of management capability.

Summary of guidance going forward

- Before the model becomes operational, Victoria Police should ensure clear guidance is in place to support data collection and information sharing requirements and ensure business partners have a clear understanding of the parameters of their functions, referral pathways, confidentiality requirements and record-keeping obligations.

- Once operational, clear communications to supervisors and managers should demonstrate how HR business partners can be effectively utilised as a strategic function within their existing leadership model.

- Further analysis should be undertaken to assess the resourcing of other VPS organisations' business partnering model.

- Any further resources should be at a sufficiently senior VPS grade to ensure strategic influence at a leadership level. Once operational, the levels of resourcing required to effectively fulfil the model's function should be assessed. Specialist skills should also be considered for embedding within the model, including consideration of specialist expertise in position descriptions.

- Victoria Police should undertake a thorough scan of the existing strategic mechanisms from which the HR business partnering model can draw information and data, and how it can support other initiatives arising out of the Phase 1 Review Implementation. In the long term, HR business partners should be well represented on strategic organisational forums.

Endnotes

1   This is based on the figures provided in the November 2016 paper, which noted that the Corporate Finance Department Business Partnering Branch had 12 FTE. This included nine VPS 4 Business Partnering Finance Analysts. The ratio is based on the assumption that the number of Business Partnering Finance Analysts has remained steady since November 2016.

Chapter 17: Protected Disclosure Act, external environment and values

Key findings

- Victoria Police has completed a proposal to engage in organisation-wide training to understand the operation of the protected disclosure regime following planned reforms to the disciplinary system, as detailed in Chapter 21. It has also assessed classifications at the end of service and sought preliminary internal advice on system changes.

- Victoria Police has engaged in significant work to review existing Victoria Police values and create a modernised version of its values to reflect the expectations and attendant behaviours that all employees should demonstrate. This work contributes toward the broader body of work to build organisational diversity and to set and enforce the organisation's behaviours and values.

- The Phase 2 Audit has analysed data which reveals that significant numbers of employees under investigation for allegations of sexual harassment and sex discrimination have resigned since December 2015, and notes the potential risk to the community and future employers that this cohort represents if the allegations are founded.

- Preliminary work has been undertaken to understand the requirements of a new process to run concurrent disciplinary and criminal investigations.

Phase 1 Review findings

Recommendation 16 and 18 have been considered together by the Audit as they consider a range of discrete changes both to Victoria Police's internal disciplinary system as well as its broader operating context. As detailed in Chapter 21, the Victoria Police disciplinary system is complex and requires employees to understand and act upon a number of distinct legislative schemes.

Recommendation 16

Policy guidance for mandatory reporting and complaints

In 2011, the Victorian Independent Broad-based Anti-corruption Commission (IBAC) was established by legislation. It is an independent body with jurisdiction to receive complaints and investigate corruption committed by public officers, including Victorian Public Sector (VPS) employees and Executive-level Victoria Police employees, as well as police personnel misconduct. Any member of the public can make a complaint to IBAC about conduct that a person believes to be corrupt. Corrupt conduct is defined in section 4 of the *Independent Broad-based Anti-corruption Commission Act 2011* (Vic).

When sworn Victoria Police employees have reason to believe that another sworn member may be guilty of misconduct within the meaning of the *Victoria Police Act 2013* (Vic), they must make a complaint to a sworn officer of a more senior rank or to IBAC about that conduct. This is a mandatory reporting obligation. The Victoria Police Act prohibits detrimental action against a person who has made a complaint against a sworn officer or has given information or evidence in the course of an investigation that relates to a complaint.

The Protected Disclosure Act provides legal protection against reprisal for complainants who disclose certain categories of conduct. Once reported to IBAC, some of those complaints become assessable disclosures under the Act. IBAC makes determinations as to whether a complaint should be characterised as a protected disclosure. Once a finding has been made by IBAC that a complaint is a protected disclosure, the *Protected Disclosure Act 2012* (Vic) prohibits detrimental action and threats of detrimental action against a person in reprisal for making a protected disclosure.

It is an offence under the Protected Disclosure Act for a person or body to disclose the content of an assessable disclosure or any information about an assessable disclosure. The Victoria Police Act also provides that disclosure of a 'restricted matter' is an offence, which includes disclosing any information that could identify a person who has or may be interviewed as part of a protected disclosure investigation, or any subject matter relating to a protected disclosure investigation.

IBAC is required to dismiss, investigate or refer any notification or complaint it receives. If a complaint is found by IBAC to be a protected disclosure, it is required to advise the person making the complaint within a reasonable timeframe that they are taking action or investigating the matter. For other categories of complaints, IBAC may notify the person that they are investigating a matter, but they are not required by legislation to do so.

The *Victorian Public Service Executive Employment Handbook* is a policy document that sets out a framework for employment of executives under the *Public Administration Act 2004* (Vic). The Handbook provides that executive officers who engage in serious misconduct within the meaning of the Public Administration Act can have their contract terminated immediately and without notice.

The Phase 1 Review noted that Victoria Police did not provide clear or sufficient guidance and information to employees about their legal obligations to report sexual harassment, discrimination and behaviours that might amount to misconduct. There was also a lack of guidance on what 'a reason to believe' meant in the context of the mandatory reporting requirement for misconduct under the Victoria Police Act. The available guidance did not distinguish between problematic conduct of sworn and VPS employees, and the range of responsibilities on sworn members to report conduct by different categories of employees. The Review found that this created a risk that employees would misinterpret misconduct as conduct that did not require mandatory reporting.

It also found that there was no clear policy guidance for complaint processes about Executive-level personnel. The Phase 1 Review also emphasised that the safety, interests and wellbeing of the victim or target of conduct that is subject to a mandatory reporting requirement should be a primary consideration in a formal complaint process.

Classifications at the end of service

The Victoria Police Act provides that a sworn member may resign from their position by giving written notice to the Chief Commissioner. The Phase 1 Review heard that a number of sworn members who were subject to disciplinary processes for complaints over sexual harassment and sex discrimination had resigned while under investigation.

A sworn officer who resigns is ordinarily provided with a Certificate of Service. At the time of the Phase 1 Review, it was understood that sworn members who resign under investigation are instead provided with a statement of service. The Phase 1 Review understood that this statement does not identify that the person resigned while under investigation.

The Phase 1 Review noted that this practice resulted in sworn members going out to the community with no mechanism for employees or community members to understand the context under which they resigned. This has the potential to create significant risk to the community.

Conduct of criminal and disciplinary investigations

The Phase 1 Review found that in instances where conduct resulted in both a criminal and disciplinary process, Victoria Police had a practice of delaying disciplinary processes until criminal processes were finalised. The Phase 1 Review found that this created unnecessary uncertainty and delay for targets/victims and the accused, entrenched the conception that disciplinary matters had to be proven beyond reasonable doubt, caused additional costs, and was not in step with broader practice. The Phase 1 Review heard one of the reasons for this practice was the coercive powers that were afforded to the Chief Commissioner to produce information and documents relating to a complaint of a disciplinary breach, and this raised concerns that this information would interfere with the rights of the accused in a criminal matter. The Phase 1 Review emphasised that any information provided during a disciplinary proceeding was inadmissible in criminal proceedings.

The Phase 1 Review noted that the practice of delaying disciplinary proceedings until criminal processes concluded caused unnecessary delay and uncertainty for victims; caused unnecessary costs where a person was ultimately dismissed but was subject to a long period of paid leave; and was out of step with broader practice.

The Phase 1 Review also noted the finding of the 2007 OPI Report *A Fair and Effective Victoria Police Discipline System* that a criminal standard of proof was being applied to disciplinary matters. The Review considered that the practice of delaying disciplinary proceedings worked to embed this misconception.

Advocating for changes to operating context and environment

As detailed above, the Phase 1 Review noted the complexity of the legislative environment that informs Victoria Police's disciplinary practices and suggested that the organisation explores whether legislative change was required to streamline and simplify the disciplinary system. The broad reforms to the Victoria Police disciplinary system are discussed in Chapter 20 and note the significant work to follow the recommendations of a number of external reviews. The State Services Authority report *Inquiry into the command, management and functions of the senior structure of Victoria Police* considered necessary changes to address the absence of a statutory power for the Chief Commissioner to summarily dismiss a sworn officer, which the Phase 1 Review noted. The Review recommended that Victoria Police look into what changes might be required in its operating context and environment and advocate for those changes.

Diversity, flexibility and values

The Phase 1 Review found that gender inequality was a significant driver of sexual harassment and sex discrimination within Victoria Police. It saw that embedding gender equality into the values of Victoria Police would require deep commitment and dedication to transform the traditional notion of policing from a masculine and purely physical occupation of full-time, 'tough men' with no caring or parental responsibilities to a modern, skill and values-based occupation that better reflects the organisation's vision for policing. The Phase 1 Review recommended that Victoria Police develop a whole-of-organisation vision and strategy to drive cultural and practice change, as detailed in Chapter 4.

The Phase 1 Review heard that Recruits are taught and expected to model Victoria Police values and behaviours from day one of their foundational training. People Development Command's *Education Master Plan: Learning and Development to 2020* envisaged new training and resources to build the capability of Recruits to 'adopt a professional identity and internalise professional values'.

The Victoria Police values were developed in 2003 and, at the time the Phase 1 Review was written, had not been reviewed in the context of multiple change agendas and a modern operating context. The Phase 1 Review found that interim work was needed by Victoria Police to build organisational flexibility to enhance diversity, and enforce its values and the expected behaviours of employees.

Recommendation 18

Victorian Government response to legislative barriers relating to protected disclosures

The Phase 1 Review detailed the complex legislative scheme related to making protected disclosures. As detailed above, it is an offence under both the Protected Disclosure Act and the Victoria Police Act to disclose any information or subject matter relating to a protected disclosure investigation or an assessable disclosure. There are limited exemptions to these offences in both legislative instruments, including disclosures in the context of seeking legal advice or representation. There are no exemptions that permit an individual to disclose information for the purpose of seeking welfare and support or making a WorkCover claim for compensation.

The Phase 1 Review heard that in practice the prohibitions around disclosure had significant impacts on victims and targets in preventing them from accessing support or compensation. It noted that the prohibitions had the potential unintended effect of creating further harm and stress to victims and targets who were already negatively impacted by problematic workplace behaviours.

Recommendation 16

Victoria Police should advocate for changes to its operating context and environment, and take interim actions where possible to enhance its flexibility to build diversity, set and enforce Victoria Police values and behaviours. This includes:

- providing further practical and coordinated policy guidance, readily available to all personnel on the interpretational criteria for the:

  – Victoria Police Act terms *conduct*, *misconduct* and *reason to believe*

  – Protected Disclosure Act terms *improper conduct* and *detrimental action*

  – Independent Broad-based Anti-corruption Commission Act term *corrupt conduct*.

- amending the Victoria Police Manual to provide information regarding complaint processes related to executive level personnel

- considering revising classifications for end of service to include 'resigned under investigation' and this be used in the Gazette and statements of service in cases within the remit of this review

- consulting with the Director of Public Prosecutions to pursue and conclude disciplinary charges concurrently with criminal investigations/proceedings unless there is a real risk that the disciplinary matter will prejudice the criminal proceeding.

Recommendation 18

The Victorian Government consider whether there are any legislative barriers in the *Victoria Police Act 2013* (Vic) and *Protected Disclosure Act 2012* (Vic) which prevent disclosure of the subject matter of a protected disclosure or assessable disclosure by Victoria Police personnel or Victoria Police work units to support services and to WorkSafe Victoria. If so, the Victorian Government should consider the most appropriate legislative amendment to enable disclosure in those circumstances.

Intent of the recommendation

Recommendation 16

Policy guidance for mandatory reporting and complaints

The Phase 1 Review intended for Victoria Police to develop policy guidance to assist employees to understand the body of legislation that cover problematic conduct by all Victoria Police employees. As detailed above, the legislative scheme is complex and confusing, and creates uncertainty around what categories of conduct must be reported by sworn officers. The Phase 1 Review envisaged an accessible, easy to understand body of documentation that would enable employees to interpret the criteria within the legislation detailed above and apply it to problematic conduct.

The Phase 1 Review intended for this recommendation to closely align with the work under Recommendation 5 (see Chapter 6) to perform comprehensive work in reviewing and updating policies and procedures to ensure that the workforce responds effectively to workplace harm and to build a gender equitable and diverse workplace.

Classifications at the end of service

The Phase 1 Review also envisioned that a change of classifications for employees who resign while under investigation would assist to protect the community from perpetrators by ensuring formal documentation regarding a police officer's service reflects the circumstances under which they left the organisation. Gazetting this information will create visibility for this kind of conduct, and may assist to discourage the culture.

Conduct of criminal and disciplinary investigations

The Phase 1 Review envisaged that a reformed practice of running disciplinary and criminal matters concurrently will assist to dispel the practice of holding disciplinary matters to criminal standards of proof. It will also reduce long delays in hearing disciplinary matters, and significant harm to victims and targets caused by a perpetrator remaining in a workplace.

Advocating for changes to the Victoria Police operating environment

The Phase 1 Review reported that it would be of significant value for Victoria Police to understand the legislative issues underpinning the disciplinary system and, if and when the need for reforms was clearly developed, advocate for changes to the legislative scheme. It was envisaged that this work would assist Victoria Police to simplify the disciplinary system and improve legislative responses to sexual harassment, sex discrimination and misconduct, as well as improve organisational responses to employees who engage in conduct that demonstrates they should no longer remain in the organisation.

Diversity, flexibility and values

The Phase 1 Review envisaged that Victoria Police undertake work to ensure that employee understanding and demonstration of the organisation's values and behaviours is improved, and takes actions to ensure they are enforced. These values reflect the vision of Victoria Police becoming a diverse and non-discriminatory organisation with a culture of fairness and respect.

Indicators of successful implementation – Recommendation 16

Strengthened frameworks to enforce Victoria Police values and behaviours

- Policies, frameworks and relevant internal documentation are updated to clearly articulate the values and behaviours expected of and to be enforced with respect to all employees.

- Victoria Police develops training and documentation to ensure that all employees have access to easy to understand guidance on definitions relating to the protected disclosure regime and mandatory reporting requirements within the *Victoria Police Act 2013* (Vic), the *Protected Disclosure Act 2012* (Vic) and the *Independent Broad-based Anti-corruption Commission Act 2011* (Vic).

- In the Victoria Police Manual, content on the organisation's complaint processes is updated to reflect changes to the organisation's response to workplace harm and the disciplinary system.

- An effective mechanism is created to identify employees who resign under investigation to the community, particularly for potential employers.

- Victoria Police reviews investigatory and procedural processes in circumstances where employees resign under investigation.

- Engagement with the Director of Public Prosecutions takes place to ensure that the standard practice of the organisation is to concurrently run disciplinary and criminal matters against employees in appropriate circumstances.

- Mechanisms are in place to measure and analyse data on disciplinary investigations, charges and outcomes to identify and remedy risks and issues within the disciplinary system.

Indicators of successful implementation – Recommendation 18

- Victoria Police engages in work across government to institute reforms to legislative barriers to ensure that all employees who report a protected or assessable disclosure have access to support services and are able to make a claim to WorkSafe.

Implementation action

As at 30 June 2017, the Audit has observed the following key activities by Victoria Police towards the implementation of Recommendations 16 and 18:

- a proposal for structured and detailed organisational training following reforms to the disciplinary system as detailed to assist employees to navigate and understand the legislative framework underpinning the complaints and reporting system

- work to amend the Victoria Police Manual (VPM) in relation to organisational complaint processes

- amendments to the VPM to include information on complaint processes relating to Executive level personnel

- a review of the Victoria Police Values Statement which embeds the Victoria Police Code of Conduct for employees

- commencement of the Victoria Police Values project to modernise Victoria Police values and align them with current practice, human rights and reforms flowing from various reform agendas, including the Phase 1 Review

- an analysis of a proposal to revise end-of-service classifications for sworn employees that resign under investigation, addressing the legal issues with implementing this recommendation

- a proposal that the new disciplinary system as detailed in Chapter 21 will result in more disciplinary matters being handled within 28 days of lodging a complaint, before the completion of criminal matters.

Audit findings

Policy guidance for mandatory reporting and complaints

Significant work has been progressed by Victoria Police to review its disciplinary system (see Chapter 20). This chapter details the comprehensive project work undertaken to map the existing disciplinary system and its underpinning legislative framework; identify and operationalise recommendations of a number of reviews of the Victoria Police disciplinary system; and design and implement a reformed system.

The Phase 2 Audit understands that an organisational change management process will follow the implementation of a reformed complaint handling and discipline system. The proposal for this change management process includes detailed training on interpretation of the legislative framework for the new system, as well as the protected disclosure regime. It has been identified by Victoria Police that organisational messaging around interpretation of the existing scheme in isolation of a broader disciplinary reform package would be ineffective, particularly if the changes to the protected disclosure regime, as detailed in Recommendation 18, are delivered. Victoria Police is of the view that the delivery of all key measures in one detailed training package will lead to less employee confusion and increased understanding.

The Audit notes that implementation of a new policy framework for the disciplinary system is scheduled to occur between July and December 2017. It is assumed that the organisational change framework will commence at the time of or following implementation of the new policy framework. It is also noted that the Concept Proposal includes a development of revised and streamlined policy instruments, practitioner guides and forms, and that these will be designed to ensure clarity, ease of understanding and consistency.

Findings

As detailed in Chapter 20, the work undertaken in reviewing and reforming the Victoria Police complaints and disciplinary system is commendable. However, this proposal leaves a significant time gap where the issues of employee understanding and interpretation of the system and their reporting obligations remain. It also notes that, while it is understood that reforms to the confidentiality provisions of the Protected Disclosure Act and the Victoria Police Act are being considered by government, substantive reforms to the mandatory reporting system and categories of conduct have not been proposed. It is noted in planning documentation relating to the reform of the disciplinary system that any further legislative amendments will not be considered until the completion of the disciplinary system reform project.

The Phase 2 Audit notes that a significant gap in employee understanding of the legislative scheme has not been addressed by Victoria Police, and that the risk remains that problematic or unlawful conduct by sworn and VPS employees will not be properly identified or reported. It continues to recommend that Victoria Police provide practical, accessible policy guidance for this scheme, in keeping with Recommendation 16 of the Phase 1 Review.

Classifications at the end of service

Work has been undertaken to review the organisation's process at the end of an employee's service. This work has analysed the following:

- a statement of service is provided on the request of any employee or former employee, and contains the statement 'Person A was employed by Victoria Police from date to date'. This document is signed by an HR employee or Department head. It is noted that this statement is infrequently requested

- a certificate of service is signed by the Chief Commissioner and issued to an employee who has served for more than 12 months and was not dismissed or under investigation at the time of resignation. This document details the date and length of an employee's service, their rank or level, their reason for separation and any awards received by the employee

- Victoria Police has a procedure for pre-employment checks requested by new employers for former employees. This process relies on the signed consent of the former employee. If the former employee consents, information is released to a potential employer including any disciplinary history. Memoranda of understanding are in place for the sharing of information with a range of organisations that frequently employ former Victoria Police staff

- the discussion noted the limitations of the Gazette as a public document published fortnightly by Victoria Police, including that:

  – it cannot be searched online

  – it is only available as a PDF from Victoria Police, the State Library or the Public Records Office

  – a potential employer would have to understand its publication and use

- the discussion raised issues with the *Charter of Human Rights and Responsibilities Act 2006* (Vic) (the Charter) and raised concerns that publication of information relating to a person who resigned under investigation may infringe on the Charter rights to equality before the law, protection from unlawful attacks on a person's reputation, and presumption of innocence.

In conclusion, the briefing note stated that a revised classification should not be used in the Gazette for the reasons set out above. The Audit notes that a late July VRISC meeting discussed internal recommendations in relation to end of service classifications and that no decision has been made as to how this work will progress.

Findings

The Phase 2 Audit analysed data from Taskforce Salus that detailed the outcomes of investigations since its establishment. The data shows that 17 subjects of investigation have resigned prior to a disciplinary hearing since December 2015. Of these resignations, the alleged behaviour has included:

• predatory behaviour towards multiple Victoria Police employees

• touching and sexual comments towards Victoria Police employees

• predatory and grooming behaviour towards victims of family violence

• inappropriate conduct and predatory behaviour towards multiple Victoria Police employees

• predatory behaviour and inappropriate relationships with Victoria Police employees

• sexual harassment towards Victoria Police employees

• sexual assault of a Victoria Police employee

• indecent assault

• breach of protected disclosure legislation

• predatory behaviour towards a vulnerable person.

The Audit emphasises the seriousness of these behaviours and the significant risks they present to the community, and the potential that this conduct will never be disclosed to future employers.

Guidance going forward

• Victoria Police should continue to consider mechanisms to mitigate the risk that a subject of an investigation that has alleged serious behaviour may pose to the community. This should include consideration of the rates of employees who have resigned under investigation for sexual assault and harassment, as detailed above.

Conduct of criminal and disciplinary investigations

The Phase 2 Audit understands that verbal advice was sought by the Assistant Commissioner, Professional Standards Command for advice on the concurrent running of disciplinary and criminal investigations. It was advised that the Victorian Government Solicitor's Office gave verbal feedback that running of concurrent proceedings risked prejudicing the criminal hearing, and that proceedings should not be run concurrently.

The Audit notes that the advice that legislative reforms to progress concurrent hearings will be included in the broader legislative reform program following the proposal for a reformed disciplinary system. It also notes the view that a reformed disciplinary system will achieve the concurrent running of disciplinary and criminal matters as a matter of consequence when the proposed disciplinary system will resemble that of the wider public sector.

The Audit holds the view that particular reform agenda must be explicit in any submissions to government as part of the broader legislative reform program, particularly given the advice of the Victorian Government Solicitor's Office that specific legislative reform is required to run concurrent hearings. It has also heard that there may be a different view that legislative change is not necessary to concurrently run investigations, and encourages Victoria Police to continue exploring options for reform.

Guidance going forward

- Victoria Police should continue to work toward reforms to enable criminal and disciplinary matters to be run concurrently. This may require legislative or policy reform, and options for reform should continue to be explored.

Advocating for changes to operating context and environment

The Phase 2 Audit has heard of significant engagement with external stakeholders to advocate for legislative change and reform to the Victoria Police disciplinary system.

Diversity, flexibility and values

Project work has been progressed to review Victoria Police's values. This work includes:

- research on good practice in the development of organisational values
- review of current values
- review of public and private sector values, including the Victorian Public Sector Values
- development of proposed new values and attendant behaviours, aligned with the Victorian Public Sector Values.

Findings

The Phase 2 Audit notes that this work was not specifically recommended by the Phase 1 Review and commends the initiative of the organisation in working towards updating and modernising the Victoria Police values to reflect the requirements of the community and the organisation. The Audit supports the reformation of Victoria Police's values and the thorough work performed under this project.

The Audit notes that the proposed new values include attendant behaviours that serve to illustrate what an employee modelling these values should demonstrate. It is noted that the 'flexibility' has been removed from the proposed new values, and that the attendant behaviours under the existing values model have been subsumed into other value statements. The Audit supports this adaptation as the attendant behaviours have been reframed to ensure that they clearly illustrate the behaviour standards expected of employees and articulate why those values are important.

Guidance going forward

- Work to update values ensures employee understanding of what behaviours and expectations are created by a reformed value system. This may include a plan for launching a refreshed set of values and testing possible mechanisms to embed the values across the organisation.
- Victoria Police reviews and, where necessary, updates its internal policies and processes, including the professional development system, to reflect its new values.

Victorian Government response to legislative barriers relating to protected disclosures

The Phase 2 Audit was advised that Victoria Police has engaged in stakeholder engagement with the Department of Premier and Cabinet, the Department of Justice and Regulation, and IBAC on the subject of legislative reforms to the protected disclosure regime.

Summary of guidance going forward

Policy guidance for mandatory reporting and complaints

- Victoria Police should undertake work to provide accessible, practical policy guidance to assist employees to understand and apply the provisions in the legislation and detailed in Recommendation 18 of the Phase 1 Review.

Classifications at the end of service

- Victoria Police should continue to consider mechanisms to mitigate the risk that a subject of an investigation that has alleged serious behaviour may pose to the community.

Conduct of criminal and disciplinary investigations

- Victoria Police should continue to work toward reforms to enable criminal and disciplinary matters to be run concurrently. This may require legislative or policy reform, and options for reform should continue to be explored.

Diversity, flexibility and values

- Victoria Police should ensure that employee engagement ensures employee understanding of what behaviours and expectations are created by a reformed value system. This may include a plan for launching a refreshed set of values and testing possible mechanisms to embed the values across the organisation.

- Victoria Police should review and, where necessary, update its internal policies and processes, including the professional development system, to reflect its new values.

Chapter 18: Superannuation

Key findings

- The Victorian Government has commenced an independent review of the structure of the defined benefits superannuation scheme for emergency services workers intended on reviewing the schemes design elements, gender equity within the scheme and its application to emergency services executives.

- Victoria Police has analysed workforce data to assess the whole-of-lifecycle impact of the defined benefits scheme and determine differentiation in working experience and income gaps between male and female sworn employees. The analysis identified that women:

  – were less likely than men to work full-time for the duration of their career

  – were more likely to take periods of leave without pay

  – separated from the organisation at an earlier age after fewer years of service on a lower overall average base salary

  – were far more likely to separate citing family or personal issues.

- This data analysis identifies these factors as the greatest contributors for women receiving lower superannuation counterparts than their male counterparts under the defined benefit scheme. The Phase 2 Audit commends Victoria Police for analysing the defined benefits scheme and advancing work to understand its impact on employees.

- The Phase 2 Audit has found that there are complex factors that drive the differences in women's workforce life cycles, including gender-based workplace discrimination, harmful workplace experiences, and fewer opportunities for progression on flexible work arrangements.

Phase 1 Review findings

The Phase 1 Review found that the defined benefit superannuation scheme provided by the Emergency Services and State Super Scheme (ESSS) for sworn employees of Victoria Police had the potential to result in significant disparity between men and women as well as other personnel on flexible working arrangements in the lump sum pay-outs received on retirement. The Review noted that defined benefit schemes had been gradually phased out since the 1980s because they are not financially secure for employers and do not reflect the flexible working arrangements that modern employment schemes require.

The defined benefits scheme pays out a lump sum based on the contributions of the member, their age, and length of membership. Part-time employees and employees who have had periods of unpaid leave, including parental leave, accrue benefits on a pro-rata basis. The Review analysed data from ESSS that identified a significant gap in benefits received by men and women exiting Victoria Police after the age of 40 of up to $150,000.

Recommendation 17

That the Victorian Government works with ESSS to undertake a gender impact analysis of the defined benefit scheme, and undertakes comparison with other schemes. This analysis should be used as evidence to review the appropriateness of the scheme in supporting contemporary career patterns, flexible work, and wellbeing of all Victoria Police sworn personnel.

Intent of the recommendation

The Review intended for government to work with ESSS to evaluate the existing scheme and understand the way that it differentially impacts women, employees on flexible working arrangements, employees who exited the organisation early, and employees who took leave due to physical and mental health issues. It envisaged that further work would follow the gender impact analysis to modernise the defined benefit scheme and ensure that it met the diverse requirements of a modern workforce.

Indicators of successful implementation

- Robust analysis of the existing superannuation scheme is undertaken to gain a thorough understanding of the gender impact of its employee superannuation scheme for sworn staff.
- Work commences to modernise the employee superannuation scheme and ensure that it reflects the requirements of a contemporary and flexible organisation.

Implementation action

As at 30 June 2017, the Audit has observed the following key activities by the Victorian Government toward undertaking an analysis of the superannuation scheme:

- commencement of an independent review into the defined benefit scheme
- invitation for submissions from key government and union stakeholders.

As at 30 June 2017, the Audit has observed the following key activities by Victoria Police towards the implementation of Recommendation 17. The Phase 2 Audit notes that these specific projects were of the organisation's own initiative and commends their engagement and dedication to the implementation of this recommendation:

- requests by Victoria Police to ESSS for raw data for the purpose of a gender analysis. The Audit has been advised that this request was denied by ESSS on the basis of its internal privacy provisions an overview provided by ESSS based on a comparison of superannuation benefits provided to male and female sworn employees of Victoria Police. The Audit has not been provided with a copy of this document, however, it has received an analysis of the document compiled by Victoria Police
- a design aspects analysis compiled by Victoria Police to guide evaluation of the superannuation scheme

- a data analysis by Victoria Police of sworn employee separation by rank and gender between 2011 and 2016

- a data analysis by Victoria Police of sworn employee career progression by rank and gender

- a combined analysis by Victoria Police based on internal data comparing superannuation pay-outs between female and male sworn employees.

Audit findings

Independent review of ESSS benefit scheme

In February 2017, the Victorian Government commenced stakeholder consultation for an independent review of the structure of the defined benefit scheme. The terms of reference for the independent review are in three parts:

1. A review of design elements of the scheme, including the maximum benefit at pay-out, the age of service at which death and disability benefits are calculated, and the design of the resignation benefit. The review is instructed to consider changes to these elements if appropriate, subject to a number of considerations.

2. A review of the gender equity of the scheme, taking into consideration differences in work patterns and considering changes to the scheme if considered appropriate.

3. A review of the scheme for emergency services executives, including a consideration of whether the policies are appropriate and whether simpler or more equitable arrangements can be considered.

The Victorian Equal Opportunity and Human Rights Commission was asked to provide comment on the review of the scheme. It provided a response in relation to the second limb of the review's terms of reference, and noted the findings of the Phase 1 Review as well as the legislative framework in Victoria. It noted the practice of ESSS since 2010 of making minimum contributions to the funds of women on unpaid parental leave to minimise the impact of breaks in service on their benefits, and saw this as a positive mechanism for addressing the impact of unpaid leave from the workforce for employees on income-based superannuation schemes.

The Review also understands that the Police Association Victoria, the United Firefighters Union and Ambulance Employees Australia – Victoria made a joint submission for consideration by the independent review. While the Audit has not viewed this submission, it understands that the submission made a number of comments on the provisions of the scheme that disproportionately impact the pay-out rate for women in emergency services, and proposed reforms to the scheme's provisions.

At time of writing, the Phase 2 Audit understood that the independent review of the ESSS benefit would be released in September 2017.

ESSS overview document

The Phase 2 Audit heard that Victoria Police sought the assistance of ESSS to provide raw data for the purposes of an internal analysis of the benefits scheme for sworn employees and that the request was declined on the basis of privacy concerns. The Audit has heard that the overview document provided to Victoria Police by ESSS could only provide limited insights and did not address career information that the Phase 1 Review noted had significant impacts on the entitlement pay-outs received by sworn staff, including information on length of service, the final salary of an employee at the point of separation, and periods of unpaid leave. The broad finding of the ESSS overview document was that male employees generally receive higher benefits than female employees who have completed the same length of service.

Victoria Police analysis

Victoria Police undertook an analysis of workforce data to gain a more nuanced understanding of the careers of sworn employees against the separation data of the organisation. The information analysed included gender disaggregated workforce data from 2010 and 2016. Victoria Police identified the following key points:

- 73 per cent of women who separated from the organisation were full-time employees, compared to 96 per cent of male employees.

- The majority (38 per cent) of male employees separated following more than 30 years of service, followed by 17 per cent who separated following between 20 and 30 years of service. This is compared to the majority of female employees (25 per cent) separating after 10 to 20 years of service, followed by 21 per cent who separated after five to 10 years of service.

- The overall average base salary at the time of separation for members with the same length of service was $76,981.17 for women and $87,030.19 for men, with men earning an average of 11.5 per cent more than women at the time of separation after serving the same time in the organisation.

- The most common reason for men separating from the organisation was retirement age (36 per cent). The most common reason for the separation of women from the organisation was family or personal issues (24 per cent).

- When the separation reasons of 'dismissal', 'death' and 'retire ill' were removed from the data, 44 per cent of male employees separated on retirement and 16 per cent of female employees separated on retirement.

- A higher proportion of women do not contribute to their superannuation before the age of 50.

- A significantly higher proportion of women take leave without pay, including parental leave, during their employment.

- The data analysis by Victoria Police found that a range of additional factors affect the quantum of a sworn employee's superannuation pay-out. These include length of employment, whether they have worked in part-time employment for periods, whether they received promotions, and whether they have had periods of unpaid absences from the workplace. The analysis states that Victoria Police needed to undertake further work to understand the drivers of these underlying factors, including developing an understanding of what is attributable to 'lifestyle choices' and what is a result of employment conditions, policy and practice, including flexible working conditions, and training and promotional pathways.

Findings

The Phase 2 Audit notes that there are complex factors underpinning a woman's likelihood of staying in a role, and drivers for them changing industries or electing not to seek promotion. This includes the experience of harmful workplace experiences and gender-based discrimination in the workplace, which is more common in traditionally male-dominated industries where women are perceived as having a lower social and occupational status.[1] It also notes that the Australian superannuation system broadly does not sufficiently account for the different ways that men and women interact with the workforce over the course of their lives.[2]

The Audit notes that reforms under this recommendation rely on the commitment of government to review and make changes to the defined benefit scheme.

The Audit acknowledges significant work by Victoria Police to understand the drivers of the disparity between superannuation pay-outs for men and women on separation. The analysis of the organisation's workforce data shows significant differences in the careers of men and women within Victoria Police impacting the quantum of their payments on retirement or separation.

The Audit notes and affirms Victoria Police's assessment that the organisation needs to develop a broader understanding of the drivers of disparities in superannuation amounts. The interlocking recommendations of the Phase 1 Review are mutually reinforcing drivers for change that, when implemented, will work to improve the experience of women in the organisation. The inequality in superannuation pay-outs is symptomatic of both a defined benefit scheme based on an average salary leading up to retirement which creates inherent structural inequities, but also a workforce culture that has historically given preference to full-time, male employees.

The Audit commends the commitment of Victoria Police to further the reforms of the superannuation scheme for sworn employees. It also notes and commends the continuing work of the Police Association Victoria in working with ESSS to encourage women in the organisation to make higher contributions to their funds and for their contributions to the independent review of the superannuation scheme.

The Audit notes a number of recent data packages and reports on the gap between superannuation balances between men and women in Australia. As reflected in the Phase 1 Review, gender segregation in the workforce continues to have a major impact on the lives and opportunities of Australian women. Senior roles continue to be disproportionately held by men, women hold three times more part-time employment than men, and women on average receive lower wages than men.[3] On leaving the workforce, this means that women experience a lower capacity to contribute to their superannuation funds, lower accruement of superannuation rates, and fewer forms of wealth sources such as investments and property.[4] At the point of retirement, Australian women on average retire on half of the superannuation savings of men.[5] This results in an increased likelihood that women will rely on a government pension or benefit after retirement, and there will be higher rates of women living in poverty after retiring.[6]

In June 2017, the Commonwealth Senate Finance and Public Administration Committee released its report on gender segregation in the workplace and its impact on women's economic equality. The report found broad issues with a national gender segregated workforce, finding that entrenched social norms and structures leading industrial segregation and the gender pay gap that has remained between 15 and 20 per cent for 20 years.[7] The Senate Committee received a number of submissions for consideration in its inquiry, including a submission from the Police Federation of Australia that emphasised the need to either amend or remove concessional caps in superannuation schemes.[8]

The Audit notes that the ESSS members who increased their contribution rates after mid-2006 are required to pay excess tax on defined benefit contributions, noting that these concessional contributions are capped based on a member's age at the time of contribution. The Report made a number of recommendations to reforms to the national policy framework to achieve pay equity, amendments to the *Fair Work Act 2009* (Cth), and specific reforms relating to federal departments. Specifically, the Senate Report has recommended an extension to paid parental leave periods that include provisions for the payment of superannuation during paid parental leave.

This report adds significant evidence and analysis to women's economic equality in the modern Australian workforce. Its content, recommendations and relevant submissions should be considered by Victoria Police in the organisation's analysis of the defined benefit scheme.

Guidance going forward

• The findings of the June 2017 Senate Finance and Public Administration Committee's report into gender segregation in the workplace, and its impact on women's economic equality, as well as submissions to the Committee by relevant national and state bodies, should be considered by Victoria Police in its work on the defined benefit scheme going forward.

• Victoria Police should continue to work with government in relation to the independent review into the ESSS benefit scheme and advocate for reforms to the scheme where it is appropriate.

Endnotes

1   Women in Super, Submission to the Senate Finance and Public Administration Committees, *Gender segregation in the workplace and its impact on women's economic equality*, 3 March 2017.

2   Senate Finance and Public Administration References Committee, *Gender segregation in the workplace and its impact on women's economic equality* (2017).

3   Workplace Gender Equality Agency (WGEA), *Australia's gender equality scorecard* (2016).

4   WGEA, Submission to the Senate Finance and Public Administration Committees, *Gender segregation in the workplace and its impact on women's economic equality*, March 2017.

5   Industry Super Australia, *Closing the gender superannuation gap* <http://www.industrysuperaustralia.com/campaigns/closing-the-gender-superannuation-gap/>.

6   WGEA & Bankwest Curtin Economics Centre, *Gender equity insights 2016: Inside Australia's gender pay gap* (2016).

7   Senate Finance and Public Administration References Committee, above n 2.

8   The Police Association Victoria, Submission to the Senate Finance and Public Administration Committees, *Gender segregation in the workplace and its impact on women's economic equality*, 17 February 2017, 4.

Chapter 19:
Police Registration and Services Board

Key findings

- Significant work has been progressed by the Police Registration and Services Board (PRSB) to implement the intention of Recommendation 19 and assist Victoria Police, within the remit of the organisation's statutory functions, to implement broader recommendations of the Phase 1 Review.

- PRSB have released a report considering a range of reviews and initiatives impacting Victoria Police across a number of reform packages, including the Phase 1 Review. The report finds that there is significant organisational and community value in working toward the professionalisation of policing, and the Audit has noted that this work has significant potential to impact the culture of policing in Victoria in encouraging the development of leadership capability, career mobility, and professional standards and accountability.

- The Phase 2 Audit has reviewed data as well as de-identified review decisions relating to improper and illegal conduct by police officers. The Audit has found that these decisions embed considerations of victim impact, bystander and organisational harm, and reflect the work of PRSB to understand and impart these considerations in their statutory reviews.

- A number of sessional members have been appointed to the PRSB with significant expertise in areas of sexual harassment, sex discrimination, gender pay discrimination, flexible work options, victim support and equal opportunity and human rights law. The Phase 2 Audit has found that this has resulted in an improved diversity, capability and experience of its Board members.

- PRSB have engaged in training for all members in the *Charter of Human Rights and Responsibilities Act 2006* (Vic) (the Charter), decision-making and unconscious bias, and the Audit understands that this will be provided to members regularly. The Phase 2 Audit notes that the training does not yet include content on the *Equal Opportunity Act 2010* (Vic) or the drivers and impacts of sexual harassment and sex discrimination.

- PRSB have developed guidelines to guide parties participating in reviews, pursuant to a new statutory power under the *Victoria Police Act 2013* (Vic). These guidelines include directions to the Chief Commissioner to include content on the impact of harm caused by an employee on individuals and the organisation. The Phase 2 Audit notes that this measure is intended to assist the PRSB to consider victim, bystander and organisational impact in its decision making.

- PRSB have also developed guidelines for members on unconscious bias in decision making and have shared this resource with Victoria Police. The Phase 2 Audit has found that this an accessible, evidence-based document to guide members on how to remove various forms of cognitive bias from their considerations.

Phase 1 Review findings

PRSB is a statutory body established under the Victoria Police Act responsible for hearing reviews of disciplinary decisions, such as termination of employment, and appeals relating to transfer or promotion of Victoria Police employees. PRSB also holds statutory responsibility for the Police Profession Register, and provides advice relating to the education and development of sworn officers.

The Phase 1 Review found that there was a persistent culture of appealing promotional and transfer decisions that disproportionately impacted women, as detailed in Chapter 9. It also found that there was a culture of appeals of disciplinary decisions, and heard from participants that PRSB regularly overturned these decisions. The data provided to the Review relating to reviews of discipline sanctions reflected that a significant percentage of these decisions were in fact upheld, with only 17 per cent of decisions heard between 2011 and 2015 overturned.

The Phase 1 Review heard concerns from participants that PRSB failed to consistently consider and apply a public interest consideration in their reviews of disciplinary decisions, as required by the Victoria Police Act. The Review also heard that PRSB did not consistently consider victim impact statements in hearings. The Review acknowledged that PRSB were engaging in proactive work around reforming their processes.

Recommendation 19

- Police Registration and Services Board (PRSB) members should be provided with contemporary training in equal opportunity and human rights law, as well as the impact of sexual harassment and discrimination on victims. This should occur at induction for new members, immediately for current members, and then every two years.

- PRSB works with specialist partners to develop guidelines on EO, HR and victim impact in decision-making.

Intent of the recommendation

It was intended by the Phase 1 Review that PRSB develop a skill and knowledge base in its Board to ensure that their decision-making considered equal opportunity and human rights law, as well as the extent of the impact on victims in cases involving sexual harassment and discrimination.

Indicators of successful implementation

- PRSB members undertake training in equal opportunity and human rights law, and the impact of sexual harassment and discrimination on victims.

- Training is incorporated into the induction program for new members, and in place to be undertaken every two years by other members.

- PRSB has developed guidelines on equal opportunity, human rights and victim impact on decision-making, through consultation with specialist partners.

Implementation action

As at 30 June 2017, the Audit has observed the following key activities by PRSB:

- engagement with Victoria Police and other key stakeholders around reforms following the Phase 1 Review

- publication of Practice Notes relating to the conduct of reviews

- training for all members on unconscious bias, the Charter and writing decisions

- appointment of new sessional members with significant expertise in sexual harassment, sex discrimination and gender issues

- draft of the PRSB Police Professionalisation Report

- work towards reforms to the process of promotion and transfer appeals

- draft of presentation to the Women in Policing Conference on professional boundaries

- preparation of the report *Careers and Capabilities of Former Victoria Police Members* which explores options for career mobility and career breaks

- work with Victoria Police to review the professional boundaries training delivered to Academy staff, as detailed in Chapter 11.

Audit findings

PRSB approach to Victoria Police reform

The Phase 2 Audit heard that PRSB have engaged with the Phase 1 Review globally, rather than focusing only on the recommendation specific to their remit. PRSB have looked to all of their functions and reviewed how their organisation can help drive the reforms recommended by the Review.

PRSB have worked closely with Victoria Police to ensure that both organisations are informed of significant projects and are working collaboratively on areas of reform. The Audit has heard evidence of significant engagement between Victoria Police and PRSB members, with ongoing documentation and information sharing around the implementation of the Phase 1 Review's recommendations.

> *In the discipline area, I've put a lot of effort into explaining the reasons for the outcome and they're being used (by Victoria Police) as case studies and training case studies. When you look at cultural shifts, there's a huge cultural shift around acceptability or tolerance level for unethical or improper kinds of conduct. For example, there would be no question now that a police officer proven to have assaulted someone would in all likelihood be dismissed. The standards of conduct expected are high.*
> – **Internal interviewee**

In May 2017, PRSB released the report *Towards a Shared Vision of Police Professionalisation in Victoria* (the PRSB Report). The PRSB Report considers a range of reviews and initiatives impacting Victoria Police, including the Blue Paper, the Capability Plan, the Education Master Plan, the *Equality is Not The Same …* Action Plan, the Phase 1 Review and the *Mental Health Review*. It noted broad themes across these distinct bodies of work that relate to police professionalisation, particularly the development of leadership capabilities, career mobility and professional standards and accountability. The PRSB Report made a number of findings through its research relating to the value and importance of police professionalisation, and planned a series of projects following from its findings. The Audit notes that this is an innovative and thoughtful piece of work with the potential to have significant impact on policing in Victoria.

On the appeals side, I think that work is probably a two or three stage process because of where the Police Act is at the moment. We are constrained by what we can do within the Act. In the meantime, we are examining our approach to the appeal hearing process - the kinds of questions we will ask and the approach we take to assessing 'superior efficiency' under the Act (that is, merit). We are aiming to standardise our processes, provide better information to people seeking promotion. For example, one way to drive the desired leadership behaviours is to be really clear and specific about what will be well regarded in a selection process, what kind of leaders are valued, what's going to get you ahead in this organisation. I think that could be a really good driver to support the culture shift. – **Internal interviewee**

The Audit was provided with a number of published disciplinary decisions relating to improper conduct as well as a small number of (confidential and de-identified) decisions which were not published under section 154A(1) of the Victoria Police Act. A number of these cases related to instances of sexual harassment and sex discrimination. While the content of unpublished decisions cannot be detailed, it is noted that the Board took care to understand the impact of the review process on victims. In its decisions, the Board considered statements from victims of inappropriate workplace conduct where they were made available. The Phase 1 Review heard that PRSB did not regularly consider the impact of victims in its decision-making processes and did not understand the harm caused by instances of sexual harassment and sex discrimination.

It is an unfortunate and common pattern where women (are) being expected to bear the responsibility of addressing poor workplace behaviour, when the responsibility lies with men to not engage in such conduct in the first place and on management to respond to it quickly and appropriately.[1]

It is a strong public interest in this review that Victoria Police is able to effectively challenge the entrenched culture of sexism reported in the Phase 1 Review and encourage and support women affected by such behaviour to speak up, to voice the harm that is caused to them by such conduct and to ensure prompt and effective action when such conduct occurs. When women police officers and staff members are exposed to hostile, sexist and degrading actions and comments, the impact is cumulative and serious, including reduced morale, stress, depression, higher turnover, reduced confidence and engagement, departure of talent, financial costs and reduced organisational efficiency and cohesion. There is a strong public interest in imposing a consequence for such improper conduct which acts as a strong deterrent, sending a clear warning to other members of Victoria Police that demeaning behaviour to women will not be tolerated.[2]

The PRSB is progressing toward refining its approach for conducting promotion and transfer appeals by making greater use of behavioural questioning methods. The Audit has heard that a new approach will be introduced in late 2017 along with new resources to better support police members participating in appeals (as either the appellant or selectee) and to support PRSB members conduct the hearing and make decisions.

Increased capability for PRSB members

The Phase 2 Audit heard that sessional appointments to the Board included members with significant expertise in the areas of sexual harassment, sex discrimination, gender pay discrimination, flexible work options, violence against women, victim support, and equal opportunity and human rights law. The Audit was advised that when convening the PRSB to hear a review under section 148(3), the President ensures that one or more members with relevant subject matter expertise are included in the three-member panel.

Training for PRSB members

The Phase 2 Audit heard that all PRSB members engaged in professional development in late 2016, reflecting a significant resource allocation by the organisation. The following sessions were delivered:

- training on the Charter, delivered by the Victorian Equal Opportunity and Human Rights Commission

- training on writing decisions, delivered by the Judicial College of Victoria. This full-day training program included sessions specific to the Victoria Police Act

- training in unconscious bias in decision-making, delivered by an expert in the areas of psychology, gender and diversity.

The Audit understands that this training will be delivered to members regularly, and to all members on induction. The Audit was also advised that the PRSB is making use of shared training and other resources, including:

- a new tribunal member induction program and handbook developed by the Council of Australian Tribunals

- bench books on matters such as human rights and open justice developed by the Judicial College of Victoria

- a bench book on unfair dismissal developed by the Fair Work Commission.

Development of guidelines

In December 2016, PRSB published a Practice Note to guide parties who were participating in reviews heard by the Board. The Practice Note was published under a new statutory power of the PRSB under section 156A of the Victoria Police Act to issue practice directions and notes in relation to appeals and reviews heard by the Board. The Practice Note contains guidance for the Chief Commissioner who is responding to an application for Review and provides the following example in the instance of an appeal of a dismissal:

> *(the Chief Commissioner should include any other matter that contends) why the dismissal was not 'harsh, just or unreasonable', the public interest and other considerations said to apply (including the integrity of and community confidence in Victoria Police), the harm caused by the conduct (to individuals and Victoria Police), the basis on which it is argued that findings of fact were properly reached by the Inquiry Officer, previous probity and conduct issues and their relevance.*

The Practice Note also allows for relevant witnesses to have the right to respond to credibility issues raised in the applicant's submissions where it is fair and appropriate to do so.

The Phase 2 Audit heard that PRSB consulted closely with Victoria Police in the development of the Practice Note, and emphasised over these conversations that they were only able to rely on evidence provided to them in the materials which were before the original decision-maker or which are properly presented by the parties in a review hearing. PRSB emphasised its independence and the importance of its impartiality in documentation provided to the Audit, and noted correctly that it could not embark on fact-finding missions on the question of the impact of conduct on specific victims to inform its decisions. PRSB advised the Audit that it is reliant upon Victoria Police to present any specific evidence of harms to individuals, work teams or the organisation.

The Practice Note directs Victoria Police to include in its submissions evidence of the harm caused by the relevant conduct of an individual as well as any evidence relating to previous improbity or misconduct so that PRSB can consider these submissions in its decision-making.

PRSB has developed a guideline for its members on unconscious bias in decision-making in promotion and transfer appeals, which has been shared with Victoria Police. The guideline is an accessible and evidence-based document that illustrates the ways that unconscious bias impacts employment selection decisions and provides advice on limiting the impact of unconscious bias on decisions.

Findings

The Phase 2 Audit found that PRSB engaged in significant work to progress reforms toward the intention of Recommendation 19, as well as work to assist Victoria Police in the implementation of broader reforms under the Phase 1 Review. The Audit commends the organisation on their progress. Promising and thoughtful work has been developed toward building PRSB's capability and capacity to fulfil its broad functions.

The Audit analysed data and case studies of PRSB's work demonstrating the approach of the independent tribunal to appeal and review hearings. This documentation and data demonstrates a consideration of the impact on victims in instances of improper and illegal conduct, and reflects an understanding of the harm caused by sexual harassment and sex discrimination. As noted above, the Audit cannot make findings on the validity of decisions made by PRSB but has observed evidence that victim impact, individual and organisational harm caused by inappropriate conduct are taken into account in decision-making.

Training by the Board for members has included a focus on increasing capability and understanding around key elements of the Phase 1 Review. The Audit notes that it is important to embed these capabilities and knowledge into the PRSB for the long-term. This may include consideration of bench books or similar resources for the use of members to inform decision-making in appeals, and for the reviews of decisions.

The Audit has found that the Practice Note developed by PRSB under its statutory powers encourages Victoria Police to provide evidence of harm caused by conduct to victims, bystanders and the organisation. The Audit notes that as an independent tribunal, the Board is unable to undertake fact finding missions to develop the evidence and must rely on the evidence presented by parties. The Audit encourages Victoria Police to ensure that they include all relevant information relating to a matter heard by PRSB, including victim impact statements and other material on the extent of harm caused by inappropriate behaviour.

While the Audit does not have sufficient evidence to make any findings on the decisions made by PRSB, the decisions viewed by the Audit demonstrated an evidence-based and considered understanding of victim impact and the individual and organisational harm caused by these categories of conduct.

Guidance going forward

- PRSB should continue to work to ensure that sessional members have skills relevant to the nature of reviews heard, and ensure that training and professional development continues to be regularly delivered to members by experts, including external experts where appropriate.

- Selection criteria for the appointment of future review division sessional members should continue to include relevant skill and knowledge requirements, including knowledge of contemporary workplace practices and expectations and an understanding of the public interests relating to police conduct, gender and human rights issues.

- PRSB should ensure that future training continues to include content on the impact of sexual harassment and discrimination on victims and organisations, as detailed in the Phase 1 Review.

- Victoria Police should ensure that it considers the directions in the December 2016 Practice Notes relating to the content of submissions made by the Chief Commissioner in reviews heard by PRSB.

Endnotes

1   PRSB Review Decision Reference No A163/2015.

2   PRSB Review Decision Reference No A43/2016.

Chapter 20: Disciplinary system

Key findings

- Significant work has been progressed by Victoria Police to review and reform its disciplinary system. The Phase 2 Audit notes and commends the depth of this work.

- Victoria Police has undertaken a thorough review of seven reports of the former Office of Public Integrity (OPI), the Independent Broad-based Anti-corruption Commission (IBAC) and the State Services Authority (SSA) to identify what work needs to be undertaken in relation to approximately 100 separate recommendations.

- A full mapping of the existing disciplinary system has been undertaken to identify issues and align recommendations of previous reports. The mapping process included a review of substantial internal documentation including employee protocols and policies which identified that, in line with the 2016 IBAC Audit of the Victoria Police complaints handling system, the disciplinary system was extremely confusing and difficult to navigate.

- A reformed disciplinary system has been proposed to create a simplified model in three streams of crime, misconduct and performance complaints. The Phase 2 Audit has found that the modelled system has been designed to embed characteristics of procedural fairness, timeliness, transparency, accountability and simplicity as well as best-practice victim-centric principles.

Phase 1 Review findings

The Phase 1 Review discussed the complexity of the disciplinary process for employees of Victoria Police, noting the findings of three previous Reviews into the Victoria Police disciplinary system, complaint handling system, and command and management structure.

The 2007 Office of Police Integrity Report

The OPI report *A Fair and Effective Victoria Police Discipline System* (2007) (the 2007 OPI Report) found that the disciplinary system for sworn employees of Victoria Police resembled a criminal, rather than a civil process, and was slow and overly punitive.

The 2007 OPI Report recommended a number of systemic, procedural and legislative reforms to the disciplinary system. These included remedial action for employees whose conduct did not reach a threshold for dismissal in a non-punitive disciplinary environment, with training and resourcing developed for managers across the organisation to ensure that a remedial approach to discipline was implemented consistently. It also recommended a swift and fair dismissal processes for individuals whose conduct meant they should no longer remain in the organisation, requiring Victoria Police to advocate for legislative reforms to the *Victoria Police Act 2013* (Vic) and Regulations. These recommendations were endorsed by the Phase 1 Review; however, at the time of its release, many had not been acted upon.

Critically, the 2007 OPI Report found that the Victoria Police disciplinary system disproportionately protected employees who were accused of inappropriate behaviour and/or misconduct, and did not sufficiently protect victims and targets of behaviour, their colleagues and workplaces, and the community.

The Review also endorsed the principles of the 2007 OPI Report that recommended aligning disciplinary responses for sworn and Victorian Public Sector (VPS) employees, and linking of the performance management and PDA system (as discussed in Chapter 13).

The 2011 Office of Police Integrity Report

The OPI report *Improving Victoria Police discipline and complaint handling systems* (2011) (the 2011 OPI Report) was tabled to review the reforms recommended by the 2007 OPI Report. A bill to introduce legislative reforms to improve the disciplinary system had been introduced but had not been passed by Parliament, and while incremental reform had occurred informally, the system remained substantially unchanged.

The 2011 OPI Report reinforced the importance of introducing a reformed dismissal procedure to the organisation, and again recommended changes to make the disciplinary system less formal and adversarial with a greater focus on developing positive behavioural change. It noted encouraging improvements to local management of conduct and the performance management system, and significant improvement in stakeholder satisfaction from complainants to the complaint resolution process. However, limited improvements in other areas raised concerns that the disciplinary system remained complex and inefficient. The Report emphasised that the development approach to management of problematic conduct required a tough, swift dismissal process to balance it, and noted 'to have one without the other is dangerous and makes a mockery of the development process.'[1]

The 2011 OPI Report proposed a model for the disciplinary system based on the 2007 Report to align it with other contemporary agencies and result in a more effective response to issues with police conduct.

The 2011 State Services Authority Report

The SSA report *Inquiry into the command, management and functions of the senior structure of Victoria Police* (2011) (the SSA Inquiry) was at the direction of the then Premier in response to community perception that senior Command levels of Victoria Police were divided and dysfunctional, resulting in significant costs to government and impacting the effectiveness of the organisation.

The SSA Inquiry found that the organisation was resistant to change and disinclined to accept external recommendations, and that the Police Association Victoria's disproportionate influence impacted this resistance. It found that the organisation was not adept at strategic and corporate planning, and that the workforce was particularly inflexible when it came to change reform agendas. The SSA Inquiry emphasised that the Victoria Police disciplinary system required significant reforms, and recommended repealing the *Police Regulation Act 1958* (Vic) and replacing it with legislation that, among other things, improved the performance management and discipline system within the organisation. The recommendations of the Inquiry included the full and continued implementation of the recommendations of the 2007 OPI report.

The Phase 1 Review considered that the non-implementation of a number of these recommendations had continued to impact the organisation where complaints of sex discrimination, sexual harassment and predatory behaviour were not being managed in an effective or timely way. The Review found that a strengthened, improved Victoria Police disciplinary system would help to create a safe workplace for Victoria Police employees, improve outcomes, and reduce the impact of harm for victims and targets.

Recommendation 20

The Victorian Government and Victoria Police should streamline and simplify Victoria Police's existing discipline system by considering and implementing the detailed recommendations for reform in:

- the Office of Police Integrity report *A fair and effective Victoria Police discipline system* (2007)

- the Office of Police Integrity report *Improving Victoria Police discipline and complaint handling systems* (2011)

- the State Services Authority report *Inquiry into the command, management and functions of the senior structure of Victoria Police* (2011).

Intent of the recommendation

The 2007 OPI Report found that a modern and responsive police force requires consistent responses to issues with police conduct, service delivery and performance. Ensuring the professional development of police officers who demonstrate problematic conduct that does not create grounds for dismissal will provide these employees with opportunities to create positive behavioural changes and reduce future poor conduct. However, for serious conduct, swift and certain dismissal of employees is necessary to protect the organisation and the community from significant harm. The 2007 OPI Report considered that conduct appropriate for dismissal included dishonest and/or criminal conduct, as well as conduct that is inconsistent with a person remaining a member of Victoria Police.

The Phase 1 Review continues to emphasise the importance of reforms to the disciplinary system and encourages Victoria Police to continue consideration and implementation of the reforms recommended in these reports. As noted above, the Phase 1 Review emphasised that an effective disciplinary system that provided consistent and timely outcomes would assist Victoria Police to respond to instances of workplace harm, and reduce impact and harm for victims and targets.

Implementation action

As at 30 June 2017, Victoria Police had progressed the following work packages:

- a review of recommendations contained in the two OPI Reports detailed above, the SSA Report and the Phase 1 Review

- a review of recommendations contained in the 2008 OPI report *Improving Victoria policing services through effective complaint handling* and the 2011 OPI report *Enabling a flexible workforce for policing in Victoria*

- a review of two IBAC reports released in 2016, after the Phase 1 Review: *Audit of Victoria police complaints handling systems at regional level* (the 2016 IBAC Audit) and *Operation Ross*

- end-to-end mapping of the Victoria Police disciplinary business system

- analysis of the legislative framework of the Victoria Police disciplinary system

- an environmental scan of discipline systems within other agencies and policing organisations

- a literature review on the subject of disciplinary systems from a broad range of academic and organisational sources

- a report on the outcomes of all internal work including an evaluation of work going forward and a proposal for a new simplified, streamlined disciplinary system

- a concept proposal for a remodelled discipline system.

Audit findings

Significant work has progressed toward the implementation of Recommendation 20. At the time of writing, Victoria Police are well placed to meet the intention of the recommendation within the timelines scoped by the Action Plan contained in the Phase 1 Review.

Project scope

The overarching aim of the project created to implement Recommendation 20 is to deliver a reformed Victoria Police complaint handling system that holds employees to account for all misconduct, including workplace harm. The Phase 2 Audit viewed project plans that set out the planned outcomes of the project as being:

- a comprehensive plan for a reformed disciplinary system that ensures that employees who inflict workplace harm and other forms of workplace conduct are held to account

- identification and removal of redundant processes and practices within the disciplinary system

- a renewed focus on rehabilitation and professional development in relation to complaints that do not result in dismissals

- a complaints system that is victim-centric and leads to improved outcomes for all victims of police misconduct

The Audit notes that the work of Victoria Police is progressing toward fulfilment of these goals.

Review of recommendations of OPI, IBAC and SSA reports

As part of the project to implement Recommendation 20, Victoria Police conducted a desktop review of more than 100 recommendations contained across seven external reports. The review assessed whether Victoria Police had progressed or implemented each recommendation, and looked to whether legislative reforms had had an effect on the relevance of the recommendation. The review identified duplication across recommendations, and removed work where it was outside the scope of the review of the organisation's disciplinary system.

A number of recommendations were directed at the Victorian Government to repeal the then Police Regulation Act. This legislation was repealed and replaced by the Victoria Police Act. Reforms created by the introduction of new legislation included reconfiguration of the then Police Appeals Board into the Police Registration and Services Board (see Chapter 19), and improved provisions for many critical areas including flexibility, performance management, discipline, and governance.

A number of recommendations were deemed as not relevant due to being outside of the remit of the Professional Standards Command (PSC), or outside of the remit of the Phase 1 Review. The Phase 2 Audit notes that while these recommendations are outside of its terms of reference, they are still important reforms requiring careful organisational consideration. Victoria Police should ensure that the recommendations that were determined to fall outside the organisational responsibilities of PSC are identified, and that work commences in the relevant Department to analyse and fulfil the intention of the recommendations.

Mapping of the Victoria Police disciplinary system

A full report was completed that documented the research and analysis of Victoria Police's disciplinary system. The project mapped the issues with the existing system, as detailed in the seven external reports and an internal analysis. It was noted that the broad range of policy instruments that provide employee protocols and instructions for navigating the system is 'convoluted and largely incomprehensible'.

The mapping process noted that the landscape of policy documents relating to the disciplinary system includes over 200 pages in the Victoria Police Manual; 150 pages of forms, documents and templates; and 600 pages of guidelines intended to assist users to navigate the system. The Phase 2 Audit notes and agrees with the finding of the 2016 IBAC Audit that this enormous raft of documents resulted in high levels of confusion and near-impossible navigation for employees, as well as adding to high rates of procedural error within the system. This was highlighted by the Phase 1 Review in identifying the complexity of the disciplinary system.

The project identified inconsistent record keeping across the disciplinary system, and a lack of victim-centricity embedded within the system. It also noted a lack of internal support and referral processes for victims and targets, contrasted by robust options for support for individuals accused of inappropriate behaviour or misconduct.

Mapping of the legislative framework

Victoria Police has undertaken a mapping process to understand the scope of all legislation governing and impacting disciplinary matters and complaints related to its employees. This work required analysis and review of the legislative landscape governing Victoria Police employees, including the Victoria Police Act, the *Public Administration Act 2004* (Vic), the *Victorian Public Service Enterprise Agreement 2016* (Vic), the *Protected Disclosure Act 2012* (Vic), the *Independent Broad-based Anti-corruption Act 2011* (Vic), the *Charter of Human Rights and Responsibilities Act 2006* (Vic), the *Equal Opportunity Act 2010* (Vic), and the *Victims' Charter Act 2006* (Vic).

The mapping process identified all of the primary legislative mechanisms guiding the organisation's disciplinary system, as well as the legislative requirements that impact the disciplinary process.

The project will consider any requirements for legislative reform if any requirements for substantial change are identified through the project process.

Modelling a reformed disciplinary system

Principles, a strategic framework and a concept proposal for a new disciplinary system have been designed, following the significant work of the mapping and research projects.

The proposed new disciplinary system is intended to avoid the issues endemic in the current system, as documented in numerous reviews and external audits over the past 10 years. The project undertook a literature review to understand the characteristics shared by effective disciplinary systems. It emphasised through its research findings that any proposed new model would require the following characteristics:

- procedural fairness in an objective and consistent environment
- timeliness to minimise harm for all involved in the disciplinary process
- accountable recording, supported by well-developed processes and policies
- simplicity in a system that is accessible and avoids uncertainty

The proposed new disciplinary system would operate in three distinct streams of crime, misconduct and performance complaints, as well as a broader non-employee based complaint stream answering general organisational issues and oversight requirements. The system would embed victim-centricity by:

- ensuring the terminology utilised in protocols was best practice
- ensuring the requirements of the Victims' Charter are met
- continuing and consistent primary contact between the complainant and the investigator
- inviting victim impact statements for use in disciplinary and criminal matters
- reducing time frames to lessen the impact of lengthy investigations on victims.

A transparent and consistent information recording structure will utilise an existing Victoria Police operational system to record all details of complaints received, and ensure that all decision-making processes are recorded. A streamlined outcome process will ensure that outcomes are consistent and impersonal. Employees will be supported to navigate the system with revised and streamlined policy instruments and forms.

Specific projects to improve the Victoria Police disciplinary system

A number of discrete projects have been undertaken in response to Recommendation 20. The projects directly implement specific recommendations of the 2007 and 2011 OPI Reports.

The projects have required assessments of specific processes within the disciplinary system, redrafting of policy documents, and improving oversight and performance monitoring of the disciplinary system. The Phase 2 Audit notes that this work is underway, and has been undertaken by a small team in conjunction with the mapping process.

Endnotes

1   Office of Police Integrity, *Improving Victoria Police discipline and complaint handling systems* (2011) 20.

Appendix 1: Phase 1 Review recommendations

Recommendation 1

Based on contemporary best practice, Victoria Police (supported by the Victorian Government) should develop a redress scheme for Victoria Police personnel that includes:

- a restorative engagement initiative
- a reparation scheme – financial and non-financial
- public acknowledgement of harm.

Recommendation 2

The Executive Command establishes an appropriate, independent advisory structure to guide the intent and implementation of the Review's recommendations.

The advisory structure should include senior, external expertise that reports directly to Executive Command and meets quarterly with the Chief Commissioner as the strategy is developed.

It should provide guidance in the areas of:

- best-practice responses to working with men and women to build awareness of gender inequality, gender identity and role stereotypes, and of the link between gender inequality and violence against women
- best-practice restorative justice processes
- best-practice victim empowerment models of addressing workplace harm, with specific expertise in sexual harm, sexual assault and sexual harassment as well as secondary victimisation
- best-practice responses to sex discrimination and sex-based hostility
- best-practice bystander actions to build gender equality
- organisational development and change.

Recommendation 3

Victoria Police develops a whole-of-organisation Gender and Diversity Vision and Strategy linked to the organisational performance and capability framework to drive cultural and practice change. This vision and strategy should be owned by and be accountable to the Chief Commissioner. It should:

- articulate the Victoria Police vision to build gender equitable workplaces in clear and unequivocal terms. This will be a first step and require consistent, visible leadership at the most senior levels. The Review notes that time spent consulting and engaging employees in this work will build a platform for all recommendations in this Review

- identify and leverage the interdependencies among current and emerging workplace and community facing strategies

- sustain commitment and work to build whole-of-organisation knowledge and understanding of the relationship between gender equality and healthy, safe and respectful workplaces

- align the intent, accountabilities and implementation of efforts to implement responses to this Review alongside other key change initiatives

- develop a formal policy and process review mechanism to ensure gender equity principles are embedded in all organisational initiatives

- ensure gender impact analysis is embedded in policy and strategy development and review processes

- develop an organisation-wide gender performance framework and annual monitoring. Organisational performance objectives and measures should be linked to safe and respectful workplaces if the vision and effort to achieve a safe and respectful workforce is to be sustained. These measures should embed proactive data, process and outcome measures and cascade down to the performance and capability requirements of all managers and employees. They should include employee insight and satisfaction of the shifting workplace climate

- prioritise safety and wellbeing of employees who have experienced workplace harm. For people engaging in inappropriate behaviours, a range of swift and appropriate management and policing responses are needed, depending on the nature of the behaviour

- cascading from this strategy, each Command should establish, develop and implement an equity and diversity work plan and report progress to Executive Command bi-annually. The quality and progress of these work plans should be considered as part of Command performance and individual performance assessments of leadership. These in turn should be supported by performance assessment recommendations

- resource and coordinate women in policing committees for all female employees across all Regions, including rural areas. These forums should provide expertise to inform Command/Departmental Equity and Diversity Strategies.

Recommendation 4

That Victoria Police develops a comprehensive communications and employee engagement strategy, informed by organisational change principles to:

• build awareness of the rationale for diversity

• redefine the notion of 'merit' and increase understanding of the existence of structural barriers to recruitment, retention and advancement

• champion senior men and women who access flexible work arrangements, including part-time and parental leave

• reinforce that performance and accountability of employees must align with the vision, values and strategy

• support learning and professional development across the workforce about sex discrimination and sexual harassment, including predatory behaviour, its drivers, impacts and implications

• develop a clear organisational statement and expectation that all employees, regardless of rank or level, should 'call out' sexual harassment and discrimination if they feel safe to do so, and that they will be supported by management.

Recommendation 5

Review and update all relevant policies and procedures to ensure they are compliant with legal obligations and provide clear direction for managers to respond effectively to workplace harm and build gender equitable and diverse workplaces. This includes:

• ensuring that the legal tests for sexual harassment, discrimination and victimisation are accurate, and that current policies and procedures ensure remedial action

• as part of the workplace harm model, developing clear and detailed guidelines for managers and supervisors on their roles and responsibilities to responding to employees internal reports of sexual harassment, sex discrimination or victimisation and complaints in a fair, safe and supportive way. This should include clear indications of victim safety principles and reference to the *Victims' Charter Act 2006* (Vic)

• introducing a structured handover process for rotating management positions for Inspector rank and above

• strengthening of Victoria Police's Conflict of Interest Policy to define sexual relationships that can be regarded as a conflict of interest, and providing guidance for managers to respond appropriately

  – The policy should include an explicit list of behaviours and define the proximity of working relationships at which conflicts should be declared. For example, sexual relationships between employees and anyone who has formal supervisory responsibility for them, as well as anyone within their chain of command, should be considered a conflict of interest, irrespective of the status of their relationship.

  – There should be additional, clearly stated requirements for all teaching staff, mentors, supervisors and field coaches to refrain from improper use of their power over Recruits and Probationary Constables. This includes participating in any sexual relationships with Recruits and Probationary Constables.

- providing further practical and coordinated policy guidance to all personnel on the interpretational criteria for the:

  - Victoria Police Act terms *conduct*, *misconduct* and *reason to believe*

  - Protected Disclosure Act terms *improper conduct* and *detrimental action*

  - Independent Broad-based Anti-corruption Commission Act term *corrupt conduct* (see also Recommendation 16)

- amending the *Victoria Police Manual* to provide information regarding complaint processes related to executive level personnel.

Recommendation 6

Victoria Police review recruitment and exit processes, including:

- recruitment practices to ensure they align with best practice in screening to ensure the attitudes and expectations of all future Recruits align to the values and vision of the organisation, including an emphasis on respect and diversity

- physical employment standards to ensure they are aligned with role requirements and consistent with Victoria Police's occupational health and safety obligations

- offering support to potential Police and Protective Services Officer Recruits at no fee to meet any physical standards associated with general recruitment as well as recruitment to specialist roles within the organisation

- collecting and monitoring information about reasons for attrition at all stages of recruitment processes as part of broader monitoring under the Equity and Diversity Strategy

- instituting exit interviews for all resignations and retirements and collect and monitor data in relation to reasons for leaving and attrition of particular groups by gender, rank/level and work type.

Recommendation 7

Victoria Police review and amend all arrangements relating to flexible work including:

- identifying mechanisms and processes to ensure backfill for paid and unpaid parental leave and light duties is implemented

- reviewing and standardise policy and processes relating to flexible work arrangement and particularly the parental leave cycle, reflecting best practice in relation to preparing for leave, staying connected while on leave, reintegration into the workplace and career acceleration

- ensuring data collection and monitoring captures access to flexible employment options for both women and men and the reasons for not accessing any entitlements in this area

- ensuring all of its supervisors are trained in dealing with flexible working requests and what it means to refuse someone on reasonable business grounds.

Recommendation 8

Victoria Police review and improve arrangements relating to promotional pathways for women including:

- through central and localised Equity and Diversity strategies and work plans regularly review gender disaggregated data relating to key promotion criteria on who is accessing upgrade and transfer opportunities

- training to be developed by People Development Command about utilising clause 63.6 of the Agreement to allow progression for Constables who have taken a period of unpaid parental leave and do not have 12 months' salary payment at their current progression point, but otherwise meet the performance and capability criteria for promotion

- designing and implementing employee career planning and support, which includes clear pathways and support for women to pursue professional development and training in leadership and non-traditional roles and formal sponsorship

- under academic governance guidance, reviewing the Senior Management Leadership Program and learning support mechanisms to ensure alignment with the contemporary requirements and needs of women for leadership.

Recommendation 9

In relation to learning and professional development, Victoria Police should review its training and education functions to align learning intent and future capability needs as expressed in the Education Master Plan with organisational processes. These include:

- the funding and training delivery model

- People Development Command will establish an academic governance structure that includes independent expert(s) with a primary focus in the field of gender, sex discrimination and sexual harassment to advise on academic policies and all curricula and to guide teaching and learning activities that support respectful and safe gender relationships on a life-long learning continuum.

- ownership and funding for the review and development of all training curricula will reside with People Development Command and be informed by academic governance processes, which will include external expertise:

  – under academic governance guidance, review the Senior Management Leadership Program and learning support mechanisms to ensure alignment with the contemporary requirements and needs of women for leadership

  – within 18 months, women's access to leadership training is at least proportional to their representation in the overall, relevant workforce (Police, PSO, VPS). Within three years, 50 per cent of all senior management training opportunities are accessed by women. Where there is not a sufficient pool of women to draw from, managers will nominate women with demonstrated people management capabilities and leadership potential.

- Contemporary, evidence-based management and supervisory training should be developed and incorporated into all Foundation, promotional and professional development training.

- The content and face-to-face delivery of the training should be developed and delivered in partnership with expert advisors/specialist external training providers that have expertise in workplace management of harms based on sexual harassment, sex discrimination and gender equality.

- this training will include the rights and administrative responsibilities of employees and employers in the workplace and be contextualised for each learner cohort. Training will incorporate:
  - definitions and meanings of sexual harassment, sex discrimination and victimisation and their drivers and impact
  - their responsibilities to prevent and respond to incidents of sexual harassment, gender-based hostility and sex discrimination, including positive duty and liability under the Equal Opportunity Act
  - appropriate responses to the target of those behaviours to minimise the harm they experience and enhance their safety in the workplace
  - appropriate responses to the alleged perpetrator(s)
  - competence to refer/access informal and formal options available to the target/victim
  - understanding manager's role in classification and recording issues and the appropriate place to do this
  - understanding of manager's rights and responsibilities in considering requests for flexible work arrangements and strategies to establish and manage them
  - understanding managers' responsibilities to support bystander action and create safe and health workplaces
  - understanding and promoting workplace diversity, in particular gender equality, and practical applications of this through use of management processes, including performance management
  - the need to provide managers with guidance on making safe and appropriate referrals
  - best-practice bystander intervention in sexual harassment and sex discrimination.
- Participation in face-to-face training will be compulsory for all managers and supervisors annually.
- All other employees should participate in training biannually.

Recommendation 10

People Development Command strengthens management of risks associated with the Academy environment by:

- reviewing and updating the professional boundaries course by the recommended academic governance structure to further focus it on issues of sexual harassment, sex discrimination and predatory behaviour, as well as to introduce gender equity and equality concepts to instructors
- maximum time in position is instituted for police teaching staff in People Development Command
- further tightening of the selection of field coaches with explicit regard for Victoria Police values, including respect and equality for women and men alike
- further prescription of the management steps taken by the Academy to manage risks and victim/target safety detected, including through the Evaluation Strategy or Learner Surveys of sexual harassment or gender-based discrimination.

Recommendation 11

That Victoria Police reviews the inherent requirements for roles to ensure they reflect the tasks required.

Recommendation 12

- Consistent with and feeding into the organisation-wide gender performance framework, performance in workplace equality and respect should be a compulsory performance field or performance appraisal and reward and incentive systems. This includes being a compulsory field of Professional Development Assessments (PDAs) and executive management performance agreements.

- Inclusive management should be regarded as an area of continuous and ongoing professional development for all employees.

- Managers who do not have and record conversations to support equality and respect in staff PDAs should be assessed as not meeting key performance indicators.

- Upward assessment processes for all supervisors and managers should be introduced as part of the performance development process. Feedback from this process should inform ongoing training needs assessment and development of the supervision and management training curriculum to be developed by People Development Command.

- Performance development measures for executives should be implemented to support people development in the workplaces they manage. Measures should emphasise effectiveness over compliance. Consider processes that formally acknowledge executives assessed to be effective in developing people and building organisational capability, including those who pro-actively develop employees to reflect the intended diversity of the Victoria Police workforce at all levels.

- Victoria Police reweights the capability descriptors guiding performance assessment for supervisors and managers at all levels with additional focus on people management skills and demonstrated leadership in building a skilled and diverse workforce.

- Victoria Police should review and identify the appropriate tracking and recording mechanism(s) for inappropriate workplace behaviours that warrant ongoing supervision and management.

Recommendation 13

Victoria Police establish a workplace harm model that includes:

- immediate establishment of an external 'safe space' service to provide confidential support to victims/targets of workplace harm

- an internal victim-centric workplace harm unit to triage and case manage internal complaints about workplace harm

- an Independent Advisory Board to provide expert advice and support to the Workplace Harm Unit

- an expert human resource business partnering model to support local management.

Recommendation 14

The roles of Welfare Services, including peer support, and Police Psychology be reviewed to ensure their purpose and remit are clarified and to ensure they are properly aligned, resourced and skilled to provide their core functions.

Recommendation 15

Establish a specialist human resource business partnering model to:

- coach and mentor managers and supervisors throughout the business to enhance their supervisory and management skills

- provide secondary human resource consultations to managers where specific issues had been perceived or identified, including sexual harassment, predatory behaviour and sex discrimination

- support Divisional engagement with the workplace harm model and provide expert preventative guidance (gender diversity) and interventions for workplaces that were at risk of, or impacted by, inappropriate behaviour.

Recommendation 16

Victoria Police should advocate for changes to its operating context and environment, and take interim actions where possible to enhance its flexibility to build diversity, set and enforce Victoria Police values and behaviours. This includes:

- providing further practical and coordinated policy guidance, readily available to all personnel on the interpretational criteria for the:
  - Victoria Police Act terms *conduct*, *misconduct* and *reason to believe*
  - Protected Disclosure Act terms *improper conduct* and *detrimental action*
  - Independent Broad-based Anti-corruption Commission Act term *corrupt conduct*.

- amending the Victoria Police Manual to provide information regarding complaint processes related to executive level personnel

- considering revising classifications for end of service to include 'resigned under investigation' and this be used in the Gazette and statements of service in cases within the remit of this review

- consulting with the Director of Public Prosecutions to pursue and conclude disciplinary charges concurrently with criminal investigations/proceedings unless there is a real risk that the disciplinary matter will prejudice the criminal proceeding.

Recommendation 17

That the Victorian Government works with ESSS to undertake a gender impact analysis of the defined benefit scheme, and undertakes comparison with other schemes. This analysis should be used as evidence to review the appropriateness of the scheme in supporting contemporary career patterns, flexible work, and wellbeing of all Victoria Police sworn personnel.

Recommendation 18

The Victorian Government consider whether there are any legislative barriers in the *Victoria Police Act 2013* (Vic) and *Protected Disclosure Act 2012* (Vic) which prevent disclosure of the subject matter of a protected disclosure or assessable disclosure by Victoria Police personnel or Victoria Police work units to support services and to WorkSafe Victoria. If so, the Victorian Government should consider the most appropriate legislative amendment to enable disclosure in those circumstances.

Recommendation 19

- Police Registration and Services Board (PRSB) members should be provided with contemporary training in equal opportunity and human rights law, as well as the impact of sexual harassment and discrimination on victims. This should occur at induction for new members, immediately for current members, and then every two years.

- PRSB works with specialist partners to develop guidelines on EO, HR and victim impact in decision-making.

Recommendation 20

The Victorian Government and Victoria Police should streamline and simplify Victoria Police's existing discipline system by considering and implementing the detailed recommendations for reform in:

- the Office of Police Integrity report *A fair and effective Victoria Police discipline system* (2007)

- the Office of Police Integrity report *Improving Victoria Police discipline and complaint handling systems* (2011)

- the State Services Authority report *Inquiry into the command, management and functions of the senior structure of Victoria Police* (2011).

Appendix 2: Abbreviations and acronyms

AGB	Academic Governance Board
CAG	Corporate Advisory Group
CASA	Centres Against Sexual Assault
CSOID	Corporate Strategy & Operational Improvement Department
ESSS	Emergency Services and State Super
FTE	Full-time equivalent
HRD	Human Resource Department
IAB	Independent Advisory Board
IBAC	Independent Broad-based Anti-corruption Commission
MCCD	Media & Corporate Communications Department
OPI	Office of Police Integrity
PCO	Police Custody Officer
PDA	Professional Development Assessment
PDC	People Development Command
PRSB	Police Registration & Service Board
PSC	Professional Standards Command
PSO	Protective Services Officer
SSA	State Services Authority
VPM	Victoria Police Manual
VPS	Victorian Public Sector
VPSC	Victorian Public Sector Commission
VRISC	VEOHRC Review Implementation Steering Committee
VRRPI	VEOHRC Review Response, Partnerships & Innovation
WIPAG	Women In Policing Advisory Group

Appendix 3:
Victoria Police organisational chart
(at May 2017)

CHIEF COMMISSIONER OF POLICE Chief of Staff			
EXECUTIVE COMMAND	**REGION / DEPARTMENT / COMMAND**	**DIVISIONAL COMMAND**	

EXECUTIVE COMMAND	REGION / DEPARTMENT / COMMAND	DIVISIONAL COMMAND		
REGIONAL OPERATIONS Deputy Commissioner	Family Violence Command Assistant Commissioner	Operations	Strategy & Policy	Business Management
	State Emergencies & Security Command Assistant Commissioner	State Emergency Response Coordination	Communications & Event Coordination	Business Management
	Transit & Public Safety Command Assistant Commissioner	Security Services	Specialist Response	Operations Support
	North West Metro Region Assistant Commissioner	NWM Division 1 Melbourne	NWM Division 2 Westgate	NWM Division 3 Brimbank
	Southern Metro Region Assistant Commissioner	SMR Division 1 Prahran	SMR Division 2 Moorabbin	SMR Division 3 Dandenong
	Eastern Region Assistant Commissioner	ER Division 1 Forest Hill	ER Division 2 Knox	ER Division 3 Goulburn Valley
	Western Region Assistant Commissioner	WR Division 1 Geelong	WR Division 2 Warrnambool	WR Division 3 Ballarat
SPECIALIST OPERATIONS Deputy Commissioner	Counter Terrorism Command Assistant Commissioner	Operations	Capability	Business Services
	Road Policing Command Assistant Commissioner	Enforcement	Operations & Investigations	Strategy
	Crime Command Assistant Commissioner	Organised Crime	State Anti-Gangs	Crime Operations
	Intelligence & Covert Support Command Assistant Commissioner	State Intelligence	Regional Intelligence Capability Project	Surveillance Services
	Forensic Services Department Executive Director	Field Operations & Information Services	Lab Operations - Biometric Services	Lab Operations - Analytical Services
	Legal Services Department Executive Director	Prosecutions	Civil Law	Commissions & Inquiries

Command Support	Royal Commission Family Violence Reform & Response Team				
Regional Emergency Management					
Transit Safety	Business Planning & Coordination				
NWM Division 4 Fawkner	NWM Division 5 Diamond Creek	NWM Operational Support	NWM Specialist Operations	NWM Support Services	NWM Regional Business
SMR Division 4 Frankston	SMR Support Services	SMR Operational Support	SMR Regional Business		
ER Division 4 Wangaratta	ER Division 5 Morwell	ER Division 6 Bairnsdale	ER Operational Support	ER Support Services	ER Regional Business
WR Division 4 Horsham	WR Division 5 Bendigo	WR Division 6 Mildura	WR Operational Support	WR Capability	WR Regional Business

Operations Support	Specialist Support	Finance & Cyber Crime
Covert Services	Specialist Intelligence Services	Business Support
Business & Professional Support Services	Office of the Chief Forensic Scientist	
Brief Investigations & Support		

(continued overleaf)

Victoria Police organisational chart (at May 2017)

CHIEF COMMISSIONER OF POLICE Chief of Staff			
EXECUTIVE COMMAND	**REGION / DEPARTMENT / COMMAND**	**DIVISIONAL COMMAND**	

EXECUTIVE COMMAND	REGION / DEPARTMENT / COMMAND	DIVISIONAL COMMAND		
CAPABILITY **Deputy Commissioner**	- Corporate Strategy & Operational Improvement Department	CSOID Support	Community Safety	Policy Legislation
	- Human Resource Department Executive Director	Workplace Relations	Health, Safety & Deployment	HR Services
	- Media & Corporate Communications Department Executive Director	Media	Corporate Communications	Community Engagement
	- Professional Standards Command Assistant Commissioner	Conduct & Professional Standards	Investigations	Risk Mitigation
	- People Development Command Assistant Commissioner	School of Policing – Leadership & Management	School of Policing Foundation	School of Policing & Operational Safety
	- VEOHRC Review Response, Partnerships & Innovation Assistant Commissioner			
	- Disciplinary Hearing Unit Director			
CORPORATE & REGULATORY SERVICES **Deputy Secretary**	- Public Support Services Department Director	Records Services	Licensing & Regulation	Freedom of Information
	- Procurement Department Acting Director	Governance & Analyst	Operations Support & Transport	Custodial, Legal & Evidentiary
	- Strategic Investment, Reporting & Audit Department Director	Strategic Investment Management	External Reporting	Internal Audit
	- Corporate Finance Department Director	Central Budget & Reporting	Business Partnering	Corporate Shared Services
	- Executive Services and Governance Department Director			
	- Enterprise Program Management Office Executive Director			
INFRASTRUCTURE **Deputy Secretary**	- Operational Infrastructure Department Executive Director	Transport Services	Property Services	Environmental Sustainability
	- Information Systems & Security Command Assistant Commissioner	Information Management Security	Operations Systems Support	PIPP Transformation BERC
	- IT Service Delivery Department Director	Program Management Office	Service Operations Office	Service Management Office
	- VicPOL HQ Project Director			

Organisational Performance	Priority Communities	Operations Review & Support	PCO 400 Program
Custodial Health Services			

Integrity Initiatives	Intelligence	Financial Investigation	Forensic Investigations	Taskforce Salus
School of Policing Capability	Learning Development & Standards	Business Development		

PCD IT & Telecommunications	Corporate Support & Consultants
Chief Risk Officer	Investment Coordination Unit
Financial Accounting Compliance Branch	

Logistical Support	Strategic Asset Mgr	Radio Base Sites
Systems Analysis & Governance	Radio & Telecommunications	

Appendix 4: Victoria Police rank and classification structure

Sworn employees

Police
Chief Commissioner

Deputy Commissioner

Assistant Commissioner

Commander

Superintendent

Chief Inspector

Inspector

Senior Sergeant

Sergeant

Leading Senior Constable

Senior Constable

First Constable

Constable

Recruit

Reservist

Protective Services Officers
PSO Senior Supervisor

PSO Supervisor

PSO Senior

PSO First Class

PSO

Victorian Public Sector employees

Executive Officer Grade 1

Executive Officer Grade 2

Executive Officer Grade 3

Senior Medical Advisor

Senior Technical Specialist Grade 7

Victorian Public Sector Officer Grade 6

Victorian Public Sector Officer Grade 5

Victorian Public Sector Officer Grade 4

Victorian Public Sector Officer Grade 3

Victorian Public Sector Officer Grade 2

Victorian Public Sector Officer Grade 1

Forensic Officer Grade 7

Forensic Officer Grade 6

Forensic Officer Grade 5

Forensic Officer Grade 4

Forensic Officer Grade 3

Forensic Officer Grade 2

Forensic Officer Grade 1

Appendix 5: Glossary

Alternate duties	When an employee is pregnant and fit for work, but unable to perform their normal duties safely, they undertake alternate duties (also known as 'light duties'). In an operational context, this often refers to being taken off frontline duties.
Bystander	A person who witnesses sexual harassment or sex discrimination.
CASA – Centres Against Sexual Assault	A network of 15 non-profit, government funded organisations that provide support and intervention to women, children and men who are victim/survivors of sexual assault.
Command	Has various meanings within Victoria Police. Used to refer to: one of three types of second tier organisational units, along with Region and Department; senior leadership group comprising Assistant Commissioners and Directors and; a management style (as in command and control) involving directing, with authority, the employees and resources to perform the required roles and tasks.
CPSU – Community and Public Sector Union	Federal union with branches in every state and territory. The Victorian branch represents Victorian Public Sector (VPS) employees.
Dedicated Training Workplace	Designated 24-hour police stations where Probationary Constables work during their Foundation Training program.
Detrimental action	Has the same meaning as in the *Protected Disclosure Act 2012* (Vic) and refers to negative action taken or threatened to be taken against a person in reprisal for a report made under the Act. Examples of detrimental action included in the Act are: (a) action causing injury, loss or damage; (b) intimidation or harassment; (c) discrimination, disadvantage or adverse treatment in relation to a person's employment, career, profession, trade or business, including the taking of disciplinary action. (See also 'victimisation')
Direct discrimination	Has the same meaning as section 8 of the *Equal Opportunity Act 2010* (Vic). Direct discrimination occurs when a person treats, or proposes to treat, someone with a protected attribute unfavourably because of that attribute.
ESSS	Emergency Services and State Super
Executive Command	The executive body of Victoria Police comprising the Chief Commissioner, three Deputy Commissioners and two Executive Directors.
Expert Panel	Panel appointed by the Commission to provide advisory support to the Independent Review.

External interviewee	In reference to participants in this Review, this means a person not employed by Victoria Police (at the time of their interview) who has specialist experience or knowledge in a relevant area. This also includes members of independent advisory boards to the organisation.
Focus group participant	In reference to participants in this Review, this means a person who participated in a focus group facilitated by the Audit.
HRD – Human Resource Department	A Department within Victoria Police that sits within the Capability Portfolio of the organisation.
Gender equality	Means equality between all genders, entails the concept that all human beings, regardless of gender, are free to develop their personal abilities and make choices without the limitations set by gender identity stereotypes, gender roles and prejudices, social norms and structures. Gender equality means that the different behaviour, aspirations and needs of all genders are considered, valued and favoured equally. It does not mean that all people have to become the same, but that their rights, responsibilities and opportunities will not depend on their gender or gender identity.
Gender equity	Means fairness of treatment for women and men, according to their respective needs. This may include equal treatment or treatment that is different but which is considered equivalent in terms of rights, benefits, obligations and opportunities. Gender equity leads to equality.
IBAC – Independent Broad-based Anti-corruption Commission	Victoria's anti-corruption agency, responsible for preventing and exposing public sector corruption and police misconduct. IBAC may also investigate serious corruption and police misconduct.
Indirect discrimination	Has the same meaning as section 9 of the Equal Opportunity Act. Indirect discrimination occurs if a person imposes or proposes a requirement, condition or practice that has, or is likely to have, the effect of disadvantaging persons with a protected attribute in a way that is not reasonable.
Internal interviewee	In reference to participants in this Review, this means a person employed by Victoria Police at the time of their interview.
LGBTI	Lesbian, gay, bisexual, trans and gender diverse, and intersex. This term is used broadly to include diverse sexual orientations, gender identities, gender expressions and variations of sex characteristics.
Participants	People who contributed to the Review by participating in an interview or focus group, or speaking with the Review team on a site visit.
People Matter Survey	The People Matter Survey is an annual employee opinion survey run by the Victorian Public Sector Commission (VPSC) for Victorian public sector organisations. Victoria Police participates in the survey.
PRSB – Police Registration and Services Board	An independent statutory body that provides for external appeal and review of certain Victoria Police decisions affecting Police and Protective Services Officers.

Positive duty	Under the Equal Opportunity Act, all people who hold duties under the Act (such as employers and people who provide goods and services) have a positive duty to prevent discrimination, sexual harassment and victimisation in their workplace, not just respond to complaints if they arise.
Predatory behaviour	In the Phase 1 Review's survey, predatory behaviour was defined as people 'misusing their authority or position to manipulate circumstances or people to gain sexual or other personal gratification for themselves or others'.
	Within the scope of this project, predatory behaviour refers to behaviour that falls within the definition of sexual harassment and specifically targets and aims to exploit others.
Primary prevention	Adapts the meaning of primary prevention used in public health. In regards to sexual harassment and sex discrimination, primary prevention has the goal to limit the incidence of harassment and discrimination and their consequences by measures that eliminate or reduce their causes or determinants.
PDC – People Development Command	Organisational unit of Victoria Police responsible for education and training.
PSC – Professional Standards Command	Organisational unit of Victoria Police responsible for ethical health and integrity management.
Protected disclosure	Previously known as 'whistleblower complaints', a protected disclosure has the same meaning as section 3 of the Protected Disclosure Act.
PSO – Protective services officer/s	Protective services officers are sworn officers of Victoria Police who have fewer powers than police. Their legislated functions are protection of
	(a) persons holding certain official or public offices; and
	(b) the general public in certain places; and
	(c) certain places of public importance.
	They have specified powers to apprehend, arrest, search and fine people within 'designated places'.
Public sector employee/s	Personnel of Victoria Police who are not sworn officers, being VPS personnel, forensic officers, senior medical advisors, and (unless specifically excluded) executive officers.
Senior manager	In reference to participants in this Review, this refers to Inspectors, Superintendents, VPS Grades 6 and 7, EO 3, and Protective Services Officer Senior Supervisor.
Sex discrimination	Has the same meaning as section 7 of the Equal Opportunity Act: Treating or proposing to treat a person unfavourably because of their sex or characteristics associated with their sex. For example, these characteristics could include carer responsibilities, pregnancy and breastfeeding.

Sexual harassment	Has the same meaning as section 92 of the Equal Opportunity Act. Sexual harassment is unwelcome conduct of a sexual nature that could be expected to make a person feel offended, humiliated or intimidated.
	Sexual harassment can be physical, spoken or written and may include comments online or in social media. It may include a range of behaviours including:
	• requests for sex
	• intrusive comments about someone's private life
	• sexually suggestive behaviour such as leering or staring
	• sexually suggestive comments or jokes
	• brushing up against someone
	• repeated requests to go out
	• sexually explicit messages
	• sexual assault, indecent exposure, physical assault or stalking.
Supervisor	Refers to police ranks of Sergeant and Senior Sergeant; PSO rank of Supervisor and Senior Supervisor
Sworn member/s	Police and Protective Services Officers
Target or target/victim	Person who has experienced some form of sexual harassment or predatory behaviour.
	The Phase 2 Audit notes that the terms victim and/or target may be problematic in this context as it may perpetuate stereotypes about lack of agency or resilience for people targeted by these behaviours.
TPAV – The Police Association Victoria	The union representing Victorian Police and Protective Services Officers.
Victimisation	Subjecting someone to a detriment, or threatening to do so, because they spoke up about their rights, made a complaint, helped someone else to make a complaint about discrimination, or refused to do something that would be a contravention of the Equal Opportunity Act.
	Has the same meaning as section 104 of the Equal Opportunity Act and refers to subjecting or threatening to subject a person to detriment because they have asserted their rights under the Act, for example making a complaint or giving evidence in connection with a matter. The term is also used informally in this report to refer to negative actions taken against a person in retaliation for making a complaint about sex discrimination or sexual harassment including predatory behaviour. (See also 'detrimental action')
Victim/survivor	Used to describe people who have experienced sexual assault, consistent with its usage by CASA and Victoria Police's Sexual Offences and Child Abuse Investigation Team.
	As above, the Audit notes that the term victim may be problematic in this context, as it may perpetuate stereotypes about lack of agency or resilience for people targeted by these behaviours.

Victoria Police personnel	Includes Police, Protective Services Officers, Police Custody Officers, VPS and Executive employees. The term 'personnel' is used interchangeably with 'employees' and 'staff'.
VPS – Victorian Public Sector	The abbreviation VPS is often used to refer to public sector employees or civilian personnel within Victoria Police, although 'public sector employee' is a broader category (see also 'public sector employee').
VPSC – Victorian Public Sector Commission	This body, headed by a Commissioner, was established in 2014 with a number of legislated functions. These include to strengthen the efficiency, effectiveness and capability of the public sector in order to meet existing and emerging needs and deliver high quality services and to maintain and advocate for public sector professionalism and integrity.
Workplace harm	Refers to the detrimental effects of being targeted by inappropriate behaviour of work colleagues. For the purposes of this Review such inappropriate behaviours include sex discrimination (including gender-based bullying), sexual harassment, predatory behaviour, and victimisation; however a broader definition would include detrimental effects resulting from all forms of inappropriate behaviour by colleagues.