

## Women's Health Victoria's Submission on the Victorian Gender Equity Bill

**27 September 2018**

Women's Health Victoria warmly congratulates the government for the leadership it has demonstrated through the development of the Gender Equality Bill and the *Safe and Strong* gender equality strategy.

WHV was pleased to see so many of the recommendations made in our gender equality strategy submission in 2016 reflected within *Safe and Strong* and we look forward to continuing to work closely with government to ensure that gender equity efforts are as strong and effective as they can be in Victoria.

WHV enthusiastically supports the Bill and wishes to particularly congratulate the government on the inclusion of both internal workplace-based obligations (e.g. workplace gender equality indicators) and requirements for organisations to consider the impacts of policies and services through gender impact analysis.

Because we support the Bill and want it to be as effective as possible, we have identified opportunities to strengthen some aspects of the legislation. In particular, there are opportunities to refine some of the principles and processes specified in the Bill to ensure that the Gender Equality Bill achieves its objectives, including under future governments.

WHV works closely with Gender Equity Victoria (GEN VIC) and Women's Health West who have each prepared their own feedback in response to the Bill. Our submissions are complementary and in broad alignment, though each organisation has chosen to focus on different aspects of the Bill.

### About Women's Health Victoria

Women's Health Victoria (WHV) is a Victorian statewide women's health promotion, advocacy and support service. We work collaboratively with health professionals, policy makers and community organisations to influence and inform health policy and service delivery for women.

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## Summary of Women's Health Victoria's feedback

WHV has provided responses to the specific questions provided in the discussion paper below. Overall our feedback can be summarised as follows:

1. WHV supports the wording of the 'Object of Act' in the Bill which includes progress toward gender equality as well as improving the status of women. While the rationale articulated in the discussion paper rightly states that men and women will all gain from improved gender equity (as well as gender diverse people), the impacts of gender inequality have not been shared equally.
2. The Bill's scope is limited to public sector workplaces and services. Having been subject to the requirements of the *Workplace Gender Equality Act 2012* (Cth) for several years, WHV believes that large private sector organisations are – or should be – ready to meet the obligations outlined in the Bill, and recommends that they be included within its scope. Clearer articulation of how the Bill will intersect with existing requirements under the *Workplace Gender Equality Act* would be welcome.
3. Intersectionality (or 'having regard to the fact that an individual's experience of gender inequality may be compounded by other forms of discrimination and disadvantage') should be included as one of the key principles established by the Bill, rather than a supporting principle.
4. Making a clear case regarding the economic imperative for gender equality is important and creates 'buy in'. However, we should advise emphasising economic arguments over the human rights-based or feminist imperative for gender equality. It is important to remember that there are also significant economic benefits associated with gender inequality – and these have been used to justify and maintain gender unequal norms and structures in the past.
5. Targets should be meaningful, tailored and ambitious and not easily revised down. While we recognise the need for targets and requirements under Gender Equality Action Plans to be appropriate for different organisations' 'starting points', we are concerned about the potential for obligations under the Bill to be 'watered down' through regulations, and/or guidelines issued by the Secretary of the Department of Health and Human Services. WHV recommends that any regulations or guidelines should only be made or changed following consultation with the Ministerial Council for Women's Equality.
6. Target and quotas are critical for improving women's representation and promoting gender equity. However, it is not enough to have quotas at senior levels. 'Pipeline' initiatives that provide support and professional development for women from early in their careers, especially women whose experience of gender-based discrimination is impacted by discrimination based on other factors such as race or disability, are equally important and should be implemented as a complementary measure to the Bill, for example under the state gender equality plan.
7. Gender equality legislation is a welcome and critical tool in supporting gender equity. However, as noted above, the Bill's scope is largely limited to public sector workplaces. There is an ongoing need for complementary and coordinated gender equity strategies to be rolled out across all settings and communities not reached by the legislation (eg. media, education, sport, faith-based organisations), including work to address gender unequal norms and stereotypes.
8. Strategies must also be developed to reach organisations and groups not within scope of either the Bill or *Workplace Gender Equality Act*, such as private businesses with fewer than 100 employees who do not provide services to or tender for government services, religious organisations and volunteers. WHV strongly supports the requirement under the Bill for the Minister to maintain a State Gender Equality Plan, which will be a critical means of achieving this.

## Q1. What do you think are the critical actions necessary for the success of gender equality legislation?

The Gender Equality Bill contains many of the factors which we know to be critical in addressing gender inequality, including government leadership, reporting and accountability measures, and the inclusion of targets.

We strongly support the proposed requirements for public sector organisations to undertake both gender impact analysis (which looks at the 'external' programs or services delivered by the organisation) and implement 'internal' workplace gender equity indicators (such as gender equity targets at senior levels and flexible work policies).

It is important to recognise that even after gender equity legislation is enacted, an ongoing, energetic **commitment to upholding the 'spirit' of the legislation** will be necessary to ensure the long term goals of the Bill are achieved and to prevent compliance becoming a 'tick box' exercise. This means continuing to work across all settings, including media and advertising, to inspire and sustain public demand for gender equality, and to ensure that organisations outside the scope of the Bill continue to be engaged in gender equality efforts.

It will be critical to **build the knowledge and skills of public sector employees** to enable them to implement the requirements of the Bill and comply with their obligations. Building the capacity of the public sector will require both comprehensive training and access to practical resources/tools. Much of this expertise is available within the women's health sector. We recommend providing additional resourcing to support the women's health and community sector to share its expertise with state and local government organisations through training, advice and resources. This will ensure there is a 'gender equity workforce' of sufficient size and skill across the public and community sectors to support the ambitions of the legislation. This is explored further under questions 3 and 6 below.

WHV believes that **large private sector organisations are – or should be – ready to meet the obligations** outlined in the Bill, and recommends that they be included within its scope. The *Workplace Gender Equality Act 2012* (Cth) compels all businesses with more than 100 employees to report annually against a set of gender equality indicators. The WGE Act does not require a gender impact analysis of policies or programs delivered nor the development of gender equality action plans. WHV believes that there is now an opportunity to build on and strengthen the obligations imposed on large businesses in Victoria under the WGE Act by bringing them into scope of the Victorian Bill. At a minimum, it would be useful for the Victorian Government to clearly outline how the Victorian Bill is intended to intersect with the WGE Act and its reporting requirements for private businesses.

## Q2. What other activities should the government undertake to support this legislation?

Gender equity legislation is a critical tool in advancing gender equality. However, as we have learned through related efforts to prevent violence against women, the key to shifting entrenched attitudes and behaviours and achieving long-lasting change is a coordinated, whole of community strategy, supported by long-term investment, in which all settings and population groups are engaged and committed to change. For this reason, we strongly support clause 16 of the Bill, which requires the Minister to ensure that a State Gender Equality Plan is maintained at all times.

WHV has previously made a [submission](#) outlining the critical components for a statewide gender equality strategy. While it is essential that the State Gender Equality Plan set out a framework for building the *attitudinal and behavioural change* required to improve gender equality (as outlined in clause 16(2)), the Plan should include strategies that work across the social ecology to address norms, practices and, importantly, structures (for example, unequal funding) that support and enable formal and informal gender-based discrimination and inequality to continue. Continuing government social marketing campaigns will be another critical factor in promoting attitudinal and behavioural change and in communicating unifying messaging to support gender equity efforts across all settings.

The Plan should also include strategies and mechanisms for gender mainstreaming that are potentially outside the scope of the Bill, such as gender impact assessments for all Cabinet submissions and the development of an annual Gender Budget Statement that reflects a genuine effort to redress gender inequality through budget initiatives.

In addition to the State Gender Equality Plan, it will also be essential to ensure that there is a dedicated ongoing strategy, which is adequately resourced, to prevent family violence and all forms of violence against women, building on the current *Free from Violence* strategy.

Finally, recognising that many of the legislative and policy levers to promote gender equality are the responsibility of the Commonwealth, including the power to regulate corporations, the Victorian Government must continue to advocate to the Commonwealth Government on matters within its sphere of influence.

### **Q3. What do you think is best practice in measures to support implementation of legislation that drives lasting social change?**

Evidence from successful public health initiatives, such as tobacco control, shows that that legislation is necessary but not sufficient to achieve population-level change. To build on our response to question 2, Webster and Flood note that the success of prevention efforts in the areas of tobacco control and road safety indicates that 'strategies are most likely to be successful when they are combined, and implemented together to produce synergistic effects'.<sup>1</sup> Webster and Flood identify that the following actions are required, in addition to legislative and regulatory reform:

- Community mobilisation to engage communities in shifting practices and norms
- Communications and social marketing to shift social norms and practices
- Organisational development to change policies, structures and cultures
- Education of key workforces to enable them to build gender equality into their job roles
- Development of the skills of individuals to engage in efforts to promote gender equality
- Advocacy to ensure that attention is given to the problem and that barriers to addressing it are addressed.

As noted by Webster and Flood, education of key workforces and individual skill development will be essential to support the implementation of the legislation. This must include training provided by expert organisations and supporting resources, such as tools and guidelines. This is explored further under question 6.

WHV is pleased to see that the State Gender Equality Plan required under the Bill must include an outcomes framework; this is essential for ensuring that all efforts to promote gender equality are coordinated and mutually-reinforcing, and are evaluated for impact.

### **Q4. Do you agree that these are the critical principles and actions that should underpin the legislation? What should be added, or needs to be changed?**

WHV broadly supports the principles in clauses 7 and 8 of the Bill, however we would recommend considering the following changes:

- Intersectionality (or 'having regard to the fact that an individual's experience of gender inequality may be compounded by other forms of discrimination and disadvantage') should be included as one of the key principles established by the Bill (in clause 7), in addition to a supporting action (in clause 8).
- The language in clause 8(c) and (d) should be strengthened to require Gender Equality Action Plans to 'take into account' (not simply 'have regard to') intersectionality (sub-clause (c)) and the negative impacts of gender stereotypes and the importance of challenging them (sub-clause (d)).

We note that women and girls are only mentioned in the principles once, in relation to violence. The rest of the principles refer to gender equality. It is true that men and women and gender-diverse people all benefit from improving gender equality. For example, supporting a better work-family balance through flexible leave and paternity leave arrangements is positive not just for women but also for men. Furthermore, the language of 'gender equality' facilitates 'buy in' from those who might be

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<sup>1</sup> Webster and Flood (2015) Framework foundations 1: a review of the evidence on correlates of violence against women and what works to prevent it. Companion document to Our Watch et al (2015), Change the Story: a shared framework for the primary prevention of violence against women and their children in Australia, p. 61

uncomfortable with language or objectives such as ‘women’s equality’, ‘ending sex discrimination’ or ‘affirmative action’.

However, adopting the comparatively gender-neutral language of ‘gender equality’ throughout the principles (however well-intentioned) may leave open the potential for future governments to subvert the intentions of the Bill by focusing on strategies that promote equity for men (e.g. increasing the number of male childcare workers through scholarships for men) rather than on equity for women (e.g. improving pay and conditions for female childcare workers). An even more cynical hypothetical problem would be government using the language in the Bill to aim for gender equality in policies like child custody arrangements.

WHV recommends that the Bill explicitly recognise in its principles that women have been unfairly and profoundly limited by the discrimination they have collectively experienced on the basis of sex and gender, and that this requires targeted strategies to redress the imbalance and achieve ‘women’s equality’. This would reflect and strengthen the reference to ‘improving the status of women’ as an Object of the Act under clause 3 of the Bill, and help protect the Bill’s intentions. We support the Bill enshrining the role of the Ministerial Council for Women’s Equality, and anticipate that the Council will play a key role in ensuring an ongoing focus on the advancement of women.

Specific strategies to promote inclusion and reduce gender and/or sex-based discrimination against LGBTIQ are also important. Non-adherence to rigid gender norms is often met with hostility and discrimination and this has profound impacts for those who have been viewed as transgressing these norms including LBTIQA people.

Finally, recognising the economic benefits of gender equality in the principles is important and helps create broad community ‘buy in’. However, the economic imperative should not overshadow the social justice and human rights imperative for gender equality. It is important to remember that there are also significant economic benefits associated with gender inequality – and these have been used to justify and maintain unequal norms and structures in the past.

## **Q5. What else should be included in Gender Equality Action Plans to support demonstrating compliance to the principles?**

We support the requirement for public sector organisations to develop and implement Gender Equality Action Plans under clause 11. In particular, we are pleased that the Bill specifies that Gender Equality Action Plans must address internal workplace gender equity indicators and include strategies for making progress towards relevant targets, as well as requiring organisations to undertake and identify the outcomes of gender impact analysis, and be based on data and evidence.

However, we are concerned that the workplace gender equality indicators (defined in clause 4 of the Bill) are ambiguous. While they appear to be modelled on the *Workplace Gender Equality Act 2012* (Cth), WHV recommends that further detail be included to clarify:

- Whether indicators relating to the gender composition of the workforce include all levels of the workforce or only executive or management levels
- How equal remuneration is defined or calculated
- Whether paragraph (d) in the definition of the workplace gender equality indicators includes parental leave, and whether targets will be set for both men’s and women’s take-up of parental leave and flexible work arrangements.

We also recommend that additional workplace gender equality indicators be included within the definition in clause 4, such as whether the organisation has a family violence policy and provides (20 days) paid family violence leave. Consideration should also be given to including an indicator relating to sexual harassment within the workplace.

It is also essential that organisations be required to provide evidence of implementation or uptake of relevant workplace policies or strategies outlined in Gender Equality Action Plans. It is not sufficient for a workplace simply to have policies in place to support gender equity, as this can easily become a ‘tick box’ compliance exercise that does not lead to meaningful change. It is essential that workplaces also make efforts to foster a safe, respectful and equal workplace culture, to create an enabling environment for policies relating to parental leave, flexible work, sexual harassment etc to be implemented and taken up by staff. Implementation and uptake of policies and strategies can be measured in a range of ways, including through staff surveys which ‘test’ the workplace culture. WHV

provides regular training on promoting gender equity in the workplace and would be happy to provide further advice on complementary measures to support gender equitable workplaces.

While we recognise the need for targets and requirements under Gender Equality Action Plans to appropriate for 'starting points', we are concerned about the potential for obligations under the Bill to be 'watered down' through regulations, and/or guidelines issued by the Secretary of the Department of Health and Human Services. WHV recommends that any regulations or guidelines should only be made or changed following consultation with the Ministerial Council for Women's Equality (broader consultation would be ideal, however this may not be practicable).

## **Q6. What preparation, guidance materials or training is needed to support organisations to develop Gender Equality Action Plans?**

A range of specialist materials, resources and training will be required to support organisations in different sectors, of different sizes and with varying gender equity expertise, to build their knowledge and skills and enable them to develop and implement Gender Equality Action Plans. Training and resources should be both practical and evidence-based and cover:

- Unconscious bias
- Sexual harassment in the workplace
- Gender impact analysis, including case studies across a range of sectors
- Gender auditing
- Gender budgeting
- Other strategies and measures to promote gender equity in the workplace, including examples of best practice workplace policies (for example, on preventing and responding to sexual harassment) and strategies for supporting workplace culture change (such as active bystander training)

Women's health services are well placed to provide specialist gender equity training and resources as we have been working with workplaces to design and implement best practice, whole-of-organisation gender equity programs for many years. With additional investment, the women's health and community sector could share its expertise with state and local government organisations through training and resources, and provide access to tailored advice, support and coaching.

Currently WHV delivers a range of relevant training programs, including Gender Equity in Action (applied gender analysis), Gender Equity in the Workplace, Bystander Action and on building workplace capacity to manage family violence. Detail about our current training programs can be found on our [website](#). We refer you to Women's Health West's submission for further information about training available across the sector.

We have also recently commenced a major project which will significantly expand the range of gender equity training available by developing accredited units in gender equity that will be available as electives within vocational qualifications and as professional development for existing workers. This project is being delivered in collaboration with seven partner organisations, including RMIT University, Monash University, Adult & Community Education Victoria and Women with Disabilities Victoria. Please contact us if you would like further information.

## **Q7. What kinds of public sector targets should be included in the regulations of the Gender Equality Bill?**

The Bill would be strengthened by adopting a quota system instead of targets. As identified in GEN VIC's submission, international evidence suggests that the vaguer the regulations around gender equality measures, the higher the risk that regulations will not be properly implemented (McCann, 2013).

WHV congratulates the government on introducing 50:50 gender quotas for all new public sector and judiciary board appointments. While we recognise that targets or quotas should be tailored to each sector/organisation and that, for some organisations in scope of the Bill, lower targets will be more appropriate in the short term, WHV is concerned that the Discussion Paper proposes that organisations will be required to comply with targets that are considered 'appropriate and relevant'

(page 14). It is unclear who will decide what is 'appropriate and relevant' for each organisation and this allows significant scope for targets to be revised downwards. It is important that public sector and departmental heads are not able to set their own targets without oversight or expert input. WHV recommends that targets/quotas (and each organisation's compliance with the targets/quotas) be published so that they are not only visible and accountable to the Minister and government of the day.

As suggested by Women's Health West, quotas should be based on a rigorous analysis of the current demographics of each workforce and should be realistic and achievable without being 'easy'. If targets rather than quotas are implemented, there is scope for the targets to be more ambitious.

WHV was encouraged by the Citizens' Jury's support for gender equality quotas in the Victorian public sector. We understand that public support for gender equity quotas is a sensitive issue and that a 40:40:20 split allows for relatively equal representation of women and men, as well as enabling representation for people with non-binary gender identities. However, we do wish to note that 40:40:20 quotas can have unintended drawbacks including limiting or capping the representation of women, without regard to the fact that men have been historically over-represented or even exclusively represented at senior levels in all industries. Furthermore, it may be appropriate in female-dominated industries for women to make up more than 60 per cent of senior positions, reflecting the gender composition of the broader workforce. While we support a quota system, and understand that 40:40:20 gender split will be transformational in many fields, we recommend that the government consider options to allow women to make up more than 60 per cent of senior positions in the spirit of affirmative action.

We support the recommendations made by the Citizens' Jury that incentives are preferred to penalties or other sanctions for non-compliance, and that tailored transition support should be provided, on the basis that: achieving quotas will require significant change for some entities; there are different levels of gender imbalance across entities, requiring a tailored approach; tailored, incentives-based approaches are likely to minimise backlash, ensure faster implementation and increase engagement and ownership.

However, penalties for non-compliance should also be considered, consistent with international best practice. For example, breach of Norway's gender quotas for public companies incurs the same penalties as breaking other Norwegian laws relating to company governance. The Norwegian quotas were achieved within two years of their introduction (in 2008).

Targets should not only be considered in relation to the representation of women in leadership and management roles, but also in relation to the allocation of funding (e.g. 50% of sports funding should be allocated to women in sport), the gender pay gap, the implementation of particular policies (e.g. 100% of workplaces should have flexible work policies), and workplace culture (e.g. proportion of employees reporting that their employer supports particular gender equity measures). Some areas may be more complex; for example, setting targets related to reductions in sexual harassment complaints (which could reflect a workplace culture that is unsafe for reporting, rather than decreased incidence).

#### **Q8. What is needed to ensure representation of women from diverse backgrounds?**

Women from diverse backgrounds, women with disabilities and Aboriginal women together make up a considerable proportion of women in Victoria and this should be reflected in terms of representation at board/management/ leadership levels within organisations in scope of the Bill. This may require consideration of specific targets or quotas for representation of particular population groups and/or dedicated positions. WHV recommends targeted consultation with women from these groups to identify their preferred approach(es).

Specific initiatives should be put in place, in consultation with women from these groups, to support their professional development from early on in their careers (pipeline strategies). This could include tailored leadership and/or mentoring programs within and outside government.

One example is Multicultural Centre for Women's Health's Equality@Work project with Mercy Health (formerly Southern Cross Care Victoria). This program works to increase recognition of migrant women's leadership in aged care services, acknowledging that the path to leadership for migrant women is complicated not only by gender inequality but also by racial discrimination and other forms of discrimination against women on the basis of their sexuality, ability, visa status, class and age.

In addition to targets, WHV recommends that an intersectional approach be embedded in all obligations under the Bill. For example, Gender Equality Action Plans should include actions to address the intersecting and compounding forms of disadvantage and discrimination faced by different groups of women. Data collection should also be disaggregated to support prioritisation of effort and measurement of impact across different groups of women.

More broadly, community awareness campaigns and unconscious bias training could help challenge gendered stereotypes about particular groups of women. Beyond this, complementary measures to address the structural barriers to women's increased participation and leadership in all areas of life must be implemented, including unpaid care, unequal pay, income support for single parents and barriers to employment.

### **Q9. What frequency or volume of reporting would strike a balance between transparency and accountability, whilst minimising regulatory burden?**

Annual reporting is consistent with requirements in other jurisdictions. Tiered reporting requirements for organisations of different sizes are appropriate.

WHV believes that independent oversight of organisations' compliance is preferable, and recommends that reports be made to Respect Victoria and subsequently tabled in Parliament. This is important both to ensure accountability and bi-partisan engagement.

Ensuring that reports are evidence- and data-informed, appropriate, and in line with the guidelines may be resource-intensive, both for organisations required to comply with obligations under the Bill and for those monitoring their compliance. Adequate resourcing for both functions, as well as the provision of tools and guidelines (for example, websites with sample best practice policies, gender analysis and audit tools, Q&A, etc), training and specialist advice/consultation will be essential.

### **Q10. How can the Victorian Government leverage procurement and funding practices to promote gender equality in the wider community?**

Leveraging procurement and funding practices is an important component of the Bill and will ensure that some non-public sector organisations (e.g. private businesses) will come within the Bill's scope. Building gender equity requirements into procurement is increasingly important in a context where more and more government services are being outsourced. Funding agreements with community sector/religious organisations delivering services to the community (via recurrent and/or grant funding) could be leveraged, as could accreditation requirements, such as the DHHS Standards. In addition to this government grants programs could include requirements to report on gender equity indicators for community sector/religious organisations. However, it is important to note both that the vast majority of private businesses do not regularly tender to provide services to/for government or apply for government grants and therefore will be out of scope of the Bill. As noted under question 1, WHV recommends that the scope of the Bill be widened to include large private sector businesses, building on existing requirements under the *Workplace Gender Equality Act 2012*.

Consideration should be given to what organisations within the scope of the procurement and funding requirements will need to demonstrate. For example, they could be required to demonstrate: that they meet certain targets relating to women's representation on their Boards and within their leadership/management teams; progress towards closing any gender pay gap; evidence of having certain workplace policies in place (and ideally, evidence of uptake); and evidence of having conducted a gender impact analysis of their products or services and progress towards addressing any gender impacts.

As noted under questions 2 and 3, strategies must also be developed to reach organisations and groups not within scope of either the Victorian Bill or the *Workplace Gender Equality Act 2012*. This is particularly important when you consider that some of the industries that are unlikely to be picked up by procurement requirements are often female-dominated (at least at more junior levels) and have large proportions of migrant workers and low wage earners, such as manufacturing or childcare workers. It is also important that complementary strategies are developed to reach those not connected to a workplace. These could be structural changes, such as increasing supports to unpaid carers, or norms-based, such as incorporating consideration of gender equity within job readiness training.

In the future, procurement requirements should be extended along the service provider's supply chain; this would bring a far wider range of organisations within the scope of the Bill, including sectors that may not deliver services for government directly, such as manufacturing and retail.

### **Q11. Do you think that the proposal for monitoring and compliance of the Bill is fair and balanced?**

As noted under question 7, WHV believes that the Bill would be strengthened by adopting quotas instead of (or in addition to) targets, and that safeguards should be put in place to ensure these are not able to be revised downwards in a way that makes them ineffective. As noted under question 9, we believe that public sector organisations should report to an independent statutory agency, such as Respect Victoria, and subsequently to Parliament. We note that the latter recommendation is also reflected in the report of the Citizens' Jury.

Otherwise, we consider the proposal for monitoring and compliance to be fair and balanced. We support the provisions allowing the Minister to issue a notice of non-compliance and then potentially publish the names of non-compliant organisations under clauses 17 and 18. Further consideration should be given to setting appropriate incentives and/or penalties to encourage compliance with targets/quotas. We support the recommendations made by the Citizens' Jury that incentives are preferred, and that tailored transition support should be provided, as outlined under question 7.

However, where there are significant delays to progress, financial penalties or other sanctions may be appropriate. As noted under question 7, international evidence suggests that mandatory quotas supported by enforcement mechanisms are effective.

### **Q12. What is needed to ensure that the advice of the Ministerial Council is considered in other policy areas that may compound or contribute to gender inequality?**

It is unclear what is meant by 'other' policy areas, since we are of the view that all policy areas can have differential and unequal impacts on women and men. If this question relates to how an intersectional approach to gender equity can be embedded through the Ministerial Council, we recommend:

- Membership of the Ministerial Council should reflect as far as possible the diversity of Victorian women. WHV would support 'reserving' an allocated number of positions on the Council for Aboriginal women, women with disabilities and women from migrant and refugee backgrounds in particular (whilst noting that it is impossible for an individual to represent the diverse interests of a population group).
- The Terms of Reference for the Ministerial Council should clearly articulate a commitment to advancing women's equality and status in society and intersectional feminist principles.
- The Ministerial Council could establish sub-committees or working groups to focus on work required to progress equality for particular groups of women or in particular areas or industries.
- The Secretariat can assist with planning and agenda-setting, including inviting guest speakers who can speak to the diversity of women's experience.

More broadly, it is essential that there is a government-wide commitment to gender equity (gender mainstreaming) across all policy areas, supported and coordinated by the Office for Women. WHV believes that the Office for Women will be most effective in engaging and coordinating gender equity efforts across the public sector if it sits within the Department of Premier and Cabinet.

### **Q13. Do you think this timeline is appropriate for the proposed roll out?**

While WHV would ideally like to see the timelines move forward, we understand that there is much work to do before implementation and that different entities are at different stages on their journey towards gender equity. From this perspective the timeline suggested is realistic.

**Q14. What preparations are needed to ensure readiness of organisations before legislation takes effect?**

A clear communications strategy will be critical to ensure readiness. This should be complemented by training and resources to support organisations to meet their obligations under the Bill. Women's health services are well placed to support this work, if properly resourced. (For further detail on training and resources, see question 6.)

A whole of community awareness raising campaign could generate community support and buy in and support organisational readiness.

**Q15. What should be done to encourage or incentivise broader sectors or organisations to voluntarily comply with the principles, even if they aren't obliged to do so?**

As outlined in *Safe and Strong*, gender equality legislation is one (critical) component of a broader whole of community gender equality strategy.

There is an ongoing need for complementary and coordinated gender equity strategies to be rolled out across all settings and communities not reached by the legislation (eg. media, education, sport, faith-based), including work to address gender unequal norms and stereotypes. Strategies must also be developed to reach organisations and groups not within scope of either the Bill or *Workplace Gender Equality Act*, such as media, education, sports and faith-based organisations, small businesses and volunteer-led organisations. WHV strongly supports the requirement under clause 16 of the Bill for the Minister to maintain a State Gender Equality Plan, which will be a critical means for achieving this.

As noted under questions 2 and 3, work to address gender unequal norms, practices and structures (including social marketing campaigns and programs for the prevention of violence against women) should continue and will strengthen and support the achievement of outcomes under the Bill.

Other ways of engaging and motivating sectors and organisations not within scope of the Bill (such as religious organisations, voluntary organisations, the unemployed, businesses who do not work directly with government, family businesses, etc.) should be explored and pursued. These could include initiatives such as subsidised training, awards programs, and promotion of gender equity measures as part of corporate social responsibility, etc.