



# LEGISLATIVE ASSEMBLY

## FOR THE AUSTRALIAN CAPITAL TERRITORY

### SELECT COMMITTEE ON ESTIMATES 2024-2025

Ms Nicole Lawder MLA (Chair), Ms Suzanne Orr MLA (Deputy Chair),  
Miss Laura Nuttall MLA

### ANSWER TO QUESTION TAKEN ON NOTICE DURING PUBLIC HEARINGS

Asked by: Miss Laura Nuttall

Addressed to: Minister for Education and Youth Affairs

Redirected to: NA

Reference: Uncorrected Hansard Transcript pages 114 – 116

In relation to: sexual harassment reporting

Hearing Date: 1 August 2024

QTON lodgement date: 2 August 2024

Answer Due Date: 7 August 2024

**MISS NUTTALL:** Got you. And in the cases where they do make that complaint, that is through—is that through an incident report or are there specific channels when it comes to sexual harassment and assault?

**Mr Matthews:** It can be through an incident report, but essentially, we are not requiring people to do that. I think Ms Haire spoke about the change in legislative requirement around incident reporting to Work Safe, and of course we comply with that. We are not suggesting that there is a requirement to put in an incident report for any concern that staff members have. We would encourage reporting, but again any door is the right door really. We want people just to feel comfortable getting the support that they need.

**MISS NUTTALL:** That is really good. And so from that no wrong door approach then, how does that filter back up to the directorate and how does the directorate then action that? Is it similar to the process we talked about earlier with respect to occupational violence or is there a separate mechanism used to follow that up within the education directorate?

**Mr Matthews:** It is different to the occupational violence example because that was—as my colleague, Ms Atkins, described there is a specific business process around reports that come through RiskMan that are triaged and then managed. And that is they could include matters that relate to some of the topics that I have talked about. And so, Ms Atkins, also referred to the wellbeing team that exists there. And one of the things that they do is those follow up calls with people if they, in reviewing incident reports, if they have got any concerns or they believe people need to reach out, then that is absolutely the role of that team.

If they come through the HR channel, if you like, we really—we treat them as inquiries from our staff and make sure that we provide an appropriate support and that we provide referrals to them. So not quite the same process that Ms Atkins described in relation to occupational violence, although there could be some crossover between the two.

**MISS NUTTALL:** Got you. And again, the question of if you are working in a school, something has happened to you, you report it through this HR channel, what sort of support can you expect and when? Like, is there a standard process for that?

**Mr Matthews:** Yes. I think generally we would describe that as a case management response. But really, it could be a number of different things. It could be a specific reach out from somebody in People and Performance because we think that that—that sort of independent contact is warranted. It could well be support for a supervisor, for example, depending on the nature of the incident and how it has occurred.

For example, sometimes in misconduct matters that are reported and are being managed through the Public Sector Management Act, there may be people that are affected by a behaviour that we then need to provide various supports for. And as I said, that can either be within the directorate through our staff reaching out or through a referral to external agencies.

**MISS NUTTALL:** Is it the kind of thing where you can provide a time frame? Like is there, you know, like a report of a certain nature must be actioned no later than, say, whether that is five days, whether that is two weeks. Is there any kind of requirement on that to ensure that there is a follow up in every case, and that people know roughly when they would expect a bite at the very latest?

**Mr Matthews:** I am not sure if there is such a thing as the way that you have described it there, Ms Nuttall. But what I want to say is that there is a really high level of attention to this within our people and performance area, and as I have described—or referred to Ms Atkins' work as well.

So, if we get reports from staff expressing concern about anything like sexual assault or sexual harassment or things of that nature, we take it very seriously, and we want to follow up as quickly as we can immediately. So, we would not be delaying response to those matters where they come to our attention. We would be trying to action them as quickly as we possibly could.

**MISS NUTTALL:** Last but not least, do you collect data on the process? Like, do you collect data—how—you respond to specific cases, how long it does take, things like that?

**Mr Matthews:** I would have to take that question on notice about what data collection we have on those things that come through the people and performance chain. So, I will take that on notice for you, Ms Nuttall.

**Minister Yvette Berry: The answer to the Member's question is as follows:**

The Education Directorate maintains a database of all complaints raised regarding employee conduct, which now includes specifics for allegations of sexual harassment. All allegations are assessed in accordance with the processes outlined in the ACTPS Enterprise Agreements. The information collected includes the nature of complaint, the type of process implemented to address that complaint, the outcome/s and time frames for completion.

Approved for circulation to the Select Committee on Estimates 2024-2025

Signature:

By the Minister for Education and Youth Affairs, Yvette Berry MLA

Date:

12/08/24