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THE JOINT SESSIONAL COMMITTEE ON GENDER AND EQUALITY MET IN COMMITTEE ROOM 2, PARLIAMENT HOUSE, HOBART, ON MONDAY 28 NOVEMBER 2022

PUBLIC SECTOR GENDER EQUALITY COMMISSIONER (VICTORIA)

Dr NIKI VINCENT, PUBLIC SECTOR GENDER EQUALITY COMMISSIONER, WAS CALLED AND EXAMINED VIA WEBEX.

The Committee met at 11.00 a.m.

CHAIR (Ms Forrest) - Welcome, I am Ruth Forrest, the Chair of the committee, and I hope you are feeling much recovered and better. I will introduce you to the committee members. We have Dr Rosalie Woodruff, Dean Young, Josh Willie, Lara Alexander and Dean Harriss. We are a fairly recently established joint House committee looking at matters related to gender and equality. We note you have done a significant amount of work in this space.

This hearing will be broadcast and recorded for *Hansard*. Are you happy with that?

Dr VINCENT - Yes.

CHAIR - I will formally welcome you to the committee, Dr Vincent. We thank you for your time. We know that Victoria has an equality act and you are the Equality Commissioner in Victoria, so we welcome your contribution and thoughts on assessing legislation, particularly, with a gender lens.

I will invite you to speak to the committee. The transcript will be transcribed and available to you if you wish to review it. Generally, we will publish that on our website as part of our information for the committee. If you wish to see it beforehand, please let our secretary, Mary, know.

Over to you, thank you. I will invite you to introduce yourself and talk a bit about how things work in Victoria and what your views are on the matters the committee is looking at. Members will probably have questions for you.

Dr VINCENT - Yes, absolutely. Thank you very much. I would like to acknowledge the traditional owners of the land from which I'm joining you today - the Wurundjeri people of the Kulin Nation - and pay my respects to Elders past, present and emerging, and the Aboriginal Elders of other communities who might be here today.

I will focus on what we're doing in Victoria under the Gender Equality Act, which is what I'm responsible for implementing, but I'm happy to take questions on broader matters. The act is the first legislation of its kind in Australia and we've now had some experience in implementing it, so I will share what we've done in terms of implementation and what we've learned so far.

The act in Victoria resulted from a long legacy of advocacy, and I do note that it had bipartisan support. Initially, a series of 10 stakeholder workshops were held between December 2017 and February 2018. A citizen's jury of Victorians met to deliberate on the

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proposed legislation, and particularly the idea of quotas - that was a key topic for consideration in the bill - and, in fact, the jury was very supportive of quotas. We don't have any in the legislation as it currently stands, but we have the capacity to develop quotas.

The Government released the draft bill for public comment in August, and had it open for a month or so. There was a lot of community engagement, with 56 submissions received and 700 Victorians responding via the Engage Victoria website. Then, further workshops and targeted consultations were held between May and August 2019 across metropolitan and regional Victoria. Those stakeholder meetings included organisations such as universities, councils, police and emergency and essential services, women's health and legal organisations, multicultural and faith organisations, and also Victorian government departments.

There were a lot of things discussed in relation to the legislation. I can go through those if you have questions about that, but the feedback was very positive, with really strong support for the gender equality bill. I wasn't in the state at the time, but I've subsequently read many of the stakeholder submissions, and you can actually see those submissions in the final legislation. So, it was a really powerful community consultation and stakeholder process.

Then the final bill was drafted and passed by parliament in February 2020, and I was appointed the Public Sector Gender Equality Commissioner - the first in Australia - in October 2020. I came to Victoria from South Australia, where I had been the Equal Opportunity Commissioner for South Australia for about four and a half years.

The act came into effect in March 2021. It covers 300 public sector organisations that have 50 or more employees. Although that may not sound a lot, that is about 450 000 employees, and covers about 12 per cent of the Victorian workforce. It includes, as I said, the public service, and all of local government. We have 79 local councils in Victoria, and all of them are covered by the legislation. All of your public health providers, universities, water corporations, museums, sporting facilities, zoos, et cetera.

It places a positive duty on organisations to take action on gender equality, and then there is a series of other key obligations that will really drive change in Victoria.

The first is that each organisation has to undertake a comprehensive workplace gender audit in their workplace. That covers seven key indicators, which I can talk about in a minute.

They have to use the results of that audit to consult with their workforce, their governing body and any unions and union representatives in their workforce, to develop a gender equality action plan to address any inequality that they find.

They also have to undertake a gender impact assessment over every policy, program or service - including budgets - that has a direct and significant impact on the public, and they have to report to me every two years on their progress.

All those plans, all that data, all the progress reports either are already, or will be when we receive them, publicly available on our website. So, you can have a look on our website, where we have an insights portal. You can look at every single organisation covered by the legislation, look at where they sit in terms of gender equality or inequality, and then you can have a look at their plans and see how they are going to address any inequality. We will get progress reports in February 2024, and you'll be able to see all of those as well.

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Under the legislation, each organisation must make reasonable and material progress on the gender equality indicators every two years. That's what we'll be looking for in the progress reports. The first audit was submitted in December 2021. They were actually due in October, but I extended the deadline because we were in the thick of COVID-19 lockdowns in Victoria and a lot of organisations were really struggling, and it was the first audit.

We received their gender equality action plans in March, and again I've extended the deadline for the first progress reports from October 31 2023 to February 2024 as a result of the other extensions. Hopefully we will be able to fall back into the legislated pattern after that.

Transparency is a really important part of our act. As I said, everything is published on our website. All of the organisations that report under the act must publish the data and their plans and their progress reports on their own websites, so there's transparency allowed for public accountability. Our reporting platform captures almost 70 million data points - so we now have the most comprehensive dataset on public sector gender equality Australia has ever had.

Another unique aspect of the legislation is that I have dispute resolution powers. I can accept a complaint or a dispute that is from a class or group of employees - so, not individuals, but a class or group of employees from organisations covered by the act. It has to be a complaint around systemic gender equality issues, relating to the seven key indicators under the legislation. I won't go into that now; we haven't had a complaint yet. It's brand new, not just in Australia - we can't find any models of this in the world. We've set it up from scratch and we have yet to receive a complaint. As I said, we've only just had the data and the plans and so forth, but I can talk in more detail about that if you have questions.

There are a couple of other things that are unique about this legislation. One is that I have strong compliance powers. If an organisation is noncompliant, I have to start with helping them to get over the line. If that doesn't work, I can issue a compliance notice. I can name and shame them, publicly. I can ask their minister to take action. I advise the minister what action should be taken, right up to being able to take an organisation to the Victorian Civil and Administrative Tribunal to get an order requiring the organisation to comply.

I haven't had to use those powers yet, and I think I probably won't, because we are talking about public organisations, and it would be pretty bad if we had public organisations that needed me to take them to VCAT.

I think what those compliance powers speak to is that gender equality in Victoria under this legislation is no longer a 'nice to have', it's actually a 'must have'. That says a lot. That speaks volumes. As you know, we've had lots of equal opportunity, anti-discrimination legislation right throughout the country, including in Tasmania, that doesn't have these powers, and we still have discrimination across all of the grounds.

Certainly, in South Australia, I was the Equal Opportunity Commissioner, and was in close contact with Sarah Bolt, your Equal Opportunity Commissioner, as I chaired the Australian Council of Human Rights Agencies when I was the Commissioner in South Australia.

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The act, as I've mentioned, does allow for the setting of targets or quotas. I don't intend to do that until I've had enough data to see where quotas or targets might be usefully applied. We need the data. We have the baseline data, and we need to see what changes when we get the first progress report and so forth.

At this stage, I'm not rushing to set targets or quotas. It's a tool, though, that we do have at our disposal under the legislation, and we will use it carefully where we think it might be usefully applied.

It's also the first time that intersectionality has been enshrined in Australian equality law, which recognises that gender inequality can be compounded by things such as race, gender identity, LGBTIQ+ status, disability and so forth. It recognises that a woman of colour might experience compounded discrimination, not just for their gender but also because of their skin colour.

I've mentioned the seven indicators that a couple of times. Under the legislation, each organisation has to measure themselves in terms of these indicators, and then make reasonable and material progress in every two-year period. The first is workforce gender composition; the second is gender composition of their governing body; the gender pay gap in their organisation; workplace sexual harassment; recruitment and promotion; leave and flexibility; and gendered workplace segregation, where women and men, and others, may be concentrated into particular roles within a particular workplace.

We use those audits and the Gender Equality Action Plan to measure progress over time. The first audit gave us a sector-wide view against these indicators. What we found was that women were unrepresented in senior leadership: while 66 per cent of the whole workforce were women, only 46 per cent of senior leadership roles were women. More than three in five CEOs were men. The pay gap was 15.6 per cent - that's on total remuneration. That means that men were, on average, taking home about \$19 000 a year more than women.

Every single occupation, including all the occupations that are more dominated by women - so, clerical, caring occupations - even those had gender pay gaps in favour of men. Every single industry except for the arts had gender pay gaps in favour of men.

It also found that women aren't getting equal opportunities for career advancements. Although men only make up 34 per cent of the public sector workforce overall, they received 37 per cent of the promotions in the year that audit data was taken from, 2020-21.

Men were more likely to receive career development training opportunities and internal secondments and higher duties. Women were very over-represented in part-time work. Three quarters of those using formal flexible work arrangements, and 68 per cent of those taking carer's leave, were women.

Women were more likely to believe that flexibility, family responsibilities and caring are barriers to success in their organisation.

We also found significant gaps in intersectionality data in the audit. A lot of organisations had never collected this data, and did not have the systems enabling them to do that, so we don't have great data. What we have done is given out research grants to actually go and talk to people with lived experience of the particular intersectionalities, and talk to them

about what we could do better, both as a commission and for the defined entities, under the legislation.

We will put all the data and all the research into another report that we will put out next year, which will help us and organisations that report to us to get better on intersectionality data. That's one of the lessons that we learnt.

We did get a lot of messy data. There were gaps in the data, not just around intersectionality, but in reporting pay gaps and so forth. We had some poor quality data that was not provided to our specifications, so we are working on all of that before the organisations next have to report to us.

We have had a formal independent review of what we did, so that we could learn from things that we could do better, and things that did not work as well. We had a lot of organisations facing resourcing challenges - and other challenges because of COVID-19, obviously.

We did find that a lot of women on part-time or insecure contracts were employed to undertake the work for organisations to deliver on the act. The act does require that organisations resource their gender equality action plans properly, and what we found is that this has not necessarily happened.

I think eventually that will come out in the wash, because organisations that have not put the resources in will not make progress, and therefore they will not be meeting their obligations under the legislation, and that will be public, and that will drive the change and so on.

That is definitely a finding from our research into how the act was being implemented in each organisation. We will put a lot of focus on that element, and the leadership and executive buy-in that is needed.

As I mentioned, gender impact assessments are a really crucial part, which I think is what you're looking at in terms of putting a gender lens over legislation. I think that's absolutely crucial. The act requires that each organisation puts a gender lens over every policy program and service - and every budget. In Victoria, we have a separate unit that is about gender-responsive budgeting. They are basically saying that pretty much every budget has a direct and significant impact on the public, so you have to put a gender lens over it.

It's been quite interesting to watch the progress there. A lot of big developments were missed, and have now been sent back to have a gender impact assessment on them. So it is working, it is driving change. Those have to happen on an ongoing basis, from every organisation, from 31 March 2021 into perpetuity, while the legislation exists - and they are reported to me in progress reports every two years.

We will have our first report of these gender impact assessments in February 2024, then every two years after that. I think it's a really important part of the legislation, and one that's going to drive gender equality in the broader community as well.

Just to wrap up, the act not only requires organisations to identify and take action on workforce inequalities, it also provides transparency. Making this data visible also helps keep the organisations accountable to themselves, to their employees and to the public.

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I have to say there was also a lot of media interest in the data when we first made that public, and I imagine that is going to be something that drives change as well. They have to report on their progress every couple of years, as I said, including their gender-impact assessments.

It's early days for us at this moment, but we hope we will show progress being made against the Gender Quality Action Plan, and also against the indicators, including all of the gender-impact assessments that have been undertaken.

Currently, we have a 100 per cent compliance rate amongst entities in terms of meeting their obligations under the legislation.

In 2024, we will understand how effective our efforts have been, and how effective organisations' efforts have been, with regard to creating change.

I will leave it there. I am happy to take questions from the Committee.

CHAIR - Thank you, Niki, it is great to see and hear your passion for this important work.

There are a few things I'd like to start with. I know you have the website and, through the commission, a number of tools are available to help guide the work in the various departments and organisations.

With regard to reviewing legislation and putting a gender lens across it, I am interested in what you would think are the most effective and useful tools that we could perhaps consider.

Subsequent to that, are you aware of Dr Ramona Vijayarasa's work with the gender legislative index? Do you have a comment on the use of that?

Dr VINCENT - I am not intimately aware of the tools that Ramona uses, but I am aware of her work. We have had several conversations. She is very passionate, like I am. I have just bought her book and am about to read it. It is sitting on my bedside.

CHAIR - Same. It is called *The Woman President*, if anyone is looking for it.

Dr VINCENT - It looks fantastic and that is going to be my Christmas reading. I am aware of her work and I do hold her up. Her work is incredible and her tools are probably fantastic. I have not looked at them in detail, as I said.

What we have, as our basic tools, is a generic tool for gender-impact assessments, which is basically what you are doing when you are putting a gender lens over legislation as well.

We now have an additional bucket of money to really expand our gender-impact assessment capacity. We have set up a small team, and are also developing tailored, specific resources for local government and particular areas. The Victorian Department of Treasury and Finance has set up the Gender Responsive Budgeting Unit, which is specifically around budgeting. They have used our tool and adapted it for their needs, so I imagine you could also do that. All our tools are freely available, so feel free to take whatever is useful.

Mrs ALEXANDER - Hi Niki, thank you very much for this presentation. It is absolutely brilliant to see the amount of work that has been done. It will certainly provide us with a lot of guidance and clarify where we want to go with the work here in Tasmania.

The two focuses I have probably come from the fact that I have spent a lot of time in the health sector in aged care. In aged care and home care, there is a principle of consumer-directed care. I have come across instances where residents have a preference for being attended to by a female or being attended to by a male - or even being a bit more reluctant to being attended by somebody from a migrant background.

Your work is around government and public service, but there are some aged care facilities that are owned by government and not necessarily for the private sector. I am wondering how the seven principles would work to ensure that those things are balanced and integrated in the context of gender balance?

Dr VINCENT - It is such a good question - and one that I'm afraid I do not have any particular insights or expertise into. The patient-directed care philosophy is absolutely crucially important. We do not know what experiences particular individuals have had in terms of domestic and family violence, sexual assault, and all of those sorts of things that might drive their preferences in that regard, so I think that's absolutely essential.

That's probably more a question relating to equal opportunity legislation. When I was the Commissioner in South Australia, I certainly remember some issues like that being raised. This legislation that I administer doesn't really cover those particular things, because it's actually about your workforce internally as a public sector body, and what's going on with that workforce, and then putting a gender lens over any policies, programs or services you provide.

I understand the complications that you've raised, but I think it's probably best left to someone with more specific expertise to provide advice in that regard.

Mrs ALEXANDER - My second question, if I may, Chair - I am also very interested and passionate about consultation when we develop legislation, and how we go ahead and explain what we are doing. You've mentioned the extensive consultation you've had with migrants and people from different ethnic backgrounds. For those people, it's often quite hard to understand what's being done, so I'd be very interested if you wouldn't mind expanding a little on how that consultation occurred to ensure that they participated in the ultimate result of what you've achieved? Thank you.

Dr VINCENT - It's a really good question. I wasn't in Victoria at the time of the consultation process, so I'm literally going by what I have been told was done. I know multicultural organisations were part of the consultation, but I'm not sure specifically how particular voices of particular migrant groups were included.

My role here works alongside our Multicultural Commissioner, who has a very great interest in the work we're doing, particularly on our outcomes for women of colour in the workplace, and so on. I would imagine that our Multicultural Commission was part of that consultation, and a lot of other multicultural organisations as well.

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I'm sorry I can't give you more detail on that specifically, but if you'd like to follow up with me, I'm happy to see what other information we can get for you.

Mrs ALEXANDER - Thank you very much.

CHAIR - Do you want to write and see if Niki can find any more?

Mrs ALEXANDER - Yes, that would be good. Thank you.

Mr WILLIE - Thank you, Niki, you're a wealth of information. If this committee decides to review a bill before it becomes legislation, do you have any advice about holding governments accountable? A lot of noble things happen in legislation, but their implementation doesn't go as planned. Often, government services aren't delivering what the legislation sets out, and it may be a funding issue.

Do you have any advice for the committee on following up those service and budget provisions, as well as legislation?

Dr VINCENT - Yes, you're absolutely right. There is no point creating legislation that doesn't get funded appropriately, in order for it to be implemented appropriately. In a budget-constrained environment, that's always a challenge.

We have certainly been given a reasonable amount of funding. We were given around \$13 million initially; I can't remember the exact amount, and then we've had a couple of extra million given to us subsequently.

It's expensive to implement this kind of legislation. Well, it's not expensive, really, when you think about the benefits, but it's not a small amount of funding - several million dollars setting up a reporting platform, and so forth.

We have a small team; there are fewer than 20 of us in the team. We also set up a panel of providers so that where we could not provide the direct one-on-one support for defined entities, they could go to our panel and get support from them, which they would have to pay for.

We also did a lot of work spreading the word about the legislation, running workshops. We did a kind of road-show that allowed us to communicate to every single defined entity under the legislation.

We also were very thorough in looking at where we had not had contact with particular organisations. About 15 organisations had not turned up to anything, were not on our mailing list and so on, that I then engaged with one-on-one. I set up meetings to make sure that no-one could say they did not understand what their obligations were under the legislation.

I think the other responsibility is that this has to become part of 'business as usual' for organisations - particularly putting a gender lens over every policy, program or service. We have to educate right across organisations, so everyone who is developing a policy, program or service knows that they must put a gender lens over it, and knows how to do that.

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We also need the checks and balances when those policies, programs or services go out for approval. There needs to be a checking process that makes sure this has been done, and that the gender lens has been done adequately.

In the end, the cost, potentially, is pushed back to the organisations that the legislation covers, rather than us needing to do all of the work to drive that change.

After the initial establishment - once you have the education and the training and the understanding in place - and you have geared up all of the organisations that the legislation covers, that then becomes part of what they do as business as usual.

Mr WILLIE - Do you think it would be advantageous for the committee to review legislation, pull government departments in and question these things 12 months down the track, two years down the track?

Dr VINCENT - Absolutely. Yes. I think that is part of the levers in our legislation - that everything is going to be made public. That is what drives organisations to actually implement this legislation, and deliver on it, because they do not want the fact that they have not done it to be public.

Having organisations' leaders come back and actually talk to you about what they have done enforces accountability. It is absolutely what you should do.

CHAIR - I will go to you, Michelle. Are you able to turn your camera on?

Ms O'BYRNE - I can now. I wanted to ask you about the effectiveness. Our committee has a reasonably broad remit, but it will be allowed to examine legislation and do that work, once we can determine how to do that effectively.

Doing it in isolation of the other work. The work that Victoria did was substantive. The stuff that Fiona led was incredible in terms of whole-of-government changes, and in the context of significant reform more broadly in Victoria.

How successful is it if we are only picking a piece of that holistic work? Does it leave us slightly exposed in terms of being able to really assess and effect change? Because we cannot, at this stage, compel agencies, or even have an education program for agencies around how they might do this.

Dr VINCENT - I think it is a good question, Michelle. Obviously I am an advocate for what we have done with our legislation here in Victoria. I am incredibly passionate about it, because I spend so much time. I gave 256 speeches and public engagements in my first 12 months. I talk to people all the time, and I am still doing that - four or five times a week.

Talking to people, I can hear and see the impact that it is having, and the change that is being driven by that legislation.

However, having said that, I think putting a gender lens over legislation is a really important starting point, if that's what it takes to start change, shifting the mindset.

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We need a gender lens over everything that we do. Many of you have probably read Caroline Criado Perez's book, *Invisible Women*. If you haven't, I would recommend you put it on your Christmas reading list, because it just speaks volumes of the way in which the world that we live in - and everything in it - has been generally designed with a male default. Medicine, car safety, snow-plough clearing of municipalities, you name it. It's had a gender lens already, and that lens has been male by default. As a result of that, women have lost their lives, they haven't had adequate medication, they haven't had adequate PPE that fits them, et cetera.

So, if nothing else, I think starting with legislation is a really great place to start - but I would certainly recommend that jurisdictions go further and have a look at what we're doing in Victoria, and potentially think about that themselves.

Ms O'BYRNE - Thanks for that.

Dr VINCENT - I'd certainly be happy to help any jurisdictions that want to do this. I've just been to Washington DC with the World Bank, talking to Saudi Arabia, actually, about implementing a gender observatory in Saudi Arabia to collect the kind of data that we are collecting here in Victoria, which is very exciting. So, it's starting to happen, even in Saudi Arabia.

Ms O'BYRNE - Thank you. Chair, just one other follow-up, if I might. The next piece of work we're going to do is on the gender impact of health provision, which there's a huge amount of recent media around. We're looking to see some practical examples of change here, so I'm hoping that will assist in getting to where you are.

Dr VINCENT - Yes, fantastic.

CHAIR - Just moving on slightly, Niki, to the reporting. You talked about how the departments or whoever are required to provide gender-related information, and they have to put it on their websites. Do they also report this in their annual reports - government businesses and all other sectors?

Dr VINCENT - That's really interesting. They don't have to put it in their annual reports. They just have to publish their data and gender equality action plans and progress reports in relation to the legislation on their websites. As I said, we publish all of those on our website as well as in a special portal.

They don't have to put it in their annual reports, although I imagine some of them will be. Also, if they have existing plans - such as a workforce development plan that included gender equality - they could actually submit those plans instead of a specific gender equality action plan, as long as it ticked all the boxes in terms of what the legislation required.

We didn't get a lot of those. Mostly, organisations sent us specific gender equality action plans, but a few kind of diversity and inclusion plans were submitted to us. So, if they already had something that they thought was adequate, we didn't require them to reinvent a new plan.

CHAIR - This week we have government business scrutiny in both Houses. I know in reading some of the annual reports, most of them now - after years of badgering, I might add - include a gender breakdown of their workforce, and often their senior executive staff.

My point has been, over the last few years, that's great, at least we know there are some women in your workplace now, because often there weren't in some of them, but that's as far as it goes. There is no look at the seniority, the paygrades, in the majority of them.

When we scrutinise them, we're scrutinising effectively the annual report and the entity. Do you think it is something that would be a benefit, or do you think having it on their website and your website is enough?

Dr VINCENT - It is a good question, because we also have my role as an independent commissioner. I speak publicly about what's going on. I will be talking about the change, or lack of it, and it's there for the media to look at how a particular organisation is doing and to track that over time. I imagine that's a lot of scrutiny on organisations.

In the absence of that, having it through annual reports would be very useful. I think the difference is, as you've noted, there is sort of no requirement or obligation for organisations to do anything about that data. So, if they don't have good gender representation - you're saying we don't know what that's like at different levels of the organisation, and even if you did know, there's nothing that drives them to do anything about it, except you asking them questions and so forth.

That's the same at a federal level with the Workplace Gender Equality Agency, or workplace gender equality legislation. Organisations with 100-plus employees in the private sector have been reporting to the Workplace Gender Equality Agency for quite a long time, but we still haven't seen the change. Let's keep reporting, and nothing much changes.

That's why I think it is crucial that we have this obligation to make reasonable and material progress every two years in our legislation.

CHAIR - Thanks for that. The matter of intersectionality. Our committee is gender and equality. It's not gender equality. So, I'm particularly interested in how you'd work around that intersectionality, acknowledging it's a really major issue for women, particularly.

Dr VINCENT - Yes, it's a difficult one. As I say, we're not doing it well enough ourselves yet. What we ask under the legislation is that, if it is available, you use that information. What we found was that a lot of organisations didn't have intersectionality data available.

When I was doing roadshows and talks to organisations and this was coming up, I said, 'What I'd like is that if you don't have the data available, what I'd love to see in your Gender Equality Action Plan is how you're going to address that in the future.' I was really pleased that so many of the plans did have a focus on intersectionality, and how they would get better data and so on.

Meanwhile, as I said, we're working with what data we have. We're taking that data out to people with lived experience - for example, of being a woman of colour, being a woman with a disability, being an Aboriginal woman.

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In fact, we've added an extra intersectionality that came up as part of the consultations I was doing, which is rurality. Being a woman who lives in a rural region, which isn't under the legislation, but I think is absolutely an important consideration.

When we've got all that information, we will put it all into a companion baseline report, which will come out next year.

So, although the legislation is really innovative, including intersectionality, I wouldn't say we are expert at doing that yet. There is a paper on our website that helps guide organisations in doing it better, but we have by no means nailed it yet.

CHAIR - You are probably ahead of some, though. I'm interested in the gender lens that you put across - or the legislation requires entities subject to the legislation to put a gender lens across - policies, programs and budgets, that sort of thing. What about election commitments?

Dr VINCENT - Yes, it's a good question actually.

CHAIR - I know you've just had an election.

Dr VINCENT - I would imagine election commitments that potentially don't come under it, but where they then go up for funding and developed, that would be at a point at which they would need a gender lens under the legislation.

Again, we've only just had this. The legislation is brand new. We're still working things out as we go in that regard.

It would be great if governments did put a gender lens over election commitments. Certainly, any election commitments that get actualised will need a gender lens when they are being planned and budgeted for and so forth. It will get there in the end.

CHAIR - I do not know how easy it is to actually achieve. Any party will put forward a suite of election commitments, and on an individual basis you might find that the commitment to X club that delivers these services is gender neutral, or you have accounted for a gender inequality. If all the commitments overall favour men more than women, you would not necessarily see that, would you?

Dr VINCENT - That's exactly right. You wouldn't necessarily see it. That is the point of the book, *Invisible Women* - that we haven't seen this. Unless you actually ask those questions and put a gender lens over it and start looking at it, that is when you see that stuff that looks like it is neutral, actually isn't neutral.

CHAIR - It is interesting to contemplate how you might do that. A lot of small organisations and sporting clubs and things like that are recipients. For example, if it is to build women's change rooms on a sport's field, then you probably would get a tick for that.

Dr VINCENT - What we are piloting here at the commission at the moment is that we have the capacity to develop procurement guidelines - and we have the capacity to do this in the legislation as well. There is a lot of work going on in the construction sector in that regard in Victoria. We are also running a pilot looking at grant making inside government

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departments, and a whole bunch of areas that give out grants, and testing different obligations from organisations that are applying for that grant funding.

Some of them are having to do an audit of their workplace. Some of them are developing a gender equality action plan. Some are just watching a video about why gender equality is important. We are collecting the data from the organisations that are applying for funding - as well as the organisations that are actually delivering that funding - about how that is all working and what we might do in the future in that regard. Again, that is a work in progress at this stage.

CHAIR - Dean and Dean, or Josh, Michelle or Nick online, have you any questions?

Ms O'BYRNE - I'm good thanks.

Mr DUIGAN - I'm good, thank you, I appreciate it.

CHAIR - Niki, the seven indicators are all prescribed in the legislation?

Dr VINCENT - Yes.

CHAIR - Do you have any other documents that expand on the application of those, or the measures from meeting them? The connection is going to freeze again.

Dr VINCENT - You are back now.

CHAIR - Okay, I was asking about the seven indicators that you referred to based in the legislation. Do you have any tools or guidance on how they are applied - or assessed against - in providing these to organisations to adopt?

Dr VINCENT - Yes, we do have guidance on how to collect the kind of data that we want. There is an audit kind of guidance. There is guidance around how to develop a gender equality action plan and how you might address those things.

There is also our baseline report. We not only published each organisation's data and their plans, but we have put all the data together and analysed it and put out a baseline report on the sector. The chapters in the baseline report are based on each of the indicators, so you have why we are measuring it, and how we are measuring it, and what we have found in each of those chapters.

At the moment, it is only baseline. We will be developing more materials over time to help organisations get better at driving that change. We will be also look at some research that is going to look at the gender equality action plans and what's best practice.

There's a lot more information on our website and in our baseline report that can help you in that regard.

CHAIR - Thanks for that. I don't have any further questions. Is there anything else you'd like to add, Niki, that you think perhaps you have missed?

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Dr VINCENT - I don't think so. I think we've covered a lot of ground and I wish you well. It's exciting that you have this committee, and that this work is being done and that you're using Ramona's work as well.

Thank you very much for having me.

CHAIR - Thanks very much, Niki. I appreciate your expertise in the area, thank you.

Dr VINCENT - Thank you, my pleasure.

THE WITNESS WITHDREW.

The committee suspended at 11.56 a.m.