

Meeting Positive Duty

Taking action to build safe, respectful
and inclusive workplaces



CHAMPIONS OF CHANGE 
CONSULT AUSTRALIA 

Consult Australia Champions of Change Group

The Consult Australia Champions of Change Group was established in 2016 with a focus on increasing the representation and influence of women in our industry. The group is committed to consistent and sustainable progress in advancing more and diverse women, creating safe, respectful and inclusive cultures, removing structural inequities, and designing systems and workplaces for a truly gender-equal future. The ambition is to achieve inclusive gender equality across our workplaces by 2030.

The Consult Australia Champions of Change Group has been formed with C-Suite representation from across Consult Australia's member firms to listen to and learn from a wide range of voices to inform practical evidence-based actions that accelerate change; to track, benchmark and measure progress; and to develop and share resources for others to adopt and adapt.

The Group now comprises 11 member CEOs leading over 25,000 employees across Australia and internationally.

Consult Australia's Champions of Change Group works alongside the broader Champions of Change Coalition: a globally recognised leadership strategy for advancing inclusive gender equality across workplaces, sectors and society.



Foreword

Consult Australia exists to lead collective action for our industry on the issues that matter most to our people, our businesses and the community. Creating workplaces that are safe, respectful and inclusive is central to that responsibility.

The positive duty makes clear that preventing harm is not a matter of intent alone. It requires evidence, transparency and sustained leadership. Through the Champions of Change, Consult Australia has supported this shared approach to collecting and analysing data so we can better understand risk, track progress and focus our efforts where they will have the greatest impact.

This report provides an important industry-wide baseline. The findings, including evidence of underreporting, reinforce why trust, strong oversight processes and continuous improvement must remain priorities across the industry.



Natalie Muir
President, Consult Australia

The power of the Champions of Change Coalition lies in leaders coming together to tackle difficult issues openly and constructively. The positive duty calls on us to do exactly that: to be proactive, evidence-led and accountable for the cultures we lead.

This survey was commissioned to establish a shared baseline and to begin tracking progress over time. It is not about comparison. It is about learning, improvement and using data to guide meaningful action.

The findings highlight both the persistence of misconduct and the challenge of underreporting. They remind us that prevention depends on trust, clear systems and consistent leadership attention.

By committing to transparency and collective learning, leaders can drive real change within their organisations and help set higher expectations across the industry.



Greg Kane
Chair, Consult Australia Champions of Change Group

Our commitment

We are committed to creating safe, respectful and inclusive workplaces, and ensuring that when misconduct occurs, we have the right workplace responses in place to support the people impacted and prevent further harm from occurring.

As members of the Consult Australia Champions of Change Group, our ongoing work is supported by the Champions of Change Coalition's comprehensive strategies and resources, and the Australian Human Rights Commission's guidance on complying with the Positive Duty (see below).

We know transparency and robust data are essential to understand how far away we are from eradicating workplace sexual harassment. Given the size of our firms and the small number of reports in each organisation, sharing our collective data enables us to be transparent while ensuring anonymity for those impacted.

The baseline data contained in this report draws on data collected about reported workplace misconduct and provides a clear picture of the nature of misconduct, reporting patterns, how our organisations have responded, and improvements we need to make to build trust and confidence in reporting systems. We acknowledge that this is not the complete picture, that there is significant under-reporting based on industry and national averages. The report surfaced the following priorities that will support an increase in reporting over time:

1. Increasing communication with employees to build confidence and trust in our workplace responses
2. Ensuring everyone impacted is able to access support services
3. Increasing awareness of anonymous reporting options
4. Providing a broader range of options for resolving reports beyond investigation.

We share these findings to affirm our individual and collective commitment to fostering cultures of respect, safety and inclusion, strengthening trust in reporting processes, and ultimately eradicate workplace misconduct across our firms. We hope this also encourages action across our industry.

This is ongoing work. We will continue to monitor, report on and strengthen our efforts to create workplaces that are safe and respectful for all.



Consult Australia Champions of Change Group

*Top row from left: Greg Kane, WSP (Chair); Mark McManamny, AECOM; Belinda Virant, Arcadis; Liam O'Donohue, Arup; Todd Battley, Aurecon; Will Wright, Douglas Partners.
Bottom row from left: Dean McIntyre, GHD; Camille McGregor, Jacobs; Ashok Sukumaran, Stantec; Virginia Anderson, SJ Group; Barbara Crossley, Umwelt Australia.*

The Positive Duty under the Sex Discrimination Act

Reforms to the *Sex Discrimination Act 1984* (Cth) in 2022 introduced a positive duty on employers to prevent harmful behaviours including:

- **Discrimination on the ground of sex in a work context:** This includes any unfair treatment or disadvantage based on sex in employment or work-related settings.
- **Sexual harassment in connection with work:** Unwelcome sexual advances, requests for sexual favours, or other unwelcome conduct of a sexual nature that occurs in connection with work.
- **Sex-based harassment in connection with work:** Harassment that is not necessarily sexual but is based on a person's sex, such as offensive remarks or behaviour targeting someone because of their sex.
- **Conduct creating a hostile workplace environment on the ground of sex:** Actions or behaviours that create an intimidating, offensive, or hostile work environment for someone because of their sex.
- **Related acts of victimisation:** Any act that subjects a person to detriment because they have made a complaint, participated in proceedings, or otherwise asserted their rights under the *Sex Discrimination Act*.

The obligations extend to the conduct of employees, workers, agents, and, in some cases, third parties such as customers, clients, or members of the public, particularly regarding reports of harassment and hostile working environment.

Organisations are required to take 'reasonable and proportionate measures' to eliminate these forms of misconduct as far as possible, shifting the focus from reactive responses to proactive prevention.

Examples of action taken across our firms

The examples below are categorised in line with the Australian Human Rights Commission's seven standards for complying with the Positive Duty under the *Sex Discrimination Act 1984* (Cth). They illustrate practical actions that firms across our industry are taking to prevent and respond to sexual harassment and misconduct.

These examples provide a snapshot of the breadth of activity underway, highlighting both formal governance measures and day-to-day initiatives that contribute to safer, more respectful and inclusive workplaces.

1. Leadership

- Senior leaders reinforce a commitment to prevent and respond to sexual harassment and gender-based misconduct through town halls, executive communications and refreshed codes of conduct.
- Positive Duty obligations are embedded into Gender Equality Action Plans and formal Positive Duty Plans, with defined executive ownership and accountability for implementation.
- Executive-sponsored working groups oversee implementation, monitor progress and strengthen accountability.
- Engagement surveys and facilitated employee forums are conducted to assess workplace culture, identify risk and measure confidence in reporting and responses systems.

2. Culture

- A shared understanding of everyday respect and expected workplace behaviour is actively fostered including through town halls and other internal forums.
- Upstander messaging reinforces behavioural expectations and encourages early intervention to prevent inappropriate conduct
- Supplier and third-party behavioural standards are clearly communicated to extend cultural expectations and respect conduct requirements beyond direct employees.

3. Knowledge

- Clear expectations of workplace conduct are embedded in staff inductions and ongoing training, including scenario-based learning
- Stand-alone prevention and reporting policies are aligned with Australian Human Rights Commission's Positive Duty guidance.

4. Risk Management

- Structured risk reviews are undertaken in alignment with Positive Duty guidance and work health and safety obligations to proactively identify and address factors that may contribute to unlawful conduct.
- Independent external gap analyses are conducted to assess compliance maturity and identify priority areas for continuous improvement.
- Prevention plans are implemented to address high-risk contexts, including project sites and third-party environments.

5. Support

- Capacity building for people managers and project leaders strengthen their approach to responding to disclosures and connect individuals with available support services
- Specialist advisors are engaged to help ensure supports and workplace processes are inclusive and responsive to employees in all their diversity (e.g., First Nations, neurodiversity)
- Capable internal support contacts are available across business groups.

6. Reporting and Response

- An anonymous, third-party reporting platform is available to enhance confidentiality and psychological safety
- Multiple formal and informal reporting options are provided, designed to be safe, person-centred and trauma-informed, including options for anonymous disclosure
- Individuals impacted by sexual harassment retain their right to speak through carve-outs in commercial settlement agreements
- Managers and project leaders receive training on establishing and implementing control measures to prevent and respond to misconduct.

7. Monitoring, Evaluation and Transparency

- Enhanced and regular reporting to Board and Executive teams on incident data, trends, and outcomes (bi-monthly or quarterly) strengthens oversight and accountability
- De-identified, collective data on the number and nature of reports and actions taken is shared with broader workforce to promote transparency and build confidence in workplace responses
- Employee feedback is used to refine action plans and prevention strategies
- Employee engagement surveys are used to capture insights on employee's experience and perceptions of workplace culture, behaviours and reporting confidence.

Prevalence of workplace sexual harassment: women in engineering in Australia

The AHRC's [Time for Respect: Fifth national survey on sexual harassment in Australian workplaces](#) (2022) noted that across all industries in Australia, 41% of women and 26% of men reported workplace sexual harassment in the preceding 5 years.

Engineering-specific research

Consult Australia member businesses are predominantly engineering businesses. Engineering is still a male-dominated industry in Australia. The prevalence of workplace sexual harassment reported by women in engineering has been considered in several surveys and reports including AHRC's Time for Respect report and Professionals Australia Professional Engineers Workforce Survey (2022/23).

The data from this research tells us:

- Women in engineering (all sectors): ~22% reported being sexually harassed in the past 3 years (Professionals Australia, 2022/23).
- Engineering-intensive industries (AHRC 2022)
 - Electricity, Gas, Water & Waste Services: 71% of women
 - Mining: 62% of women
 - Construction: 29% of women
 - Manufacturing: 18% of women
 - Professional, Scientific, & Technical Services (includes consulting engineering): 18% of women.
- Prevalence among women in engineering roles (22%) is lower than the national average, but still significant (AHRC 2022).

Scope & methodology

The purpose of this initiative was to gather anonymous, de-identified, and aggregated data regarding the nature and prevalence of incidents that are relevant to our positive duty as outlined.

Our findings focus on the experiences of people in Consult Australia Champions of Change Group member organisations in the 2024 calendar year.

Acknowledging the inherent nature of services in our industry and the relevant interconnectivity of working with third parties (e.g. contractors and clients on site), the data includes incidents that may have involved external parties on a no-names basis.

In considering the responses that follow, the number of reports does not necessarily correspond to the total number of incidents, total of types of incident, or number of locations in which incidents took place.

Reports and responses outlined here could identify multiple incidents per report: occurring in more than one location or time; as multiple types; reported through multiple means; with multiple courses of action taken in response.

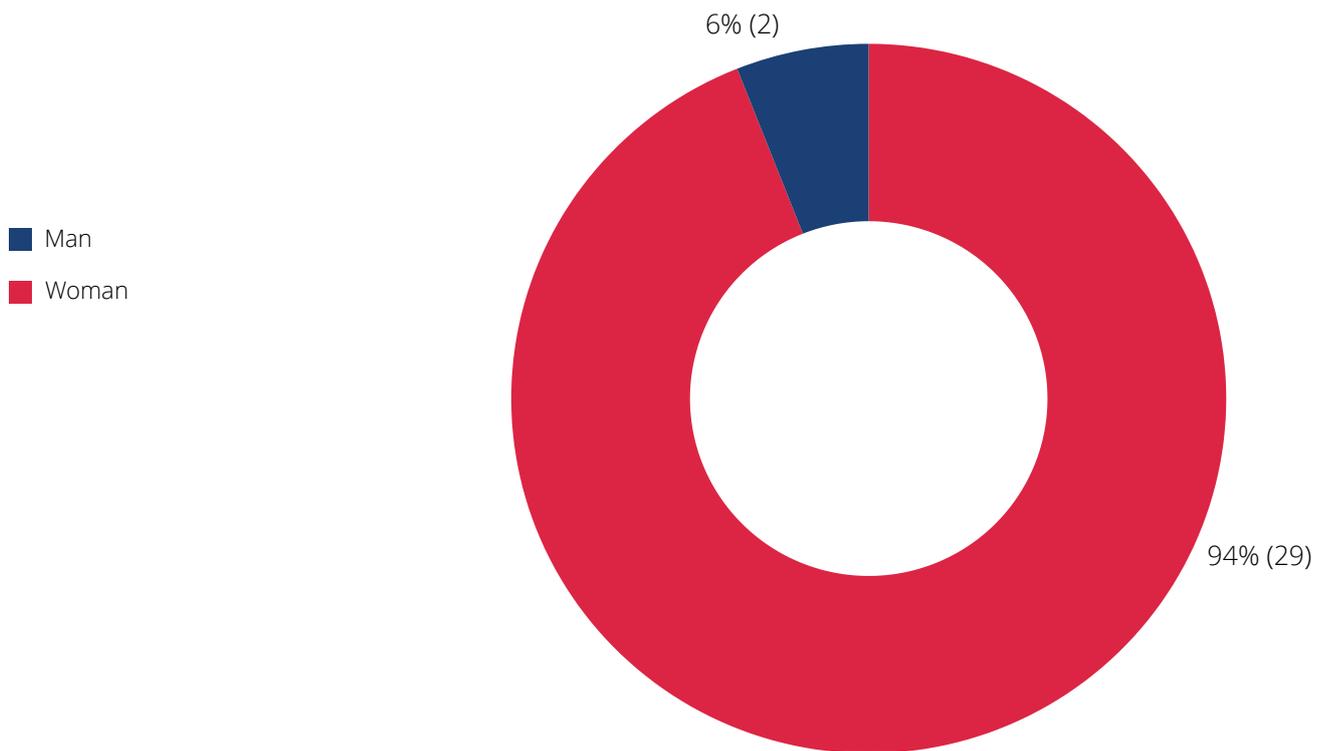
Incident data did not include personally identifiable information. All information was aggregated to provide anonymity across the group so that no individual or specific incident is identifiable in the data collected.

NUMBER OF REPORTS

Findings:

- 31 reports were received by participating firms with 94% (29) of those who made the report identified as a woman and 6% (2) identified as a man.

Fig 1: Total no. of reports
(n=31)(1 Jan - 31 Dec 2024)

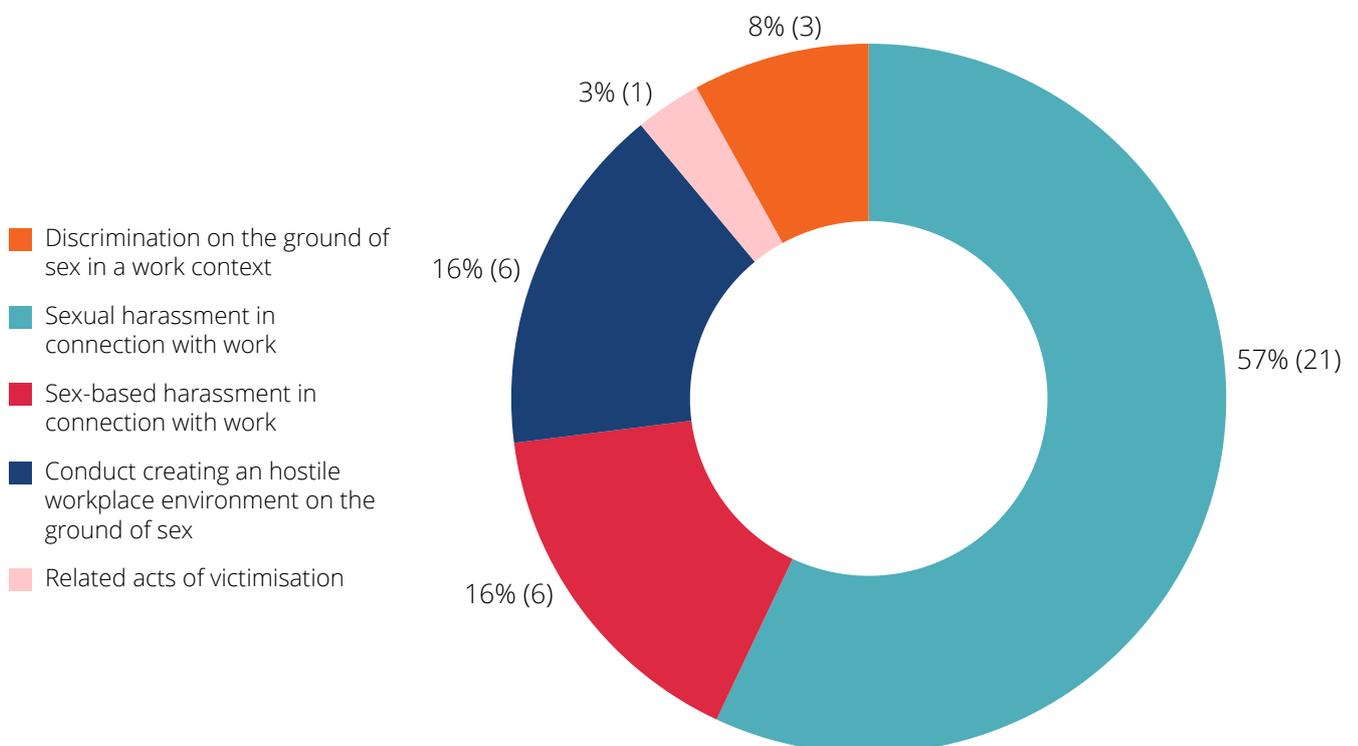


TYPE OF INCIDENT

Findings:

- The 31 reports included 37 types of incident:
 - 57% (21) of incidents were identified as ‘sexual harassment in connection with work’ (including 100% of responses where the person who made the report identified as a man)
 - 16% (6) of incidents were identified as ‘sex-based harassment in connection with work’
 - 16% (6) of incidents were identified as ‘conduct creating a hostile workplace environment on the ground of sex’.
- 13% (4) of the reports (see Fig 1) categorised incidents as two or more types. For example, both sexual harassment and sex-based harassment.

Fig 2: Type of incident (n=37)

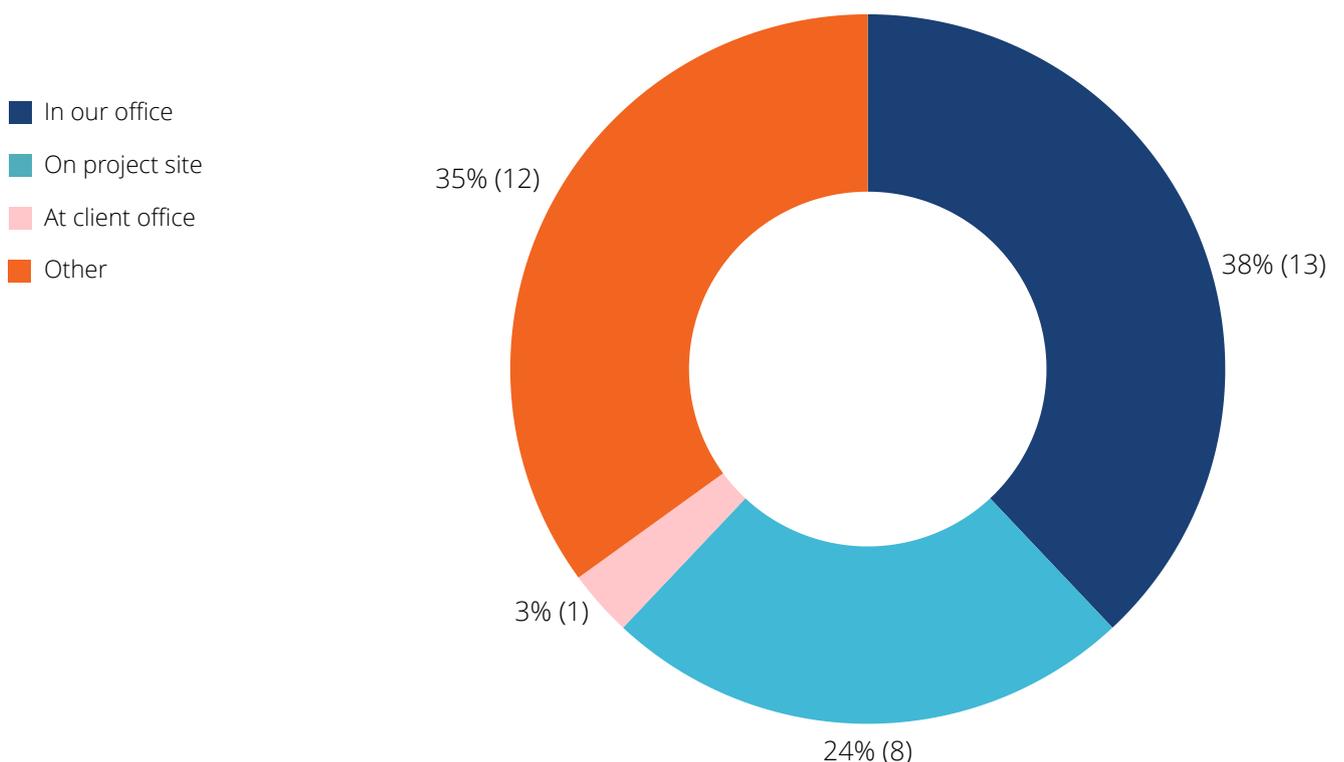


LOCATION

Findings:

- Of the 37 incidents reported, details on the location of where the incidents took place were provided for 34 of these (see Fig 2).
 - 38% (13) of locations where the incident(s) took place were identified 'in our office'
 - 24% (8) 'on project site'
 - 3% (1) identified the incident(s) as taking place 'at client office'.
- 35% (12) of locations where the incident(s) took place were identified 'other' and included the identification of:
 - staff/work related function or social event
 - private space overseen by others
 - work event
 - at a development event offsite by run and funded by employer
 - end-of-year party/after-work venue off site
 - virtual/via teams.
- 13% (4) of the 31 reports (see Fig 1) identified incidents occurring in more than one identified location.

Fig 3: Where incident(s) took place (n=34)

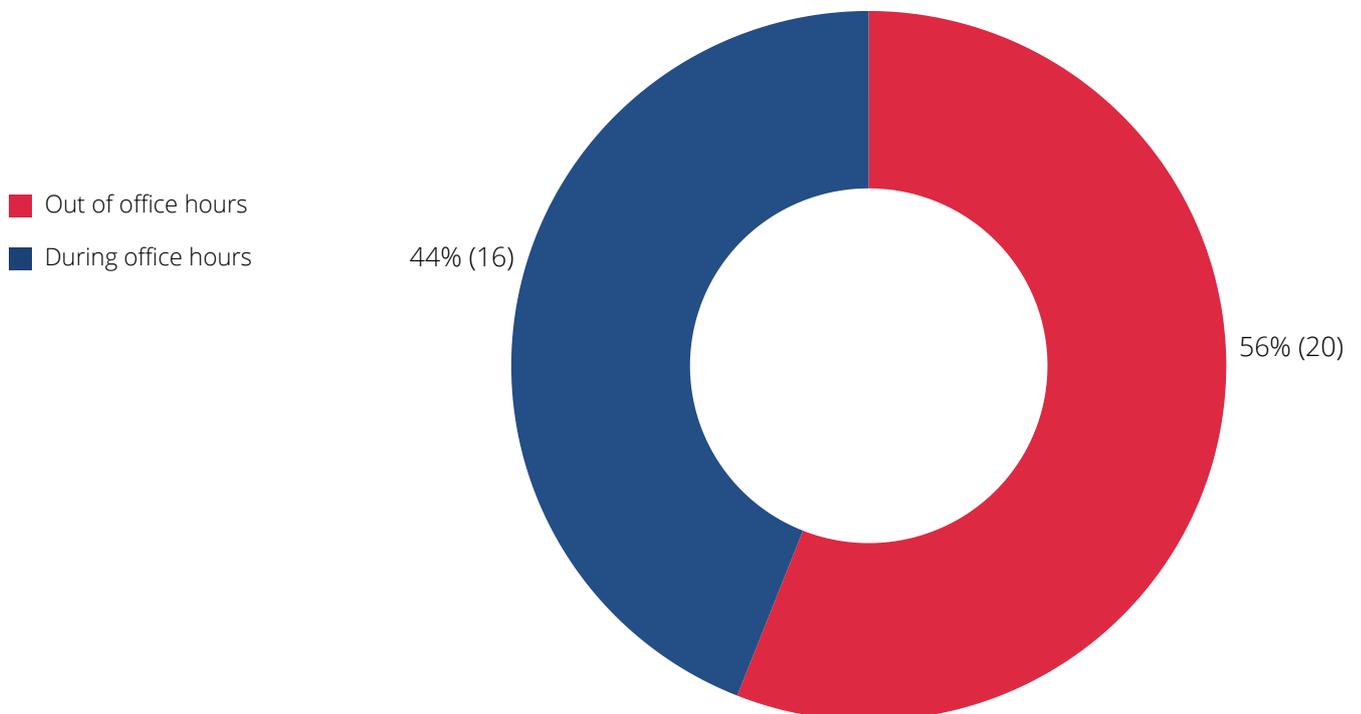


TIME

Findings:

- Of the 37 incidents reported, details on whether the incidents took place within office hours or outside office hours was provided (see Fig 2):
 - 56% (20) took place during office hours
 - 44% (16) took place outside of office hours.
- In the two reports that involved a man impacted by the behaviours, the incidents took place outside office hours.

Fig 4: Time of incident(s) (n=36)

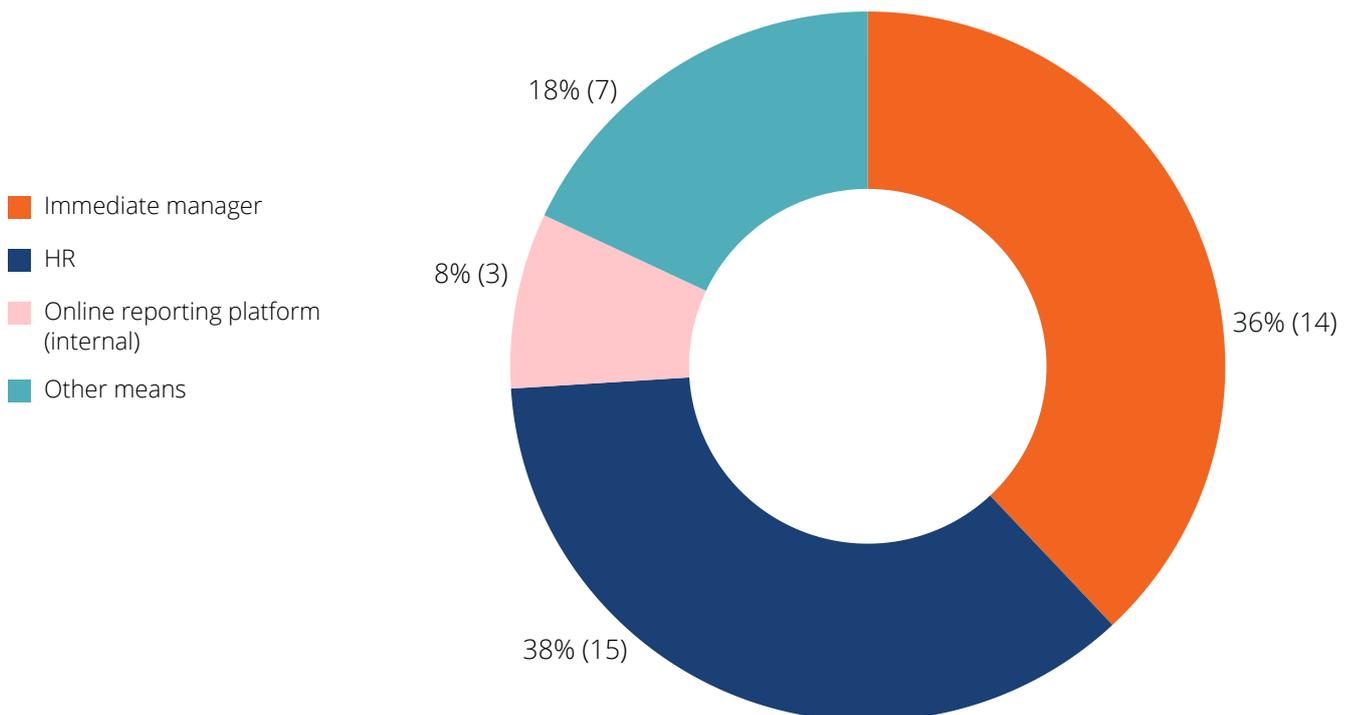


METHOD OF REPORTING

Findings:

- Reports were received through a range of methods:
 - 38% were received by immediate manager
 - 36% were received by HR
 - 18% received by other means (all identifying as female complainants)
 - 7% through an online (internal) reporting platform (all identifying as female complainants).
- 'Other means' included:
 - via health and safety team
 - senior manager
 - colleague informed HR
 - third party report to manager who reached out to project manager
 - reported by a client about a contractor/supplier.
- No reports were received through anonymous reporting platforms or a whistleblower service.

Fig 5: How the incidents were reported (n=39)

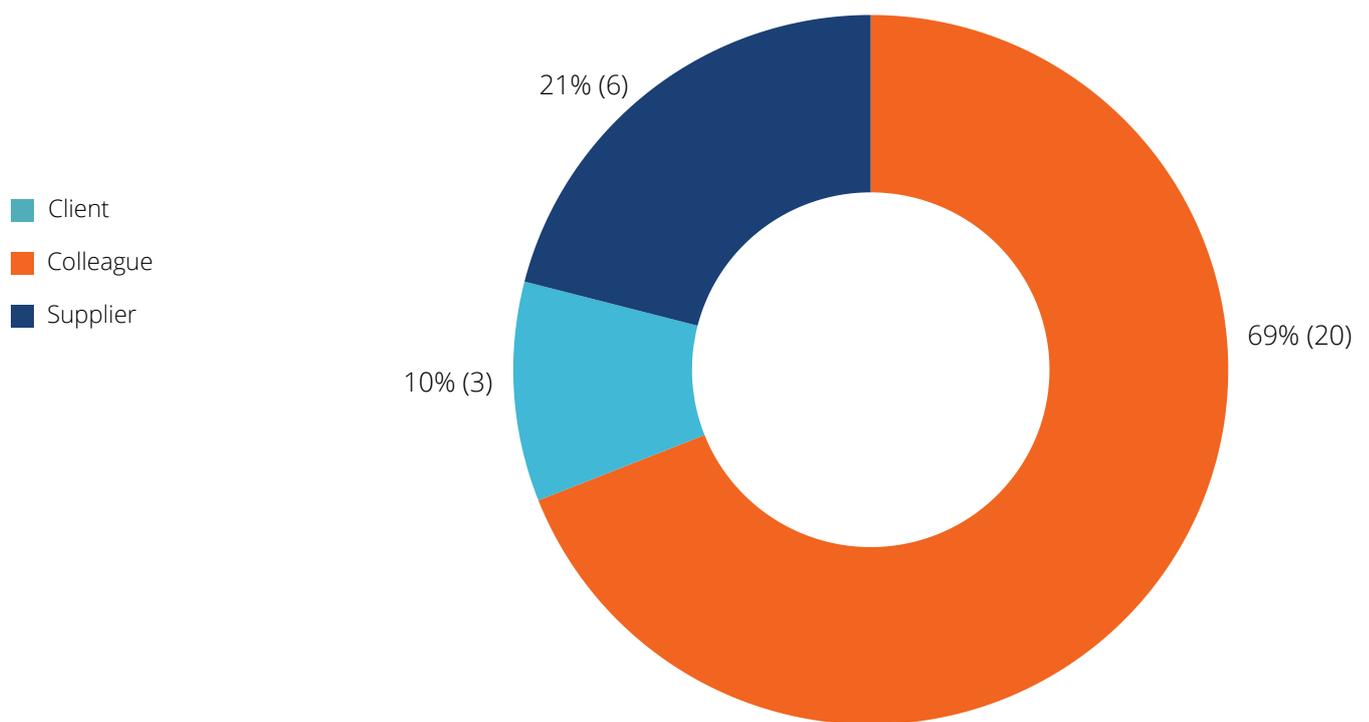


WHO WAS INVOLVED

Findings:

- Of the 37 incidents, 29 responses identified who was involved:
 - 69% involved a colleague
 - 21% involved a supplier
 - 10% involved a client.

Fig 6: Who was involved (n=29)



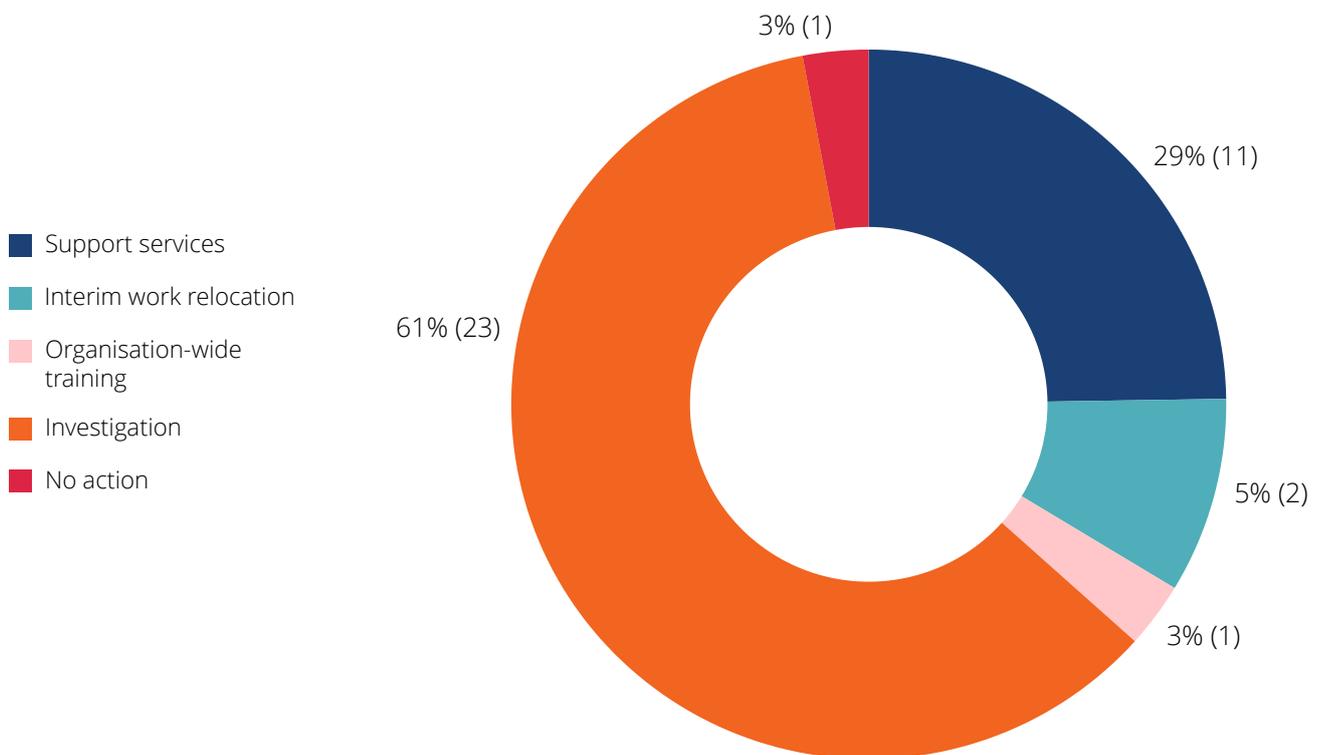
ORGANISATION RESPONSE

Findings:

- A range of actions were taken in response to the reports including:
 - In 29% (11), support services were accessed
 - other responses included 'interim work relocation' (5%), and 'organisation-wide training' (3%)
 - in 60% (23), an investigation was conducted.
- Of the 23 investigations conducted, in 61% (14) the claim was substantiated:
 - 52% (12) had a disciplinary process undertaken
 - 17% (4) resulted in employment being terminated.*
- In the remaining 39% (9) of investigations conducted the claim was unsubstantiated.

*As a substantiated investigation may have resulted in both a disciplinary process and termination of employment, percentages in this chart add to more than 100%.

Fig 7: Action taken to address the complaint (n=38)



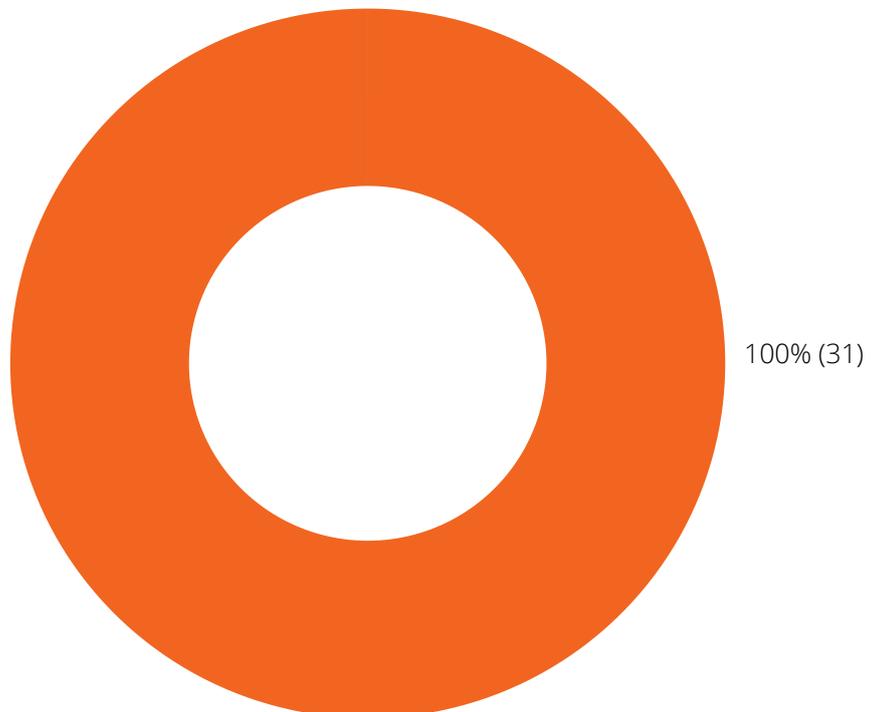
COMMUNICATION AND SHARING OF COMPLAINTS

Findings:

- 100% of responses indicated that the number, nature of complaints and action taken to address the misconduct had been shared with the Board.
- No organisation had shared the number, nature of complaints, and action taken to address misconduct with the workforce.

Fig 9: Communication & sharing of complaint (n=31)

■ With the Board



Resources to support workplace action

Champions of Change Coalition:

- [Everyday Respect Starts with Us](#)
- [FOCUSED on Everyday Respect](#)
- [RESPOND: Acting on everyday disrespect](#)
- [Disrupting the System: Preventing and Responding to Workplace Sexual Harassment](#)
- [Building Confidence and Trust in Workplace Responses to Sexual Harassment](#)
- [Sexual Harassment and the use of NDAs: Building trust through care, accountability and transparency](#)

Australian Human Rights Commission:

- [The Positive Duty in the Sex Discrimination Act](#)
- [Guidelines for Complying with the Positive Duty](#)

Contact us



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We acknowledge the Traditional Custodians of the land on which we work and live which includes the lands of the Gadigal, Kurna, Kulin, Turbal and Wurundjeri people.

We pay our respect to Elders past and present.