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1. The nature and scope of the Progress Review

1.1 Background

In September 2019, Elizabeth Broderick & Co (the EB&Co Team or the Team) was engaged by Airservices Australia (Airservices) to examine and make recommendations on aspects of its culture. Specifically, EB&Co was asked to:

Conduct an independent, expert review to examine and make recommendations on workplace culture issues including inclusion, bullying, sexual harassment, and employee's readiness to report incidents.

In May 2020, Airservices publicly released the report of that Review (the 'Broderick Review') entitled "A Review of Culture at Airservices Australia". The report was the result of thorough consultation with the organisation's employees as well as other key stakeholders, including relevant unions. The report captured the insights and experiences of Airservices employees, and provided nineteen recommendations aimed at fostering a positive organisational culture and initiating a process of cultural reform within the organisation. The commitment of the Airservices' Board, CEO, and leadership team to implement all recommendations, including an independent evaluation process, signified their intent to measure progress, identify areas for improvement, and take necessary actions to further strengthen the organisation. In line with this commitment, in 2022, EB&Co was engaged to undertake this Progress Review. By commissioning this independent Progress Review, Airservices' leadership has indicated its intent to measure progress of reform since the initial Broderick Review in 2020 and to continuously improve on its actions to strengthen its culture.

Undertaking a Progress Review as part of cultural reform not only demonstrates strong engagement to change but offers an opportunity to refine Airservices cultural transformation efforts. This Progress Review assesses the implementation of the recommendations outlined in the initial report and evaluates Airservices' progress towards achieving the intended reforms. It also provides a platform for ongoing learning and adaptation, helping to ensure that the cultural transformation efforts remain on track, align with the desired objectives, and are in fact strengthening the organisational culture.

This report, Charting Cultural Transformation: A Progress Review of Airservices Cultural Reform Journey presents results of the qualitative and quantitative data analysis collected throughout the evaluation process. It consolidates the findings, observations, and analyses into a cohesive document that provides a comprehensive picture of Airservices progress. By presenting an independent review of progress, Airservices and other stakeholders can reflect on the effectiveness of the initiatives undertaken in response to the Broderick Review and chart a course for future action and strategies.

The Progress Review did not investigate or make specific findings about individual incidents or allegations concerning any Airservices employee, but rather focused on an assessment of overall progress since the initial review.

The EB&Co Team expresses its sincere gratitude to all individuals who participated in the Progress Review. Your openness, honesty, and willingness to share personal and sometimes distressing experiences have helped to inform the findings and recommendations of this Review. EB&Co acknowledges your suggestions for further change that seek to build a more inclusive, respectful and safer work environment.

1.2 Methodology

The findings and recommendations presented in this report are based on a rigorous and comprehensive analysis of evidence gathered through a variety of research methods. EB&Co maintained consistency of methodology by employing the same research tools as the Broderick Review, enabling a coherent and uniform tracking of progress and other relevant data.

The methodology for the Progress Review encompassed:

- Focus Groups: These interactive sessions provided an opportunity for in-depth discussions and a deeper understanding of specific issues.
- 2. One-on-one Interviews: Confidential one-on-one interviews were conducted with individuals to explore their experiences, observations, and suggestions for change. The confidential nature of these interviews created a safe environment for participants to share their insights openly.

1. The nature and scope of the Progress Review

- 3. Online Survey: A survey, identical¹ to that administered in 2020 for the Broderick Review, was conducted to collect quantitative data and gather insights from a wide range of Airservices employees on the prevalence of specific workplace harmful behaviours and individuals' propensity to report incidents. The survey enabled employees to contribute to the Progress Beview in a confidential manner.
- Written Submissions: Employees were invited to submit written accounts of their experiences and perspectives.
- 5. Review of Academic Literature: A comprehensive review of relevant contemporary academic literature and research was conducted to enhance the understanding of broader industry trends, best practices, and potential solutions.
- Review of Airservices Policies and other Data:
 Existing Airservices' policies, employee surveys, and other relevant data were examined to assess cultural reform progress and identify areas for improvement.
- Briefings and Meetings: A number of sessions were conducted with various leaders, staff, unions and the Cultural Reform Board.

Employee participation in the Progress Review was voluntary. This allowed individuals to choose if, when, and how they engaged in the review process, ensuring confidentiality and promoting an atmosphere of trust. The information provided by employees was confidential, allowing employees to speak openly and honestly to the Team about their experiences and observations. Employee participation in the Progress Review was very strong across all areas of Airservices.

The following section provides a description of the methodology adopted for the Progress Review.

1.2.1 Focus Groups

Fourteen (14) virtual focus groups were conducted with employees and managers. To foster a psychologically safe environment, the EB&Co Team facilitated a combination of all gender (open to all Airservices people) and gender specific groups, as well as specific ARFFS (Aviation Rescue and Firefighting Services), ATC (Air Traffic Controllers), and leadership cohorts.

The inclusion of gender specific focus groups was important for several reasons. Firstly, it recognised the potential power dynamics and gender-related experiences that individuals may have faced within the organisation. By providing separate spaces for women and men to share their perspectives, it allowed for a more nuanced exploration of gender-specific challenges, concerns, and experiences that may arise in the workplace.

Secondly, the experience of EB&Co is that women-only, and men-only groups can create a sense of psychological safety for participants and promote more candid discussions. Participants may feel more comfortable sharing their thoughts and experiences within a group of individuals who may have faced similar gender-related issues. This can lead to a deeper understanding of the unique challenges and opportunities that each gender may encounter within the organisation.

1.2.2 One-on-one interviews

Eighty-five (85) individual interviews were conducted by phone or online with an EB&Co Team member. Individual interviews proved an extremely popular method of participation for Airservices staff and EB&Co accommodated additional interviews over and above those originally scoped, as far as was possible.

The confidentiality of interview content was strictly maintained by EB&Co. The only exceptions to this were made in cases where an individual provided written consent for their information to be shared with Airservices, or if there were concerns regarding potential risks to that individual or others.

1.2.3 Online Survey

A confidential online survey was administered to current Airservices staff to understand their experience of the Airservices workplace culture and work practices. This included an examination of psychological safety, the prevalence and impact of harmful behaviours, including bullying and sexual harassment, questions about belonging and inclusion and employees' readiness to report incidents of harmful behaviours.

¹ The 2023 Survey was identical to the 2020 survey, except for additional questions related to cultural reform progress and psychological safety

1. The nature and scope of the Progress Review

All survey responses were de-identified and aggregated with the responses of other survey respondents. All results have been reported at group level, so that no individual can be identified.

Participants were asked for demographic information and the survey responses were weighted to the job family (employment profile), with percentages quoted in this report reflecting the estimated weighted prevalence among Airservices staff.

Survey results were analysed by a broad range of demographics, including: job family, gender, LGBTQI+, leadership and location. Differences in experiences that were found to be significant have been reported. Statistical significance is indicated in figures and tables with additional information below each provided.

Some cumulative percentages may not add to 100% and this is due to the rounding that has been applied. Demographic and workforce groups with a small sample size (<30) are not shown as discrete groups but they do contribute to overall estimates shown. This approach minimises risks to the privacy of individual respondents and avoids potential statistical issues with small sample sizes. In this report, we present survey findings from 2023 and compare them with the Broderick Review conducted in 2020. To maintain the utmost accuracy and representativeness of our survey results over time, rigorous data weighting procedures have been employed. These procedures account for the evolving characteristics of the survey cohort, mitigate the impact of non-response bias, address survey attrition, and correct for various factors that may introduce bias into the findings, establishing a foundation that allows for meaningful comparisons and trend analysis.

1.2.4 Written Submissions

Forty-seven (47) written submissions were received from Airservices employees via the EB&Co confidential email address. The Team also received written submissions from Civil Air and the United Firefighters Union of Australia (UFUA) detailing many of their members' experiences and describing the culture of Airservices more broadly since the Broderick Review of 2020.

1.2.5 Airservices documentation and other literature

The EB&Co Team sought and obtained documentation and information from Airservices. This included policies, strategies, frameworks, employee survey data, and vital metrics. While acknowledging the presence of some information gaps, the Team collected a comprehensive set of materials.

Additionally, the Team undertook literature reviews in relevant areas, bolstering its recommendations with a solid foundation of best practices observed across various industries. By incorporating this multi-faceted approach, the Progress Review's recommendations are enriched by a wide range of perspectives and industry best practice and expertise.

1.2.6 Briefings and Meetings

Regular briefings and meetings were held with Airservices leaders, namely, the Chief Executive Officer (CEO) the Executive General Managers, and the Airservices' Board. Additionally, discussions were held with representatives of Civil Air and the United Firefighters Union – Aviation Branch. All these sessions provided additional insights and helped to ensure a comprehensive understanding of the organisation's context.

85

One-on-one interviews

47

Written Submissions

14

Focus Groups 42.6%

Survey Response Rate

2.1 The Airservices cultural reform journey

Since 2020, Airservices has been on a path of cultural transformation. The EB&Co Team spoke with many Airservices employees who discussed cultural change and initiatives that have been put in place since the Broderick Review was completed.

Two years on, the Progress Review identifies a range of initiatives that have progressed, including:

- Implementation of many leadership development initiatives, including the formation of the 'Leadership Standard'.
- Establishment of a Cultural Reform Board that includes a diverse employee group.
- Introduction of a new reporting mechanism (Safe Place) to respond to incidents of harmful workplace behaviour.
- Initiation of efforts to establish inclusive amenities aimed at enhancing both dignity and safety in the workplace.
- Improved data collection on reports of misconduct and reporting.
- Introduction of additional options for flexible working arrangements.
- Review and implementation of a range of policies, including how to preventing and responding to harmful behaviours.
- Introduction of several education and training sessions on leadership, diversity and inclusion, the Code of Conduct and reporting processes.

The Progress Review also identified areas requiring immediate consideration and priority to ensure ongoing reform remains a priority. These areas are examined throughout the report.

EB&Co commends Airservices for maintaining its commitment to continuous improvement across a number of areas and the proactive approach taken in undertaking this Progress Review.

The Progress Review also reinforces the need to continue, and in fact accelerate, workplace culture initiatives into everyday operations. It emphasises the significance of maintaining high levels of engagement among staff and critically, leaders across all organisational levels so that they have buy-in and can communicate the positive messages of cultural reform across Airservices. Furthermore, it highlights the importance of consistently evaluating the long-term impact of cultural reform initiatives and offering insights into the evolution of these changes over time.

The Team acknowledges the profound impact of the global COVID-19 pandemic on the Airservices workforce. As the Broderick Review was reaching its final stages and new initiatives were taking shape, the world was grappling with the onset of the pandemic. Throughout 2021, as many as two-thirds of Airservices staff found themselves under various lockdown restrictions, with a significant portion based in Melbourne, enduring periods of isolation over a two year period. These circumstances brought about significant organisational disruptions, making it challenging to carry out cultural reform work and foster connections among individuals and teams. Despite these challenges posed by the global pandemic, Airservices remained steadfast in its commitment to advancing cultural reform initiatives and implementing strategic measures.

The Progress Review's findings are summarised under the six Pillars contained in the Broderick Review. They form the basis of this Report's suggestions to deepen the impact in a number of areas.

2.2 Key Findings

2.2.1 At a glance

There has been some steady progress by Airservices in implementing the recommendations from the Broderick Review. Despite the constraints of the COVID-19 pandemic and its impact on air travel, a number of positive changes have occurred. Strong commitment to strengthen the culture at Airservices is evident in several areas which are identified below.

Despite this, there appears to be inconsistent ownership and oversight of the implementation and tracking of the impact of the recommendations.

Whilst some reforms have been made and others started, most recommendations have largely been executed in an ad hoc way, without centralised oversight or a single point of contact to advise on or monitor the implementation process.

In addition, a lack of trust in decision-making at Airservices persists such that many employees have a level of scepticism about the commitment to, and depth of any positive change. This is a critical issue that should be addressed as a priority if the Broderick Review recommendations are to have lasting and positive impact.

The survey results on the prevalence of harmful behaviours, showed that sexual harassment and bullying in particular, remain a significant concern at Airservices.

- In relation to sexual harassment:
 - 19% of respondents experienced sexual harassment ever at Airservices, compared to 20% from the 2020 survey.
 - 17% of respondents experienced sexual harassment in the last five years at Airservices, compared to 18% from 2020.
 - 9% of respondents experienced sexual harassment in the last 12 months at Airservices, reflecting a decrease in the proportion of respondents who indicated they experienced sexual harassment in the 12 months prior to taking the survey in 2020 (down from 11% in 2020).
- In relation to bullying:
 - Just over half (52% in 2023, compared to 50% in 2020) of all survey participants had ever experienced bullying at Airservices.
 - Approximately two in five (43% in 2023, compared to 40% in 2020) of these respondents had experienced bullying in the last 5 years and;
 - 27% of respondents experienced bullying in the last 12 months at Airservices, reflecting an increase in the proportion of respondents who indicated they experienced bullying in the 12 months prior to taking the survey in 2020 (up from 23% in 2020).

2.2.2 Courageous and inclusive leadership

- Some strong action has been taken in establishing leadership standards and promoting leadership development throughout the organisation.
- The establishment of the Cultural Reform Board has been an important lever for staff to engage in the change process, but it could be used more effectively to accelerate progress.
- There is an ongoing lack of trust in leadership and addressing this challenge is a priority, with a focus on bridging the gap between leadership actions and the experiences of the broader workforce.
- There persists a perception that recruitment and promotion processes are still influenced by personal connections, rather than merit-based criteria supported by transparent recruiting processes.
- There remains a lack of psychological safety within Airservices which prevents individuals from openly expressing concerns and providing feedback to leaders. This lack of psychological safety hampers leaders' from fully understanding the impact of their actions and making necessary improvements.

2.2.3 Preventing bullying and sexual harassment

- Policies on bullying, sexual harassment and misconduct, and the Code of Conduct are comprehensive, clear, and accessible. However, these policies are not always 'lived on the ground'.
- Bullying is perpetrated 'top down' as well as between colleagues, and by employees to managers.
- Positively, the survey found there has been an increase in bystanders acting in relation to bullying and sexual harassment since 2020.
- Only a small proportion of survey respondents (11%) stated that they were highly confident (extremely and very confident) that Airservices could make meaningful change in relation to bullying.²
- 18% of survey respondents stated that they were highly confident (extremely and very confident) that Airservices could make meaningful change in relation to preventing sexual harassment.

² This question was introduced in the 2023 survey

2.2.4 A compassionate and human-centered response to bullying, exclusion and sexual harassment to enhance the reporting of incidents

- ▶ In August 2020, Airservices established Safe Place, a new reporting and response mechanism for staff. It officially started taking cases in October 2020. Since the Broderick Review, 'reporting to managers' has remained the most frequently used option for reporting, followed by 'reporting to Safe Place'. Overall, reporting incidents of harm remains low across the organisation.
- ▶ The independent Post Implementation Review (PIR) of Safe Place in 2021 provided a useful template for Safe Place to meet its objectives and the intent of the Broderick Review's recommendation. This led to the continued development of Safe Place, including a Charter in 2021 and the establishment of three discrete arms of Safe Place Case Management, Support, and Investigation.
- Since 2021, Safe Place has strengthened its responses and there is greater rigour in complaints handling, however a trust deficit remains among employees choosing to report incidents of harm to Safe Place.
- Lack of psychological safety persists across
 Airservices, with close to half (47%) of all survey
 participants indicating they were not at all confident
 that meaningful change could be made towards
 promoting psychological safety. This was followed by
 28% who were somewhat confident and 13% who
 were quite confident such change could be made.

2.2.5 Dignity, inclusion, and safety at work

At several sites, work has been completed towards the provision of facilities for creating inclusive and safe workplaces. However, concerns raised by staff that new facilities do not properly address the most pressing diversity and inclusion concerns require further consideration, and an effective consultation process with users of facilities should be implemented as a priority.

2.2.6 Monitoring and evaluation

- Significant effort has been made in the development and evaluation of surveys for Airservices employees, providing an opportunity for employee feedback.
- There remains a gap between survey intentions and their practical impact on employee experiences.
- There is a lack of clarity in communication, followup processes, and accountability for implementing outcomes resulting from surveys.
- Survey fatigue is evident, putting at risk the provision of robust employee engagement and feedback to Airservices.

2.3 Perceptions of Airservices culture – survey results

2.3.1 Perceptions of Airservices culture

The Progress Review invited all Airservices employees to participate in an (identical) survey that was administered as part of the Broderick Review. A total of 1,441 employees responded to the survey (a healthy response rate of 42.6%) to gauge perceptions of Airservices culture and provide a comparison to perceptions of culture gathered in 2020.

Overall, respondents rated highly the camaraderie and friendships formed while working at Airservices. Four in five (80%, down from 83% in 2020) reported positive working relationships and 79% (down from 85% in 2020) formed good friendships at Airservices.

There were some differences between Airservices job family groups, including:

- Those who enjoy working at Airservices were more likely to be from the Enabling Professions (67%) and Information and Communications Technology (ICT) (69%).
- Those who would recommend Airservices as a place to work were more likely to be from the Enabling Professions (49%), ICT (56%), Senior Leadership (60%) and Frontline Management (63%).

- ► Those who have made good friendships at Airservices were more likely to be from the Aviation Rescue & Fire Fighting (ARFFS) (88%).
- Respondents who could see themselves working at Airservices for at least the next five years were more likely to be those from the ATM (55%), ARFFS (48%) and Frontline Management (59%).
- Surveyed employees from the ARFFS (48%) and Frontline Management (59%) were more likely to agree they could see themselves working at Airservices for the rest of their career.

Perceptions of Airservices are illustrated in Figure 1.

Between the 2020 and 2023 surveys, the proportion of respondents agreeing (strongly agree or agree) with most of the statements declined significantly (see Figure 2). The largest decreases between the two survey periods were recorded for 'I would recommend Airservices as a place to work', and 'I see myself working at Airservices for the rest of my career' (both declining by approximately 14%).

Some of the statements of further interest which showed differences were:

- A higher proportion of those who have worked at Airservices for fewer than 5 years agreed with the statements 'I enjoy working at Airservices' (70%) and 'I would recommend Airservices as a place to work' (51%).
- A higher proportion of those who have worked at Airservices for 5 years or more agreed with the statement 'I see myself working at Airservices for the rest of my career' (40%).
- A higher proportion of those aged 55-64 years old agreed with the statement 'I would recommend Airservices as a place to work' (52%).

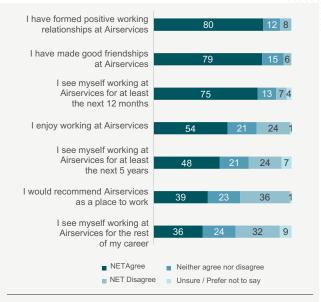


Figure 1. Overall perceptions of Airservices 2023 (%) Please indicate how much you agree or disagree with the following statements Base: All survey participants (n=1,441).

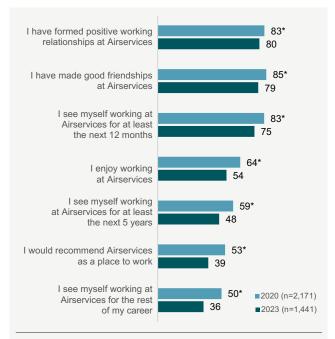


Figure 2. Overall perceptions of Airservices in 2020 & 2023 (% agree/strongly agree) Please indicate how much you agree or disagree with the following statements. Base: All survey participants. *Indicates result is significantly higher compared to the other year.

2.3.1.1 Perceptions of Airservices by gender

When considering survey results by gender, males were more likely to see themselves working at Airservices for the long-term than females (51% vs. 38% for the next five years; 40% vs. 23% for the rest of their career). These differences were more pronounced in the 2023 survey compared to the 2020 survey. The results by gender are summarised in Figure 3 and Table 1.

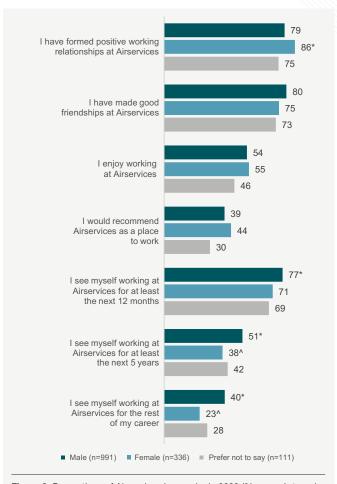


Figure 3. Perceptions of Airservices by gender in 2023 (% agree / strongly agree) Question item – Q2. Please indicate how much you agree or disagree with the following statements. Base: All survey participants. * indicates significantly higher results compared to all other subgroups combined (p<.05), ^ indicates significantly lower results.

		2020			2023		
n	Total 2,171	Male 1,551	Female 468	Total 1,441	Male 991	Female 336	
I feel I belong at Airservices	65	65	67	54	54	55	
I would recommend Airservices as a place to work	53	54	53	39	39	44	
I have made good friendships at Airservices		86	83	79	80	75	
I have formed positive working relationships at Airservices	83	84	85	80	79	86*	
I see myself working at Airservices for at least the next 12 months	83	83	85	75	77*	71	
I see myself working at Airservices for at least the next 5 years	59	60	56	48	51*	38^	
I see myself working at Airservices for the rest of my career	50	54	35	36	40*	23^	

Table 1. Overall perceptions of Airservices by gender in 2020 and 2023 (% NET agree) Question item – Please indicate how much you agree or disagree with the following statements. Base: All survey participants Results have been significance tested against the other gender and values that are significantly higher (*) or lower (^) are flagged (p<.05). Proportions may not add to 100% due to omission of 'Gender Diverse' and 'Prefer not to say' responses.

2.3.2 Belonging, value and exclusion at Airservices

Overall, perceptions of belonging and value at Airservices declined between the two survey periods. Approximately two in five (41% down from 48% in 2020) agreed with 'I feel I belong at Airservices', while 29% (down from 39% in 2020) agreed with 'My work role is valued by Airservices'.

The percentage of respondents who often felt excluded from cliques increased in 2023 (24%, up from 21% in 2020).

There was a relatively high connection to work groups. Close to three quarters of employees felt a sense of belonging to their work group, with minimal changes recorded between 2023 and 2020 (71% and 72% respectively).

Among the Airservices job families, the following significant differences were recorded:

- Surveyed employees from the Enabling Professions (50%), ICT (59%) and Senior Leadership (66%) had a higher incidence of agreeing with 'I feel I belong at Airservices'.
- ► Those from the ARFFS were more likely to record low levels of agreement (31%) with this statement.
- ▶ Those who feel that their work role is valued by Airservices were more likely to be from the Enabling Professions (49%), ICT (50%) and Senior Leadership (60%).
- Conversely, low levels of agreement were more likely among the Air Traffic Management (ATM) (19%) ARFFS (16%).

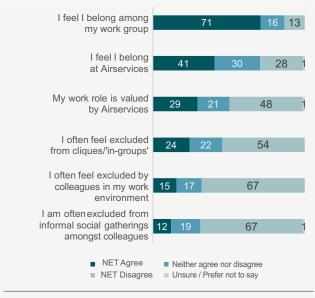


Figure 4. Belonging, value and exclusion at Airservices in 2023 (%) *Please indicate how much you agree or disagree with the following statements.* Base: All survey participants (n=1,441).

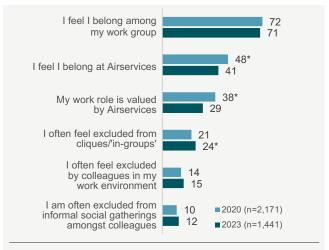


Figure 5. Belonging, value and exclusion at Airservices in 2020 and 2023 (% agree/strongly agree) Please indicate how much you agree or disagree with the following statements. Base: All survey participants. *Indicates significantly higher result compared to the other year.

2.3.2.1 Belonging, value and exclusion at Airservices by gender

When looking at the survey results by gender, women were more likely to feel their roles being valued by the organisation compared to men (39% in 2023 vs. 28% in 2020). Men report lower levels of agreement regarding sense of value than the previous survey (28% in 2023, down from 39% in 2020).

The results by gender are summarised in Figure 6.

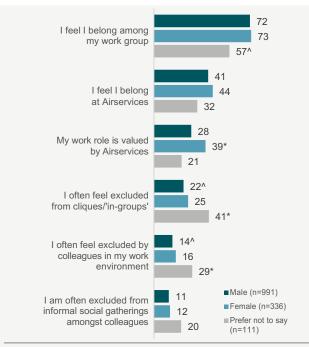


Figure 6. Belonging, value and exclusion at Airservices by gender in 2023 (% agree / strongly agree) Question item – Please indicate how much you agree or disagree with the following statements. Base: All survey participants * Indicates significantly higher results compared to all other subgroups combined (p<.05), ^ indicates significantly lower results.

2.4 Perceptions of inclusiveness at Airservices – survey results

Those surveyed were asked to rate their level of agreement (on a 5-point scale) with a set of statements about inclusion and diversity. These statements measured respondents' perceptions of Airservices being inclusive to people of different backgrounds, including genders, cultures, gender identity and sexual orientation and abilities.

Perceptions of Airservices being inclusive of people identifying as part of the LGBTI+ community (54% in 2020 and 62% in 2023) and people of Aboriginal and/or Torres Strait Islander origin (53% in 2020 and 59% in 2023) significantly improved in 2023 (increases of approximately 8% and 6% respectively). However, a significantly lower proportion of employees who identify as LGBTI+ agreed with the statement 'Airservices is an inclusive of people who identify as part of the LGBTI+ community' (43%).

Significant declines were recorded for the statements 'Airservices is a diverse and inclusive environment for everyone' (52%, down from 56% in 2020) and 'Airservices is inclusive of people with a disability' (45%, down from 50% in 2020).

Inclusivity towards people from different cultural and linguistic backgrounds and women remained largely unchanged between 2023 and 2020 (at 68% in 2020 and 67% in 2023).

	2020			2023			
n	Total 2,171	Male 1,551	Female 468	Total 1,441	Male 991	Female 336	
I feel I belong at Airservices	48	49	49	41	41	44	
I feel I belong among my work group	72	71	70	70	72	73	
I often feel excluded by colleagues in my work environment	14	12	17*	15	14^	16	
I often feel excluded from cliques / 'in-groups'	21	19	27*	24	22^	25	
I am often excluded from informal social gatherings amongst colleagues	11	9	14*	12	11	12	
My work role is valued by Airservices	39	39	42	29	28	39*	

Table 2. Belonging, value and exclusion at Airservices by gender in 2020 and 2023 (% NET agree) Question item – Please indicate how much you agree or disagree with the following statements. Base: All survey participants Results have been significance tested against the other gender and values that are significantly higher (*) or lower (^) are flagged (p<.05). Proportions may not add to 100% due to omission of 'Gender Diverse' and 'Prefer not to say' responses.

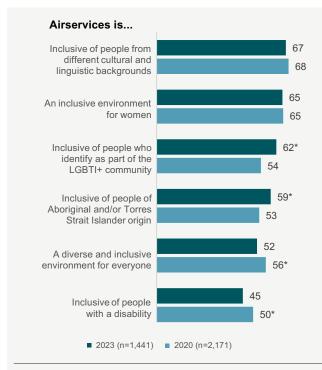


Figure 7. Perceived inclusiveness at Airservices in 2020 and 2023 (% agree / strongly agree) Question item. Please indicate how much you agree or disagree with the following statements. Base: All survey participants. *Indicates significantly higher result compared to the other year.

Among the job family sub-groups, the following significant differences were recorded:

- Agreeing that 'Airservices is a diverse and inclusive environment for everyone' was more likely among those from the Enabling Professions (64%), ICT (70%) and Senior Leadership (75%).
- Agreeing that 'Airservices is inclusive of people identifying as part of the LGBTI+ community' was more likely among those from Senior Leadership (83%).
- Agreeing that 'Airservices is inclusive towards people of different cultural and linguistic backgrounds' was more likely among respondents from the ICT (83%), Senior Leadership (86%) and Technical and Trade (80%).
- Agreeing that 'Airservices is inclusive of people with a disability', the Enabling Professions (56%), ICT (62%), and Senior Leadership (73%) showed a higher likelihood of agreement among survey participants.

Survey participants from the Enabling Professions (56%), ICT (62%) and Senior Leadership (73%) were more likely to agree that 'Airservices is inclusive of people with a disability'.

Respondents were then asked to rate their level of agreement (on a 5-point scale) with three statements about increasing the number of women across Airservices roles.

Overall responses were mixed among employees surveyed. More than half of those surveyed indicated they 'neither agreed nor disagreed' that 'There should be more females in the senior leadership positions' (53%) and 'There should be more females in my work role' (52%).

Close to half (47%) of the survey participants disagreed with the statement, 'There should be targets to increase the number of females in my work role'. Approximately one third (32%) neither agreed nor disagreed with this statement, and 18% agreed.

There were some significant differences to these responses when analysing by gender. Females were significantly more likely to agree that more females should be in leadership positions (58% of women compared to 27% of men) and that there should be targets to increase the number females (27% of women compared to 17% of men).

The level of agreement across all three diversity statements was similar to that recorded in 2020. Among the different Airservices job families surveyed, those in ATM (40%) and Senior Leadership (50%) were more likely to agree that there should be more females in their work role.

Higher proportions of those from the Enabling Professions (46%) and Senior Leadership (53%) job families agreed that there should be more females in senior leadership positions.

In summary, whilst there has been commitment and partial implementation of the recommendations, that full impact is yet to be realised. This Progress Review provides an opportunity to deepen the impact on a number of initiatives so as to accelerate cultural change.

3.1 Introduction

Airservices received the report, *A Review of Culture at Airservices Australia*, comprising the findings of the Broderick Review in May 2020, and accepted all recommendations in full, promptly initiating action in each identified area. CEO Jason Harfield, in an initial video address to all Airservices people, noted that while the report indicated many positive aspects to work culture at Airservices:

44 ...the report also contained deeply disappointing reports of bullying, harassment and workplace exclusion that are completely unacceptable. This behaviour has no place in any work environment, and I apologise unreservedly on behalf of the organisation to anyone who has experienced unacceptable conduct. As I have said before, there is zero tolerance for any form of workplace bullying, harassment, and misconduct. This report is a line in the sand for all of us in Airservices. no matter who we are, what we do, or where we are located. Every single one of us has a role to play to ensure that we become a diverse and inclusive workplace for everyone, every day, without exception.3

Senior Leaders also took the opportunity to share their personal reflections of the Broderick Review. They acknowledged the importance of fostering a diverse and inclusive work environment where every individual feels valued, respected, and empowered to contribute their unique perspectives and talents. These leaders acknowledged the significance of their roles in driving cultural transformation and expressed an openness to actively listen to the concerns and ideas of the workforce. By openly sharing their own experiences and at the time, committing to transparent communication and action, these senior leaders sought to encourage a collective effort towards positive change and cultivate a culture of continuous improvement.

3.2 Airservices approach to implementing cultural reform

Based on the cultural reform pillars outlined in the report of the Broderick Review, Airservices undertook a thorough implementation program of diverse initiatives across each identified area. To ensure transparency and accountability, key lead and lag performance metrics were regularly reported to the Board and Executive, enabling them to monitor progress.

The Team meticulously examined the documentation and supporting evidence provided by Airservices, as part of its comprehensive analysis for this report. In subsequent chapters, more detail of the initiatives that have been developed and progressed is provided. This Progress Review also identifies challenges encountered during the implementation process. This analysis provides valuable insights into the current state of initiatives and highlights areas where further attention and action may be required.

Cultural reform is a complex and long-term undertaking. This makes it challenging to assess Airservices' success within a two-year timeframe, particularly given that the Broderick Review report was released immediately prior to COVID, and the pandemic has had significant organisational impacts. The Progress Review provides an opportunity to examine shifts in the environment and determine what adjustments may be necessary to expedite the pace of change.

3.3 Identified challenges and barriers to change implementation at Airservices

The EB&Co Team heard from many people across Airservices in relation to their reflections on the initial report, and their experiences and observations of cultural reform since 2020. The overwhelming response was that the Broderick Review was welcomed by the vast majority of Airservices people, driving hope and optimism for a more robust and inclusive organisational culture. We heard:

There has been massive improvement in the day-to-day culture. There is less casual bullying. The throw away lines, the sexist comments, the casual racist comments – these have largely stopped. There is good education from Airservices.

³ Jason Harfield video speech to all Airservices staff, 1st June 2020

Thank you for the work your organisation did on this; it would've been a complex and significant piece of work to put together; it has resulted in some key tangible outcomes that are now in place. I think that Airservices has shown leadership by having any actual or perceived concerns and issues addressed by an organisation like yours. It is the sign of a mature organisation that can look inward and accept feedback on its performance. I applaud the board and executive for taking this action and implementing the findings.

I do think there have been improvements in some areas. I am in the fortunate position that I have a great team, a good relationship with them and I have nil ambitions beyond doing the best for my team and securing their future. I am supported by a great director who trusts me to do my job.

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The outcomes of the Broderick review have been relevant...[and] the organisation has made great strides in terms of inclusiveness [and] diversity of thought.

However, the EB&Co Team also encountered individuals who were concerned about the slow speed of change or perceived ineffectiveness of the implemented changes. The Team heard recurring themes relating to a lack of psychological safety, a persistent distrust of leadership actions, and doubt that change was genuine and sustainable:

After your review was completed and the findings were published there was a lot of hope for change. This however was short lived for many of us on the ground. Management managed to twist and turn findings and dismiss areas as minor compared to other areas and therefore change was a façade. The right words were spoken and that was the extent of change that many of us felt. My career has suffered as a result for calling out unfair and discriminatory behaviour.

Have things changed since the Broderick report? For me personally not a lot. I have not seen any real improvement in the behaviour of staff including peers and management.



Culture has not got any better in the past couple of years. We cannot tell it as it is. We can't ask for help.

The Team found that while it was clear that substantial effort had gone into the reform process, overall, there were several challenges and barriers to progressing initiatives. For example, it was evident that there were high expectations regarding cultural reform within Airservices, but individuals had varying levels of understanding about the 'what, why, and how' of the reform process.

Cultural reform, a intricate and non-linear process, thrives with some friction during change. Friction signals transformation⁴, but excessive tension, as observed by EB&Co Team, hampers progress. However, the EB&Co Team found that a high level of tension was impeding progress.

3.3.1 In their own words – perceptions of leadership effectiveness

The quantitative and qualitative data revealed a lack of trust by employees in the capability and actions of leaders to progress cultural reform. This lack of trust is impeding overall progress and this was considered by participants a significant obstacle to achieving cultural change. At the heart of this issue is the overwhelming perception that people are not genuinely listened to, nor their concerns acted upon. Further, participants in the Progress Review identified that there was a lack of genuine psychological safety to speak up within Airservices. It was seen as problematic that "the leaders who had set the cultural tone prior to the Broderick Review, could be the leaders who set the cultural tone going forward". The missing element for many seemed to be the transition from idea to personal action – leaders walking the talk.

⁴ Changing company culture requires a movement, not a mandate (2017) Harvard Business Review. Available at: https://hbr.org/2017/06/changing-company-culture-requires-a-movement-not-a-mandate

It was felt that trust had further eroded since the Broderick Review:

It is so unfortunate that time after time our suggestions, complaints, and our questions are falling on deaf ears. I cannot believe the lack of human empathy, people skills and outright management skill shortage in the higher levels of this company and yet we continually seem to blindly trek along this path.

With respect to cultural change, it's very difficult to believe in the message from senior management when there is an element of the senior management who were complicit in the need for change... Until there is 'real' senior management/board commitment the whole cultural change drive is all lip service.

I have total confidence in the CEO's vision, but the significant gap is in leadership capability at the levels between staff and the CEO. We appreciate initiatives to support Indigenous staff, women etc, but, if we aren't hiring more women, promoting them, or listening to them these improvements can't actually materialise.

Leaders often show their staff a lack of respect by sending communications through inappropriate channels, by contacting them at all hours to fix roster holes despite requests not to do so, or by distributing negative feedback about an individual's work performance via a group wide email instead of personally, to name a few examples.

3.3.2 Adaptive leadership challenges

An adaptive leadership skill set is crucial for facilitating cultural change within any organisation, including Airservices. Transitioning from a transactional to a transformative organisational culture is a complex and challenging process. It requires a comprehensive change in the way individuals lead and interact with one another. This entails adopting leadership practices and behaviours that align with the desired cultural shift. While Airservices has recognised the importance of this evolution, it is still in the early, and arguably the most challenging, stages of implementation.

In a transactional culture, the focus is largely on completing tasks, following procedures and meeting goals and targets. There is usually an emphasis on maintaining stability and efficiency in day-to-day operations. Many roles within Airservices require this approach operationally. However, this approach is not always appropriate for changing culture. Airservices needs leaders to take a transformational approach using adaptive leadership skills to foster innovation, collaboration, and continuous improvement.

To support Airservices cultural transformation leaders must embody a leadership style that aligns with the goals of cultural reform as laid out in the Broderick Review, transitioning from traditional command and control and autocratic styles to a more transformational, collaborative approach. This requires a shift in mindset, focusing on empowering and developing their teams rather than solely relying on authority and top-down decision-making.

The transition to a transformational leadership style does not negate the need for structure and accountability. Effective leaders strike a balance between providing guidance and autonomy, empowering their teams to take ownership of their work while ensuring alignment with organisational goals and values.

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People are behaving the way they are behaving because of the culture that is being promoted. We need leadership to show empathy, to say where they have it wrong, and how they are going to change. We need to be in this together.

Courageous and inclusive leadership, Pillar 1, is further examined in <u>Chapter 4</u>.

3.3.3 Workplace backlash and resistance

Workplace backlash, following a cultural review, can occur because scrutinising existing organisational practices, norms, and behaviours, can bring to light systemic issues, biases, and inequities. Backlash refers to the negative reactions, resistance or pushback that can occur from this process and stems from a range of factors, including fear of change, perceived threats to established norms or power dynamics, or a sense of personal or collective identity being challenged. Some common forms of backlash include denial or minimisation of the issues raised, and resistance (passive or overt) to implementing recommended changes.⁵

The Progress Review revealed that certain participants, particularly women, experienced backlash following the publication of the Broderick Review. It was observed that some individuals perceived women as the 'unequal beneficiaries' of employment initiatives, creating a climate where raising concerns about inequality or unfair treatment became a source of fear. As a result, the voices of these individuals may have been further silenced or suppressed.

There was a lack of understanding by some employees about diversity, inclusion, equity, and why cultural reform is necessary. The failure to understand the case for change, and the importance of embracing diversity and fostering an inclusive and equitable environment, poses a significant challenge to Airservices' cultural transformation efforts. Further, it can give rise to false narratives being perpetuated throughout the organisation such as "women and other groups are not promoted on merit or are appointed to positions based on their diverse backgrounds."

Why don't men and women have the same career opportunities at Airservices? Because women and people from minority backgrounds are given preference. This is not an opinion. This is fact! It has been stated by Airservices in open communications on multiple occasions and is reverse discrimination.

Airservices actively prioritises female applicants in recruitment. That, by definition, is un-equal opportunity.

Gender is preferred over capabilities.

We have been told that Airservices are targeting more female employees by HR and even looking to make stations more attractive for female employees. This has created a feeling that males are missing out on positions even though they may be better suited.

Backlash was also experienced by those who challenged unacceptable behaviour. There were instances where individuals who spoke out against inappropriate conduct or raised concerns about poor workplace culture faced negative consequences, in turn discouraging others from coming forward with their own experiences or opinions, perpetuating a culture of silence and reinforcing power dynamics that normalise unacceptable behaviour.

Successfully managing backlash involves recognising it as a part of the change process, and planning for and proactively addressing resistance. The EB&Co Team emphasises the need for leaders to actively seek out and continually listen and learn from individuals and groups that may be experiencing backlash so that responsive interventions can be incorporated into current and future actions.

3.3.4 Psychological safety

The absence of psychological safety was a common theme in many interviews, focus groups, and through survey feedback. The Team found that there were not yet the cultural conditions in place that were consistently cultivated by all leaders, to ensure trust and open communication. Psychological safety makes good business sense – it is good for performance and productivity. The Harvard Business Review found that:

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Diverse teams need the lubricant of psychological safety to ensure that their members ask questions and share ideas.

Leaders, and other team members, play a crucial role in nurturing psychological safety through framing, inquiry skills, and a capacity to step in to bridge different perspectives.

⁵ See – Lee, J. (2023) 'A critical review and theorization of workplace backlash: Looking back and moving forward through the lens of social dominance theory', Human Resource Management Review, 33(1), p. 100900. doi:10.1016/j.hrmr.2022.100900; 'Unpacking backlash: Social costs of gender non-conformity for women and men' (2022) Journal of Research in Gender Studies, 12(2), p. 9. doi:10.22381/jrgs12220221.

When this happens, teams stand to gain more than just performance benefits. Effective leadership of diverse teams also builds a healthier work environment and a more satisfying team experience.⁶

Psychological safety is a condition where an individual feels (1) included, (2) safe to learn, (3) safe to contribute, and (4) safe to make mistakes or challenge the status quo — all without fear of being embarrassed, marginalised, or punished in some way. However, these conditions were not experienced by all Airservices people. For example:

This is not a psychologically safe environment for the most part; we do not have an environment where bad news is tolerated, so it just isn't communicated. This is deeply concerning in a safety-critical environment. When things are communicated because [they] must be, we are still deeply a blame culture, one where those that are proximal to something (i.e., the worker) are blamed.

Capability around manager level handling psychological safety is poor. It's all about safety, but not about safety for our people.

3.3.4.1 What the survey revealed – psychological safety

The 2023 Progress Review Survey asked Airservices employees several questions relating to belonging, value and inclusion, alongside specific questions relating to aspects of psychological safety, such as being able to speak up, share ideas, call out issues and make mistakes without fear of humiliation or retribution.

Responses across the statements tested were mixed. Close to three quarters (71%) of respondents indicated they felt safe when asking questions and sharing new ideas with their team⁸, indicating that people feel reasonably comfortable within their immediate environment and with colleagues or peers. Conversely, less than one third (28%) of survey participants were confident inappropriate behaviour would be dealt with appropriately after reporting (a decrease from 33% in 2020).

Around half of those surveyed agreed with the following aspects of psychological safety:

- I feel confident to speak if I don't agree with something said or done' (54%).
- I feel confident calling out behaviour that is inappropriate' (52%).
- I won't receive retaliation or criticism if I admit to an error or a mistake I have made' (49%).

Of concern, the proportion of respondents who indicated that they don't always feel safe in their workplace **significantly increased** in 2023 (23%, up from 15% in 2020). When analysed by gender, almost equal numbers of men (23%) and women (22%) indicated that they don't always feel safe in their workplace.

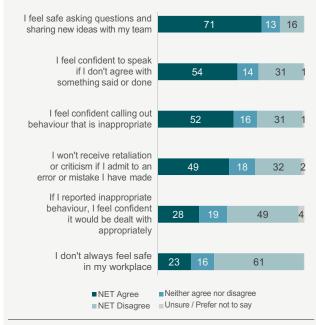


Figure 8. Perceptions of Safety at Airservices in 2023. *Please indicate how much you agree or disagree with the following statements. Base: All survey participants (n=1.441.)*

⁶ Bresman H and A Edmonson (2022) "Research: To Excel, Diverse Teams Need Psychological Safety "Harvard Business Review https://hbr.org/2022/03/research-to-excel-diverse-teams-need-psychological-safety"

⁷ Clark, T.R (2020) The 4 stages of psychological safety. San Francisco: Berrett-Koehler Publishers.

⁸ New survey question for 2023, no comparable 2020 data.

3.3.4.2 Differences in perceptions of psychological safety across Airservices

There was a range of differences for these psychological safety behaviours between job families and gender. These differences include:

Feeling safe asking questions and sharing new ideas with the team:

Those from the Enabling Professions (79%), ICT (83%), and Senior Leadership (85%) were more likely to agree they feel safe asking questions and sharing new ideas with their team.

Feeling safe to admitting to an error or mistake:

Higher proportions of respondents from the Enabling Professions (67%), ICT (62%) and Senior Leadership (64%), and those who identify as female (60%) agreed that they can admit to an error or mistake without receiving retaliation or criticism.

Confidence in speaking up:

▶ Higher proportions of respondents from the ICT (71%) and Senior Leadership (71%), and those who identify as male (58%) indicated they would feel confident speaking up if they didn't agree with something that was said or done.

Not always feeling safe:

Not always feeling safe in the workplace was more likely among those from the ARFFS (31%) and ATM (28%).

Calling out inappropriate behaviour:

▶ Those who feel confident calling out inappropriate behaviour were more likely to be from the ICT (66%), Senior Leadership (77%), and Frontline Management (71%).

Confidence that inappropriate behaviour would be dealt with appropriately after reporting:

▶ Those who were confident that inappropriate behaviour would be dealt with appropriately after reporting were more likely to be from the Enabling Professions (39%), ICT (43%), Senior Leadership (45%), and Technical and Trade (40%).

3.3.4.3 Perceptions of the capacity of leadership at Airservices to drive change

The 2023 Survey included questions about the level of confidence among employees that meaningful change could be made by leaders regarding psychological safety at Airservices. This was important to measure for several reasons. Firstly, by understanding these perceptions, Airservices can identify gaps and areas for improvement, and tailor strategies and initiatives. Secondly, it helps to determine whether the implemented measures are having impact and instilling a sense of confidence in employees' ability to speak up, share ideas, and take reasonable risks without fear of negative consequences. Finally, tracking perceptions of confidence over time provides a metric for evaluating the progress of cultural transformation. It helps identify trends and any lingering barriers that may impede the development of a psychologically safe work environment.

Survey respondents were asked how confident they were that meaningful change could be made by Airservices in promoting psychological safety.

Close to half (47%) of all survey participants indicated they were **not** at all **confident** that meaningful changes could be made towards promoting psychological safety. This was followed by 28% who were somewhat confident and 13% who were quite confident such change could be made.

These results together with the shared experiences of employees demonstrate that further initiatives are necessary to cultivate a strong culture of psychological safety embedded in the day-to-day operations of all Airservices teams.



Figure 9. Confidence that Airservices can make meaningful change in promoting psychological safety (%) What is your level of confidence that Airservices can make meaningful change in promoting psychological safety? Base: All 2023 survey respondents

Leaders within Airservices should be accountable for actively fostering and maintaining environments that prioritise psychological safety. They should create environments where individuals feel comfortable to express their opinions, share ideas, and take risks without fear of retribution or judgment. By doing so, leaders lay the foundation for open communication, collaboration, and innovation.

The significance of psychological safety cannot be overstated. Research consistently underscores its pivotal role as the true "engine of performance" in the workplace. When employees feel psychologically safe, they are more likely to contribute to their full potential, engage in creative problem-solving, and take calculated risks. They feel empowered to challenge the status quo, provide honest feedback, and participate in constructive dialogue. This environment not only drives individual performance but also fosters team cohesion and collective achievement.

Psychological safety also enables a culture of learning and continuous improvement. When individuals are not afraid of making mistakes or admitting their limitations, they are more inclined to seek feedback, share knowledge, and actively seek personal and professional growth. Psychological safety creates an environment where errors are seen as opportunities for learning and innovation, rather than as reasons for punishment or shame.

Critically, psychological safety has a profound impact on employee wellbeing and satisfaction. When individuals feel safe and supported in their work environment, they experience lower levels of stress, burnout, and turnover. This, in turn, leads to higher levels of engagement, motivation, and overall job satisfaction.

3.3.5 Oversight and quality of implementation

The quality and oversight of implementation emerged as potential factors impeding progress of cultural reform. While initial and ongoing efforts and intentions to drive change are evident, effective execution and monitoring of reform initiatives are crucial for their sustained success. Insufficient attention to implementation can result in incomplete or inconsistent approaches, leading to limited impact and slow progress.

An example of this was the implementation of inclusive facilities. The Team heard how this well-intentioned strategy had become a lightning rod for anger, frustration, and disappointment, due to the way this recommendation from the Broderick Review has been implemented. Many people felt they had not been consulted, nor listened to when calling out problems at various locations with the proposed plan for inclusive facilities.

While this example will be explored in greater detail in <u>Chapter 8</u>, it highlights the significance of carefully considering the implementation of recommendations within the Airservices environment. It underscores the importance of identifying the individuals or teams responsible for ensuring that the intended changes are executed consistently and effectively and have the right impact. By addressing these implementation considerations, Airservices can enhance the likelihood of successfully translating recommendations into tangible actions that drive meaningful cultural change.

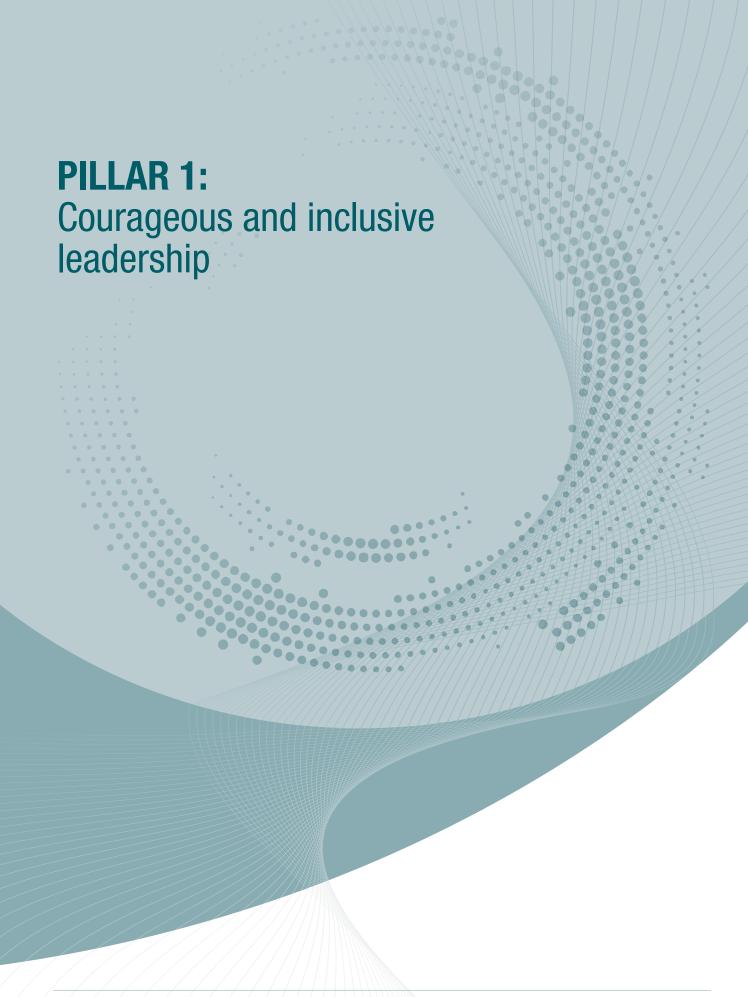
3.3.6 Broader workplace issues

Workplace issues (defined here as challenges and conflicts related to the work environment and employment conditions) can significantly impede cultural reform. If employees are focused on immediate industrial concerns, it becomes difficult to dedicate time and attention to broader cultural transformation efforts.

Secondly, industrial issues can lead to a strained relationship and/or lack of trust between leaders, management, and staff and unions, which can result in employees being less receptive. Employees who also feel disengaged or undervalued may be less inclined to actively participate in cultural reform.

The Progress Review heard from many individuals who were keen to discuss industrial and workplace, health, and safety issues, even though the Progress Review's focus did not specifically include those aspects. It is understandable that such issues can be significant for employees, as they directly impact their daily work experiences and livelihoods. The Progress Review acknowledges the impact of unresolved issues on staff, particularly the impact on employee morale and engagement, and notes that this may negatively impact the overall success of cultural reform initiatives.

⁹ Kim, S., Lee, H. and Connerton, T.P. (2020) 'How psychological safety affects team performance: Mediating role of efficacy and learning behavior', Frontiers in Psychology, 11. doi:10.3389/fpsyg.2020.01581.



4.1 Recommendation A – cultural reform is owned by leaders

Cultural reform, including the recommendations contained in this Report, must be owned by the CEO and the Executive Team with responsibility for cultural change embedded into their performance metrics.

4.1.1 Intent of recommendation

This first recommendation made by the Broderick Review emphasised the significance of ownership and accountability at the highest level of Airservices. The recommendation highlighted that cultural change should not be delegated solely to lower-level employees or teams; instead, senior leadership must actively champion and drive the cultural transformation. Further, embedding responsibility for cultural change into performance metrics underscores the importance of making cultural reform a measurable and tangible objective for the CEO and the Executive Team. This ensures that cultural change is not seen as an abstract concept, but rather a concrete goal that directly affects these leaders' performance evaluations.

4.1.2 Implementation Actions / Progress Review Findings

The EB&Co Team were provided with information on the implementation of the new Leadership Standard – 'a clear articulation of how we expect our leaders to lead our people through change.' The Leadership Standard outlines clear expectations and accountabilities for leaders, including how the leadership pipeline will be built for aspiring leaders. Airservices notes that an additional assessment tool was introduced in 2022 for those in the Executive Talent Pool, with application of the tool extended in 2023. The Leadership Standard is also discussed at 4.7.2.

The EB&Co Team was unable to evaluate the progress of incorporating responsibility for cultural change into the performance metrics of the CEO and Executive Team due to a lack of available information.

It is important to highlight that the role of the Chief People & Culture Officer is currently being reviewed. Once this review is complete, it is recommended that the performance metrics for the Executive be re-evaluated, (with the Board taking responsibility for the CEO's performance plan). This will ensure that the original recommendation is implemented with concrete actions taken at the Executive level. The Progress Review makes suggestions in this regard in Appendix 1.

4.2 Recommendation B – establish a Cultural Reform Board

Building on the work of the Diversity and Inclusion Council, the CEO and the Executive Team should establish the 'Cultural Reform Board', a targeted group of no more than 15 members from across the organisation and at different leadership levels to assist with the cultural change process, including the implementation of the recommendations contained in this Report.

The Cultural Reform Board should be chaired by the CEO; be gender balanced; include leaders from across functional areas who are champions of reform and/or are in positions of influence.

4.2.1 Intent of recommendation

The intent of this recommendation was to establish a dedicated and focused group to aid in the process of cultural change within Airservices, recognising the need for a targeted team to drive the implementation of the recommendations outlined in the Broderick Report. It was not proposed that the Cultural Reform Board (CRB) takeownership of the cultural change agenda as this responsibility sits with leaders, but be a forum for Airservices diverse voices to contribute to the cultural reform agenda.

The intent was also that it would carry the messages of cultural reform to the different areas of the business.

^{10 &#}x27;Trust, Care and Accountability: A New Approach to Leadership' document provided by Airservices to the Progress Review Team

4.2.2 Implementation Actions

In July 2020, the CRB was established with fifteen (15) staff appointed representing teams across Airservices. A comprehensive Charter was established with the objectives of the CRB to:

- Act as a centre of excellence and source of insight for all cultural change related matters.
- Proactively collaborate and assist the organisation in prioritisation of key cultural reform activities required to drive our cultural change journey.
- Oversee the governance and implementation of Airservices existing cultural reform commitments (including those arising from the Culture Review conducted by Elizabeth Broderick & Co).¹¹

In a two-year progress summary to staff¹² it was noted that the CRB had been engaged in:

- Developing the Living Our Values Recognition and Awards program.
- Establishing facilities at various workplaces such as the new parents and reflection rooms.
- Supporting the work of Employee Networks to promote connection and inclusion.
- Looking at ways Airservices can better support its people through different stages of their career.
- Reviewing recruitment processes to drive a more human-centred approach.

It is also noted that the CRB is now into its second iteration, with original Board members completing a two-year term.

The CRB serves as a strategic and collaborative forum, for Airservices to draw on the expertise, lived experiences and influence of its members in different parts of the organisation to contribute to meaningful cultural transformation.

4.2.3 Progress Review Findings

The decision to establish the CRB was positively received across Airservices. It also commends all members who sit on the CRB and have a strong commitment to cultural change.

However, the Progress Review Team found a mixed reaction among Airservices' employees to the tangible outcomes and the impacts of the CRB:

Everyone was so excited about nominating for the board. However, after a couple of meetings, I had this question – how should we work as a board? Should we look at proposals, etc. like an actual board? It is really like a hybrid of a brief of what was going on, and how many boxes leadership had ticked from the last review.

There is no governance structure. Everyone on the board was using it as a way of gaining personal favour with the CEO. There is no common goal for the CRB. Everyone knew the CRB was not working. But no-one could say it. We need to get rid of the CRB, it would not work to reboot it.

A lot of boards (including the CRB) and other groups are meeting but nothing is effectively changing. I haven't seen the change.

The CRB is now getting some governance and terms of reference, it has just been ticking boxes. It needs a relaunch.

The Team recognises the importance of addressing this mixed perception to ensure that the CRB's potential for driving meaningful change is fully realised. In the CRB's Charter, there is provision for a six-monthly review of board effectiveness and tangible outcomes. This can be activated for a more thorough assessment of effectiveness, measuring tangible outcomes, and identifying any areas of improvement or adjustment.

To ensure transparent communication and inform Airservices of the outcomes of the CRB it is suggested that Airservices provide clear updates and progress reports on the CRB's activities, initiatives, and the impact they have had on the cultural reform process. This would help align expectations and demonstrate Airservices' commitment to driving meaningful change through the CRB.

The Team acknowledges Airservices' commitment to a diverse board for cultural reform, in swiftly establishing the CRB and considers the strategy worthy of continued pursuit in a strengthened form.

¹¹ Cultural Reform Board Charter Version 2, effective September 2022

¹² May 2022, whole staff email on the two-year anniversary of the Cultural Reform Board

To ensure its success, it is crucial to prioritise ongoing evaluation, communication, and evaluation. By doing so, Airservices can ensure the continued evolution of the CRB as an effective platform for driving cultural reform and fostering positive change.

Considerations for strengthening the CRB and accelerating progress include:

- 1. Establish a clearer governance structure: Develop a clear governance structure for the CRB that outlines the roles, responsibilities, and decision-making processes. It is noted that there is a Charter in place, but more detail would assist, and the effectiveness of the CRB should be assessed not only by those on the Board, but more widely to ensure that the CRB is having the intended impact.
- Develop a yearly workplan based on Airservices' priority areas for driving cultural reform.
- 3. Create a mechanism that allows for the CRB to receive briefings and the opportunity for non-members to provide feedback on progress of the implementation of the Broderick Review's recommendations.
- 4. Transparent Communication: Improve communication by providing regular updates and progress reports on the CRB's activities, initiatives, and most importantly, the impact they have had on the cultural reform journey. Transparent communication will help address the mixed perception of tangible outcomes and align expectations.
- 5. Broad Feedback Mechanism: Establish a feedback mechanism that allows non-member employees to provide input and suggestions to the CRB. This will ensure that the perspectives and concerns of all employees are considered, fostering a sense of inclusivity and ownership in the cultural reform process.
- 6. Representation and Nomination: Consider allowing employees to choose or nominate representatives to serve on the CRB. This will ensure diverse perspectives are represented and increase engagement and ownership from employees.

These suggestions are also captured in Appendix 1.

4.3 Recommendation C – demonstrate strong leadership commitment to a safe and inclusive workplace

The CEO, the Executive Team and Board should demonstrate strong leadership commitment to a safe and inclusive workplace, through organisation-wide statements about the benefits of a positive culture and a zero tolerance to bullying, sexual harassment and other unacceptable behaviour.

4.3.1 Intent of recommendation

This recommendation highlights the critical role of the CEO, the Executive Team, and the board in demonstrating unwavering leadership commitment to a safe, respectful and inclusive workplace. To achieve this, the recommendation emphasises the importance of organisation-wide statements that clearly articulate the benefits of a positive culture while outlining zero tolerance for bullying, sexual harassment, and any other forms of unacceptable behaviour.

By making these statements, Airservices' leadership sends a strong message that they prioritise the wellbeing and dignity of all employees.

4.3.2 Implementation Actions

The CEO of Airservices demonstrated a strong commitment to transparency and accountability by publicly releasing the Broderick Report in May 2020. This significant step was followed by the CEO and Executive Leaders internally reflecting on the report and expressing their responsibility to foster a safer, more respectful and more inclusive workplace. To ensure ongoing communication and transparency, regular updates on the progress towards cultural reform goals were consistently delivered through Airservices' online platform, Horizons and via all-staff email.

4.3.3 Progress Review Findings

The Progress Review highlights that while the CEO and Executive showed full engagement in implementing the recommended practical actions, a lack of trust by Airservices employees in leadership remains. Employees told the Team that those leaders "who were accountable for the existing culture," as identified in the Broderick Report, "could not be the same leaders to effectively move the organisation forward." There was a belief throughout Airservices that leadership actions did not demonstrate understanding of lived experiences of Airservices culture, or that concerns were being heard by leaders and adequately addressed. For example:

We have seen a whole lot of things come out of the executive level, but they talk the talk not walk the walk.

The courage I see from management is the courage to take decisions that are the easy ones, that don't challenge the status quo, that are still hierarchy based. They are not decisions that reflect how to get the best out of people, so that they can do the best work.

The culture of not speaking bad to power remains in place. Don't pipe up because it will be career limiting.

Additionally, the notion of a boys' club, identified in the Broderick Review, was raised by several employees as an obstacle to real reform:

Airservices is still run by a boys' club, and you can only progress to a certain point unless you are a member of this club. Until such times as there is a change ... and then a subsequent thinning of the boys' club ranks, you will see zero real change – it's all lip service until then.

The "boys' club" is alive and flourishing and has not changed since the Broderick Review a few years ago. The boys' club – if you're in, you're in. If not, you're 100% out.

The Team also heard from some about leaders who were working hard to create inclusive, safe environments. For example:

My manager (of the last three years) has ensured that my work area is a good place to work.

We have started the change, but we need to sustain the change. Unfortunately, when some individuals get the chance to change, they block it. There have been some really fantastic leaders who are trying to drive the change, but there is a level of unwillingness to change from others.

During my time here, I have found that at a working level within the projects I was involved in, the culture was excellent. But that was largely due to a Program Manager who was fantastic and supported by project managers who were genuinely lovely people who cared about their team.

It is critical to bridge the gap between leadership actions and the experiences of the workforce. Rather than taking it as a given, leaders need to rebuild trust across the organisation and consider the antecedents that must be developed. Rebuilding trust requires a concerted effort to demonstrate authenticity, consistency, and a genuine commitment to cultural reform. This involves each leader examining their own behaviours and interactions. It also includes other visible leadership actions, active listening and responding to employee feedback and demonstrating the tangible steps that have been taken to align leadership actions with the desired cultural values and principles.

4.4 Recommendation D – accelerate change through a purposeful storytelling process

With the assistance of an independent expert and facilitator, Airservices should implement a purposeful storytelling process involving select senior leaders. This should be done in a safe setting. A key objective of the storytelling process would be for those at the senior leadership level to hear first-hand the experiences of employees, and in doing so, accelerate the cultural change process.

4.4.1 Intent of recommendation

The aim of recommending a storytelling process at Airservices was to enable employees who had suffered workplace harm to share their experiences with a leader in a safe and respectful setting. Such a process not only assists a harmed employee to feel empowered and heal but it can also be a catalyst for cultural change. It helps to create deeper understanding among senior leaders of the harm experienced by an employee, enabling them to make more informed decisions and be proactive in accelerating the cultural change process. Storytelling in an organisational context differs from traditional restorative justice programs in that the person whom the victim tells their story is not the perpetrator of their harm, but rather a senior representative of the organisation with the authority to apologise for the harm and who has the capacity to make change.

4.4.2 Implementation Actions / Progress Review Findings

EB&Co were engaged to facilitate a number of sessions with senior leaders and staff in 2021. These facilitated sessions were underpinned by a trauma-informed approach adopted to ensure that participants were at the centre of the process and could share their experience is a psychologically safe environment.

During the debriefs following the storytelling sessions, participants advised that the sessions provided a beneficial platform from which they could share their experiences and have their voices heard.

The Team recommends incorporating ongoing traumainformed practices and creating opportunities for continued dialogue and support to be built into management and leadership practices more broadly. This would result in a continuous listening and learning approach becoming an integrated model, rather than a stand-alone process. This recommendation underpins many of the initiatives presented in this report.

4.5 Recommendation E – Implement the Leadership Shadow

Implement the Leadership Shadow first for the Executive Team, followed by DREs and OLRs. As part of the Leadership Shadow, develop personal leadership action plans for OLRs and higher-level roles, with annual facilitated discussions to enable feedback and reflection on progress. The CEO should appoint an independent, specialist coach to work with each member of the Executive Team and the group as a whole to assist them to – implement their personal leadership action plans and foster a culture of respect for difference among colleagues and other team members, including in relation to decision making.

4.5.1 Intent of recommendation

The Leadership Shadow, developed by the Champions of Change Coalition is a simple management model to reflect on personal leadership on inclusion across four quadrants – What I say; How I act; What I prioritise; and What I measure.¹³

The process involves observing and providing feedback on leadership behaviours and practices, aiming to enhance personal and professional growth.

¹³ More information on The Leadership Shadow can be found here

The recommendation suggests developing personal leadership action plans for the Executive Team, DREs and OLRs, with facilitated discussions on an annual basis to enable feedback and reflection on progress.

4.5.2 Implementation Actions

The Airservices Executive undertook the Leadership Shadow in 2020. They each worked with an independent leadership expert on developing their personal action plans following feedback from Airservices people in their teams, as part of the Leadership Shadow process.

Airservices has provided information indicating the implementation of several other leadership development initiatives. The details highlight that all members of the Executive Team have participated in a series of group and individual sessions facilitated by professional coaches. During these sessions, they received valuable feedback and crafted personalised development plans. The Leadership Shadow was the basis for these sessions conducted by an independent leadership specialist.

Further, Airservices indicated that by June 2022, one hundred and ninety-seven (197) leaders completed 360-degree feedback, coaching and leadership action plans.¹⁴

4.5.3 Progress Review Findings

While it was evident that there has been much activity in leadership development following the Broderick Review, it was difficult to determine the specific impact of these interventions.

Overall, it would be of value for Airservices to assess the full impact and efficacy of leadership coaching initiatives by seeking updated feedback from those involved in the original implementation of the Leadership Shadow. These individuals would be well placed to observe shifts in leadership capability, hence ensuring that the investments made align with the goals of cultural reform.

4.6 Recommendation F – open and transparent recruitment and promotion processes

Ensure that recruitment and promotion processes are open and transparent and have a strong predisposition to effective people management and leadership skills.

4.6.1 Intent of recommendation

The intent of this recommendation was to ensure open and transparent recruitment and promotion processes that prioritise effective people management and leadership skills are fundamental to the successful operation of Airservices' business. Openness in recruitment and promotion processes reduces bias and favouritism, fostering a culture of meritocracy and equal opportunity.

Further, the recommendation highlights the need for a strong predisposition towards effective people management and leadership skills. This emphasises that Airservices should select and promote individuals who not only possess technical expertise, but also have demonstrated the ability to lead and manage people.

The recommendation acknowledges that effective leadership is vital for driving a positive and inclusive workplace culture, as well as fostering employee engagement, motivation, and productivity.

4.6.2 Implementation Actions

Since the Broderick Review, Airservices has taken significant steps to address this recommendation.

Notably, several actions have been initiated, including the revision of the Recruitment and Selection Procedure.

This update encompasses various improvements such as specifying hiring panel requirements to ensure diverse gender representation and the inclusion of an independent assessor. Additionally, the revised procedure provides clearer accountabilities and introduces an enhanced recruitment recommendation template.

Changes were also made in the recruitment and selection of leaders. A critical aspect of these changes is the adoption of a transparent approach where all leadership roles are advertised. This ensures equal opportunity and a level playing field for all potential candidates. The assessment process for leadership suitability now places a strong emphasis on evaluating people management and leadership capabilities. This shift acknowledges the vital importance of these skills.

4.6.3 Progress Review Findings

Despite these actions, there was a view that recruitment and promotion was still being influenced by personal connections rather than merit-based criteria – an observation identified in the Broderick Review. There was a widespread belief that "knowing the right people" played a significant role in the selection process, leading to a lack of confidence in the credibility of recruitment practices. This in turn led to concerns about fairness, equal opportunity, and the organisation's commitment to meritocracy:

There are no good people getting promoted. They don't look at what people have achieved; they just look who their mate is that they can get into roles. They are not delivering anything.

There continues to be back room deals and appointment to positions without advertising or any process. This cannot be questioned, and it appears that the appointments are based on friendships and people who will simply follow a certain path.

There is a lot of mistrust going on because of misinformation. This breeds a whole lot of resentment. Same with promotions process, we just don't follow the process.

There is a perception that nepotism exists for opportunities and advancement to leadership roles. This is demonstrated by the number of people who are selected for roles by people who are publicly known to be their friends or close workmates. Whilst roles are now advertised publicly where previously this was not as consistent, there remains a prevalence of people achieving roles who are known associates of those in the selection process or who have similar styles to current leaders.

Addressing negative perceptions about recruitment is crucial to rebuilding trust and fostering a culture where all employees feel confident that recruitment decisions are made based on qualifications, skills, and experience, rather than personal connections. Collecting and sharing pertinent data to measure the effectiveness of recruitment reform can counter these negative perceptions. The Progress Review makes several suggestions on metrics to measure in Appendix 1.

4.7 Recommendation G – improve the effectiveness of performance management

Review and amend the Airservices performance management practices to:

- ▶ Ensure all leaders are provided with performance coaching, including how to have constructive two-way conversations, and to provide positive as well as critical feedback, bias, empathy, and listening skills.
- Create performance management support accountabilities in the design of the new HR operating model.
- ▶ Introduce 360 Degree Feedback Surveys to assist with performance appraisals for Managers with teams of greater than 5 people.

4.7.1 Intent of recommendation

This recommendation seeks to improve the effectiveness of performance management within Airservices by focusing on leadership development, incorporating support accountabilities, enhancing the feedback process, and outlining specific actions to achieve this objective.

Firstly, the recommendation calls for performance coaching for all leaders, focussing on developing skills for constructive two-way conversations, providing both positive and critical feedback, managing biases, empathising with others, and actively listening. By equipping leaders with these skills, Airservices can promote effective communication, foster a growth-oriented mindset, and improve the overall quality of feedback and performance conversations.

Secondly, the recommendation suggests incorporating performance management support accountabilities into the design of the new HR operating model. By including these accountabilities, Airservices ensures that performance management practices receive the necessary attention, resources, and accountability within the HR function.

Finally, the recommendation proposes the introduction of 360 Degree Feedback Surveys for managers with teams of more than five people. This approach aims to provide a comprehensive and well-rounded assessment of a manager's performance by gathering feedback from multiple perspectives, including peers, subordinates, and supervisors. Utilising a 360 Degree Feedback process enables managers to gain insights into their strengths and areas for development, promoting self-awareness and targeted growth.

By implementing these changes, the aim is to foster a culture of continuous learning and improvement, where leaders receive the necessary guidance and resources to excel in their roles and contribute to the overall success of Airservices.

4.7.2 Implementation Actions

The Leadership Standard

In June 2020, Airservices commenced the implementation of a new leadership approach to *'raise the bar and uplift leader capability to the standard that we need.'* 15

This approach was linked to the broader One Airservices strategic plan and outlined how the new strategy (The Leadership Standard) was different to the leadership approaches of the past. The Leadership Standard clearly outlines what expected behaviours look like, development actions, and importantly, it identifies that the Standard acts as a 'line in the sand – leaders who are unable or unwilling to lead in this way are not part of our organisation moving forward.'16

From December 2020, all leaders were evaluated against the Leadership Standard, with a talent review completed in August and December 2020.

Values have also been embedded into all leadership capability programs.

Support for leadership development / 360-degree feedback for leadership

Airservices has implemented several initiatives and programs to support leadership development across the organisation. Some of these were discussed in *Recommendation E*.

Others include:

Executive Leaders

- Executive Leadership Program.
- Monthly Executive Coaching.
- Senior Leaders Forum (half-yearly).



¹⁵ Documentation provided to the Progress Review team – 'Leadership Standard Evaluation' document, June 2020

¹⁶ Leadership Standard Evaluation document, page

Senior Leaders

- LSI Investment plus Melbourne Business School Coaching.
- Internal coaching for leads, managers, and senior advisers.
- Senior Leaders Forum (half-yearly).

Line Leaders

- LSI Assessment plus internal coaching.
- Propel a Frontline Leadership Program (launched in Jan 2023).

All Leaders

- Leader Insights Series.
- FORTE fostering respectful team environments.
- DWP Driving work performance.
- Aspiring leaders' program.

4.7.3 Progress Review Findings

The Team observed a substantial implementation program of leadership development initiatives, including the incorporation of 360-degree feedback, following the Broderick Review. These initiatives are specifically tailored to cater to the diverse levels of leadership within the organisation. Notably, the Leadership Standard serves as a well-defined framework that enables leaders to be assessed, developed, and held accountable for their performance. The emphasis placed by Airservices on developing leaders has garnered positive feedback from numerous individuals who contributed to the Progress Review. This commitment to leadership development was well regarded in participant feedback, with some noting the change that has been made:

New line leaders were brought in for a more personal approach to the teams. As a line leader, you know you are there to look after your team. Leadership and operational training – the leadership training has been brilliant.

While the introduction of new leadership initiatives has been well received, a perception persists that individuals are still not accountable for their actions, irrespective of the feedback they receive. This perception undermines the effectiveness of the positive initiatives and hampers the organisation's progress towards a culture of trust and accountability. It was also identified by some participants that the cultural shift required is one that moves

a traditionally technical skill set into a transformational leadership mindset, as identified by this participant:

There seems to be a lot of investment in training managers in how to communicate, how to address behaviours. This is not where the deficiency is in this business.

The deficiency is how to get a technical workforce communicating with each other and how they conduct themselves.

Further, the Progress Review also identified an underlying lack of psychological safety (discussed in depth in the previous chapter) within the organisation, preventing individuals from candidly expressing their concerns and providing honest feedback to leaders. We heard that it was difficult to 'tell it as it is' with an underlying 'us v them' culture between leaders and staff:

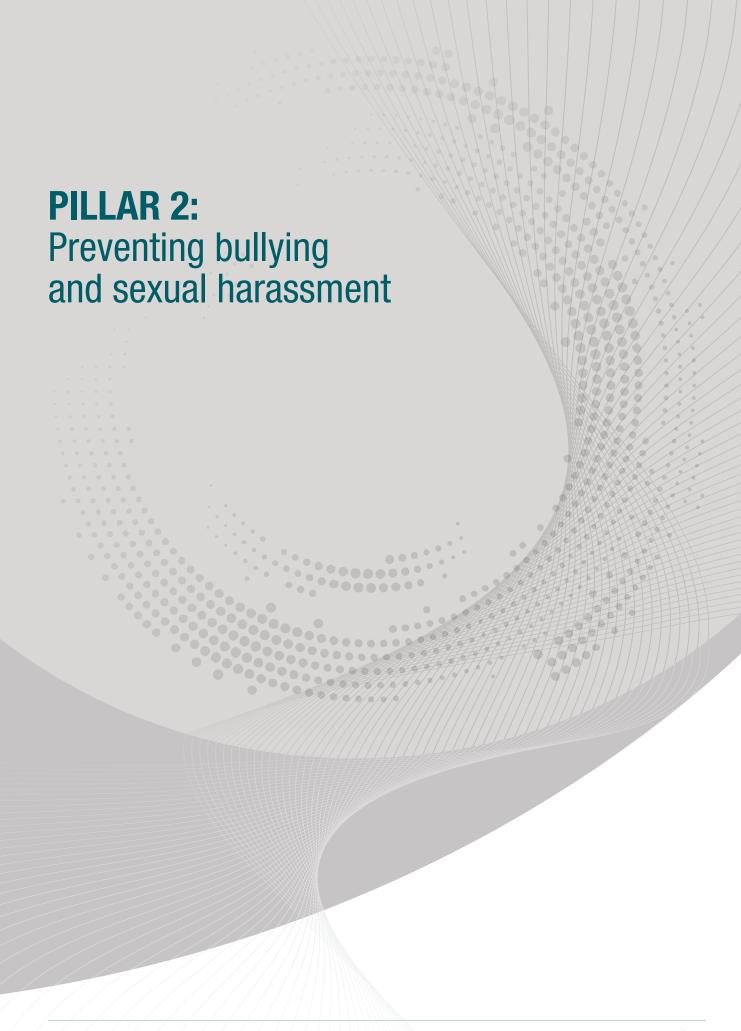
Feedback is not personal, but everyone here takes it personally.

Leadership development is of paramount importance for high performing organisations as it plays a pivotal role in driving better results and helps to directly shape cultural transformation. Extensive research, as highlighted by a meta-analysis of over 335 independent studies¹⁷ has consistently demonstrated the significant impact of leadership training on mindsets, beliefs, and behaviours. This analysis reveals that effective leadership development programs yield tangible benefits in terms of improved performance and outcomes and emphasises that training initiatives produce even greater returns when they are preceded by a thorough needs assessment. The Progress Review recommends evaluating current approaches and establishing a further needs assessment to ensure leadership development training is targeted and aligned with cultural reform objectives (e.g., increasing psychological safety across the organisation).

The EB&Co Team heard from many staff that while people participate in leadership development (and compliance training such as preventing and responding to sexual harassment, code of conduct etc), the impact of these initiatives is not adequately evaluated. For example:

All training like code of conduct and sexual harassment is online and not effective. 95% of people do it and don't get it.

A needs assessment and post-implementation evaluation of each training initiative would help to identify its effectiveness and any areas for improvement.



5.1 Recommendation A – increase awareness of the nature and impacts of bullying and sexual harassment

Implement an internal and targeted communications strategy to increase awareness of the nature and impacts of bullying and sexual harassment (what it is, what it isn't), options available for support, and encouragement to report it.

5.1.1 Intent of recommendation

The intent of this recommendation was to strengthen organisation-wide understanding of behaviours that constitute bullying and sexual harassment, their effect on impacted people and the avenues for support and reporting. By disseminating relevant information widely and effectively, the recommendation envisages that Airservices will foster a culture of understanding, empathy, zero-tolerance for harmful behaviours and accountability, ultimately creating a safer and more respectful work environment for all. As an Australian employer, Airservices has an obligation to prevent bullying, sexual harassment, and other forms of harmful and discriminatory behaviours from occurring across its workplaces. A consistent understanding of the nature of these behaviours, their drivers and how to address and properly respond to them, is critical to meet this obligation.

5.1.2 Implementation Actions

Since 2020, Airservices has provided strong messaging on appropriate and inappropriate behaviours and on reporting incidents of harm under an annually published Communications Plan. Following the release of the Broderick Review, a series of rolling communications were sent across Airservices starting with:

...provision of information and resources, [including] Drawing a Line in the Sand [to ensure] shared understanding and expectations of behaviours that will not be accepted. [In addition, communications have aimed to] demonstrate that employees are supported and cared for as well as empowered and encouraged to speak up and seek support and to that perpetrators will be held to account.¹⁸

Information provided by Airservices indicates that as of September 2021, December 2021, and June 2022:

Communications regarding bullying, harassment, sexual harassment, and discrimination continue to be distributed via staff engagement channels, including the Workplace platform.¹⁹

All staff emails were also sent by the CEO and the CPCO advising employees of the Bullying, Harassment and Discrimination Policy and Code of Conduct Standard and the behaviours that are not accepted or tolerated by Airservices.

Complementing these strategies was the 'Drawing the Line' campaign which was delivered over four weeks and completed in July 2020. This campaign, which included presentations and a poster series, covered a range of topics including:

- What Does Everyday Sexism Look Like.
- Drawing the Line on Unacceptable Behaviour.
- Speak Up Against Unacceptable Behaviour.
- Supporting Yourself and Others at Work.
- Support and Report.

The CEO and the Executive have delivered, via video, their personal commitments to addressing bullying, sexual harassment, and discriminatory behaviour.

A range of policies have also been developed and refreshed and are supported by education and training. An analysis of relevant policies is at <u>Appendix 2</u>.

¹⁸ Pillar 2 Spreadsheet of Evidence, September 2022

¹⁹ Information provided by Airservices to EB&Co 30 September 2022

5.1.3 Progress Review Findings

The Broderick Review found that there was still not a universal awareness across Airservices of the nature and impacts of bullying and sexual harassment. It found that in certain areas of the organisation, these behaviours, were normalised. It also found that rates of reporting were low for all types of harmful behaviour, and that employees had little trust in the reporting process.

The 2020 survey for the Broderick Review found high rates of harm, particularly bullying. Figure 10 and Figure 11 show comparative rates for bullying and sexual harassment from the 2020 and 2023 surveys. Of concern is that despite the interventions and strategies put in place by Airservices, the rate of bullying has not decreased since the 2020 survey, and in fact has increased slightly. Just over half (52% compared to 50% in 2020) of all survey participants had experienced bullying at Airservices ever. Approximately two in five (43% compared to 40% in 2020) of these respondents had experienced bullying in the last 5 years and 27% (compared to 24% in 2020) of this cohort experienced bullying in the last twelve months.

Experiencing bullying in the last five years and experiencing bullying ever or at some point during their time at Airservices was more common among those from the ATM (49% and 59% respectively) and ARFFS (54% and 62% respectively) job families. Table 3 shows bullying by job families.

In relation to sexual harassment, the 2023 survey found (Figure 11):

- 20% of survey participants (the same as 2020) indicated they had experienced sexual harassment during their time at Airservices.
- 17% of survey participants (compared to 18% in 2020) of these participants had experienced sexual harassment in the last 5 years.
- 9% (compared to 11% in 2020) of this cohort experienced sexual harassment in the last twelve months.

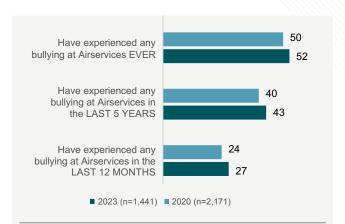


Figure 10. Experiences of bullying at Airservices in 2020 and 2023 (summary) (%) Question item. Have you ever experienced any bullying at Airservices, in the course of your work, from a work colleague or manager? Have you experienced any bullying at Airservices in the last 5 years, in the course of your work, from a work colleague? And, have you experienced any bullying in the last 12 months at Airservices, in the course of your work, from a work colleague? Base: All survey participants.

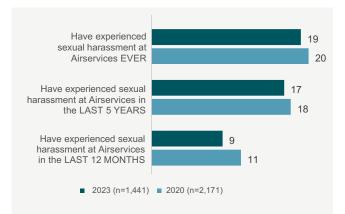


Figure 11. Experience of sexual harassment at Airservices in 2020 and 2023 (summary) (%) Question item – While working with Airservices, have you ever personally experienced sexual harassment by a work colleague or manager while working or at a work-related event in a way that was unwelcome? In the last 5 years at Airservices, have you personally experienced sexual harassment by a work colleague or manager while working or at a work-related event in a way that was unwelcome? In the last 5 years at Airservices, have you experienced any of the following behaviours by a work colleague or manager while working or at a work-related event in a way that was unwelcome? Did any of these behaviours occur in the last 12 months at work or at a work-related event? Base: All survey participants. D2 rebased to show proportion of all participants.

n	Air Traffic Management	Enabling Professions	Aviation Rescue & Fire Fighting	Technical & Trade	ICT	Senior Leadership	Engineering	Frontline Management	Prefer not to say
	377	267	242	119	109	100	65	47	115
Have experienced any bullying at Airservices EVER	59*	37^	62*	49	37^	53	32^	68	53
Have experienced any bullying at Airservices in the LAST 5 YEARS	49*	32^	54*	36	27^	38	19^	48	41
Have experienced any bullying at Airservices in the LAST 12 MONTHS	31	20^	36*	21	15^	25	11^	24	28

Table 3. Experiences of bullying at Airservices in 2023 by job family (%) Question item – Have you ever experienced any bullying at Airservices, in the course of your work, from a work colleague or manager? Have you experienced any bullying at Airservices in the last 5 years, in the course of your work, from a work colleague? And have you experienced any bullying in the last 12 months at Airservices, in the course of your work, from a work colleague? Base: All survey participants. * indicates significantly higher results compared to all other subgroups combined (p<.05), ^ indicates significantly lower results.

Those who identify as women were more likely to have experienced sexual harassment at some point while at Airservices (Figure 12). Notably, a large percentage of survey respondents opted to 'prefer not to say' for these questions.

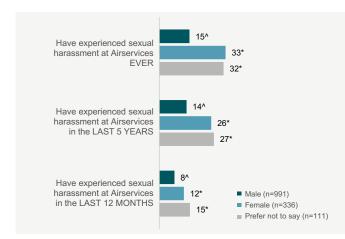


Figure 12. Experience of sexual harassment at Airservices in 2023 by gender (summary) (%) Question item – While working with Airservices, have you ever personally experienced sexual harassment by a work colleague or manager while working or at a work-related event in a way that was unwelcome? D1. In the last 5 years at Airservices, have you personally experienced sexual harassment by a work colleague or manager while working or at a work-related event in a way that was unwelcome? D1a. In the last 5 years at Airservices, have you experienced any of the following behaviours by a work colleague or manager while working or at a work-related event in a way that was unwelcome? D2. Did any of these behaviours occur in the last 12 months at work or at a work-related event? Base: All survey participants. D2 rebased to show proportion of all participants. * Indicates significantly higher results compared to all other subgroups combined (p<.05), ^ indicates significantly lower results

n	Air Traffic Management	Enabling Professions	Aviation Rescue & Fire Fighting	Technical & Trade	ICT	Senior Leadership	Engineering	Frontline Management	Prefer not to say
	337	242	267	65	109	100	119	47	115
Have experienced sexual harassment at Airservices EVER	28*	13^	20	14	11	13	5^	16	15
Have experienced sexual harassment at Airservices in the LAST 5 YEARS	25*	10^	18	10	10	11	4^	16	14
Have experienced sexual harassment at Airservices in the LAST 12 MONTHS	14*	6	10	3^	6	5	1^	4	8

Table 4. Experience of sexual harassment at Airservices in 2023 by job family (%) * Indicates significantly higher results compared to all other subgroups combined (p<.05), ^ indicates significantly lower results.

Some participants commented to the EB&Co Team that they observed a decline in bullying, sexual harassment, and disrespectful behaviour since the Broderick Review:

I don't think there's as much sexual harassment as there used to be.

The feedback from female staff is that they are treated respectfully.

There is less casual bullying. The throw away lines, sexist comments, casual racist comments have stopped. There is good education from Airservices.

Overall, the level of inclusion, diversity and respectful behaviour is very high in my opinion and has greatly improved over the last few years.

However, others shared different experiences. The evidence from the survey together with experiences relayed in the interviews, focus groups and written submissions indicate that harmful behaviours, particularly bullying, persist across Airservices. Comments include:

Bullying is normalised [at Airservices]. So, no I haven't seen changes.

To be honest, [bullying] is worse. What I see now is upward bullying.

We still have bullying by leaders, but nothing happens.

It hasn't really got any better since the last review, in fact it has got worse. Casual racist and sexist stuff is going on that I'm struggling with.

[A particular manager] bullies' people. They pick a target and will bully the most vulnerable, for example those from a diverse culture.

We have brought people back into the organisation who have moved on because of bullying.

Women, in particular shared experiences of casual or everyday sexism, and on occasion, of sexual harassment:

I haven't seen overt sexual harassment, but everyday sexism is rife.

It is often when you are the only woman, you are very isolated. No-one will even sit next to you.

Women are seen to get 'special treatment' in ARFFS. Even when you earn something, the blokes think you didn't. You get judged harder than anyone else. There has been a slight change in this but still so much to do.

[There should be] more women in upper management roles to attempt to dissipate the sexism at the core of Airservices, largely spearheaded by the "boys club" in upper management, and on a more day to day basis reflected in operational management roles. This filters down throughout the organisation and leads to ingrained sexism within most operational units.

Some of the overt practices are gone. This is an improvement, however some of them have just become subversive. Jokes are made by men about what they can't say. Men who are Caucasian, 40-50 years old and heterosexual are now complaining that they aren't getting opportunities anymore because they're not diverse enough. These men seem to think that the privilege they had for so many years was equality and that they won everything on merit, not by being a "good bloke".

Aboriginal people and women feel the same. We are minority groups. The token Aboriginal and the token female.

In my 5 years at Airservices I've witnessed [senior people] sexually harass staff. For example, asking what their vagina looks like; a colleague threatened to assault a [manager] at a work event then this same colleague was put on a leadership course; had my appearance commented on repeatedly; seen [managers] blatantly bully and ignore colleagues; [and] [experienced] racism and sexism from colleagues and leaders. The list goes on and on.

Most employees knew of the range of options available for reporting misconduct incidents, including to their manager and to Safe Place (Safe Place is discussed in detail in Chapter 6).

Those surveyed who had experienced sexual harassment in the last 5 years were asked if they made a formal report or complaint about the incident.

Very few respondents (2020 n=4; 2023 n=3) indicated they had made a formal report or complaint about their most recent incidence of sexual harassment. Due to the small base size, results on who the incident was reported to, and outcomes of the complaints process are not reported.

In relation to bullying approximately one in five (19%, compared to 15% in 2020) respondents indicated they had made a formal complaint or report in response to their most recent bullying incident. Whilst it is a positive feature that the rate of reporting for bullying has increased since the 2020 survey, a larger rise would have been anticipated with the establishment of Safe Place.

Some employees shared that now there is a greater confidence in speaking up about harmful incidents than prior to the Broderick Review:

I think there is a greater awareness about reporting and people are more confident to report now.

I feel comfortable speaking up about a safety issue or bullying or sexual harassment.

My manager encourages us to come to them if we have an issue.

Since the review and implementation of a 'new' culture at Airservices, I do sometimes still observe incidents of behaviour that I feel are not in line with the code of conduct, although these occurrences are much less than before, and I have addressed them through various reporting channels that have been made available to us.

However, for many others there is still a reluctance to disclose any incident of of harmful behaviour:

Working in small teams in the operational environment makes it challenging to report ... bad behaviour. If I was to put in a complaint against a colleague my working conditions would get considerably worse.

I tried reporting [the incident] anonymously by calling up [Safe Place] but they never answered directly. Rather, I was met with a machine where you must leave your contact details. No-one reports. It's shut up and put up.

I didn't report [the incident]. If I had I might have lost my job. There is still a lack of trust of ... whether action will be taken or the confidentiality.

My experience is that there is still a tendency to validate unacceptable behaviour by people that are of a "senior" status or have been working together for a long time instead of holding the person accountable for their actions, making an apology, making changes, and moving on. It's my opinion that there is still the view of "not all the rules apply to everyone" in some instances and I find this disrespectful.

When employees don't see any action being taken in response to complaints, they become silent and poor behaviour persists. As leading workplace diversity and organisational change academics Dobbin and Kavel write:

66

Once people see that a grievance system isn't warding off bad behaviour in their organization, they may become less likely to speak up. Indeed, employee surveys show that most people don't report discrimination. This leads to another unintended consequence: Managers who receive few complaints conclude that their firms don't have a problem.²⁰

The 2023 survey explored the issue of bystanders acting when they witnessed bullying or sexual harassment. Half (50%, compared to 52% in 2020) of the employees surveyed had witnessed bullying during this time. Less than one in ten (8%, compared to 10% in 2020) indicated they had witnessed sexual harassment. Those who had observed bullying were more likely to be from ATM (57%) and ARFFS (65%). Higher proportions of respondents from ATM (12%) reported witnessing sexual harassment.

Close to half (49%, up from 42% in 2020) of those who witnessed bullying stated they acted in response to this incident. Around two in five (41%, compared to 37% in 2020) respondents who witnessed sexual harassment indicated they acted because of this behaviour. This small increases in bystander action, indicates a greater sense of confidence for people to step in when they witness harmful behaviour.

Nevertheless, the comments from employees together with the survey data on the persistence of sexual harassment and bullying and the reluctance to report incidents, suggests that Airservices' communication and messaging should be sustained and ongoing. It is critical that messaging is not ad hoc but regular and part of a holistic approach to preventing and responding to harmful behaviours.

The Team also suggests that an additional procedure to the enterprise-wide communications and messaging may be required. Whilst all staff communications are critical to raise awareness of the nature and impact of harmful behaviours including reporting and support options, a targeted campaign may also be of value focusing on the main types of behaviours that constitute bullying and sexual harassment, as identified in the 2023 survey.

The behaviours are shown in Figure 13. Table 5 also breaks down methods of bullying by job family.

Critically, any campaign should also focus on the impacts of bullying and sexual harassment. De-identified stories of the experiences of people who have suffered these behaviours can have a powerful impact and can be a strong catalyst for change.

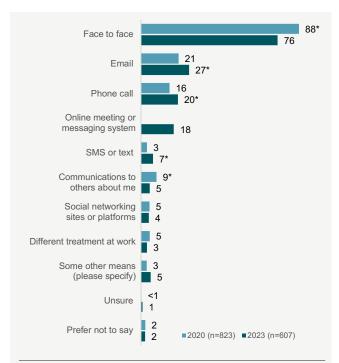


Figure 13. Method of bullying in 2020 and 2023 (%) Did this bullying occur via...? NOTE: Multiple responses allowed Base: All survey participants who experienced bullying * Indicates significantly higher result compared to the other year Note: 'Online meeting or messaging system' is a new response option in 2023.

n	Air Traffic Management	Enabling Professions	Aviation Rescue & Fire Fighting	Technical & Trade	Senior Leadership	Prefer not to say
"	195	90	131	43	39	45
Face to face	78	60^	91*	65	59	68
Email	29	31	21	23	36	24
Phone call	19	32	17	27	14	18
Online meeting or messaging system	5^	49*	8^	16	33	45*
SMS or text	11*	4	3	5	9	3
Communications to others about me	5	3	6	5	0	3
Social networking sites or platforms	5	5	5	5	5	2
Different treatment at work	3	3	4	6	11	0
Some other means	6	7	3	10	7	6
Unsure	1	0	1	2	0	4
Prefer not to say	1	4	1	6	3	6

Table 5. Method of bullying in 2023 by job family (%) Did this bullying occur via...? NOTE: Multiple responses allowed Base: All survey participants who experienced bullying Note: Some job families not shown due to small base size (n<30). 'Online meeting or messaging system' is a new response option in 2023. * Indicates significantly higher results compared to all other subgroups combined (p<.05), ^ indicates significantly lower results.

n	Total	Air Traffic Management	Aviation Rescue & Fire Fighting	Male	Female	Prefer not to say
<i>"</i>	239	104	44	127	81	30
Intrusive questions about your private life or comments on your physical appearance that made you feel offended	26	25	27	27	23	24
Sexually suggestive comments or jokes that made you feel offended	23	27	24	23	22	22
Unwelcome touching, hugging, cornering, or kissing	10	9	5	11	11	3
Inappropriate physical contact	6	5	6	7	6	0
Sexually explicit comments made in emails, SMS messages, or on social media	5	7	6	3	3	19
Being followed, watched, or someone loitering nearby	5	6	7	6	3	0
Sexual gestures, indecent exposure, or inappropriate display of the body	5	6	7	7	1	4
Inappropriate staring or leering that made you feel intimidated	4	5	7	6	3	0
Sexually explicit pictures, posters, or gifts that made you feel offended	4	5	7	5	1	0
Repeated or inappropriate invitations to go out on dates	1	2	1	2	1	0
Indecent phone calls, including someone leaving a sexually explicit message on voicemail or an answering machine	<1	0	0	0	0	2
None of these behaviours occurred in the last 12 months	41	42	31	39	46	42

Table 6. Prevalence of behaviours in last 12 months at Airservices by job family and gender (%) Did any of these behaviours occur in the last 12 months at work or at a work-related event? Base: Experienced sexual harassment in last 5 years Multiple response accepted Note: Some job families not shown due to small base size (n<30).

5.2 Recommendation B – provide leaders with the capability and practical skills to address unacceptable behaviour

Provide leaders with the capability and practical skills to address unacceptable behaviour in the moment and then provide appropriate support. This includes:

- Providing expert training and education for all leaders in inclusive leadership and how to demonstrate zero tolerance for bullying and sexual harassment.
- Recognising and responding appropriately to bullying, harassment, sexualised work environments, sexual harassment and implementing flexible work arrangements.
- Ensuring that the prevention and response to bullying and sexual harassment is embedded in all training, induction, and other relevant materials, including for recruits and trainees at all Airservices' training environments.

- ▶ Ensuring leaders visibly understand and can respond to issues such as everyday sexism, accessibility, disability, racism, homophobia and inclusive culture and that bystanders and upstanders are upskilled to support employees to call out inappropriate behaviour, with a specific focus on challenging hierarchy.
- ▶ Ensure leaders at all levels are held accountable for the culture, health and wellbeing of their teams and crews, including in relation to effectively performance managing staff and appropriately responding to unacceptable behaviour such as bullying, sexual harassment and everyday sexism. This should involve conducting regular team climate surveys.
- ▶ Establish a mechanism for ongoing engagement with employees on the implementation of people related policies, including the Bullying, Harassment and Discrimination policy based on best practice. Ensure the prevention of sexual harassment is a key pillar of this policy.

5.2.1 Intent of recommendation

This recommendation is intended to strengthen leaders' capability and skills in preventing and properly responding to unacceptable behaviour and to provide appropriate support to impacted people.

There have been a range of education and training sessions provided to Airservices' leaders across many areas designed to strengthen leadership capability and ensure they lead teams in a productive, respectful, inclusive, and psychologically safe environment. Many of these are discussed in Chapter 3. This section specifically examines the leadership capability and skill regarding responding to harmful behaviours and the provision of appropriate support. In addition, it examines strategies to build greater implementation of flexible work arrangements by leaders.

5.2.2 Implementation Actions

During the Financial Year 21/22, 280 leaders across Airservices undertook the Fostering Respectful Team environments (FORTE) leadership workshop which "focuses on the proactive behaviours and conversations that are expected from leaders to foster safe, respectful and high performing team environments."²¹

The purpose of the 3.5-hour session was for leaders to ensure they are positive role models for their teams, and can create positive, and psychologically safe work environments. Information from Airservices also notes that after the FORTE workshop leaders should be able to "proactively address inappropriate behaviours or breaches of the Code of Conduct and what support is available to Airservices leaders and employees, including Safe Place."

Other programs available to all employees, including leaders, are the SCORE Program (Strengthening a Culture of Respect and Engagement) and the Deepening Awareness, Respect and Engagement (DARE) program which was launched in April 2022. Workgroups undertake these programs on an "on request" basis. Further, the program 'Strengthening a Culture of Respect and Engagement' was procured and implemented from October 2020 and sustained.

Code of Conduct training is available to all people across Airservices including leaders by way of e-learning modules. As of June 2022, it had been delivered to 75% of Airservices employees. Information was not available on the number of leaders who have attended each of these programs.

With the establishment of Safe Place, leaders are now able to access specialist advice from Safe Place Advisors on how to respond to disclosures of harmful behaviour from expert staff. This is a particularly valuable resource to equip leaders to intervene quickly when incidents occur and to potentially de-escalate them. Safe Place Advisors also advise leaders about the support options that they can refer their staff to, should the need arise. Information was not available on how many leaders are utilising the Safe Place for this purpose.

As well as these advisors, leaders also have access to the People and Culture team for advice on responding to disclosures of harm.

Of note, the 2023 survey results show that in terms of reporting bullying incidents, most respondents indicated that they reported the most recent incident to their manager, supervisor, or team leader (78% of all responses). This points to the critical need for leaders to be appropriately skilled in recognising harmful behaviours and responding appropriately to disclosures.

The Post Implementation Review of Safe Place in 2021 recommended that:

Airservices should, with the contribution of business areas, co-create an education and awareness program with a focus on capability uplift so that managers can appropriately respond to bullying and sexual harassment disclosures made by a member of their team.²²

Airservices advises that in response, an education and awareness program focussed on Safe Place was developed and delivered to the leadership cohort in October 2021.

Further, it is understood that leaders will shortly undergo the "LSI debrief and coaching process to develop constructive behavioural styles". This process will enable leaders to check their own behaviours and model positive and appropriate behaviours to their their staff, teams and crews. Information on the numbers of leaders reporting incidents of bullying or sexual harassment to the Safe Place was not readily available.

²¹ Information provided by Airservices to the Progress Review Team on 30 September 2022.

²³ Pillar 2 – Spreadsheet. Information provided on 30 September 2022.

Nevertheless, information from Airservices provides that:

Airservices will reinforce the obligation for managers to report [to Safe Place] alleged incidents of bullying, sexual harassment, harassment, and discrimination, even where the incident does not progress to a complaint or formal process.²⁴

5.2.2.1 Flexible Work Arrangements

The implementation of flexible work arrangements (FWA) by leaders was also included in the Broderick Review recommendation. FWA's are a key strategy for creating a diverse and inclusive work environment. In September 2022 Airservices launched a raft of new inclusive leave benefits designed to support employees, their families and life experiences. A video entitled "We See You", was released as a purposeful statement showing Air Services' commitment to fostering a supportive environment for its people and their families.

The proposed leave benefits include:

- Gender neutral parental leave of 18 weeks for the primary carer.
- Continuing superannuation contributions for those taking unpaid parental leave.
- Support for early pregnancy loss.
- Family and domestic violence leave.
- Fertility support.
- Culture.
- Gender transition.
- Stage of life.
- Grandparents.

Through targeted emails, leaders were encouraged to embrace these new forms of leave for their staff, teams, and crews.

5.2.3 Progress Review Findings

5.2.3.1 Addressing Unacceptable Behaviours

There have been some positive actions by Airservices to strengthen capability of leaders to address harmful behaviours and offer support to their staff. There are several resources available to leaders to enhance their knowledge of the nature and impact of inappropriate conduct. These resources have given them the tools to respond to harmful behaviours.

However, it is not clear from the information provided by Airservices whether the levers for strengthening leaders' capabilities as envisaged in this recommendation, have been fully utilised. Further, it is not clear what the impact of the actions has been – that is, whether teams, crews, and employees across Airservices have had an opportunity to comment on their leaders' capabilities in addressing harmful behaviours, other than through this Progress Review or whether any have been evaluated.

Leaders' role in preventing and responding to harmful behaviour and in providing support, was a frequent theme in focus groups, interviews, and written submissions. A number of people commented on the proactive stance of their direct managers in addressing harmful behaviours:

My manager is really good at making sure poor behaviours are stamped on quickly. It makes for a really trusting work environment knowing that your manager has your back.

My manager makes it clear that he won't tolerate bullying and the like.

When you have a leader that understands how negative behaviours can affect you, and actually does something about it, then you are more inclined to be more productive. I am lucky that [the leader] I have is like that.

There is no way my manager would allow anyone to behave in a poor way towards another. [As a result], the team is a fantastic one to be in.

Others shared different experiences. Some felt that managers were not often effective at addressing harmful behaviours, nor supportive of those experiencing harm. There were also those who believed some leaders "weaponised" Safe Place:

Managers above [the specific] level were supportive, including my new Line Leader. They moved me to [another area] to support me but at no time was the behaviour of my colleagues addressed. I was very disappointed that there was no attempt made to educate and enlighten staff... on equity and the Fair Work Act.

²⁴ Action Progress Update - June 2021 Action Pillar 3: A Compassionate and Human-Centred Response to Bullying, Exclusion and Sexual Harassment to Improve the Reporting of Incidents

[I made a complaint to Safe Place about a colleague] My boss said to me, "'Do you really want to take up this complaint? This [person] will come after you. Do you really want to be the one who is ruining

their career?' Let it go.

What support is Safe Place providing to frontline managers and leaders to help them manage through complex situations ...? Are front line leaders abdicating their responsibility to Safe Place and not owning ... complex personal interactions?

Nothing is ever done about bad behaviour. We accept bad behaviour from ATC's because we need them.

It takes so long to build courage and speak about an offender, particularly if they have been there a long time. And then nothing happens.

Managers are threatening us with investigation for compliance. They say, 'Be very careful otherwise Safe Place will investigate you'.

Some leaders themselves felt that the ability they once had to manage issues in their teams was no longer there, following the establishment of Safe Place:

[Safe Place] has taken the power away from the manager. If something is brewing, there is no ability to stop it where it is.

Managers don't know if they should take things on or refer to Safe Place. Things can then be left to fester if nothing is done.

These comments suggest that some leaders may not yet fully utilise Safe Place as a resource for learning and advice, and for assistance with managing reports. Whilst there has been a small increase in complaints, formal reporting of bullying remains low at 19% compared to 15% in the 2020 survey.

Formal reporting of the most recent incident of sexual harassment was extremely low at 3%. This compares to the national average which is 18%.²⁵

Feedback to the Team also suggests that there is confusion about the role of Safe Place and Managers in handling and resolving issues and complaints.

An evaluation of these strategies, for example, surveying employees on leaders' approaches to preventing and responding to harmful behaviour, would provide valuable insights into whether leaders actions are effective and influencing behaviours. In addition, identifying reporting data from staff, teams and crews could show, over time, trends, and patterns in relation to reporting. Higher reporting rates among certain teams and crews would not necessarily point to higher incidents of harmful behaviour but rather, could demonstrate a safe reporting environment. Data from Safe Place about its use as an advice and assistance tool by leaders would also be useful to determine whether this unit is operating as a valuable resource.

Leaders play a critical role in preventing harmful behaviours. Whilst the strategies implemented by Airservices in strengthening the capabilities of its leaders is to be commended, it is equally important that leaders are held accountable for the culture and wellbeing of their teams. Evidence of accountability measures of leaders in relation to these recommendations specifically was not available.

The leadership initiatives implemented to date, including those specifically related to bullying and sexual harassment, whilst sound, do not include accountability mechanisms such as that envisaged in this recommendation, namely that "leaders at all levels are held accountable for the culture, health and wellbeing of their staff, teams and crews." As noted earlier, there remains a prevailing perception that individuals are not held accountable for their actions, irrespective of the feedback they receive. Whether leaders are consistently and rigorously holding perpetrators in their teams or crews to account and whether they are implementing strategies to continuously strengthen their workplaces, is not clear. Without accountability, education and training will only have limited success. It is not enough to simply provide employees with knowledge and skills; there must also be clear expectations and consequences for behaviours that contradict the intended cultural standards.

²⁵ Australian Human Rights Commission, Time for respect: Fifth National Report on Sexual Harassment in Australian Workplaces, 2022, p.129

It is worth noting that some 65% of respondents to the 2023 survey stated that they would not make a report of bullying because they "did not believe it would make a difference" – this was the leading reason that respondents identified for not making a report of bullying. One reason to explain this high figure could be that leaders are not effectively advocating the importance of reporting and providing assurances that those who report will be supported.

It is critical that Airservices ensures that reviews of the performance of leaders incorporate a criterion for leaders to demonstrate how they create respectful, safe, and inclusive environments. Further, surveying teams on leaders' commitment and action to building a healthy and positive culture in their workplaces will also provide important insights into whether leaders are effectively leading their teams. However, this needs to be developed in parallel with increasing psychological safety to ensure that people feel comfortable to give open and honest feedback to leaders.

5.2.3.2 Flexible Work Options

Airservices has demonstrated a commitment to offering a range of leave and flexible work options to employees with diverse life commitments and experiences. Some employees told the Team that despite good policies, flexible work was still discouraged or not provided:

There is no opportunity for flexible work arrangements within my workplace. It's a "put up with it or leave" situation.

ARFFS management group do not care about people's families or obligations. I have been denied carers leave so many times that I take my own sick leave now.

In the operational environment, flexible working arrangements are not broadly supported by either management or operational staff. Management typically treats flexibility arrangements as an inconvenience, and staff talk poorly of those who access flexible arrangements ... Historically, very few men have been encouraged and supported in taking flexible arrangements, and it would rarely be supported for those wishing to progress and combine operational and supervision responsibilities.

Whilst the Progress Review acknowledges Airservices' staffing gaps, in some circumstances, such a shortage could potentially be addressed by the greater use of flexible work arrangements, tapping into a wider talent pool, and providing opportunity to those employees seeking flexibility. Airservices should track the approval/refusal rates of flexible work options to ensure that flexible work arrangements are being supported by leaders where appropriate. Equally, it is important that leaders champion these new forms of leave and flexible work arrangements by personally accessing these policies and that they carry the message that flexible work strengthens the diversity and inclusion of teams and crews and positively impacts productivity and performance.

5.3 Recommendation C – increased awareness of the nature and impacts of bullying and sexual harassment

Develop a 'one stop-shop' for the code of conduct, bullying and harassment, and sexual harassment policies by way of an employee guidebook/manual/handbook that is easily understandable and accessible, and includes contextual support and assistance.

5.3.1 Intent of recommendation

The intent of this recommendation was for Airservices to create an easily accessible and understandable resource that identifies the expectations and standards regarding workplace behaviour. The three objectives for bringing the various documents into one 'guidebook' are:

Enhance accessibility and clarity: ensure that
the guidebook is readily accessible to all employees.
This includes making it available in both digital and
physical formats and ensuring that it is written in clear
and plain language that is easily understandable by
employees at all levels of Airservices.

- 2. Contextual support and assistance: The intent is to include contextual support and assistance within the guidebook. This could involve providing examples, scenarios, or practical guidance to help employees better understand the policies and apply them to real-life situations. By offering this contextual support, the resource aims to empower employees to navigate complex workplace dynamics and seek appropriate assistance when needed.
- 3. Promote compliance and a positive work environment: By consolidating the code of conduct, bullying and harassment, and sexual harassment policies into a single, accessible resource, the intent is to promote compliance with these policies and foster a positive work environment. The guidebook/manual/handbook serves as a tool to educate employees about expected behaviors, their rights, and the procedures for reporting and seeking assistance, promoting a culture of respect, inclusion and accountability.

5.3.2 Implementation Actions

Airservices advises that the following policies are centrally located on its internal intranet sites Horizons under the Employee Hub:

- Handling Suspected Misconduct Procedure (HR-PROC-0027).
- Bullying Harassment and Discrimination Policy (C-POL0033) – updated policy emailed 19/10/2022.
- Just Culture Policy (C-POL0028) updated policy emailed 19/10/2022.
- Code of Conduct Policy (C-POL0032) updated policy emailed 19/10/202.
- Code of Conduct Standard (AA-NOS-CORP-0008).
- Ethics and Fraud Control Policy (C-POL0026).
- ► The Safe Place Charter (C-CHART0026).
- SafePlace The Post Implementation Review Action Plan.

5.3.3 Progress Review Findings

Most employees stated that they knew how to locate the Code of Conduct and the relevant policies and were generally familiar with their content. Most stated that they were aware of the process for making a report. The policies we have are good...they are clear and spell out the dos and don'ts.

I know how to get the policies if I need them.

I remind my team where the policies are, or the Code of Conduct.

It's not difficult to find where our policies are.

Nevertheless, some queried the effectiveness of the current policies, particularly how "they are lived on the ground":

Policies and procedures do not support leaders [to] take responsibility for people.

There is a Code of Conduct but there is a lot to be desired regarding the other policies. There are lots of broken links. There is a lot of high-level information.

I do not think the level of psychological safety has improved. They might change their policy but making complaints about things does not go anywhere.

The recommendation from the Broderick Review envisaged that the policies and Code of Conduct sit within one guidebook/manual/handbook. This was considered necessary at the time given that there was low awareness of the nature and impacts of harmful behaviours and that employees were unclear about the reporting process. In the 2020 survey 9% of respondents who experienced bullying identified a barrier to reporting as being: "I did not know who to talk to or how to make a complaint." This rate only dropped to 7% in 2023, suggesting there remains some lingering lack of awareness about the policies. Nevertheless, the overwhelming commentary from the focus groups, interviews and written submissions suggests that there is widespread knowledge, and employees feel that they can easily access the policies and Code of Conduct.

The more pressing issue that emerged was whether the Code of Conduct and the policies are having an impact on the ground. Whilst the content may be known widely, the practical application of the policies and whether they are embedded across the organisation, was questioned by a number of employees.

A comprehensive review of the policies and the Code of Conduct benchmarked against best practice is found in Appendix 2.



6.1 Recommendation A – develop and implement a discrete unit – a 'Safe Place'

Develop and implement a discrete unit – a 'Safe Place' for reporting incidents of bullying and sexual harassment that is:

- Independent from human resources and legal.
- Managed by specialist staff with expertise in bullying, sexual harassment, and trauma.
- Supported by a network of appropriately and regularly trained advocates.
- Not time limited and as far as practicable enables historic issues to be heard for those who continue to work at Airservices.

The unit should:

- Provide appropriate support and a range of informal and formal responses for complainants. This would include an option for confidential disclosures, with capacity for Airservices to take action in prescribed circumstances. For instance, a complainant may, in the first instance, elect to make a disclosure and access support but at the same time, not wish to have the incident investigated. They may elect to have the incident investigated at a later date.
- Provide support to complainants who elect to have their matter investigated, throughout the investigation process.
- Collect and analyse data to track progress and identify trends and gaps, sharing the data with the CEO, the Executive Team, and the Board on a quarterly basis together with any actions implemented to respond to trends of concern.
- Provide ongoing advice to managers on how to appropriately respond to bullying and sexual harassment disclosures made by a member of their team.

6.1.1 Intent of recommendation

The key aim of this recommendation was for Airservices to create a psychologically safe reporting hub for employees who have suffered bullying, sexual harassment, or other workplace harm to bring a complaint and access support. The recommendation emerged from the findings of the Broderick Review that employees had a lack of trust in the existing reporting processes, and for those who did report an incident, the experience was often unsatisfactory, and on occasion, re-traumatising.

To address this, the recommendation urged Airservices to:

- Establish a dedicated and independent unit within Airservices to appropriately address incidents of bullying and sexual harassment, that is separate from human resources and legal departments.
- Staff the unit with specialists who have expertise in providing trauma-informed responses and who can provide support to individuals who report incidents of harm.
- ▶ Enable the unit to take confidential disclosures.
- Ensure the unit provides end-to-end support to parties to a complaint, including an investigation.
- Collect and analyse data to monitor progress, identify trends, and address any gaps in addressing bullying and sexual harassment within Airservices. The data, along with actions taken in response to areas of concern, is to be shared on a quarterly basis with the CEO, the Executive Team, and the Board to ensure transparency and accountability.
- Offer guidance to leaders on appropriately responding to disclosures of bullying and sexual harassment within their teams or crews.

6.1.2 Implementation Actions

In response to this recommendation, Airservices created Safe Place in 2020. By December of that year, relevant functions and accountabilities from other roles were transitioned across to this new unit. Consistent with the recommendation, Safe Place was set up as independent from human resources and legal.

A unique reporting and support option, Airservices' Safe Place was among one the first of its kind to be established in Australian organisations. Advice from Safe Place is that:

Since January 2022 Safe Place has received 260 requests for support, and advice. These cases include training and coaching delivered to work groups, support and advice to informants considering making a disclosure, support to parties to misconduct matters (including the respondents), and support and advice to managers on addressing issues within their teams.²⁶

Safe Place further advises that since 2020 it has received 188 formal reports of alleged misconduct (current as of 11 July 2023). On top of this, a further 400 requests for support and advice were received with 260 of these received since 1 January 2022.²⁷ Further information provided by Safe Place includes:

Many of these (188) formal reports have alleged multiple inappropriate behaviours...of the formal reports of alleged misconduct, 26% (48) of the cases have proceeded to a formal investigation, and 18% (34) have been unsubstantiated through the initial assessment process (preliminary inquiry). The largest portion, 53% of the cases (101), have been actioned through non-investigative resolutions. The majority of non-investigative resolutions have involved referring the matter for local management action. Safe Place always assists the manager, along with seeking support from other areas of the business, and at times external consultants where specialised expertise is required.²⁸

In July 2021, an independent review of Safe Place (Post Implementation Review or PIR) was undertaken to ensure it was meeting its original purpose, and to identify opportunities to improve and mature the function. In that same month a new head of Safe Place was appointed.

The overall findings of the PIR demonstrated that Airservices had made significant effort to establish Safe Place and that there was a clear appreciation across the organisation regarding the need for a human-centred function to facilitate effective responses to bullying, exclusion and sexual harassment and to enhance the reporting of incidents.

The EB&Co Team agrees with this finding. Safe Place response can be complex and it has taken some time to find an effective operating rhythm.

The PIR also identified:

"opportunities for further improvement and made 14 recommendations to facilitate greater coordination, a more strategic approach with increased clarity of purpose and an improved governance framework to both fully realise the intended outcome of Safe Place and to ensure integrity throughout all processes".²⁹

Among the specific findings were that:

.... there is no overarching Charter or established authority to operate, nor is there a mature governance framework encompassing comprehensive policy, guidance, and training for how it will provide appropriate support for trauma-informed responses. An overarching mandate and clarity of purpose and outcome will improve transparency and assist with a shared understanding in operations which will in turn improve Safe Place delivering a human-centred response to complaints management. This is a key point of difference between a high-functioning Safe Place unit and that which can be perceived as an extension of a typical HR function.³⁰

The Team notes that a Safe Place Charter has since been developed (see below).

The fourteen recommendations of the PIR were:

- Airservices consider addressing current perceptions associated with the independence of Safe Place and increase the organisational profile by having the unit report directly to the CEO, which also provides for a single point of oversight for all responses.
- 2. All future internal and external recruitment activity associated with any role in the Safe Place unit, should mandate the requirement for both management and staff to have specialist skills and qualifications associated with bullying, sexual harassment and trauma and victim-led complaints management. Existing staff within the unit should also undertake training to inform the design and application of human-centred responses.

²⁶ Advice from Safe Place email, 11 July 2023

²⁷ Advice from Safe Place, email 11 July 2023

²⁸ Advice from Safe Place email, 11 July 2023

²⁹ Airservices Australia Safe Place Post Implementation Review: Action. Plan 2021-2022, p 2

³⁰ Callida Consulting, Airservices Australia, Post Implementation Review of Safe Place, October 2021, p 11.

- 3. Airservices should develop additional formal training for advocates focused on how to champion and strengthen the understanding of and appreciation for Safe Place across the organisation.
- 4. Airservices should develop guidance on the framework and processes associated with the management of historic issues and ensure relevant content about the management of historic issues is included in any training activities and general communications associated with Safe Place.
- A charter should be developed to ensure clarity of understanding of the outcomes and operations of Safe Place.
- 6. Airservices should document prescriptive guidance on the end-to-end support required for complainants who elect to have their matter investigated, including the critical processes to transition from informal to formal response.
- 7. Airservices should define and document a reporting framework for the activities and outcomes of Safe Place, this should accommodate reporting to both internal and external stakeholders.
- 8. Airservices should, with the contribution of business areas, co-create an education and awareness program with a focus on capability uplift so that managers can appropriately respond to bullying and sexual harassment disclosures made by a member of their team.
- Airservices should progress the preliminary activities to integrate flexibility into the relevant rostering system by assigning responsibility through a formal implementation plan.
- 10. Airservices should document prescriptive guidance on the end-to-end investigation process and supporting governance elements such as policy and ongoing training which captures the critical process of transitioning to formal investigation in a manner which is human-centred, and trauma informed.
- 11. Airservices should define a threshold for cases to be referred to an external service provider and develop, document, and implement an explicit external independent arrangement for investigations which meet the defined threshold.

- 12. Airservices should implement an assurance framework to monitor governance and operation in accordance with policy and to provide insight on both the practical and perceived independence of the unit.
- 13. Airservices should develop user-friendly and accessible guidance to ensure all Airservices staff have clear expectations when engaging Safe Place, with key messages reinforced through a communications strategy and ongoing training program.
- 14. Airservices should consider working with the AFP to establish a collaborative working group of agencies with a safe place function for the purpose of sharing perspective, approaches, and lessons. A working group comprising representatives from across sectors and industry where possible may offer greater diversity, maturity levels and therefore, quality of insights³¹

These recommendations provide a strong blueprint for Safe Place to build on its operations and improve its service delivery. Airservices advises that "As of 30 June 2022 – All recommendations from the Safe Place PIR have been implemented." Statements provided by Airservices on the implementation of the recommendations were that:

- As of 30 June 2021 A Safe Place post implementation review has been commissioned.
- As of September 2021 An action plan has been developed in response to Safe Place PIR recommendations (Build a trusted Employee Support Team to deliver Human-centered frontline HR Services.)
- ▶ As of December 2021 The Safe Place action plan is under way in response to Safe Place PIR. The Employee Support team is established and being actively promoted across our frontline workforce. A supporting process review is also underway.
- ▶ As of 30 June 2022 All recommendations from the Safe Place PIR have been implemented. Process review [is] complete to ensure alignment between supporting functions (Safe Place, Workers Compensation and Employee Support) and a seamless experience for our people.³³

³¹ Callida Consulting Airservices Australia, Post Implementation of Safe Place, October 2021, pp 5-6.

³² Airservices Australia: Pillar 3 Spread Sheet, provided to EB&Co 30 September 2023

³³ Airservices Australia, Pillar 3: Spread Sireet, provided to Ebaco 30 September 2022.

However, the Progress Review was unable to fully examine the various stages of implementation of a number of the recommendations because of limited information. Apart from receiving the Charter developed for Safe Place (discussed below) and some de-identified complaints data, little other formal documentation was available. In addition to this, there was no available information on Safe Place's early analysis on the impact of the PIR's recommendations once implemented.

Safe Place reports to the CEO to demonstrate its critical status across the organisation and its independence from any functional area. It also provides reports to the CEO and the Executive monthly and quarterly to the Airservices' Board's People, Culture and Remuneration Committee. The reports contain data on trends, outcomes, and early intervention initiatives (these reports were not provided to the EB&Co team).

Safe Place also provides ongoing advice to managers on how to appropriately respond to bullying and sexual harassment disclosures made by a member of their team.

The PIR report highlights the initial challenges faced by Safe Place in fulfilling its intended purpose and objectives. This was also borne out through some experiences and observations shared with the Progress Review Team by participants in focus groups and interviews and from authors of written submissions. The information from these sessions and from the submissions, strongly suggests that Safe Place, in the first twelve months of its establishment, was not operating at an optimal level, nor as intended by the recommendation of the Broderick Review. This appears to be changing based on strengthened governance, greater expertise, a restructure of the office and a clearer understanding of the role, responsibilities and priorities of the office. This is explored further below.

6.1.2.1 Safe Place Charter

The Safe Place Charter (the Charter), developed in 2021 and effective from 21 November of that year is a comprehensive document which sets out the role, responsibilities, structure, and governance of the Safe Place function. The Charter confirms that Safe Place is to function "as a discrete unit for reporting Code of Conduct concerns, which the unit will address and resolve in a confidential, compassionate and human-centred way."

Key elements of the Charter are that Safe Place will promote the objects of the Code [of Conduct] by:

- Developing and implementing an integrated system to address employee concerns relating to behaviours inconsistent with the Code.
- Promoting a clear understanding of the Safe Place function's ability to provide a safe and confidential space for employees to disclose breaches of the Code; this includes Public Interest Disclosures (PID), workplace misconduct and fraud-related matters.
- Benchmarking the services offered to external bestpractice guidelines and cross-agency working groups.
- Identifying, monitoring, and improving on the employee experience at work in respect of Code of Conduct matters.
- Facilitating leadership discussions regarding current trends concerning employees.
- Providing targeted initiatives to address systemic behavioural patterns.
- Building leadership and specialist personnel capability in identifying and addressing issues.
- Providing, as appropriate, issue-resolution responses to restore a positive culture where departures from the Code of Conduct have occurred.
- Diagnosing issues on a case-by-case basis and applying the principles of restorative justice when determining and implementing resolutions.
- Conducting formal investigations where appropriate and facilitating a sanction decision.
- Measuring and monitoring the performance of the function.
- Operating in a way that promotes respect, fairness, and compassion for all.

The Charter specifies that Safe Place is a separate and independent function within Airservices, with a direct reporting line to the CEO. Safe Place consists of three operating units namely, Case Management, Support, and Investigation and staff of each unit must possess suitable qualifications.

The key documents utilised by Safe Place are the Code of Conduct and the Handling Suspected Misconduct Procedure. Importantly, Safe Place is guided by the following principles:

Care, Compassion and Trust

Safe Place recognises the impact that breaches of the Code may have on employees, their safety and their wellbeing, and the potential for further impact from dealing with the breach-related complaints. Safe Place embeds the principles of respect, safety, trust, collaboration, choice, and empowerment within all its systems to provide appropriate help and support to affected people and ensure that care and compassion is extended to all parties.

Procedural Fairness

Safe Place employees will always seek to act fairly in carrying out administrative decision making in accordance with the principles of procedural fairness and natural justice. This includes making evidence-based decisions related to the implementation, administration, or enforcement of Airservices Code.

Confidentiality

Safe Place team members acknowledge that details related to the reporting and investigation of complaints are confidential and will not be disclosed to any person outside of Safe Place except where consent has been provided, as necessary for the conducting of an Investigation, as agreed by the Head of Safe Place, or as required by law.

Safe Place operating units are separate, and information is not shared between teams without consent/imperative to an assessment or investigation.

All Safe Place reporting will be deidentified and aggregated data.

The Charter is a fundamental blueprint to guide Safe Place's role and responsibilities. Through the shared experiences of employees, the EB&Co Team notes key parts of the Charter are being fulfilled by Safe Place. However, other experiences shared with the Team suggest that the implementation and visible action of some areas of the Charter require strengthening. This is explored further below.

6.1.3 Progress Review Findings

The EB&Co Team commends Airservices for its visible commitment to strengthening its workplace culture with the establishment of Safe Place in 2020. It also congratulates Airservices for commissioning the PIR some 12 months after Safe Place's inception, as an early assessment of its progress. The PIR recommendations provide valuable guidance to Airservices to ensure Safe Place fulfils its intended purpose of providing a safe reporting environment with specialist staff, to employees who have experienced or witnessed sexual harassment or bullying in the workplace.

The Team acknowledges the commitment of staff to meeting the goals of Safe Place. It also acknowledges that there have been strong efforts since 2021 to improve the processes and governance of Safe Place. The Team understands there were challenges when Safe Place was first established. It is noted that this is not an unusual consequence when a completely new function is established in any organisation which requires its leaders and employees to adopt a new way of dealing with issues of misconduct and their impact. The PIR was a valuable intervention to assist Safe Place to address its challenges and move forward.

The Team considers that since the PIR, Safe Place is in a rebuilding phase as it has endeavoured to reset the course of the unit since it first began. It recognises that "getting back on track" can be challenging particularly when, as discussed below, a legacy of low trust persists.

The Team acknowledges that Safe Place has been proactive in strengthening its systems and processes since 2021. It also notes that it has made concerted efforts to undertake site visits, speak with employees about the role and responsibilities of Safe Place and where appropriate, provide early intervention options when a complaint from a particular site is made. Safe Place is still in the early stages of reforming its delivery and is rectifying previous processes and consolidating new approaches.

The role, function, and experiences of reporting to Safe Place featured frequently during focus groups, interviews and in the written submissions. with the Team hearing from complainants, respondents, and bystanders about their experiences.

A number of people had constructive experiences, including in relation to both the process and the outcome of a complaint. Others relayed poor experiences, resulting in a lack of faith in the unit and its role as an improved reporting avenue. This is explored below. It is critical that Safe Place continues to strengthen its approach to responding to reports and becomes a universally trusted reporting option across Airservices.

6.1.3.1 Survey insights

The survey results revealed that for the most recent incident of bullying, 52% who reported the incident, did so through Safe Place. This was the second most frequent reporting avenue, with the majority reporting bullying to a manager/supervisor/team leader (78%, down from 92% in 2020). As a new response option to the 2023 survey, a comparison of this rate to 2020 is not available. Nevertheless, some of the comparative 2020 and 2023 data is instructive in relation to reporting behaviours with specific regard to bullying.

In relation to sexual harassment, overall formal reporting of the most recent incident of sexual harassment was very low at just 3%. Due to the small base size, results on who the incident was reported to, and outcomes of the complaints process are not provided.

Respondents who had experienced bullying in the last 5 years but did not make a formal report were asked why they decided not to report this incident. The top three barriers to reporting bullying were identified in the 2023 survey as:

- Not thinking it would make a difference (65%, compared to 63% in 2020).
- Believing there would be negative consequences for their career (64%, compared to 63% in 2020).
- Believing there would negative consequences for their reputation (59%, compared to 55% in 2020).

As noted earlier, some participants believed there was greater confidence broadly in reporting incidents than prior to the Broderick Review.

Nevertheless, the results from the 2023 survey suggest there is still a significant level of mistrust with the reporting process, despite the introduction of Safe Place.

All 2023 survey respondents who had reported bullying were asked to rate on a 5-point scale how satisfied they were with the formal reporting process so far. They were then asked to specify why they gave that particular satisfaction rating. More than three in five (62%, compared to 55% in 2020) of these survey participants indicated they were not at all satisfied with how their complaint had been dealt with to date. The main reasons for this dissatisfaction included:

- No action being taken (28%, compared to 23% in 2020).
- Action taken was inadequate (26%, compared to 15% in 2020).
- No communication about the process or outcome (22%, compared to 16% in 2020).
- Making the complaint has / will cause negative repercussions for me (13%, compared to 8% in 2020).
- Took too long (10%, up from 2% in 2020).

These results suggest that despite the establishment of Safe Place, a level of dissatisfaction with Airservices' complaints processes persists. Of concern is that most of the data points show an increase in dissatisfaction levels in the 2023 survey compared to the 2020 survey.

6.1.3.2 Employee perceptions of Safe Place

The following quotes have been drawn from the Progress Review's interviews, focus groups and written submissions. A number identify positive views and experiences with Safe Place, including that the model itself is valuable. However, many reflect poor experiences and suggest a need for further reform:

I think Safe Place has been a good addition to Airservices.

Safe Place handled my complaint well. The person dealing with it was kind and kept me in the loop when she could.

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The model of the Safe Place is a good one. Airservices needed a place that its people [can] go to report things without being afraid a manager would end up singling them out or excluding them.

I found my experience with Safe Place a positive one.

I believe there has been a change in Safe Place. I have had dealings recently which were good.

[Safe Place staff member] was great. They were sympathetic but professional at the same time. I felt they really listened.

The intention of setting up Safe Place was a good one, and one we needed.

I felt believed and validated which made me feel that I had done the right thing by making the complaint in the first place.

Other comments reflected a different view. Some employees shared that they did not receive adequate information or updates regarding a complaint they had made or were involved in. Some shared that their reports were not kept confidential. Some also believed that Safe Place is "punitive" and is "weaponised" by some leaders. There were some who felt that Safe Place lacked the power to address serious matters or those involving senior people in Airservices. Among the comments made to the Progress Review Team:



I raised concerns about something and was interviewed but heard nothing.

I complained to Safe Place [about an issue]. I made multiple reports. But I don't know what happened.

I thought Safe Place ...was a good thing. But I am completely dissatisfied with how my issues have been handled.

My dealings with Safe Place as a manager are it is a bit lax. I find they are under resourced which is a problem... I find it hard to advocate for Safe Place as a manager.

After making a complaint, it took 3 or 4 months to be followed up. [The person at Safe Place I spoke with] was helpful in the sense that she listened, but after months, nothing changed.

Most people were prepared to give Safe Place a crack, but now people don't trust it. It needs to stop being weaponised.

[Airservices should] address the objectives and processes in areas like Safe Place. We are seeing investigations carry on for years with no outcomes and this has an extremely detrimental effect on staff groups [whether] involved or not. The Safe Place concept has created a massive divide between staff and supervisors with supervisors often reluctant to enforce basic corrective instructions for fear of retribution via this process.

I made a complaint [to Safe Place] and the person I made a complaint about came straight to me and tackled me about it.

They don't have enough authority. They are more like a counselling service.

There is no mechanism for feedback to Safe Place so they cannot have any idea on the effectiveness of their service.

I've reported bullying through Safe Space – they called me and said I would be named to proceed, even prior to investigating which in my mind defeats the purpose of confidential reporting.

These comments, together with the results of the survey, underscore the importance of Safe Place, building increased trust across Airservices and ensuring that all employees are aware of its scope and responsibilities – what it can and can't do. Critically, leadership should visibily support Safe Place, and communicate it as a positive reporting avenue. It must address the perception that Safe Place is being used as a weapon against employees. This action will help to restore trust and credibility in Safe Place. An organisation-wide campaign which includes de-identified examples of matters that have proceeded well and produced clear outcomes could also assist in this regard.

6.2 Recommendation B – build into rostering systems increased flexibility for people who have made a complaint against a colleague or manager

Review and build into the relevant rostering system increased flexibility for people who have made a complaint against a colleague or manager.

6.2.1 Intent of recommendation

The intent of this recommendation was to acknowledge the potential challenges faced by employees who have made complaints against a colleague or manager and continue to work with them. It recognises that their ongoing involvement or interactions with the respondent may create tension, make them feel unsafe or result in negative repercussions. The primary goal of the recommendation is to demonstrate organisational support for employees who have experienced interpersonal harm or conflict with a colleague or manager and provide them with mechanisms to navigate their work environment more effectively. By implementing increased flexibility within the rostering system, the intent is to promote a sense of fairness, wellbeing, and a more positive work experience for those involved in the complaint process.

6.2.2 Implementation Actions

At the time of the PIR, Safe Place had yet to review or build increased flexibility into the relevant rostering system for people who have made a complaint against a colleague or manager. Following the PIR, in 2021 Safe Place proposed to the Executive of Airservices that a number of flexibility options were available for Safe Place to respond to the recommendation. These options were currently utilised by Airservices, and the proposal was that Safe Place considers them where relevant at an early stage of a complaint:³⁴

- Stand down on full pay.
- Roster deconfliction.
- Temporary redeployment opportunities.

The Team are informed by Safe Place that these options are now being used in appropriate circumstances.

The approach adopted is underpinned by the following factors:

- ▶ The safety and wellbeing of the employee.
- The safety and wellbeing of the operational system of Airservices as whole.
- The operational requirements of a team.

Stand down

Stand down may occur if:

- A party to a complaint review is in a safety critical role.
- There is a concern for the psychological or physical safety to an employee who is party to a complaint.
- Alegations accepted at their highest may result in termination.
- It is assessed that this is the best option for all parties.

Each situation is managed individually. Safe Place provides that "It will be made clear to the employee that this is not a disciplinary action, and they will be compensated in full for the duration of the stand down period." 35

Roster Deconfliction

Safe Place advises that in the case of a roster deconfliction, "Safe Place will collaborate with the relevant Service Delivery Head to ensure there is a separation of parties relevant to a complaint review. Certain teams in Airservices do not prefer a roster deconfliction. This is noted and accepted." 36

Temporary redeployment opportunities

On occasion, if appropriate, Safe Place may recommend a temporary redeployment to another team. This may be relevant for office-based roles.³⁷

³⁴ Pillar 3 - 13 Memo PIR # Received 30 September 2022

³⁵ Pillar 3 - 13 Memo PIR # Received 30 September 2022

³⁶ Pillar 3 – 13 Memo PIR # Received 30 September 2022. 37 Pillar 3 – 13 Memo PIR # Received 30 September 2022.

6.2.3 Progress Review Findings

The EB&Co Team notes the implementation of flexible rostering options for parties to a complaint. However, the Team was unable to identify the numbers of approvals given to employees to access these options. The Team suggests Safe Place periodically provide to the CEO and the People and Renumeration Committee detail on the number of requests for flexible options by complainants and respondents since the initiative began; the number of requests that were agreed to by managers; the length of time the options were utilised; and any feedback on the effectiveness of the options.

6.3 Recommendation C – ensure all investigations are handled sensitively, and swift action is taken against those found to have committed unacceptable behaviour.

Ensure all investigations (internal and external) are handled sensitively, effectively, and expeditiously and that swift action is taken against employees and/or managers found to have committed unacceptable behaviour.

6.3.1 Intent of recommendation

This recommendation aimed to ensure investigations are conducted through a trauma-informed approach, and are not protracted and unduly lengthy. The Broderick Review found that for some employees, investigations were often overly legalistic, complex and on occasion, punitive to a complainant. Complainants and respondents also shared that they were not always advised of the progress of the complaint, and for most complainants, they were rarely advised of the outcome of their complaint. These factors compounded the sense of distress and created further trauma. To mitigate, or ideally, minimise secondary trauma, it was strongly recommended that investigations be conducted promptly, and any necessary actions taken swiftly against individuals found to have engaged in harmful behaviour.

6.3.2 Implementation Actions

Since the PIR, Safe Place has created the operating unit, Investigation, which works in partnership with Case Management and Support. The Safe Place Charter states that investigators must "conduct procedurally fair and impartial investigations into more serious allegations where a formal outcome may be required to ensure the restoration of a safe and healthy culture." In addition to this, the Code of Conduct Module (Part 1) provides those formal investigations "will be conducted in a manner that respects privacy and minimises unnecessary harm to our people." In addition to our people."

Safe Place Investigators require formal Australian Standards investigation qualifications or equivalent experience. In addition, they should receive periodic, ongoing training and updates on compassionate, human-centred investigatory practice, relevant case law and legislation pertaining to Code of Conduct related issues. The key responsibilities of Investigators are to:

- Conduct formal investigations in accordance with the principles of natural justice (impartially, no bias, and procedural fairness).
- Monitor for conflicts of interest and report where identified.
- Hand over all findings to a Sanction Decision Maker for an informed decision in cases of positive findings of a breach.
- Engage with Support Advisors as required.
- Make informed breach decisions.

Investigators are required to undertake investigations in accordance with Airservices' Handling Suspected Misconduct Procedure and in compliance with Australian Standards regarding complaints handling.

Importantly, the Code of Conduct provides that Safe Place should "embed the principles of respect, safety, trust, collaboration, choice and empowerment within all its systems to provide appropriate help and support to affected people and ensure that care and compassion is extended to all parties." ⁴⁰ The Charter also requires Safe Place employees, including investigators, to act fairly in carrying out administrative decision-making, consistent with the principles of procedural fairness and natural justice. This includes making evidence-based decisions related to the implementation, administration, or enforcement of Airservices' Code of Conduct.

³⁸ Safe Place Charter

³⁹ Code of Conduct Module, Pt 1.

⁴⁰ Safe Place Charter

6.3.3 Progress Review Findings

The framework underpinning the role and responsibilities of investigators is robust and rigorous. It includes important requirements to ensure that investigations are fair and compassionate. The Team acknowledges that some investigations can be complex and may require more time to resolve than a more straightforward investigation. Nevertheless, the 2023 survey showed that in relation to timeliness, 10% of survey respondents said the process took too long compared to 2% in the 2020 survey. This was even though Safe Place has been operating since 2020. The Team recommends that Safe Place should set reasonable completion time targets for internal and external investigations, noting that some may be more complex than others. Safe Place should regularly review investigation completion times against these targets to ensure they are not unduly long and create distress for parties.

Safe Place investigations were raised in focus groups and interviews. A number of employees told the Progress Review Team that the Safe Place investigation they were a part of was supportive and fair:

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[I want to] convey ...the great support from the Safe Place advisors. They should be commended for the way in which they have tried to support us through the investigative process, when inundated with reports themselves.

The investigation was handled well. I think it was fair and I felt that I was given good support.

Others shared different views, or experiences:

The support people are excellent, but investigations people can often come in hard.

During the investigation [the respondent] was not allowed to talk to anyone [about the investigation]. They are guilty until they are found innocent.

The support arm and investigation arm sit in the same office.

The investigation process made me feel like I was guilty until proved innocent. It was very stressful.

6.4 Recommendation D – ensure all investigations for managers at OLR or above are conducted by an external, independent investigator for at least two years.

Ensure that all investigations for managers at OLR or above are conducted by an external, independent investigator, for at least two years.

6.4.1 Intent of recommendation

This recommendation was developed following many comments from participants to the Broderick Review that senior Airservices' leaders "get away" with misconduct. There was a perception that Airservices was a "boys club" with many male leaders having formed close bonds since their time as recruits and trainees. Many employees believed this meant leaders were not accountable for poor behaviour and a blind eye was frequently turned. Compounding this was the stark trust deficit in the reporting environment and complaints process, with employees believing that reporting a leader for misconduct would be "career suicide," and that "nothing would be done to stop the behaviour." Against this background, the recommendation sought to restore greater trust in the reporting system by minimising any bias or conflict of interest in the investigation of leaders for inappropriate behaviour. A two-year period was set for the engagement of external investigators as it was considered that this would allow for trust to be built in the reporting system and its integrity restored.

6.4.2 Implementation Actions

Safe Place's Charter provides that the Head of Safe Place will engage external independent investigators, and support them where required, to prevent a conflict of interest or real perception of bias. Advice provided by Airservices states that:

As of 30 June 2021 – The Code of Conduct Investigation Procedure and the Code of Conduct Procedure have been refreshed.

The term OLR has not been used to describe a position at Airservices since late 2020. Prior to the introduction of Safe Place, Managers at and above this level were responsible for conducting investigations into the suspected misconduct of staff. It is understood that the intention of this recommendation was so that the suspected misconduct of managers would be investigated independently to ensure consistency and no special treatment.

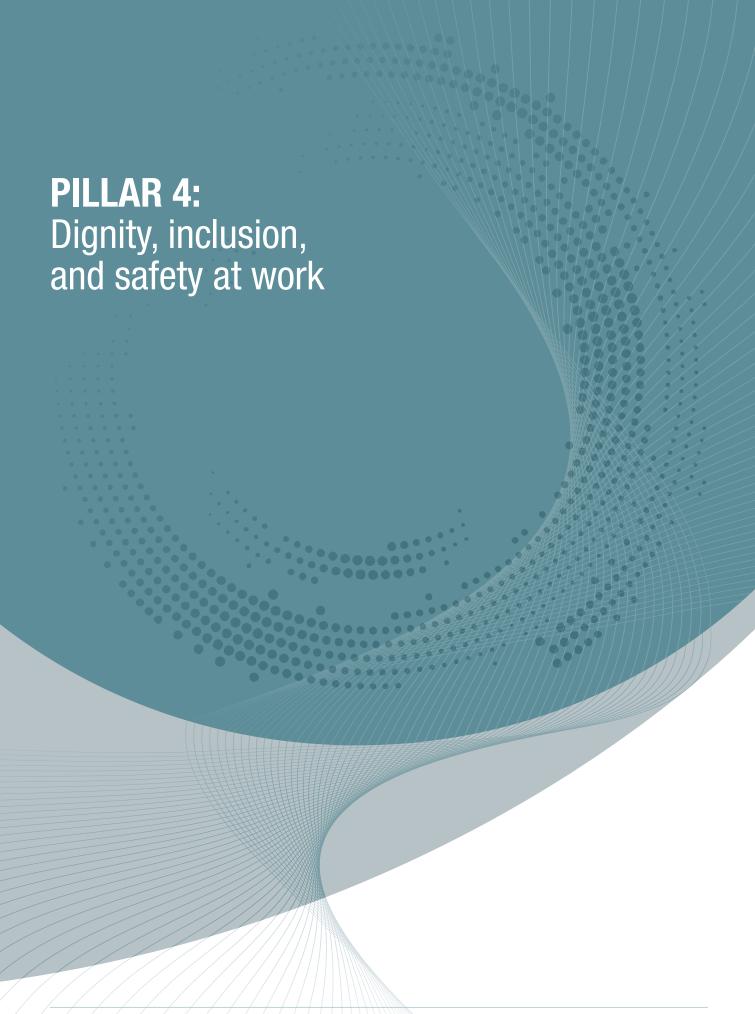
Safe Place is an independent unit which reports directly to the CEO. Safe Place employs investigators who are highly skilled, experienced, and qualified investigators. This ensures that all investigations, no matter the seniority of the respondent are conducted thoroughly, consistently, and fairly.

Safe Place has and will engage an external investigator in circumstances where Safe Place considers it appropriate, such as where there is a perceived conflict of interest or there is a concern around capacity.⁴¹

6.4.3 Progress Review Findings

The Progress Review Team commends Safe Place's commitment to involving external investigators when there is a potential conflict of interest or bias. However, there is a lack of available information demonstrating consistent utilisation of external investigators in cases involving leaders at certain senior levels. Considering the persistent issues surrounding trust in the reporting process, and the perception that leaders are not always held accountable for breaches of the Code of Conduct and inappropriate conduct, the Progress Review Team continues to advocate for the consistent involvement of external investigators for allegations against senior leaders for two years. Ensuring the use of external investigators in cases involving senior leaders will help address concerns of impartiality, enhance transparency, and reinforce the integrity of the investigation process. By actively implementing this recommendation, Airservices can further strengthen its commitment to creating a fair and just organisational culture, where all individuals are held accountable for their actions, regardless of their seniority.

⁴¹ Pillar 3 Spreadsheet. Provided by Airservices on 30 September 2022



7. Dignity, inclusion, and safety at work

7.1 Recommendation

Ensure all Airservices workplaces have appropriate facilities to increase comfort, safety, and inclusion for employees, including people of all genders, sexualities, religions, and accessibility needs.

Prioritise areas where existing staff do not have appropriate facilities.

7.1.1 Intent of recommendation

The intent of this recommendation was to ensure that all employees have access to appropriate facilities that were inclusive and of a standard that recognised the dignity of all people. This includes facilities that were appropriate for the needs of individuals of all genders, sexualities, religions, and accessibility needs.

The recommendation aimed to prioritise areas where staff members do not have access to suitable facilities, addressing any disparities or gaps in infrastructure. By providing inclusive and safe facilities for everyone, Airservices promotes a sense of inclusion, respect, and wellbeing among its workforce. This recommendation recognises the importance of accommodating diverse needs and fostering an environment where all employees feel valued and respected.

"Appropriate facilities" refers to designated physical spaces within the workplace that are designed and equipped to meet the specific needs of employees. These facilities are intended to enhance comfort, safety, and inclusion for all people.

7.1.2 Implementation Actions

Following the Broderick Review, Airservices undertook a facilities audit to identify sites across Australia that needed improvement. Following the audit, an Inclusive Facilities Plan was developed, outlining four tranches of work to be completed over a five-year period. In November 2020, the Board approved tranches 1 and 2 to address substandard facilities at a total of thirty (30) sites. Tranche one included parent and reflection rooms, tranche two and three related to ARFFS sites.

Work included:

- Upgrading toilet areas to include an equal number of male and female toilets and/or gender-neutral toilets.
- Upgrading change rooms and lockers to include separate male and female change rooms and/or gender-neutral locker rooms.
- Providing a parent and multi-faith room/s.⁴²

The major drivers of the program were:

- Increase female facilities at operational sites.
- Removal of legacy issues to keep teams physically safe.
- Creating nclusive and engaging work environments.
- Culture program collaboration and 'one team'.

The audit found it was found that a considerable number of worksites had male-only facilities on site or had inadequate facilities for all employee groups on site. These sites included fire stations, office spaces, workshops, and air traffic services centres.

7.1.3 Progress Review Findings

The provision of inclusive facilities was a consistent point of discussion for many Progress Review participants. Feedback centred around a lack of consultation, and a lack of appropriate implementation of inclusive facilities at various sites. While the information provided by Airservices outlined a consultation process as the fourth step in the plan for tranches 1 and 2, it is not clear how that feedback was taken considered and reflected in the eventual outcomes, as specific information on the consultation process and outcomes was not available.

Many participants emphasised that their objections were not directed towards the facilities themselves, but rather towards the perceived inadequate consultation on the plan and the way the plan had been implemented. They expressed a genuine concern that the users of these facilities had not been appropriately consulted, denying them the opportunity to contribute to a development plan that would benefit all employees, while also considering the specific workforce requirements of the local area.

⁴² Documentation provided to the Progress Review Team - Inclusive Facilities Plan - Tranche 1 and 2, Feb 2021

7. Dignity, inclusion, and safety at work

Some were also concerned that broader facility issues were not being addressed and the implementation of some facilities were being prioritised over basic comfort and dignity issues. There was a view that the implementation of shared changed rooms would result in both men and women, feeling uncomfortable, exposed, and their privacy and dignity undermined.

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Inclusive facilities. Please listen for the last time - WE DO NOT WANT INCLUSIVE FACILITIES, Unlike corporate staff, we shower and get changed multiple times a day. Both sexes do not feel comfortable or safe getting undressed and showering in cubicles next to the opposite sex. We have communicated this very clearly to Senior Management multiple times and they keep on insisting that we need to accept this change as we are "one air services". I invite any female within the ASA business to join my crew in a cardio/gym session, firstly getting changed with the crew into male clothing that doesn't fit her correctly followed by a shower afterwards. Would you be comfortable with this?

Now we are told that inclusive facilities will go ahead at every station, joint male and female toilets and change rooms. This is concerning to the majority of all ARFFS crew on station. This is not increasing safety.

Female fire fighters feel like they burden their colleagues, because they have to wake up a replacement person for bathroom breaks, whereas the male Fire Fighters urinate out the window while on shift due to lack of toilets.

Many staff work in substandard facilities where security, safety and basic amenity do not meet basic contemporary expectations of a modern workplace. If people are constantly faced with poor standards of amenity, it sends a clear message that they are not valued.

As someone who has visited these sites, there is a clear link between the poor standard of facilities, and subsequent despondency and negative attitudes of the workforce. This is exactly the type of environmental conditions that then lead to maladaptive behaviours, and indifference towards professional behaviour.

Basically, there [are to] be some separated toilets but shared locker rooms between men and women – this has been done at some metropolitan stations – but when you have a large number of staff it does not work well. Women do not want to change in front of men. They want their private space to change. Is that too much to ask?



Today there are separate facilities, but they are inadequate, very small, and the men's facilities are dirty, putrid, full of mould. They speak of a lack of human dignity.

One size does not fit everyone and everything (referring to facilities). They have not looked at each workplace and adjusted accordingly, they have just rolled out from the Review.

The best practice in providing a safe and comfortable environment is to provide personal pods with private shower/bathrooms. This issue has gone on for years. We have fought hard to oppose the inclusive facilities plan.

7. Dignity, inclusion, and safety at work

It is recommended that Airservices prioritise an effective consultation process with users of the facilities, considering their diverse needs and local workforce requirements. The focus should not only be on new facilities, but as a priority, address basic comfort and dignity issues. Women and men from ARFFS told the EB&Co Team that they were particularly concerned about mixed change rooms being constructed, believing it will compromise their privacy.

As such, the EB&Co Team suggests not proceeding with the current rollout of 'inclusive changing facilities' within ARFFS. As a priority, it recommends separate male, female and a changing / bathroom facility, that are inclusive for people of diverse genders and provide dignity and safety to all employees be established across worksites.

Optimally, every workplace will have facilities that provide dignity and safety to all employees, avoiding unnecessary 'toilet wars' as researchers Slater and Jones (2020) describe:

A scarcity of toilets suitable for a range of people and needs has led to debates over who is valued, important, and deserving of designated resources. Yet, placing needs in opposition is detrimental to a range of people, particularly trans people.⁴³

The EB&Co Team notes two points regarding inclusive facilities. Firstly, it recognises the terminology 'all gender' or 'gender neutral' when describing facilities is imperfect at best.⁴⁴ This terminology is not inclusive of all non-binary gender identities, or inclusive of those persons that do not identify with any gender.

The Team also recognises that within the context of existing building space across various worksites, the most practical way to provide an 'all persons' changing and bathroom facility, may be to combine it with an accessible toilet / bathroom facility that can be inclusive of all people. Within newer or larger spaces, it may be reasonable to provide 'all persons' facilities in addition to male, female, and accessible facilities.⁴⁵

⁴³ Jones, C. and Slater, J. (2020) 'The toilet debate: Stalling trans possibilities and defending "women's protected spaces", The Sociological Review, 68(4), pp. 834–851. doi:10.1177/0038026120934697.

⁴⁴ Bovens, L. and Marcoci, A. (2020) 'The gender-neutral bathroom: A new frame and some nudges', Behavioural Public Policy, 7(1), pp. 1–24. doi:10.1017/bpp.2020.23.

⁴⁵ For more discussion on inclusive facilities, see - from Access Insight - February/March 2020by ACAA (2020) Unisex vs gender neutral vs all gender toilets – what's in a name? Issu. Available at: https://issuu.com/accessinsight/docs/acaa_march2020magazine/s/10418194;

8.1 Recommendation A – survey every two years to monitor and review

Administer a survey similar to that used in this Review every two years to monitor and review areas of progress and identify areas for action and further strengthening.

8.1.1 Intent of recommendation

Establishing a regular monitoring and review process allows for a sustained assessment of cultural reform progress. It provides a mechanism to measure and evaluate the effectiveness of strategies and initiatives. This recommendation has four aims:

- ldentify areas that require further attention and action.
- Use comparative results of the survey used in the Broderick Review and this Progress Review to inform and strengthen strategies, revise policies, and implement new interventions.
- Measure progress.
- Engage employees in the cultural reform process by providing a platform to share their experiences, views, and suggestions, in order to promote a culture of transparency, learning and continuous improvement.

8.1.2 Implementation Actions

In 2020, Airservices began to transition from annual employee opinion surveys to a 'continuous feedback' model so there could be a 'real time' identification of emerging issues and areas of opportunity.

Introduction of regular surveying of staff

Over the past two years, there has been regular surveying of staff. These surveys included:

- Monthly 'pulse check' surveys which became quarterly from August 2021.
- A 'continuous feedback' technology platform has been implemented, with the first Safety Climate Survey released in October 2020.

Progress Review - 2 years

Airservices leadership made a firm commitment to commission an external review at the two-year mark, and this Progress Review serves as the fulfillment of that commitment.

8.1.3 Progress Review Findings

The Team acknowledges the significant effort invested in the development and evaluation of surveys for Airservices employees over the past two years. However, despite the extensive work undertaken, the Progress Review Team identified a gap between survey intentions and the practical impact on employee experiences:

Climate surveys ...were every month. When you conduct the survey, you expect to see the change. Now they are happening every 3 months. It is on individual leaders to convey results to their team, and they are accountable for taking actions. But no one is accountable for organisational actions.



Survey results were not forthcoming, [they] seemed very sanitised, and on one occasion, were only released after several people made quite a fuss as they had not seen results when they started advertising the next survey.

Early in the piece, communication ... said something to the effect of 'these surveys are about the here and now, not historical issues, stop raising issues that occurred 20 years ago.' The issue with this is these issues from the past have never been resolved, the perpetrators have not been held to account, or even accepted culpability, and are now the ones 'in charge' of improving the culture of the organisation whilst still demonstrating the same poor behaviour.

The content of the surveys seems to be very carefully worded to make junior level managers scapegoats for the organisational issues. Most questions relate to 'my leader' or 'my team' where, in general, the performance is reasonable. My leader DOES communicate well with me, provide feedback and guidance, and steers the group. My team DOES put safety first and looks out for each other and tries to work collaboratively. This fails to capture the fact that the actions of several senior leaders are not in keeping with improving culture... and only paying lip service to cultural improvement is not captured in the surveys, and so the surveys are not done, or are not done properly...

There is a serious lack of meaningful action. As such, people don't engage with the survey, and any cultural improvement has been at the grassroots level, or as a result of initiatives by individuals or unions.

[From] all the surveys implemented on the back of the Broderick review, they said that we are starting to see progress. But [I believe] the surveys were saying something different.

I've stopped doing surveys. I used to spend a lot of time putting my thoughts down, and invariably, they were not positive, but they were truthful. But there is zero that comes back. There is zero improvement. It will just be dressed up.

The EB&Co Team identified issues of "survey fatigue" and specific instances where individuals felt "pressured to complete surveys solely for the purpose of achieving healthy participation rates". This suggests that there was an abundance of surveys without sufficient follow-up in the form of actionable steps. Consequently, some participants expressed concerns that employee feedback was not valued by Airservices leaders.

A review of the available documents from Airservices, including multiple summary reports of pulse surveys, suggests that there is room for improvement through clearer analysis of results, including removing unnecessary jargon. There seems to be a greater emphasis on response rates rather than addressing the actual responses themselves. The Team's understanding is that results were communicated by way of one page word clouds or bubble charts, which participants told the Team did not offer a sufficient depth of analysis.

While the documentation suggests that leaders receive reports and recommendations for further action, it is unclear whether and what follow up occurs and who is ultimately responsible for developing an overall action plan. This lack of clarity hinders the effective translation of survey feedback into genuine monitoring and evaluation.

To improve the survey analysis process and subsequent actions a more thorough and meaningful analysis of survey responses should be conducted, focusing on the specific issues and concerns raised by employees. Reports from surveys should be shared transparently with leaders accountable for actionable insights and recommendations, along with clear responsibilities and timelines for implementing an overall action plan. By enhancing the clarity and follow-up process, Airservices can better respond to feedback from surveys. This would include:

- Establishing a clear follow-up process after survey completion and clearly define the roles of individuals or teams responsible for developing an overall action plan for identified priorities.
- Nominating accountable parties to drive the implementation of initiatives based on survey feedback. Establish clear timelines and monitor progress to ensure effective translation of survey results into meaningful changes.
- Providing timely and transparent communication to employees regarding the outcomes and actions taken based on the survey results. Share how survey feedback has influenced decision-making, policy changes, and improvements in the work environment. Clearly communicating the results of the survey together with action taken demonstrates that employee feedback is valued and acted upon.

The EB&Co Team also suggests Airservices:

- Transition from quarterly to half-yearly cultural pulse checks, to address survey fatigue and promote more effective feedback. This adjustment strikes a balance between capturing regular feedback and avoiding ongoing survey fatigue. However, it is crucial to amplify the communication and action planning process in between surveys to maintain continuous engagement and to ensure there is a feedback mechanism which enables feedback to be promptly acted upon. This adjustment allows employees to provide input on a regular basis without feeling overwhelmed by excessive survey requests. It also provides sufficient time for analysing survey results and taking meaningful actions.
- Actively involve the Cultural Reform Board in the design of surveys and provide employees with a platform to contribute their insights and recommendations on various aspects of the surveying process. By including the Cultural Reform Board in the cultural pulse check process, Airservices can benefit from their diverse perspectives and expertise. This engagement can encompass areas such as determining the most effective means of communicating survey results through teams and crews, identifying suitable methods for relaying information to other employees, offering feedback on survey design, and participating in the development of action plans based on survey findings.

8.2 Recommendation B – inclusion and psychological safety in surveying tools

Include questions relating to inclusion and psychological safety in any existing cyclical employee sentiment surveys.

8.2.1 Intent of recommendation

Given the challenges of inclusion and psychological safety highlighted by participants in the Broderick Review, it was important for Airservices to prioritise these areas and take proactive steps to address them. As such, it was recommended that employee sentiment be continuously measured through the inclusion of specific questions in regular employee surveys. By comparing survey results from the same instrument across different time periods, Airservices can assess the effectiveness of its actions and measure the impact of implemented strategies.

8.2.2 Implementation Actions

The Team notes that after the pulse check surveys commenced, two questions were added to incorporate psychological safety at work – 'I feel safe to speak my mind without fear of negative consequences', and 'I am able to bring my whole self to work'.

8.2.3 Progress Review Findings

The Team was unable to assess the efficacy of these questions as no data (employee responses) was available to the Team. Noting that psychological safety was a significant issue raised by participants, it is recommended that the effectiveness of the questions related to psychological safety and inclusion be examined and where required, addressed.

Measuring psychological safety can be a powerful exercise for any organisation on a cultural reform journey. But it requires a data driven, business focus, and experience led approach. There are numerous models of questionnaires on psychological safety, but academics and practitioners alike suggest leaders should first ask their team how safe they feel and what could enhance their feeling of safety. This should be followed up with feedback from employees on what should be included in any survey that seeks to measure psychological safety.

⁴⁶ See e.g., Edmonson A Psychological Safety and Learning Behavior in Work Teams" Administrative Science Quarterly, Vol. 44, No. 2 (Jun. 1999), pp. 350-383 Delizonno L (2017) "High Performing Teams Need Psychosociological Safety: Here's How to Create it." Harvard Business Review https://duxlex.com/wp-content/uploads/2020/10/High-Performing-Teams-Need-Psychological-Safety-Heres-How-to-Create-tt.pdf". Edmondson, A, Derrick P. Bransby, Psychological Safety Comes of Age: Observed Themes in an Established Literature, Annual Review of Organizational Psychology and Organizational Behavior, 10.1146/annurev-orgpsych-120920-055217, 10, 1, (55-78), (2023). S Thorgren & El Caiman (2019) "The Role of Psychological Safety in Implementing Agile Methods across Cultures", Research-Technology Management, 62:2, 31-39; Sidani, Y. and Reese, S. (2020), "Nancy Dixon: empowering the learning organization through psychological safety", The Learning Organization, Vol. 27 No. 3, pp. 259-266.

8.3 Recommendation C – track key indicators

Track key indicators of progress and report quarterly at Executive General Manager and Board level. Key indicators should include:

- Flexible work arrangements requested and implemented by gender.
- Reporting rates to Safe Place.
- Length of time to resolve cases.
- Data on psychological safety collected through Airservices employee survey.
- Trends in relation to women's leadership representation data.
- Diversity representation data.

8.3.1 Intent of recommendation

The intent of this recommendation was to establish a robust tracking and reporting mechanism related to critical aspects of organisational culture and employee wellbeing. By establishing a quarterly report containing the relevant metrics (and others, as the reporting and action plan evolves) the Board and Executive can clearly monitor meaningful progress and areas of concern. Additionally, tracking key indicators can provide clarity on where potential investment (time, money, and resources) needs to be prioritised.

8.3.2 Implementation Actions

Airservices collects data on workforce metrics including gender representation broadly and at leadership level, and the adoption of flexible work. It also conducts several surveys, as previously discussed in this chapter.

Airservices advised the EB&Co Team that:

As of 30 June 2021 - post-implementation review of the [pulse] survey has been completed, with recommendations actioned.

- As of 30 September 2021 Quarterly people engagement survey launched in August 2021, with action plans underway.
- As of December 2021 Quarterly people engagement survey in place, with engagement action plans underway.
- As of 30 June 2022 Quarterly people engagement survey in place, with engagement action plans underway. An improvement plan is being developed with a focus on participation rates and our engagement score.
- As of 30 June 2021 Key lead and lag performance metrics continue to be reported to Board and Executive.
- As of September 2021: Key lead and lag performance metrics continue to be reported to Board and Executive. A follow-up independent review of Culture at Airservices is scheduled for June 2022.
- As of December 2021: Key lead and lag performance metrics continue to be reported to Board and Executive. A follow-up independent review of Culture at Airservices is scheduled for June 2022.
- As of June 2022 Key lead and lag performance metrics continue to be reported to Board and Executive.⁴⁷

Metrics are presented within the CPCO report to P&C Committee and BRHRC. Airservices states that "this approach will continue to evolve as we mature our data collection through the continuous feedback model."

As noted in 6.1.2., Safe Place provides monthly reports to the CEO and Executive and quarterly reports to the People and Renumeration Committee of the Airservices Board. It is understood that trend data regarding complaints, investigations and outcomes and early intervention strategies are included in these reports.

8.3.3 Progress Review Findings

To strengthen and clarify reporting on critical indicators, it is suggested to create one quarterly report tracking trends and providing comprehensive insights into the identified key metrics. This report would then serve as a valuable tool for informed decision-making and strategic planning, providing a snapshot of performance and highlighting areas of progress and areas that need attention.

In relation to Safe Place, it is suggested that de-identified data is reported including any actions taken to address issues of concern. Additionally, a mechanism for feedback from parties to a complainant should be introduced and learnings from this feedback should be reported in a de-identified way to the CEO, Executive, and the People and Renumeration Committee. The organisation should also develop a mechanism for aggregating anonymous reporting to the entire organisation to reinforce its zero-harm position.

8.3.3.1 Defining key metrics

Airservices should identify aspects of organisational culture and employee wellbeing that need to be tracked and reported. The Broderick Review made initial suggestions on metrics, including:

- Flexible work arrangements requested and implemented by gender.
- Reporting rates to Safe Place.
- Length of time to resolve cases.
- Psychological safety data.
- Trends in relation to women's representation in leadership.
- Diversity representation data.

The Progress Review suggests that several other metrics are important to capture and inform future strategies.

These include:

- Employee engagement (example indicators job satisfaction, organisational commitment, leader/ manager support, recognition and reward, communication and feedback, professional development opportunities).
- Training and Development (participation rates, effectiveness of programs).
- Work-Life balance (example indicators overtime hours, utilisation of flexible work arrangements, employee satisfaction with their ability to manage personal and professional responsibilities).
- Performance management (example indicators

 aggregated performance ratings of leaders,
 feedback frequency).
- Cultural alignment (adherence to core values, ethical conduct, application of diversity and inclusion initiatives).

The EB&Co Team recognises the importance of building upon the achievements of Airservices following the Broderick Review, while identifying the areas that still require attention. This appendix offers strategies for lasting impact and charts a path toward the future of cultural transformation at Airservices.

The recommendations from the Broderick Review serve as the foundation for the ongoing cultural reform efforts. The Team recognises that cultural transformation is a long-term process that extends beyond the span of two years. Therefore, it is essential for Airservices to build upon the foundations laid by the Broderick Review.

Change does not come in one giant leap but rather from countless numbers of small steps, hence the importance of continuity and consistency when implementing a cultural reform agenda. The strategies and suggestions presented in this report serve to assist Airservices in building on the recommendations originally made in the Broderick Review.

Further, learning comes from both the successes and setbacks encountered during the implementation of the initial recommendations. These insights inform the strategies and suggestions presented in the Progress Review, allowing for a more nuanced and informed approach to cultural reform and where appropriate, provide guidance for a re-set or course correct of the direction Airservices is taking in relation to the original recommendations.

The Progress Review highlights several initiatives that have advanced during this period. Achievements include:

- Significant leadership development programs.
- The establishment of the Cultural Reform Board.
- The establishment of Safe Place.
- Ongoing work on creating inclusive facilities.
- Expanded flexible working arrangements.
- Comprehensive policy reviews.
- Various education and training sessions on leadership, diversity and inclusion, the Code of Conduct, and reporting processes.

This report identifies both commendable cultural reform progress and areas that demand further strengthening. To accelerate the progress and deepen the impact of cultural reform at Airservices, we have summarised the recommended next steps into three overarching principles namely, Effective Program Management Oversight, Data-Driven Decision Making and Transparency & Collaboration.

1. Effective Program Management Oversight

The first step is to maintain a sharp focus on the quality implementation of the Broderick Review recommendations and the overall management of the program of work. It is essential to ensure that the initiatives and strategies from the Broderick Review and built upon in this Progress Review are effectively executed and monitored. This entails clear accountability, strong leadership, and robust governance structures to drive the cultural reform efforts. By prioritising quality implementation, Airservices can maximise the impact of its initiatives and achieve meaningful and sustainable change.

2. Data-Driven Decision Making

The second step involves making decisions regarding cultural reform strategies and initiatives through a data-driven lens. By leveraging data and insights, Airservices can make informed choices that guide the next steps in the cultural transformation journey. This data-driven approach ensures that decisions are based on objective information and analysis, minimising subjectivity and bias. By sharing data openly across the organisation, Airservices will foster a culture of transparency and collaboration alongside a better understanding of the challenges and progress. This enables stakeholders to contribute effectively, offer valuable insights, and work collaboratively towards shared goals.

3. Transparency & Collaboration

The third step centres on fostering a culture of transparency and collaboration throughout the organisation. This entails open and honest communication, with information shared transparently and widely to promote trust and engagement among all stakeholders. By embracing transparency, Airservices can create an environment where employees feel empowered to voice their ideas, concerns, and feedback without fear of retribution. This inclusive approach enables diverse perspectives to be considered, leading to more well-rounded and effective cultural reform strategies.

In addition to transparency, collaboration plays a pivotal role in driving cultural transformation. Encouraging cross-functional collaboration allows teams to pool their expertise and resources, leading to more innovative and high impact solutions. By breaking down silos and increasing psychological safety, Airservices can tap into the collective wisdom of its workforce, driving positive change and fostering a sense of unity and ownership in the cultural reform process.

By driving these principles through all cultural reform endeavours, Airservices will effectively implement the original Broderick recommendations, be true to their intent and accelerate transformation efforts.

Next Steps – key areas to deepen the impact and accelerate cultural reform progress

PILLAR 1: Courageous and inclusive leadership

Leadership development

- Leadership training should be targeted and aligned with the findings of the Progress Review. As a priority, equip leaders (and aspiring leaders) with the knowledge and tools to enhance their capacity to cultivate psychologically safe team environments.
- Measure the effectiveness of leadership development initiatives beyond completion numbers, by evaluating the impact of interventions on cultural reform goals.

Championing cultural reform

- Strengthen messaging around the case for change by clearly articulating why cultural change is necessary, what are the benefits, what success looks like, priority areas, and key indicators of progress.
- Establish accountability measures by clearly defining goals and metrics related to cultural reform and diversity and inclusion initiatives. Track and report progress to assess and recognise leadership actions in support of cultural change.
- Hold all leaders accountable for creating and sustaining conditions of psychological safety within their teams. Include in performance reviews a criterion for leaders to demonstrate how they create respectful, safe and inclusive environments.

Enhancing the role of the Cultural Reform Board in driving enduring change

- Establish a clear governance structure for the Cultural Reform Board (CRB) through a revised Charter, which outlines roles, responsibilities, and decision-making processes.
- Appoint an independent external expert in cultural reform to the CRB as Chair. The Chair should support, guide, and lead the CRB and establish strong lines of communication and collaboration with the CEO, Board, and Executive team, providing valuable feedback and insights on the cultural reform efforts.

The Chair's role should include:

- a. Consulting with the CEO and Executive team to ensure alignment of the CRB's goals and objectives with the overall strategic direction of the organisation.
- b. Developing an annual work plan in consultation with the CEO and members of the CRB which reflects Airservices priorities and/or challenges in relation to cultural change.
- c. Providing guidance and mentorship to the CRB members, helping them navigate complex cultural challenges and facilitating productive discussions and decision-making processes.
- d. Acting as a representative and advocate for the CRB, effectively communicating its initiatives, progress, and recommendations to the CEO, and Executive team.
- e. Bringing an independent and impartial perspective to the CRB, ensuring that all voices are heard and considered in the decision-making process.
- f. Facilitate direct engagement between the CRB, the Board, and the broader organisation, including reporting to the Board every quarter.

Enhancing the role of the Cultural Reform Board in driving enduring change

- Provide clear updates and progress reports to all of Airservices on the CRB's activities, initiatives, and their impact on the cultural reform journey.
- Establish an evaluation process for the CRB to address perceptions about a lack of outcomes.
- Establish a feedback mechanism that allows the broader organisation to provide input and suggestions to the CRB. Provide opportunities for staff to present their ideas, proposals, and concerns directly to the CRB. Consider allowing staff to choose or nominate representatives to serve on the CRB to ensure diverse perspectives are represented.

Open and transparent recruitment and promotion processes

- To build trust and confidence in recruitment processes, conduct an independent audit (since 2020 to present time) to gain an unbiased assessment of past recruitment and promotion practices. This audit should identify any areas where diversity and inclusion practices can be strengthened, benchmark with industry standards and best practices to identify gaps and opportunities for improvement.
- Train all hiring managers on unconscious bias and implement standardised screening and selection processes to mitigate bias. Use structured interview techniques and evaluation criteria that focus on job-related qualifications. Consider using diverse interview panels to ensure multiple perspectives and to reduce bias.
- Assess diversity at various stages of the recruiting process, from application submission to final selection which allows the identification of any drop-offs or disparities. Take corrective actions to ensure equitable representation throughout the process.
- Collect feedback from candidates about their recruitment experience. Provide opportunities for candidates to share their perceptions of fairness, inclusivity, and transparency in the process, and use this feedback to continually improve the candidate's experience and address any potential barriers or biases.

PILLAR 2: Preventing bullying and sexual harassment

Prevention of harmful behaviours

- Champion a multimedia content initiative encompassing a range of formats (such as videos, interactive workshops for staff, webinars, email newsletters) on bullying and sexual harassment to continue to set respectful workplace standards, raise awareness of the impacts of harmful behaviours, and how to support from a trauma-informed approach. Ensure that the campaign content highlights the importance of diversity and inclusion in preventing bullying and harassment, as well as showcasing how a respectful workplace benefits everyone.
- Track trends and patterns in relation to reporting rates of unacceptable behaviours across teams and sites, recognising that high reporting rates may not be an indication of higher incidence of harm but also of safe reporting environments.
- Embed zero tolerance for harmful behaviour into leaders KPIs (Leaders should demonstrate how they have actioned zero harm approaches in their teams).
- Provide ongoing training and education to all employees about:
 - The nature and prevalence of sexual harassment, bullying, discriminatory behaviours and respectful and inclusive workplaces.
 - The impact of this harmful conduct, including trauma and how to respond to someone who discloses harm through a trauma informed approach.

PILLAR 3: A compassionate and human centered response to the reporting of incidents

Prioritising people through a human centred approach to leadership

Ensure leaders:

- a. Create psychologically safe work environments that instil confidence and trust in employees disclosing incidents of harm to them.
- b. Are equipped to respond to disclosures of harm in a sensitive and respectful way. This should involve providing leaders with training on trauma-informed disclosures.

Continuous refinement of Safe Place

- To build trust and confidence in Safe Place, engage an independent expert advisor to assist Safe Place strengthen its profile, function, and communication.
- Deliver an organisation-wide, intensive communication strategy through a range of platforms, including webinars and through office and site visits that explains to all employees and leaders, the roles and functions of Safe Place specifically focusing on what Safe Place is and what it isn't, what it can do and what it can't, as well as the options once a report is made. De-identified scenarios of positive reports and outcomes should be played back in communications to enable all employees to understand the positive impact Safe Place can have in responding to unacceptable workplace behaviour.
- Commit to utilising external investigators for cases for senior leaders and where there are potential conflicts of interest or bias for a further two years.
- Ensure that both internal and external investigations have clearly defined and achievable timeframes for completion. Regularly review these time targets to prevent unnecessary delays and minimise any associated stress. Additionally, provide periodic updates on time targets of investigations to both the CEO and the People and Remuneration Committee. If there are any factors causing longer completion times, make an effort to identify them and, where feasible, address and resolve them.
- Introduce a mechanism, such as a questionnaire for complainants, respondents, and managers to provide feedback to Safe Place on its processes, the support offered, the nature of the investigation (if appropriate) and the information provided including throughout a complaint. Safe Place should report to the CEO on any actions taken regarding the feedback.
- Safe Place should periodically provide the CEO and the People and Renumeration Committee with details on the number of requests for flexible options by complainants and respondents since the initiative began; the number of requests that were agreed to by managers; the length of time flexible options was utilised; and any feedback on the effectiveness of the options.

PILLAR 4: Dignity, inclusion, and safety at work

- Pause current rollout plans of inclusive changing facilities. Prioritise an effective consultation process with users of facilities, considering their diverse needs and local workforce requirements.
- As a priority, separate male, female and a changing / bathroom facility that is inclusive for people of diverse genders be established across all worksites.

PILLAR 5: Monitoring and Evaluation

Oversight of cultural reform

- Establish a discrete leadership and management point to oversee the implementation and operationalisation of all cultural reform recommendations, ensuring consistent and high-quality execution and monitoring. Responsibilities should include developing a comprehensive monitoring and evaluation framework that assesses implementation of the recommendations from the Broderick Review and those contained in this Report; Assessment should also include both lag and lead indicators; facilitating continuous improvement in real-time; and promoting a culture of learning.
- Clearly define accountabilities for each Executive leader in relation to the recommendations, accompanied by specific metrics and goals tied to cultural reform. Regularly track evidence-based progress and report on results to ensure transparency and to drive continuous improvement.
- Develop a clear and measurable KPI report aligned with cultural reform objectives and regularly monitor and analyse progress to assist with decisions based on data-driven insights. Periodically the Executive should provide this report to the CEO and People & Renumeration Committee.
- Foster clear, straightforward and effective communication throughout the organisation when delivering information related to culture reform, diversity, and inclusion. Avoid corporate jargon, including when sharing staff survey results, using evidence and data to illustrate the impact of existing approaches and investments.
- Track the approval / refusal rates of the new forms of flexible leave to ensure it is being supported by leaders.
- ▶ Ensure that leaders champion these new forms of leave and flexible work arrangements and deliver the message that flexible leave will strengthen the diversity and inclusion of teams, and in doing so, positively impact productivity and performance.
- Continue to facilitate independent review of progress to expedite and support cultural reform.

Strengthening employee engagement and actionable insights

- Provide employees with access to comprehensive survey data and ensure they engage in the learning and change process.
- Co-design culture surveys with staff input. This could be done through the CRB and staff network groups to determine which aspects to prioritise and measure in surveys. Provide timely and transparent communication to employees regarding survey outcomes and actions taken. Demonstrate how survey feedback influences decision-making, policy changes, and improvements in the work environment. Clarify responsibility for overall action planning based on identified priorities.
- Transition from quarterly to half-yearly cultural pulse checks to balance regular feedback. maximise participation and avoid survey fatigue. Amplify communication and action planning between surveys.

Introduction

A comprehensive, responsive, regularly reviewed policy environment based on best practice is 'integral' to good culture and prevention of misconduct in an organisation.⁴⁷ While policies alone are not enough to ensure a safe and respectful workplace, they provide the foundations and scaffolding for good culture, and are effective vessels for communicating organisational values to workers and the wider world.

As they were during the Broderick Review, Airservices policies continue to be informed and underpinned by what it terms it's 'Just Culture' process. The Broderick Review found that this process appeared encouraging, however, it was not being applied consistently. Airservices' Just Culture Policy, effective as of August 2022, aims to clarify the main commitments of a Just Culture with the goal of creating:

- A 'culture of trust and learning'.
- Sustainment of a Just Culture.
- Encouraging reporting.
- Promoting appropriate behaviour.
- Taking a system view.
- Applying appropriate action.

While the Just Culture Policy is relatively brief and does not give great detail on how Airservices intends to foster this 'culture of trust and learning', it is effective as a broad organisational statement of values and aims with regard to culture.

It is important to understand how policies are interpreted and how they influence everyday workplace behaviour as policies are only as good on paper as they are in practice. This section reviews the effectiveness and comprehensiveness of the policy infrastructure at Airservices, but it should be read with due consideration of the rest of this Progress Review, and in particular the feedback given by workers through interviews, focus groups and the survey. Only in the context of implementation, provided by employees experiencing it first-hand, can the effectiveness and impact of Airservices' policies be properly evaluated. By considering both what is on paper and what is happening, areas of strength and areas for improvement can then be more clearly identified.

Through direct consultation with workers and by reviewing Airservices documents, leadership is crucial to the effectiveness of policy. Leaders are the representatives of an organisation's values and commitments to its workers. As such, leadership should be explicitly visible within policies regarding inclusion and misconduct, introducing and lending their names in support of documents outlining behavioural expectations and cultural policy. Outside of the actual content of policies, leaders should also be

- Promoting awareness of and compliance with policies in their work.
- An active part of monitoring and evaluation processes.
- Encouraging feedback from workers on organisational policies and practices regarding these issues.

Airservices' suite of policies on workplace culture and misconduct is comprehensive. The Progress Review Team was provided with a wide range of documents, including:

- Code of Conduct.
- Code of Conduct Policy.
- Code of Conduct e-learning module.
- Bullying, Harassment and Discrimination Policy.
- ► Handling Suspected Misconduct Procedure.
- Fostering Respectful Teams.
- Flexible work policies and guides.
- Domestic and Family Violence leave policies.
- Career Break Leave.
- Parental Leave (Paid and Unpaid).
- Supporting Partner Leave.
- Inclusive leave fact sheet and information materials.
- People policy.
- Safety policy.

Airservices' policy infrastructure is strong and inclusive. That said, survey results and feedback given in interviews, focus groups and the written submissions, suggest that policies may not be effectively improving workers' experiences. Recognising this, this section identifies several areas for improvement, both within individual policies, and to Airservices policies in general.

⁴⁷ Respect@Work The Role of Policy on Workplace Culture at https://www.respectatwork.gov.au/organisation/prevention/organisational-culture/role-policy-workplace-culture

This section, as well as other parts of this Progress Review, offer further recommendations to improve the implementation of policies on the ground, to better protect and support Airservices employees.

Bullying, harassment, and discrimination policy

Multiple forms of misconduct are covered in one document in Airservices' *Bullying, Harassment and Discrimination Policy.* The Policy identifies and, in some instances, builds upon sections of the Airservices Code of Conduct which relate directly to bullying, sexual harassment, other forms of harassment and discrimination, and seeks to outline the standards and process by which Airservices is constructing 'a work environment in which people are treated with dignity, decency and respect'.

The Policy applies to all 'employees, Board members, contractors and consultants' and elucidates Airservices' 'zero-tolerance' approach to all forms of bullying, sexual harassment, harassment, and discrimination. This is the second version of the Policy which has applied since August 2022: the first became effective in 2020, with minor differences. It is unclear whether this two-year update cycle will continue, however, to be consistent with best practice, Airservices should consider reviewing and updating this Policy regularly.

The Broderick Review upheld concerns raised by some review participants that Airservices did not have a standalone sexual harassment policy - instead, sexual harassment was merged with other forms of misconduct in the 'Bullying, Harassment and Discrimination Policy'. This is still the case, as is the fact that in its title, the policy does not identify sexual harassment by name. The Broderick Review noted that 'best practice suggests that organisations should have a stand-alone sexual harassment policy as it avoids ambiguity and demonstrates that preventing and responding to sexual harassment is a priority for the organisation'. Best practice has not changed in this regard: in fact, research since has affirmed and further emphasised the importance that leadership should make strong statements taking sexual harassment seriously, including developing and implementing a standalone sexual harassment policy.

Combining various forms of misconduct into one policy and neglecting to identify sexual harassment specifically in policy names, presents a number of issues. On a basic level, it may hinder accessibility: employees searching for company protocol and policy on sexual harassment may not realise that sexual harassment falls under the broader umbrella of 'harassment' in this policy. As such, there is a risk that workers may not know that Airservices has a sexual harassment policy, or, at least, do not know where to find it, rendering it irrelevant to the work they do. In this way, an awareness of what sexual harassment is, why it should be prevented, the serious impact it can have, and where to raise concerns may be lost amongst employees.

Combining these behaviours also implies, even if unintentionally, that the company making these policies does not take each form of misconduct seriously in its own right. Dedicating the time and resources to creating specific policies for bullying, sexual harassment and discrimination acknowledges the seriousness of these behaviours, as well as the individual and institutional damage they can cause. Organisations signal their values, priorities, and expectations in their policies: both explicitly, through the content of their policies, but also implicitly, through what they choose to centre their policies around. This can have a particular impact on workers who experience one or several forms of marginalisation, such as women, First Nations employees, Workers of Colour, or employees with disability: it may imply that the organisation does not take their experiences or their psychological safety at work seriously.

Covering all these behaviours in one policy may also foster a lack of organisational and individual understanding of what bullying, sexual harassment and discrimination are, how they can present, and the circumstances that perpetuate these behaviours. Combined policies do not often offer an in-depth discussion of each behaviour. Indeed, as discussed further in this section, there are notable gaps and truncations in Airservices' *Bullying, Harassment and Discrimination Policy*. While these behaviours are interrelated, and often occur because of the same or similar factors, they have fundamental differences and should be treated as part of a broader question of institutional culture, and as serious issues alone and in their own right.

The Airservices Bullying, Harassment and Discrimination Policy does offer some valuable information to employees on the nature of each behaviour and how it can present. While the policy does not name sexual harassment explicitly in its title, it does cover sexual harassment as a behaviour separate from more general 'harassment'. The given definition of sexual harassment is extensive and refers to and is based closely on legislation. The definitions of bullying, harassment, discrimination, and victimisation do not refer to legislation or other broader state or national frameworks or regulations. There is an opportunity to do so for each behaviour. The policy could refer to the Fair Work Amendment Act 2013 (Cth) to both offer a clearer definition of bullying and to demonstrate that bullying is not only unacceptable in Airservices, but also unlawful. There is a suite of federal legislation referring to various forms of workplace discrimination, including but not limited to the Australian Human Rights Commission Act 1986 (Cth), the Racial Discrimination Act 1975 (Cth), the Sex Discrimination Act 1984 (Cth) and the Disability Discrimination Act 1992 (Cth). Much of this legislation also concerns and prohibits workplace harassment. The Fair Work Act 2009 (Cth) also prohibits workplace victimisation in its General Protections.

As well as referring to legislation by name, the *Bullying*, *Harassment and Discrimination Policy* could be strengthened by posing definitions of each behaviour that draw from legislation. While the policy does offer solid examples of each behaviour, it still does not devote much space to properly defining and explaining the terminology it employs. Definitions of each behaviour only amount to the equivalent of a single paragraph in most cases. Drawing from legislation and other resources may improve this. For example, the section on bullying could include the *Fair Work Amendment Act 2013* (Cth)'s definition of bullying as a repeated unreasonable action against a worker or group of workers that creates a risk to health and safety, by another individual or group of individuals.⁴⁸

The section on harassment should cover the subject in more detail to avoid ambiguity and differentiate general harassment from bullying, sexual harassment, and discrimination. Noting that harassment can be a one-off incident, while bullying concerns repeated behaviour, will provide some clarity.

Additionally, the section on discrimination is quite short and offers no real definition of discrimination. It does assertively and unequivocally state that discrimination should not take place at Airservices, however an explicit definition based on federal discrimination law and a list of examples will help avoid confusion among workers accessing this policy. This is particularly important in the case of employees who may have experienced discrimination, as encountering difficulty understanding the policy and what their rights are may cause additional distress.

A further gap in the Bullying, Harassment and Discrimination Policy relates to reporting. The Policy lacks detail on how and where people who witness or experience the behaviours, can make a report. The Policy does state that:

Our people who experience and/or witness unacceptable behaviour will take suitable action, including reporting all breaches, or suspected breaches, of the Code of Conduct and the Bullying, Harassment and Discrimination Policy as soon as possible.

This could be interpreted as an expectation the organisation places on all workers to raise concerns and report incidents of bullying, sexual harassment, or discrimination. However, whether this is an expectation is not clear (although this is explicitly identified as an expectation of all Airservices employees in the Code of Conduct). In addition, the Policy goes into no more detail regarding where and / or to whom employees can make these reports. It does not explain how reports may be handled, or what the consequences of breaching the Policy may be. Furthermore, the Policy does not underline Airservices' commitment to confidentiality or the psychological safety of people making a report beyond stating an intention to 'justly investigate alleged breaches [...] in accordance with the Code of Conduct investigation process'.

Airservices has its own complaints handling and reporting policy. The Code of Conduct also provides key details on making a report. However, best practice emphasises the need for clarity and simplicity when individuals access organisational policies. While the Bullying, Harassment and Discrimination Policy links to the Code of Conduct when discussing reporting, it does not link to Airservices' reporting policy. An employee who has experienced misconduct and sought out this Policy in order to understand their rights and what steps they can take may be confused with a lack of guidance on reporting. Experiences of sexual harassment, discrimination or bullying are likely to cause distress and / or trauma and so an employee experiencing these behaviours may feel overwhelmed if they are required to consult multiple policies. Understanding that a person accessing these policies could be undergoing distress is important when developing them. As well as providing more information about reporting, this Policy should inform employees where they can seek support, both within and beyond the organisation. The current Policy neither acknowledges the significant psychological harm the behaviours it discusses can cause, nor does it acknowledge that employees may need support after experiencing or witnessing these behaviours. To address this, the Policy should be amended to provide further information on reporting, and to identify appropriate support services both internal and external to the organisation for workers to access.

When reviewing, evaluating, and amending this Policy, Airservices should consider its new obligations under the Sex Discrimination and Fair Work (Respect at Work) Amendment Act 2022 (Cth) (the Act). The Act introduces several new protections to employment and antidiscrimination law. Most pertinent of these changes to Airservices is the new positive duty it introduces, which confirms that employers must take 'reasonable and proportionate measures to eliminate, as far as possible, certain discriminatory conduct, including sex discrimination, sexual harassment, sex-based harassment and certain acts of victimisation' in the workplace.⁴⁹

What measures may be 'reasonable and proportionate' depend on the size and nature of the organisation in question: it is at the discretion of the Australian Human Rights Commission to monitor and assess compliance with the positive duty (although this function does not come into effect until December 2023).

The Australian Human Rights Commission states that it intends to 'prepare educative materials' for employers to 'understand their new obligations and implement processes to comply with the positive duty.'50 When these materials are made available, Airservices should consider them when evaluating the Bullving. Harassment and Discrimination Policy, with a particular focus on prevention. The current policy does not explicitly identify the prevention of sexual harassment, or any of the other covered behaviours, as a goal. Some aspects of Airservices policies, such as the education module provided to workers with the Code of Conduct, could be considered preventative measures - however, this is only the case if this training is regular and mandatory for all employees. The Bullying, Harassment and Discrimination Policy, as well as other Airservices policies, will need to take a stronger focus on prevention if it is to align with best practice.

Code of Conduct

A code of conduct is essential to any organisation that seeks to limit and respond effectively to sexual harassment, discrimination, and bullying, as well as other forms of organisational misconduct. Overall, Airservices' Code of Conduct is a strong piece of policy. The current Code of Conduct, introduced in 2020, is much more comprehensive than the previous Code, developed in 2019. The 2019 Code was only one page long, and comprised of a long, broad list of all behaviours expected or considered unacceptable in relation to Airservices work. It offered no examples or definitions of unacceptable behaviour, even where the terms used to identify unacceptable behaviour had specific legal definitions (for example, 'sexual harassment' and 'bullying'). The most recent Code, by contrast, is 14 pages long and goes into greater detail regarding its underlying values, the types of behaviours expected of employees and contractors at Airservices, the particular responsibilities of leaders, and where, when and to whom the Code applies.

⁴⁹ Australian Human Rights Commission 2022 'Fact Sheet: Respect@Work – Changes to the Sex Discrimination Act 1984 and the Australian Human Rights Commission Act (December 2022) at https://humanrights.gov.au/our-work/complaint-information-service/fact-sheet-respectwork-changes-sex-discrimination-act-1984-ahrc-act-1986-december-2022

⁵⁰ Australian Human Rights Commission 2022 'Fact Sheet: Respect@Work - Changes to the Sex Discrimination Act 1984 and the Australian Human Rights Commission Act (December 2022) at https://humanrights.gov.au/our-work/complaint-information-service/fact-sheet-respectwork-changes-sex-discrimination-act-1984-ahrc-act-1986-december-2022

The clarity, comprehensiveness and broad application of the current Code are all in keeping with best practice. However, best practice recommends that codes of conduct and related policies are reviewed regularly (at least every 2 years), in order to ensure they are responsive to the most recent research and innovation, and to the evolving nature of work.⁵¹ The Code of Conduct version provided to the Progress Review Team was developed in 2020. Information from Airservices indicates that the Code of Conduct was "refreshed" as of June 2021. It is not clear if Airservices has a consistent practice of regularly reviewing and updating their policies. Introducing such a practice or making it clearer and more consistent if it does exist, will assist in keeping all of Airservices' policies, including the Code of Conduct, up to date with best practice.

Four 'commitments' are identified as the values underpinning both the Code of Conduct and work at Airservices more broadly: safety and wellbeing; diversity and inclusion; privacy; and sensitive, fair, and reasonable responses to alleged misconduct. These values are represented well in the Code of Conduct. Through the Code it is clear that Airservices intends on honouring each of these commitments and expects its employees to do the same. These commitments also underline the responsibility of the organisation to foster a safe, healthy workplace culture and to protect its workers from experiencing misconduct. Best practice recommends including a statement of values, vision of 'guiding principles that reflect the [organisation's] commitment to ethics, integrity and quality'.⁵² These commitments serve this purpose.

Best practice also generally recommends that a code of conduct is introduced through a brief letter or statement from the organisation's CEO (or equivalent), executive or senior leadership team that 'sets the tone at the top and defines the importance of ethics and compliance to each employee and the company.' The current Code of Conduct has no such direct communication from Airservices senior leadership. It may be pertinent to consider reviewing and updating the current Code to include a statement directly from leadership. This policy assessment corroborates a vast body of research and a long record of cultural reviews, including the Broderick Review into Airservices,

which speak to the unparalleled importance of ensuring organisational leadership are openly dedicated to positive, inclusive, and respectful workplace culture. At all possible opportunities, leadership should visibly underscore their commitment to preventing misconduct, and, therefore, should be the champions of all policies defining acceptable behaviour. As the Code of Conduct introduces, sets the tone, and underpins all other policies, it should be introduced with a direct statement from leadership attesting to its importance.

It is clear in the text to whom the Code applies, covering anyone in any kind of working relationship with Airservices, which is in keeping with best practice. The Code is also clear and comprehensive about when it applies, including when it may apply outside of normal working hours / environments (including online and 'in travel'). It further provides that aspects of the Code always apply, 'whether the conduct occurs at work or outside of work'. How codes of conduct relate to actions online or while travelling for work can cause some confusion, so the clarity, brevity and coherence of the Airservices Code is commendable.

There is an online learning module accompanying the Code, in keeping with best practice that recommends employees are trained on codes of conduct.⁵³ The Progress Review understands that the training module is mandatory for all Airservices employees. This reflects good practice, particularly by employing examples in training which a worker might recognise or encounter in their own field, to demonstrate how the Code applies in 'real life'.⁵⁴

As part of raising awareness of and educating workers about the Code of Conduct, it is considered best practice to distribute the Code of Conduct to the workforce at regular intervals. The Progress Review Team understands that the Code of Conduct is accessible on Airservices' employee hub, however, it is unclear whether and / or how often the Code of Conduct is sent or given directly to employees. It is particularly important to ensure employees receive the Code of Conduct when they begin their employment, so they are aware of their obligations regarding acceptable behaviour.

⁵¹ Deloitte Access Economics 2009 Suggested Guidelines for Writing a Code of Ethics/Conduct at https://www2.deloitte.com/content/dam/Deloitte/in/Documents/risk/Board%20of%20Directors/in-gc-suggested-guidelines-for-writing-a-code-of-conduct-noexp.pdf

⁵² Deloitte Access Economics 2009 Suggested Guidelines for Writing a Code of Ethics/Conduct at https://www2.deloitte.com/content/dam/Deloitte/in/Documents/risk/Board%20of%20Directors/in-gc-suggested-guidelines-for-writing-a-code-of-conduct-noexp.pdf

⁵³ Deloitte Access Economics 2009 Suggested Guidelines for Writing a Code of Ethics/Conduct at https://www2.deloitte.com/content/dam/Deloitte/in/Documents/risk/Board%200f%20Directors/in-

⁵⁴ Smart Campaign 2021 How to Develop an Institutional Code of Ethics, 4 at https://sptf.info/images/RC_4c_2.0_How_to_Develop_an_Institutional_Code_of_Ethics_May2021.pdf

Complaints and reporting policy

Airservices' main policy for reporting breaches of the Code of Conduct is the *Handling Suspected Misconduct Procedure* (the Procedure). Effective as of April 2021, it is comprehensive, clear and is fairly current. The document is well-written in plain English, provides a glossary defining terms that are not immediately apparent, and provides most of the information an employee needs to report misconduct.

The Procedure outlines how Airservices seeks to implement its 'compassionate, human-centred approach to handling allegations of misconduct'. Reports are handled by Safe Place, Airservices' main body in charge of implementing its Just Culture process. To implement a 'compassionate, human-centred approach', Safe Place provides Support Advisors 'to provide ongoing unbiased support to all parties involved in a misconduct process'. These Support Advisors are trained to provide a model of care that is 'strength-based, trauma informed, and solution focussed'. The inclusion of trained, internal support in the Procedure is commendable, particularly as trauma informed approaches to reporting and support processes are best practice. It should be noted that best practice also emphasises person-centred approaches (sometimes called 'person-led approaches) to support complaints processes as a complement to trauma-informed approaches.55 Additionally, it is best practice to provide parties to complaints processes with a range of options regarding support: while some employees will make use of the Support Advisors, others may prefer to access external support either instead of or in addition to internal options. While the Procedure allows for parties to complaints to nominate a Support Person, the Procedure could be further strengthened by providing employees with a list of both internal and external sources of support.

Providing multiple options is particularly important when a person is making a report. For a complaints process to be effective and truly person-centred, that process should allow for a range of reporting options. The Procedure does outline five ways an employee can report misconduct: to a Safe Place Support Advisor; to a manager; to a phone number; to a separate Ethics Hotline; to an email address; or to an 'Authorised Officer' under the *Public Interest Disclosure Act 2013*.

The range of reporting options is commendable; however, it is unclear whether an employee could easily make an anonymous disclosure through any of these means. Best practice suggests it is important to give employees the opportunity to make an anonymous disclosure of misconduct, as:

- Some people may not want to or be able to go through a formal complaints process.
- Organisations are notified of potential issues that may otherwise go unreported.

Additionally, the Procedure does not make it clear whether reports of historical misconduct are accepted, nor whether reports from bystanders are encouraged. Options for reporting or informing the organisation in both cases should be included to strengthen the Procedure.

The Code of Conduct and the Procedure clearly articulate that all Airservices leaders (including managers) are required to report complaints or disclosures to the Safe Place. Managers should be responsible for the safety and wellbeing of their teams and this provision in the Code of Conduct and the Procedure is a practical articulation of that obligation. The Code of Conduct provides detailed information on how leaders can meet this obligation while also honouring their responsibility to confidentiality. If a person does not wish to make a formal report, leaders should have the ability to make a 'de-identified report', so the Safe Place is still aware of the incident and of a potential problem. While the Procedure and the Code of Conduct both instruct all parties to complaints to adhere strictly to principles of confidentiality, there may still be some employees who, for a number of reasons, do not wish to identify themselves. Their right to report misconduct should still be met.

If an investigation is made into a report, the Procedure commits to notifying the informant of the findings of the investigation at its conclusion. There does not appear to be a formal policy in place keeping complainants or respondents regularly informed on the status of and any investigation as it is happening. This may cause significant stress to both parties: as detailed later in this section, the survey indicates that many people who accessed the complaints process felt there was a lack of communication from Airservices about their complaint.

⁵⁵ See, e.g., Respect@Work 'Person Centred Approaches to Workplace Sexual Harassment' at https://www.respectatwork.gov.au/organisation/response/support/person-centred-approaches-workplace-sexual-harassment; Victorian Disability Services Commissioner 2013 Good Practice Guide and Self Audit Tool: Developing an Effective Person Centred Complaints Resolution Culture and Process at https://www.odsc.vic.gov.au/wp-content/uploads/GoodPracticeGuide_Full_Intro.pdf

Similarly, there is no provision in the Procedure for offering and providing ongoing support to complainants and respondents once an investigation has concluded. Trauma does not have a definitive timeline: trauma caused by experiencing misconduct can have adverse effects on an employee's psychological health long after an investigation process has concluded. Furthermore, the investigation process can be distressing and traumatic to both complainants and respondents, and these effects may also last long after the process has ended. A trauma informed complaints procedure should prioritise 'checking in' with parties to a complaint during and after the complaints process, whether or not an investigation is conducted. An additional benefit of checking in with complainants is in data collection for monitoring. Measuring the satisfaction of people who have recently been involved in complaints is useful in evaluating the effectiveness of complaints processes, and gathering feedback from employees should be formalised within the Procedure itself.

The results of the most recent survey suggest that significant reform needs to be made to Airservices' reporting policy and processes. 62% of respondents who had undergone a formal reporting process at Airservices indicated they were 'not at all satisfied' with how their complaint was handled. This rate compares to 55% in the 2020 survey. Particular problems respondents reported included no action being taken on their complaints; any action taken was inadequate; and / or that they were not kept informed on the progress or outcome of their complaint. The Procedure sets out clear guidelines as to how complaints processes should unfold, and places explicit expectations on leaders who receive disclosures of misconduct. This suggests those responsible for implementing the Procedure are not adequately informed of their duties and expectations, or that there is some other breakdown between what is stated in the Procedure and how it is being implemented. Airservices should review and evaluate the implementation of the Procedure to rebuild employee confidence in reporting processes.

Inclusion, diversity, and leave

The Progress Review was provided with a number of policies that make up Airservices 'inclusive leave suite', which intends to reform leave and related aspects of Airservices work in order to be more responsive to the diversity of the workforce and the individual needs of each employee.

The inclusive leave suite is comprehensive. It provides for cultural and gender diversity through the following:

- Gender neutral parental leave.
- Cultural leave, which allows for three days of paid leave per year 'to observe days of cultural, ceremonial or religious significance associated with the team member's faith or culture'. First Nations peoples are entitled to one day of leave each year in addition to these three days, to participate in NAIDOC Week celebrations.
- Gender affirmation leave, which entitles employees to two weeks of paid leave when '[taking] steps to affirm their gender'.

Gender affirmation leave and cultural leave formed 'phase two' of the inclusive leave suite and were introduced in October 2022.

A number of changes to family care leave have been implemented:

- ▶ 18 weeks of parental leave on full pay for primary carers (irrespective of gender) available within 12 months of 'the child's arrival', which includes birth, foster care, adoption, or surrogacy. This changed the previous 14 weeks of paid leave.
- 3 weeks of supported partner leave on full pay, adding to the previous 1 week.
- 52 weeks of unpaid parental leave while continuing superannuation contributions, recreation, and long service accruals. This is an entirely new entitlement.
- Continuation of paid parental leave for employees who experience stillbirth or miscarriage after 20 weeks of pregnancy, and 2 weeks of paid leave for parents who experience a miscarriage before 20 weeks.
- 2 weeks of paid family and domestic violence leave, adding to the previous two days of paid leave.

Airservices' family and domestic violence leave policy comes with an information sheet guiding managers on how to respond to disclosures of family and domestic violence.

This guidance material is brief but provides some essential information. The guidance on how to respond to disclosures of family and domestic violence are particularly strong. The list of support services, both internal and external to Airservices, managers are instructed to provide is also comprehensive.

The family and domestic violence leave policy gives managers the 'discretion' to ask for evidence to support a leave application (although it states that leave can be approved without evidence). Best practice advises that family and domestic violence leave be provided on a 'need to know basis', both in terms of evidence to approve the leave and in disclosing whether an employee has accessed this leave. ⁵⁶ Explicitly committing to and training leaders in a trauma informed and person-centred approach to family and domestic violence (as well as other aspects of psychological safety in the workplace) will provide better approaches to managers handling this issue and will reduce the risk of further traumatising a person experiencing family and domestic violence.

The extent of the application of the family and domestic violence leave policy is somewhat unclear, stating 'it may be provided to employees who are experiencing family and domestic violence'. In their best practice guide to domestic and family support for employers, the Business Council of Australia advises that 'leave also be provided to workers supporting a friend or relative experiencing family and domestic violence'. The Business Council of Australia also suggests making leave available to perpetrators of domestic and family violence 'who can demonstrate they are seeking help to change abusive behaviour and/or improve the safety of their family, are paying child support where required and have not breached a protection order'.57

The inclusive leave suite is a comprehensive and overwhelmingly positive step to formalise inclusion and encourage diversity in the Airservices workforce. As mentioned previously, the Progress Review Team was not provided with a formal Diversity, Equity, and Inclusion Policy, and it is unclear if Airservices has one in place. If not, collaborating with the workforce to produce a policy and plan for diversity and inclusion would make a great difference, and centralise actions Airservices is already taking to facilitate inclusion and prevent discrimination.

Additionally, in its People Policy Airservices provides a clear statement that it has:



an inclusive workforce that fosters diversity and optimises the contribution of people with different genders, backgrounds, culture and work and life experiences. We value the unique talents and skills that Aboriginal and Torres Strait Islander peoples bring to our workforce and want to ensure that we leverage those in delivering our services.⁵⁸



This is a strong articulation of Airservices commitment to diversity and inclusion. However, given some of the commentary provided by Airservices employees to the Progress Review, that indicated issues with sexism and racism it is suggested that comprehensive messaging and education on this commitment be undertaken.

Airservices *Diversity and Inclusion Strategy: Talent Acquisition* sets strong targets in recruitment, namely:



ATC our primary target is 80% trainee success rate through to endorsement, with an aspiration for 50% diversity ARFFSS our primary target is 100% trainee success rate through to operational, with an aspiration for 50% diversity.⁵⁹



These targets focus primarily on women and First Nations recruits. The targets are commendable, and the Progress Review encourages Airservices to maintain a strong focus on ensuring they are met. At the same time, Airservices should also strengthen efforts on ensuring recruits, and all employee from diverse backgrounds work in inclusive environments and are given opportunities to thrive.

⁵⁶ Business Council of Australia 2022 Domestic and Family Violence Support: A Best Practice Guide for Employers, 6 at https://assets.nationbuilder.com/bca/pages/6868/attachments/original/1658972712/BCA_Best_Practice_Guide_to_DFV_July2022.pdf?1658972712

⁵⁷ Business Council of Australia 2022 Domestic and Family Violence Support: A Best Practice Guide for Employers, 6 at https://assets.nationbuilder.com/bca/pages/6868/attachments/original/1658972712/BCA_Best_Practice_Guide_to_DFV_July2022.pdf?1658972712

⁵⁸ Airservices Australia People Policy 31 August 2022.

⁵⁹ Airservices Australia, Diversity and Inclusion Strategy: Talent Acquisition (undated)



