

Effective Education and Training

August 2023

New provisions in the *Sex Discrimination Act 1984* (Cth) place a **positive duty** on organisations and businesses to take reasonable steps to eliminate the following behaviour as far as possible:

- discrimination on the ground of sex in a work context
- sexual harassment in connection with work
- sex-based harassment in connection with work
- conduct creating a workplace environment that is hostile on the ground of sex
- related acts of victimisation.

We refer to these behaviours as '**unlawful behaviours**' in this factsheet.

This factsheet provides information about the design and delivery of effective education and training to prevent and respond to unlawful behaviours.

Education versus training

Education in a workplace involves raising and maintaining awareness and understanding of a particular topic across workgroups or the workforce as a whole. Examples of education to prevent and respond to unlawful behaviours may include the organisation or business encouraging discussion and understanding of relevant policies and procedures at team or staff meetings.

Training in a workplace involves upskilling workgroups and individuals in their knowledge, attitude, or skill set in relation to a topic. Examples of training to prevent and respond to unlawful behaviours in the workplace may include formal face-to-face or virtual workshops, on-the-job training and e-learning courses that relate specifically to the individual and/or a workgroup's relevant roles and responsibilities.

A single educational campaign or a one-off training session is unlikely to result in long-term change. Education and training activities are most effective when they are used together.

How to make education and training effective

In the *Respect@Work: Sexual Harassment National Inquiry (2020)*, the Commission heard from workers in the arts sector that they had never been formally inducted or had any workplace policies explained to them. Workers advised not knowing who to report unlawful behaviour to within their workplace.[i]

Simply having policies in place is not enough. Education and training activities should offer consistent messaging that is reinforced through multiple avenues. Each activity should not be seen only as a compliance strategy, and instead be used as an opportunity to build on knowledge, attitudes and skill sets across the workplace.[ii]

Education and training activities are most effective when they are:

Accessible

In practice this may include sharing any education activities through a variety of relevant methods to reach all workers (such as meetings, email and intranet).

It may also include delivering training across times that suit all learners (including part-time and casual workers) and caters to the diverse needs of all learners.

Inclusive

In practice this may include writing any education materials in Plain English, and using inclusive language (considering for example ability, culture, gender, age, and any other forms of human difference across the workplace) and translating into other languages where relevant and possible.

It may also include engaging training facilitators that have understanding and skills to engage diverse people (including people diverse in age, educational background, ethnicity, First Nations background, sex/gender, disability and migration status).

Relevant

In practice this may include tailoring education and training to the industry, the particular workplace and to the responsibilities of all workers (such as having supervisors/managers complete additional focused training on their specific responsibilities).

Regular and ongoing

In practice this may include regularly communicating prevention and response strategies through a range of educational activities. This could include dissemination to all workers written policies highlighting specific steps an individual can take if they experience or witness unlawful behaviours, as well as team or toolbox meetings where reporting of unlawful behaviours is regularly encouraged.

It may also include dedicating training sessions for both new workers (induction training) and longer-term workers (refresher training).

A note for small businesses: Education and training doesn't need to involve a lot of time or expense. In a small business it may simply involve a combination of:

- regular conversations with workers about what constitute unlawful behaviours (using examples relevant to the specific workplace)
- regular and clear advice to workers about what to do if they experience or witness unlawful behaviours
- clear messages and action from owners, managers and supervisors that unlawful behaviours will not be tolerated.

Education and training must be person-centred and trauma-informed

Being **person-centred** means placing the learner at the centre of the planning and delivery of education and training strategies. A person-centred approach to education and training requires:

- implementing education and training policies, processes and practices that are responsive to the needs of your workforce including gender, education level, culture, language and age
- ensuring staff delivering education and/or training have the knowledge, skills and experience necessary to create effective and ethical relationships with diverse learners.

Being **trauma-informed** includes recognising and understanding the impact and presence of trauma in the workforce and how trauma may affect learners behaviour and engagement with education and training related to unlawful behaviours. It is important to take steps to avoid causing further harm when delivering education and training.

A **trauma-informed** approach to education and training requires:

- recognising the signs and symptoms of trauma
- encouraging learners to take breaks as they need
- providing warning of potentially triggering content in advance to allow learners to manage their exposure to it
- providing details of confidential support services.

For more information see the Commission's factsheet, *Person-centred and Trauma-informed Approaches to Safe and Respectful Workplaces*.

How to monitor and build on learner knowledge, attitude and skills

Each education and training activity should be evidence-based (that is, based on external leading practice and research, as well as internal feedback and data), and regularly evaluated to ensure that it is effective. The [Kirkpatrick Model](#) provides an example of how to measure both individual and wider organisational learning.[iii]

Kirkpatrick Model in practice	
What to measure	Example of how to measure
<p>Reaction</p> <p>Aim is to measure learner's initial satisfaction with education/training activity</p>	<p>Learner feedback questionnaire (e.g., what did/did you not like about education/training, what do you now think about topic xxxx, etc)</p>
<p>Learning</p> <p>Aim is to measure learner's acquired knowledge and/or skills from education/training activity</p>	<p>Learner quiz both before and after education/training activity (e.g., test what knowledge, skill or attitude has been acquired)</p>
<p>Behaviour</p> <p>Aim to is measure learner's use of acquired knowledge or skills in practice</p>	<p>Seek feedback from learner's manager or supervisor (e.g., ask how learning is being used in team or workplace, what has changed)</p>
<p>Result</p> <p>Aim is to measure wider organisational or cultural change</p>	<p>Use wider organisational data to determine impact of activity/activities (e.g., staff surveys, number of reports of unlawful behaviour, customer feedback etc)</p>

The measures above should be used to continually improve education and training activities, as well as inform changes to wider strategies in the workplace. This may include updates to communication systems or reporting processes.[iv]

[i] Australian Human Rights Commission, *Respect@Work: National Inquiry into Sexual Harassment in Australian Workplaces* (2020) 226 <<https://humanrights.gov.au/our-work/sex-discrimination/publications/respectwork-sexual-harassment-national-inquiry-report-2020>>.

[ii] For more information on learning approaches see for example UN Women, *Stepping up to the challenge: Towards international standards on training to end sexual harassment* (2020) <<https://www.unwomen.org/en/digital-library/publications/2020/03/discussion-paper-towards-international-standards-on-training-to-end-sexual-harassment>>.

[iii] Kirkpatrick Partners, *The Kirkpatrick Model* (Web Page) <<https://www.kirkpatrickpartners.com/the-kirkpatrick-model/>>.

[iv] For more information on evaluation strategies see for example UN Women, *Evaluation Tool for Training for Gender Equity* (2018) <https://trainingcentre.unwomen.org/RESOURCES_LIBRARY/Resources_Centre/Evaluation%20Tool_Training%20Gender%20Equality_26-06-2019%20LBA.pdf>.

You can find more information about the positive duty under the Sex Discrimination Act on the Commission's website. Resources include *Guidelines for Complying with the Positive Duty*, an *Information Guide: Relevant Unlawful Conduct, Drivers, Risk Factors and Impacts*, a *Quick Guide*, *Small Business Resource*, and other factsheets.