

PARLIAMENTARY COUNSEL

Diversity and Inclusion Strategy

Supporting all our people to bring their whole selves to work

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Introduction

1 The aim of our Diversity and Inclusion Strategy is simple: to make OPC a place where our people feel respected and valued, our workplaces are safe, our workforce is diverse and our culture is inclusive.

Understanding diversity

2 When we think about diversity, we understand that there are many things that make us 'diverse' or different from each other. We also understand that while some of these differences are benign, many differences bring either advantages, including privilege and power, or disadvantages, including discrimination and marginalisation, because of the social, political, and cultural constructions that are translated into hierarchical relationships in our everyday and professional lives.

3 We also understand that different forms of disadvantage don't exist in a vacuum, and for those who embody several marginalised identities (for example, gender, sexual orientation, cultural background), these often overlap and amplify each other to create a unique experience of disadvantage that is more than just the sum of its parts. This is known as intersectionality, which refers to the ways in which different aspects of a person's identity can expose them to overlapping forms of discrimination and marginalisation¹.



4 OPC, as a Commonwealth government agency, sits inevitably and firmly in these social, political, and cultural constructions. Differences can bring disadvantage to people, and the impact of this is seen in our workforce through the decreased representation of people who have such differences. We understand that this decreased representation is a detriment to both OPC and the Australian public we serve.

5 We will work to achieve equity, which is about creating a fair environment that addresses power imbalances. It means enabling everyone to access what they need to be successful. This can vary depending on the disadvantage and systemic barriers which some people experience compared to others.

Understanding inclusion

6 Merely hiring people of different cultures, backgrounds, and perspectives doesn't make an organisation inclusive by default. We don't operate under the assumption that if you bring a diverse group of people together and set the ground rules for a tolerant culture, inclusivity will follow. For each individual to bring their best self forward, a sense of belonging must first be established.

7 Inclusion is the act of enabling genuine participation and contribution, where everyone, regardless of their background, identity or circumstances feels valued, accepted and supported to thrive at work².

8 The goal of inclusion is to allow every employee to bring their full selves to work rather than "cover" or "manage or play down parts of themselves in order to better fit in at work". The widespread phenomenon of covering limits performance, and has been shown to negatively impact job satisfaction and commitment to work³.

¹ See <https://www.vic.gov.au/understanding-intersectionality>

² NSW Public Service Belonging and Inclusion Strategy, viewed at https://www.psc.nsw.gov.au/sites/default/files/2022-02/15812_NSW%20PSC_Belonging%20Strategy%202022_v2_ACCESSIBLE.pdf

³ Nolan-Flecha, N (2018) "Next generation diversity and inclusion policies in the public service" OECD Working Paper on Governance No. 34 p8.

Why it matters

9 Research has shown that a diverse, inclusive workforce is more productive and innovative. Such an organisation is better at attracting and retaining the best workers, no matter what their backgrounds are. Having a diverse workforce builds trust with our stakeholders, as we will reflect the community we serve.

10 Conversely, an individual who experiences exclusion may experience:

- Increased self-defeating behaviour
- Reduced intelligent thought and reasoning
- Reduced pro-social behaviour (being less likely to help or support others)
- Impaired cognitive and emotional self-regulation
- Reduced meaning and purpose
- Decreased well-being.

11 This has led to the promotion and protection of diversity and inclusion as key elements of both legislation and APS wide workforce strategies (see Related Documents below).

Principles

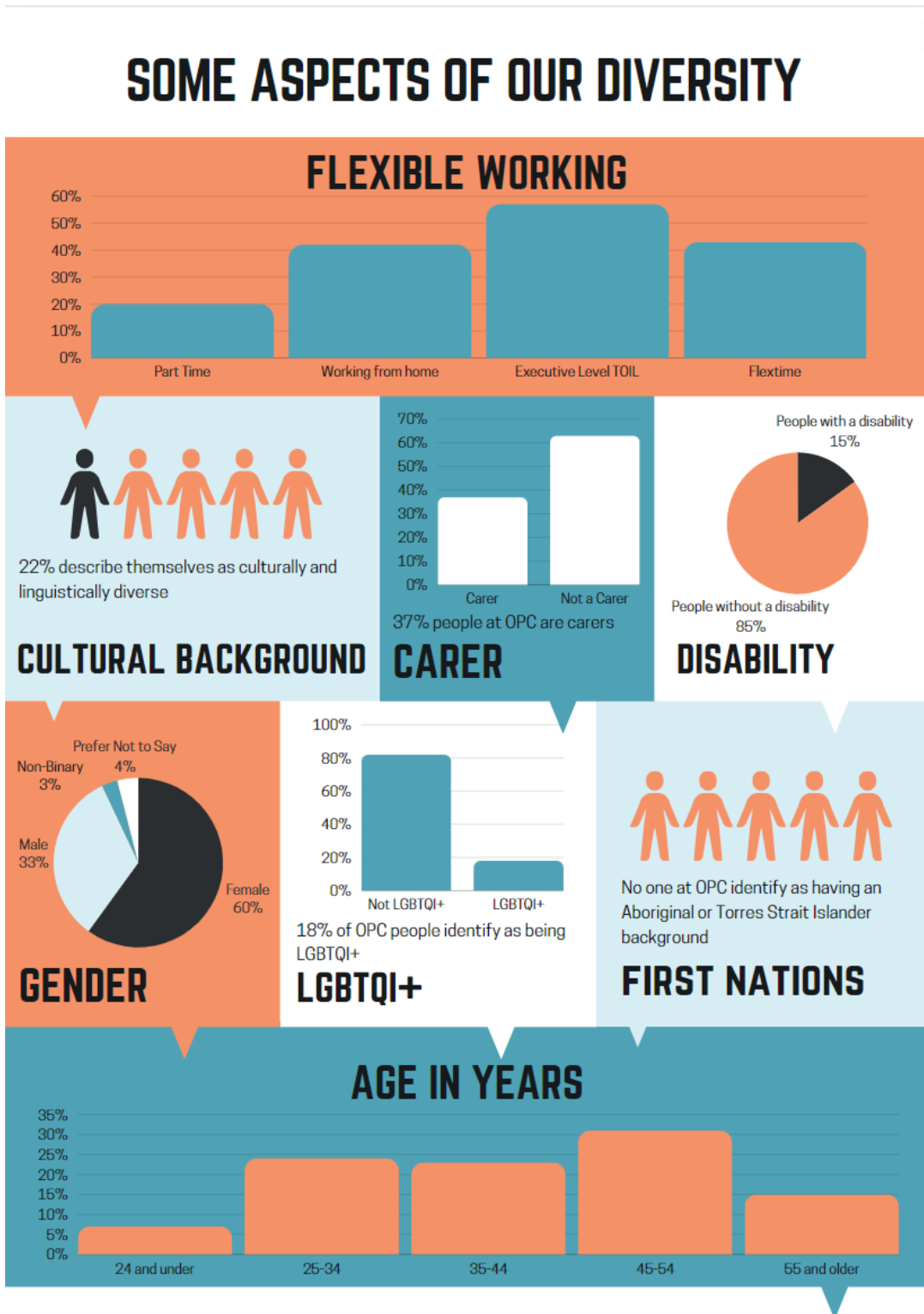
12 We understand that while policy is important, it is the daily actions, unconscious and conscious, that help cultivate the everyday experience for employees. Underpinning our strategy is the APS Code of Conduct which requires that all people are treated with respect and courtesy; and the APS Values, which require treating all people with dignity and recognising that all people have value. Similarly, the APS Employment Principles provide that the APS is a career-based service that provides workplaces that are free from discrimination, patronage and favouritism; and recognises the diversity of the Australian community and fosters diversity in the workplace.

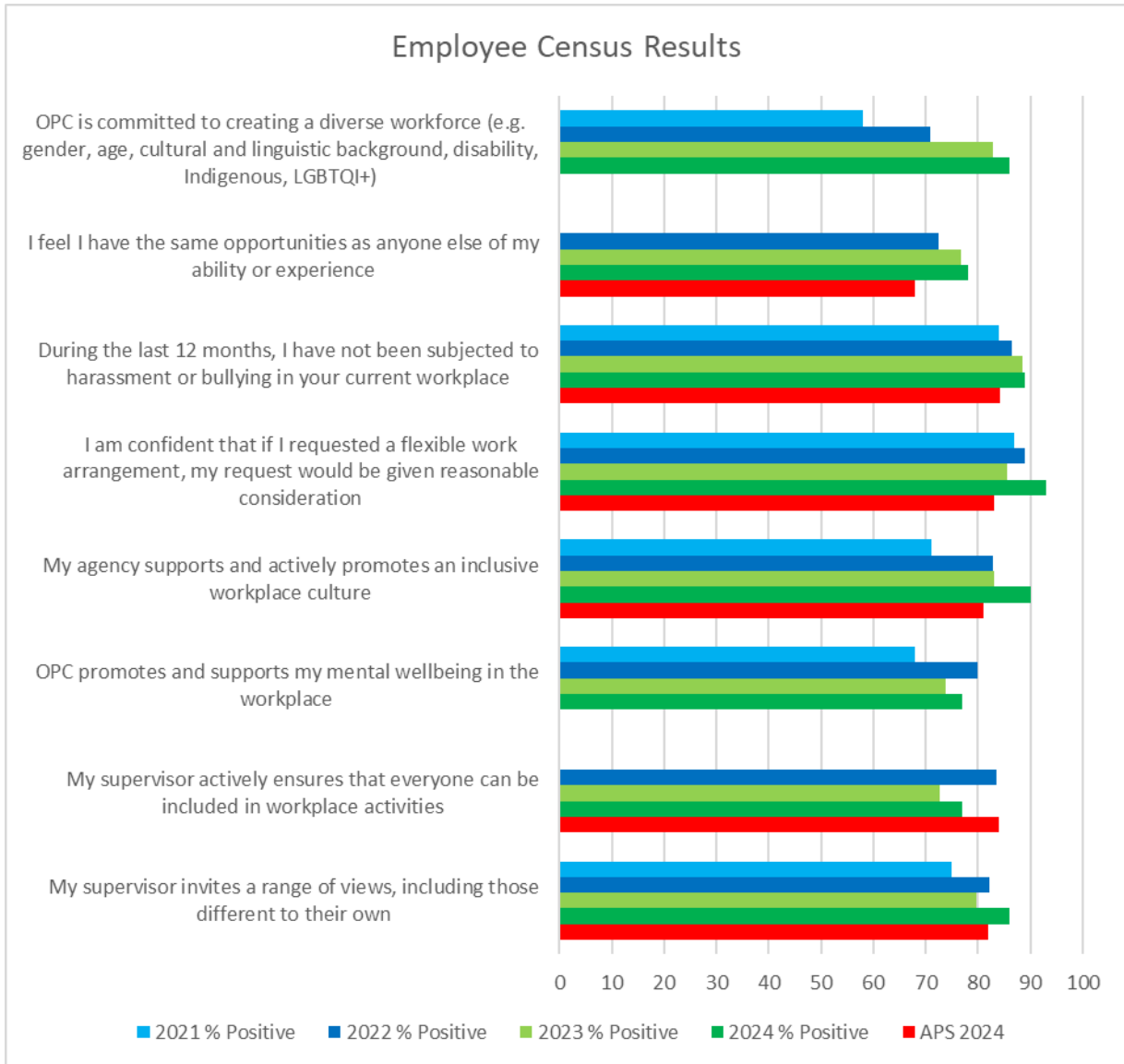
OPC Values are

- We are trusted: We are respected as reliable and honest experts.
- We are professional: We deliver accurate, thorough and informed work to a high standard.
- We are responsive: We are adaptable and timely in delivering outcomes.
- We are collaborative: We work together to achieve shared outcomes.

Some aspects of our diversity

13 This data is mainly from the APS Employee Census undertaken in May/June 2024, and thus is representative of 80% of OPC's people. Data regarding flexible working is current at 5 June 2024, reflects all OPC people and comes from internal reporting. Data on age comes from our human resource management information system (Aurion), reflects all OPC people, and is current at 30 June 2024.



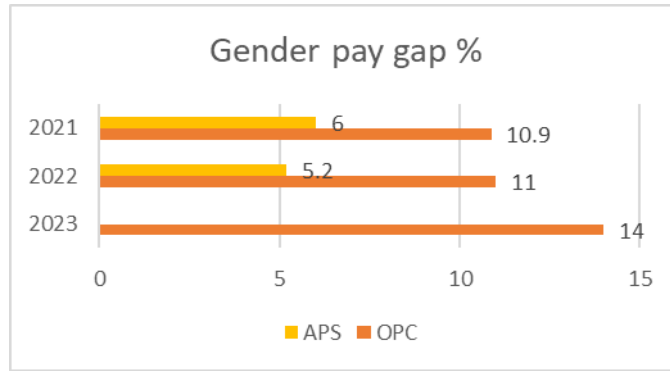


14 The APS Employee Census collects annual employee sentiment data from across the whole APS, and provides agencies the opportunity to ask agency specific questions. OPC’s results from 2024 compared with previous years and the APS in 2024 show a mix of trends in relation to diversity relevant questions.

15 OPC continues to improve in employee perception of our commitment to creating a diverse workforce.

16 We remain lower than the APS in relation to supervisor action to actively ensure inclusion and the invitation of a range of views.

17 We have both improved, and are higher than the broader APS, in each of the remaining questions.



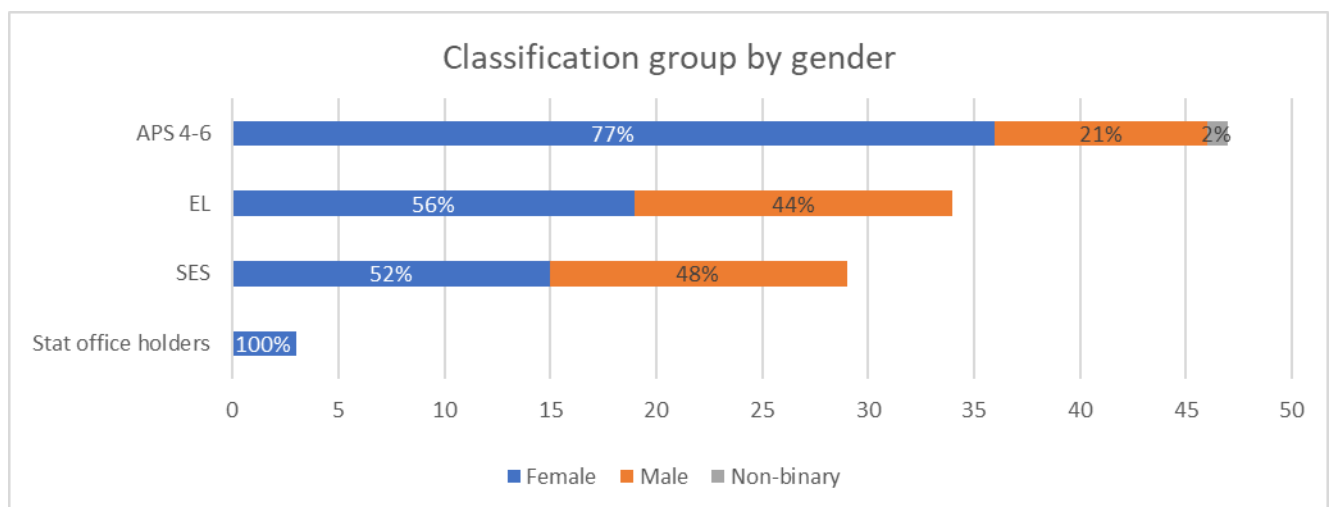
18 The Workplace Gender Equality Agency now reports on Australia’s gender pay gap across all sectors, including the APS. The gender pay gap data shown above is taken from APS Remuneration Survey data, which is collected as at 31 December of each year.

19 The gender pay gap is determined by taking the average of base salary for females, and for males, and expressing the difference as a percentage of the average male salary. A positive figure means that on average, males are paid more than females.

20 The graph above shows the APS wide gender pay gap is 5.2% in 2022 (the most recent published figure) and the OPC result is 14% at 31 December 2023, up from 11% in 2022. While it may appear that men are paid more than women, close examination of OPC data shows that, at the same classification and pay point, women and men are paid exactly the same.

21 The main driver of the OPC and APS gender pay gap is unequal representation of women and men across classifications. Both OPC and the APS are majority female, particularly at the lower classifications.

22 The table below shows the numbers of employees in each gender (represented by the length of the bar) as well as the proportion of each gender in the classification cohort (data labels).



What we do now

23 Enacting our values, as well as the APS Code of Conduct and APS Values, we have embedded a range of practices that support inclusion.

Inclusion

- We ensure that our culture includes genuinely listening to individuals and giving proactive consideration to people's views, even when their view diverge from a majority opinion. This is evidenced by the perception of 86% of our people agreeing that we are committed to creating a diverse workforce, and 90% agreeing that we support and actively promote an inclusive workplace culture.
- We have a strong and functional Consultation and Engagement strategy that provides opportunity for our people to express their views through the Workplace Consultative Committee, the People Committee, the Business Operations and Innovation Committee, through various working groups such as the Joint Publications and Drafting Working Group, the IT co-design group, various Nimbus project groups, the SES Performance Leadership Framework Reference Group, and the Reconciliation Action Plan working group.
- We have an active and inclusive social club, supporting a range of social activities.
- We celebrate the uniqueness of our people through a “getting to know...” section in our monthly all staff newsletter Corpbiz.
- Our Achieving Excellence and Capability performance management program focusses on ongoing feedback, recognition and growth and supports inclusion for all.
- We provide easy access to a range of flexible working and leave options, enhanced in the Enterprise Agreement 2024-2027 and s24(1) determinations for SES employees, and supported by our flexible work and leave policies.
- Our internal Complaints policy includes inclusive practices.
- We have developed supporting tools to assist policy authors to identify and remove barriers to inclusion, which will enable SMT to consider barriers to inclusion in any policy that comes before it. Implementation has not yet commenced.

Reconciliation

- We acknowledge and celebrate First Nations culture through acknowledgement of country and culture on email signature blocks; through celebrating NAIDOC week and recognising Sorry Day and Reconciliation Week; and through using graphics from our Indigenous artwork commissioned for our 50th anniversary.
- We actively support participation in the Jawun program, which offers our staff opportunity to learn from and support First Nations organisations.
- We have an active working group supporting the implementation of our 2023 Reflect Reconciliation Action Plan.

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- We regularly offer Ngunawal cultural and language training.
- We use affirmative measures programs to seek to recruit First Nations employees.
- In 2023, we invited an academic to OPC to speak to us about his research into Indigenous languages and legislation.

Gender

The *Workplace Gender Equality Act 2012* requires employers with 100 or more employees to report annually against six Gender Equality Indicators, of which OPC has achieved strong results already against 5 of the 6 indicators.

- Gender Equality Indicator 1 - gender composition of the workforce: Research shows that greater gender diversity in leadership delivers better company performance, productivity and profitability. OPC has over-achieved in relation to increasing female representation across all levels of our organisation, and in particular our most senior leaders. Refer to data on page 6.
- Gender Equality Indicator 2 - gender composition of governing bodies of relevant employers: This indicator is focused on boards, because research shows that gender-balance on boards is good for business, noting the impact of at least 20% female representation. OPC overachieves in relation to increasing female representation on our Senior Management Team, with 5 out of 6 positions occupied by women.
- Gender Equality Indicator 4 - availability and utility of employment terms, conditions and practices relating to flexible working arrangements for employees and to working arrangements supporting employees with family or caring responsibilities: Our Enterprise Agreement 2024-2027 and s24(1) determinations for SES employees contain strong and accessible flexible workplace conditions, supported by our Flexible work policy, Leave policy and Workplace breast-feeding policy. We maintain our accreditation as a breast-feeding friendly workplace. As noted in the data on p 4, 37% of employees identify as carers, and 100% of employees have access to a flexible work arrangement. Employees have access to paid parental leave and paid family violence leave.
- Gender Equality Indicator 5 - consultation with employees on issues concerning gender equality in the workplace: OPC consults with employees in relation to all policies and procedures, including those with direct impact on gender equality issues, such as flexible work, leave arrangements, work health and safety, and diversity and inclusion. In addition, OPC engages with the People Committee to support implementation of this Diversity and Inclusion Strategy, as well as to provide input to specific implementation issues, such as undertaking a risk assessment for the risk of sexual harassment, and providing input to the communication and awareness plan to prevent workplace sexual harassment. Information gained through these consultation practices directly shapes policies, procedures and practices.
- Gender Equality Indicator 6 - sexual harassment, harassment on the ground of sex or discrimination: To increase women's workforce participation, it is essential employers take action to prioritise and protect all employees from sexual harassment, harassment

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on the ground of sex or discrimination and ensure that every employee feels safe in the workplace. OPC has a clearly stated zero-tolerance for workplace sexual harassment in our Preventing Sexual Harassment Guidelines. This is supported by an ongoing awareness and communication campaign that directly addresses the root causes of sexual harassment as well as ensuring all employees are aware of reporting and response mechanisms. Finally, OPC takes carefully considered, trauma-informed responses to reports of sexual harassment.

- In addition, we promote International Women's Day and International Men's day.

Disability

- The latest version of the Federal Register of Legislation website released on 1 January 2024 applies the Australian Government Digital Inclusion Standard.
- We promote International Day of People with a Disability.
- Our employment policies and practices comply with the anti-discrimination legislation, including providing reasonable adjustments for people with disability.
- For example, we have welcomed a mind-dog and raised awareness of his role, and held a presentation on the benefits of diversity, particularly neurodiversity.
- We regularly provide information on communicating effectively with people with hearing loss, from a colleague with lived experience and we have promoted effective communication with people who are deaf/hard of hearing and face-mask awareness.
- We provide assistive technology when needed, and ensure equitable treatment according to individual needs.
- We use RecruitAbility and affirmative measures programs to recruit employees with a disability.
- We are members of the Australian Network on Disability, an network that assists employers to meet their legal obligations and to support employees with disability.

Mental well-being

- We promote R U OK Day and Mental Health Week.
- We have a comprehensive health and well-being program that promotes mental health. We have commenced engagement with the APSC Mental Health Capability Framework.
- We have, and continually build on, a range of strategies to address psychological safety, including promotion of appropriate conduct, strategies to reduce role overload, and sound job design.
- Our First Aid Officers are trained in Mental Health First Aid, and we have a trained Mental Health First Aid Officer.

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- We make a free, confidential Employee Assistance Program available to all employees and their families.
- We promote resources available in the community, such as Black Dog Institute, Beyond Blue, Headspace, etc.

LGBTQI+

- We promote Pride Month and IDAHOBIT day, and Wear it Purple day.
- We are members of the AGD Pride network.

Cultural and Linguistic Diversity

- We use social activities to celebrate diversity, such as ‘plate of origin’ morning teas to celebrate our cultural heritage and supporting employees to encourage colleagues to celebrate culturally important events with them eg Diwali.
- We promote Harmony Day.

Our strategy for the future

24 We have a solid foundation on which to build, as well as areas where our current strategies have not resulted in the broad representation we desire in our workforce. Our approach for the future is to be realistic about introducing strategies that will genuinely achieve our aim, and that we have the capacity to support and continue to embed.

25 Based on input from our People Committee and a review of our workforce data, the actions below extend our current embedded practices. We aim to introduce, embed, and maintain each new activity; and then build on it to introduce the next action area. Thus, the action areas below represent an order of priority and actions we have committed to implementing. As we prepare more detailed plans, such as the Reconciliation Action Plan and Mental Health Forward plan, further action items will be identified and implemented. The timeframes are of necessity flexible, as we pace our work with a range of strategic priorities and the capacity of our workforce to engage authentically with the work.

Inclusion

- Ensure that as we update our policies and practices, we identify and remove any systemic discriminatory or exclusionary requirements; or assumptions, oversights, or other barriers to inclusion. This will be achieved by ensuring that SMT consider barriers to inclusion in any policy that comes before it, and implementing supporting tools to assist policy authors to identify and remove barriers.
- Ensure that supervisors have inclusion competencies - authentic commitment, courage, cognisance of bias, curiosity, cultural intelligence and collaboration.
- Build capability of team leaders to ensure effective communication in all teams, so that people are kept ‘in the loop’ and decision-making is transparent.

Reconciliation

- Continue to implement the 2023 ‘Reflect’ Reconciliation Action Plan.
- Build cultural capability in order to improve and embed the understanding of Aboriginal and Torres Strait Islander culture in the workplace to support the development of culturally-safe work spaces and services⁴.
- Establish strong relationships with communities in regional and remote Australia to better understand the needs, priorities and goals of Aboriginal and Torres Strait Islander peoples and their communities⁵.

Gender

By the end of 2024, public sector employers of 500 or more employees are required to have a policy or strategy in place that addresses each of the six Gender Equality Indicators. As noted in the previous section, we have achieved strong results already against 5 of the 6 indicators.

⁴ https://www.apsc.gov.au/sites/default/files/2021-03/commonwealth_aboriginal_and_torres_strait_islander_workforce_strategy_2020_-24_0.pdf p 21

⁵ https://www.apsc.gov.au/sites/default/files/2021-03/commonwealth_aboriginal_and_torres_strait_islander_workforce_strategy_2020_-24_0.pdf p 18

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- Gender Equality Indicator 3 - equal remuneration between women and men: This indicator looks at the difference between the average and median remuneration of women and men and the actions employers are taking to reduce the gender pay gap. The gender pay gap is the difference in average earnings between women and men in the workforce. The gender pay gap is not to be confused with women and men being paid the same for the same, or comparable, job - this is equal pay. Equal pay for equal work is a legal requirement in Australia.
- As noted in the data on p 6, OPC's gender pay gap is 14% in favour of men and has increased over the last few years. The main driver of the OPC and APS gender pay gap is unequal representation of women and men across classifications. Both OPC and the APS are majority female, particularly at the lower classifications. OPC will review the language and location of advertising for APS 4-6 positions to better attract male candidates.
- With the publication of individual employer gender pay gaps on the WGEA's online Data Explorer in early 2025, OPC will develop, and provide a link to, an Employer Statement to contextualise our results and detail actions being taken to make progress.
- Men's uptake of parental leave increases when men are actively encouraged and supported to take this leave. We will increase our promotion of parental leave for men, and publish data internally on parental leave usage.
- Review and implement additional strategies from the Australian Public Service (APS) Gender Equality Strategy 2021-26.

Disability

- The Australian Government Digital Inclusion Standard will continue to be applied during an agile and iterative co-design approach used to complete additional work of the Federal Register of Legislation. An independent professional accessibility test will be conducted in 2024 against the WCAG 2.2 standard.
- Invite people with disability and with mental health issues (including our workers or external speakers) to talk about their experiences.
- Undertake regular external accessibility audits of our premises and IT systems.
- Ensure employee training and induction is accessible to people with disability.

Mental well-being

- Develop a psychosocial safety strategy to implement the Code of Practice "Managing psychosocial hazards at work"⁶.

⁶ https://www.safeworkaustralia.gov.au/sites/default/files/2022-08/model_code_of_practice_-_managing_psychosocial_hazards_at_work_25082022_0.pdf

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- Develop and implement a forward plan as part of participation in APSC Mental Health Capability Framework, including an anti-stigma campaign.

LGBTQI+

- Engage with programs such as Pride in Diversity.

Cultural and Linguistic Diversity

- Review recruitment ‘approach to market’ in order to be more attractive to people from culturally and linguistically diverse backgrounds.

Age

- Ensure that both younger and older workers have equitable access to career progression, and learning and development support.

Governance

26 OPC’s Diversity Champion (General Manager, Corporate) is responsible for promoting, supporting and enabling the achievement of the actions in our Strategy; and for maintaining our embedded practices.

27 In addition, the Diversity Champion will provide SMT with a report, every six months, on our diversity data, including APS Employee Census results; implementation of this strategy, and compliance with the related documents listed below.

28 OPC will report on our Diversity and Inclusion Strategy in our annual report.

Related documents

29 The following documents are related to this policy:

- (a) *Public Service Act 1999*
Under section 18 of the *Public Service Act 1999 (PS Act)*, FPC must establish a workplace diversity program to assist in giving effect to the APS Employment Principles. The relevant employment principles (paragraphs 10A(1)(f) and (g) of the PS Act) provide that ‘The APS is a career-based public service that...provides workplaces that are free from discrimination, patronage and favouritism; and recognises the diversity of the Australian community and fosters diversity in the workplace.’
- (b) Commonwealth Aboriginal and Torres Strait Islander Workforce Strategy 2020-24
- (c) Australian Public Service (APS) Gender Equality Strategy 2021-26
- (d) Australian Public Service Disability Employment Strategy 2020-25

Review

30 This strategy will be reviewed at least annually.

Meredith Leigh
First Parliamentary Counsel
November 2024

Document History		
Release number	Release date	Document number
1.0	March 2010	s09am208.v05.docx
2.0	October 2012	s09am208.v07.docx
3.0	June 2013	s09am208.v09.docx
3.1 - Renumbering only	August 2017	s09am208.v13.docx
4.0	July 2022	S22TP263.v06.docx
5.0	20 October 2023	S22TP263.v10.docx
6.0	January 2025	S22TP263.v16.docx

Note: Before July 2022, this Strategy was called OPC No.57 Workplace Diversity Program. Before May 2017, this OPC was called Office Procedural Circular No. 63. In July 2022, this Strategy incorporated information that was previously covered by OPC 5.9 Equal treatment of same-sex couples and their families and OPC 5.8 Disability Awareness.