CHAPTER 10:

FEMALE TRUSTEES

In an ideal fund, affirmative action and equal employment opportunity principles would apply to the trustee board membership, ensuring appropriate representation of women on boards.

- 10.1 It has been put to the Committee that the failure of superannuation to adequately provide for the retirement needs of the majority of women compared to the majority of men results from the concerns of women being defined as outside the analysis of mainstream economics. ²
- 10.2 Ms Rhonda Sharp, in her paper *The Power of a Feminist Economics*, argued that women's concerns are relegated to the arena of social values/preference/tastes which are treated as 'givens' in economic analysis. She argued that the neo-classical, also known as rational, economic view that economics is conceptual, that the individual is gender-neutral and that decision making is not influenced by gender, race or class results in issues of concern to women being defined as outside the analysis of economics. If women's concerns are not the subject of economic policy, this effectively serves as a statement that further improvements cannot be achieved by working within the paradigm.³
- 10.3 According to Ms Sharp, the introduction of an occupational superannuation retirement income system in Australia provides a good case study of how feminist economic perspectives, working within a given policy framework, have successfully achieved policy changes and modifications to better fit the needs of women. However, significant inequities remain.⁴
- 10.4 It has been presented to the Committee that one of the ways of overcoming some of the deficiencies in the superannuation system, as it relates to women, would be to increase the currently very limited number of female trustees.

NSW Women's Advisory Council, Superannuation and Women: Issues of Access and Equity, June 1993, p 32

² SW Sub No 4

ibid

⁴ ibid

- 10.5 Trustees are responsible for making decisions about a fund's management and investment. From 1 July 1995, all funds with more than 5 members had to have equal numbers of employer and employee trustees, although funds with between 5 and 50 members can opt for an independent trustee.
- 10.6 As Mr Peter Cox stated at the public hearing in Sydney 'women constitute half the population. They have to contain half the talent, so you would expect that a reasonable number of women would be almost on boards by default'.⁵
- 10.7 However, this is not the case. As commented by the Sex Discrimination Commissioner at the Canberra public hearing:

It is pretty scandalous if you take something like the retail superannuation fund where you have got such huge numbers of women working and there is not a single woman sitting on the board of trustees.⁶

- 10.8 That women are under-represented as employer and employee trustees in corporate, public sector and industry funds is clearly indicated by figures presented in the March 1995 edition of *Superfunds*. In conducting the survey, information was sought on the number of fund members, the female/male percentage, the number of fund trustees and how many of these trustees were women. Findings, outlined in Table 10.1, indicated that less than 15 per cent of superannuation trustees were women.
- 10.9 In addition to the significant percentage of working women covered by superannuation not being reflected in the composition of decision-making bodies of the funds, Dr Olsberg, University of New South Wales, pointed out that the small number of female trustees on boards of superannuation funds resulted in their influence being limited. From her own experience, she had found that 'it is not easy being the first and only woman in a boardroom culture which is not used to having women on the board'. 8

⁵ Evidence, p 232

⁶ Evidence, p 651

⁷ SW Sub No 9

⁸ Evidence, pp 215-216

SUPERFUNDS SURVEY: WOMEN ON TRUSTEE BOARDS

NAME OF FUND	NO. OF MEMBERS	GENDER BREAKDOWN OF MEMBERSHIP (IN ROUGH % TERMS)	NO. OF PERSONS ON BOARD OF TRUSTEES	NO. OF WOMEN ON BOARD OF TRUSTEES
		F		
Accountants Superannuation Fund	13,000	65 35	∞ .	7
Amoor 1970 Superannuation Fund	887	24 76	9	0
Australian Retirement Fund	375,000	48 52	12	2
BHP Superannuation Fund	32,000	12 88	12	•
Brisbane City Council Superannuation Plan	8,000	50 50	4	0
Cadbury Schweppes Superannuation Fund	4,500	40	01	0
Coalsuper Retirement Fund	17,500	2 98	9	· —
Coles Myer Employees Benefit Fund	16,000	. 40	6	m
Coles Myer Superannuation Fund	17,500	25 75	∞	0
Commonwealth Superannuation Scheme	111,180	33 67		
CSR Employees' Retirement Fund	009'01	7 93	01	1
CSR Staff Superannuation Fund	4,500	28 72		
CUE Super Plan	3,500	73 27	9	0
Email Group Superannuation Fund	9,847	22 78	9	0
Emergency Services Superannuation Scheme	16,9864	n/a n/a	9	-1
Health Employees Superanmation Trust Australia	27,500	85 15		**
Hospitals Superannuation Fund	147,000	70 30	9	2
Law Industry Superannuation Trust	11,545	84 16	9	0
Lend Lease Superannuation Fund	4,075	47 53	14,	\$
Local Authorities Superannuation Board (NSW)	72,000	50 50		-
Local Government Superannuation Scheme (SA)	9,3436	31 69	9	0
Military Superannuation and Benefits Scheme (Cth)	35,000	17 83	•	0
MTAA Industry Superannuation Fund	165,000	n/a n/a	4	0
News Ltd Group Superannuation Fund	10,000	45 55	•	_
Newsplan Group Retirement and Assurance Plan	5,000	23 77	10	0
Non-Government Schools Superannuation Fund	25,000³	75. 25	∞	٣
Public Sector Superannuation Scheme (Cth)	000'66	56 44	٠,	0
Oantas Airways Staff Superannuation Plan	17.391	30 70	1	· •

SUPERFUNDS SURVEY: WOMEN ON TRUSTEE BOARDS (cont)

NAME OF FUND	NO, OF MEMBERS	GENDER BREAKDOWN OF MEMBERSHIP (IN ROUGH % TERMS)	NO. OF PERSONS ON BOARD OF TRUSTEES	NO. OF WOMEN ON BOARD OF TRUSTEES
		F		
Qid Coal and Oil Shale Mining Industry Superannuation Fund	14,500	4 96	9	0
Old Electricity Supply Industry Employees' Super. Scheme	6,719	10 90	1	•
KEIA Superannuation Fund	20.000	55 45	<i>.</i>	
Retail Employees Superannuation Trust	000.059	77		7 (
State Authorities Superannuation Board (NSW)	588 000	55 45		
State Public Sector Superannuation Scheme (Q)	103,000	55		7 -
Superannuation Scheme of Australian Universities	40,000	53 47	ે. •! •! •!	
Superannuation Trust of Australia	280,000	21.5	O F	-
Victorian Superannuation Board 2	200,000	55 45	71 0	o (

Information obtained from REST Annual Report, 1993

The Victorian Superannuation Board is comprised of 5 separate funds governed by one trustee board - Victorian Superannuation Fund, Transport Superannuation Fund, State Superannuation Fund, State Employees Retirement Benefits Fund, State Casual Employees Superannuation Fund

Active members only

3,000 of the current members are pensioners

1,500 of these members are inactive

Active members only

The Lend Lease Superannuation Fund has a corporate trustee comprising of 14 directors

Source: Jennifer Fletcher, SUPERFUNDS, Who's that knocking at the boardroom door?, March 1995

Female trustees Page 103

10.10 She argued that given the growth of superannuation, with coverage at more than 80 per cent, women must play a role in both the development of government policy and in the superannuation funds. Increasing the number of female trustees was seen as being crucial.⁹

10.11 However, before considering how to increase the representation of women on superannuation boards, it is important to identify why such a move is regarded as positive and what barriers currently exist.

Why is equal participation important?

- 10.12 The passing of anti-discrimination and affirmative action legislation and the establishment of the Affirmative Action Agency and the Office of the Status of Women are just some infrastructural changes which demonstrate the community's support for women participating on an equal footing in society and its decision-making processes. That women should have equal input to the management and direction of superannuation funds is entirely consistent with this position.
- 10.13 The question to be asked, however, is what is it that women have to contribute which is so substantially different from their male colleagues that their concerns cannot be addressed by male trustees?
- 10.14 Clearly, men and women have different life experiences and expectations. We have seen for example that women continue to have employment patterns which, in aggregate, are significantly different from those of most men, with a lower overall rate of participation in the workforce, with a greater proportion undertaking part-time or casual work and earning significantly less. Women undertake a significantly greater proportion of caring duties in the community.
- 10.15 However, it should not simply be a woman's ability to bring caring and sharing attitudes that is the reason to give her a position on a board of trustees. As the Sex Discrimination Commissioner argued:

what ... they would bring to any trustee board is a different life experience and what that might mean in terms of a broader view about possible courses of investment, or possible approaches to policy issues.¹⁰

SW Sub No 9

Evidence, p 651

10.16 The validity of, and imperative for, this differing perspective has been recognised in Australia with the establishment of women's policy units within the state itself which have engaged in a range of economic policy issues and debates. Ms Sharp highlighted the influence that the feminist perspective has had to date on such policy areas as wages and working conditions, social wage expenditure on health, education, child care and welfare, retirement income support, taxation, foreign aid programs, industry policy and so on.¹¹

10.17 The benefits of involving women was highlighted in the recently released report *Enterprising Nation: Renewing Australia's managers to meet the challenges of the Asia-Pacific Century* (also known as the Karpin Report). The Report argued that 'greater numbers of women on boards of directors is a very important objective. The appointment of women to boards will improve management quality and breadth.' 12

10.18 The Karpin Report recommended that 'private sector and government give higher priority to strategies to improve utilisation and management of Australia's diverse population in Australian business and industry' with women being identified as a particular target group. 13

10.19 How the differences in approach impact in the area of superannuation has been the subject of research by Dr Olsberg. She drew the Committee's attention to research which revealed that significant gender-linked attitudinal differences existed in superannuation board decision-making regarding investment and management policies. She argued that these differences were positive attributes and called for more 'women's skills' in corporate governance of superannuation funds. ¹⁴

10.20 In general, according to Dr Olsberg, female trustees demonstrated a greater awareness of social issues and the desirability of balancing economic considerations with more normative social considerations than male trustees. Her research indicated that:

• 70 per cent of female trustees took account of ecological and environment considerations when making investments (compared to 42 per cent of male trustees);

SW Sub No 4

Industry Task Force on Leadership and Management Skills Enterprising Nation: Renewing Australia's managers to meet the challenges of the Asia-Pacific Century April 1995 p.xxxiii

ibid, p.xxxiv

¹⁴ SW Sub No 9

- 85 per cent of female trustees wanted to improve benefits for casual and part-time workers (compared with 70 per cent of male trustees);
- 90 per cent of female trustees saw socially responsible investment as important (compared with 60 per cent of male trustees); and
- 75 per cent wanted a portion of fund assets invested in Australia (compared to 57 per cent of male trustees). 15
- 10.21 Dr Olsberg recounted the comments of one female trustee who saw her role as 'trying to get more emphasis on human interests in the fund ... taking a very much more long term view and thinking about what will happen for future fund members'. ¹⁶
- 10.22 Research by the NSW Women's Advisory Council also found that women trustees were more likely to be concerned with the needs and interests of part-time and casual employees given that most of these employees are women.¹⁷
- 10.23 Ms Jennifer Giles, of the Women's Legal Resources Centre, presented the view that having female trustees was 'a nice back door method of getting around those things that are not being addressed now' [because] 'if you have ... women trustees of superannuation funds, there are a whole lot of things that you do not have to address because they are just there in women's minds'.¹⁸
- 10.24 The imperative of ensuring the female perspective in the management of superannuation funds becomes even greater when the increasing importance of superannuation in the economy generally is considered. Ms Jennie George, Assistant Secretary of the ACTU, presented the view at the Women Managing Money Conference in Melbourne in July 1995 that it is inappropriate to exclude women, and in turn women's interests, from superannuation management just as superannuation is becoming an important base for social and economic progress in Australia. 19

¹⁵ ibid

¹⁶ ibid

NSW Women's Advisory Council, Superannuation and Women: Issues of Access and Equity, June 1993 p 16

Evidence, p 283

Hely S, Women Manageing Money Conference, in Superfunds Sept 1995, p 14

Barriers to female representation as trustees

10.25 The barriers that limit female participation as trustees in many cases are the same as those which prevent women from moving to higher levels of management generally. These can be divided into structural and attitudinal barriers ²⁰

10.26 Ms Laura Wright described the main structural barriers as:

- women's work and life patterns (for many women being a trustee would be a third job after paid work and family responsibilities);
- superannuation being made out to be more complicated than it is;
- ignorance of appointment and election procedures;
- inappropriate meeting times/frequency/location; and
- lack of suitable female role models.²¹

10.27 Dr Olsberg also identified that the tendency to recruit trustees from the ranks of the board of directors or from senior management, which are predominantly male, was yet another major hurdle.²²

The women in management hurdle

10.28 According to Dr Burton and Ms Ryall, in their contribution to the Karpin report, Australia had the lowest percentage of women managers in the industrialised world and it had a relatively slow percentage increase compared with these countries. In 1993 women constituted 42 per cent of the Australian workforce but only 26 per cent of managers.²³

10.29 The paper argued that the direct barriers to the achievement of more women in management ranks were:

 the lack of women in senior management was not universally seen as a problem;

²⁰ SW Sub No 99

²¹ ibid

SW Sub No 9

Burton C, Ryali C, Manageing for Diversity in Enterprising Nation: Renewing Australia's Managers to Meet the Challenges of the Asia-Pacific Century, Industry Task Force on Leadership and Management Skills, April 1995, p 773

- there was strong attachment to traditional ways therefore family friendly policies, though increasing, were not strongly developed and their implementation was resisted;
- prevailing cultural values governed the application of the merit principle therefore the linear, continuous model of a career operated not only as the norm but as a measuring device for assessing people's work commitment;
- men's shared experiences led to levels of comfort among them that were not easy to forge with women as professional colleagues. Social certainty was preferred to the strains of dealing with people who are different; and
- existing culture and lack of commitment from Chief Executive Officers (CEOs) to diversity in management generated conformity in younger managers.²⁴
- 10.30 The paper argued that companies' practices needed to change to increase the number of women in management if they were to avoid the imposition of quotas at a later date.²⁵
- 10.31 In relation to the limited number of women's presence on boards, Burton and Ryall argued that, in addition to the culture/comfort factors that have already been identified, the lack of recognition of women as a stakeholder group with interests, needs and demands continued to go unrecognised. Membership of boards, it was argued, in part reflected men's networks and status exchanges and that this process needed to be extended to include women.²⁶

Attitudinal barriers

10.32 Attitudinal barriers to female participation as trustees are held by both male and female members of the community.

10.33 The following attitudinal barriers have been identified:

perceptions about women's place and abilities:

²⁴ ibid, pp 775-777

²⁵ ibid, p 777

²⁶ ibid, p 781

- superannuation as a man's world in which women do not have a rightful place;
- finance is not an area in which women are strong;
- women lack the confidence to make hard decisions; ²⁷ and
- the perception of women trustees as only being interested in women's issues 28

Strategies for Action

10.34 Having identified the benefits of women acting as trustees and the barriers which exist, it is important to identify strategies that can be developed and implemented.

10.35 Dr Olsberg called on individual women to take an active interest in their role as superannuation fund members and for women to seek out the opportunity to become trustees of superannuation funds. She argued that, as trustees, women will be given the opportunity 'to play a leading role in this country's economic decision-making'. ²⁹

10.36 Information campaigns were seen as a key mechanism to encourage women to participate as trustees. Mr Donald Duval, Acting Deputy Commissioner of the Insurance and Superannuation Commission (ISC), informed the Committee that 'there has been significant encouragement to women through public education campaigns and the like to become member representative trustees of employer funds ... strongly promoted in the ISC's trustee guide book'. 30

10.37 The ISC Guidebook states:

The Government encourages, and expects trustee boards to encourage, women to nominate as trustees and to participate in the running of superannuation funds. Greater participation by women in management and on Boards is part of wider moves to better corporate governance and greater diversity in decision-making. As women's superannuation coverage increases, it is only appropriate

²⁷ SW Sub No 99

²⁸ SW Sub No 9

ibid

Evidence, p 625

that women be represented on bodies that decide what happens to their money.³¹

10.38 Whilst the Committee commends the ISC for this inclusion, it believes many of the attitudinal barriers in particular will limit the influence of such statements.

10.39 The Sex Discrimination Commissioner drew the Committee's attention to the valuable work done by the Office of the Status of Women, ASFA and various other industry bodies to encourage women to learn more about what it means to be a trustee. But, as Ms Walpole points out, most women have other demands on their time, particularly their unpaid work in the home, and that if women are to be encouraged to be active as trustees, we not only need to make additional training and information available to them, but it has got to be done in a way that is acceptable and accessible to them.

10.40 Burton and Ryall argue, in relation to the appointment of women to boards but equally applicable for trustees, for:

- training on board operations;
- provision of support for those appointed;
- industry to set targets for the percentage of women accompanied by educative and public relations activities; and for
- nomination and selection criteria to be reviewed to tap more adequately the range of qualities and experiences which contribute to better decision making and problem solving.³³

10.41 Ms Laura Wright, in her paper Strategies to Increase Representation of Women Trustees, outlined the following broader strategies to deal with structural barriers:

- where women were predominantly part-time and casual, specific encouragement needs to be given for these women to see themselves as trustees;
- the superannuation industry needed to be demystified for all its participants, including trustees;

Insurance and Superannuation Commission, The Trustee Guidebook to Superannuation, 1994, p 10

³² Evidence, pp 651-652

Burton C, and Ryall C, op cit, p 805

- funds needed to ensure that member election procedures are easy to understand, well-publicised and organised with sufficient time;
- employers and unions needed to be more conscious of encouraging women to put themselves forward for election or appointment; and
- funds needed to consider the structure, timing, location and frequency of meetings to ensure that they do deter the participation of women.³⁴

10.42 Strategies to deal with attitudinal barriers suggested by Ms Wright included:

- industry groups should establish education support programs and a mentoring scheme to support women;
- the profile of women at managerial level should be raised and they should be well represented in public fora (that is, role models should be encouraged);
- the current affirmative action reporting process be used to highlight the position of women as trustees and as an awareness raising exercise;
- action should be taken to remove 'fear' through perceptions about the decision-making process of funds;
- funds could use the position of alternate director to have women in training for a trustee position;
- women who already hold positions of influence should speak to key decision-makers on this matter; and
- women's groups needed to continue to make representations to appropriate employer bodies seeking support for women as trustees.³⁵

10.43 The Committee supports the general approach presented above as it is convinced that educational campaigns alone are insufficient to achieved the desired results.

³⁴ SW Sub No 99

³⁵ ibid

Recommendation 10.1:

The Committee recommends that strategies be developed which provide avenues through which women can gain the necessary confidence and expertise to participate as trustees.

Other options for investigation

10.44 A number of strategies presented during the course of the inquiry which appeared particularly promising and which the Committee believes should be developed. These are the proposals to use the Affirmative Action reporting mechanism, the introduction of targets and the appointment of women as alternate directors.

The Affirmative Action reporting mechanism

10.45 Affirmative action is an umbrella term for a wide range of programs conducted by organisations to achieve equal employment opportunities for women. Programs can range from reviewing all employment practices ensuring they do not directly or indirectly discriminate against women, or to special programs encouraging women to apply for a wider range of jobs within an organisation.

10.46 Organisations covered by the Affirmative Action (Equal Employment Opportunity for Women) Act 1986 (that is, all private sector employers, community organisations, non-government schools, unions and group training schemes with 100 or more employees and all institutions of higher education) are required to implement an affirmative action program and report to the Director of Affirmative Action on the program's development annually.

10.47 Organisations which fail to comply with the legislation, or which report unsatisfactorily, are named in Parliament and are ineligible for government contracts and other specified forms of government assistance.

10.48 The annual report must provide details of, amongst others, activities undertaken in:

establishing an employment profile through the collection and analysis of statistics and related information about the organisation's workforce;

- analysing policies and practices in relation to employment matters;
- setting objectives and forward estimates which the organisation reasonably expects can be met within a specified time; and
- monitoring and evaluating the program. ³⁶

10.49 The Committee is strongly of the view that superannuation funds be required to undertake similar policy development and reporting activities in relation to female trustees.

10.50 This concept was put to the Committee by a number of witnesses including Dr Olsberg who submitted:

as a first step affirmative action programs could be instituted by superannuation fund boards. In the same way that corporations report annually on initiatives implemented to promote women's participation and to foster women's competence, the funds could also run campaigns to encourage women to become more active participants in the funds. It is about allowing women to become knowledgeable about issues which are relevant to superannuation and to encourage them to participate in the funds.³⁷

10.51 A number of witnesses argued before the Committee that action was being taken to encourage women to participate as fund trustees. These actions are insufficient and not universally applied. Feedback on the effectiveness of the measures was absent from these witnesses' submissions as was any material suggesting that the level of effectiveness of such measures had been considered in their development. The Committee is concerned that a poorly formulated 'token education campaign' has been the spacefiller for this hole.

10.52 A determination on the part of the industry that would cause the Committee to be satisfied that an entirely voluntary system would result in equal opportunities for women to participate as trustees has not been demonstrated. The Committee was told 'the only progressive changes to date have been those forced upon the industry by legislation' and that 'institutions are highly unlikely to respond voluntarily to calls for affirmative action'. AMP's Ms Gallagher agreed with these comments as a reflection of the past, adding that that institution is now addressing such issues. Whilst the *mea culpa* approach has its appeal, the Committee remains firmly of the view that only a

³⁶ Affirmative Action Agency Information Kit

Evidence, p 221

³⁸ SW Sub 9, Ms....ing Out, p 30

requirement to report would ensure equal opportunity practices become the norm.

10.53 The Sex Discrimination Commissioner agreed that a requirement to report 'would be a good part of the reporting regime'.³⁹

10.54 Using the Affirmative Action Agency as a vehicle to promote the number of female trustees is consistent with its broader task of promoting the proportion of women in management. Its importance in this area was highlighted by the recommendation of the Karpin Report on Management Skills that the Agency's 'education and support role should be upgraded, appropriate resources put into disseminating information and tools to assist enterprises, and monitoring of progress for women in management carried out through adaptation of existing Agency statistical systems'. 40

Recommendation 10.2:

The Committee recommends that the Affirmative Action Agency develop reporting requirements for superannuation funds of programs that will enhance equal opportunities for women to act as fund trustees. It is recommended that these reporting requirements be ready for implementation by the 1996/97 financial year.

Recommendation 10.3:

The Committee recommends that regulated, non-excluded superannuation funds be required to comply with affirmative action program development and annual reporting in relation to developing equal opportunities for women to act as fund trustees in order to maintain their complying status.

Evidence, p 653

lndustry Task Force on Leadership and Management Skills Enterprising Nation: Renewing Australia's managers to meet the challenges of the Asia-Pacific Century, April 1995, p xxxvii

Quotas for female trustees

10.55 The Committee has given consideration to mandating quotas of female trustees for regulated, non-excluded superannuation funds. Whilst this might improve the number of women who act as trustees, the Committee is of the view that it is more appropriate to improve the environment from which trustees are appointed and to encourage industry to set targets for the level of female participation. The process would be staged over a number of years, with targets set for say 5, 10 and 20 years.

10.56 The targets can be most successfully achieved by, first, raising the community's awareness of the imbalance and then creating means by which the environment allows females to participate at the same rate as males. The Committee believes that the introduction of targets, coupled with affirmative action reporting, would achieve these goals more constructively that mandatory quotas. Women will then be in a better position to have the choice of participating as trustees.

Appointment of alternate directors

10.57 The appointment of an alternate trustee is a mechanism used to enable another person to act in an existing office of trustee while the incumbent trustee is unavailable to do so.

10.58 Whilst this option was not covered in any detail during the public hearings, it is a measure which the Committee believes would provide a useful stepping-stone for women who are interested in undertaking the task of trustee, but are reticent due to a lack of confidence or familiarity with the process. Being an alternate trustee is considered to have significant potential to provide an opportunity to learn first hand about the processes and operations of the board, and to gain confidence about one's ability to deal with the issues raised, whilst still being able (and to some extent required) to seek direction and support from a more experienced individual.

Recommendation 10.4:

The Committee recommends that the appointment of female alternates be a matter upon which superannuation funds must report to the Affirmative Action Agency and the Insurance and Superannuation Commission.