

## CHAPTER 11

### THE GOOD WORKING RELATIONSHIPS PROJECT

#### TERM of REFERENCE 1 (i)

Term of Reference (i) requires the Committee to evaluate the *Good Working Relationships (GWR) Project* which is being undertaken by the Navy.

11.1 The long-term aim of the program is to bring about a cultural change in the RAN, one aspect of which is a change from the norm of an all male workplace to a mixed gender workplace. Because of its focus on interpersonal relations in the workplace, the effects of the GWR project, if it is successful will be more evident in 5 to 10 years. The project was begun in April 1993 and it is only possible at this stage to evaluate its aims and its design, the initial implementation process and its preliminary results.

11.2 Triulzi Collins Solutions (TCS) was first contacted by Navy in January 1993 and after preliminary discussions the Chief of Naval Staff commissioned the consultants in April 1993 to undertake a study to identify issues and trends emerging as a result of a number of policy changes relating particularly to the wider employment of women at sea and the occurrence of unacceptable sexual behaviour. Navy made a number of its personnel available to both co-ordinate the project and assist the consultants. TCS undertook a Navy-wide consultation process. At the same time, it embarked on a review of Navy's personnel policies, its Divisional System, the communication processes used by Navy and its education and training programs.

#### The Good Working Relationships Project

11.3 Triulzi Collins Solutions proposed the Good Working Relationships Project to Navy. It is based on a four-stage approach:

Stage One - Preliminary fact finding and research

Stage Two - Development of education and training modules designed to create a harmonious working environment.

Stage Three - Implementation of the recommendations and of the training packages, and

Stage Four - Evaluation of the Project

11.4 In evidence to the Committee, the Sex Discrimination Commissioner commented in relation to the GWR project that:

*"It certainly is an excellent start. We also suggest that the initiative taken in the appointment of a naval EEO officer is a very good initiative and that this needs to be further developed in terms of role, function and resources associated with that position."*<sup>1</sup>

#### ***The GWR fact-finding study***

11.5 In Stage One, Triulzi employed a methodology that is widely used and accepted as a means of achieving improvement of personnel environments in the workplace. The methodology included "*focus groups*" with Navy personnel of all ranks employed in a variety of jobs and locations; interviews with Service and Civilian personnel from different interest groups and a "*climate survey*" designed to assess the attitudes of Senior and Commanding Officers responsible for implementing and managing change in the Navy.

11.6 The focus groups were attended by more than 300 participants and the interviews were conducted with about 100 personnel from 10 different interest groups ranging from administration, training areas, Chaplains, Naval Police Coxswains and Psychologists to female officers and ADFA personnel and students. The Committee notes that "*the focus group participation rates were 66% male and 34% female*".

11.7 Since women now make up about 12.5 per cent of the Permanent Naval Force, a participation rate of 34 per cent in the focus groups means that a large proportion

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1 Ms. S. Walpole, Committee Hansard, p. 139.

2 RAN, submission, Committee Hansard, p. 259.

of Navy women were afforded the opportunity to make their views known. However, Triulzi Collins found that:

*"A key finding which emerged ... was the similarity between the concerns, observations and solutions expressed by NAVY women and men regarding the establishment of a better working environment for all personnel."*<sup>3</sup>

### ***Attitudes to Change in Navy***

11.8 Another important finding of the study came from the "climate survey". The survey had been designed to "ascertain the knowledge and experience of senior officers of equal employment opportunity legislation and policy",<sup>4</sup> including the role of the Human Rights and Equal Opportunity Commission, and policy in regard to disability, racial and sex discrimination. It found that of the 52 officers who responded to the survey (78 per cent of the sample), 70 per cent were found to have progressive attitudes, 5 per cent had negative attitudes and 25 per cent gave neutral responses. The consultants advised that the levels of negative and neutral responses indicated that Navy would have to undertake an intensive education program to achieve further change.

11.9 The climate survey covered only 12.5 per cent of officers with the rank of Commander and above. The Committee notes with concern that as high a proportion as 69 per cent perceived their fellow workers as "resistant to change". Forty-six per cent answered that "new policies (were) greeted with resistance". Senior Officer support for workplace change was described as "limited" by 56 per cent of respondents.<sup>5</sup> Of even greater concern, the consultants found that:

*"there appears to be a hard core of between 5-10 per cent of officers who seldom challenge their own biases, nor do they go out of their way to support gender integration."*<sup>6</sup>

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3 Triulzi Collins Solutions, submission, Committee Hansard, p. 646.

4 RAN, submission, Committee Hansard, p. 259.

5 Triulzi Collins Solutions, submission, Committee Hansard, p. 671.

6 *ibid.*, p. 674.

This is particularly worrying since workplace harassment (sexual and sexist) was an issue identified by 63 per cent of the participants in focus groups in Triulzi's study of Navy.

11.10 The survey revealed a strong resistance to change because Navy is "different". The section 43 exemption for the armed forces to the Sex Discrimination Act (SDA) would only have reinforced the attitude that somehow the Forces do not have to meet community expectations in the way required of other public service organisations. The Committee heard evidence that there was a perception in some quarters that change was being imposed from the outside and that it was both unnecessary and unfair.<sup>7</sup>

11.11 The difficulties facing the Defence Forces and Navy in particular in adapting to rapid changes are recognised by the Committee, as they were in the exemption granted under the SDA. However, they are not the only organisations that have had to adapt to rapid changes in recent years. Public service organisations throughout Australia and overseas as well as the defence forces of many other countries have faced unprecedented administrative, technological and sociological changes in the past twenty years. The Committee recognises that the changes have added to the complexity of managing personnel, particularly at sea but it is of the view that with appropriate training and support systems, the Australian Defence Force will meet this challenge.

11.12 A larger sample of senior ranking officers in the climate survey would have included an even higher proportion of officers who joined a very different Navy - one where women were restricted to limited areas of work. (Because of the need to fulfil a number of postings requirements before promotion, it takes some years before one can become a Senior ranking officer). Such a sample might well have revealed even greater resistance to change and to posting women to sea. All participants in the focus groups identified the manner in which policy is communicated as an issue of concern. If implementation of a particular policy is delegated to junior officers, it is, not unexpectedly, perceived to be relatively unimportant.

11.13 This finding leads the Committee to believe that the decision to post women to warships may have suffered from a perception, in the period up to and including 1992, that it did not have the full commitment of Navy's higher echelons. Not all the junior ranks would therefore have felt the need to make it work. The Committee

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7 RSL submission, Committee Hansard, p. 1180.

recognises that the commitment shown by Navy's hierarchy changed quite dramatically in early 1993, even before the SWAN Board of Inquiry reported to CNS. The Committee believes that the climate that prevailed in Navy until early 1993 underlines the need for pro-active programs such as the Good Working Relationships program currently run by Navy to assist personnel in accepting change and in supporting gender integration.

11.14 The study revealed that although Senior Officers recognised that it was their responsibility to initiate change, those affected by the changes believed that Senior Officers did not provide enough support to the change processes. The report concluded that, in order to achieve its objective, the GWR project will:

*"require the establishment ... of a clear and consistent message that senior officers are committed to workplace and work-force changes, both in leadership and in the management of change processes."*<sup>8</sup>

#### ***Implementation of GWR strategy***

11.15 The consultants presented the results of their research together with an analysis of their findings to the Chief of Naval Staff Advisory Committee for its endorsement on 17 September 1993.<sup>9</sup> Navy accepted Triulzi's proposal to develop a number of GWR education and training modules to achieve the objective of a better integrated work-force. An education program on sexual harassment and unacceptable sexual behaviour had already been put in place by Maritime Command in January 1993.

#### ***Management of Unacceptable Behaviour Seminar***

11.16 On 21 February 1994, the Committee attended Maritime Command's seminar on the "Management of Unacceptable Behaviour" at HMAS Harman in Canberra. The seminar is run as part of the Good Working Relationships Project. Navy told the Committee that as at February 1994, some 2595 personnel (officers and senior sailors) had attended the seminar.<sup>10</sup> The seminars run for 4 - 4.5 hours and cover a wide

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8 RAN, Committee Hansard, p. 258.

9 Note: This was a fortnight before the Senate referred the matter of sexual harassment in the Defence Forces to this Committee for inquiry.

10 RAN submission, Committee Hansard, p. 520.

range of issues ranging from the legal definitions of sexual harassment, examples of unacceptable sexual behaviour and the responsibilities of senior personnel in dealing with this issue, to guidelines on how to handle a complaint together with sample questions for the complainant.

11.17 A video on sexual harassment in the workplace is shown to highlight the effects of the problem and the complex situation that the manager may face in handling it. The Committee found that the talks were delivered in an informal manner in a way that made it possible for the participants to relate to the situations under discussion. The format used gave many opportunities for questions and discussions of the issues raised. The written material distributed at the seminar is informative and is clearly presented.

11.18 The total commitment of senior echelons of Navy to achieving a workplace free of sexual harassment and unacceptable sexual behaviour is clear in the choice of the Chief of Staff in Maritime Command to give the opening talk at the seminar. The participation of the Fleet Legal Officer means that questions about the impact of sex discrimination legislation can be dealt with competently.

11.19 The Committee noted, however, that it was impossible for the speakers to satisfy personnel who wanted a clear statement of the position to adopt in particular cases. As already discussed in Chapter 1 of this Report, the definitions of sexual harassment and unacceptable sexual behaviour are such that the only answer that could be provided to some questions was *"it depends on the circumstances..."*. It is ultimately up to supervisors to exercise their judgement and discretion and to deal with each situation that confronts them on its own merits.

11.20 In every other respect, the Committee found the seminar to be informative in raising awareness of the issues and in equipping participants to deal at a general level with sexual harassment and complaints of sexual harassment.

11.21 The Committee anticipates that there will be a continuing need for such seminars. In addition to the need to deal with mixed gender issues, the seminars provide an ideal opportunity to stress that the directives on sexual harassment cover both homosexual and heterosexual behaviour.

11.22 Recommendation Twenty-Nine: The Committee recommends that in future, organisers of the Good Working Relationships seminars apportion appropriate time to the issue of homosexuality and the way in which the guidelines on unacceptable sexual behaviour apply.

*Other Good Working Relationships initiatives*

11.23 Navy has implemented other initiatives recommended by the consultants as part of the Good Working Relationships Project. These include a number of initiatives directly aimed at dealing with sexual harassment and unacceptable sexual behaviour:

- the setting up of a confidential toll-free telephone number as a referral service;
- the creation of a confidential database to monitor trends and identify repeat perpetrators of unacceptable sexual behaviour;<sup>11</sup>
- the commissioning and use of the *Fair Game* video on unacceptable sexual behaviour as part of its training packages;
- the appointment of a Human Rights, Employee Assistance Programs and Equal Employment Opportunity Coordinator; and
- the use, in seminars designed to assist integration, of the experience with mixed gender crewing on HMAS Sydney on active deployment in the Red Sea.

11.24 However, the Committee considers that future seminars need to address in greater detail some of the practicalities of successful resolution of sexual harassment allegations. The Committee is aware of the approach developed by the men and women of the US Navy, titled "*Resolving Conflict: Following the Light of Personal Behaviour*".

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11 Note: *Operation Lifeguard* (including both the toll-free number and the database) is reviewed in Chapter 10 of this Report.

11.25 It seems to the Committee a particularly concise and practical guide, which approaches sexual harassment as a conflict situation and sets out well known conflict resolution techniques for all the parties involved to apply.

11.26 **Recommendation Thirty:** The Committee Recommends that Navy devise a conflict resolution program drawing as appropriate on *"Resolving Conflict: Following the Light of Personal Behaviour"* as one useful model. Such a program should be used as an additional segment of the Good Working Relationships program to give practical advice to all personnel in the Navy for resolving the conflict associated with sexual harassment.

11.27 The Committee is aware of and commends the conflict resolution service now being provided by Triulzi Collins Solutions for difficult cases, where the assistance of a skilled third party is considered necessary. The above program is not intended to replace the consultant's resolution service, but is intended to assist local, on the spot resolution of incidents by the parties to an incident themselves.

11.28 Training modules designed to achieve the integration of women by enhancing gender awareness were piloted by Triulzi Collins Solutions in late 1993 and modified in January 1994 as a result of the pilot findings. Initial reactions from the participants were positive. Navy now has 8 initial and career training courses which incorporate the Good Working Relationships training package. They are:

- Initial Recruit Training Course;
- Leading Seaman Leadership Course;
- Petty Officers Management & Staff Skills Course;
- New Entry Officers Course;
- Qualified Officers Entry Course;
- ADFA Single Service Training;
- RAN Staff Course; and
- CO and XO Designate Course.



11.29 There is one other aspect of the GWR project which the Committee considers should be further developed. The Sex Discrimination Commissioner states that many women do not complain of sexual harassment at work. In explaining this, she quotes the following:

*"Women are conditioned to feel that if they confront the issue directly, it will most likely escalate, for sexual harassment in the workplace is an issue of power, and experience shows that pressing the issue will bring on an intensified response. It seems easier to do nothing than complain, because complaining is stepping out of line, and stepping out of line brings on a display of power and control in our society."<sup>12</sup>*

11.30 The Sex Discrimination Act as it now stands gives little encouragement to women to take personal responsibility for confronting harassers. The Committee accepts that, without institutional support, women may hold back from making complaints. The Committee believes that it is now very important to pursue several objectives in parallel and the program proposed by Triulzi does so very effectively:

- First, it is important to set in place policies, endorsed at the highest level, that make it clear that sexual harassment will not be tolerated.
- Second, it is important to ensure that the mechanisms for dealing with complaints, including avenues of complaint (such as Sexual Harassment Contact officers and other personnel outside the Divisional System and the 008 numbers) are in place.
- Third, it is important to have service-wide awareness raising and training to ensure that everyone (the potential victim, harasser, third party observer and supervisor) are fully aware of the first two points above.

11.31 Once the support mechanisms for complaints are in place, it is critically important that the conditioning of anyone who feels powerless to deal with the situation at the personal level, or to make a formal complaint if a personal approach is not successful, is addressed. It is the Committee's view that more emphasis must

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12 Sex Discrimination Commissioner, submission, Committee Hansard p. 43, (*Emphasis added*)

be given to equipping anyone who feels vulnerable to harassment with the necessary skills to be assertive and to deal directly with the harassment. Where this is tried and fails, then recourse to other remedies must be readily available. But encouragement and support should be provided to the victim to develop confidence in the victim's own ability to manage the situation personally. This type of action would have been helpful in the situation that arose on HMAS SWAN in 1992.

**11.32 Recommendation Thirty-One:** The Committee recommends that, in developing the guidelines and training for a conflict resolution program as suggested in Recommendation Thirty, particular attention is given to the development of those skills and techniques which enable individuals subjected to sexual harassment to be more confident and effective in dealing with such harassment at the personal level.

11.33 The Committee is reinforced in this view by the personal experience of Dr Westphalen. He pin-pointed the key difference between his three month service on the SWAN in 1988 - "*the worst period of my life*" - and his successful subsequent service on the SYDNEY in 1993:

*"I had learned how to handle it - by confronting the perpetrator early, in private, and telling him to back off".<sup>13</sup>*

11.34 The Committee took particular note of two observations by Dr Westphalen:

- confrontation at the personal level usually works; and
- most potential victims need encouragement to confront the perpetrator of harassment.

Dr Westphalen explained that:

*"Confrontation sounds easy to do; in practice it was still difficult, especially if it was to be done constructively. I do not believe junior medical officers (or anyone else in the same position), especially those most vulnerable to harassment, will take this action without strong advice to do so. However, the relative ease with which these issues*

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13 Dr N. Westphalen, submission, Committee Hansard, p. 1106.

*were resolved implies that the perpetrators were unaware of the effects of their actions. Once confronted, they changed their approach."*<sup>14</sup>

### ***Good Working Relations Advisory Committee***

11.35 In February 1994 CNS appointed the Director General Naval Manpower Chairman of the Good Working Relations Advisory Committee. The Advisory Committee is made up of personnel of all ranks from a range of employment positions. Its role is to monitor the implementation of the GWR initiatives and evaluate their effectiveness. A network of trained GWR Coordinators and Facilitators is to be established to assist the committee in its task. The document appointing the GWR Advisory Committee stated that:

*"It is envisaged that the GWR Facilitators will replace existing Anti Harassment Contact Officers currently appointed in ships and establishments."*<sup>15</sup>

11.36 Navy also adopted Triulzi's other recommendations aimed at creating a more harmonious and effective workforce. They are:

- the development of a conflict resolution program;
- the formation of a Problem Response Team of appropriately qualified personnel (and consultants if necessary) to help Commanding Officers who may request assistance when faced with difficult personnel problems;
- improvement of Navy's method of communicating organisational directives;
- a review of the Divisional System; and
- a review of Navy's recruitment process.

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14     *ibid.*, p. 1106.

15     RAN supplementary submission, Committee Hansard, p. 526.

11.37 The Committee notes that Triulzi's study revealed 77 per cent of respondents found informal communication methods (oral communication at divisional meetings) to be more effective in communicating directives and only 17 per cent relied on the DI(N)s as a major mechanism for guidance.

**11.38 Recommendation Thirty-Two:** The Committee recommends that Navy and the other Services ensure that Defence Instructions regarding policy changes affecting personnel are followed up and explained at divisional and unit meetings.

11.39 The Committee has observed that some old instructions (eg DI(N) ADMIN 30-3) which are still current today use terminology which reflects the all-male make-up of the Navy.<sup>16</sup>

**11.40 Recommendation Thirty-Three:** The Committee recommends that as new instructions are promulgated, care is taken to ensure that all terminology is gender neutral. The Committee further recommends that as far as possible existing instructions are revised to reflect the new situation.

11.41 Both the Board of Inquiry and Triulzi Consultants recommended improvements to the Divisional System.<sup>17</sup> The Committee was told that Navy would undertake a review of this system.<sup>18</sup>

**11.42 Recommendation Thirty-Four:** The Committee recommends that all officers who are likely to be appointed as Divisional Officers should undertake through - career courses which cover issues of gender awareness and the referral and handling of complaints of sexual harassment.

11.43 Likewise both the Board and Triulzi commented that shortcomings in the recruitment process contributed directly to many of the problems that arose on the SWAN. Navy told the Committee that the recruitment process now addresses the issue of mixed gender crews early in the process. The Committee endorses this

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16 For example, DI(N)ADMIN 30-3, issued 15 December 1989, stated *"Divisions should therefore be organised on functional lines, ie. the officer who supervises a man's work should be his Divisional Officer."* (emphasis added)

17 BOI Report, p. 54, Committee Hansard, p. 647.

18 RAN submission, Committee Hansard, p. 265. See also Recommendation Eighteen.

approach but it believes that Navy needs to do much more to improve its selection and postings strategy.

11.44 Many of the problems that arose on HMAS SWAN had their roots in a mismatch between the person and the job. Any deficiencies are highlighted in a ship environment because the contribution of each member of the crew is so vital. In the case of the SWAN, the obvious lack of appropriate training and preparation of some members of the female crew for their work at sea contributed to the total context in which the sexual harassment and unacceptable sexual behaviour took place.

11.45 **Recommendation Thirty-Five:** The Committee recommends that specific training be provided for staff in the recruitment and postings section of Navy's organisation to enhance their skills in the area of matching the person and the job.

11.46 The GWR project also recommended that Navy:

*"draft a submission to Headquarters Australian Defence Force to investigate options to assist Service personnel in balancing their work and family commitments through such measures as child care and flexible work."*<sup>19</sup>

The Committee supports such an initiative. However, it is still only at the discussion stage and too early for substantive comment to be made on it. As elsewhere in the community, the greatly increased percentage of women in the Navy will mean a greater focus on the interplay of work and family.

11.47 The Committee commends Navy for the commitment it has shown to addressing the workforce problems revealed by events on the SWAN during its 1992 deployment. It endorses the approach adopted in the Good Working Relationships Project of establishing preventive mechanisms designed to ensure that incidents of sexual harassment and unacceptable sexual behaviour are addressed in the early stages. This makes resolution through informal processes more likely and reduces stress. The Committee also endorses the highly participative nature of the education

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19 RAN submission, Committee Hansard, p. 264.

and training programs with their emphasis on assistance from peers. The Committee welcomes an approach which :

*"...provides an opportunity for participants to examine their own attitudes and behaviour and to express their concerns and fears in a safe, non-judgmental environment."*<sup>20</sup>

**11.48 Recommendation Thirty-Six:** The Committee recommends that Army, Air Force and particularly ADFA adopt an approach similar to that of Navy towards raising gender awareness and preventing unacceptable sexual behaviour from occurring.<sup>21</sup>

11.49 Ms Triulzi told the Committee that after refining and integrating the programs her consultancy has developed for Navy:

*"we will have a monitoring role. We will monitor the ongoing implementation and continue to evaluate the success of the integration of the programs into mainstream Navy training."*<sup>22</sup>

Evaluation and monitoring are necessary to ensure that the programs are effective. The Committee is of the view that Navy must take steps to ensure that the initial enthusiasm and commitment to the Good Working Relationships program is not lost.

**11.50 Recommendation Thirty-Seven:** The Committee recommends that an evaluation study of the impact of the Good Working Relationships program be undertaken 3 years after implementation.

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20 Ms S. Triulzi, Committee Hansard, p. 736.

21 See also Recommendations in Chapter 12.

22 Ms. S. Triulzi, Committee Hansard, p. 737.