

# SPIN VS REALITY

Employer rhetoric and worker experiences of  
sexual harassment at work

A report by the Finance Sector Union

March 2026





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# Introduction

In 2022, the Australian Parliament passed legislation in response to the Australian Human Rights Commission (AHRC) report *Respect@Work: National Inquiry into Sexual Harassment in Australian Workplaces* (*Respect@Work* report), which revealed that sexual harassment in Australian workplaces was widespread and pervasive. This landmark legislation introduced a positive duty on employers to eliminate sexual harassment.

Against this backdrop, in 2024 the FSU released our report *One too many: sexual harassment in the finance industry*, presenting the findings of the first survey into the prevalence of sexual harassment in the finance industry.<sup>1</sup>

Building on this work, in 2025 the FSU engaged with industry on the impact the introduction of the positive duty was having on workplaces. Employers were asked to share information about the methods, results and timing of their risk assessments, as well as how they were consulting with their workforce. At the same time, the 2025 FSU survey on positive duty and sexual harassment (FSU survey) provided an opportunity for finance workers to share their perspectives on the effectiveness of the positive duty in addressing sexual harassment in their workplaces.

This report assesses the level of compliance with the positive duty from the perspectives of both industry employers and finance workers. The report uses the seven standards set out in the AHRC's *A Quick Guide for Complying with the Positive Duty under the Sex Discrimination Act 1984 (Cth)*<sup>2</sup> (the guidelines), as a framework for assessing how organisations and businesses are meeting their positive duty obligations. More information about how the standards were developed, and examples of how they can be tailored to different workforces, is available in the guidelines.<sup>3</sup>

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1. [One too many - Sexual Harassment Survey Report 2024.pdf](#)
  2. "A Quick Guide for Complying with the Positive Duty under the *Sex Discrimination Act 1984 (Cth)*" AHRC August 2023 pp 17-34
  3. [Positive duty fact sheets and other resources](#) | Australian Human Rights Commission [accessed 23 Jan 2026]

# Steps to meet the positive duty:

## The seven standards

The following section of this report provides insight into each of the seven standards by comparing employer responses to our questions about steps taken to meet the positive duty with comments from finance workers responding to the same questions.

The guidelines include examples of actions organisations can take to meet each standard. For example, under the leadership standard, it highlights the importance of senior leaders setting expectations, demonstrating commitment, and holding people accountable for unlawful conduct at work. To support the guidelines and outline how the positive duty can be met, the AHRC has also produced a factsheet series. The *Factsheet Series: Positive Duty under the Sex Discrimination Act 1984 (Cth) Steps to meet the Positive Duty*<sup>3</sup> sets out guiding principles (page 2) and a set of questions under each standard to help organisations and businesses understand their obligations and steps required to satisfy their positive duty.

These guidelines, principles and questions have guided our assessment of how the finance industry is meeting its positive duty obligations overall. Each of the seven standards, as described in the guidelines, is set out below alongside a summary of our industry engagement findings and the experiences of finance workers, taken from the results of our 2025 FSU survey on positive duty and sexual harassment.<sup>4</sup>

The seven standards set out in the AHRC guidelines are:

1. Leadership
2. Culture
3. Knowledge
4. Risk management
5. Support
6. Reporting and response
7. Monitoring, evaluation and transparency



Figure 1: The seven standards

4. See Appendix A and E

# Standard 1:

## Leadership



“Senior leaders understand their obligations under the Sex Discrimination Act (the Act) and have up-to-date knowledge about relevant unlawful conduct.

Senior leaders are responsible for ensuring that appropriate measures for preventing and responding to relevant unlawful conduct are developed, recorded in writing, communicated to workers and implemented. Senior leaders regularly review the effectiveness of these measures and update workers.

Senior leaders are visible in their commitment to safe, respectful and inclusive workplaces that value diversity and gender equality. They set clear expectations and role model respectful behaviour.”<sup>5</sup>

### Industry engagement

Analysis of the responses from finance industry employers suggests that many are taking the leadership standard seriously. Over 80% of employer responses outlined steps that would meet Standard 1, as set out in the AHRC’s *Steps to meet the positive duty*. Almost all employers reported using anonymous surveys for workers to safely provide feedback. These surveys were mostly generic employee engagement surveys, although some included questions specifically related to sexual harassment and discrimination.

### Workers’ experiences

While employer responses suggest appropriate steps are being taken to comply with Standard 1, finance workers reported a different experience. Workers were given the opportunity to comment on how their employer was meeting, or failing to meet, their positive duty. The most common theme was the contradiction between what senior leaders say the organisation will tolerate and what their actions demonstrate.

Many comments demonstrate that in some organisations, senior leaders are still complicit in downplaying unlawful conduct. Respondents shared examples of senior managers explicitly discouraging the reporting of unlawful conduct, and in some cases, role modelling behaviour that is at odds with their obligations under the Act.

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5. Ibid pg 18

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I have been the victim of sexual harassment in the workplace perpetrated by a senior manager. A grievance was lodged and quietly swept under the carpet in complete denial of what took place. Escalations of my grievance have resulted in [employer redacted] making retaliatory false misconduct claims against me.

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I raised a complaint and it was dismissed by my female boss as making lighthearted banter.

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I reported three of my direct reports coming to me to advise they'd been inappropriately touched and spoken to by a team member at a recent work function and they would purposely sit away from the team so they didn't have to speak to him. My manager (one of the contact centre managers) said she'd speak to the colleagues for more information; however, the male colleague was never spoken to and was not held accountable.

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Our workplace feels safe and inclusive where, importantly, senior leaders model respectful behaviours and consistently emphasise expectations about standards of behaviour and the [employer redacted]'s commitment to providing a workplace free from unlawful behaviours and where people feel safe to speak up.

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My employer is good at talking about this, but does not follow this up with action.

# Standard 2:

## Culture



“Organisations and businesses foster a culture that is safe, respectful and inclusive, and that values diversity and gender equality. This culture empowers workers (including leaders and managers) to report relevant unlawful conduct, minimises harm and holds people accountable for their actions.”<sup>6</sup>

### Industry engagement

Analysis of employer responses indicated that approaches to meeting *Standard 2: Culture* were often unclear.

Slightly more than half of employers (56%) indicated they were taking steps to ensure a safe and respectful business culture. Fewer than half of responses (45%) provided any clear indication that they had taken steps to ensure the workforce was diverse and inclusive.

In addition, most responses did not clearly explain how employers were ensuring that people who engage in unlawful conduct were held accountable.

### Workers' experiences

The AHRC's *Factsheet Series: Positive Duty* (published in October 2023) provides guidance on how organisations can apply each of the standards. This includes questions to assess whether workplace culture is safe and respectful; whether the workforce is diverse and inclusive; and whether attention is paid to gender balance in recruitment and promotion. Other considerations include support for workers who report unlawful conduct, minimising harm in the handling of reports and ensuring accountability for those who engage in unlawful conduct.

Survey results indicate that many finance workplaces are not as culturally safe as they could be. A consistent theme in worker comments was that unlawful conduct is often downplayed and that perpetrators are rarely held accountable. Further detail on workers' experiences of reporting is provided in Standard 6. Workers shared their views on how their employer has, or has not, met their positive duty.

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6. Ibid pg 21

”

Whilst there is espoused support for inclusion, respect and diversity, psychological safety of leaders in the business is often contradictory to this in practice.

”

[Employer redacted] covered up a sexual harassment case where a senior manager exposed his penis to his female staff member. [Employer redacted] did not alert authorities.

”

I reported a manager for grooming and sexually harassing me but they kept his employment and put my safety second as he was an 'important' employee and [they were] 'unable to identify risk' though I had evidence.

# Standard 3:

## Knowledge



“Organisations and businesses develop, communicate and implement a policy regarding respectful behaviour and unlawful conduct.

Organisations and businesses support workers (including leaders and managers) to engage in safe, respectful and inclusive behaviour through education on:

- expected standards of behaviour, including actions and attitudes that foster equality and respect.
- identifying behaviours that constitute relevant unlawful conduct, and the consequences for engaging in such conduct.
- their rights and responsibilities in relation to safe, respectful and inclusive workplaces and working relationships. This includes their role in preventing and responding to relevant unlawful conduct.”<sup>7</sup>

### Industry engagement

*Standard 3: Knowledge* is an area where finance employers have excelled. Over 85% of employers reported taking steps to ensure that their workforce understands what constitutes unlawful conduct and the expected standard of behaviour. However, it was less clear how employers ensure that expectations around respectful behaviour and unlawful conduct are consistently enforced.

Most employers have reported having well-developed policies and consistently ensuring their workforce receives regular training. The FSU survey results indicate that this is accurate. More than 75% of respondents confirmed they had participated in education or training in the past 12 months. The exception was training on the consequences of misconduct, where the number fell to just over 70%.

### Workers' experiences

The survey responses tell a more positive story of worker knowledge and awareness in this area. Respondents to our 2025 survey were more likely to understand and recognise sexual harassment, representing a notable improvement since the initial FSU survey conducted in 2023.

When invited to comment on how their employer had, or had not, met the positive duty, approximately 40% of survey respondents provided comments. Approximately half of the comments acknowledged receiving training, either annually or as part of an induction program. However, one in four respondents did not recall having received any training.

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7. Ibid pg 24

Among those who had received training, a recurring theme was that the training was perceived as a box-ticking exercise or was provided only as an e-learning module. Many respondents questioned whether the training was taken seriously or could be translated into meaningful behavioural change. The quality of the training provided was questioned by a significant number of respondents.

”

**They make sexual harassment e-modules mandatory once a year but it's very limited to examples and you can easily skip through it.**

”

[Employer redacted] management have not provided any training or awareness for this, they actually create a very hostile and toxic workplace where if you speak up you will be out of a role.

I feel like they do not care because I have not had any of the above sessions during the whole 18 months I was with [employer redacted].

The training is fantastic but I'm afraid the follow-through if you make a report falls short. It doesn't seem as though any action can really be taken, and I think it still feels as though by making a report, you will jeopardise your own career more than anything.

Regular training and communications, team sessions. These have been valuable.

I feel that we are given adequate training on this topic and feel safe to be able to speak up if I saw or felt that something was not right.

# Standard 4:

## Risk management



“Organisations and businesses recognise that relevant unlawful conduct is an equality risk and a health and safety risk. They take a risk-based approach to prevention and response.”<sup>8</sup>

### Industry engagement

Overall, the industry responses relating to risk management were good. Over 80% of the employer responses would meet the risk management standard. The finance industry’s generally low appetite for risk appears to be reflected in its response to the positive duty.

However, there are concerns in relation to how risk assessments are undertaken, particularly the extent and quality of consultation with workers. The AHRC defines the principle of consultation as:

“Being consultative means talking to workers about what they need for a workplace to be (and feel) safe and respectful, as well as the risks and mitigation options that they see to eliminate unlawful conduct.

Consultation recognises that workers have an important perspective on what affects them. Effective consultation means being better informed about issues affecting workers and what action to take. Strategies may be needed to ensure that the voices of people from marginalised and underrepresented groups are heard and considered.”<sup>9</sup>

Employers were asked how they had consulted with workers. Responses were classified into three categories using the definition of “effective consultation” found in the *Work health and safety consultation, cooperation and coordination Code of Practice* published by Safe Work Australia in July 2023.<sup>10</sup>

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8. Ibid pg 26

9. Ibid pg 14

10. [Model Code of Practice - WHS consultation, cooperation and coordination - July 2023\\_2.pdf](#) pg 13 [accessed 20 Jan 2026]

### Good consultation

Consultation included a combination of:

- Anonymous surveys containing specific questions about sexual harassment.
- Two-way engagement with a wide range of workers (not only people leaders) that included discussion allowing workers to provide information, explain their concerns and suggest mitigation strategies.
- Workers from marginalised and underrepresented groups or their representatives.
- Work health and safety committees.
- Union representatives.

### Average consultation

Consultation included a combination of:

- Anonymous surveys containing specific questions about sexual harassment.
- Two-way engagement with work health and safety committees and/or employee representative groups.
- Engagement with people leaders/managers/HR (not the broader workforce).

### Poor consultation

Consultation included:

- Anonymous one-way generic employee feedback surveys.
- Top-down communication.

Half the employers who shared their consultation approaches fell into the category of “average consultation”, mostly due to their consultation methods lacking two-way communication with the average worker. One in five employers fell into the “good consultation” category, with a similar number falling into the “poor consultation” category. Alarming, 7% of employers reported that they had not engaged in any consultation with their workforce.

## Workers’ experiences

Employer reliance on work, health and safety committees or employee representative groups alone may limit an employer’s ability to identify and mitigate risks that would otherwise be identified through broader consultation.

The lack of consultation with the “average worker” is consistent with the survey results, which showed less than half of the respondents had participated in any consultation process.

Workers' comments from the FSU survey demonstrate that employees are well placed to identify both risks and effective mitigation strategies.

”

I think [employer redacted] focuses on the staff and makes sure everyone has the training so they are fully aware. They don't put much time into the customers who are more likely to make inappropriate sexual remarks or 'jokes' or make female staff feel uncomfortable. They have signage around being respectful, but don't explicitly point out sexual harassment will not be tolerated.





# ZERO TOLERANCE

”

They've met what they're legally required to do but I've told them to have better training on workplace grooming which is common and means people won't know the signs of sexual misconduct.

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HR did a survey which the whole company responded to. Based on the responses they then did an individual meeting with every employee more centred around discrimination and the gender bias in the company. However, despite saying to leave it with them and they will come back to us and presumably do something about issues which have been brought up by the employees, they never came back to us and nothing changed in the company. This was back in June. It's now after the middle of November, so I don't think there will be anything done. We also flagged inappropriate behaviour by multiple executive managers at social work functions, the company is well aware of those but has done nothing about it.

# Standard 5:

## Support



“Organisations and businesses ensure that appropriate support is available to workers (including leaders and managers) who experience or witness relevant unlawful conduct.

Workers are informed about the available support, and can access the support, regardless of whether they report the conduct.”<sup>11</sup>

### Industry engagement

Industry engagement did not ask employers to address each standard individually. Instead, employers were asked to describe the proactive steps they had taken to meet the positive duty. Just over 60% of employers outlined the supports they have available for workers who have witnessed or experienced unlawful conduct.

Some employer responses referenced the availability of Employee Assistance Programs (EAPs) that provide staff access to anonymous professional support services.

### Workers' experiences

Survey respondents were asked whether they had made a complaint about any of the topics covered by the survey. Fewer than 20% of respondents reported having made a complaint. More detail on reporting is provided in Standard 6.

For those who had made a complaint, almost 60% reported that their workplace response was poor or extremely poor. Just under 30% reported that their workplace responded well or very well, while the remaining 10% reported that their workplace handled the complaint neither well nor poorly.

Workplace harassment

11. Ibid pg 28

”

**In my previous workplace an exec watched his friend sexually assault me at a function. I tried to talk to the exec and was ignored. After the exec left the business, I reported to HR what happened and how I did not believe I would be supported as the exec wanted to protect his friend - I wanted the organisation to do more to show women they would be supported if they made a complaint - or at least be listened to. The matter was swept under the carpet. They made no attempt to ensure I was ok (which I wasn't) or to address the matter.**

”

No one checked in with me after a cx [sic] sexually harassed me over the phone. I raised it in a meeting with MOR a few months later. I was blamed for not checking in with my manager or MOR. The victim was blamed due to them missing my incident report.

**On the other hand, some respondents described positive experiences and support following reports of unlawful conduct. These comments demonstrate that appropriate support is achievable when employers respond appropriately.**

Overall very well, with the exception of a couple of leaders who may need some education on subtleties and perception.

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The message is clear in my workplace that sexual harassment will not be tolerated. I feel safe. I am not aware of any incidents in my team. I know leadership team will act promptly to protect staff and deal with any issues.

# Standard 6:

## Reporting and response



“Organisations and businesses ensure that appropriate options for reporting and responding to relevant unlawful conduct are provided and regularly communicated to workers and other impacted people.

Responses to reports of relevant unlawful conduct are consistent and timely. They minimise harm to, and victimisation of, people involved.

Consequences are consistent and proportionate.”<sup>12</sup>

### Industry engagement

In 2025, there was an increase in the number of employers in the finance industry reporting that they do not use non-disclosure agreements (NDAs), or that they use them only at the request of the victim in line with the *Respect@Work* guidelines.<sup>13</sup> While responses from our 2023 engagement showed that 60% of employers were not using NDAs, this figure has increased to 90% in 2025. This is a welcome increase, and it is expected that the use of NDAs will continue to decrease following the passage of the Victorian legislation in November 2025.

Many employers provided detailed explanations of trauma-informed approaches to managing unlawful conduct. A number of employers, mostly smaller in size, reported that they had not received any cases of unlawful behaviour. While not unwelcome, we must always consider that a lack of reported cases does not necessarily correlate with no instances of unlawful behaviour occurring.

### Workers' experiences

Unfortunately, FSU survey results highlighted a significant gap between workers' experiences of reporting and the processes described by employers through industry engagement. Only 18% of respondents reported having made either a formal or informal complaint.

Among respondents who had not made a complaint, 60% reported that they had not experienced conduct requiring a complaint. This indicates that 22% of respondents had experienced conduct that warranted a complaint but did not report it.

12. Ibid pg 30

13. The FSU engagement with industry took place in October 2025 prior to the passage of the Victorian “Restricting Non-disclosure Agreements (Sexual Harassment at Work) Act 2025” which passed in November 2025 and commences on 1 July 2026.

When asked why they chose not to report, respondents most commonly said that they did not believe the conduct was serious enough, did not think anything would be done, or feared negative social or workplace consequences. Only 2% reported that they did not know where to go or who to tell.

It is clear that employers have taken steps to educate workers on the options available to make complaints, but more work is required to ensure that “low-level” incidents are reported, that there are appropriate consequences for unlawful conduct, and that those who raise concerns are not subjected to negative consequences.



I am female in a department/division that is very male dominated, so I am always very wary of raising complaints or concerns in case I am seen as a problem, not a person.

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They tried to terminate me.

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The incident happened at our divisional Christmas party where it was crowded and somewhat dark. The conditions were almost encouraging of that kind of behaviour and was perfect for the perpetrator to get away with any kind of inappropriate behaviour. I felt like the only one to suffer from reporting the perpetrator would be myself and it would have been my word against his.

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One colleague publicly told the team I slept with the whole team. I reported this to the manager but was questioned why I didn't confront him myself. Two female colleagues were sexually harassed. One was pinned to the wall, one was held by her hands at close distance. They are too scared to report and only confide in me.

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In my experience of complaining the company denies all wrongdoing and takes no action.

# Standard 7:

# Monitoring, evaluation and transparency



“Organisations and businesses collect appropriate data to understand the nature and extent of relevant unlawful conduct concerning their workforce.

Organisations and businesses use the data they collect to regularly assess and improve the work culture, as well as to develop measures for preventing and responding to relevant unlawful conduct.

Organisations and businesses are transparent about the nature and extent of reported behaviours that could constitute relevant unlawful conduct concerning their workers and actions taken to address it.”<sup>14</sup>

## Industry engagement

Close to 70% of employer responses indicated they are taking appropriate steps that would meet this standard. While the standard focuses on monitoring and evaluation, it also includes an obligation to be transparent with the workforce. Concerns raised earlier in this report regarding employer approaches to consultation raise questions about how effectively employers are communicating the presence of risk, and the steps being taken to mitigate risk and respond to incidents.

## Workers’ experiences

Workers’ experiences of Standard 7 closely reflect the issues discussed in relation to *Standard 4: Risk management*. Without genuine two-way consultation, workers are unlikely to be provided with adequate insights into the steps taken by their employer to mitigate the risks they have raised.

This standard is also closely linked to *Standard 3: Knowledge*. One of the questions posed in the AHRC’s positive duty factsheet series asks whether businesses are being transparent with their workforce about the presence of risk, the steps taken to address incidents of unlawful contact, and whether mitigation measures are being reviewed for effectiveness.

Survey responses suggest that workers often receive information rather than being engaged in meaningful dialogue. One respondent described the problem succinctly, “We get *told* ie there’s e-learning modules [sic], however there is no opportunity to address what may actually be occurring.” Others described training as “online learning modules related to the code of conduct” that “people skip through – this isn’t training”.

14. Ibid pg 32

This creates a self-fulfilling prophecy. Risk assessments are conducted without effective consultation, resulting in risks being understated. Employers then rely on low or non-existent reporting to assume their controls are effective, reducing the perceived need for further communication or engagement.

In reality, meaningful two-way consultation that enables every worker to safely identify risks and be involved in developing mitigation strategies may produce a very different assessment.

Until workers are given genuine opportunities to improve their knowledge and participate meaningfully in the risk management process, they cannot effectively contribute to the evaluation of mitigation strategies or provide informed feedback on whether those strategies are working.



# Conclusion

## Improved understanding of sexual harassment

The FSU's 2024 report, *One too many: sexual harassment in the finance industry*, identified a clear gap in respondents' understanding of sexual harassment. At that time, there was a 40% difference between those who had experienced unlawful conduct and those who reported that they had experienced sexual harassment.<sup>15</sup>

In 2026, it is encouraging to report an improvement in the understanding of the behaviours that constitute sexual harassment. In the 2025 survey, respondents were asked whether they had experienced sexual harassment at work in the past 12 months, with 7% answering "yes". When asked whether they had experienced any of the behaviours commonly understood to constitute unlawful conduct during the same period, 13% reported experiencing at least one of the listed behaviours. This difference of 6% represents a marked improvement in awareness and understanding of unlawful conduct.

This improvement suggests that the introduction of the positive duty, alongside employer-provided education and training, is beginning to have a positive impact on workers' understanding of sexual harassment.

## Consultation and risk assessment processes are failing workers

The AHRC identified consultation as a guiding principle for organisations and businesses to comply with the positive duty:

"Consultation ensures that any actions taken are informed by those affected, or potentially affected, by unlawful behaviour at work."<sup>16</sup>

Effective consultation in the context of the positive duty should include asking workers about their experiences of unlawful conduct, identifying factors that may increase risk, seeking suggestions for mitigating those risks and assessing whether existing mitigation strategies are effective.

Very few employers provided information that met the definition of effective consultation. Worker responses reflected disappointment at not being meaningfully included in conversations about workplace risks and effective mitigation strategies.

While reliance on work health and safety (WHS) committees may appear appropriate, these committees are often disconnected from workers who are more likely to experience unlawful conduct.

15. [One too many - Sexual Harassment Survey Report 2024.pdf](#) pg 9 [accessed 19 Jan 2026]

16. [Factsheet-Series-The-Guiding-Principles-Effective-consultation-and-the-positive-duty.pdf](#) pg 1 [accessed 23 Jan 2026].

In many cases, WHS committees are not adequately resourced with the time, skills or understanding to consult effectively with workers. In some cases, their remit is so broad, and the workplaces they represent are so diverse, that effective consultation is impossible.

Including a diverse range of workers in risk assessment processes and ensuring that consultation is two-way and effective would provide the finance industry with a more accurate understanding of the breadth and depth of unlawful conduct risks. It would also provide workers with mechanisms to share risks they have identified and provide feedback on mitigation strategies. Until this improves, the finance industry cannot credibly say it is doing everything possible to eliminate and prevent unlawful conduct in the workplace.

## Reporting and responding to unlawful conduct

One area that has not improved since the publication of the FSU's 2024 report is workers' experience of reporting unlawful conduct. Too many workers continue to choose not to report, believing it is "not serious enough", that there will be no consequences for the perpetrator or because they are concerned about experiencing negative consequences.

Low reporting rates can give employers a false sense of confidence that unlawful behaviour is rare or that their existing strategies are effective. In contrast, workers continue to see unlawful conduct ignored, minimised or mishandled by senior managers, with alleged perpetrators protected or promoted while complainants experience harm or retaliation. Until workers can see that reports are taken seriously and that employers refuse to ignore poor behaviour regardless of seniority or performance, reporting rates are unlikely to improve.

The *Respect@Work* report recognised that many employers have adopted the standard "beyond reasonable doubt" rather than the lower standard of "on the balance of probabilities" when investigating reports of unlawful conduct. The FSU's 2024 report noted that:

"The high standard adopted by employers makes the bar too high for victims to report harassment given the underlying assumptions that means victims are not believed."<sup>17</sup>

In our 2024 report, the FSU recommended that employers adopt a tiered approach for a consequence management framework that allows reports of "low-level" harassment to be believed without requiring a comprehensive investigation. Such an approach would enable employers to respond proportionally to low-level unlawful conduct while simultaneously giving victims the confidence to report this behaviour.<sup>18</sup> We reaffirm this recommendation. To date, no employer in the industry has adopted this recommendation, and the problem of under-reporting continues.

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17. [One too many - Sexual Harassment Survey Report 2024.pdf](#) pg 22 [accessed 23 Jan 2026]

18. Ibid pp 22-23

# Recommendations

## Genuine consultation and risk assessment

Employers must improve their consultation process and ensure all workers are provided with regular opportunities to:

- Participate in anonymous forums with open-ended questions that allow workers to identify risks and suggest mitigation strategies without fear of repercussions.
  - Review and provide feedback on the risks identified by any risk management process.
  - Provide feedback on existing risk mitigation strategies.
  - Suggest new or alternate risk mitigation strategies.
  - Consult with union representatives.
  - Attend face-to-face forums that involve two-way communication and participation in the risk assessment framework. This should involve workers being given the freedom to identify risks, suggest mitigation strategies and provide feedback on the effectiveness of current strategies.
  - Attend face-to-face forums with consideration for workers from minority demographics, including those marginalised by gender, age, cultural background or disability who may experience unlawful conduct differently to the majority of the workforce.
- Ensure training is delivered regularly, with increased frequency in teams or departments where there are reports of “low level” harassment.
  - Introduce bystander training to ensure workers are aware of their obligations.

## Training

- Engage with workers to assess whether current training programs are effective.

## Reporting

- Encourage workers to report low levels of sexual harassment.
- Introduce a consequence framework that is proportionate and does not require onerous investigations, particularly for low level harassment where the consequence for a first time offence should be education about unlawful behaviour.
- Ensuring that reporting systems are trauma informed.

## Investigations

- Should be proportionate to the level of harassment reported.
- Must take place in a timely manner with all parties informed of the outcomes.
- Must be trauma informed.

## Monitoring and evaluation

- Workers should be involved in monitoring and evaluation.
- There should be greater transparency about the nature and extent of reported behaviours and mitigation strategies.

# Appendix A:

## Survey key findings



In October 2025, the FSU released a survey and invited FSU members and finance workers to participate. The survey was open for four weeks, and canvassed workers' views on how their employer was meeting the positive duty to prevent sexual harassment as well as their experiences of sexual harassment in the workplace. The survey was completed by 430 finance workers, attracting a similar number of responses as our 2023 survey (469 responses). These responses are broadly in line with the results of the Human Rights Commission's 2020 *Respect@Work* report.

### Workers' experiences of sexual harassment at work

Finance workers have reported a wide range of experiences of sexual harassment. They range from "low levels" of sexual harassment that include inappropriate staring or leering (experienced by one in five respondents) or sexually suggestive jokes or comments (experienced by almost a quarter of respondents).

The other "lower level" experiences of sexual harassment (experienced by over 20% of respondents) are intrusive questions about their private life or physical appearance. While these forms of sexual harassment may be characterised as "low level", that's certainly not how the workers who experience them feel about it. The *Respect@Work* report notes that this type of behaviour "can have a significant impact on victims and the broader workplace, reinforcing gender inequality and marking spaces as 'masculinised' in a socially acceptable way."<sup>19</sup>

The FSU's 2025 survey uncovered stories of sexual harassment that highlight the failure of both reporting systems and risk assessments.

Have looked at me in a suggestive way. Told me to 'cover up' even when I am wearing clothes. Have generated AI photos of me and stated that there was more sexual photos made.

It was a leer / sleazy look.

Unwanted attention and innuendo, suggestive comments, special attention.

My experience of sexual harassment was quite mild - a male coworker failed to hide the fact that he'd been checking me out as I bent over to fill the dishwasher. This may or may not be coincidence, but our dishwashers have recently been replaced with dishwashers that don't require staff to bend over to fill them.

Often the sexual harassment can be comments or gestures which are quite explicit, and then laughed off as a joke when it is noticed that it is unwelcome behaviour.

19. *Respect@Work* report AHRC 2020 pg 124

# People who sexually harass in the workplace

The 2025 FSU survey results on the characteristics of people who harass in the workplace are almost identical to the results of our 2023 survey. The perpetrators of harassment are overwhelmingly co-workers (44%), or members of management (26%). Customers (11%), other staff or administrators (12%) were also common perpetrators of harassment.

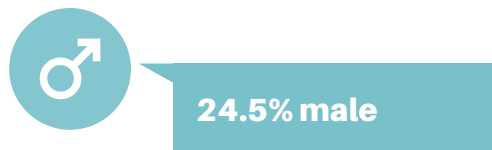
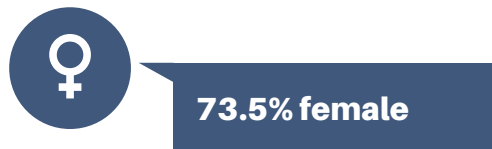
The biggest difference between the 2023 survey results and the 2025 results were in the gender of the perpetrator. While in 2023, men made up 62% of perpetrators, in the 2025 survey 86% of perpetrators were men, 9% were women, while 5% of instances of harassment involved more than one person who was not of the same gender.



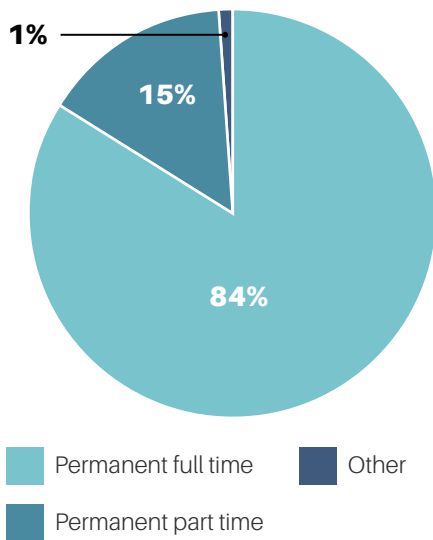
# Appendix B: Demographics



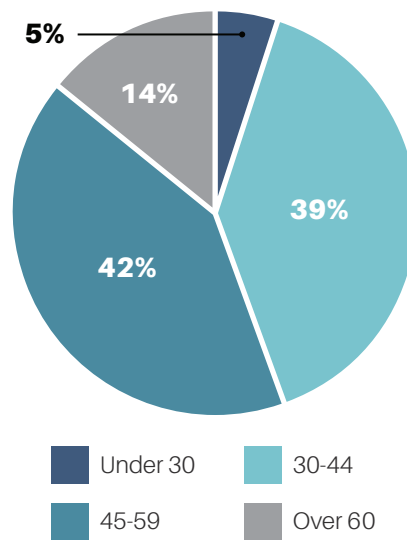
The majority of responses received were from women aged between 30 and 59 who are permanent, full time workers in one of the big banks.



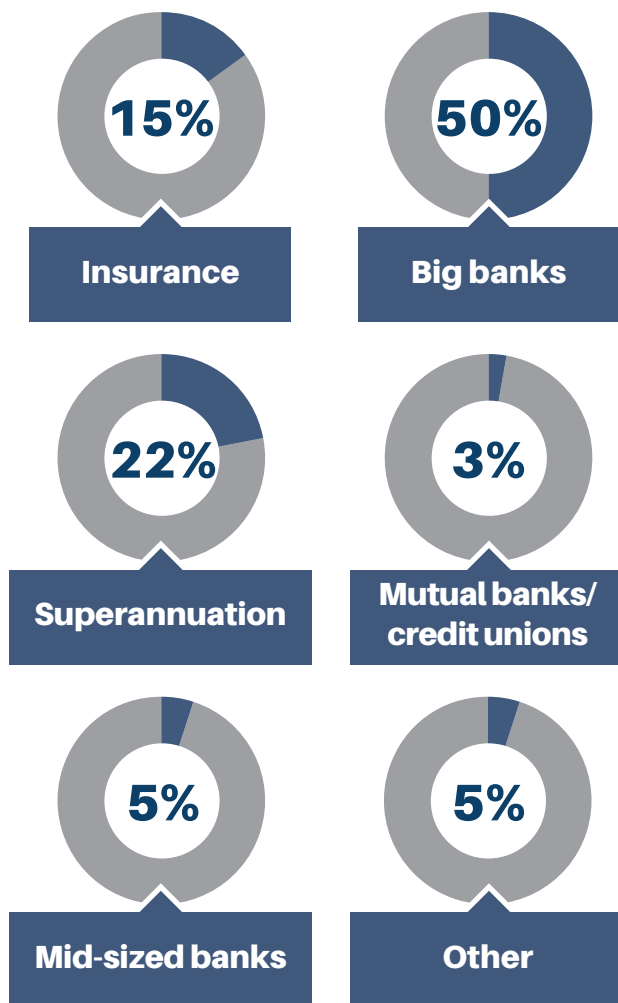
## Mode of employment (%)



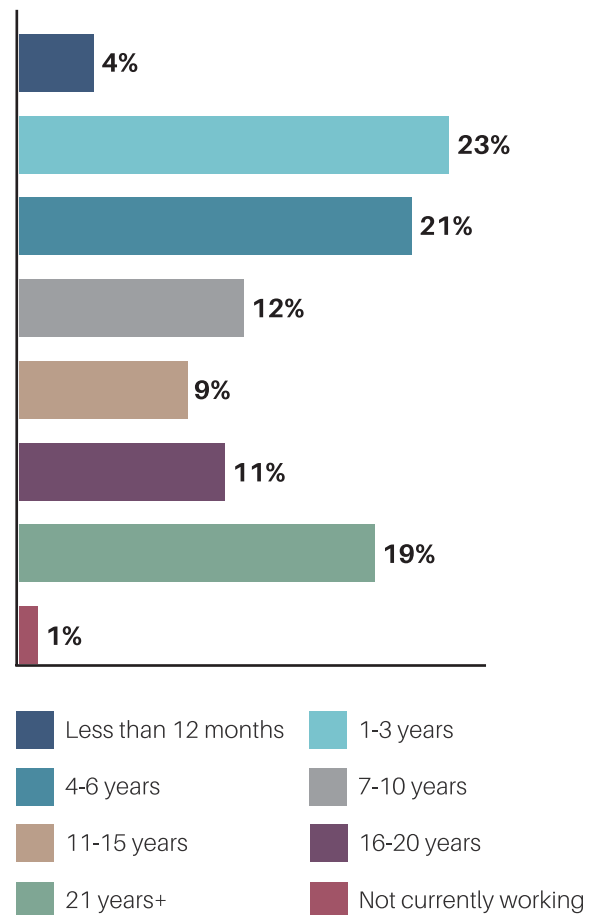
## Age (%)



## Industry sub group (%)



## Time in current job (%)



# Appendix C:

## Engagement with industry



The FSU wrote to 76 employers in the finance industry in October 2025 to ask them how they had been implementing the positive duty and the outcomes of their risk assessments. A copy of this correspondence can be found in Appendix D. More than half of the employers responded to the correspondence within the deadline for publication, which included all the big banks.

While the FSU did not specifically ask employers to address each of these standards in turn, it is clear from the responses that some employers see engagement with the FSU as a box-ticking exercise rather than acknowledging the legitimate role the union has as the industrial representative of their workforce and a legitimate stakeholder.





# Appendix D:

## FSU correspondence to industry employers

Dear [Name],

**Re: Positive duty and sexual harassment prevalence survey**

I am writing to you today to follow up on my correspondence from August 2023 regarding the steps your organisation has taken to eliminate workplace sex discrimination and harassment.

The FSU published the result of our 2023 sexual harassment prevalence survey in the 2024 report "One too many".<sup>1</sup> It highlighted the difference between the perception of risk by finance employers (low) and the experience of finance workers. Notably the report uncovered a lack of understanding by finance workers of the behaviours that constitute sexual harassment. The report also highlighted the lack of confidence finance workers had in the reporting mechanisms available to them.

It is now over two years since our last correspondence and since the positive duty obligation has been in force. The FSU is about to embark on a follow up survey of finance workers and is keen to understand what steps your organisation has taken since August 2023 to comply with the positive duty.

**Positive duty compliance questions**

- a. When did you last undertake a risk assessment to understand the risks of sexual harassment, sex discrimination and sex-based harassment?
- b. What were the results of this risk assessment?
- c. How and when did you consult with your workforce on these topics?
- d. Who can the FSU contact from your safety team to discuss the outcomes of your assessment?
- e. How have you defined and identified conduct that amounts to subjecting a person to a hostile workplace environment on the grounds of sex?
- f. What proactive steps have you taken to prevent the risks identified in your risk assessment?
- g. Are you currently using non-disclosure agreements when settling sexual harassment claims?

**Sexual harassment prevalence survey 2025**

The FSU will soon launch our follow-up industry-wide sexual harassment prevalence survey. It will provide us with updated data on how the landscape has changed in the finance industry since the introduction of the positive duty. As an independent and trusted organisation with a proven record of protecting the identity of survey respondents, we are well placed to undertake another review of where our industry is placed on this critical issue.

Once launched, we invite you to share this survey with your workforce and encourage all your employees (regardless of their personal experiences of sexual harassment) to participate. As in 2023, our findings will be published. If the response rate from your workforce is high enough to guarantee anonymity, we would be willing to provide you a briefing that highlights the experiences of your workforce specifically.

Attached is the invitation to participate in the survey for you to share with your workforce, as well as the survey link and a QR code.

Please let us know when you plan to share the survey with your workforce.

If you have any questions or want to discuss this initiative in more detail, please contact the FSU Research and Policy Manager, Angela Budai via email at [respol@fsunion.org.au](mailto:respol@fsunion.org.au) to arrange a mutually convenient time.

Your prompt response to the questions outlined above would be appreciated no later than Friday 31 October 2025.

Yours sincerely,

**Julia Angrisano**  
*National Secretary*

### **Invitation to participate**

The Finance Sector Union (FSU) is undertaking a survey about the finance industry's response to sexual harassment.

[Employer name] are committed to eliminating sexual harassment in the workplace and are confident that we have taken steps to make sure your workplace is safe and free from sexual harassment.

The FSU survey is both independent and anonymous and we would like to provide you with the opportunity to participate. This is completely voluntary and you do not have to be a member of the FSU to participate. It is open to all finance workers and is important that a range of people participate, not just those who have experienced sexual harassment. If you are interested in participating you can access the survey here <https://fsu.org.au/SexualHarassmentSurvey2025> or scanning the QR code below.



# Appendix E:

## Survey questions



1. How do you identify in terms of gender?
2. What is your age?
3. Where do you work?
4. What is your mode of employment?
5. How long have you worked in your current job?
6. Do you identify as Aboriginal or Torres Strait Islander?
7. Do you identify as LGBTIQ+?
8. Were you born in Australia?
9. In the past 12 months, which of the following have you participated in at work?
  - Consultation about what you need for your workplace to feel safe and respectful
  - An opportunity to identify where inappropriate behaviour or misconduct might occur
  - An opportunity to suggest strategies that could be taken to eliminate misconduct or inappropriate behaviour
  - Education or training that identified behaviours defined as sexual harassment
  - Education or training that explained how to report inappropriate behaviour or misconduct (as a witness or someone who experienced it)
  - Education or training that identified the consequences of misconduct or inappropriate behaviour
  - Education or training that explained your rights and responsibilities in safe, respectful and inclusive workplaces
  - Education or training that outlined your role in preventing and responding to misconduct or inappropriate behaviour
10. Do you have any comments about how your employer has (or has not) met their positive duty?
11. Have you experienced any of the following behaviours in the workplace?
  - Unwelcome touching, hugging, kissing or cornering
  - Inappropriate staring or leering that made you feel intimidated
  - Sexual gestures, indecent exposure or inappropriate display of the body
  - Sexually suggestive comments or jokes that made you feel offended
  - Offers of incentives or bribes to engage in sexual behaviour
  - Repeated or inappropriate invitations to go on dates
  - Intrusive questions about your private life or physical appearance that made you feel offended
  - Inappropriate physical contact

- Being followed, watched or having someone loiter nearby
  - Requests or pressure for sex or other sexual acts
  - Being threatened with retaliation for not being sexually cooperative
  - Actual or attempted sexual assault
- 12.** Have you experienced any of the following behaviours from someone in or related to your workplace (e.g. co-worker, manager, customer, client)?
- Calls, including sexually explicit messages
  - Sexually explicit comments made in emails, texts, other messages or on social media
  - Repeated or inappropriate advances via email, social networking sites or internet chat rooms
  - Sharing or threatening to share intimate images or video of you without your consent
  - Any other unwelcome conduct of a sexual nature that occurred online or via technology
- 13.** Have you personally ever experienced sexual harassment in a workplace?
- 14.** If yes, did this occur in the finance industry?
- 15.** Have you personally experienced sexual harassment at your current workplace?
- 16.** Are you aware of others in your current workplace who have been sexually harassed?
- 17.** If yes, how often would you say this behaviour occurs in your current workplace?
- 18.** If yes to both, was the harassment of you and others happening at the same time or separately?
- 19.** If yes to both, was the harasser the same person or people?
- 20.** Please use this space to share any of your experiences with historical sexual harassment at work.
- 21.** In the past 12 months, have you experienced sexual harassment at work?
- 22.** In the past 12 months, how often did someone at work do the following?
- 23.** Did you answer “never” to all of the above?
- 24.** How were the people who engaged in these behaviours connected to your workplace?
- 25.** What was their gender?
- 26.** Please use this space to share any additional details about your experience with sexual harassment at work.
- 27.** Have you made a complaint about topics covered by this survey?
- 28.** If yes, who did you contact?
- 29.** If you reported, how well did your workplace respond?
- 30.** If you did not report, what were the reasons?
- 31.** Please use this space to share any additional details about your experiences with submitting complaints in your workplace.
- 32.** How likely would you be to discuss a behaviour or experience that made you feel uncomfortable with any of the following?
- The person involved
  - A non-supervisory co-worker
  - A supervisor
  - Human resources or employee relations
  - Management
  - Your union
  - An external authority (e.g. Human Rights Commission)
- 33.** Have you ever made a complaint about anything covered in this survey?
- 34.** If yes, did any of the following occur?
- No action was taken
  - The person was counselled on changing their behaviour
  - My work location or duties were changed in order to avoid the person
  - I was encouraged to “drop” the issue

- The person stopped the behaviour
  - My leadership punished me for bringing it up (e.g. denial of promotion or training, transfer, reassignment to less favourable duties, scheduling changes)
  - There was adverse action taken against the person for their behaviour (e.g. demotion, loss of pay, termination)
- 35.** How satisfied were you with the following?
- The availability of information on how to file a complaint
  - How you were treated by personnel handling the complaint
  - Being informed about the status of the complaint
  - The time it took to address the complaint
  - The outcome of the complaint or investigation
- 36.** Please use this space to share any additional information about your experiences with perpetrator accountability.
- 37.** How much do you agree with the following?
- My organisation has a clear complaints procedure about inappropriate behaviour
  - I would know how to make a complaint if needed
  - I have received training on appropriate workplace behaviour
  - I am confident complaints are taken seriously and acted on
- 38.** Please use this space to share any additional experiences with your workplace's complaints process.
- 39.** Have you chosen not to make a complaint about inappropriate behaviour or misconduct?
- 40.** If yes, were any of the following reasons for not reporting?
- The behaviour or misconduct stopped on its own
  - I didn't think it was serious enough to make a complaint
  - I confronted the person myself
  - I did not know how to file a complaint
  - I did not want anyone else to know
  - I was ashamed or embarrassed
  - I wanted to forget about it and move on
  - I did not think I would be believed
  - I did not trust the complaint and resolution process
  - I did not think anything would be done
  - I thought the person who did it would get away with it
  - I thought it might hurt my career
  - I was concerned for my physical safety
  - I feared losing my job
  - I was brought up not to discuss this type of thing
- 41.** Please use this space to share any additional information about your decision to report, or not to report, inappropriate behaviour.
- 42.** Does your employer use non-disclosure agreements when settling sexual harassment complaints?

- 43.** Please indicate if you would like to be contacted for any of the following.
- Send me a summary of the report when it is ready
  - Contact me regarding further research
  - I would like to discuss my experience with the union
  - I agree for my de-identified experience to be included in the final report
- 44.** Use this space to share any additional comments or experiences.
- 45.** First name
- 46.** Last name
- 47.** Mobile
- 48.** Email
- 49.** State

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Authorised by Julia Angrisano, FSU National Secretary