

Independent Review into workplace equality in Ambulance Victoria

25 priority recommendations

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Recommendation 1:

Learning through reflective practice

- a) Ambulance Victoria's Chief Executive Officer should, as soon as practicable following the publication of Volume I of this final report:
 - (i) arrange for the Executive Committee to participate in a reflective practice workshop on the learnings from the Independent review into workplace equality in Ambulance Victoria, led by an independent and suitably skilled facilitator
 - (ii) together with the Executive Committee, develop and implement a plan to support all senior leaders and managers to engage in reflective practice discussions with their respective teams.
- b) Ambulance Victoria should embed reflective practice into its forthcoming program of work to implement the recommendations in this final report.

Recommendation 3:

A holistic, evidence-based prevention plan

Ambulance Victoria should develop a comprehensive prevention plan targeting discrimination, sexual harassment, bullying, victimisation and other harmful workplace conduct, like incivility, within six months of the publication of Volume II of the final report. At a minimum, the plan should:

- a) address the specific drivers and risk factors identified in this volume of the report
- b) be informed by early and ongoing consultation with the workforce, the relevant unions and professional associations and the Department of Health
- c) integrate and/or align prevention measures with any existing or new diversity and inclusion strategies, including the organisation's forthcoming Gender Equality Action Plan for the *Gender Equality Act 2020 (Vic)*
- d) include key accountabilities for leaders and managers and require ongoing monitoring and evaluation and continuous improvement efforts, to be led by the new dedicated division responsible for leading implementation of the Commission's recommendations (see Recommendation 11).

Recommendation 6:

Protecting safety in isolated environments

Ambulance Victoria should, as soon as practicable, undertake a security audit of all isolated work environments within the organisation, with a view to identifying any necessary security measures (for example, locks, duress alarms), during which it should consult with other industry leaders who similarly oversee workers in unsupervised and isolated environments.

Recommendation 7:

Resetting and embedding organisational values

Ambulance Victoria should:

- a) adopt a new set of organisational values to guide and prioritise appropriate behaviour in a modern, professional and inclusive ambulance service
- b) co-design its new organisational values with representatives of the organisation's workforce, with input from key partners, including the relevant unions and professional associations, the Department of Health and service users
- c) publish a draft of its proposed new organisational values, invite internal and external feedback on the adequacy of those values and actively consider any feedback provided

- d) develop a comprehensive plan to communicate and embed the new values across the employment lifecycle, from recruiting individuals who can show they are aligned with the organisation's values through to making adherence with the organisational values a relevant consideration in decisions related to termination
- e) ensure accountability for demonstrating values-driven behaviour, including at a minimum through mandated performance metrics in individual performance development plans.

Recommendation 8: Encouraging a 'speak-up' culture

Ambulance Victoria should:

- a) detail in its comprehensive prevention plan, to be developed pursuant to Recommendation 3:
 - (i) the critical role of each member of the workforce in taking action if they are a bystander to workplace discrimination, sexual harassment, bullying or victimisation
 - (ii) information about how bystanders can raise concerns or make informal reports or complaints about such conduct and practical examples of the actions they might take
 - (iii) the supports available to bystanders who do take action.
- b) embed the Upstander program as part of its regular training program and ensure a minimum completion rate of 75% of the workforce within two years of the publication of Volume II of this final report
- c) ensure that the revised complaint policy (see Recommendation 16) recognises the important role of bystanders and aligns the information included with its comprehensive prevention plan.

Recommendation 9: Contact Officers and Local Champions Network

Ambulance Victoria should:

- a) reintroduce Workplace Equality Contact Officers, embedded in each region and, in doing so:
 - (i) develop new, standard Position Descriptions detailing their role and invite expressions of interest from operational and corporate staff, encouraging people of diverse backgrounds to apply
 - (ii) support the selected Contact Officers to access regular, quality training and resources on the *Equal Opportunity Act 2010 (Vic)* and related laws and participate in communities of practice and other forums to keep abreast of changes in the law and emerging leading practice
 - (iii) establish an internal network of Contact Officers that meets regularly
 - (iv) actively and regularly promote the names and contact information of Contact Officers to the workforce and ensure this information is updated regularly
- b) implement a Champions of Change model to drive the reforms needed in the organisation to foster and maintain a culture of safety and equality in the workplace.

Recommendation 12: Supporting robust governance and oversight of reforms

Ambulance Victoria should, within three months of the publication of Volume II of the final report, establish a Steering Committee that:

- a) monitors and oversees the implementation of the Commission's recommendations and organisational reforms as a whole

- b) consists of a range of internal and external representatives from the Executive Committee, the workforce, unions and professional associations, the Department of Health and subject matter experts.

Recommendation 13:

A victim-centred and fair report and complaint system

Ambulance Victoria should establish a new organisational response to reports and complaints of unlawful and harmful conduct that consists of:

- a) a Workplace Harm Unit that –
 - (i) provides the first point of contact for reports and complaints of unlawful and harmful conduct to be made
 - (ii) provides impartial, confidential, timely information and advice about the report and complaint system, including about complaint pathways, processes and procedures
 - (iii) assesses and triages reports and complaints, taking necessary steps to ensure the safety and wellbeing of those involved, including through formal referral mechanisms to appropriate internal or external providers and agencies and escalating more serious matters for formal action as necessary
 - (iv) facilitates informal resolutions using flexible dispute resolution and restorative practices
 - (v) ensures that all relevant report and complaint policies, procedures, information and communication available to staff are up-to-date
 - (vi) collects and analyses data to identify trends and emerging risks that are assessed and compared with available data from the health sector and shared with the Chief Executive Officer, the Executive Committee and the Board on a quarterly basis, together with any actions implemented to respond to trends of concern
 - (vii) is an advocate for leading practice complaint handling and standards within Ambulance Victoria
- b) a Specialist Support Unit to provide advocacy and direct support for those who have experienced unlawful and harmful conduct
- c) an Investigations Unit that consists of specialist investigators and is responsible for the investigation of complaints.

The new organisational response should be developed in consultation with the workforce, and with relevant unions and professional associations.

Recommendation 14:

Enhancing perceptions of independence and supporting capability for the new organisational response to reports and complaints of unlawful conduct

In establishing the new organisational model to respond to reports and complaints of unlawful conduct, Ambulance Victoria should:

- a) develop position descriptions for key roles within the new organisational model that reflect the key attributes, skills and expertise necessary for staff in complaint handling roles
- b) ensure that the staff appointed have a range of skills and experiences – such as professional experts in human resources, equal opportunity issues, bullying, discrimination, dispute resolution and restorative approaches, as well as data analytics and investigations expertise – and are a blend of internally and externally appointed staff

- c) ensure sufficient resourcing is available to meet demand and established service standards (see Recommendation 20)
- d) create a distinct reporting structure outside existing operational divisions that reports directly to the Chief Operations Officer.

Recommendation 15:

Supporting staff to confidently report through anonymous pathways

Ambulance Victoria should introduce internal and external anonymous reporting pathways and communicate and promote these avenues to staff within three months of the publication of Volume I of the final report.

Recommendation 16:

Embedding a victim-centred approach to processes and procedures

Ambulance Victoria should amend and consolidate its complaint handling policies and procedures into a single policy that, at a minimum, covers:

- a) a comprehensive list of how, where and to whom a complaint can be made, including the available internal and external reporting options
- b) information about the availability and role of support services
- c) the multiple options available to resolve a report or complaint, from informal resolutions through to formal reports and complaints
- d) how a complaint will be managed, the steps involved, the roles and responsibilities of key staff and service standards that clearly set out what to expect
- e) the range of outcomes that may be achieved
- f) guidance about when a complaint will be immediately escalated to a formal complaint process or referred to an external agency, such as Victoria Police
- g) guidance on when internal and external investigators may be appropriate, including for complaints about senior staff members
- h) how information will be recorded or taken and the confidentiality safeguards in place
- i) information about victimisation, including a clear statement that it is unlawful
- j) how the performance of the report and complaint system will be monitored.

Recommendation 18:

Developing resources to support accessibility of the report and complaint system

Ambulance Victoria should:

- a) develop information guides and fact sheets that clearly outline:
 - (i) the internal and external pathways to make a complaint
 - (ii) the support services available to all those involved in report and complaint processes, including complainants, respondents and witnesses
 - (iii) what complainants, respondents and witnesses involved in a complaint process should expect, such as timeframes, what information they will receive, expected standards of service and how their information will be handled
 - (iv) the outcomes available through a report or complaint process.
- b) ensure that the information guides and fact sheets are available across workplaces, including electronically and as physical hard copies, and updated annually.

Recommendation 19:

Supporting transparency and developing learning tools

Ambulance Victoria should:

- a) regularly create and publish de-identified case studies of the outcomes of reports and complaints, to create better understanding among the workforce of the steps it takes to address unlawful and harmful workplace conduct and as learning tools to educate all employees and first responders on acceptable standards of behaviour
- b) regularly publish information about the performance and complaint system against the benchmarks recommended (see Recommendation 20) to the workforce and public

Recommendation 20:

Understanding how the report and complaints system is working

Ambulance Victoria should establish agreed benchmarks to measure the performance of its report and complaint system that include:

- a) timelines for key steps and actions in the report and complaint process, including:
 - (i) acknowledgment of receipt
 - (ii) resolution of 'simple' reports or complaints
 - (iii) resolution of urgent or priority reports or complaints
 - (iv) trigger points for notification of delays
- b) satisfaction of the report and complaint process and outcomes for those involved (including complainants, respondents and witnesses)
- c) quality measurements, such as the ease of using the report and complaint system, the fairness of the process and the clarity of communication.

In establishing these benchmarks, Ambulance Victoria should, with the assistance of the Department of Health, seek to consult with and, where possible, agree on common benchmarks to measure performance throughout the health sector.

Recommendation 21:

Learning lessons and improving service delivery at the earliest opportunity

Ambulance Victoria should:

- a) develop standard processes for seeking feedback from all parties involved in a complaint, with a view to identifying and intervening against any victimisation and informing practice and service improvements
- b) provide guidance to those who manage and handle complaints on the factors that should inform analysis of organisational and systemic issues
- c) ensure that staff members with complaint handling and management responsibilities hold relevant skills, training and expertise to undertake root cause analysis of organisational and systemic issues.

Recommendation 23:

Supporting the effective delivery of reporting and complaint reforms

Ambulance Victoria should establish an Expert Advisory Group to:

- a) provide advice and support on the implementation of reforms to its report and complaint system, including key developments such as establishing self-resolution and informal reporting processes
- b) support the development of revised procedures and processes to ensure their continued alignment and with leading practice
- c) be comprised of subject matter experts in complaint handling, unlawful conduct and/or restorative practices, as well as nominated representatives from relevant unions and the workforce.

Recommendation 25:

Increasing diversity on the Ambulance Victoria Board

- a) The Ambulance Victoria Board and the Victorian Department of Health should expand and align the demographic data they collect about incoming directors and work together to develop and maintain an integrated diversity and skills matrix for the Ambulance Victoria Board. At a minimum, the matrix should include information about Aboriginality, age, disability, ethnicity, gender identity, race, religion and sexual orientation (in addition to director skills), with options for directors 'not to disclose'.
- b) Ambulance Victoria should work closely with the Victorian Government to explore amending section 17(3) of the *Ambulance Services Act 1986 (Vic)* to require the Minister to have regard to diversity when recommending appointments to the Ambulance Victoria Board.
- c) The Ambulance Victoria Board should proactively assess and promote its demographic diversity as part of existing annual Board evaluations, informed by the integrated diversity and skills matrix.
- d) Ambulance Victoria should include a dedicated section in its annual report detailing the aggregate gender and diversity composition of the organisation's Board and how the Board and the organisation have promoted and prioritised workplace equality.

Recommendation 28:

Removing structural barriers to career advancement

Ambulance Victoria should:

- a) consider opportunities to actively promote and support the ability for paramedics to complete the MICA program while working flexibly
- b) as soon as practicable remove all remaining requirements for managerial endorsement across career advancement opportunities, including from its Recognition and Development Process
- c) amend its Recognition and Development Process to remove sick leave patterns as a consideration and include exemptions to the '12-month rule' for employees who have been on parental leave or working flexibly during the prior 12 months and enable alternative assessment.

Recommendation 31: Implementing and tailoring the Think Flex First Framework

Ambulance Victoria should:

- a) review, update and fully implement its Think Flex First Framework, including updating all relevant policies, procedures, systems, guidance material and training to ensure flexibility becomes embedded in the culture of the organisation
- b) enhance the role of those working in the People and Culture division in the process and procedure for applying for a flexible working agreement by including them as subject matter experts in discussions between managers and employees (at the request of either party) to support more creative and viable flexibility options and review all refusals to ensure legal compliance
- c) adopt the VPS 'all roles flex' approach for corporate staff and include this approach in its forthcoming Gender Equality Action Plan as part of its compliance with the *Gender Equality Act 2020* (Vic). Adopting an 'all roles flex' approach includes reviewing and amending flexible working arrangement processes and procedures for those staff so they:
 - (i) encourage informal flexibility and distinguish it from a formal flexible working agreement
 - (ii) provide practical guidance on how to use existing and new technology to collaborate and communicate virtually
 - (iii) centre flexibility discussions around workers' productivity, impact and outputs, instead of when and where work is conducted
- d) continue to identify options to increase flexibility for all staff members by supporting teams (in both operational and corporate settings) to trial localised strategies, test them with simple evaluation tools and share successes, particularly during enterprise bargaining
- e) ensure the new centralised, dedicated division established to drive and coordinate implementation of the Commission's recommendations (see Recommendation 11) has the resourcing and capability to support and monitor the implementation of Recommendation 31(a) – (d), including reporting to the Executive and Board
- f) as a priority, seek from the Victorian Government the funding required to support the implementation of greater workplace flexibility across the organisation, including funding for necessary staff in core teams (including People and Culture and the new Division), followed by funding for other necessary resources required to accommodate a more flexible workforce.

Recommendation 33: Building knowledge, capability and accountability

Ambulance Victoria should:

- a) ensure all employees are aware of the organisation's commitment to flexibility by embedding relevant content pertaining to rights and obligations under the Think Flex First Framework, the *Equal Opportunity Act 2010* (Vic), the *Fair Work Act 2009* (Cth), the Ambulance Victoria Enterprise Agreement 2020 (and other industrial agreements) into induction and other relevant training for graduate paramedics and new employees
- b) build capability for managers by:
 - (i) embedding relevant content referred to in recommendation (a) above and content that better enables managers to promote workplace flexibility and respond to and support flexible working arrangements requests in new targeted workplace equality training for managers referred to in Section 12.5.1
 - (ii) developing fit-for-purpose resources and tools for employees, managers and teams to ensure managers apply the Think Flex First Framework and ensure all staff have equal access to flexibility.

- c) embed workplace flexibility key performance indicators for managers to formally incentivise and acknowledge inclusive leadership behaviour and identify managers who require additional capability and support:
 - (i) managers who do not record written reasons for refusals should be assessed as not meeting core behavioural and risk KPIs
 - (ii) actively role modelling flexibility and/or endeavours to introduce team-led advancements in flexibility should be identified as an example of meeting core behavioural KPIs.

Recommendation 36: Strengthening workplace equality education and training

Ambulance Victoria should:

- a) work in partnership with an external training provider with expertise in leading practice approaches to workplace equality and leadership development, to re-develop and deliver live (in-person or virtually) and as part of induction and otherwise annually:
 - (i) a workplace equality training program for all employees and first responders
 - (ii) an advanced, tailored training program for leaders and managers that reinforces their key responsibilities under the *Equal Opportunity Act 2010 (Vic)* and builds core workplace equality competencies, including managing challenging conversations and addressing conflict, engaging the workforce in safe discussions about workplace equality, monitoring and mitigating risks of unlawful and harmful workplace conduct, taking a victim-centric and trauma-informed approach to reports and complaints of unlawful and harmful workplace conduct, which includes understanding intersectionality and the particular needs of different staff cohorts, and anticipating and addressing backlash.
 - (iii) also develop practical tools and resources to support the workforce and leaders and managers to apply key learnings from these programs
 - (iv) ensure its systems allow training completion rates to be adequately monitored and reported on.

The training should be rolled out sequentially, with the advanced management training program delivered by December 2022, followed by universal workplace equality training for all employees and first responders to be delivered by July 2023.

Recommendation 37: Embedding sustained learning and development

Ambulance Victoria should continue to deliver the Leading Together Program to middle and frontline managers, while also taking other immediate steps to support managers to develop and demonstrate improved people management capabilities and inclusive leadership, including by:

- a) ensuring managers have performance development plans in place by December 2022 with standardised KPIs for workplace equality and people management
- b) trialling the use of a 360-feedback tool to support ongoing development in the first instance, with further consideration to using such tools for performance appraisal in future
- c) requiring individuals who are assessed as eligible to act in a management role but have not yet completed leadership and people management training to do so as soon as practicable and assigning all acting managers a mentor while acting in a management role
- d) exploring ways to provide diverse learning opportunities and exposure to a variety of leadership and management approaches, for example through regular external secondments or external, cross-sector communities of practice

- e) conducting a comprehensive capability audit following the delivery of the Leading Together program to assess its impact and apply lessons to future iterations of the program.

Recommendation 40:

Updating and strengthening governance documents

Ambulance Victoria should review key corporate documents to ensure explicit, consistent and strong statements of commitment to and shared responsibility for workplace equality and safety that underpins other corporate priorities (see Recommendation 10). Priority should be given to updating:

- a) the Board charter and/or governance policy
- b) Board committee terms of reference
- c) core corporate governance frameworks and policies.

Such statements should be included in the new Strategic Plan and future annual reports.

Recommendation 41:

Board learning through reflective practice

The Ambulance Victoria Board should undertake a reflective, facilitated workshop to review and discuss how the drivers of discrimination, sexual harassment, bullying and victimisation identified in this report:

- a) have shaped workforce equality experience in practice and Board governance and oversight of this issue
- b) are likely to influence implementation of reforms and continual improvement
- c) may affect other, interdependent aspects of organisational performance.

Such reflective practice should be built into regular, annual strategic reviews at the Board and Executive Committee level.

Recommendation 42:

Organisational healing and culture change through reflective practice

Ambulance Victoria, as part of the new prevention plan called for in Recommendation 3, should:

- a) design and implement a cross-organisation program of structured, facilitated reflections on the findings of this review, including the key drivers of harm and inequality
- b) ensure this process is victim and trauma-informed, aware of power imbalances and seeks to create safe spaces and practices for reflection and discussion
- c) enable expression of the range of positive and negative experiences of Ambulance Victoria's workforce
- d) consider models such as 'roadshows' across different geographic areas, functions and staff representative groups
- e) be informed by research and models on organisational healing and cultural change
- f) reiterate the Board's and the CEO's commitment to change to address the review's findings and to implement the review's recommendations.