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26 October 2021

By email

The Hon. Rob Lucas MLC
Minister for the Public Sector
Email: treasurer.dtf@sa.gov.au

Erma Ranieri
Commissioner for Public Sector Employment
Email: publicsector@sa.gov.au

CC: The Hon. Kyam Maher
Shadow Minister for the Public Sector
Email: maher.office@parliament.sa.gov.au

LGBTIQA+ inclusion in the South Australian Public Sector

To The Hon. Rob Lucas MLC, Minister for the Public Sector and Erma Ranieri, Commissioner for Public Sector Employment,

I write on behalf of the **South Australian Rainbow Advocacy Alliance (SARAA)**, a community led organisation that advocates for the rights and wellbeing of lesbian, gay, bisexual, transgender, intersex, queer and asexual (LGBTIQA+) South Australians, and SA Pride at Work, South Australian based professionals collaborating and sharing resources to support, educate and promote LGBTIQA+ equality in the workplace.

In 2020/21, SARAA was funded by the Department of Human Services SA (DHS) to establish and run an LGBTIQA+ Community Advisory Group which would serve as a diverse but collective voice for the LGBTIQA+ community and assist SARAA in lobbying decision-makers to advance the health and wellbeing, social standing and rights of LGBTIQA+ people.

This work builds upon the 2019 LGBTIQA+ Roundtable held by Minister for Human Services, Michelle Lensink MLC.

The LGBTIQA+ Community Advisory Group report was delivered to DHS in July 2021 and outlines the key priorities for LGBTIQA+ inclusion, health and wellbeing in South Australia under 4 themes of:

- Represent and lead for our communities
- Advance our equality and safety under the law
- Include and respect us in the services we access

- Improve our health and wellbeing.

A number of these key priorities related to LGBTIQ+ inclusion in the South Australian public sector, so we write to seek your feedback on what actions the South Australian public sector will take to promote LGBTIQ+ inclusion, health and wellbeing in South Australia.

LGBTIQ+ experiences of discrimination and harassment in South Australian workplaces

A key concern of the LGBTIQ+ Community Advisory Group was LGBTIQ+ inclusion in the workforce. Members shared both positive experiences of inclusion, for example employers using correct pronouns and workplaces encouraging LGBTIQ+ inclusivity training, and negative experiences of discrimination and harassment in the workplace, including experiences of being outed to other employees by their line manager without their consent.

No doubt, discrimination and harassment of LGBTIQ+ people in South Australian workplaces still exists, and has a negative impact on the safety, wellbeing and economic participation of those in our communities who experience it. Members' experience was that homophobia and transphobia significantly limited their ability to participate and feel safe in the workplace.

These experiences are common amongst the broader LGBTIQ+ community, with the [SEEK Promoting Real Inclusion, Diversity and Empowerment \(P.R.I.D.E\) in the workplace report 2021](#) showing that LGBTIQ+ employees are twice as likely to be victims of workplace discrimination as their non-LGBTIQ+ colleagues. Similarly, the [2020 Australian Workplace Equality Index](#) showing that 1 in 3 LGBTIQ+ people self-edit in their conversations or hide who they are at work.

Members also recognised that discrimination in recruitment processes regularly acts as a barrier to employment for LGBTIQ+ people. Members discussed complexities about when to come out during recruitment processes, balancing not wanting to risk discrimination against wanting to ensure they work for a supportive and inclusive workplace. These concerns are particularly prominent for transgender and gender diverse people.

The LGBTIQ+ Community Advisory Group recognised the role the South Australian public sector plays in setting the best practice standard for LGBTIQ+ workplace inclusion as the State's largest employer, and called on the South Australian public sector to represent and lead for our communities.

We understand that you as Commissioner are currently considering taking the Department of Premier and Cabinet's guidelines and developing a whole-of-government document to ensure inclusivity and inclusion in every Government department. We congratulate you on this and would be happy to assist.

South Australian Public Sector Diversity and Inclusion Strategy

We welcome the inclusion of LGBTIQ+ people as a focus diversity stream in the [South Australian Public Sector Diversity and Inclusion Strategy and Plan 2019-21](#) which contains a number of actions relevant to LGBTIQ+ inclusion, including:

- requiring agencies to develop an agency-specific strategy by October 2020
- establishing an across government Diversity and Inclusion Community of Practice by February 2020
- researching the feasibility of an across sector LGBTIQ+ allies program by May 2020
- increasing awareness and understanding of how to create inclusive workplaces, for example through training and an information portal.

We were pleased to see some agencies such as [Department for Health and Wellbeing](#) and [DHS](#) publicly release strategies with tactics to specifically increase their ability to attract, retain and include LGBTIQ+ employees.

However, we note that many agencies have not publicly published their strategies, despite the Plan committing to the action being complete by October 2020. Further, the Minister for Human Services recently stated in Parliament that ‘all state government agencies have developed diversity and inclusion strategies and actions that aim to reflect the diverse community the public sector serves and to build diversity and inclusion’ (International Day Against Homophobia, Biphobia, Intersexism and Transphobia motion, Legislative Council, Wednesday 25 August 2021, Hansard p. 4028).

We therefore seek an update on how many and which state government agencies have published a Diversity and Inclusion strategy, and where it can be publicly accessed.

We look forward to all agencies publicly publishing their strategies, and are willing support and advise agencies in the implementation of actions relating to LGBTIQ+ people.

LGBTIQ+ discrimination reported in Your Voice Survey

We welcomed the publication of results from the [2021 I WORK FOR SA Your Voice Survey](#) and commend the South Australian public sector for either maintaining or improving upon its 2018 results, especially during the difficulties associated with the COVID-19 outbreak.

We particularly welcome an overall improvement in diversity and inclusion indicators, notably that 84% of respondents agreed that ‘people in my workgroup behave in an accepting manner towards people from diverse backgrounds’.

Nevertheless, there is room for improvement given only:

- 70% agreed that personal background is not a barrier to success in my agency (e.g. cultural background, age, disability, sexual orientation, gender etc.)
- 68% of respondents agreed that their agency is committed to creating a diverse workforce (e.g. gender, age, cultural and linguistic background, disability, Aboriginal and Torres Strait Islander, LGBTIQ+).

We were also deeply concerned that LGBTIQ+ South Australian public sector employees continue to face discrimination in the workplace. 3,705 (10%) people reported personally experiencing workplace discrimination in the last 12 months, with:

- 451 (8%) people reporting discrimination on the basis of sex
- 288 (5%) people reporting discrimination on the basis of gender identity
- 91 (2%) people reporting discrimination on the basis of sexual orientation.

We believe that everyone deserves to work in safe and inclusive workplaces free from discrimination. The fact that discrimination on the basis of sex, sexual orientation or gender identity still exists in the South Australian public sector is reason to take action.

We strongly encourage the South Australian public sector to take action to address LGBTIQ+ workplace discrimination following reports of discrimination on the basis of sex, sexual orientation or gender identity in the results of the [2021 I WORK FOR SA Your Voice Survey](#).

LGBTIQ+ inclusivity training

The LGBTIQ+ Community Advisory Group recognised that training is essential for all public sector employees to practice LGBTIQ+ inclusion for both the staff they work with and the South Australians they serve.

We note the 'LGBTIQ Inclusive Communities Benefit Everyone' training module created by Department of Premier and Cabinet several years ago is currently available to public sector employees. It features Jenny Scott, transgender LGBTIQ+ rights advocate and LGBTIQ+ Community Advisory Group member.

We call on the South Australian public sector to make the 'LGBTIQ Inclusive Communities Benefit Everyone' training mandatory for all public sector employees.

LGBTIQ+ inclusive data collection

The LGBTIQ+ Community Advisory Group recognised that LGBTIQ+ people are frequently not counted in government statistics and our identities aren't respected when we access government services.

This not only invalidates and perpetuates feelings of invisibility for LGBTIQ+ people, but means we're left behind when policies, laws and services are planned.

When data collection excludes us, we lack the evidence base to demonstrate the need for healthcare, housing, aged care and other essential services for our community.

We recently welcomed the publication of the [DHS Data Collection and Gender Guideline](#) provides guidance to organisations on how to collect data about LGBTIQ+ people through forms and systems in a respectful manner.

We call on the Office of the Commissioner for Public Sector Employment to mandate the implementation of this guideline across government, including in customer service and internal employee data systems and seek comment on this recommendation.

Recognising LGBTIQ+ employees

Given feelings of invisibility for LGBTIQ+ people, especially in workplaces, the LGBTIQ+ Community Advisory Group recognised the importance of leadership from government departments and Ministers in recognising the contribution of LGBTIQ+ South Australians.

Recognising days of significance like IDAHOBIT (17 May), Wear It Purple (27 August), Intersex Awareness Day (26 Oct) and Transgender Awareness Week (13-19 Nov) signals support and inclusion of our communities. This may include public social media posts, emails to all staff and hosting workplace events.

Similarly, adding pronouns as standard for all email signatures is a way to signal support for trans and gender employees on a day-to-day basis. For example:

John (he/ him)	Emily (she/ her)	Sam (they/ them)
Customer Service Officer	Policy Officer	Director
Department for Education	SA Police	SA Health

We call on the Office of the Commissioner for Public Sector Employment to promote celebration on LGBTIQ+ days of significance across the public sector and promote adding pronouns as a standard for all email signatures across the public sector.

Guidance for employees transitioning in the workplace

The LGBTIQ+ Community Advisory Group were particularly concerned about the experiences of transgender employees who transition in a work environment.

Members shared experiences highlighting that often the onus is placed on LGBTIQ+ people to advocate for their own safety in the workplace, and that little guidance is provided to workplaces on how to act inclusively of LGBTIQ+ people. This is especially the case for transgender employees.

Members called upon the South Australian public sector to be a model employer and develop best practice guidance for public sector managers in relation to supporting employees transitioning in the workplace, for example in relation to leave, system changes to reflect a person's identity and communicating the change to others.

ACON's TransHub, a digital information and resource platform for all trans and gender diverse (TGD) people, their loved ones, allies and health providers, contains useful [guidance for employers on best practice ways to support trans or gender diverse employees](#), including:

- Ensuring HR systems adequately account for female, male and non-binary employees.
- Using trans or gender diverse employees' name and pronouns correctly and consistently, including in settings where they're not present and even if others don't
- Correcting others when they use the wrong language or ask inappropriate questions
- Adding pronouns as standard for all email signatures
- Participating in specialist training
- Stepping in when harassment or bullying occurs and demonstrating that transphobia is not welcome in your workplace.

They recommend developing a Workplace gender affirmation policy that includes:

- Expected timeframes for gender affirmation
- Proposed leave plans (if/as required)
- Creation of a support team (if/as required)
- How and when the change will be communicated to relevant staff and stakeholders
- Recommended training and who this will be delivered to
- Details of an event to meet team in affirmed gender (if desired)
- The policy, expectations and timeframes in relation to IT system changes (such as gender and name)
- Date employee will present in the workplace in their affirmed gender

An example template is available [here](#).

We call on the Office of the Commissioner for Public Sector Employment to develop a Workplace gender affirmation policy that provides guidance for public sector leaders supporting employees transitioning in the workplace and seek comment on this recommendation.

Summary

South Australia has made significant progress, yet there remains a long way to go to see LGBTIQ+ South Australians included, healthy and well.

As the State's largest employer, the South Australian Public Sector plays a key role in setting the best practice standard for LGBTIQ+ workplace inclusion.

Everyone deserves to work in safe and inclusive workplaces free from discrimination. We therefore strongly encourage the South Australian public sector to:

- Publicly publish all SA public sector agency Diversity and inclusion plans pursuant to the [South Australian Public Sector Diversity and Inclusion Strategy and Plan 2019-21](#).
- Take action to address LGBTIQ+ workplace discrimination following reports of discrimination on the basis of sex, sexual orientation or gender identity in the results of the [2021 I WORK FOR SA Your Voice Survey](#).

- Make the 'LGBTIQ Inclusive Communities Benefit Everyone' training mandatory for all public sector employees.
- Mandate the implementation of the [DHS Data Collection and Gender Guideline](#) across government, including in customer service and internal employee data systems.
- Promote celebration on LGBTIQA+ days of significance across the public sector.
- Promote adding pronouns as a standard for all email signatures across the public sector.
- Develop a Workplace gender affirmation policy that provides guidance for public sector leaders supporting employees transitioning in the workplace.

We look forward to receiving comment on these recommendations and what actions the South Australian public sector will take to promote LGBTIQA+ inclusion, health and wellbeing in South Australia. In the interim we will make this correspondence publicly available to ensure our members and supporters are aware of our position on this matter. We will also forward a copy of this correspondence to the Shadow Minister for the Public Sector, The Hon. Kym Maher MLC.

Kind regards,

Kelly Vincent

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SARAA acknowledges and pays respects to the Kurna, Nukunu and Ngarrindjeri people, whose land we operate and live on. Aboriginal land was stolen, never ceded, and we stand in solidarity with First Nations people, especially those who are also members of the LGBTIQA+, Brotherboy and Sistergirl communities.

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Co-signed by South Australia Pride at Work (SAP@W)

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South Australian based professionals collaborating and sharing resources to support, educate and promote LGBTIQA+ equality in the workplace.

