



GOVERNMENT OF  
WESTERN AUSTRALIA

# Director of Equal Opportunity in Public Employment

## Annual Report 2020-21

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# Letter of transmittal

**Hon Mark McGowan MLA**  
**Premier of Western Australia**

In accordance with section 144 of the *Equal Opportunity Act 1984*, I hereby submit my report for the year ending 30 June 2021 for your information and presentation to the Parliament of Western Australia.



**Lindsay Warner**  
**Acting Director of Equal Opportunity in Public Employment**

16 September 2021

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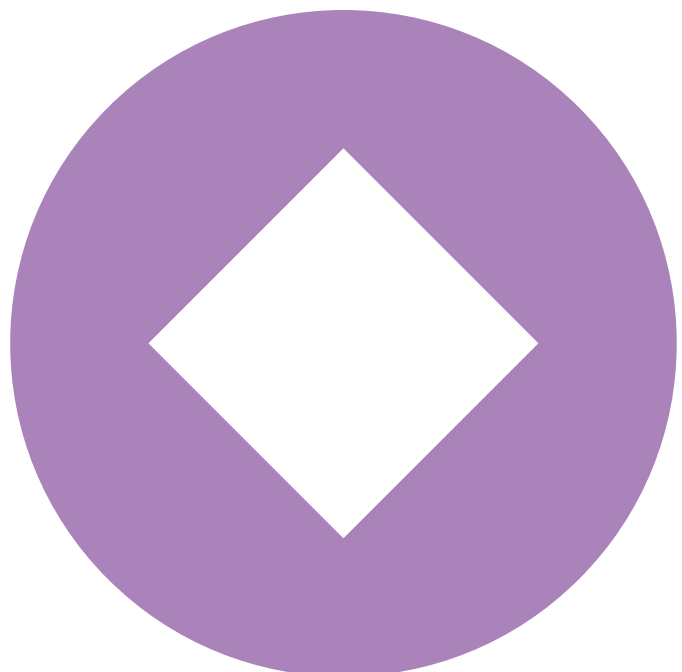
This publication can be copied in whole or part with due acknowledgement.

Copies are available in different formats on request.

The Government of Western Australia acknowledges the traditional custodians throughout Western Australia and their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal communities and their cultures; and to Elders both past and present.

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## From the Director



I am pleased to present the Director of Equal Opportunity in Public Employment Annual Report 2020-21.

As I was appointed to act as Director

on 1 July 2021, this report details the activities and achievements over the past financial year when Sonja O’Leary was Director. I acknowledge Sonja’s efforts from 2018 to 2021 and her commitment to equal opportunity in public employment.

The structure of this report has been modified from previous years to remove duplication and to simplify information. Workforce and diversity data and analysis are in the [State of the Western Australian Government Sector Workforce Report](#) and accompanying [Statistical Bulletin](#). Both are published by the Public Sector Commission.

A significant milestone this year was the release by the WA Government in September 2020 of the [Workforce Diversification and Inclusion Strategy for WA Public Sector Employment 2020-2025](#). It includes 6 supporting action plans for identified diverse groups – women, youth, Aboriginal and Torres Strait Islander people, culturally and linguistically diverse people, people with disability, and people of diverse sexualities and genders. The strategy establishes aspirational targets which reflects a long term commitment to increase the representation of diverse groups in public sector employment.

The Director was involved throughout the development of the strategy and plans, and was key in leading extensive consultation the previous year. The strategy has a direct benefit to the work of the Director as creating a more diverse and inclusive workforce can help eliminate and ensure the absence of discrimination, and promote equal employment opportunity.

Gathering data from all public authorities is an essential component of the Director’s functions. During the year, the Director examined the collection, management and sharing of data to get a better picture of the state of play, inform strategy and policy, and reduce the reporting burden on public authorities.

I extend my thanks to the Public Sector Commissioner, Sharyn O’Neill, for her ongoing support and that of the Commission in helping to promote equal opportunity and prevent discrimination in public employment.

A handwritten signature in blue ink that reads "L. Warner".

**Lindsay Warner**  
**Acting Director of Equal Opportunity**  
**in Public Employment**

## Role of the Director

The Director of Equal Opportunity in Public Employment is an independent office established and appointed by the Governor of Western Australia under the *Equal Opportunity Act 1984* (EO Act).

The Director's jurisdiction covers all public sector agencies, local governments, public universities, government trading enterprises and other statutory bodies. The term 'public authority' is used throughout this report to refer to these organisations collectively. For more information about the government sector, see the [structure of the Western Australian government sector](#).

It is the responsibility of public authorities to have policies, programs and practices that eliminate and ensure the absence of discrimination, and promote equal employment opportunity. Creating a more diverse and inclusive workforce ensures public authorities are better suited to meeting the needs of the Western Australian community.

The Director works with public authorities to eliminate and prevent discrimination, and promote equal opportunity in public employment by:

- advising and supporting public authorities to develop equal employment opportunity (EEO) management plans
- evaluating the effectiveness of EEO management plans
- reporting and making recommendations about the operation of EEO management plans, and other matters relating to workforce diversity and inclusion in public employment.

## Relationship with the Public Sector Commission

The Director holds concurrent appointments as the Director of Equal Opportunity in Public Employment and as an executive director at the Public Sector Commission. While the Director is an employee of the Commission, the role remains independent.

In promoting equal opportunity and preventing discrimination in public employment, the Director works closely with the Commission. The Director's functions are delivered with the support of staff, accommodation, corporate services and administration provided by the Commission.

# Report on activities

## Advising and assisting public authorities

### Equal employment opportunity management plans

Every public authority is required to develop and implement an EEO management plan and provide this plan to the Director. The plan needs to outline how the public authority promotes equal employment opportunity, and eliminates and prevents discrimination in the workplace.

Each plan must include information on the public authority's work to:

- develop, implement, communicate and evaluate policies and programs for promoting equal opportunity and eliminating discrimination in public employment
- collect, analyse and report on relevant workforce information
- review people management practices and policies to identify and eliminate discriminatory practices
- set goals and targets which support measuring the effectiveness of the plan
- revise and amend the plan
- appoint staff to be responsible for implementing the plan.

In 2020-21, 268 public authorities reported having EEO management plans:

- Of the responses received for 120 public sector agencies, 111 reported having plans (an increase of 25 from the previous year).
- Of the 143 local government agencies that responded, 138 reported having plans (an increase of 29 from the previous year).

- Of the 4 public universities that responded, 3 reported having plans (down one from the previous year).
- Of the 16 government trading enterprises and other statutory bodies that responded, all reported having plans (same as the previous year).

Through the 2021 annual collection, 72 public authorities reported their plans had not been updated recently.

EEO management plans typically span a number of years, with the Director reviewing new and revised plans when they are submitted. This year, the Director evaluated and provided feedback to 61 public authorities about their plans.

It was observed that most EEO management plans had a focus on diversity and met minimum requirements of the EO Act.

With the release of the Workforce Diversification and Inclusion Strategy and accompanying action plans, the Director encouraged public authorities to use these as a basis for their EEO management planning. The strategy also establishes targets for diverse groups and this provided a clear direction for all public authorities to aspire to. As a result, 209 public authorities reported they considered the strategy in their approach.

The development and implementation of EEO management plans cannot be a once off. Regular review, learnings from previous years, benchmarking and using diversity data with clear measures can lead to more effective plans.

In the new reporting period, the Director will update current resources and draft new resources to further support public authorities develop effective plans and build capability.

## Presentations

Throughout the year the Director addressed public authorities at a range of events and forums including delivering keynote addresses to the:

- Institute of Public Administration Australia WA's Women in Public Sector Leadership Conference, November 2020
- Department of Finance's Gender Equity Champions Group as part of its International Women's Day celebrations, March 2021
- Department of Mines, Industry Regulation and Safety's staff as part of its International Women's Day celebrations, March 2021.

## Contribution to WA Government strategies

The Director contributed to a number of WA Government strategies aimed at delivering positive outcomes for under-represented and vulnerable groups. This included participating in the:

- implementation group for Western Australia's plan for gender equality called [Stronger Together](#)
- steering group for Western Australia's strategy to reduce family and domestic violence called [Path to Safety](#)
- development of the state disability strategy called [A Western Australia for Everyone](#)
- development of the [Aboriginal Empowerment Strategy 2021-2029](#) for Western Australia
- development of Western Australia's [Closing the Gap Jurisdictional Implementation Plan](#) for the new [National Agreement on Closing the Gap](#).

## Supporting the work of the Commission

### Diversification and inclusion

In September 2020, the WA Government released the [Workforce Diversification and Inclusion Strategy for WA Public Sector Employment 2020-2025](#). It also released 6 supporting action plans for identified diverse groups – women, youth, Aboriginal and Torres Strait Islander people, culturally and linguistically diverse people, people with disability, and people of diverse sexualities and genders.

The strategy establishes aspirational targets for 5 of the 6 identified groups. These targets reflect the long term commitment to increase the representation of diverse groups in public sector employment.

The Director supported the work of the Commission in developing the strategy and action plans for release. This involved providing expertise and direction on actions for the Commission and agencies in relation to the 6 diverse groups, and advice on setting the aspirational targets for 5 of the diverse groups.

Information from the public sector in March 2021 showed the representations of women in leadership, youth, and culturally and linguistically diverse people increased but were still below the aspirational targets set in the strategy.

Representation of Aboriginal and Torres Strait Islander people, and people with disability did not change over the year and remained well below the target.

As the strategy was only released in September 2020, achieving the targets requires significant and sustained effort. It will take time to observe meaningful movements in employment representation and inclusion.



Some of the participants in the 2020 Aboriginal Traineeship Program

While developed specifically for public sector agencies, the Public Sector Commissioner and Director encouraged all public authorities to use the strategy and plans to enhance their work.

Following their release, during the year the Director supported public authorities to implement actions. The Director also worked with the Commission to establish a framework for measuring and reporting on the outcomes of the strategy.

### **Guidance material**

The Director supported the Commission's actions stemming from the strategy including drafting guidance materials to build workforce diversity and inclusion, and promote equal opportunity in public employment.

Three key guides were published by the Commission during the year.

The guide on [Psychologically Safe and Inclusive Workplaces](#) supports public authorities to build inclusive working environments where staff can genuinely participate, feel valued and respected, and safely share their diverse information and experiences.

How to use the exceptions in the *Equal Opportunity Act 1984* is the focus of the guide on [Recruiting for and Developing Diverse Talent](#). It helps public authorities use the EO Act to make employment and development decisions in favour of identified groups of people to achieve greater workforce diversity.

Information to support staff experiencing domestic violence, including helping them maintain employment and participate safely in the workplace, is the topic of [Family and Domestic Violence Support](#). It also includes information for public authorities on how to create safer workplaces for their staff.



## Staff sharing diversity information

In last year’s report the importance of understanding true representation rates in workforce diversity was highlighted.

Across public authorities, about 70% of staff share information about their diverse identities. This is largely consistent with last year. Rates of sharing can be influenced by factors such as:

- low psychological safety
- limited opportunities to share information
- approaches to data collection.

As staff feel more comfortable in the workplace, and public authorities have systems in place where staff are regularly encouraged to share, staff are more likely to share information about their diversity.

Increased rates of sharing leads to data which is more reliable and provides greater insight into workforce gaps and needs.

A focus on enhancing psychological safety through workplace systems and culture is key to moving towards the aspirational targets for workforce diversity and inclusion. The [Psychologically Safe and Inclusive Workplaces](#) guide provides practical guidance on fostering inclusive working environments.

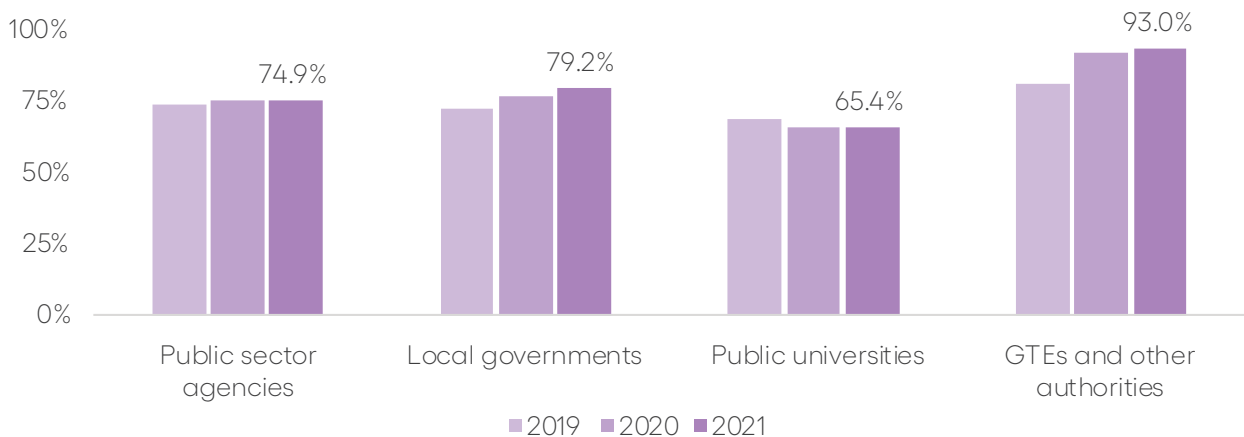
This year public authorities reported implementing initiatives to encourage and enable staff to share their diverse identities.

These included:

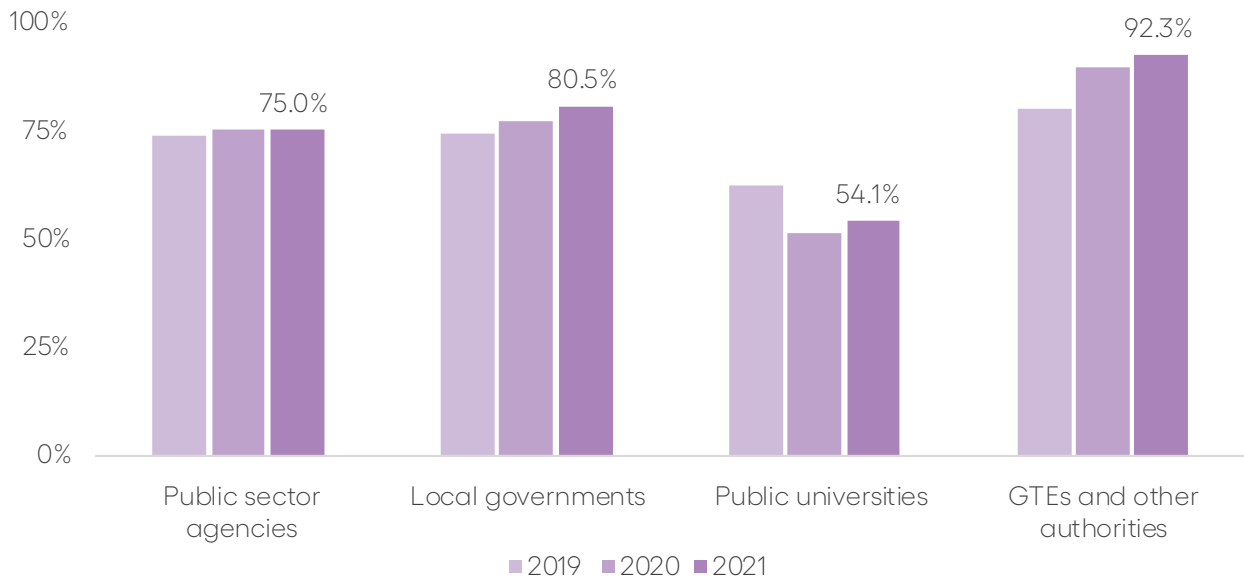
- running confidential employee, diversity and engagement surveys
- updating pre-commencement and related paperwork
- establishing focus groups, employee resource groups and ally networks to support more inclusive workplaces and promote greater visibility and awareness
- enhancing human resource information systems to reflect more inclusive response fields
- celebrating cultural and other days of significance, and using these events to share information
- communicating and encouraging staff to update their personal and diversity information in human resources systems.

Some public authorities reported significantly increased rates of staff sharing through confidential employee surveys when compared with information available through human resources systems.

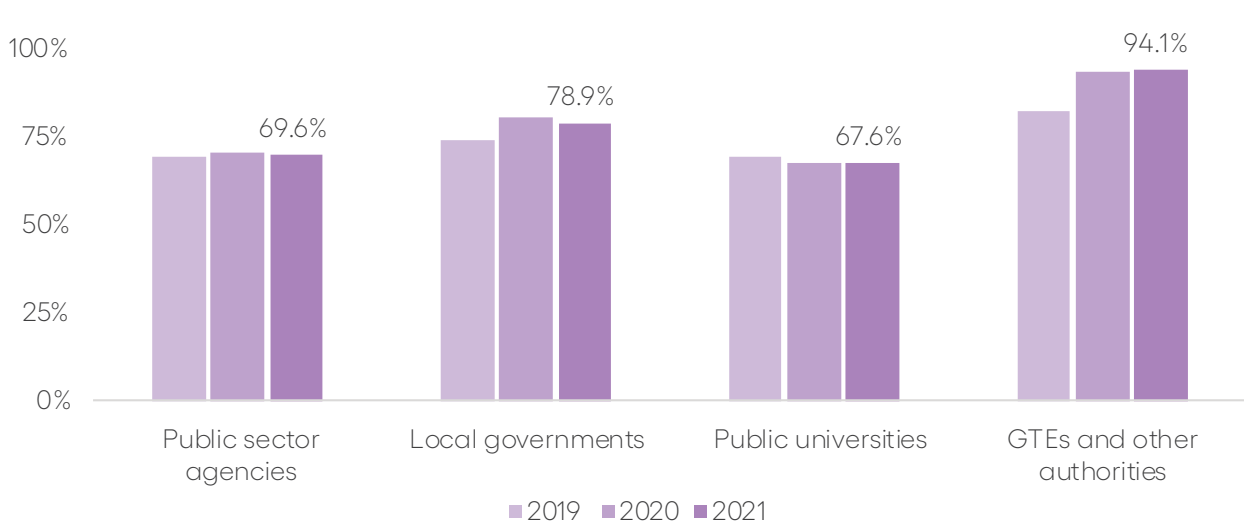
Response rates for Aboriginal and Torres Strait Islander people by authority type



Response rates for people with disability by authority type



Response rates for culturally and linguistically diverse people by authority type



## Using and aligning data to add value

### Equal employment opportunity annual collection

Each year, public authorities are required to provide information to the Director about their workforce, and current and planned initiatives to improve employment representation and inclusion of diverse groups.

The Director assists public authorities to meet these reporting obligations through the EEO annual collection which is facilitated through the Commission.

In 2021, 235 of 236 public authorities completed the EEO annual collection, responding on behalf of 285 authorities.

As in previous years, the approach to the EEO annual collection was reviewed by the Director to ensure it provided meaningful reporting and outcomes. Changes were made to align the collection with the Workforce Diversification and Inclusion Strategy. Changes were also considered in line with the public sector census that was piloted in March 2021 (see page 14). There was a focus on reducing the reporting burden on public authorities.

Public authorities now provide information about their activities and progress to support better employment outcomes for each of the diverse groups in the strategy. This allows for better monitoring and measurement of both the strategy and EEO management plans; identifies areas of need; and helps in developing support, resources and tools.

### Diversity dashboard

Given the amount of information collected, the Director instituted better ways to provide data and insights back to public authorities to help them make informed decisions for improving equal employment opportunity and developing effective EEO management plans.

One of the ways this was achieved was through data visualisations and comparisons across public authority types in the government sector.

In 2021 the Director continued to provide a diversity dashboard to public sector agencies each quarter. The dashboard has information to help agencies understand gaps between current employment levels and what is needed to achieve the aspirational targets in the Workforce Diversification and Inclusion Strategy. It includes information about employment representation to allow for comparison and promote transparency, collaboration and learning among agencies.

Similar workforce information about representation is provided annually to other public authorities.

This year the Director provided advice to the Commission on ways to enhance the diversity dashboard to show comparison between point in time data. This helped public sector agencies to visualise current and historic representation of diverse groups.

The Director will continue to work with the Commission to refine the diversity dashboard in the coming year, and reinforce how public authorities can use workforce data to target workforce diversity and inclusion initiatives to further enhance their EEO management plans.

## Equity index

While employment representation is one way to measure diversity, other measures can help public authorities understand their diversity profiles.

One such measure is the equity index that shows where diverse groups exist across an authority's hierarchy, and is a useful tool for workforce planning.

The diversity dashboard provides equity index information to public sector agencies for women, Aboriginal and Torres Strait Islander people, culturally and linguistically diverse people, and people with disability.

An equity index less than 100 indicates a concentration of diverse employees at lower salary ranges. An index greater than 100 indicates concentration of diverse employees at higher salary ranges. An index of 100 is considered optimal and indicates that the distribution of a diverse group is equitably spread across all salary levels.

The equity index provides insight into whether staff from diverse groups are employed in senior positions, thereby indicating the level of influence these staff may have in providing diversity of thinking and experiences to support policy development, service delivery and workplace inclusion.

In this reporting period, the Director worked with the Commission to refine the equity index calculation for public authorities outside the public sector. This allowed ready comparison across those public authorities. Equity indexes for diverse groups in each authority type are shown on the next page.



Participants in module 3 of the 2021 Graduate Launch Program held in May 2021.

The 2021 data highlighted that:

- Aboriginal and Torres Strait Islander people had low levels of representation and tended to be employed in lower level roles, with a notable exception in public universities
- the equity index for people with disability was relatively high, indicating a spread of employees across salary bands; however, the actual number of employees identifying with disability remained low, potentially limiting the value of the index as a measure of equity.

This information suggested that different approaches are required to support increased diversity and inclusion for Aboriginal and Torres Strait Islander people and people with disability.

In developing appropriate actions, public authorities are strongly encouraged to consider equity index outcomes combined with other measures.

To support better understanding of gaps and draw meaningful insights to inform the work of the Director, focus in the future will be on improving public authorities' reporting; refining collection and comparison of data; and drawing from multiple data sets to provide deeper analysis.

## Equity indexes by authority type 2021

	Women	Culturally and linguistically diverse people	Aboriginal and Torres Strait Islander people	People with disability
<b>Public sector agencies</b>	77.3	101.3	42.4	94.2
<b>Government trading enterprises</b>	71.6	118.3	32.2	80.1
<b>Local governments</b>	92.6	114.1	45.1	66.0
<b>Public universities</b>	90.5	91.7	70.1	95.4

Note: It is important to interpret the equity index in the context of the relevant response rates and number of diverse staff in that diverse group/sector. There must be a high enough response rate and large enough number of diverse staff to have confidence in the equity index. As noted previously, improved rates of sharing strengthen the reliability of all measures.

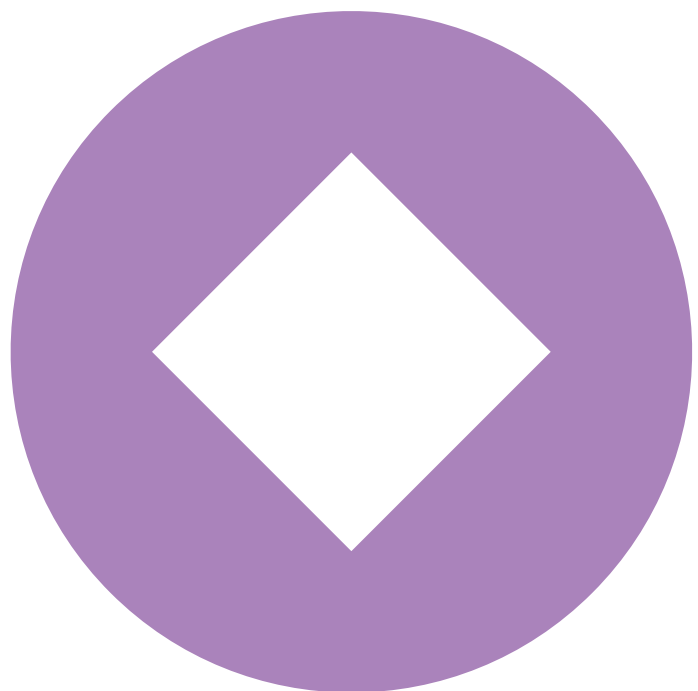
## Public sector census pilot

From March to June 2021, the Public Sector Commission piloted the first ever [public sector census](#) to gain information directly from employees about their experiences and behaviours in the workplace.

The census questions, methodology, systems and processes were tested in 17 public sector agencies.

The Director provided expertise, direction and guidance on a range of questions to ensure they were contemporary and aligned with best practice in relation to diversity, inclusion and equal employment opportunity.

The pilot was very successful, with a response rate of 47.5% across the 17 public sector agencies. This ground-breaking work is now set to give the sector insights into workforce trends at a level never before achieved.



## Appendix 1: Data quality statement

Data used in this report was acquired through the 2021 Equal Employment Opportunity annual collection and March 2021 Human Resource Minimum Obligatory Information Requirements reporting. There is more detail on [collection processes and methodologies](#).

The 2021 EEO annual collection sample frame comprised 71 public sector agencies (reporting on behalf of 120 entities in total); 145 local governments; 16 government trading enterprises and other statutory bodies, and 4 public universities. In all, 235 of these 236 public authorities provided responses.

### Equal employment opportunity management plans

The count of public authorities reported as having EEO management plans in place reflects responses to the 2021 EEO annual collection, and includes respondents that reported having either EEO management plans or workforce and diversity management plans.

In the public sector, some agencies are supported by departments or larger entities. As in 2020, responding agencies this year were able to provide responses on behalf of other entities. For the purposes of counting EEO management plans and workforce and diversity management plans, where an agency or entity responded on behalf of another, both are considered to have the same response.

### Workforce information

In 2021, workforce data was received from 164 of the 166 public authorities in the sample frame that were required to provide it. To avoid impact on statistics, workforce data supplied in 2020 for the 2 remaining public authorities was used in the final data set.

A data quality assurance process was undertaken in consultation with public authorities and some changes were made to workforce data provided. This quality assurance process focused on ensuring workforce data spreadsheets were complete, filled out consistently and contained meaningful data. Some errors and omissions (such as blank fields for 'unknown' or clearly erroneous dates of birth) were amended by the Commission. Where broader data quality matters were identified, public authorities were contacted to clarify or resubmit data. Information presented in this report reflects the updated data set.

During the 2021 collection, The University of Western Australia provided amended 2019 workforce data. The information in this report reflects this amendment and may not match data for universities published in 2019 and 2020.

### Changes to the equity index

In previous years, authorities in Schedule 1 of the *Public Sector Management Act 1994* divided their workforce into groups based on salary and work type, and reported which group each employee was categorised as. This year's collection asked public authorities to report each employee's equivalent annual salary.

The change to reporting of equivalent annual salaries was enacted to allow more accurate and consistent calculation of the equity index. Unlike the public sector, there are no common classification levels across Schedule 1 authorities, with occupations, rates of pay and industrial agreements varying. To calculate the equity index, reported equivalent annual salaries have been used to divide employees into percentile groups.

Due to this change in calculation methodology, information from previous years is not comparable to 2021 data.

