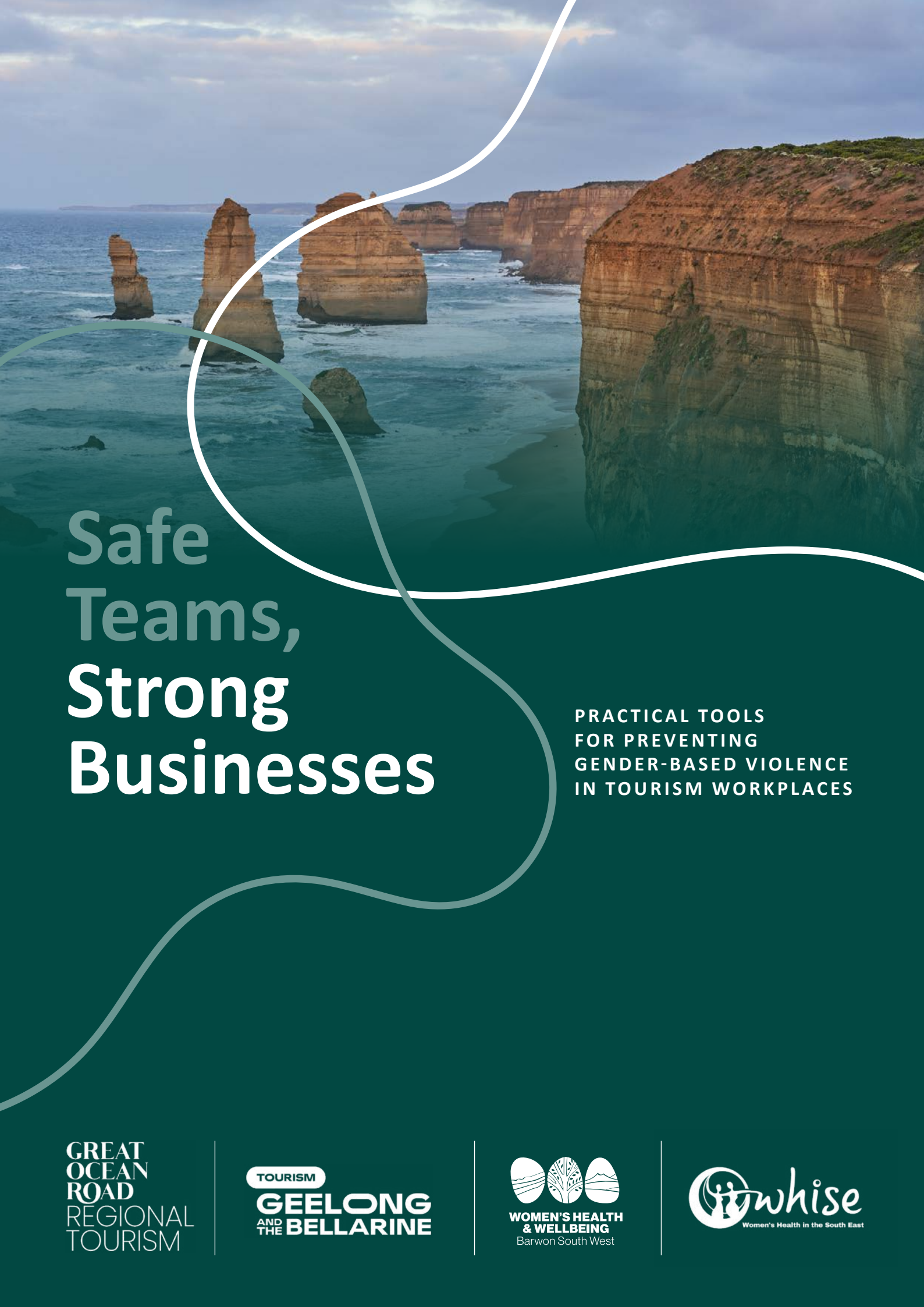




Safe Teams, Strong Businesses

PRACTICAL TOOLS
FOR PREVENTING
GENDER-BASED VIOLENCE
IN TOURISM WORKPLACES

GREAT
OCEAN
ROAD
REGIONAL
TOURISM

TOURISM
**GEELONG
AND THE
BELLARINE**


**WOMEN'S HEALTH
& WELLBEING**
Barwon South West

 **nowhise**
Women's Health in the South East

Acknowledgements

We respect First Nations peoples and their enduring connection to country – to the land, air, waterways, oceans, animals and plants – and recognise the wisdom and culture that has seen them thrive for thousands of years. We recognise that sovereignty was never ceded, and, with humility and courage, wholeheartedly commit heads, hearts and hands to a path of healing, restitution and justice, embracing the wisdom of those who can guide us. We will fulfil our responsibility with honesty and integrity, we will challenge injustice, and – in all of this – we will hold ourselves accountable.

The toolkit was developed with input from tourism operators and bodies across the Geelong, Bellarine and Great Ocean Road region and from experts in preventing workplace gender-based violence. It does not seek to replicate existing resources – rather, its aim is to provide tailored information for the tourism sector to help embed workplace violence prevention into everyday business. Thanks to Tourism Greater Geelong and Bellarine, Great Ocean Road Regional Tourism, Gender and Disaster Australia and WorkSafe.

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Photo credits

Pages 10, 12, 22, 28, 29: Tourism Greater Geelong and the Bellarine

Cover and pages 5, 16, 17, 18, 19, 20, 21, 27 43, 46, 51: Great Ocean Road Regional Tourism

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In you're reading this in print, you can access any links in the text via the online toolkit:
womenshealthbsw.org.au/our-work/tourism

About the toolkit

What the toolkit covers

This toolkit supports tourism operators to promote safe and respectful workplaces. It helps you to take proactive steps to prevent workplace gender-based violence. This means:

- creating a strong, safe and respectful workplace where gender-based violence is less likely to occur
- responding effectively if something does happen.

Proactively preventing workplace gender-based violence is good for business. It strengthens staff morale, productivity and organisational performance, protects and enhances reputation, and helps position you as an employer of choice. It also ensures you meet your legal and ethical obligations to create a safe and respectful workplace.

Who the toolkit is for

This toolkit has been developed to support Victoria's tourism sector in the Geelong, Bellarine and Great Ocean Road regions, particularly small to medium operators without human resource teams to drive this work. It provides a range of practical options to help you take meaningful action, no matter your size.

How to use the toolkit

This toolkit is designed to help you decide which actions are the best fit for your business in order to make the most difference for your employees, volunteers, customers and clients. This might include some 'quick wins' as well as longer term goals.

THE TOOLKIT IS DIVIDED INTO THREE SECTIONS:

1

Understand the issue provides an overview of workplace gender-based violence, including your legal obligations.

2

Take action supports you to start identifying actions across your leadership, policies, procedures and supports, and culture.

3

Find out more links you into resources, training and supports to help get you started.

The appendices contain additional information, including definitions, examples of risk controls, policy and procedure guidance and support services.



SECTION 1 UNDERSTAND THE ISSUE

Workplace gender-based violence

What is workplace gender-based violence?

‘Gender-based violence’ describes any form of physical or non-physical violence or abuse against a person or group because of their sex, sexual orientation, gender or gender identity. This includes family violence, sexual assault and harassment, stalking and online abuse. Gender-based violence is driven by unequal and rigid beliefs about gender – including expectations about gender roles, expressions and power dynamics – and by the systems and behaviours that hold up these inequalities.

‘Workplace gender-based violence’ refers to forms of gender-based violence that impact people within the context of their work and working lives.

THIS INCLUDES:

Violence or abuse from colleagues, superiors or customers.

Violence or abuse outside the workplace that impacts people’s working lives (including when working remotely or from home).

Committing violence or abuse towards people outside the workplace while at work and/or using work resources.

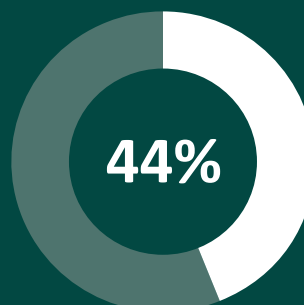
Who experiences workplace gender-based violence?

WORKPLACE GENDER-BASED VIOLENCE IS COMMON IN AUSTRALIA.



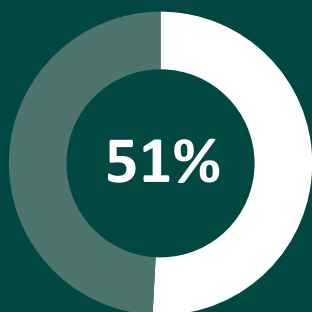
1 in 3 people

(33%) have experienced workplace sexual harassment in the past 5 years (41% of women and 26% of men).ⁱ



44%
of LGBTQIA+

employees have experienced workplace gendered violence, most commonly verbal abuse such as hate speech and insults.ⁱⁱ



51%
of migrant women

on temporary visas report experiencing sexual harassment at work.ⁱⁱⁱ



First Nations people, people with a disability & people under 30

are more likely to experience workplace sexual harassment.^{iv}



Regardless of who is experiencing it, workplace sexual harassment is most often perpetrated by men.^v

The impacts of workplace gender-based violence



Impacts on person affected:

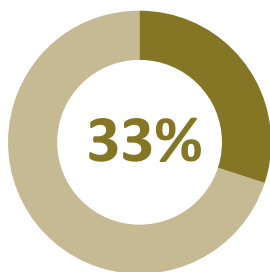
- physical or psychological injuries
- reduced job satisfaction, motivation and productivity
- financial loss from fewer shifts, time off or leaving the job.



Impacts on workplace:

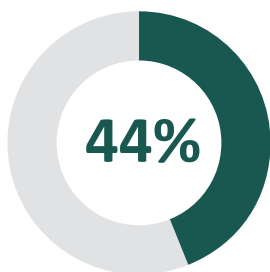
- lower staff morale and productivity
- higher staff turnover
- reputation and brand damage, including loss of business
- costs to the business from increased workers compensation premiums and legal costs.

Workplace gender-based violence and the tourism sector

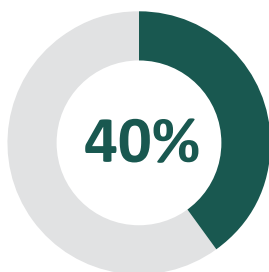


While workplace gender-based violence occurs in all industries, some industries experience higher than average rates of violence including many industries that make up the tourism sector.

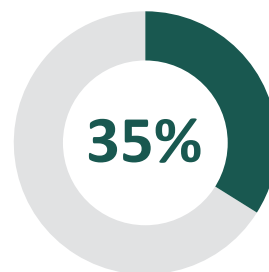
National incidence rate ^{vi}



**Arts & Recreation
Services**



Retail Trade



**Accommodation
& Food Services**

Here are some of the factors that can increase the likelihood and impact of workplace gender-based violence in the tourism sector, particularly for regional communities.

A high level of staff interaction with third parties such as customers, guests and external casual/contractors.

Limited human resources capacity, including limited, or no, formal policies, procedures and induction/onboarding processes.

High-stress working environments, including a peak season that intersects with high-risk gender-based violence periods (i.e. fire season, Christmas-New Year period).

A high proportion of workers who face barriers to speaking up/seeking support, including casual and labour hire workers, people in their first jobs – especially younger people – and people on temporary visas such as international students and working holiday visas.

A workforce consisting of many population groups who face higher levels of violence, abuse and discrimination – including women and girls, young people, First Nations people, people with disabilities, LGBTQIA+ people and people from migrant and refugee backgrounds.

A highly transitory/seasonal workforce, often with limited induction and on-the-job training.

Legal obligations to prevent workplace gender-based violence

In Victoria, it is a legal requirement for employers to create safe, respectful and equal workplaces for all people. Employers are not only expected to respond appropriately to incidents of gender-based violence but must take proactive steps to protect their employees' physical and psychological safety by reducing the likelihood workplace gender-based violence will occur in the first place.

- Victorian workplaces have a positive duty to eliminate sexual harassment, discrimination and victimisation under both the *Commonwealth Sex Discrimination Act 1984* and the *Victorian Equal Opportunity Act 2010*.
- Under the *Victorian Occupational Health and Safety (Psychological Health) Regulations 2025*, workplaces must protect their workers from physical and psychological injury, including workplace gender-based violence.

These laws include more commonly known unlawful behaviour such as physical or sexual violence, stalking and intimidation, as well as other forms of gender-based violence that people may be less familiar with.

Type	Example
Sex discrimination	• Denying a woman a promotion because she may decide to have a baby and take parental leave. • Only allocating valet shifts to men because it's assumed they are better suited to lifting bags and driving manual cars, even though these roles receive the biggest tips.
Sexual harassment	• A regular customer making persistent sexualised jokes and comments about a hospitality worker. • Creating sexualised AI images of a coworker and sharing them with other colleagues.
Sex-based harassment	• Asking intrusive and humiliating personal questions about a transgender worker's personal life • A manager making persistent jokes that devalue female staff and reinforce gendered stereotypes.
A hostile workplace environment on the ground of sex	• A workplace that displays sexualised and degrading imagery of women on the walls and expects female staff to wear revealing clothes and put up with inappropriate touching and comments from patrons. • Refusing to allow transgender staff to access the toilets or change room that reflect their gender identity.
Victimisation	• Moving someone to a different venue because they lodged a complaint against a manager. • Moving someone to lower paying shifts as punishment for helping another colleague make a complaint.

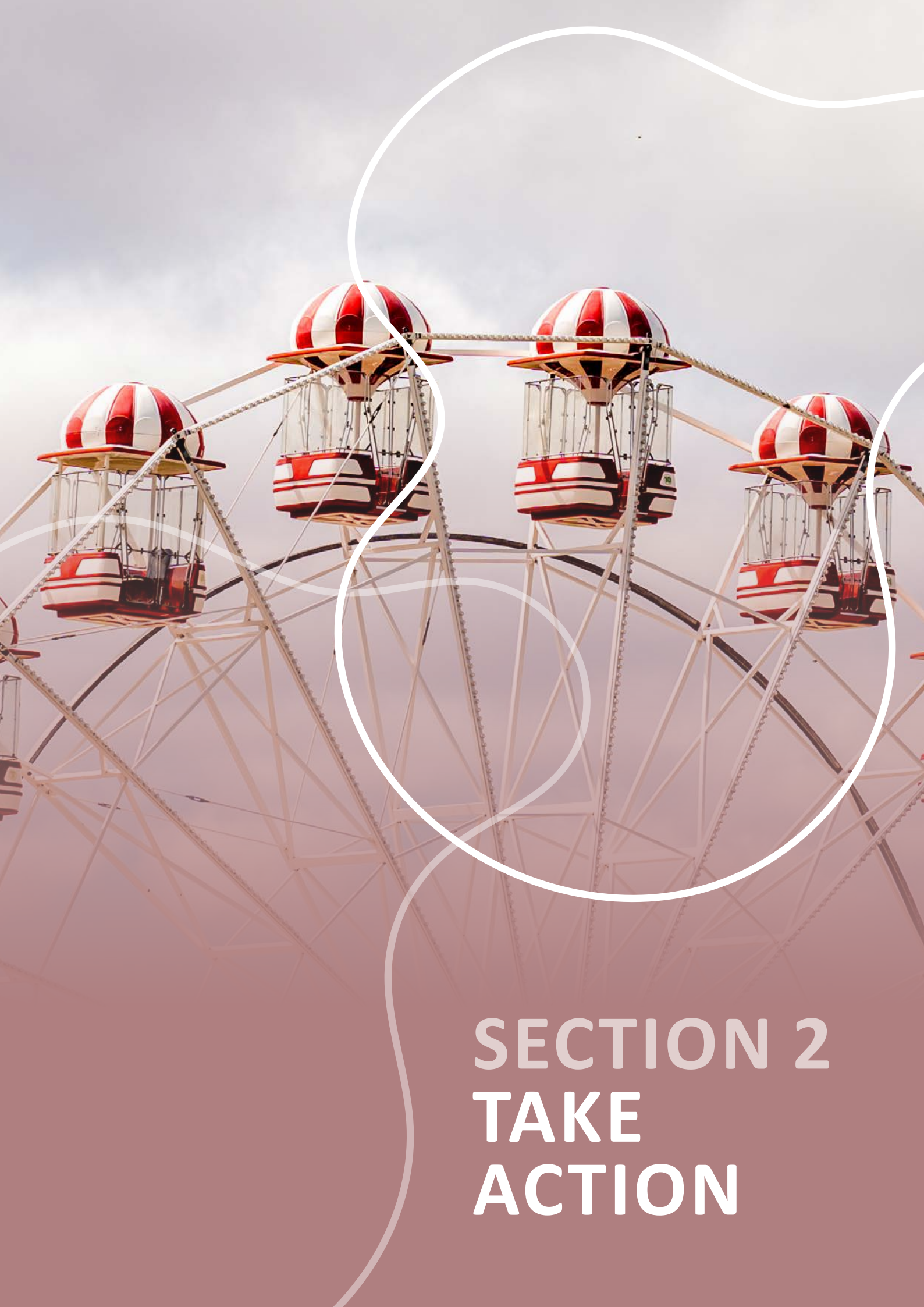
While the obligations apply to everyone – from sole traders and the self-employed, through to businesses of all sizes and government – there is no one-size-fits-all approach to taking action. The expectation is that employers will take action that is reasonable and proportionate to their business's size, nature and available resources.

While every business isn't expected to do the same thing, every business is expected to do something.

It can feel overwhelming to work out where to get started, particularly for smaller businesses. However, by taking the time to understand your obligations and putting in place prevention strategies, you will be better prepared to manage incidents if they do occur while also proactively reducing the likelihood of incidents happening in the first place.

Section 2 of this toolkit supports you to identify proactive steps you can take to assist in meeting your obligations to create safe, respectful workplaces for all people.

You can find out more about positive duty under the *Sex Discrimination Act* and psychosocial safety regulations in Appendices B and C.



SECTION 2 TAKE ACTION



Getting started

This section will help you to identify actions to support meeting your obligations to foster a safe, respectful workplace across three areas:

- Leadership
- Policies, procedures and supports
- Culture

Each area includes an objective – what you’d like to achieve – followed by examples of how to take action.

What to do

1

Consider each objective

– how well does this reflect your current situation?

2

Review the example

actions and select the ones that would best suit your workplace. This may include some ‘easy wins’ as well as longer term goals to work towards. You may like to use the Action Plan template in Appendix H.

3

Links to further resources, training and support

can be found in the appendices to help you get started.

Before you get started, think about who you need to consider when planning your actions – who makes up your ‘work community’:

- Staff, contractors, third parties, board members, volunteers, customers, clients, guests and the public.
- People more likely to experience gender-based violence including:
 - Cisgender and transgender women, girls and gender-diverse people
 - LGBTQIA+ people
 - children and young people
 - First Nations people
 - people from migrant or refugee communities, including people holding temporary visas
 - people with disabilities
 - people new to the workforce
 - workers on insecure working arrangements such as fixed-term, casual or labour hire, or who experience greater power imbalance such as apprentices.

What you can do

Leadership

Objective: All our senior staff understand the issue and our obligations, and are supported to lead actions and role model respectful behaviour.

What you can do to take action

- Embed gender-based violence prevention in position descriptions, especially for senior staff.
- Provide training opportunities to senior staff on preventing and responding to gender-based violence.
- Discuss regularly at staff and board meetings, including tracking progress.
- Include in induction briefings.
- Subscribe to sector newsletters and join external gender-based violence networks.
- Connect with other similar businesses in your community to troubleshoot challenges and share prevention ideas and actions.
- Identify current and potential workplace risks and have a plan for how you will eliminate, reduce or manage them.¹

Policies, procedures and supports

Objective: We have policies, procedures and supports in place to prevent and respond to gender-based violence, and our workers have the information and confidence to access these.

What you can do to take action

- There are policies and procedures that cover all forms of workplace gender-based violence, including workers who experience gender-based violence and workers who use gender-based violence.²
- There are a range of support options for people who have experienced gender-based violence, including internal supports like Employee Assistance Programs (EAPs) and external support services.³
- Designated people in the team have completed training in responding to formal and informal disclosures of gender-based violence.
- Information about policies, procedures and supports are promoted to existing staff, included in induction for new staff, and easily accessible should workers require them.⁴
- All employees and other workers – including third parties – are made aware of their rights and responsibilities and are supported to meet them, including via written resources, presentations, posters, codes of conduct and internal or external training.
- Plan for high-risk periods by embedding gender-based violence prevention into your workplace emergency and disaster planning.⁵
- Staff refreshers are held prior to high-risk periods for workplace gendered-based violence, including Christmas-New Year, fire/flood seasons and significant sporting events.

Culture

Objective: We promote a safe and respectful work culture for all people.

What you can do to take action

- Senior staff role model respectful language, behaviour and responses, and set the expectation for others to do the same.
- All staff have a clear understanding of how they are expected to behave and the behaviour they should expect from others.
- Your commitment to – and expectation for – safe, respectful behaviour is made clear through signage, on your website, social media platforms, in meetings, inductions, staff/volunteer codes of conduct, communication about work social events, disciplinary procedures and other relevant actions.
- There is zero tolerance for customer aggression or violence, including systems and procedures for managing and reporting incidents, and post-incident employee support.
- Positive behaviour is acknowledged and celebrated.
- Workers have training and support to:
 - » respond to everyday sexism, homophobia and transphobia.
 - » deal with difficult customers or clients.
 - » know what to do if they witness gender-based violence.
- Limit or do not offer alcohol at work events. If alcohol is offered, ensure responsible service of alcohol practices are followed.
- Promote a workplace culture where people feel comfortable to report gender-based violence they experience or witness.
- Undertake regular consultation with workers to identify new and emerging issues, even where work is seasonal or casual.

1 See Appendix D for a list of controls to address risks in your work design and environment.
2 See Appendix E for additional information on what to include workplace policies and procedures.
3 See Appendix G for a list of support services.
4 Including leave entitlements such as **family and domestic violence leave**.
5 See Appendix F for guidance on planning for high-risk periods, including emergency and disaster.

Workplace scenarios

The café

Maria and her wife Sam are the owners of a small café on the main tourist stretch of their seaside town. They have a small team most of the year, bringing in additional workers for the summer. Their staff largely consists of young women, many of whom are on working holiday visas or in their first job. Sometimes customers can get aggressive or use sexist language or jokes that make the staff feel uncomfortable. Maria and Sam step in when they can but feel pressure to be constantly present in case something happens.

Maria and Sam start by developing a workplace gender-based violence policy and procedure which they discuss with their team and include in their induction pack for new staff. Both Maria and Sam complete an online training session on how to respond to disclosures of violence or harassment. They put up posters in the café that set clear expectations for how customers will behave, as well as advertising gender-based violence support services like 1800 Respect. At the start of each summer season, they hold an all-staff meeting where they make sure everyone is clear about what behaviour isn't acceptable, discuss potential situations and how to deal with them, and remind everyone of support options. They provide staff with examples of how to call out sexism and de-escalate aggression, sticking this up behind the counter in case anyone needs it.





The hotel pub

George is the new general manager of the largest pub in a coastal town. Most of their business happens at night, on weekends and during major sporting broadcasts, and they often host birthdays, engagement parties and wedding receptions. There is a mix of permanent and casual staff, as well as external contractors like DJs, bands and musicians. The owners operate a number of venues in the region and have strong gender-based violence policies in place, however no one seems to know about – or follow them – in this pub.

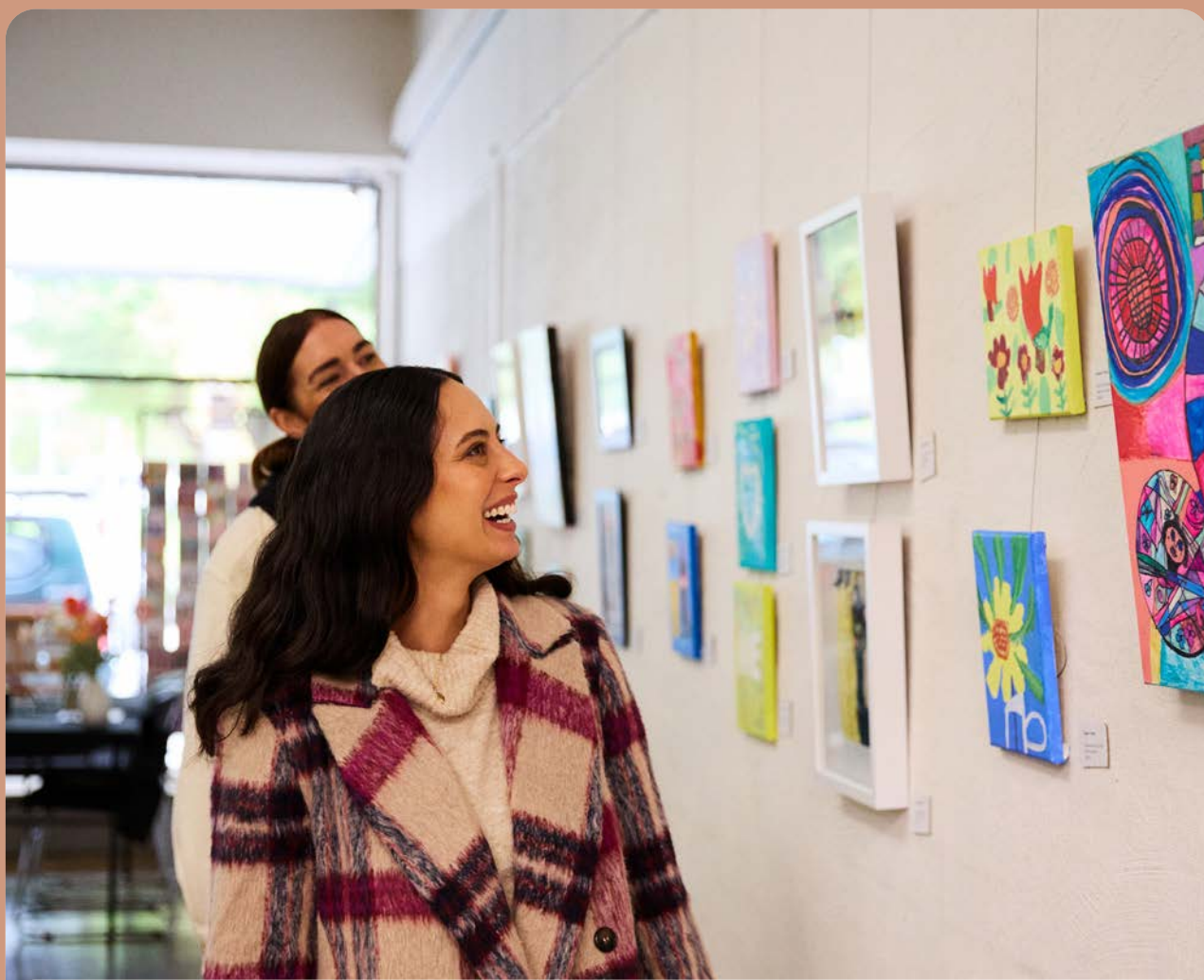
George starts by making sure all staff understand the policies and procedures, including training for managers on how to manage disclosures or complaints. He consults with staff to identify the key risks they see in their workplace then develops a plan to manage each risk. This includes updating security features, more signage about expected behaviours and how patrons can ask for help, ending the practice of using the accessible toilet for storage, and allocating some of the existing facilities as all-gender toilets. They also put in place clear procedures for how staff and security will manage abusive or disrespectful guests, a code of conduct for external contractors, and tailored bystander training for all staff so they feel more confident calling out and managing problematic behaviour. George and his managers draw on their experience to put together a tip sheet to help staff feel confident enforcing responsible alcohol service laws and a process for how to support intoxicated patrons to get home safely. They make it standard during pre-shift meetings and debriefs to acknowledge and celebrate when staff have handled situations well to showcase and promote good practice to other staff.

The accommodation provider

Ajay manages a holiday park with cabins located in the hinterland near a national park. It is an isolated site twenty minutes' drive from the nearest town that often operates with 'skeleton' staff, including overnight.

Ajay has already taken steps to create a safer work environment including installing more lighting, improved security features for the office, and rostering changes to avoid lone shifts. Alongside a new workplace gender-based violence policy, he also creates a code of conduct for workers and guests. There is a zero tolerance approach to abusive or disrespectful behaviour and he role models this to staff by cancelling the booking of a disruptive guest. All workers receive training on how to manage gender-based violence disclosures, including what to do if they believe a guest is at risk. Ajay also reaches out to his local women's health service to help review the site's emergency and disaster planning to ensure it meets the needs of people of all genders and sexualities.





The community art space

Lee runs a community art space in regional Victoria that has a gallery and small theatre/events space. They lead a small staff supported by a team of volunteers, and have frequent engagement with contractors such as artists and installers. The art space is open to the public and holds regular events such as launches, talks and performances.

Lee works with their board to develop a workplace gender-based violence policy and procedure which is included in all staff and volunteer inductions. Preventing gender-based violence is embedded into Lee and their team's position descriptions, and a code of conduct outlining expected behaviour is added into the organisation's contracts for external contractors. Lee and the board make a list of training to provide to staff and volunteers over the next twelve months, including bystander and inclusivity training as well as managing disclosures of gender-based violence training for staff, the board and public-facing volunteers. Lee consults with staff and the board to develop processes to diversify their artist selection and to ensure their curating and programming does not minimise or glorify gender-based violence or sexism.



The tour operator

Hana runs her own personalised foodie tours of local farm gates, wineries and producers for small groups.

She has a simple code of conduct in her booking confirmation about respectful language, maintaining personal boundaries and following the tour guide's directions, and includes this at the start of each tour. She has undertaken training in de-escalation, bystander intervention and responding to disclosures of violence. She and each venue have discussed how they will collectively manage difficult or abusive guests, including responsible alcohol service, and has her own plan for when she is on her own with tour groups. She chooses reputable venues that are accessible and inclusive and checks in with her guests throughout the tour.

The tourist attraction

Yuri and her partner David run a mini golf course in country Victoria. Most of their staff shifts are on weekends and school holidays and they are a popular first-employer for local highschoolers during the summer.

Yuri and David ensure their induction makes it clear to new staff what behaviour is and isn't acceptable – both amongst staff and from visitors – and provide opportunities to role play dealing with difficult customers. The reception/kiosk is accessible and welcoming to all people, with inclusive imagery, posters and the pride flag. They have both undertaken training in identifying and supporting young people who are experiencing dating violence, family violence or abuse, and there is signage in the staff change room about support services for young people. They are conscious of not reinforcing gender stereotypes with how they allocate shifts or tasks, celebrate positive staff behaviour and provide opportunities for staff to suggest ideas for improving their workplace culture.



SECTION 3
FIND OUT
MORE



I want to find out more about my legal obligations

Positive duty (*Sex Discrimination Act*)

Learn



- *What is positive duty?* 3-page fact sheet, AHRC
- *Fact sheet for workers* 2-page fact sheet, AHRC
- *What is positive duty and how does it work*, short animations for workers (English, Chinese, Arabic), AHRC
- *Causes and risk factors for sexual harassment and other unlawful behaviours* 3-page fact sheet, AHRC
- *How to comply with positive duty*, 8-page step-by-step guide, AHRC
- *A resource for small business on positive duty*, 12-page guide for small businesses, AHRC

Engage



- Free positive duty e-learning modules for small organisations and businesses, (5x5-10 mins), AHRC
- Preventing workplace sexual harassment e-learning module (low-cost), AHRC
- Preventing workplace sexual harassment for retail and hospitality managers e-learning module (low-cost), AHRC
- Respect@Work (sexual harassment, (online or in-person), WHWBSW

Connect



- Australian Human Rights Commission newsletter



In you're reading this in print, you can access any links in the text via the online toolkit:
womenshealthbsw.org.au/our-work/tourism

Psychological health (*Occupational Health and Safety Act*)

Learn



- *What is psychological health*, video (2mins), WorkSafe
- *Psychological health regulations*, 2-page fact sheet, WorkSafe
- *Psychological health and safety FAQ* webpage (English, Chinese & Vietnamese, WorkSafe)
- *Employer responsibilities*, video (2mins), WorkSafe
- *Psychological health regulations: a focus on risk management*, webinar recording (25mins), WorkSafe
- *WorkWell toolkit*, online toolkit from WorkSafe with quick guidance on addressing each type of psychosocial hazard

Engage



- *Psychological health basics workshop*, free online workshops for small to medium businesses delivered by WorkSafe Victoria. Includes identifying psychosocial hazards, assessing risks, and selecting proportionate and practical controls

Connect



- WorkSafe's *Psychological Health updates* newsletter
- WorkSafe's *OHS Essentials Program* provides a free workplace safety consultation service to small businesses
- WorkSafe's *Advisory Service* can answer OHS questions and provide guidance about legal obligations

I want to find out more about taking action to prevent gender-based violence

Workplace sexual harassment

Learn



- If you've experienced sexual harassment at work, poster, WorkSafe
- Actions managers can take to end sexual harassment at work, 1-pager Our Watch
- Actions People and Culture can take to end sexual harassment at work, 1-pager Our Watch
- Actions everyone can take to end sexual harassment at work, 1-pager, Our Watch
- Be an active bystander poster, Our Watch
- How to be an active bystander, 2-pager Our Watch
- Addressing customer and client perpetrated sexual harassment, 10-pages, Our Watch
- Creating safe-to-speak cultures, 13-pages, Our Watch

Engage



- Active bystander 101 training (online or in-person), WHWBSW

Connect



- Women's Health and Wellbeing Barwon South West [Facebook](#), [Instagram](#), [events](#) and [membership](#)

Responding to disclosures

Learn



- **Family and domestic violence leave**, information about national family and domestic violence leave entitlement, Fair Work Ombudsmen

Engage



- **Responding to and managing family violence and sexual assault training** (3h, online/in-person) Sexual Assault and Family Violence Centre
- **Managing and referring disclosures** (2.5h, online/in-person), WHISE
- **Workplace responses to family and domestic violence** (2.5h), Full Stop Australia

Workplace respect and equality

Learn



- *Creating safety, equality, inclusion and respect for women with disabilities in the workplace: A guide*, 24-page, Our Watch
- *Creating safer workplaces: A guide to engaging men in the prevention of violence against women*, 34-pages Our Watch
- *Creating safe and respectful workplaces for Aboriginal and Torres Strait Islander women: A beginner's guide*, 74-pages, Our Watch
- *Being valued toolkit: Creating Safer and More Inclusive Workplaces for LGBTIQ+ Victorians*, 53 pages, Transgender Victoria, Your Community Health and WorkSafe

Engage



- **Safe people, strong businesses: A practical workshop for tourism operators**, Women's Health and Wellbeing Barwon South West
- **Inclusive Leadership Training**, (online or in-person), WHWBSW
- **Gender Equal Workplace microcredential**, Women's Health Victoria

Connect



- **Workplace gender-based violence prevention training and organisational support**, Our Watch Institute



Join the Barwon South West partnership to end violence against women

Respect 2040 is the Barwon South West's regional partnership to end violence against women. Members include community groups, not for profit organisations, private and public organisations, businesses, local governments and health organisations. Membership is free and connects businesses to advice, training and support to take prevention action alongside others in our region.



→ Find out more: respect2040.com/join





APPENDICES

Appendix A:

Gender-based violence definitions

Gendered violence	Examples
Any behaviour directed at, or affecting, a person because: • of their sex, sexual orientation, gender or gender identity • they do not adhere to socially prescribed gender roles.^{vii}	• Stalking, threats or intimidation. • Physical or sexual assault.
Sex discrimination	Examples
Direct discrimination: ‘Treating someone less favourably because of their sex⁶, compared to how a person of a different sex would be treated, in similar circumstances.’^{viii} Indirect discrimination: ‘Where an unreasonable condition, requirement or practice appears to treat everyone the same, but in fact disadvantages people of a particular sex.’^{ix}	• Allocating tasks based on people’s gender. • Requiring only women to wear make up and revealing uniforms. • Expectations that staff attend training after hours or on weekends, which may unfairly impact people with caring responsibilities. • Expecting all staff to work unplanned overtime during busy periods.
Sexual harassment	Examples
‘Unwelcome behaviour of a sexual nature, in circumstances where a reasonable person would anticipate that the person who is harassed might feel offended, humiliated or intimidated by the behaviour.’^x	• Unwanted physical touching, staring or leering. • Repeated or inappropriate requests to go on dates from colleagues or customers.

6 or a characteristic generally associated with people of their sex. This definition in the Sex Discrimination Act includes sex, gender identity, intersex status, sexual orientation, marital or relationship status, pregnancy or potential pregnancy, breastfeeding and family responsibilities.

Sex-based harassment

‘Unwelcome behaviour of a demeaning nature that happens because of a person’s sex in circumstances where a reasonable person would anticipate that the person who is harassed might feel offended, humiliated or intimidated by the behaviour.’^{xi}

Examples

- Verbally insulting someone because of their sex, gender identity or sexual orientation.
- Persistently misgendering a worker or refusing to use their correct pronouns despite being repeatedly corrected.

Hostile workplace environment on the ground of sex

‘A workplace environment is hostile if a person behaves in a way that a reasonable person would expect might be offensive, intimidating or humiliating to someone because of their sex.’^{xii}

Examples

- A work culture that expects staff to put up with sexually explicit comments and behaviour from customers because it is ‘part of the job.’
- A work culture of sexist, derogatory, suggestive or demeaning jokes and banter, including about anatomy, menstruation or menopause.

Victimisation

‘Treating or threatening to treat someone badly or unfairly because they report unlawful behaviours; assert their rights under the law; or help someone else to do so.’^{xiii}

Examples

- Reducing somebody’s shifts after they made a complaint about a colleague’s behaviour towards themselves or another person.
- Assigning someone to a new role without their agreement to separate them from the person they have made a complaint about.

Appendix B:

What is the positive duty?

Positive duty is the legal obligation for all businesses and organisations to take proactive steps to prevent workplace sexual harassment and discrimination. Victorian workplaces have a positive duty to eliminate sexual harassment, discrimination and victimisation under both the Commonwealth *Sex Discrimination Act 1984* and the Victorian *Equal Opportunity Act 2010*

What does positive duty mean?

Positive duty means more than just responding appropriately after an incident has occurred – it is about taking meaningful preventative action to create a safe and equal workplace environment where sexual harassment and sexual discrimination are less likely to occur in the first place.

All Australian businesses and organisations – regardless of their size or resources – must take steps to eliminate, as far as possible, the following behaviour:

- discrimination on the ground of sex (or expressed gender)
- sexual harassment
- sex-based harassment
- conduct creating a workplace environment that is hostile on the ground of sex
- related acts of victimisation.

This covers workplaces, workers and working relationships – and may include behaviour connected to work, such as remote work, staff drinks, and between colleagues outside the workplace and outside of work hours.

Who must comply?

The legislation applies to everyone – from sole traders and the self-employed, through to businesses of all sizes and government – though how employers take action will depend on what would be considered ‘reasonable and proportionate measures’ based on things like the size and nature of the business, and resources available.

How is it enforced?

The Australian Human Rights Commission has the power to enforce the *Sex Discrimination Act*, including:

- conducting inquiries into compliance with the positive duty by an organisation or business and provide recommendations to achieve compliance
- issuing a compliance notice specifying action that an organisation or business must take, or refrain from taking, to address any non-compliance
- applying to the federal courts for an order to direct compliance with a compliance notice
- entering into enforceable undertakings with an organisation or business under which the organisation or business agrees to do, or refrain from doing, certain things.^{xiv}

The Victorian Equal Opportunity and Human Rights Commission supports compliance with the *Equal Opportunity Act*, including:

- information and support to help organisations comply with the Act
- handling and resolving complaints through voluntary conciliation with both parties.

Appendix C:

What are psychosocial safety regulations?

Occupational Health and Safety regulations were strengthened in December 2025 to recognise that psychosocial hazards are just as harmful as physical hazards. Employers are expected to protect employees by identifying psychosocial hazards and taking action to prevent, reduce and manage risks.^{xv}

What are psychosocial hazards?

Psychosocial hazards are hazards that arise in a working environment and ‘may cause an employee to experience one or more negative psychological responses that create a risk to their health or safety’.^{xvi} They may arise from how work is designed, managed or carried out, from the work systems in place, or from personal or work-related interactions. This includes aggression or violence, bullying, exposure to traumatic events and/or content, sexual harassment, gendered violence, high job demands, low job control and poor support.

While this toolkit focuses on gendered violence and sexual harassment, these hazards can intersect with others, such as bullying and aggression. Factsheets for other psychological hazards not covered in this toolkit can be found online.

Who must comply?

All Victorian employers must ‘provide and maintain a working environment that’s safe and without risks to employee’s health, so far as is reasonably practicable’.^{xvii} Employers must undertake a tailored risk management process to identify, control and review risk control measures. This means either eliminating a risk – where reasonably practicable – or reducing it.

Employees must take reasonable care of their own and others’ health and safety at work, including co-operating with their employer’s actions to comply with occupational health and safety regulations.

How is it enforced?

The regulations are enforced as part of WorkSafe Victoria’s existing compliance and enforcing approach.

In Victoria, work-related sexual harassment is jointly regulated by WorkSafe and the Victorian Equal Opportunity and Human Rights Commission. WorkSafe approaches gender-based violence from a workplace health and safety perspective, including investigating workplace breaches and compensation claims. Victorian Equal Opportunity and Human Rights Commission approaches gender-based violence from a human rights and discrimination perspective (see positive duty section in Appendix B).

Psychosocial safety is also covered by Victoria’s *Equal Opportunity Act 2010*, the Commonwealth *Sex Discrimination Act 1984*, and *Fair Work Act 2009*.

Appendix D: Risk controls to prevent gender-based violence in the tourism industry

Here are some examples of control actions to support preventing gender-based violence in the tourism industry. Consulting with your staff, volunteers and other relevant people will help you understand the specific risks, needs and priorities for your workplace.

Work design

- Eliminate tasks where the risk of aggression or abuse is more likely, for instance, using online complaint forms.
- Design work so employees don't work alone, particularly for higher risk times, shifts or tasks.
- Ensure a safe working environment for all staff in their usual place of work, as well as when workers are working off-site, at training or conferences, or travelling together for work.
- Ensure workers' personal contact details are not shared with other staff without their consent, including removing any requirement to use personal phones or social media profiles for work.
- Design uniforms so they are not gendered and suit the needs of all employees.
- Regularly review work systems and practices in consultation with workers to identify new or changing hazards that increase the risk of workplace gender-based violence occurring.
- Build driving workplace gender-based violence prevention into the position description or job role of senior staff.
- Allocate time for senior staff to undertake training and professional development, for instance in-person or online training, self-directed e-learning modules and time to review guides and resources. This may be part of induction for new staff or professional development for existing staff.
- Use short form inductions or refresher conversations for high turnover roles.
- Focus on simple, clearly communicated controls that are easy to apply in busy customer facing environments.



Work environment

- All-gender toilets with separate cubicles, private change rooms and staff accommodation, and facilities that meet employees' menstrual needs.
- Review and improve workplace safety, including secure, visible entry and exits, CCTV, duress alarms, barriers between employees and the public, security cards/codes for third party access at night/during lone shifts, and adequate lighting, including car parks.
- Clearly communicate to customers, guests and the public expected behaviour and zero tolerance of aggression or violence via signage etc.
- Have protocols for managing customers under the influence of alcohol, including enforcing responsible service of alcohol requirements in workplaces where alcohol is served.
- Discussing/co-ordinating workplace safety planning with other businesses that share your worksite/premises.

Sources:

WorkSafe (2025), ['Examples of psychosocial hazards and risk controls'](#), Psychological Health

Australian Human Rights Commission (2023), [A Quick Guide for Complying with the Positive Duty under the Sex Discrimination Act 1984 \(Cth\)](#)

Appendix E: Workplace gender-based violence policies and procedures

Consider policy, procedures and supports that cover the following areas:

- family and intimate partner violence⁷
- sexual harassment prevention and response
- workplace response to employees using gender and family violence
- responding to disclosures
- managing inappropriate or illegal customer behaviour, including refusing entry/service to customers who are aggressive or use sexist, homophobic or transphobic comments/abuse
- managing/monitoring social media platforms, including abusive or trolling behaviour.

Best practice workplace gender-based violence policy and procedures:

- are person-centred and trauma-informed.
- cover all forms of workplace gender-based violence.
- define gender-based violence.
- set expectations about behaviours.
- explain reporting options and how the organisation will respond to reports, including informal complaint/feedback options for when a worker does not want to make a formal report.
- include protected or confidential reporting, including where the report involves a direct manager. This may include external reporting options.
- provide support to all parties throughout the process when a report of workplace gender-based violence is made.
- independently investigate reports of workplace gender-based violence. Action any outcomes in a fair, timely and transparent way.
- include individual risk assessments and management plans for customers/clients with a known history of challenging behaviours.
- support all employees, regardless of sex or gender, to feel confident to access workplace policies such as flexible working arrangements and parental leave.
- are promoted to existing staff, included in induction for new staff, and easy to access should workers require them.

Further detail is provided in *Guidelines for Complying with the Positive Duty under the Sex Discrimination Act*, including:

- what should be included in any policy relevant to unlawful behaviour (including workplace sexual harassment policies and procedures (pg. 51).
- best practice reporting and response processes (pg. 68).

⁷ Including national entitlement to 10 days paid family and domestic violence leave for all full-time, part-time and casual employees.

Appendix F: Preventing gender-based violence: Planning for high-risk periods

This resource helps incorporate gender-based violence prevention into your workplace emergency planning, response and recovery. It provides an overview of things to consider when planning for high-risk periods such as fire season, severe storms, flooding or drought.

Gender and disasters

Gender plays a significant influence in community experiences of emergency prevention, planning, response and recovery.^{xviii} Gender-based violence increases during and after emergencies and natural disasters; it can make pre-existing violence worse or see violence occur for the first time.^{xix} For instance:

- A perpetrator may prevent someone from evacuating or block them from accessing survival essentials like transport, finances or support services.
- Someone may be forced back into contact with an ex partner/former perpetrator in evacuation centres or experience challenges enforcing protection orders.
- People experience compounding stressors in the aftermath including financial stress, homelessness and trauma which can make it harder to access supports.^{xx}

Gender roles also become more stereotyped during and in the aftermath of emergencies and disasters, including increased expectations and reliance on women as ‘carers and nurturers’ and men as ‘protectors and providers.’ For instance:

- Women experience increased caring responsibilities for children, older people and other dependents which can impact their ability to work, to protect themselves and their loved ones from harm during emergencies, and to access care and support in the aftermath.
- Men are frequently reluctant to seek formal support during and after, and are more likely to use harmful coping mechanisms like alcohol or drugs to manage stress or trauma.
- LGBTQIA+ people can also experience heightened discrimination, abuse and exclusion, including in relief centres or emergency shelters.^{xxi}

Many characteristics of the regional tourism workforce can heighten this risk, including workers with less familiarity of Victoria’s disaster context and emergency procedures – such as young, seasonal and/or migrant workers – and isolated work locations.

Alongside emergencies and disasters, other high-risk periods for increased gender-based violence include school holidays, December-January (including Christmas and New Year), and major sporting events such as grand finals. Given this coincides with peak busy periods for the tourism industry, it is important to plan ahead for how your workplace can both prevent and respond to gender-based violence during these periods.

Planning

- Review your existing emergency planning such as your fire plans – do your plans consider how emergency situations may impact staff differently based on gender or sexuality?
- Consult with your staff about factors to consider in your emergency planning, ensuring a range of perspectives including women, girls and LGBTQIA+ people.
- Consider in your evacuation procedures how to support people who may be fleeing an unsafe home situation and are unable to evacuate home, for instance using your workplace as a refuge.
- For accommodation providers, consider how you will manage potential risks arising from staff and guests being in the same space during an emergency, particularly in remote or isolated locations.

In the lead up to high-risk periods

- Prepare yourself and other senior staff for responding to disclosures, such as reviewing policies, completing a refresher course and checking you have up-to-date referral information.
- Share information with staff about family and domestic violence leave, sexual harassment policies and support services
- Share support service information in places where customers/guests will see it such as bathrooms and noticeboards.
- Review your rostering and avoid lone staff situations – disasters often mean skeleton staff, which can increase vulnerability for staff in isolated roles.

During emergencies and disasters

- Recognise the increased care burden largely born by women that may result in staff requiring flexibility/time off, for instance, if schools/childcare close.
- Offer support to staff who may experienced increased risk of family and domestic violence, for instance:
 - Staff who are confined at home or with a partner during lockdowns/evacuations
 - LGBTQIA+ staff evacuating to emergency relief centres who may face specific risks or discomfort (e.g. shared facilities, unsupportive family environments they're forced back into).

After emergencies and disasters

- Post-disaster periods can be one of the highest risk periods for family and domestic violence due to compounding factors such as financial stress, displacement, trauma – don't assume the risk decreases once the emergency has passed.
- Promote self-care and accessing counselling/mental health services and support for people of all genders, including people who may be more reluctant to seek support such as men.

Find out more

- Attend Gender and Disaster Australia's 'Lessons in Disaster' training (free 1 day training, online or in person): <https://genderanddisaster.com.au/training/>
- Sign up to Gender and Disaster Australia's e-newsletter: <https://genderanddisaster.com.au/newsletter/>
- Connect with Women's Health and Wellbeing Barwon South West for support embedding a gender lens on your planning.

Appendix G:

Where to get support

Where to go if you have experienced, witnessed or been told about gendered violence, sexual harassment, sex discrimination or sex-based discrimination at work

If there is immediate danger call 000 (Victoria Police)

Information, advice and reporting options

- WorkSafe Victoria
- Victorian Equal Opportunity and Human Rights Commission
- Australian Human Rights Commission
- Fair Work Commission
- Victoria Police (for criminal offenses)

Legal advice

- Barwon Community Legal Service
- Victoria Legal Aid
- 1300 MOB VLA (VLA's First Nations legal helpline)
- Victorian Aboriginal Legal Service
- Young Workers Centre
- Q+ Law (LGBTQIA+ people)
- Villamanta Disability Rights Legal Service

Support – crisis support, counselling, information and referral

- 1800 Respect (National Family, Domestic and Sexual Violence Counselling Service)
- Sexual Assault Family Violence Centre (Barwon region)
- South West Centre Against Sexual Assault (South West region)
- Sexual Assault Crisis Line (Victoria)
- Rainbow Sexual, Domestic and Family Violence Helpline (LGBTQIA+ people)
- 13 YARN (Aboriginal and Torres Strait Islander people)
- LifeLine
- Kids Helpline
- Workplace Employee Assistance Program (if you have one)

Further information about each service is found at the end of this resource.

Where to go if you have experienced, witnessed or been told about family, domestic or sexual violence outside the workplace

If there is immediate danger call 000 (Victoria Police)

Reporting options

- Contact your local police station via phone or in person

Legal advice

- Barwon Community Legal Service
- Sexual Assault Family Violence Centre – South West
- Women's Legal Service Victoria
- Victoria Legal Aid
- 1300 MOB VLA (VLA's First Nations legal helpline)
- Djirra (Aboriginal Family Violence Legal Team)
- Victorian Aboriginal Legal Service
- Q+ Law (LGBTQIA+ people)
- inTouch Women's Legal Centre (migrant and refugee women)
- Villamanta Disability Rights Legal Service

Further information about each service is found at the end of this resource.

Support – crisis support, counselling, information and referral

- 1800 Respect (National Family, Domestic and Sexual Violence Counselling Service)
 - Sexual Assault Family Violence Centre (Barwon and South West regions)
 - South West Centre Against Sexual Assault (South West region)
 - Sexual Assault Crisis Line (Victoria)
 - Rainbow Sexual, Domestic and Family Violence Helpline (LGBTQIA+ people)
 - 13 YARN (Aboriginal and Torres Strait Islander people)
 - inTouch Multicultural Centre Against Family Violence (migrant and refugee women)
 - LifeLine
 - Kids Helpline
 - Men's Referral Service
 - Mensline
- 

Service details

Information, advice and reporting

Victoria Police

Report criminal forms of workplace gender-based violence, including sexual assault, stalking, physical violence, threats, image-based abuse, grooming and family violence.

Emergency: Call 000

Other reports: [Contact or visit your local police station](#). You can ask to speak with a Family Violence Liaison Officer or the Sexual Offences and Child Abuse Investigation Team. Support services can also help you make a report.

Australian Human Rights Commission

Investigates written complaints under the *Sex Discrimination Act*, including workplace sex discrimination, sexual harassment and sex-based harassment. The Commission can help the people involved try to resolve the issue. There is no cost to lodge complaints.

Information: 1300 656 419

Online: [Learn about the complaint process or make a complaint](#).

Victorian Equal Opportunity and Human Rights Commission

Provides free, confidential information about workplace sexual harassment, sex discrimination and other forms of gendered violence. The Commission investigates complaints under the *Equal Opportunity Act* and may help resolve disputes with an employer or the person responsible.

Support: [Information and support](#)

Online tool: [sexual harassment support and response tool](#) for supporting someone who has experienced, witnessed or been told about sexual harassment.

WorkSafe Victoria

Provides free, confidential advice about workplace health and safety, including sexual harassment and gendered violence. WorkSafe can explain the legal duties of workers and employers, advise on workplace changes and investigate reported incidents or complaints.

Advice: Contact the [WorkSafe advisory service here](#) or on 1800 136 089, Mon to Fri, 7.30 am–6.30 pm

Emergencies: Call 13 23 60, 24 hours a day, 7 days a week

Fair Work Commission

Deals with workplace sexual harassment disputes under the *Fair Work Act*. The Commission can make stop sexual harassment orders and may help resolve disputes through conciliation or arbitration, including claims for compensation, lost wages or other remedies.

Applications generally need to be made within two years of the alleged harassment.

Information: [Find out how the Fair Work Commission deals with sexual harassment cases](#)

Legal services

Barwon Community Legal Service

Free legal advice and support for people in Geelong, the Bellarine, Surf Coast and Colac Otways. Can assist with family violence and personal safety intervention orders.

Contact: 1300 430 599 or [via the website](#).

Victoria Legal Aid

Free and confidential legal information and advice for Victorians. Can assist with family violence and has a [specialist sexual harassment and discrimination law services](#)

Contact: 1300 792 387 or [via the website](#).

Women's Legal Service Victoria

Free family violence legal support for women and non-binary people in Victoria (subject to eligibility criteria)

Contact: Apply for support [online](#).

Sexual Assault Family Violence Centre – South West

Free confidential family violence legal advice and support in the South West region

Contact: 03 5561 1934 (South West) or [via the website](#).

Victorian Aboriginal Legal Service

Free, confidential and culturally safe legal information, advice and support for Aboriginal and Torres Strait Islander people in Victoria. Covers criminal, family and civil law and includes a dedicated youth law service.

Contact: 1800 064 865 or [via the website](#).

1300 VLA (VLA's First Nations legal helpline)

Free, confidential and culturally safe legal information and advice for Aboriginal and Torres Strait Islander people in Victoria.

Contact: 1300 662 852 or [via the website](#).

Djirra (Aboriginal Family Violence Legal Team)

Free family violence legal support for women and non-binary Aboriginal and Torres Strait Islanders in Victoria.

Contact: 1800 105 303 or [via the website](#).

inTouch Women's Legal Centre

Specialist free family violence legal centre for migrant and refugee women.

Covers family violence, intervention orders, family law and migration.

Contact: 1300 792 387 or [via the website](#).

Young Workers Legal Centre

Free advice and representation to young people under the age of 30 with employment law issues, including discrimination.

Contact: 1800 714 754 or [via the website](#).

Q+ Law (LGBTQIA+ people)

Free legal information, advice and referral for LGBTQIA+ Victorians.

Contact: 03 9968 1002 or [via the website](#).

Villamanta Disability Rights Legal Service

Free telephone legal information, advice and referral about disability-related legal issues.

Contact: 1800 014 111 or [via the website](#).



Support services

1800 Respect (National Family, Domestic and Sexual Violence Counselling Service)

Free, confidential information, counselling and support for people impacted by domestic, family or sexual violence. Information and advice on how to support someone impacted by violence.

Contact: 1800 737 732 or [via the website](#).

Sexual Assault Family Violence Centre

Free, confidential information, counselling and support for people impacted by domestic, family or sexual violence in the Barwon region, and for people impacted by domestic and family violence in the South West region (see South West Centre Against Sexual Assault for sexual violence services in the South West).

Information and advice on how to support someone impacted by violence.

Contact: 03 5222 4318 (Geelong) or 03 5561 1934 (South West), [or via the website](#).

South West Centre Against Sexual Assault

Free, confidential information, counselling and support for people impacted by sexual violence in the South West region. Information and advice on how to support someone impacted by violence.

Contact: (03) 5564 4144 or [via the website](#).

Sexual Assault Crisis Line (Victoria)

Provides free crisis counselling, support and advocacy for survivors of recent or past sexual assault, including childhood sexual abuse. SACL operates weeknights 5pm-9am and 24hrs over weekends and all public holidays. Business hour calls are diverted to local Centres Against Sexual Assault.

Contact: 1800 806 292

Rainbow Sexual, Domestic and Family Violence Helpline

24/7 phone support for the LGBTQIA+ people impacted by sexual domestic and/or family violence.

Contact: 1800 497 212 or [via the website](#).

13 YARN

National 24/7 crisis support line for Aboriginal and Torres Strait Islander people.

Contact: Contact: 13 92 76 or [via the website](#).

inTouch Multicultural Centre Against Family Violence

Family violence service for migrant and refugee women and their communities. Case managers speak more than 20 languages.

Contact: 1800 755 988 or [via the website.](#)

LifeLine

24 hour crisis support and suicide prevention services for Australians experiencing emotional distress.

Contact: 13 11 14 or [via the website.](#)

Kids Helpline

Free confidential 24/7 online and phone counselling service for young people aged 5-25.

Contact: 1800 55 1800 or [via the website.](#)

Men's Referral Service

Provides confidential family violence telephone counselling, information and a referral service to support men to change their behaviour.

Contact: 1300 766 491 or [via the website.](#)

Mensline

Free confidential 24/7 telephone counselling support for men with concerns about mental health, relationships, anger management, family violence (using and experiencing), stress, and suicidal thoughts

Contact: 1300 789 978 or [via the website.](#)



Appendix H: Action plan

Leadership		
ACTIONS – WHAT WILL WE DO	WHEN	WHO WILL LEAD

Policies, procedures & supports

ACTIONS – WHAT WILL WE DO	WHEN	WHO WILL LEAD

Culture

ACTIONS – WHAT WILL WE DO	WHEN	WHO WILL LEAD

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