

**LOCAL GOVERNMENT
GENDER EQUALITY ACT PILOT PROJECT 2020**

OVERVIEW OF SOME KEY STRATEGIC ISSUES

**For
The Municipal Association of Victoria**

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1. INTRODUCTION

This report marks the final stage of the Victorian Local Government Gender Equality Act Pilot Project (The Pilot). It highlights some key strategic issues which are particularly relevant to local government as the State Government, Victorian councils and other defined public entities plan for the implementation of the Gender Equality Act in 2021. The report is to be considered in conjunction with the two other reports prepared for the Pilot which focused on Gender Impact Assessments and Workplace Gender Audits.¹

The Victorian State Government provided funding to the Municipal Association of Victoria (MAV) and ten councils to undertake the Victorian Local Government Gender Equality Act Pilot Project from late 2019 to September 2020. The Pilot aimed to trial draft guidance resources and to identify learnings and proposals to support the future implementation of the Gender Equality Act by local government. The Pilot has been a partnership between the MAV, the Office for Women, the newly established Office of the Commission for Gender Equality in the Public Sector (CGEPS), Local Government Victoria and the ten pilot councils.

The Gender Equality Act 2020 (The Act) represents a significant step towards achieving gender equality in workplaces and the community and builds on numerous initiatives undertaken over many years to promote gender equality. The Act is applicable to all defined entities including Victorian councils, the Victorian Public Service, and public entities with 50 or more employees.

The legislation requires all defined entities to undertake a Gender Impact Assessment (GIA) when *'developing or reviewing and policy, program or service provided by the entity that has a direct and significant impact on the public'*. It also requires each entity to undertake a Workplace Gender Audit (WGA) and to develop a Gender Equality Action Plan (GEAP). The first WGAs and GEAPs are required by October 2021, with biennial reports to be provided by entities on GIAs undertaken and progress made against the GEAPs.

The Act involves implementing a comprehensive approach to addressing gender equality with a focus on internal workplace systems, as well as policy and planning processes which have a direct impact on the public. Given the extensive and diverse roles played by councils within their municipalities, there are a number of issues to be considered to enable councils to effectively implement the requirements of the Act.

The Gender Impact Assessment Pilot and the Workplace Gender Audit Pilot identified a number of opportunities, challenges, ideas and proposals to support the local government sector to implement specific requirements of the Act and these are outlined in the two previously cited reports.

¹ *Local Government Gender Impact Assessment Pilot Project; Final Report on Learnings June 2020*
Local Government Workplace Gender Audit Pilot Project; Final Report on Learnings September 2020

This final report highlights key strategic issues for consideration with the aim of building a solid foundation for the effective and sustainable implementation of the Gender Equality Act by the local government sector.

2. KEY STRATEGIC ISSUES FOR CONSIDERATION

2.1 Enabling state-wide integration and co-ordination of local government legislated responsibilities

From a local government perspective, it is important to have systems in place to enable the integration and co-ordination of the purposes and requirements of the Gender Equality Act, the Local Government Act and other key local government policy, planning and legislative frameworks. This includes supporting effective and efficient advisory and co-ordination structures within the local government sector, and between the local government sector and other sections of the Victorian public sector.

In terms of the coordination of implementation it has been recognised in statements from the CGEPS that it is understood that it will take time for council and other public sector entities to build the systems and capability to achieve full compliance with the Gender Equality Act and that it is not an expectation that everything will be undertaken at once.

In relation to the issues outlined above, the following proposals are provided for consideration.

2.1.1 State-wide co-ordination, advice and partnership structures

- Ensure that current and newly established implementation structures for the Gender Equality Act are well aligned and co-ordinated with other relevant structures, and that they include strong local government sector representation and expertise.
- These structures would include the new Gender Equality Act Implementation Advisory Committee, the Local Government Minister's Gender Equality Advisory Panel, the Ministerial Women's Roundtable and other structures established to support the implementation of the Local Government Act and Municipal Public Health and Wellbeing Plans.
- Consider how integration and co-ordination are reflected in newly developed partnership agreements between the State Government and the MAV such as a revised Victorian State - Local Government Agreement (VSLGA).

2.1.2 Aligning reporting systems and timeframes to avoid duplication and maximise integration

- The Local Government Act and the Gender Equality Act include a number of important reporting requirements which are discrete but inter-related. This is especially the case for undertaking Gender Impact Assessments, Workplace Gender Audits, Gender Equality Action Plans, Workforce Plans, and other key plans including

Council Plans and Municipal Public Health and Wellbeing Plans. In addition, these requirements involve councils in implementing deliberative community engagement which will influence the processes and timeframes.

- Attention should be given to mapping and aligning local government reporting processes and timeframes to maximise integration and avoid inefficient duplication. This includes exploring how the existing Local Government Reporting Framework could be used to achieve such alignment.
- Attention should also be given to aligning terminology and the data categories required for reporting for the Gender Equality Act and other legislation relevant to local government.
- Clear guidance is required as soon as possible on the minimum compliance requirements relating to the Gender Equality Act expected from all councils in 2021 and how this may be progressed over time.

2.2 Recognising local government as the third tier of government and its unique capacity for significant community impact on gender equality

Local government is a distinct tier of government consisting of democratically elected councillors and as such operates in very different ways to other Victorian public sector entities. It is important that this context is fully recognised in developing the implementation processes for the Gender Equality Act.

As councils have a responsibility to be responsive to the priority needs and interests of their communities, their policies and plans reflect the diversity of local communities within Victoria. The Local Government Act requires councils to undertake their responsibilities in accordance with key inter-related principles including community engagement, public transparency, strategic planning, financial management, and service performance. These responsibilities have implications for how a council will go about implementing the requirements of the Gender Equality Act.

In addition, with their broad focus on community wellbeing, councils have a unique capacity to engage with their communities to implement gender equality initiatives in integrated and holistic ways and within many settings at the local level.

Given the above context, the following issues are presented for consideration.

2.2.1 Recognising the democratic status of councils as the third level of government and the implications this has for implementation of the Gender Equality Act

- As the third level of government, councils have a responsibility to respond to, and make decisions about, how to best respond to priority needs within their municipalities.
- Councils need to undertake this responsibility in accordance with principles outlined in the Local Government Act, including using deliberative community engagement processes.

- This context will shape how GIAs, WGAs and GEAPs are undertaken as well as the resources that are available for these initiatives.

2.2.2 Leveraging the unique capacity of local councils to progress the community focused objectives of the Gender Equality Act

- Councils are very well placed to design and implement place-based, integrated action to progress gender equality in the community across a very broad range of local programs and services and in diverse community settings. They have a unique capacity to consider and influence the social, economic and environmental factors which in turn impact on gender inequality.
- This integrated, place-based capacity links with the longstanding experience councils have in developing and implementing integrated action to achieve improvements in complex social issues through Municipal Public Health and Wellbeing Plans, Municipal Strategic Statements and other local area planning processes.
- This unique capacity for direct impact within communities warrants targeted investment in the development of systems, resources, guidance, and good practice specifically tailored for the local government sector.
- With ongoing support from the State Government, councils can continue to develop and implement innovative, proactive gender equality action at the local community level, informed by community engagement and a strengthened ability to undertake GIAs.
- A tailored focus on local government could be complemented by the broad, cross public sector support systems being developed through the CGEPS.

2.3 Addressing the variable capability and capacity in the local government sector

Councils vary significantly based on their diverse communities, population numbers, geographic locations and size. They have different sized budgets, structures, service provision roles and different organisational systems.

The Pilot has highlighted that, while councils recognise the importance of addressing gender inequality, they vary in their capability and capacity to implement the requirements of the Gender Equality Act. Some are very well placed in terms of existing experience, skills and resources, while others are at an early stage of capacity and/or have limited resources to support increased activity.

The final reports for the Local Government Gender Equality Act Pilot project propose a number of initiatives to build capability and capacity of the local government sector to implement the Gender Equality Act. The CGEPS is now using these reports to inform the development of revised guidance materials and other support systems. While these ideas and developments will not be repeated here, it is important to highlight some key strategic elements of particular importance to local government.

In addition, throughout the Pilot it was recognised that it will take some years for organisations to build their capacity to be fully compliant with the Gender Equality Act and

that a staged approach to implementation will assist organisations to build their capacity over a specified time.

On the basis of the above, the following issues are highlighted for consideration.

2.3.1 The importance of tailored support systems to build local government capacity and capability

- While it will be important for councils to connect with other public sector entities to share learnings and evolving good practice, there is also a need for resource materials, guidance and training programs which are specifically tailored for local government.
- There is an opportunity to facilitate practical partnerships within the local government sector to develop the skills, information resources, data systems, policies, research and good practice initiatives required to achieve the objectives of the Gender Equality Act.
- Such partnerships could take the form of state-wide and regional networks and 'communities of practice' which could be developed through MAV in partnership with the CGEPS, Local Government Victoria, and other state-wide local government organisations such as LGPro and the Victorian Local Governance Association (VLGA).

2.3.2 Designing a staged implementation process which recognises that full compliance with the Gender Equality Act will take time

- Given the recognition that it will take some years to implement requirements of the Gender Equality Act, it is proposed that the State Government consider formalising a staged implementation process which will enable councils to focus progressively on key priorities over a specified timeframe.
- It would be beneficial to consider providing specific resourcing to support councils which have more limited capacity so that they can establish the basic foundations for compliance with the Gender Equality Act and to build on this over time.

3. CONCLUSION

Victorian councils have a strong track record in gender equality initiatives and are well placed to play a key role in the implementation of the Act. The Pilot has confirmed that the ability of councils, and other entities to implement the requirements of the Act in full will take time, and that the provision of tailored guidance resources, training programs and other support systems are crucial.

The Local Government Gender Equality Act Pilot project has been a very good example of how a strategic and collaborative approach between the State Government and local government contributes to well-informed and practical approaches to the implementation of important legislative reform.

All of the Pilot partners demonstrated strong commitment to progressing gender equality and generously contributed their insights, skills and suggestions to inform the implementation process for the Gender Equality Act.

It is anticipated that the issues and ideas in this report, and those provided in the other two project reports, will support the continuation of this partnership approach so that meaningful progress towards gender equality is achieved in Victoria.