

2016-17 Annual report against the Regulator Performance Framework

Workplace Gender Equality Agency

16 February 2018

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Executive Summary

Background

The Workplace Gender Equality Agency (WGEA/the Agency) is a statutory body charged with promoting and improving gender equality in Australian workplaces, including through the provision of advice and assistance to employers and the assessment and measurement of workplace gender data. Under the *Workplace Gender Equality Act, 2012* (the Act), non-public sector employers with 100 or more employees (relevant employers) are required to report annually to the Agency against six gender equality indicators

The reporting year extends from 1 April to 31 March with a report submission period from the subsequent 1 April to 31 May each year.

WGEA's key performance indicators (KPIs) under the Regulator Performance Framework were developed in consultation with the Employment Portfolio and the National Workplace Relations Consultative Council (NWRCC) was approved by the Minister for Employment and published on the Agency website.

This report outlines the findings of the Agency's second self-assessment report under the Regulator Performance Framework.

Findings

Overall the Agency has found the KPIs and measures to be meaningful in describing its regulatory role and identifying opportunities for reducing regulatory impact.

For the following KPIs the Agency is satisfied, that, within the constraints of existing legislative requirements, Agency resources and necessary lead time to effect change that the regulatory framework is working well:

- KPI 1 - Regulators do not unnecessarily impede the efficient operation of regulated entities
- KPI 2 - Communication with regulated entities is clear, targeted and effective
- KPI 3 - Actions undertaken by regulators are proportionate to the regulatory risk being managed
- KPI 5 - Regulators are open and transparent in their dealings with regulated entities
- KPI 6 - Regulators actively contribute to the continuous improvement of regulatory frameworks

For the remaining KPI the Agency has identified some areas where future improvements could be made especially in respect to streamlining of processes:

- KPI 4 - Compliance and monitoring approaches are streamlined and coordinated

Key to symbols

Throughout the Agency's annual Regulator Self-Assessment, traffic light symbols will provide a quick visual indicator on how WGEA sees its current performance level as a regulator.



Working well



In progress but room for improvement



More work required

WGEA Regulatory Performance Framework Summary Table

KPI	Measure	Status
KPI 1: Regulators do not unnecessarily impede the efficient operation of regulated entities.	1.1 Understanding operating environment of regulated entities	●
	1.2 Minimising the potential for unintended negative impacts	●
	1.3 Implementing continuous improvement strategies to reduce the costs of compliance	●
KPI 2: Communication with regulated entities in clear, targeted and effective	2.1 Providing appropriate guidance and information	●
KPI 3: Actions undertaken by regulators are proportionate to the regulatory risk being managed.	3.1 Applying a risk-based proportionate approach	●
KPI 4: Compliance and monitoring approaches are streamlined and coordinated.	4.1 Implementing continuous improvement strategies to reduce the cost of compliance	●
	4.2 Ensuring processes administered are transparent and streamlined	●
KPI 5: Regulators are open and transparent in their dealings with regulated entities.	5.1 Ensuring reporting requirements are available in clear, understandable and accessible format	●
	5.2 Remaining open and responsive to requests from regulated entities	●
	5.3 Publishing the Agency's performance measurement results in a timely manner	●
KPI 6: Regulators actively contribute to the continuous improvement of regulatory frameworks.	6.1 Periodically reviewing its administration of reporting requirements	●
	6.2 Establishing cooperative and collaborative relationships with stakeholders	●

Introduction

Regulator Performance Framework

The Agency

The Workplace Gender Equality Agency (WGEA/the Agency) is a statutory body charged with promoting and improving gender equality in Australian workplaces, including through the provision of advice and assistance to employers and the assessment and measurement of workplace gender data. The Agency's vision is for women and men to be equally represented, valued and rewarded in the workplace.

The Agency has an average staffing level of 30 and an annual appropriation of approximately \$5 million.

The Act

Under the *Workplace Gender Equality Act, 2012*, non-public sector employers with 100 or more employees (relevant employers) are required to report annually to the Agency against six gender equality indicators (GEIs):

- GEI 1: gender composition of the workforce
- GEI 2: gender composition of governing bodies
- GEI 3: equal remuneration between women and men
- GEI 4: availability and utility of employment terms, conditions and practices relating to flexible working arrangements for employees and to working arrangements supporting employees with family or caring responsibilities
- GEI 5: consultation with employees on issues concerning gender equality in the workplace
- GEI 6: sex-based harassment and discrimination.

The Data

The Agency's dataset is based on approximately 5,000 reports submitted on behalf of approximately 12,000 employers and covers more than 4 million employees. 2016-17 was the fourth year of reporting under the Act and data released in mid-November provides important insights on trends in Australian workplaces in respect to Gender Equality.

Compliance Requirements

From the 2015–16 reporting period and onwards, a relevant employer is compliant with the Act if it:

- lodges a report containing required information each year on time
- complies with the notification and access requirements
- meets minimum standards or, if a minimum standard is not met, makes improvements against it by the end of two further reporting periods
- has the report signed by the chief executive officer (CEO)
- if asked, gives the Agency information for the purpose of reviewing compliance
- does not give false or misleading information in a report, or when providing information as requested by the Agency for the purpose of reviewing compliance with the Act.

To comply with notification and access requirements under the Act each relevant employer must:

- Inform its employees and members or shareholders that it has lodged its report with the Agency and advise how the report may be accessed
- Provide access to the report to employees and members or shareholders
- Inform employee organisations with members in its workplace that the report has been lodged
- Inform its employees and those organisations with members in its workplace of the opportunity to comment on the report to the employer or the Agency.

The Minister, by legislative instrument, sets minimum standards in relation to specified gender equality indicators, specified relevant employers and specified reporting periods.

Following consultation with industry, peak bodies and community groups, the Minister set a minimum standard as outlined in the [Workplace Gender Equality \(Minimum Standards\) Instrument 2014](#). This minimum standard, as set out in the [instrument](#), has been in effect since the 2014-15 reporting period.

In order to meet the minimum standard, a relevant employer with **500 or more employees** must have a policy or strategy in place that specifically supports gender equality in relation to one, or more, of the following:

- GEI 1 - gender composition of the workforce
- GEI 3 - equal remuneration between women and men
- GEI 4 - availability and utility of employment terms, conditions and practices relating to flexible working arrangements for employees and to working arrangements supporting employees with family or caring responsibilities
- GEI 6 - any other matters specified by the Minister: sex-based harassment and discrimination

The Reporting Process

The reporting year extends from 1 April to 31 March with a report submission period from the subsequent 1 April to 31 May each year. The Agency has established a secure online portal to facilitate report submission. Reporting organisations log into the portal using AUSKey authentication and complete the following six steps:

- Confirm organisation reporting details
- Complete workplace profile
- Complete reporting questionnaire
- Complete notification and access requirements
- CEO sign-off confirmation
- Submit report

Non-compliance

There are consequences for non-compliance:

- The Agency may name a non-compliant employer in a report to the Minister or by electronic or other means
- Non-compliant employers may not be eligible to tender for contracts under the Commonwealth and some state procurement frameworks.

Development of WGEA key performance measures

WGEA's key performance indicators (KPIs) under the Regulator Performance Framework were developed in consultation with the Employment Portfolio and the National Workplace Relations Consultative Council (NWRCC) and approved by the Minister for Employment in 2016. The KPIs are published on the Agency website and reviewed annually for continuing suitability.

Consideration of suitable KPIs for the Agency's regulatory activity focused on a number of areas:

- the diverse profile of our reporting organisations,
- the prevailing legislation
- the available technology,
- the size of the Agency; and
- the evidence available for collection.

Reporting organisations

Our reporting organisations are a diverse group ranging in size from 100 to over 170,000 employees across 19 industries and all states and territories. In our regulatory role the Agency needs to be cognisant of this diversity and engage with our regulated entities using a variety of forums and mechanisms; provide specialised advice where appropriate and options for report submission which meet the needs of organisations with different levels of IT maturity.

Legislation

The requirements of the *Workplace Gender Equality Act, 2012 (the Act)* and associated Legislative Instruments provide for the collection of a unique and world leading data set. In February 2017 in accordance with subsection 12(2A) of the Act, the Director of the Workplace Gender Equality Agency submitted a progress achieved on gender equality indicators.

Agency Director Libby Lyons provided the following advice:

“After three years of full reporting under the Workplace Gender Equality Act 2012 (the Act), measurable change is underway. The gender pay gap is declining, the representation of women in senior management roles is increasing and the proportion of employers reporting that they are taking action on gender equality is growing. For the first time, more than 70% of Australian employers report having policies in place to support workplace gender equality.”

The Workplace Gender Equality (Matters in relation to Gender Equality Indicators) Instrument 2013 (No. 1) (the Legislative Instrument) took effect on reporting requirements in 2015-16 with 2016-17 being the second year of changed reporting requirements. Indications are that organisations have adapted well to these changes.

In the 2017 report to the Minister the Agency shared stakeholder observation and stakeholder feedback including possible considerations for the amendment of legislation to streamline reporting and improve the Agency's dataset including:

- Adding employee age (date of birth).
- Adding the number and gender of independent contractors which employers engage.
- Requiring employers to report in relation to each entity, not the corporate structure.
- Removing the requirement to provide data on the availability of carer's leave.
- Amending the term “employee” to include equity partners in professional services firms who are currently not captured in reporting matters relating to:
 - the number and proportion of employees who have been promoted;
 - the number and proportion of employees who have resigned; and
 - the proportion of employees who ceased employment during or at the end of a period of parental leave.
- Requesting information on whether employers pay superannuation for carers while on paid parental leave.
- Removing the requirement to report on a manager's distance from the CEO (or equivalent).
- Adding whether sex-based harassment and discrimination training is provided to all employees (not only managers).
- Adding utilisation of flexible work arrangements

The report also notes that further exploration including a comprehensive feedback process with relevant stakeholders, would be undertaken prior to any actions being taken in respect to the observations outlined.

Technology

The online reporting functionality assists reporting but improvement of the system is an iterative process as the lessons from practical experience and impact of change to the Legislative Instrument are incorporated. The lead time for system improvements can be 12 to 18 months.

Agency capacity

With an average staffing level of 30 and a modest annual appropriation it is important that WGEA focuses our limited resources efficiently to the actions which will most improve our performance as a regulator and we appreciate the partnership of our stakeholders in assisting to identify those priorities through feedback and consultation.

Available Evidence

In development of key performance indicators it was important to consider what evidence was readily available to demonstrate how well the Agency executes its regulatory function. The Agency has included a number of quantitative and qualitative measures and notes that some activities and measures are applicable across multiple KPIs.

Key to symbols

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Quotes

Throughout the report several stakeholder comments and user quotes have been included. These have been gathered during a variety of consultation process including the development of the Agency Digital Roadmap, monitoring of inbound calls during the report submission period, industry roundtables, workshops, post webinar surveys and our customer records management system.

These quotes are shown in grey italics.

KPI 1 - Regulators do not unnecessarily impede the efficient operation of regulated entities

Measure 1.1

Understanding of the operating environment of regulated entities

1.1.1 Stakeholders are engaged to enhance the clarity and minimise the compliance costs of completing the reporting questionnaire

The Agency has established consultation mechanisms in the form of a User Working Group and a Data Consultation Group who were engaged throughout the year for input on various reporting related issues.

In November 2016 the Agency gathered a group of 12 stakeholders to provide feedback and input into proposed changes to the layout and formatting of the Agency's reporting questionnaire. The outcome was simplified wording and a more streamlined format for the 2016-17 questionnaire. The Agency received fewer inquiries than in previous years suggesting that employers are finding the reporting process simpler.

In support of transparency and honouring our commitment, in December 2016 the Agency provided feedback on the 2016 stakeholder survey outcomes to approximately 160 interested stakeholders.

Senior Advisers in the Advice and Reporting Unit maintain a log of feedback from regulated entities whether over the phone or email or during the Agency's webinar series. This log is reviewed and actioned before reporting each year and has led to changes to the reporting questionnaire, workplace profile and education resources.

1.1.2 The Agency undertakes environment scanning to review and modify its regulatory impact to meet legislative requirements and minimise compliance costs

The Agency and the team business planning process includes a scan of the environment. Agency staff are out and about speaking at public functions (89 in 2016-17), coordinating CEO and industry roundtables and attending a variety of forums and meetings. These activities together with media monitoring and participation in the Community of Practice for Commonwealth Regulators keep Agency staff attuned to the prevailing environment and open to opportunities to improve performance.

The Agency is a member of the Data Champions Network Initiative. The purpose is to share knowledge across government and promote responsible capture and use of government data. Through this channel the Agency has increased its awareness of broad government initiatives and has identified opportunities to leverage off the expertise of other government agencies to improve its data management approaches. This has enhanced the capacity and capability within the Agency to it adopts best practice in collecting and managing information. The network met four times during 2016-17.

Measure 1.2

Minimising the potential for unintended negative impacts

1.2.1 The Agency undertakes regular, ongoing consultations and engagement with stakeholders on policies and procedures, including independent experts and industry associations to meet legislative requirements, ensure clarity and minimise compliance costs.

The Agency has a Data Consultation Group which is comprised of independent experts and industry associations. The focus of this group is on the use of the data collected which helps ensure that there are not

redundant data being collected. This in turn supports minimising compliance costs by ensuring that the information collected is required and used.

1.2.2 The Agency seeks and responds to feedback from regulated entities to ensure clarity and minimise compliance costs.

The Agency has a range of accessible feedback mechanisms by way of established working groups and biennial stakeholder surveys. In addition Agency contact details are included on the website, in correspondence and in guidance materials. In 2016-17 the Agency met its target of responding to email inquiries within two working days. For more complex inquiries an interim response is provided to inform of progress. Phone inquiries are either addressed immediately or promptly followed up. Staff are allocated to daily monitoring of and response to phone and email messages.

1.2.3 Regulatory activities co-designed with regulated entities to meet legislative requirements, ensure clarity and minimise compliance costs.

The Agency has formed a User Working Group which has representatives covering reporting organisations from a variety of industries and of different sizes and structures. During 2016-17 this group was called upon for input into changes to simplify the reporting questionnaire.

Gender equality educators' roundtables are conducted bi-annually. These events assist to identify emerging gender equality issues and opportunities for collaboration to fulfil the legislative requirement to support employers to improve gender equality outcomes. In 2016-17 the roundtables were conducted in July and December with the insights gleaned informing the Agency's overall education strategy.

The Agency also participated in six industry roundtables in 2016-17.

Measure 1.3

Implementing continuous improvement strategies to reduce the costs of compliance

1.3.1 The Agency develops and undertakes a program of reporting review and improvement to meet legislative requirements, ensure clarity and minimise compliance costs

The Agency reviewed and simplified the wording of the reporting questionnaire in 2017 with advice from a behavioural economics expert. It is anticipated this will provide significant time saving in years to come when combined with the pre-population function introduced in 2015-16.

User quote: "Simplify and reduce the length of your resources. Including the reference guides for the Compliance reporting"

All guidance documentation is reviewed annually and 2016-17 saw the introduction of responses to frequently asked questions to the website. The Agency's education strategy developed during 2016-17 has prioritised the delivery of information in "bite size chunks". The online reporting reference guide has been identified for restructuring to a more engaging format.

The Agency reviews the operation of the IT systems related to reporting on an annual basis and invests in system enhancements which give priority to improving the experience for reporting organisations whether through functionality, ease of use or clarity of layout. In 2016-17 developments included the introduction of the automatic correction function to the workplace profile and improvements to the secure login process using AUSKey.

KPI 2 - Communication with regulated entities is clear, targeted and effective

Measure 2.1

Providing appropriate guidance and information

2.1.1 The Agency reviews guidance to ensure that they comply with government accessibility guidelines.

All written guidance for reporting organisations on the Agency website meets the Web Content Accessibility Guidelines (WCAG 2.0) adopted by the Australian government. In addition to printed guidance material the Agency provides a range of webinars with audio and visual content (with transcripts) covering reporting requirements and how to report. These webinars are recorded and available from our website.

2.1.2 Approved procedures and guides for communications are periodically reviewed and amended to reflect stakeholder feedback on effective communications and are available for staff use when interacting with regulated entities.

All reporting guidance material is reviewed and updated annually.

The Agency produced a suite of frequently asked questions (FAQs) which were published on the website and promoted on social platforms. Clear responses were provided to the most commonly asked questions. Website analytics show there were 1,314 views of the FAQs between 1 April 2017 and 30 June 2017.

User quote: "The newsletter is a great idea. Links into my inbox are good. They prompt me to click straight through."

2.1.3 The Agency integrates communication strategies in all externally facing projects to ensure efficient and clear communication with regulated entities.

All Agency project plans include a stakeholder engagement plan. In addition the Agency has a coordinated schedule for external communications which is reviewed and updated annually. The Agency is keen to ensure that communication across all channels including email, social media, website and webinars is timely, relevant and targeted. The goal is to ensure reporting organisations do not overlook important information but are not bombarded with excessive correspondence.

2.1.4 The Agency communicates appropriately with regulated entities to support proactive compliance to minimise action to redress non-compliance

During 2016-17 the Agency utilised multiple forms of communication to inform and prepare reporting organisations for their reporting obligations and to assist them with the process.

These include:

- Media release regarding the commencement of reporting
- Online guidance and calculators
- Responses to frequently asked questions online
- Webinars including live demonstrations of reporting online
- Targeted direct email campaigns to CEOs and nominated reporting contacts
- System generated pop ups with guidance messaging
- System generated specific emails regarding data quality anomalies

- Registered post advice regarding potential non-compliance status
- Cross Agency telephone follow ups with CEOs and reporting contacts
- Industry and CEO roundtables where issues and information can be shared
- Stakeholder survey
- Response to phone and email inquiries and comments

All Agency communications outline who to contact or where to find additional information if required. Wherever possible, email inquiries receive a response within two working days.

2.1.5 The Agency provided timely and accessible telephone support for reporting organisations during reporting periods [1 April to 30 June]

During the period 1 April to 30 June 2017 the Agency received 6,678 phone calls to the main reception number. 2,958 of these calls were managed by first line help and the remaining 3,720 were referred to Senior Advisers for more detailed assistance.

User quote: “Everyone is very helpful and accessible. I never experience frustration with Agency staff.”

Understandably call volumes increased significantly as the due date for report submission approached. Despite the size of the Agency and the high call volume the average queue time for reception during this period was 22 seconds and the average queue time to speak with Senior Advisers was 2 minutes 33 seconds.

All Agency staff undertake annual training to enable them to professionally and efficiently assist reporting organisations during the peak workload of the report submission period.

KPI 3 - Actions undertaken by regulators are proportionate to the regulatory risk being managed

Measure 3.1

Applying a risk-based, proportionate approach

3.1.1 The Agency adopts a transparent and risk management approach to exercising discretionary powers under Section 19D of the *Workplace Gender Equality Act 2012*.

Under Section 19D of the *Workplace Gender Equality Act, 2012* (the Act), the Agency may, by electronic or other means name an employer if they fail, without reasonable excuse, to comply with the requirements of the Act. In practical terms, the list of non-compliant employers will appear on the Agency website and in the Annual Report. A reasonable excuse must not simply be a deliberate act of non-compliance rather it should be a circumstance that prevented the relevant employer from meeting their requirement which was unforeseeable or outside the organisation's control.

In 2016-17 the Agency exercised discretion and did not name (DNN) 4 employers who were not compliant with the Act based on evidence of a reasonable excuse.

The most common reason for a decision to be made to DNN an organisation is where the organisation is in receivership or in liquidation and there is no sale of the business as an ongoing concern. The evidence to validate these circumstances may include a public notice of administration or notice from the Australian Securities and Investments Commission (ASIC).

WGEA has an established process to investigate, validate and document the circumstances of organisations and the ultimate approval for DNN rests with the Accountable Authority of the Agency.

The Agency has published information regarding the DNN process on the Agency website.

3.1.2 The Agency adopts a transparent and risk management approach to exercising discretionary powers under Section 17 of the *Workplace Gender Equality Act 2012*.

Under Section 17 of the Act, the Agency may approve a request to extend the period of time for reporting organisations to submit their annual report. The extension cannot exceed six months and it must be considered that there are reasonable grounds for the extension.

Granting extensions to reporting organisations can lead to a delay in data cut off and less time for detailed analysis by the Agency. The production of publications such as *Australia's Gender Equality Scorecard* and the annual data launch may also be impacted. Timely provision of quality data must be balanced with support to employers who are unable to meet the report submission deadline.

The Agency granted 676 extensions of time to reporting organisations in 2016-17 from a total of 718 requests.

The reasons for approval of extensions vary but include:

- the CEO being unavailable to sign and approve submission of the report,
- the key contacts have suffered an illness,
- additional time is required to check the data,
- the person charged with the responsibility of submitting the report is inexperienced in the preparation of the information and didn't realise how much work is involved,
- the organisation is experiencing issues with AUSkey,
- the organisation has undergone a restructure and access to information has been restricted
- a change of contact details has resulted in the correspondence from the Agency regarding reporting not reaching the relevant person

Each request for extension is discussed with the organisation. WGEA Senior Advisers are frequently able to assist organisations with their reporting issues enabling them to report on time and negating the need to grant an extension.

The Agency has published information on the Agency website regarding the extension process.

3.1.3 The Agency regularly reviews its approach to promoting compliance within legislative parameters.

Each year, the Agency communicates regularly with all chief executive officers (CEO) and report contacts, from reporting organisations, on their reporting obligations and offers them assistance in complying with the Act. After the report submission due date, the Agency is required to write to employers who have not submitted a report to inform them that they have 28 days to submit their report or risk being non-compliant with the Act. In effect, this gives employers three months to submit their report.

The Agency proactively engages early with organisations which have been non-compliant in previous years, or have been late reporters, and offers information and assistance to help them to meet their legislative obligations.

KPI 4 - Compliance and monitoring approaches are streamlined and coordinated

Measure 4.1

Implementing continuous improvement strategies to reduce the cost of compliance

4.1.1 The Agency undertakes a program of reporting review and improvement

During 2016-17 the Agency continued to prioritise streamlining of reporting and reduction of the regulatory burden on employers. Improvements to the secure login process using AUSKey are estimated to save up to half an hour for each new user login and several minutes on each subsequent login. AUSKey related inquiries to the Agency during reporting were reduced by 64%.

In addition an auto correction feature was added to the workplace profile template. The system now automatically corrects misspelled entries (from a suite of common errors) instead of requiring employers to amend their submission. This amendment is estimated to reduce the time spent by employers on completion of their workplace profile by 20 minutes per entity.

In response to feedback the Agency has revamped the reporting questionnaire to include simpler language and a cascading display which only shows the questions or information relevant to the reporting entity. To make completion of questions easier links to more information are also embedded in the questionnaire.

In 2015-16 the Agency commenced an IT pilot project to explore options for automated reporting which have the additional potential to capture information on non-manager occupational categories on a more granular basis giving greater opportunities for comparison. The project has involved working across government and with the software industry to scope workable and sustainable solutions. The project has continued through 2016-17.

4.1.2 The Agency undertakes an ongoing program of education of reporting entities to minimise the compliance costs of reporting as required by legislation

WGEA has a suite of more than 70 online education resources with the Agency's website acting as an information hub. In 2016-17 there were 20,746 downloads of reporting-related resources.

User quotes: "We learned how to use the online tool with a webinar. That was good quality content."

The Agency held 15 Australia-wide webinars including live demonstrations of the online reporting system to assist companies with their annual compliance reports. This proved a popular and effective way of supporting employers to report. In total, 1,578 people participated in online reporting webinars with Agency staff, allowing greater reach than has previously been achieved with face-to-face reporting workshops. These webinars are recorded and a further 607 views were made of these recordings on You Tube. The Agency also provided tailored telephone advice and support to employers.

All reporting related guidance material and training is reviewed and updated annually.

Measure 4.2

Ensuring processes administered are transparent and streamlined

4.2.1 The Agency ensures legislated reporting requirement procedures are transparent and appropriately administratively simple

A level of complexity remains in both what is reported annually and the means of collection.

There will always be a balance to be struck between comprehensive quality data and ease of compliance. Reporting under the Act, as it stands, requires employers to draw on business information from a range of sources and systems. The Agency will continue to work across government and with the software community and relevant employers to explore options to streamline the processes in an economically sustainable way.

The Agency ensures it provides expert tailored advice and step by step guidance to assist reporting organisations to meet their compliance obligations. The templates currently used were designed to suit different levels of IT system maturity and validations are inbuilt in the reporting workflow which reduces the opportunity for error.

In 2016-17 the Agency introduced simplified processes for secure log in to the reporting portal using AUSkey. It is estimated this process change saved up to half an hour for each new user and several minutes at each standard log in. There was a reduction in AUSkey related inquiries during the 2017 report submission period from 982 in the previous year to 361 (63%).

KPI 5 - Regulators are open and transparent in their dealings with regulated entities

Measure 5.1

Ensuring reporting requirements are available in a clear, understandable and accessible format

5.1.1 All materials are available from the website and are clear, understandable and accessible.

The Agency website meets WCAG 2.0 requirements. Materials vary and include written guidance, screen shots, templates, indicative formats, calculators and videos. Webinars that are conducted are recorded and transcribed for ongoing access. During 2016-17 the Agency expanded its webinar program which attracted 1,548 participants.

Measure 5.2

Remaining open and responsive to requests from regulated entities

5.2.1 The Agency actively seeks feedback and takes action to improve its regulatory activities

The Agency has a range of accessible feedback mechanisms including established working groups and stakeholder events. In addition, Agency contact details are included on the website, in correspondence and in guidance materials.

The Agency maintains a customer records management system to record and analyse interactions. In the period 1 April to 30 June 2017, the Agency responded to 7,776 reporting related issues either by phone or email. Analysis of the nature of these inquiries help the Agency establish priorities for both system improvements and amendments to process or guidance material.

5.2.2 The Agency undertakes regular, ongoing consultations and engagement with stakeholders on the operation of the regulatory framework to meet legislative requirements, ensure clarity and minimise compliance costs.

The Agency further broadened its reach through participation in 89 public speaking opportunities in 2016-17 together with participation in six industry round tables and the two educator roundtables.

The Agency continued its successful partnership with the Bank West Curtin Economic Centre and developed a new collaborative project with McKinsey and the Business Council of Australia to explore the utility of the data currently collected and identify data not currently collected that may be a strong predictor of gender equality outcomes.

The Agency continues to consult broadly across government and the software development community to explore means of streamlining reporting and enhancing the data collection process. The Australian Taxation Office, Department of Employment, Digital Transformation Office, Australian Bureau of Statistics and Australian Business Software Industry Association were just some of the entities engaged.

5.2.3 The Agency responds to Freedom of Information (FOI) requests related to regulated entities.

The Agency has not received any FOI requests during 2016-17.

Measure 5.3

Publishing the Agency's performance measurement results in a timely manner

5.3.1 Regulator Performance Framework KPI results are published annually to the website

The Agency publishes Regulator Performance Framework KPI results on the website by the required publish date each year.

KPI 6 - Regulators actively contribute to the continuous improvement of regulatory frameworks

Measure 6.1

Periodically reviewing its administration of reporting requirements

6.1.1 The Agency complies with requirements to report to Government

Section 12(2A) of the *Workplace Gender Equality Act, 2012* requires the Agency to submit a report to the Minister on the progress achieved in relation to gender equality indicators (GEIs) as soon as practicable after the end of the two year period ending on 31 May 2016, and each later two-year period.

With the approval of the Minister this report was submitted at the end of February 2017 and tabled shortly thereafter. This ensured the inclusion of data from the 2015-16 reporting period. The inclusion of data from three years of reporting provided a more meaningful analysis of the progress achieved in relation to the GEIs.

The report concluded the legislation is operating well in practical terms and shared insights from stakeholder feedback which presented issues for further consideration and exploration.

6.1.2 The Agency actively participates in and contributes to reviews of its administration

The Workplace Gender Equality Agency was not subject to a review of its administration in 2016-17.

The Agency contributed to the reduction of regulatory burden within the Employment portfolio through the simplification and streamlining of the reporting questionnaire and the removal of additional steps in the secure log in process.

Measure 6.2

Establishing cooperative and collaborative relationships with stakeholders

6.2.1 The Agency undertakes regular, ongoing consultations and engagement with stakeholders on the effective and efficient operation of the regulatory framework to meet legislative requirements, ensure clarity and minimise compliance costs.

The Agency continued its engagement with stakeholders in 2016-17 through the Data Consultation Group and the User Working Group to enhance the operations of the regulatory framework.

In addition there was targeted engagement to inform the development of the Agency's digital roadmap, to seek views in respect to aspects of Senate Submissions and to discuss the implications of entity level reporting for complex hierarchies.

The Agency further broadened its reach through participation in 89 public speaking opportunities in 2016-17 together with participation in six industry round tables and the two educator roundtables.

The Agency continued its successful partnership with the Bank West Curtin Economic Centre and developed a new collaborative project with McKinsey and the Business Council of Australia to explore the utility of the data currently collected and identify data not currently collected that may be a strong predictor of gender equality outcomes.

Stakeholder quote: “We value very highly our partnership with WGEA, and the opportunity it affords us to strengthen the evidence base on such a critical issue.”

The Agency continues to consult broadly across government and the software development community to explore means of streamlining reporting and enhancing the data collection process. The Australian Taxation Office, Department of Employment, Digital Transformation Office, Australian Bureau of Statistics and Australian Business Software Industry Association were just some of the entities engaged.