

ADDRESSING SEXISM IN AUSTRALIAN TECH & INVESTMENT

RESOURCES FOR DEALING WITH SEXIST
DISCRIMINATION, BULLYING, HARASSMENT,
ABUSE, AND ASSAULT.

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PURPOSE

This document seeks to provide a collection of best practice solutions, crowdsourced from hundreds of industry participants, on how to better deal with sexist discrimination, bullying, harassment, abuse, and assault.

So this document is not complete now and may never be – and that’s the point.

It is a living document of options for companies and individuals to read, discuss, adopt, build from, and improve on. It will be added to, and edited, as new ideas become available and more ecosystem players choose to contribute their insights and experiences.

We are therefore still seeking a wide range of inputs from a wide range of contributors.

Inputs:

- Additional Codes of Conduct and Enforcement Measures
- Editing assistance to better build out the narrative around why this matters
- Shared experiences to inform its contents, or to be included as case studies
- Examples and case studies that other industry leaders can learn from

Contributors:

- Diversity, equity, and inclusion (DEI) experts
- Human resources professionals, including those with expertise in workplace bullying and harassment
- Founders/entrepreneurs and startup staff (current and former)
- Anyone with ideas that would help to stamp out work behaviours
- Leaders of tech companies
- Leaders of investment firms

Please note that this document is not an endorsement or an assessment of what might be best practice for every single individual and company.

Rather, it is a collection of resources anyone can access to identify what might work best for them or their organisation, wherever they are in their journey towards more diverse, equitable, and inclusive workplaces.

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Section 1: The Argument

We begin the document with a series of **Definitions** explaining exactly what we mean by the various terms used throughout the resource, as they relate to sexism. We haven't defined technical investment or technology terms, as these terms are not under dispute.

We then provide insights into **The Problem** as we see it, in order to explain why this resource needs to exist in the first place. This includes differentiation and interplay between two different "buckets" of issues (the "gaps" bucket and the "disrespect / trauma" bucket) and several of the findings from over 40 conversations with tech and investment sector participants, and input from hundreds.

The Cost of inaction in financial and economic terms is then set out starkly, just in case there was any need for more convincing as to why it all needs to be resolved.

We then explore **Efforts to Date** and **Impediments to Speaking Out** as a way to explore why the issue hasn't yet been resolved, including why many organisations and individuals haven't done more to address these issues.

Section 2: The Resources

- **Codes of Conduct** from companies seeking to engage in best practices via a written expectation of behaviour.
- **Leadership Statement** template
- **Employee Survey** example questions
- **Policies and Procedures** around harassment, corruption, bullying
- **Sexual Harassment Prevention Strategy** template
- **Methods of Structural Enforcement**, i.e. reactive strategies and consequences participants are employing to enforce their code of conduct
- **Methods of Non-Structural Enforcement**, e.g. day-to-day suggestions to counter sexism, harassment, bullying and assault; data and monitoring (company and ecosystem-level), horizontal networks / support services for victims (outside of the hierarchy of a company or fund); capability building and training; and awareness-raising initiatives such as The Grapevine
- **Clear Gaps and Possible Solutions**

SECTION 1: THE ARGUMENT

- * DEFINITIONS
- * THE PROBLEM
 - * THE COST
- * EFFORTS TO DATE
- * IMPEDIMENTS TO PEOPLE & COMPANIES
SPEAKING OUT

DEFINITIONS

Resources for dealing with sexist discrimination, bullying, harassment, abuse, and assault.

Sexism is prejudice or discrimination based on sex or gender, especially against women and girls, or the belief that one sex is superior to or more valuable than another sex. It imposes limits on what men and boys can and should do and what women and girls can and should do. It functions to maintain patriarchy, or male domination, through ideological and material practices of individuals, collectives, and institutions that oppress women and girls on the basis of sex or gender. (Britannica)

Discrimination is the unjust or prejudicial treatment of different categories of people, especially on the grounds of ethnicity, age, sex, or disability. the unjust or prejudicial treatment of different categories of people, especially on the grounds of ethnicity, age, sex, or disability. (Oxford) It is different to **affirmative action**, which seeks to reverse historical trends of discrimination against individuals with certain identities. (Investopedia)

Bullying is when people repeatedly and intentionally use words or actions against someone or a group of people to cause distress and risk to their wellbeing. These actions are usually done by people who have more influence or power over someone else, or who want to make someone else feel less powerful or helpless. Bullying is not the same as conflict between people (like having a fight) or disliking someone, even though people might bully each other because of conflict or dislike. (Australian Human Rights Commission)

Harassment may be an ongoing pattern of behaviour, or it may be just a single act. It includes any form of behaviour that you do not want; offends, humiliates or intimidates you; and/or creates a hostile environment. It may be perpetrated by a person in a position of power over the victim, for example their supervisor at work, or it may occur where there is no power relationship, for example among work colleagues. It's important to understand that if you find a particular behaviour offensive, humiliating or intimidating, and it relates to your sex, race, age or any of the listed elements, then it is harassment. It doesn't matter how the harasser or anyone else perceives the behaviour. (NSW Government SafeWork)

Abuse is defined as any action that intentionally harms or injures another person. There are many kinds of abuse encountered by adults, including physical abuse, psychological abuse, rape, sexual assault, verbal abuse, elder abuse, financial abuse, spiritual abuse, emotional abuse, unjust practices, coercion, and more. Many forms of abuse are illegal. (multiple sources)

THE PROBLEM

Why is this collection of resources needed?

Report after report, and news story after news story, outline in detail the sexism plaguing the Australian investment and technology sector.

And the issues highlighted therein are demonstrably worse for women of colour, LGBTQI women, women with a disability, or any woman at the intersection of one or more additional forms of disadvantage. Men who also fit any of the above categories also suffer disadvantage comparative to men who don't, as do gender nonconforming people.

So the issues facing women and marginalised people are complex and widespread. They also appear to sit in two distinct buckets.

The "gaps" bucket: In the one bucket is the multitude of ways marginalised founders are not being supported at equal levels to their non-marginalised counterparts. This bucket contains issues such as funding gaps, leadership gaps, STEM participation gaps, advancement gaps, pay and superannuation gaps and many others.

The "disrespect/trauma" bucket: In the other bucket are issues that are a little more sinister. In this bucket are incidences of sexual harassment or assault; belittlement and bullying; overt and benevolent sexism, racism, and homophobia; discrimination against mothers; meritless underestimating of ability; and more.

The challenge here is in apportioning responsibility, because one bucket appears full of systemic issues that no individual can be held accountable for, while the other is full of terrible actions that no one feels personally responsible for. Yet the problems exist, and they are coming from somewhere.

There is also some feeding going on across buckets, even if they may initially seem like entirely separate buckets. Because if we look closely we can see that the "disrespect/trauma bucket" contributes heavily to creating the 'gaps' bucket.

For instance we know that sexism contributes to salary and superannuation gaps, and we know that meritless underestimation of ability contributes to advancement and leadership gaps. These gaps emerge as a direct result of sexist thinking, attitudes, and ideas that fill the disrespect bucket and translate to sexist actions and behaviours broadly.

Sexist thoughts and actions can be enacted by people of all genders, cultural backgrounds, roles, and walks of life. However the data shows that in the majority of cases these acts are committed by people not belonging to the aforementioned classes of disadvantage, against those who do.

Speaking with Victims

Over the last few months, we've conducted over 40 interviews with tech & investment industry leaders, and had input from hundreds. During these conversations, we heard dozens of harrowing stories of people being harassed, abused, and discriminated against from other participants in this same ecosystem.

And just because it isn't being reported or you haven't witnessed it, doesn't mean it's not happening, nor that it's a rare problem.

This is why it's so critical to highlight just how common the experience of harassment, abuse, and discrimination is for women and other minorities in the investment and technology industries.

The number and types of stories we've heard are too numerous to list, but just a couple for emphasis:

- A male company CEO bringing a single red rose to an M&A discussion with a female founder of a company he was looking to buy, calling her 'sushi eater' because she was gay but continually telling her how attractive she was and asking if she would consider turning.
- A female executive who, after finding out a person she had hired was the subject of an extremely traumatic blog post which alleged he had committed sexual assault, engaged with the male executives of the company for advice. They gave her two options - one was to ask the women if the assault actually happened or was hindsight remorse, the other option was to consider if the allegation was true, would it negatively impact this person's ability to be effective in the role.

When individual's workplaces and livelihoods are tied to their decision to report these types of workplace safety issues, they often won't. Many are fearful of being labelled the complainer, the troublemaker, 'that' woman or man.

Nevertheless, it is a workplace safety issue and workplaces have a positive duty to make sure their workplaces are safe. It's therefore critical that we - companies and individuals - provide other solutions for stamping this out that do not rely on victim reporting. Instead the resources must rely on giving people the tools to call it out when it happens to others, to have real consequences for the perpetrator when it does happen, and to take a community, whole-of-ecosystem approach rather than single large players leading from the front. This is because, as well meaning as they might be, some of our larger investment institutions are now so powerful and influential, no one wants to get them offside, so they have become a 'lame duck' in influencing change.

As has been outlined already, the issue is complex. But we must tease out these complexities and offer options and solutions to meet companies where they are at, and encourage positive momentum.

THE COST

There are huge financial costs of inaction.

In 2023, the Women's Economic Gender Equality Taskforce put a dollar value on sexism across Australia. **"In the crudest terms, \$128 billion is the value to the Australian economy that can be realised by purposefully removing the persistent and pervasive barriers to women's full and equal participation in economic activity,"** said Chair Sam Mostyn.

Globally, completely closing the gender labour force participation gap (47 percent for women versus 72 percent for men) could add **\$28 trillion** to global GDP. For perspective, this is roughly the combined size of the United States and Chinese economies.

Quantifying the cost of sexism specifically within **the Australian technology and investment sectors** presents a complex challenge, as direct financial data on this issue may not be easily available. However, insights from related areas highlight the broader impacts of sexism, which can indirectly inform an understanding of its costs.

For instance, the Respect@Work: Sexual Harassment National Inquiry Report (2020) highlighted that workplace sexual harassment is (conservatively) estimated to cost the Australian economy an estimated **\$3.8 billion annually**, primarily due to lost productivity (**\$2.6 billion**) - a cost borne by employers.

McKinsey research also reveals that a lack of gender diversity carries a **major opportunity cost for both individual tech companies and the entire sector**, because diverse teams are on average "more creative, innovative, and, ultimately, are associated with greater profitability". This strong positive correlation between higher levels of employee diversity and stronger financial performance has been demonstrated consistently across sectors and geographies, and tech is no different.

The Australian tech sector must also be fully aware by this point about the very real, immediate costs that result from a lack of diversity and inclusion in the form of share price harm, lower market share, HR costs, brand damage, and public relations costs, among others.

This all underscores the economic costs of sexism, which go beyond the direct impacts of sexual harassment to include wider gender disparities in pay, career progression, and financial security in retirement.

Addressing these issues requires concerted efforts from a broad range of stakeholders if we want to not just ensure equitable treatment and opportunities for all individuals, but also .

EFFORTS TO DATE

The reports of harassment and sexism in the tech and investment sectors continue despite efforts and attention to the issue from key players over many years, and broader efforts from the corporate landscape to stamp out such practices.

However, unlike some of the well-resourced companies within the corporate sector, the tech and investment sectors consists mostly of small-to-medium businesses with tight budgets and financial runways measured in months.

Other risk factors specific to the industry contribute:

- Companies are often led by people with limited training on how to create an environment that is both inclusive and productive
- Most companies. have no HR function until many years down the track
- Boards are often comprised of investors who prioritise financial outcomes over cultural outcomes
- The informal culture encouraged across the industry can leak into inappropriate behaviour in the absence of clear behavioural expectations
- The most obvious factor is, of course, a male-dominated culture

It became clear when talking to various participants that many weren't aware of options for addressing the issues, the ways in which they were actually contributing to some of the issues, and the open-sourced approaches that were already available.

IMPEDIMENTS TO PEOPLE & COMPANIES SPEAKING OUT

ABOUT SEXIST
DISCRIMINATION,
BULLYING,
HARASSMENT,
ABUSE, AND
ASSAULT

Common reasons people struggled to call out or deal adequately with discrimination, sexual harassment, bullying, and assault fell into two main buckets outlined below (including some that are disagreeable, but reflect the thoughts of some participants and thus important to include):

- **"Cancel Culture" and "virtue signalling"**. We have used quotation marks here, because these were the terms reflected back to us when interviewing participants in the ecosystem. We don't generally support the use of the term 'cancel culture' because it is regularly misused by abusers to falsely claim they have been 'cancelled' when in fact they have just been called out or held accountable for their behaviour or actions. Likewise, 'virtue signalling' is often used as a way to diminish or shame actions by companies, individuals or groups to address biases, although also sometimes used accurately to describe people who purport to hold a view in public but then take no tangible action to support that view. Nevertheless, this was a commonly-stated issue for the corporates or larger brands within the ecosystem. Specifically, there was a worry that making too much of a public statement around stamping out sexual harassment for example, or supporting female founders, sets them up for public/media criticism and brand risk if they fall short or don't meet certain targets. They felt it was easier from a brand reputation perspective to have internal approaches and structures in place, but not be particularly public in their condemnation of behaviour.
- **Not knowing how to do it.** Many people expressed a lack of confidence. Many startups for example don't have formal HR resources or Heads of People & Culture, and so many founders or executives are trying to navigate this themselves with limited training and education. Many people (men) have made comments that they don't necessarily agree that certain actions or behaviours are discriminatory, harassment, or abuse and feel uncertain how to navigate a complaint when they don't believe it has merit. Or that it often happens outside of a workplace and they aren't sure whether they have any right to step in. Some commented they didn't know how to step in when they saw bad behaviour without being fearful that they would be labelled a 'mansplainer', or a 'white knight' with a 'hero complex', or possibly put their own job at risk. Some also commented they just struggle with confrontation and will avoid it at all costs.

- **They don't think it's that big a problem or a big problem for them.** There was some commentary that these types of negative behaviours are rare and a fringe issue because they have rarely, if ever received any complaints in their workplace. Or, that they were the result of a few bad seeds who will eventually be whittled out by 'the system' over time. Or that because they have a HR person, or they are personally supportive of gender equity, their well meaning-ness will make them immune to it or will enable them to deal with it effectively. Critically, some commented very transparently, it's just not the highest on their priority list because while they recognise it's an issue that should be dealt with, it's just not THE burning issue when they are focussed on the things needed to keep their company alive. Some comments suggested the recent focus on this area was a symptom of 'wokeness' and 'victim mentality' - meaning that targets are using their 'perceived status as victims' to gain unfair or undeserved advantage in the workplace or that the system of merit was being upended by wokeness - i.e. the 'system' is just fine at allocating capital, jobs and opportunity equally, and sexism is a furphy used to excuse mediocrity or lack of merit.

The reality is several of the comments above are deeply problematic, and a reflection of perhaps why sexism, harassment and abuse are still rife.

SECTION 2: RESOURCES

- * CODES OF CONDUCT
- * STRUCTURAL ENFORCEMENTS
- * NON-STRUCTURAL ENFORCEMENTS
- * CLEAR GAPS & SOLUTIONS

OPEN SOURCE EXAMPLES OF BEST PRACTICE

TO ADDRESS SEXIST DISCRIMINATION, BULLYING, HARASSMENT, ABUSE, AND ASSAULT

It is worth stating that it is difficult to put in practice standards of behaviour without stating very clearly what those standards and expectations are. So, while people say codes of conduct are virtue signalling, or useless, We would argue they at least set the tone for what is expected from the people within the ecosystem you engage with, and provide a standard against which people can be measured for the purpose of enforcement - whether that is formal enforcement or cultural.

Recognising the issue of poor gender representation in the ecosystem, Blackbird (BB) did some hard work a few years ago to establish their code of conduct which would apply to the broader BB ecosystem (ie startmate, events etc) which they welcomed anyone to adopt. Few VC funds did (we believe Airtree and Tribe Global and Giant Leap have, although let us know if others did). In early-stage tech companies, we are aware of Harrison.ai and Canva having a code of conduct, but very few others have adopted one.

There is no industry wide code of conduct, we understand it has been discussed within the Tech Council of Australia, however there was pushback from members to have an industry code of conduct out of fear of a 'one size fits all' approach. Which is a reasonable request, however very few members (or participants) have, at least publicly, stated that they have a code of conduct, let alone one that is tailored to their specific situation.

The importance of being public about a code of conduct is so participants, employees, etc. have confidence that you will provide a safe environment and it's clear what will and won't be tolerated. And so that those who engage tangentially (as opposed to an employee) can easily understand the process for escalating a complaint.

While there have been no specific Australian surveys, recent statistics quoted in support for the passing of a Senate Bill in the US to require venture capital firms to disclose diversity metrics, stated that 56% of female founders endure discrimination or harassment. Part of the challenge for targets of harassment, discrimination and abuse is they take no action out of fear or unclear recourse. Codes of conduct are a public statement with transparency that helps to take the 'fear and unclear recourse' out of the equation for victims and targets.

The critical caveat that we think is important to state up front, is that at least for the VC Funds we spoke to, despite having codes of conduct, and a clear and transparent process for recourse, have had zero reports/complaints. Yet, we know the data and recent volumes of stories says that harassment and discrimination is rife in our industry. The specific issue is that for VC funds who hold disproportionate power and influence, targets are reticent to speak up lest it affect their ability to be employed within, or funded by the ecosystem for which they have intimate and multiple connections. Despite their best intentions, it's almost as though they are now too powerful to be an effective vector for change. There is still fear from targets that reporting an issue will mark them as difficult or in some way negatively tarnish their career prospects. Hence, we need a system or industry wide approach where the majority of participants engage on broadly similar terms and there is broad agreement about what won't be tolerated, so targets don't fear it will affect their careers to speak out or escalate a complaint.

Below are selection of codes of conduct to cover the spectrum of investors, industry bodies, to individuals.

CODES OF CONDUCT

ADDRESSING SEXIST DISCRIMINATION, BULLYING, HARASSMENT, ABUSE, AND ASSAULT

Blackbird Code of Conduct

Purpose

This is the code of conduct for Blackbird Ventures and Startmate. Our goal is to create a welcoming and inclusive environment for people who share our values of tolerance and inclusivity. To that end, we have adopted this code of conduct in order to support and welcome members of marginalised groups to our community, including people from marginalised racial or ethnic groups, women and non-binary people, sexual minorities including gay, lesbian, trans, bisexual, and asexual people, disabled people with disabilities, neurodivergent people, marginalised religious groups, higher weight people, parents and caregivers, and members of lower status (Marginalised Groups).

Scope

We expect everyone associated with Blackbird and Startmate to abide by this code of conduct, including employees, founders, funders, investors, mentors, advisors, students, volunteers, speakers, and attendees of our events. This code of conduct applies to all of these people in any setting associated with Blackbird and Startmate, including offices, work events, social outings, conferences, homes, lodging, phone calls, video conferences, emails, chat, social media, blogs, or other online communication. Blackbird and Startmate may take action against a person based on other information or behaviour outside the community if, in our judgement, there is an unacceptable risk to its membership from that person.

Unacceptable Behaviours

Comments or behaviour that discriminates against, stereotypes, or harms members of Marginalised Groups.

This includes but is not limited to:

- Disparaging remarks about marginalised racial or ethnic groups
- Racial or ethnic slurs
- Misogynist or sexist comments
- Homophobic or transphobic comments or slurs
- Deliberate misgendering (e.g., using different pronouns than requested)
- Deliberate use of names people have asked others not to use
- Negative comments about body size or shape
- Discriminating against pregnant people or mothers
- Discriminatory comments against members of marginalised religions as a group
- Negative comments or discriminating based on age or family role
- Speaking over or disbelieving the lived experiences of marginalised groups

Creating a sexualised environment. This includes but is not limited to:

- Sexual or sexually suggestive comments, jokes, insults, metaphors, etc.
- Discussing the sexual attractiveness or exploits of yourself or others, even if intended to be a compliment
- Unsolicited comments on someone's body to them or to others, even if intended to be a compliment
- Unsolicited comments on someone's self-presentation (dress, shoes, makeup, hair) that are sexually suggestive
- Detailed discussion of sexual preferences or activities (i.e., mentioning the gender or existence of your partner(s) is fine, discussing sexual preferences in hair color or body shape or type of sexual activity is not)
- Displaying sexual images where others can see them, including your personal computing devices if others might be able to see their screen
- Viewing or discussing sexually explicit or arousing content

- Patronising or discussing personal patronisation of sex workers (use caution and judgement when discussing sex workers or sex work in other contexts)
- Meeting in sexualised environments (e.g., strip clubs, dance clubs, pick-up bars)
- Organising business-related activities which require less or no clothing (e.g., meeting in hot tubs or saunas, throwing company pool parties)
- Creating an environment where people feel pressured to flirt, allow touch, dress in a sexualised manner, or otherwise engage in sexual or sexualised activity (e.g. in order to maintain access to networks or funding)
- Requesting others to keep your sexual activity secret or help cover it up

Sexual advances when they are clearly unwelcome, or in a context where it is difficult for the recipient to say no to your advances. Specifically, this code of conduct bans all sexual advances initiated by a person with significant power over the recipient, such as a person who influences funding decisions towards a person seeking funding, a conference organiser towards a speaker, or a coworker towards another coworker if they have influence over their career advancement. We strongly recommend that people in positions of greater power turn down sexual advances from someone they hold significant power over. Sexual advances include but are not limited to:

- Invitations to meet one-on-one in a situation not suited for business or for mainly non-business purposes (e.g., meeting at a bar with loud music and dim lighting, meeting and talking about business for 5 minutes, then asking personal questions)
- Invitations to meet one-on-one in a private space such as a hotel room, home, apartment, home office, or an office when no one else is likely to be present
- Showing up uninvited to someone else's private space, such as their hotel room, their home, apartment, and home office
- Making sexual comments, in person or by sending text messages, emails, voice messages, letters, or other form of communication
- Sending sexual photos or videos or sounds, of yourself or others
- Unsolicited questions about someone's marital or relationship status or sexual preferences, directly or indirectly (e.g., "do you have kids," "will your boyfriend be going to the party," "do you like girls")
- Unsolicited sharing of intimate information (e.g., "my wife and I barely have sex," "don't have kids, it kills your sex life")
- Implying sexual availability (e.g., "my wife will be out of town," "I get lonely in my hotel room")
- Sexually themed gifts
- Unsolicited private messages on social networks (if you must send a private message, ask publicly first if you may send a private message)
- Significant non-consensual escalations of intimacy without a business purpose (e.g., after receiving a group business email, replying to just one person to ask a personal question not directly related to business)

Sexual assault or coercion, including sexual activity under pressure or threat, for a reward, or in a context where it is difficult for the recipient to say no. This includes but is not limited to:

- Any sexual activity or touch without the express consent of all participants
- Implicitly or explicitly requesting sexual activity in exchange for reward including funding, referrals, future employment, promotion, or invitation to exclusive events
- Retaliating, threatening to retaliate, or implying retaliation against someone for refusing sexual advances (e.g. defaming, firing, withholding promotion, blocking interviews, giving negative reviews, or blocking funding)
- Beginning a sexual relationship with someone you have significant power over
- Non-consensual sexual activity of any kind, including with people you know or suspect to be underage, trafficked, forced, coerced, threatened, unconscious, mentally impaired, or unable to say no easily for whatever reason
- Creating an environment where people feel pressured to use drugs or alcohol, such as refilling someone's drink when they aren't looking, pressuring people to use drugs or drink more, engaging in drinking games, asking why people aren't drinking or using drugs, withholding rewards if people don't drink or use drugs
- Giving anyone any drug (including alcohol) without their fully informed consent (exception for medical personnel or life-threatening emergencies)

- Deliberately exposing one's genitals without consent of all viewers
- Engaging in sexual activity when you know that other non-consenting people can see or clearly hear it
- Using threats to reveal sexual activity, information, or photos to control someone
- Unwanted physical touch, restraint, assault, or threats. This includes but is not limited to:
 - Deliberate touch that is inappropriate for a business relationship (e.g. intentionally brushing up against someone, touching someone to get their attention unnecessarily, caressing someone's face)
- Physical violence, threats of physical violence, or incitement of physical violence towards any individual or marginalised group
- Encouraging self-harm
- Physically pinning or trapping people (e.g., standing so that someone can't get out from behind a desk, pinning someone to the wall, or standing in a doorway and refusing to move)
- Not allowing a person to leave a room, vehicle, seat, or other space, except in an emergency or to prevent greater harm

Harassment and stalking. Harassment and stalking includes but is not limited to:

- Seeking out and/or publishing private information without consent such as previous names, home address, or names of family members ("doxxing")
- Staring, leering, following without consent
- Photography or video or sound recording of someone that is done to make someone feel surveilled, or surreptitiously, or when there is an expectation of privacy, or when the subject has explicitly asked to not be photographed or recorded (we highly recommend asking for consent for all recording)
- Continued contact after a request to stop contact, even if for some positive purpose such as apologising or making amends
- Encouraging or enabling harassment by others
- Attempts to circumvent or weaken this code of conduct or its purpose. This includes but is not limited to:
 - Advocating for or supporting any unacceptable behaviour
 - Minimising, excusing, or defending any unacceptable behaviour (e.g. rape apology, blaming the victim, tone policing of victims)
- Prioritising the comfort of privileged people over the safety of marginalised groups
- Advocating for or supporting the oppression of marginalised groups
- Criticising targets of oppression for having an inappropriate emotional state in response to an unacceptable behaviour (tone policing)
- Deliberately making a false report
- Deliberately and repeatedly acting in a way that is almost but not quite a violation of the code of conduct
- Threatening, rewarding, or otherwise coercing someone to not report or lie about a violation of the code of conduct
- Engaging in any unacceptable behaviour satirically or ironically if you are not a member of the marginalised group being mocked (e.g. ironic racism by someone not a member of the targeted racial group, a man imitating a misogynist person).



Australian Investment Council

https://aic.co/AIC/AIC/Our-Industry/CoC_Obligations.aspx

Code of Conduct

The Code of Conduct (see pages 11 to 13) sets out the standards of conduct that Members must meet or exceed as a requirement of the Australian Investment Council membership. Members shall abide by this Code of Conduct and any other standards issued by the Australian Investment Council Board or a committee appointed by the Australian Investment Council Board. Members shall require their directors, employees, representatives and nominees to abide by this Code of Conduct. Each year when a Member renews its Australian Investment Council membership, it is expected to confirm its ongoing adherence to the Code of Conduct.

1. Integrity

1.1 We adhere to the Principles of the Governance Code and we conduct our business and manage our people and investments and implement business systems, processes and practices, in a manner that is guided by these Principles.⁴

1.2 We deal fairly and honestly with others in our conduct at all times

1.3 We do not malign, defame or criticise any other Member in any dealings with proposed client companies or otherwise.

1.4 We respect confidential information provided to us.

1.5 We conduct business in a professional way and we do not engage in practices that may be damaging to the professional reputation and image of the industry.

2. Compliance

2.1 We comply with all laws and regulations⁵ relevant to the conduct of our business, including, without limitation, the general conduct obligations applicable to us as an Australian Financial Services License (AFSL) holder and the conditions of our AFSL, and where applicable, record keeping, financial reporting and disclosure of interests by directors under the Corporations Act.

2.2 We only accept subscribed capital from verified sources into any of our funds in accordance with applicable anti-money laundering and counter-terrorism laws and regulations.

2.3 We maintain sufficient financial resources and insurances to meet the anticipated risks of operating our business.

2.4 We have internal policies and procedures to monitor our compliance with relevant laws and regulations, and the conditions of our AFSL.

2.5 We deal with regulators in a co-operative manner.

3. Australian Investment Council

3.1 We deal with the Australian Investment Council in an open and co-operative manner and where requested, subject to confidentiality, keep the Australian Investment Council informed of relevant matters concerning our activities.

3.2 We abide by all directives issued by the Australian Investment Council and notified to Members⁶, including its Board, committees and councils.

3.3 We acknowledge the importance of the objective measurement of the industry. We will co-operate with the Australian Investment Council in the collation of industry data and analytics and in the provision of performance data requested by the Australian Investment Council.

4. Relationships with investors and investees

4.1 We understand the requirements of our investors. We enter into an appropriate management agreement with investors (which may be the investment vehicle's constituent document).⁷

4.2 We acknowledge our primary business is investing in companies (whether established firms or start-ups) to develop innovation, develop management teams, improve business models and to build the strength and financial performance of our portfolio companies.

4.3 We actively monitor and manage potential and actual conflicts of interest and we pro-actively disclose and declare conflicts where necessary in accordance with the Corporations Act and our conflicts of interest policy.

5. Performance management and reporting

5.1 We adopt standards for measuring and reporting investment performance that conform to the International Private Equity and Venture Capital Valuation Guidelines adopted by the Australian Investment Council.

6. Marketing material

6.1 We comply with all regulatory requirements and all professional and regulatory standards when issuing marketing material and/ or placing advertisements for our products and services, including use of appropriate disclaimers and assumptions regarding historical and future performance.

6.2 All marketing material and offer documents that acknowledge membership of the Australian Investment Council include the following disclaimer: "The Australian Investment Council does not endorse this document. Investors should make independent enquiries prior to investing. Australian Investment Council does not take any responsibility for the contents of this document."

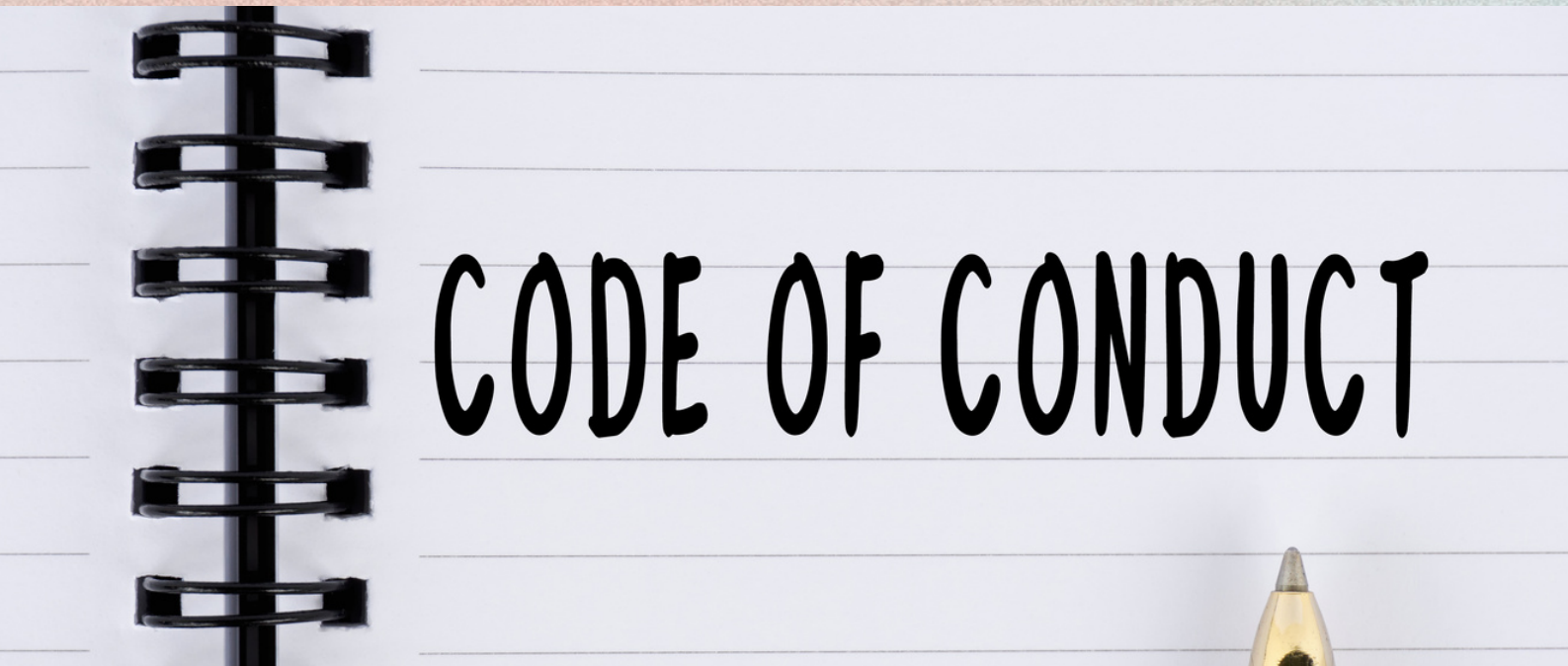
6.3 We provide the Australian Investment Council with draft sections of offer documents and any other marketing materials (including our website) that mention Australian Investment Council for approval. 6 Any directives will be included as an Appendix to this Code of Conduct.

6.4 We only insert statements in our offer documents and/or other marketing material (including our website) mentioning the Australian Investment Council with approval from the Australian Investment Council.

7. Media and public comment

7.1 In our engagement with media and public comment regarding the Australian Investment Council and public policy matters relevant to the PE and VC industry, we support the industry and the Australian Investment Council's role in representing the industry in a fair and impartial manner at all times.

Note – Michelle Seagart from the AIC agreed to look at updating their code of conduct to make it a broader code of conduct that covers LP, GP and investee actions.



CODE OF CONDUCT

An Angel Group Code of Conduct: (Southern Angels)

Southern Angels aims to create a welcoming, professional, and inclusive environment for its Members to meet with companies seeking investment. We commit ourselves to the highest ethical and professional standards. All our Members agree to abide by the following Code of Conduct.

Members:

- 1. shall act with honour, integrity, dignity, diligence and in good faith in order to merit the trust of their peers and of the community.
- 2. shall act with honesty, equity and without discrimination or harassment* towards all individuals in the community.
- 3. have an obligation to be ethical in judgement and actions.
- 4. shall promptly and properly disclose and manage any conflict of interests that may arise.
- 5. shall not engage in conduct likely to bring discredit upon their Angel investments, their peers, or the Southern Angels.
- 6. shall not take improper advantage of their position as an actual or prospective investor, or advisor.
- 7. shall not make improper use of information acquired as an actual or prospective investor, or advisor.
- 8. will respect and be cognisant of the confidentiality and copyright of all documents and materials provided by the Group and by suppliers, partners and other Angel organisations that deliver to members information, materials, education and advice via the Group.
- 9. acknowledge that confidential information received by members in the course of considering, making, or advising on an Angel investment remains the property of the person or company from which it was obtained and it is improper for the members to disclose, or allow to be disclosed that confidential information, unless that disclosure has been authorised by that company or person from whom the information is provided, or is required by law.
- 10. shall, where relevant, take reasonable steps to inform themselves, their peers, their portfolio companies and their advisors, of the social, environmental, economic and other possible consequences which may arise from their actions.
- 11. have an obligation, at all times, to comply with the spirit, as well as the letter, of the law and with the principles of this Code. Members shall not assist in or induce a breach of this Code and shall support those who seek to uphold the Code if called upon, or in a position to do so.
- 12. shall not use Southern Angels to tout their own commercial services to other Members or companies that present to the group.

* Southern Angels takes its obligation to provide an environment free of sexual harassment and discrimination seriously. Further details are available in the Southern Angels Sexual Harassment and Discrimination Rules, which are based on the Model Code of Conduct for the Australian Startup Community.(Blackbirds)



Individual Code of Conduct: (Jenna Polson)

Ensuring a diverse funnel

- Leverage communities of under-represented founders to identify common barriers and any unique support needs.
- Be active in a diverse range of online and in-person communities
- Support my colleagues to do the same
- Record the data: where I've been, who I've spoken to, what we discussed...
- Regularly assess the data for patterns of bias or disadvantage (and correct)

Founder conversations

- Be approachable and as casual as appropriate
- Be flexible with where and when I can meet
- Avoid (or explain) jargon, and don't expect it from others
- Consider every founder and idea objectively, seeking out elements of great potential even when it's packaged differently.
- Offer advice and coaching to support founders' success.
- Prepare my questioning to balance the promotional and preventative. Maintain that balance for everyone.
- Record the data: where I've been, who I've spoken to, content of discussions
- Regularly assess the data for patterns of bias or disadvantage (and correct)

Demonstrate objective decision making

- Always provide honest feedback
- Be transparent with the process
- Do the research
- Seek out views from those who think differently to me, who are likely to challenge my assumptions
- Be prepared to challenge others (with respect and good reason).
- Record the data: a decision diary outlines a decision made and the information it's based on, to avoid outcome or hindsight biases
- Regularly assess the data for patterns of bias or disadvantage (and correct)

Sensible precautions

- Keep 1:1 meetings to public spaces
- Keep interactions through professional channels
- Avoid alcohol-fueled conversations
- Remain modest and professional

When things aren't right

- Prepare go-to responses to respectfully point out potential biases, discrimination or inappropriate behaviour (whether directed at me or someone else)
- Bring a male ally into uncomfortable situations
- Escalate bad behaviour promptly
- Give myself time and space to process the emotions and bounce back

Champion the disadvantaged

- As I become experienced, pay forward support to aspiring a junior colleagues
- Be an advocate for caregivers and flexible work arrangements



REPORTING ENFORCEMENT ACCOUNTABILITY

FOR SEXIST
DISCRIMINATION,
BULLYING,
HARASSMENT,
ABUSE, AND
ASSAULT

Many participants like to say they have or are working towards a zero tolerance for discrimination, sexism and abuse. But that is lip service unless there is actually enforcement measures, structures for accountability and ACTUAL accountability that reflect those statements. As outlined earlier, codes of conduct lay the ground-work for enforcement measures by stating what behaviour will not be tolerated and the process for recourse if there is a contravention of conduct standards.

Actual accountability looks like:

- Starting from a position of believing the target/victim's account of the experience (this does not mean uncritical belief in allegations, it means starting from a position of assuming the victim has a fair complaint and then evaluating the circumstances and context)
- Properly investigating the complaint (this may involve independent third parties if necessary to ensure objectivity)
- Taking action to address the issue (ranging from a discussion about why the behaviour was deemed or interpreted to be inappropriate or appropriate, to removal of the offender)
- Communication of the action to address to the target /victim
- Putting steps in place to ensure there is not negative blowback to the target for making the complaint (from cultural measures to positively reinforce raising issues, to ensuring the victim isn't under the authority of the offender)
- Reporting to the Board to ensure there is transparency on incidences, how they were dealt with, to align with their positive duty and as a matter of risk and compliance.
- Follow up with both the target and the person they complained about (if they remain in the organisation) to see if the issue has been adequately resolved and/or to ensure there has been recognition of the behaviour, impact and meaningful change.

In our conversations over the last few months, we have heard countless stories of people who have complained about discrimination, harassment and abuse, and there has not been true accountability. Either the victim wasn't believed, or the victim when expressing their lack of comfort working for/under the authority of a perpetrator was pushed out because it was inconvenient to the company, to the complainant being labelled difficult which led to bullying, or there was absolutely no involvement of third parties who could objectively advise the management on how to handle the complaint, and it was handled poorly resulting in the complainant (or others) leaving. Some just simply took no action or insufficient action which made the complainant feel unsafe, disrespected and unvalued.

The other common thread was that while obvious contraventions were easier to spot and hold people accountable to (although we also heard several stories where this did not happen), the 'grey area' was the bigger issue. For example examples of 'toxic masculinity' that go unchecked but make for a non inclusive environment. What does that look like in tech and investment? Well, stories we heard ranged from 'typical private school boy behaviour' like hazing (causing new employees to be subject to some sort of abuse or uncomfortable activity to prove their commitment or cultural alignment) and sexual or homophobic banter, calling anyone who didn't have the same interests as them, or feminine interests as 'basic', 'gay' or minimising them, when women in their team were aggressive or assertive, or ambitious they would actively undermine them or push back, but tolerate or congratulate the same behaviour in men, leaving women out of employee social events, and many many other examples. One commentator said that in order to stamp out the truly heinous behaviour like sexual assault in a workplace, we need to first make it completely unacceptable for the 'grey area' to be tolerated, and the only way to do that is to identify it, and hold people accountable to it.

Lastly, there seems to be a clear lack of appreciation by companies that these types of incidences that trigger a complaint can be extremely traumatic for the complainant.

Many of the stories we heard from people who had been brave enough to make a complaint, felt their complaint was dealt with as an annoyance rather than through a lens of genuine concern. And that added to their distress. Perhaps this is because those tasked with addressing the complaint have never been the victim of the types of behaviour being complained about, they don't have empathy for the complainant or an understanding of the impact. This is one reason (of many) why companies should have diversity at their board and executive level - if you have a Board and executive of white men who have never been sexually harassed or sexually assaulted you probably won't have the best cohort of people best placed to address a complaint of that type. Even if there isn't a gendered lens, it often needs people with diverse experience to see the scale of the impact - one story was from a man who was dealing with an extremely toxic co-worker that was making employee lives hell by undermining them, questioning their commitment and abilities publicly, reporting small issues to the boss to curry favour and then refusing to acknowledge when that behaviour was causing issues. They made many a teammate cry over months in a workplace that had previously been harmonious and happy. This person was causing people to leave and many attempts were made to get the executive/board to see the toxicity of this person yet they refused to act because they wouldn't take employee complaints seriously.

The grief, stomach churning and distress these types of behaviour can cause are real, and Boards and companies have a duty to act. While some complaints may be trivial or mischievous, my discussions have made it clearer than ever before that women and minorities in particular are experiencing real trauma in our industry and workplaces because we have not yet established an environment that makes them feel comfortable in reporting and acknowledging the impact and holding people accountable. And this is because there is limited real action being taken or enforcement, so the likelihood of a positive outcome doesn't outweigh the enormous personal, social and professional risk in reporting..

Below are examples of different types of enforcement and accountability strategies for you to consider what is right for your organisation.

ENFORCEMENT MEASURES

FOR SEXIST
DISCRIMINATION,
BULLYING,
HARASSMENT,
ABUSE, AND
ASSAULT

Blackbird

Reporting and enforcement

We strongly encourage everyone to report any violations of this code of conduct to the Code of Conduct Committee. We expect people in positions of power to be especially conscientious in reporting any violations they see, with the consent of the marginalised person involved, as they are less vulnerable to retaliation or pressure than people with less power. Community members can report violations in any of the following ways:

Community members can report violations by filling in this confidential form.

We use Blackbird portfolio company Whispli, to help you anonymously submit reports involving Blackbird or Startmate, including any criminal, inappropriate and unprofessional behaviour.

From this website, you can submit anonymously any activity that you feel does not meet the values that we strive to achieve at Blackbird. Your submissions are always anonymous and we will assign your case within 2 business days to the Code of Conduct Committee that will investigate.

The code of conduct committee consists of:

1. Samantha Wong, Partner of Blackbird Ventures and Mentor and Alumni founder of Startmate
2. Richard Baker, Partner of Blackbird Ventures and Mentor of Startmate

If the person who violated the code of conduct is on the committee, they will recuse themselves from handling that report.

We aim to acknowledge reports within 2 business days, and to complete handling a report within 10 business days. Actions we may take in response to a report include:

- Nothing
- Verbal warning
- Temporary ban from certain spaces or forums
- Permanent ban from certain spaces or forums
- Removal of responsibilities (e.g. replacement of the investor director or board observer from the board)
- Termination of employment
- Report to legal authorities

If possible and appropriate, we will make a statement about the report and any actions we took available to everyone who is aware of the original incident. We strive to protect reporters or targets from retaliation whenever possible.

License

This code of conduct is licensed CC Zero. We appreciate if you give credit to the authors: Blackbird VC, Startmate, and Frame Shift Consulting LLC.

Australian Investment Council

Australian Investment Council's Investigative Procedures

The Australian Investment Council Board has the power at any time to investigate the alleged conduct of any Member. If a complaint is made to the Australian Investment Council about the conduct of a Member, or the Australian Investment Council Board believes that the conduct of a Member should be investigated, then the Australian Investment Council Board will appoint a Committee to investigate the matter (Committee). This Committee will have the same powers as the Australian Investment Council Board with respect to the Board's investigative powers under clause 20 of the Constitution.

The Committee will be made up of five Members, of whom one will be the chair. For a person to be eligible for appointment to the Committee, the Australian Investment Council Board must first be satisfied that the prospective appointee has no unfair bias toward the Member whose conduct is the subject matter of investigation. The Committee shall be entitled to require any Member to explain, or provide any information, or access to information (including access to witnesses as provided in clause 20.1 of the Constitution), required by the Committee in relation to any conduct or alleged conduct of such Member which the Committee considers is or may be:

- a. prejudicial to the interests or objects of the Australian Investment Council;
- b. prejudicial to the good name of the Australian Investment Council and its reputation for promoting and retaining high standards of business conduct and professional competence; or
- c. is in breach of the Code of Conduct. If the Committee finds, in its absolute discretion, that any Member is guilty of conduct which is in breach of the Code of Conduct, is otherwise unbecoming a Member or is prejudicial to the objects of the Australian Investment Council, the Committee will have the power to censure, suspend or expel the Member in accordance with the Constitution.

The Committee may decide, in its absolute discretion, whether to publish the findings of any investigation.

Commentary: AIC and the diversity committee have offered to help develop and draft some clauses that could be inserted into shareholders agreements and LP agreements to reflect the intention above

Tribe Global Ventures

Reporting and enforcement

Tribe Global have undertaken the following (based on Blackbird's):

We strongly encourage everyone to report any violations of this code of conduct to the Code of Conduct Committee. We expect people in positions of power to be especially conscientious in reporting any violations they see, with the consent of the marginalised person involved, as they are less vulnerable to retaliation or pressure than people with less power.

Community members can report violations to the Code of Conduct Committee To report any contravention of the code of conduct, of them, their investors, their attendees, or their investee companies via info@tribeglobal.vc

The code of conduct committee consists of:

1. Aaron Birkby, Co-Founder of Tribe
2. Don McKenzie, Co-Founder of Tribe

If the person who violated the code of conduct is on the committee, they will recuse themselves from handling that report.

We aim to acknowledge reports within 2 business days, and to complete handling a report within 10 business days. Actions we may take in response to a report include:

- Nothing
- Verbal warning
- Temporary ban from certain spaces or forums
- Permanent ban from certain spaces or forums
- Removal of responsibilities (eg replacement of the investor director or board observer from the board)
- Termination of employment
- Report to the Board of the company involved (either the investee company, the LP, or Tribe Global) for internal investigation of the individual.
- Report to legal authorities

If possible and appropriate, we will make a statement about the report and any actions we took available to everyone who is aware of the original incident. We strive to protect reporters or targets from retaliation whenever possible.

Additional Structural Enforcement Measures:

- Tribe will ensure that for investee companies they invest in (Investee Companies), the shareholders agreements acknowledge the code of conduct, and commit to operating within the code of conduct. In the event Tribe receives a report about violations of the Code of Conduct about the portfolio company from the community, Tribe will report this directly to the Board of the Company, which having committed to the code of conduct to shareholders, will have a fiduciary obligation to undertake a process of evaluation of the complaint.
- Tribe will ensure that for Investors who invest in Tribe Funds (the LPs), the limited partner agreements acknowledge the code of conduct, and commit to operating within the code of conduct. In the event Tribe receives a report about violations of the Code of Conduct about a Limited Partner from the community, Tribe will report this directly to the Board of Tribe Global Ventures, and to the Board of the Limited Partner (if it is a company), which having committed to the code of conduct to shareholders, will have a fiduciary obligation to undertake a process of evaluation of the complaint.

Tribe will ensure that all employment contracts of Tribe will acknowledge the code of conduct, and commit to operating within the code of conduct. In the event Tribe receives a report about violations of the Code of Conduct about an employee from the community, Tribe will report this directly to the Board of Tribe Global Ventures, which having committed to the code of conduct to shareholders, will have a fiduciary obligation to undertake a process of evaluation of the complaint.

Tribe have also executed side letters with investee companies where imposing it within a shareholders agreement are not possible, that include in them the following wording:

1. We agree to implement a code of conduct for the board, management, and operations of {insert company} in all geographies. The code of conduct will include, but not be limited to expectations, processes, and consequences to support a safe and effective environment for women.
2. We acknowledge our board, executive and operations of {insert companies} lack diversity. We acknowledge the benefits to performance with diverse teams. We agree to work with Tribe to foster an environment of greater female diversity at all levels of the organisation.

For Events:

"By registering for this event, you agree that you adhere to the Tribe Global Ventures Code of Conduct that can be found here [link].

A key aspect of this code of conduct is creating a safe environment for women. Key aspects of this code of conduct and our expectations are summarised as follows:

- Tribe seeks to provide a physically and mentally safe environment at all our events.
- Tribe events are work related events, not personal events. We expect that women can attend without concern of any unsolicited advances.
- We reserve the right to remove any person that creates a risk to the safe environment we seek to foster.
- We reserve the right to terminate an event early should at our discretion, the situation require.
- Should you feel unsafe for any reason, or you see behavior that would be considered unsafe or in the spirit of a respectful and professional environment, the following process exists to rectify the situation:
- Notify Aaron Birkby or Don McKenzie of the incident. You can do this in person, phone call, text message or email. Our contact details are:
 - Aaron: [insert]
 - Don: [insert]
- The board of Tribe Global Ventures will be notified.
 - We will engage with you in the appropriate response to the situation.
 - We will respect privacy and confidentiality in the matter should you wish. "

Southern Angels

Have the following built into their members agreement:

"You agree to be bound by the code of conduct as set out in Annexure A and as amended or revised from time to time as notified to you"

And later:

"You agree to indemnify and defend Us, each Investigator, Our officers, directors, members, agents, employees, and representatives from and against all Loss arising out of or in connection with: (a) Your breach of this Contract; (b) any Investment made by You or on Your behalf; (c) your reliance on any Investment Materials or Due Diligence Materials; or (d) any dealings You might have with an Investee or any other Southern Angels member.

You acknowledge and agree that we have entered into this Contract in reliance on the representations and warranties in clause 3 of this Contract and that a breach of such warranties could result in You being removed as a member of Southern Angels and/or being prevented from attending Meetings or receiving Investment Materials.

To the maximum extent permitted by law, We and any Investigator are not liable for any Loss arising in any way out of, or in connection with: (a) an Investment; (b) Your use or reliance on any Investment Materials or Due Diligence Materials; (c) any dealings You might have with an Investee or any other Southern Angels member; or (d) You being removed as a member of Southern Angels and/or being prevented from attending Meetings or receiving Investment Materials or Due Diligence Materials as consequence of Your breach of this Contract."

Enforcement sits in our **Constitution** Rule 5.10 Expulsion of a Member.

Expulsion of a Member

5.10.1 Subject to giving a Member an opportunity to make a written submission, the Board may resolve to expel a Member upon a charge of misconduct detrimental to the interests of the Association. To avoid doubt, a breach of the Code of Conduct or Member Terms by a Member shall constitute misconduct detrimental to the interests of the Association for this purpose.

5.10.2 Particulars of the charge shall be communicated to the Member at least one month before the meeting of the Board at which the matter will be determined.

5.10.3 The determination of the Board shall be communicated to the Member, and in the event of an adverse determination the Member shall, (subject to Rule 5.10.4), cease to be a Member fourteen (14) days after the Board has communicated its determination to the Member.

5.10.4 It shall be open to a Member to appeal to the Association in General Meeting against the expulsion. The intention to appeal shall be communicated to the Executive Officer of the Association within 14 days after the determination of the Board has been communicated to the Member.

5.10.5 In the event of an appeal under Rule 5.10.4, the appellant's membership of the Association shall not be terminated unless the determination of the Board to expel the Member is upheld by the Members in General Meeting after the appellant has been heard by the Members, and in such event membership will be terminated at the date of the General Meeting at which the determination of the Board is upheld.

NON-STRUCTURAL & CULTURAL ENFORCEMENT STRATEGIES

FOR SEXIST
DISCRIMINATION,
BULLYING,
HARASSMENT,
ABUSE, AND
ASSAULT.

While we think that its basic hygiene to have a code of conduct and real accountability if we as an industry (or you as companies or individuals) want to stamp out sexual harassment, discrimination, bullying and abuse, it is insufficient to rely entirely on victim reporting where they are in vulnerable position and the risk to them outweighs any possible benefit.

It's therefore critical that we - companies and individuals - provide other solutions for stamping this out that do not rely on victim reporting. Where participants in our ecosystem are given permission and the tools to call it out when it happens to others, to have real consequences for the perpetrator when it does happen, and to take a community, whole of ecosystem approach.

In the same way we as a society call out poor behaviour and dont rely on victim reporting in other examples where there is a power dynamic that creates an unlevel for the victim and can cause real world and lifelong trauma - child abuse, genocide, religious persecution of minorities etc - we should do the same here. The reason it is now incumbent on Boards to provide a safe workplace that does not tolerate sexual harassment, is because there is an acknowledgement that it is not a trivial insult to those who experience it - it can be extremely threatening, we know this because we've experienced it.

It is great that we have a positive duty of Boards to ensure a safe workplace, but it needs to go broader - but we must make it socially and professionally unacceptable for comments, attitudes and actions that reflect or encourage discrimination, bullying or harassment to be tolerated. Not tolerating them doesn't mean the person who makes the comments is 'cancelled', or aggressively confronted. It can be as simple as saying "hey mate, that comment isn't/wasn't cool".

But it takes a village to do this, because if it's one person (or a few people) standing up and saying this all the time, the perpetrator will assume the naysayers are the minority. That their comment wasn't really that bad, that the person who called them out was overreacting. It has to be a chorus, not a solo performance to effect real change.

We have seen this in action lately with the sheer number of people who have felt empowered to call out poor behaviour through the media and on social media, and have felt emboldened to start many initiatives to help bring a whole of community approach. This includes all the ecosystem contributors who have collaborated to get Grapevine off the ground - a platform for open sourcing resources and sharing stories to help empower targets of these behaviours. Kirsten Hunter who is working on a platform that will transform startup cultures to remove harassment at scale, Third Hemisphere who will be offering an advisory service to boards who would like a third party advisor to assist with their positive duties. And we have been truly thrilled at the number of men who have reached out to say they are shocked at what has been revealed, and taken the recent stories so seriously they have instituted policies and positive approaches within their workplaces. I've also had several who have admitted they had not taken it seriously enough, and with our help have changed the way they operate. There is positive momentum the next opportunity to change this at scale is to empower everyone of us to speak up and call it out.

PREVENTATIVE & CULTURAL ENFORCEMENT STRATEGIES

FOR SEXIST DISCRIMINATION, BULLYING, HARASSMENT, ABUSE, AND ASSAULT

Industry-wide platforms for education, community and advice

1) The Grapevine

A platform in development which aims to:

- Equip individuals with the legal knowledge, vernacular and support they need to tackle gender issues in their workplace
- Create a safe community, where individuals feel seen and heard
- Warn others - "I went through this / learnt so you don't have to"

2) eiris

eiris is a dynamic startup at the intersection of cyber safety and employee wellbeing. Through consulting and auditing services, we equip organisations to effectively tackle online safety challenges such as cyber bullying and online sexual harassment. Beyond the digital realm, our commitment extends to fostering psychological safety through risk assessments, impact evaluations and online safety education and training. At eiris, we believe in fortifying both the virtual and emotional foundations of modern workplaces for sustained success.

Individually-driven or Proactive Measures (not dependent on a report being made)

1. Call It Out When You See It

Where possible, people in positions of power should be especially conscientious in 'calling out' in the moment any violations they see, as they are less vulnerable to retaliation or pressure than people with less power. This can include anything that contravenes the code of conduct but may also include some actions that may seem trivial to some:

- Bullying – persistent targeting and criticising of an individual with an intent to intimidate, silence and control them
- Shouting at people
- Talking over or interrupting women or other marginalised groups in group meetings.
- Assuming gender stereotypes in roles (ie assuming the woman you are meeting is the subordinate of the man you are meeting)
- Minimising or infantilising women (ie using words like 'girls')
- Physically imposing yourself on women or their personal space
- Making jokes and comments of a sexist and derogatory nature
- Swearing
- Others?

Examples suggested on ways to do this to minimise confrontation:

In the moment:

- Male allies or women in a greater position of power:
 - Lend women your voice (literally and metaphorically). Literally by calling out the behaviour if you feel comfortable. Or alternatively, , give them access to your platform, and your personal social media to make a point online, The perpetrators will listen to it differently.
 - There are ways to call perpetrators in the moment, out with a little humour, mocking or wry:
 - Forceful but with a smile "Hey mate, can you let someone else get a word in? Amelia you were making a great point earlier, go on....."
 - Did you just say that...in a meeting?!" or "You did NOT just say that in a meeting!" or "you did NOT just say that to her!"
 - "Ooh, if I didn't know you better it kind of sounded like you're calling X dumb/emotional/hysterical/whatever the slur"
- Or in ways that force them to explain more which will subtly call attention their poor choice of wording or make them realise their bias
 - What specifically did you mean by that because I'm not sure I got it."
 - "That could be taken wrong – can you explain what you meant?"
 - "That's not okay with me, and I respect you enough to let you know."

After the moment

- pull them aside for a one-on-one and:
 - appeal to their values:
 - Try "I know that you really care about everyone feeling valued, and when you do X, it undermines that intention. Maybe you could try Y in the future?"
 - it's a good thing the rest of the team wasn't around when you said Y, because they might have interpreted it as Z, maybe next time you could do X"\
 - Explain why it's a problem:
 - Try "I notice you said/did X, and when you do that it makes it hard for us to foster a team environment."
 - he ManCave has some excellent resources for cultivating healthy masculinity and they have recently published a talk on how men can advocate for women:
 - <https://www.youtube.com/watch?v=aZgiaYnDwN0>

Safety in numbers – the more men call it out in a moment, the less social acceptance of intimidation, ingrained power misuse, sexism, bullying and even worse behaviours.

Some other examples of how and why men specifically should do this is catalogued below:

Micro-actions for men

Problem / issue	Micro-action/s to address this	Benefit to men! 🧑🏻
Women are often infantilised and considered "lesser" in workplace settings, and this can permeate our language.	Don't call women girls, and when you hear other men calling women girls, intervene to say, 'Please use 'women' instead.'	Women will trust you more as a result, which will make your job so much easier because collaboration, engagement and teamwork so much more effective
Investment by men into women-led ventures is abysmally low.	When reviewing a female-founded venture for investment, look first and foremost at revenue. Conduct a thought experiment: before seeing a female founder pitch/reviewing a female founder's pitch deck, say to yourself, 'This is a unicorn in waiting, and I'm going to watch/read this thinking of all the reasons this will be HUGE.'	Greater funnel of opportunities to make money from Greater ability to differentiate yourself from competitors..
Women's thoughts, ideas, and expressed experiences are often overlooked, ignored, or disbelieved by men. Men are more likely to listen to other men - even when it relates to issues experienced by women.	Listen, and amplify. Actively stop yourself from immediately challenging/questioning. Listen to what women are saying so that you can identify how you can help, including simply amplifying women's points. Lend women your name, and let them post comments/make responses/say what they want	Women will trust you more as a result, which will make your job so much easier because collaboration, engagement and teamwork so much more effective. You'll be seen as an employer or teammate of choice which will attract the best talent.
	to say, as you. (Hannah and Jeremy's example.)	You'll be seen as confident, and skillful because you won't be scared to amplify diverse voices other than your own.
A large proportion of women have experienced physical or sexual assault, and are highly conscious of the physical danger presented by men. This danger exists in all locations - on the street, at home, in the workplace, in the gym...	Be conscious of your physicality - because you can be overbearing/forceful/threatening without meaning to. Shrink yourself/allow personal space to create a respectful physical presence.	You'll be seen as self aware and respectful and that will create trust and mutual respect which will make doing your job so much easier.
Standing up for women can open men up to derision by other men. This is especially the case when intersectionality comes into play: being LGBTQI, of colour, or with a disability can impact men's relative power in the same way it impacts women's.	When you see other men standing up for women, stand up for them - have their back/follow up their comment with your own, to validate and reinforce their intervention. You can also pick your comfort level when supporting women (see table below).	You will be seen as someone who supports other men who do the right thing, which will improve your relationships with other high integrity men in your professional circle. You'll be seen as someone who is prepared to do what is right over what is convenient. This will create trust and respect which will make your job easier. When you stand up for those who are most vulnerable you tell everyone how you treat everybody in your business - especially your customers and this will improve brand integrity.

Why men can't and shouldn't do nothing

- *"But I don't do anything to hurt women, why should I do anything?"*
- *"Not all men are like that"*

Not taking action reinforces the status quo, which we know is gender imbalanced. Neutrality therefore reinforces inequality. **By doing nothing you are contributing to the sexism problem.**

"Ambivalent sexism theory" suggests there are two components to sexism that are positively correlated and work together to perpetuate gender inequalities:

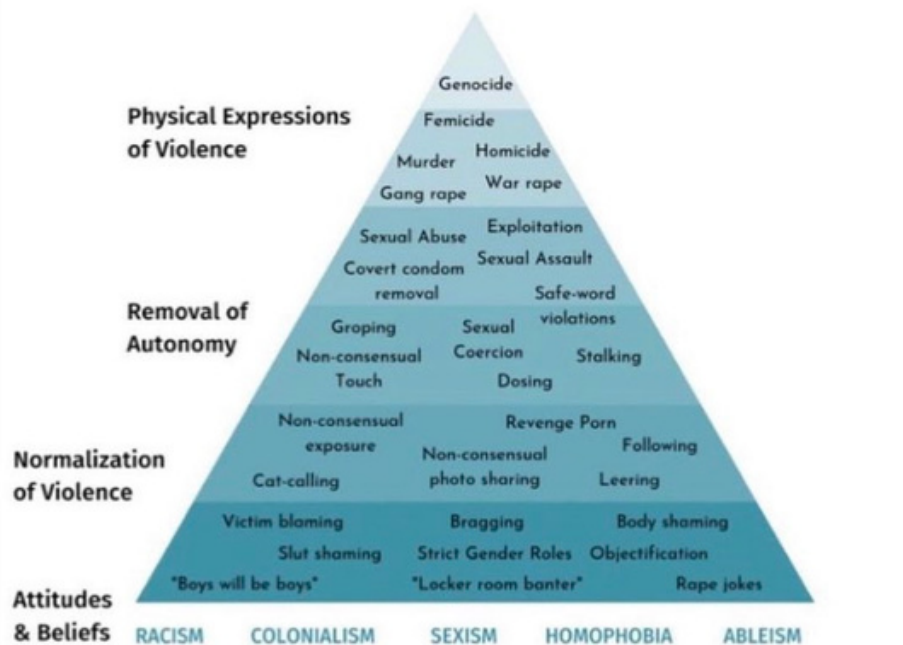
- Hostile sexism, which is obvious and aggressive
- E.g. asking women to get coffee, ignoring their input during meetings, excluding them from projects or tasks
-

Benevolent sexism, which involves attitudes that appear to be based in so-called "concern" and "care" for women, but which are actually harmful

- E.g. Being passe
- d over for a promotion because your boss believes you'd rather spend more time with your kids.

Because sexism, harassment and bullying are the bottom of the pyramid of sexual violence . each rung of the pyramid enables the behaviour above it. So even allowing/staying neutral on calling out locker room banter leads to a culture that enables homicide.

Pyramid of Sexual Violence



UNIVERSITY OF ALBERTA
SEXUAL ASSAULT CENTRE

2. Hire more women in decision making roles

The greater the diversity of representation in a workplace the less likely sexist, misogynistic and harmful cultural practices persist.

- Enforcement: Currently little tracking of this in the tech and investment sectors? Only founder diversity, not diversity at all levels (from Board level, through to entry level).
- ESG requirements are lip service and offer no meaningful enforcement.

3. Fund more women founders, fund more women investors, to change the diversity of the industry

- Enforcement: Equity Clear – a gender equality working group that is led by Scale and Alberts seeks to optin to report on gender diversity in investment pipeline
- Cut through ventures? Startup muster? Do something similar but again optin
- Overnight Success are running a project from next year to track funding to women founded startups or mixed team startups to improve the data set which currently depends on people self reporting and so is not industry wide nor accurate.
- No top down measures to increase capital allocation to female and other underrepresented investors.

4. Create a psychologically-safe environment in the workplace

1) Invite those with lived experience to co-design workshops and policies for industry leaders, policymakers, practitioners

This is inspired by the [AVA project](#), where it seeks to understand the service needs of those who have been abused. The participants will be invited to be part of a co-design process to develop a workshop for practitioners and policymakers, where participants have the opportunity to co-lead the workshop.

What it solves:

- Hearing directly from those who lived experience on challenges, impact, effective interventions, ideas
- An in-person workshop means
 - A safe space can be created
 - An opportunity to develop more compassion and understanding when you're seeing and hearing people for who they are and what they've been through
 - It takes away the risk of online bullying and subjugation, and the unknown of getting your words and intentions misconstrued
- A structured and methodical approach provides gravitas and a foundation of evidence on which further progress can be built upon
- Change isn't confined to a company or industry
- This is a non-confrontational, compassionate way of getting people to listen - change happens when there is a critical mass speaking up, and those who need to hear it can remain open and not defensive
- Perhaps a governing body may surface from here

Signals that it could work:

- Hearing more and more women speaking up publicly and privately about their experiences online means there is a critical mass ready to speak up and seek change
- Similarly, there were a lot of interest in participating in the AVA project (we spoke to the Research Lead, Dr Gemma McKibbin and Dr Jacqueline Kuruppu)

2) More funding for this space

I've wondered if there are any philanthropic investors out there who would invest in high-impact potential individuals/projects instead of seeking financial growth potential. In principle, not dissimilar to a scholarship fund or research fund. In speaking to Dr Gemma above, it sounds like government funding for this space is extremely difficult to secure. Yet, we can imagine the impact of such a project to be so powerful in shaping the future landscape for women/high risk groups, and ultimately everyone being more productive in the workforce. Perhaps this is inhibited by the lack of quantifiable measures when part of the value is created indirectly.

We see the inequity in this space as, those who seek justice or systems change needs to 1) heal themselves, 2) gather enough resources, power and network to even consider taking action, 3) educate others, 4) balance the emotional and physical labour outside of your day job, to make any progress. If an individual with extensive experience and high potential for impact wants to focus on systems change, could they qualify for funding and not have to choose between doing good and making ends meet?

Much like incorporating environmental and sustainability measures into traditional accounting systems, how can we account for social progress within the investment space?

3) The Way Out Is In

The role of coaches, mentors, teachers, change makers, everyday persons

Very much inspired by Thich Nhat Hanh, a buddhist monk and known as "father of mindfulness" - highlighting that the way out of any difficulty is to look deeply within, gain insights and then put them into practice. Perhaps one that all of us who have done deep self-work can resonate with.

The biggest obstacle in my last job was trying to change minds. Also the core obstacle in achieving any social change. A wild card idea here is to champion the teaching of self-work techniques in school, or really at any stage of life. When we can exercise a high degree of awareness - catch ourselves before we judge, seek to understand before speaking, seek to understand our own traumas and how that affects us - we see that as an incredibly powerful tool for leaders to develop to enable psychologically safe environments.

What can this look like?

- Teasing out the techniques in mindfulness and therapy to be available as a general resource (it shouldn't be identified as just a therapeutic tool)
- Collective education, in the workplace or in school - for example the use of Smiling Mind in schools is an awesome start!
- Coaching and leadership training that focuses on self-inquiry
- Publicly normalising conversations and the benefits around self-work

CLEAR GAPS

FOR SEXIST
DISCRIMINATION,
BULLYING,
HARASSMENT,
ABUSE, AND
ASSAULT

The reality is that while codes of conduct, methods of reporting, and enforcement measures are a good start, and we would encourage every company in our ecosystem to adopt a version of each of those initiatives as a minimum. Not because it's the right thing to do, but because you will put your company at legal risk if you don't. But there are still gaps, and this is where the commentators we spoke to said we need to spend the next iteration of resources and focus to provide a full picture and affect real change.

1) Tracking

There is no industry wide agreement to report on diversity statistics (its opt in), and there is certainly no data on the incidence of harassment, bullying and sexism. Without this data to show the scale of the problem, it may continue to be an issue that companies don't address with the right level of focus.

Solutions:

- We need existing industry reporting initiatives - Cut through Ventures, Startup Muster, to go deeper on diversity reporting. Rather than asking companies to report on whether they had at least one diverse founder, or all male/female teams, we would like to see broader data on diversity representation at all levels (including Board levels)
- An anonymised platform for reporting incidences of sexism, bullying and harassment, and whether the issue was dealt with appropriately, even if this didn't identify the perpetrators or the organisations, would be beneficial for exposing the scale of the problem, and determining a baseline from which to measure progress. Critics may say without any arbitration of whether the allegations are fair or founded or not might mislead, however the issue is first to show the scale of the problem, then use this as a data gathering strategy to evaluate efficacy of interventions to manage it.

2) Monitoring

Without reliable data sets on incidence, it's almost impossible to understand if any measures being implemented are yielding progress. Progress in stamping out these toxic behaviours is the goal of all of the initiatives outlined in this document.

Solutions:

The above data strategies, if carried out consistently should allow measures of progress, or regress.

3) Capability and Training - Boards and Executive

The role of Boards - There seems to be a naivete in the ecosystem that ultimately, it is the fiduciary responsibility of Boards, to ensure the safety of employees. The change to WHS regulations in April 2023 which prescribes how employers must identify and manage hazards and risks to workers' psychological health and safety. Below/Attached is the AICD guide on the positive duty Boards have to prevent workplace sexual harassment.

- <https://www.dropbox.com/scl/fi/okj56xnohquo6tv1cao5r/aicd-sex-harassment-playbook-final.pdf?rlkey=h0cn1zl96cxthqyg0drxmwgch&dl=0>
- Webinar can be found here
- [Positive duty to prevent workplace sexual harassment - Guidance for directors | Australian Institute of Company Directors \(cahootlearning.com\)](https://www.cahootlearning.com/positive-duty-to-prevent-workplace-sexual-harassment-guidance-for-directors)

From a governance and compliance perspective, it is the responsibility of Boards and CEOs to ensure that they have appropriate structures in place to handle complaints about harassment, bullying and sexism, and have the capability and training to ensure that they are being handled well. Training should also extend to the executive of a company.

While appointments to Board are often focussed on expertise or skills matrix, they rarely include expertise in HR, or the handling sensitive issues around complaints of bullying, harassment, or providing an objective perspective on how something was handled or should be handled by the executive. And sometimes the board is not objective, with a view to protecting the company rather than the protecting the integrity of the complaint and giving its due process to ensure any systemic issues are appropriately dealt with. This is amplified when the complainant is the most senior woman in the organisation as it's often the women in the organisation who step in to bear the burden of emotional labour - often acting as an intermediary or advocate for complainants, or providing guidance or pushback to the senior executive and board on how they handled a complaint or could do better. However, this advocacy, objectivity and guidance is then often absent when the most senior woman in the organisation is the complainant/target because she has often been the only one stepping into that void previously.

Solution:

- Ensure this capability for best practice governance as it relates to dealing with bullying, harassment and sexism, is present on the board, or that the company Board has access to an independent third party advisor to ensure that these sensitive issues are being handled with the objectivity it requires. And if processes for managing the complaint is substandard, the company will accept the third party advice on best practice governance. This should also be extended to the executive.
- There are multiple providers of courses that include training on how to deal with workplace bullying, and harassment including a few examples that can be found here:
 - <https://www.ahri.com.au/certification-and-training/short-courses/bullying-and-harassment>
 - <https://www.aigroup.com.au/education-training/training-courses/workplace-relations-training/discrimination-bullying--harassment-for-managers-and-supervisors/>
 - <https://www.respectatwork.gov.au/education-and-training>

4) Counselling and advice

Some larger companies like Canva, Atlassian and others have employee assistance programs which help to provide advice from qualified psychologists and counsellors to people who may be able to assist those individuals who are struggling with harassment, bullying or sexism – either as a target or as a perpetrator. It is acknowledged that this is not a program that is affordable for all companies, however this is an excellent service for those that can provide it.

For those companies who cannot, Canva, Harrison ai and Tecstars has agreed to make some spots of its EAP available for people outside its organisation. Reach out to XXXX if you would like to take advantage.