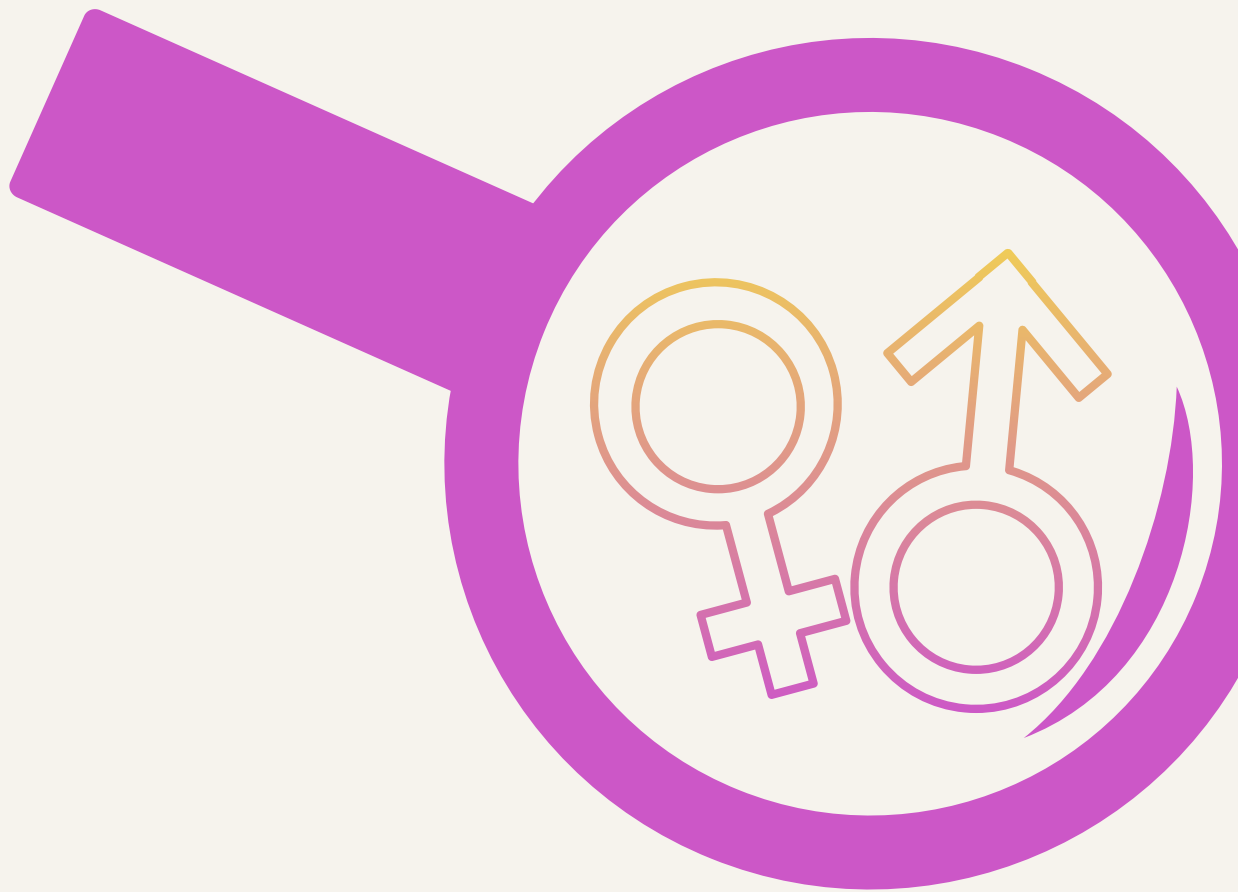


June
2022



GENDER AUDIT

Ombudsman Office NHRI Samoa

Prepared by: APF

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Office of the Ombudsman / National Human Rights Institution
Gender Audit Report 2022

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Executive summary

This report is the result of a gender audit facilitated by the Asia Pacific Forum for National Human Rights Institutions (the APF) with the Office of the Ombudsman / National Human Rights Institution (the Office) during the months of February to April 2022. It outlines the background to the gender audit, its purpose, the methodology used, the findings and the recommendations.

The team used a participatory approach to the audit recognising that the outcomes and recommendations needed to be consistent with, and relevant to, the context within which the Office is operating. Contributions from staff and selected externals were made through semi-structured interviews and focus groups.

The team assessed and minimised, as much as was possible in an online Covid environment, any barriers that may have existed for participants in order that the audit process did not discriminate or perpetuate inequalities.

The audit process aimed to increase understanding of gender equality and how to strengthen gender equality practices amongst individual staff and the Office as a whole.

Three senior managers from the Office were part of the Gender Audit Team (GAT). They were invaluable in providing advice to the APF and supporting with on-site logistics.

The Audit covered the following five areas:

1. Organisation structure and decision-making
2. Organisation culture and practice
3. Human resource management, policies and procedures
4. Internal gender expertise, competence and capacity
5. Mainstreaming of gender equality in external work.

Draft findings and proposed recommendations were discussed with the Ombudsman. Results of those discussions have been taken into consideration in the finalisation of the report.

Overall it appears the Office has a respectful, gender-friendly environment where all staff are well supported to carry out their roles. Gender mainstreaming is a cross-cutting outcome in the most recent strategic plan. There is a balance of female and male staff, with female staff employed in the majority of senior leadership roles. The Office recognises the value and importance of promoting and protecting gender equality, demonstrated by its willingness to undertake a gender audit.

It is to be noted that for all organisations there is room to strengthen what they are doing well and find ways to address any gaps that may be identified. This report proposes that the Office could strengthen its commitment to gender equality by formalising its 'informal' gender-friendly nature and ensuring that the inclusion of gender in recent planning documents filters through to policy, practice, monitoring and evaluation of impact.

The audit was undertaken against a COVID-19 backdrop. The auditors were not able to travel to Samoa and all communication was online. Samoa was also in various stages of lockdown which meant that staff were required to negotiate various access challenges in order to engage in the audit. Given that, the willingness of the staff to engage and the support of the internal GAT members for them to do so, resulted in robust and valuable discussions.

The APF is thankful to the Office for their preparedness to engage in the audit. The Office has been at the forefront of action in Samoa on gender equality, and this signals a willingness to continue its work. The audit also gives the APF an opportunity to test the Gender Audit Toolkit and to further strengthen their gender audit work.

The report is confidential to the Office. While the APF was instrumental in facilitating the audit, they do not have ownership of the report or its contents. However, it is advised that the report, or a summary of the report, should be provided to Office staff. The Ombudsman may also consider providing it to the externals who participated in the process and releasing it publicly.

Background

In late 2020, the APF produced [Facilitating an NHRI Gender Audit](#) as a toolkit to support NHRIs facilitate a gender audit in their organisations. The toolkit supports NHRIs understand from multiple viewpoints to what extent gender equality is built into their internal and external processes and activities. The toolkit is also relevant to other non-NHRI organisations and is the basis on which this audit was carried out. Accompanying the toolkit is a series of capacity-building courses.

In 2021 staff of the Office participated in gender equality online courses facilitated by the APF and three are now members of the APF Gender Network.

As a result, the Office requested the support of the APF to undertake their own gender audit. This was undertaken between February and April 2022.

Purpose of a Gender Audit

A gender audit is a tool to find out the extent to which gender equality is understood and acted upon in an organisation. It supports the organisation understand whether, and how effectively, it includes gender equality in its *internal operations* (such as its structure, organisation culture and practice, policies and procedures, funding and resourcing) and its *external work* (across all its functions and work divisions).

A gender audit provides an opportunity for an organisation to increase its understanding of gender equality and to strengthen its practices. Specifically a gender audit will:

- *Establish a baseline of information* against which progress can be compared.
- *Identify what an organisation does well* and what it could be doing better.
- *Recommend strategies and activities* to address the gaps.
- *Share and document good practices* across the organisation.
- *Strengthen the capacity of an organisation* to apply a gender perspective to its activities and to its internal policies and practices.

Outcomes sought for the Office

The collaboration between the Office and the APF in the undertaking of a gender audit aimed to achieve the following outcomes.

1. An increase in the capacity of the Office to apply a gender perspective to its activities and its internal policies and practices by:
 - 1.1 establishing a baseline of information against which progress can be compared.
 - 1.2 identifying what the Office does well and what it could be doing better.
 - 1.3 sharing and documenting good practices across the organisation.
 - 1.4 developing a set of recommendations for future work.
2. Strengthened gender equality leadership and expertise in the Office, in order that it can:
 - 2.1 continue its internal protection and promotion of gender equality, and
 - 2.2 contribute to the efforts of other organisations in Samoa.

3. Improved capability to facilitate gender audits within the APF.

Methodology

Gender Audit Team

A Gender Audit Team (GAT) was formed of the APF's gender expert, a consultant hired by the APF and three senior leaders from the Office. The purpose of the GAT was to:

- *Drive and clarify* the audit purpose, outputs and outcomes.
- *Plan and design* the audit (including timeframes).
- *Determine the focus* and level of the audit and who should participate.
- *Facilitate* the audit.
- *Analyse* the information gathered.
- *Communicate* the audit outcomes (internally and externally), including recommendations for a gender equality strategy.

The APF's gender expert and consultant facilitated the audit. Senior leaders from within the Office provided advice, context and administrative support. The GAT members as below;

- Aishath Fasoha (Faso) - APF Gender Focal Point
- Dr Jill Chrisp - APF Consultant
- Loukinikini Vili - Director of the NHRI
- Tracey Mikaele – Director of Communications
- Davina Salanoa – Director of Corporate Services

Audit areas

Five areas were selected for the audit

- A. Organisation structure and decision-making
- B. Organisation culture and practice
- C. Human resource management, policies and procedures
- D. Internal gender expertise, competence and capacity
- E. Mainstreaming of gender equality in external work

Questions against each area are listed in Appendix 1.

Methods used

Planning for the audit began in February 2022 and implementation ran over 6 weeks from March to April. The audit was carried out remotely and involved Zoom discussions and online courses.

Due to COVID-19, Samoa was in various stages of lockdown during the implementation of the audit. This provided technical difficulties for some accessing the interviews and focus groups. The efforts of

the internal members of the GAT team to support Office engagement were hugely appreciated by the APF.

The audit methodology involved:

- 1 Capacity building through online EdApp courses in:
 - gender equality with all Office personnel, and
 - how to facilitate a gender audit with the Gender Audit Team personnel from the Office.
- 2 Facilitating the gender audit – document review, semi-structured interviews and focus groups.
- 3 Seeking feedback from participants on their experience of the interviews and focus groups.
- 4 Drafting, confirming, and finalising a Gender Audit Report.

Document Review

A review of key documents was undertaken as the first step in the audit process (Appendix 2). The major planning and reporting documents were reviewed by both auditors. The other documents were divided between them. Analyses of the document reviews were discussed between the auditors and key themes identified.

The document review highlighted areas for discussion during the interviews and in the focus groups.

Semi-structured interviews

Thirteen people, including external stakeholders, were interviewed online for around an hour each (Appendix 3). The interviews were facilitated by either the APF gender expert or the consultant.

The interviews were semi-structured, meaning there were general questions about what the Office does well to promote gender equality and where the Office could improve how it promotes gender equality; and more detailed questions according to the person's role and function.

Interviews were recorded and these were backed up by interviewers' notes.

Internal focus groups

Two online focus groups were held with all staff invited (Appendix 4). Unfortunately working from home provided technical difficulties for some but on both occasions valuable discussions were held.

During Session 1 of the focus groups participants were asked to think about the extent to which gender equality is built into the systems and processes of the Office. They each made a list of:

- 3 things that the Office does well to promote and protect gender equality.
- 3 areas where the Office could improve how it promotes and protects gender equality,

During Session 2, two groups (one female and one male) discussed the views of each participant and reported back to the whole group the outcomes of their discussions.

During Session 3 of the focus groups, ideas and recommendations were generated based on:

- how the Office could strengthen what it already does well.
- how the Office could address the areas it could improve on.

The combination of methods allowed the auditors to collect multiple perspectives on each issue. It also enabled them to check consistency by triangulating the data by cross-referencing information against the three sources.

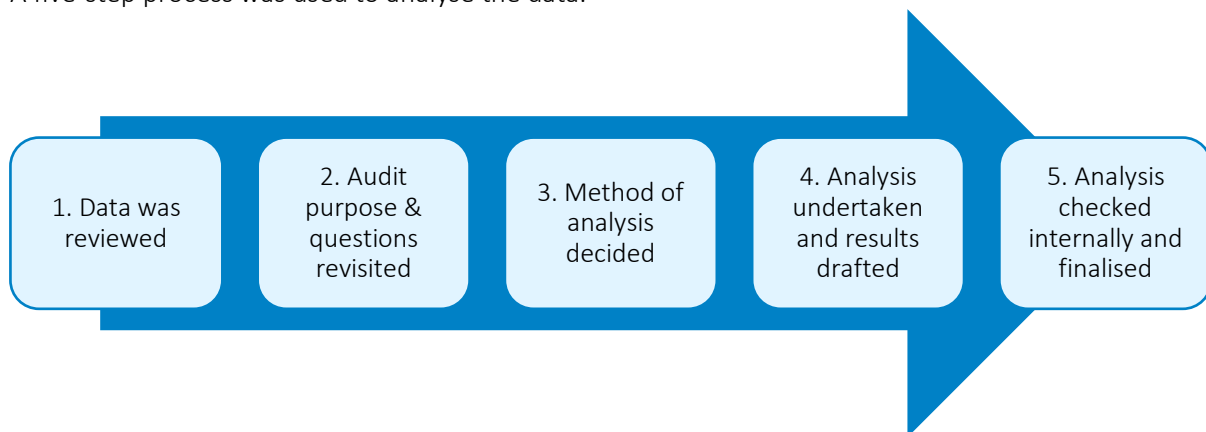
Stakeholders

Using the participation principle, auditors wanted to ensure that those who had an interest in and/or could be affected by the Gender Audit were able to contribute to it.

Eight internal staff, plus the Ombudsman and Assistant Ombudsman (10 in total), and two externals took part in the semi-formal interviews. All 16 staff were invited to take part in the focus groups. Unfortunately four staff were not able to participate for technical and COVID-19 related challenges.

How data was analysed

A five-step process was used to analyse the data.



Human rights principles and ethical considerations

The following human rights principles guided the audit process:

- *Participation*, ensuring that those who had an interest in and/or would be affected by the gender audit could contribute to the data, analysis and recommendations.
- *Non-discrimination, inclusion and equality*, assessing and minimising barriers to participation in the process to ensure that the gender audit did not discriminate or perpetuate inequalities.
- *Empowerment*, building into the process of the gender audit a focus on increasing understanding of gender equality and strengthening gender equality practices in the Office.

The audit was also mindful of the following three overarching ethical principles including when gathering, using and storing personal data.

<p>Do no harm</p>	<ul style="list-style-type: none"> • Ensuring participants are heard and are protected from harm • Being aware of unintentional bias • Understanding the context from which the data is gathered
<p>Ensure reliability</p>	<ul style="list-style-type: none"> • Disaggregating data against cross-cutting factors • Making recommendations based on reliable information • Validating findings with participants
<p>Ensure impartiality, integrity and transparency</p>	<ul style="list-style-type: none"> • Being open and transparent about how data will be used • Being genuine and respectful of those providing the data • Reviewing the data through multiple viewpoints - triangulation

Findings

In all of the gender audit methods two key questions were asked of the participants:

- *What does the Office do well to promote gender equality?*
- *Where could the Office improve how it promotes gender equality?*

The findings and recommendations in this report are organised under the five areas that were selected for the gender audit:

- Organisation structure and decision-making
- Organisation culture and practice
- Human resource management, policies and procedures
- Internal gender expertise, competence and capacity
- Mainstreaming of gender equality in external work.

When analysing the data gathered, the auditors consistently asked themselves a fundamental question: **Is any gender discriminated against or impacted inequitably as a result of this action, or lack of action.**

The findings and recommendations are not the views of individuals, but rather a collation of the main themes that became apparent during the analysis of the audit data. Care has been taken to ensure that contributions from individuals are not identifiable.

What the Office does well to promote gender equality

Organisation structure and decision-making

Under this heading it was found that the Office:

- sets strategic policy statements for gender equality, and gender mainstreaming is defined as a cross cutting outcome for the Office across all mandates.

- designates work to members regardless of gender whether it is desk or field work, and vacant positions are not gender specific.
- has a gender balance amongst staff and leadership. Although this is not written in policy for staff, gender balance is incorporated as an aspect to be considered for membership of the Advisory Council.

Organisation culture and practice

Under this heading it was found that the Office:

- provides equal access to Office resources and support. This has been particularly noticeable during COVID-19 lockdowns.
- is a family-friendly workplace, practising flexibility for staff. Examples given included attending to children, ensuring the wellbeing of families, and extended leave.
- has a mutually respectful working environment among co-workers across genders.
- uses language that is inclusive of female and male in most of its documents.

Human resource management, policies and procedures

Under this heading it was found that the Office:

- was in the process of drafting a Human Resources Manual and a Recruitment and Selection Manual. The auditors had the opportunity to view the draft Manuals and note the following:
 - Recognition of gender mainstreaming as a gender equality strategy.
 - Inclusion of ethical standards that promote diversity and inclusion and prohibit any kind of prejudicial behaviour or harassment on the grounds of religion, sex, race, ethnic origin, health, political affiliation, gender identity or sexual orientation, physical ability or marital status.
 - A section on Equal Employment Opportunity and Anti-bullying, including sub-section on sexual harassment.
 - A section on pregnancy at work.
 - Reference to gender in the establishment of selection panels, Recruitment and Selection Manual.
 - Formalisation of current good practice.
- maternity leave entitlement for up to 26 weeks, with full pay for the first 12 weeks.
- training opportunities available for all staff regardless of gender.
- no difference between male and female salary for positions of the same level. Four of five women are directors. Average male salary is SAT 54,013. Average female salary is SAT 60,053. Women attract both the highest and lowest salaries.

Internal gender expertise, competence and capacity

Under this heading it was found that the NHRI Unit of the Office:

- encourages knowledge of gender rights and gender equality across the Office.

Mainstreaming of gender equality in external work

Under this heading it was found that the Office:

- has implemented gender-focused projects, including the seminal work on family violence, and has collaborated with relevant government and non-government agencies in this work.

Where the Office could improve

Organisation structure, decision-making and reporting

Under this heading it was found that:

- while identifying gender mainstreaming as a core strategy, this should now be incorporated into the internal and external documentation and practices of the Office.
- gender equality performance measures are yet to be developed as part of the gender strategy.
- disaggregated data is not consistently collected or reported across the Office.
- there does not appear to be structured leadership responsible for gender equality across the Office as a whole.

Organisation culture and practice

Several areas were highlighted under this heading.

- Facilities¹:
 - there are separate toilets for female and male, however there is one shower only and that caters for males.
 - the lack of bathroom facilities for those who identify as gender diverse.
 - the lack of a private space for breast-feeding mothers.
 - when the elevator is broken, the Office becomes inaccessible for those unable to use the stairs – including pushchairs, wheelchairs, walking aids etc
- Thought leadership / attitudes:
 - while the respect that staff have for each other across the Office is obvious, it was reported that relationships can sometimes be caught up in stereotypical viewpoints about gender roles and gender diversity.
 - it was reported that some of the more junior-ranking, particularly female staff (ie not part of the Senior Leadership Team), felt that they did not have the opportunity to express their views and have them considered.
- Language: While the Office uses language that is inclusive of female and male in most of its documents (his/her or she/he) it does not reflect those who identify as gender diverse (that is, not female or male)
- External perception of competency linked with gender and age²: While not necessarily an experience reflected internally, some staff felt that being female and young was a barrier and was equated with incompetence. Externals were at times more responsive to older men than women when dealing with some matters.

Human resource management, policies and procedures

¹ When discussing issues related to facilities with the Ombudsman, it was noted that these are difficult to address in the present physical Office environment.

² While this point describes the reported experience of some staff, the related recommendation (#10) focuses on what is practical and doable for the Office in addressing the issue.

It is to be noted that the Office is developing the Human Resource Manual that is currently being finalised and socialised. The notes below indicate the matters *not yet* included in the Manuals.

- Paternity Leave allowance is short (up to 10 days full pay) compared to Maternity Leave (up to 26 weeks, with the first 12 weeks full pay)
- While gender mainstreaming is a high-level strategy human resource management, policies and procedures, there does not appear to be explicit strategy and tools for the protection and promotion of gender equality.

Internal gender expertise, competence and capacity

- Neither the organisation structure nor position descriptions identify responsibility for gender equality.

Mainstreaming of gender equality in external work

- It was unclear how gender is mainstreamed across all units and with external programming.

Recommendations

[Please note that the APF can provide support, on invitation by the Office, to address any of the following recommendations.]

Organisation structure, decision-making and reporting

1. Explicitly translate strategic gender mainstreaming statements into the internal and external operations of the Office, including workplans and design performance measures accordingly.
2. Consistently include gender when gathering data across all units and functions of the Office and reflect an analysis of this data in reporting.
3. Consider an explicit gender equality strategy, including guidelines and tools, for the protection and promotion of gender equality.
4. Explore how to structure gender equality leadership across the Office and implement.

Organisation culture and practice

5. Create opportunities for internal discussions on gender equality - thought leadership, gender diversity, gender and Fa'a Samoa.
6. Reflect gender equality (such as the use of images and language) on the website and in external communications
7. Review the physical aspects of the Office as appropriate with a view to mitigating the current barriers, including for women and gender diverse people.
8. Facilitate opportunities for all staff who are not part of the Senior Leadership Team to share their opinions confidently and be heard.
9. Consider the use of inclusive language in documentation when written in English. For example:
 - 'his/her' can be replaced with 'their'. ('... their knowledge in the performance of their duties.')
 - 'she/he' can be replaced with 'they.' ('... on such terms and conditions as they see fit.')

- 'lack of manpower to man the outpost' can be replaced with 'lack of people to staff the outpost'.
10. Offer capacity-building opportunities for particularly young female staff to build appropriate skills when dealing with externals, particularly those they experience as challenging. *It is to note that this recommendation does not apply to contexts where traditional formal protocols are appropriate.*

Human resource management, policies and procedures

11. Continue to strengthen gender equality references in the developing HR Manual, and review by applying a gender lens before finalising.
12. Include responsibility for protecting and promoting gender equality in all position descriptions.
13. Consider reviewing the Paternity Leave Allowance.

Internal gender expertise, competence and capacity

14. Facilitate internal gender equality refresher training at least once per year to support staff apply a gender lens to their work.
15. Ensure gender is reflected in training, orientation, induction processes and when contracts are renewed.
16. Ensure the outside 'face' of the Office, including the website, social media and other communications, is gender inclusive.
17. Devise ways to ensure staff understand and are competent to practice gender equality measures. (For example, having education material displayed such as a Discrimination, Sexual Harassment and Bullying poster on the wall; standing agenda items in Unit and Office meetings; developing gender equality guides or checklists for different areas of work).
18. Ensure Office training opportunities are gender balanced.

Mainstreaming of gender equality in external work

19. Develop a checklist or tool that will support the Office to apply a gender lens to all its external activity.

Appendices

Appendix 1: Audit Areas and Questions

	Audit area	Audit question examples
1	Organisation structure and decision-making	<p>How well does the Office:</p> <ul style="list-style-type: none"> 1.1 integrate gender perspectives into strategic statements and decision-making processes? 1.2 include gender mainstream strategies, priorities and practices throughout functional and portfolio areas? 1.3 balance gender representation at the senior leadership level? 1.4 proactively promote and recruit for gender equality at senior leadership positions? 1.5 designate leadership responsibility for the gender equality portfolio? 1.6 have a designated division, unit or work program focused on gender equality? 1.7 commit to ensuring gender equality is integrated in operational plans?
2	Organisation culture and practice	<p>How well does the Office:</p> <ul style="list-style-type: none"> 2.1 have an organisational culture, language and physical environment that reflect gender equality? 2.2 demonstrate awareness, attitudes and behaviours that reflect a practical understanding of gender equality, gender stereotypes and unconscious bias? 2.3 demonstrate gender awareness and sensitivity in its values, structures, systems, processes and relations of power? 2.4 have a reputation for integrity, inclusivity and competence on gender issues among leaders in the field of gender equality?
3	Policies, procedures and practices	<p>How well does the Office:</p> <ul style="list-style-type: none"> 3.1 have policies and procedures about gender equality, including equal employment opportunity, sexual harassment and domestic violence? 3.2 ensure gender considerations are included in all human resource management policies and practices, including recruitment, job descriptions, induction programmes, codes of conduct, performance assessments, professional development, staff support systems, leave allocations (including family and parental leave), complaints processes, remuneration levels, promotion and retention, staff travel etc? 3.3 include gender equality as a measure in performance assessments? 3.4 collect and report on gender-disaggregated data with regards to internal processes and employees? 3.5 have a gender balance across the organisation, including all functions and at all levels? 3.6 practice affirmative action where there is not a gender balance?

		3.7 have personnel who understand gender mainstreaming and can apply a gender perspective to their work?
4	Internal gender expertise, competency and capacity	Does the Office: 4.1 have Ombudspersons and staff who understand gender mainstreaming and can apply a gender perspective to their work? 4.2 have gender expertise on staff?
5	Mainstreaming of gender equality in external project / programmes and activities	<p><i>Planning & design</i></p> <p>How well does the Office:</p> <p>1.1 mandate gender considerations for inclusion in external work and approval processes?</p> <p>1.2 include an analysis of gender roles and implications in its planning?</p> <p>1.3 include the views and preferences of diverse genders in its planning and design?</p> <p>1.4 seek internal and external gender perspectives in its planning processes?</p> <p><i>Delivery</i></p> <p>How well does the Office:</p> <p>1.5 aim to redress gender imbalances and uphold and strengthen gender equality in projects, programmes and functions?</p> <p>1.6 have staff with the necessary knowledge, skills and attitudes to gender mainstream their work?</p> <p><i>Monitoring, Evaluation, Accountability & Learning (MEAL)</i></p> <p>How well does the Office:</p> <p>1.7 monitor and evaluate the gender impact of its programs/projects and functions?</p> <p>1.8 show that it contributes to gender equality and the empowerment of women and girls through its programmes, projects and functions?</p> <p>1.9 include gender mainstreaming in its MEAL Framework and Plan?</p>

Appendix 2: Samoa Office of the Ombudsman / NHRI – Document Review

Organisation structure and decision-making

- Annual Report 2019 / 2020
- Annual Report 1 Jul 2020 /30 Jun 2021
- Strategic Plan 2016 - 2020
- Strategic Plan 2021-22 / 2024-25 (At a glance)
- Strategic Plan 2021-22 / 2024-25
- Output based estimates and projections 2016 - 2020
- Budget 2020-21 to 2023
- Corporate Plan 2021/22 - 2024/25

Organisation culture and practice

- Code of Conduct Manual 2020

- Draft Human Resources Manual (not published)
- Draft Recruitment and Selection Manual (not published)
- Organisational Chart
- MEAL and Workplan Plan CSU
- MEAL and Workplan Plan GG
- MEAL and Workplan NHRI
- MEAL and Workplan SIU
- MEAL and Workplan ECU

Human resource management, policies and procedures

- Job Descriptions x 14
- Office Induction Agenda
- Staff Performance Review Template
- Terms and conditions of employment policy 2020
- Staff Salary and Level Detailed Sheet

Mainstreaming of gender equality in external work

- Website profile
- Choosing what to report on / investigate
- Detention inspection reports: Development process
- National Public Inquiry into Family Violence in Samoa
- GGU - Complaints handling
- GGU - Good Governance Mandate
- NHRI Info sheets (multiple)
- SIU - Complaints handling
- SIU Mandate
- State of HR Report 2020
- State of HR Report 2021
- Press release: Samoa human rights status Nov 2021
- Sixth Periodic Report of Samoa - 2018
- Concluding observations of the Sixth Periodic Report of Samoa - 2018

Appendix 3: Samoa Office of the Ombudsman / NHRI – Interviewees

#	Position	F	M	O
2	Ombudsman / Assistant	1	1	
3	Directors	2	1	
3	Officers	1	2	
2	Support Staff	1	1	
3	Externals	1	1	1

Appendix 4: Samoa Office of the Ombudsman / NHRI – Focus Group Programme

Samoa Office of the Ombudsman / NHRI – Gender Audit Focus Groups	
Timing	Activity
Platform	Zoom
0.00 – 0.10	<i>Welcome and introductions.</i>
0.10 – 0.20	<i>Overview the gender audit and focus group purpose, principles and ethical considerations</i>
0.20 – 0.40	<p><i>Session1: Gather thoughts and ideas:</i> Invite each participant to think about the extent to which gender equality is built into the systems and processes of the Office. They list:</p> <ul style="list-style-type: none"> • 3 things that the Office does well to promote gender equality • 3 areas where the Office could improve how it promotes gender equality
0.40 – 1.00	<p><i>Session 2: In groups collate thoughts and ideas:</i></p> <ul style="list-style-type: none"> • Focusing on the things that the Office does well, each participant shares what they have written. Repeat this process, focusing on the things that the Office I could improve on. • Collate as a group
1.00 – 1.10	Report to the whole group
1.10 – 1.30	<p><i>Session 3: Group analysis:</i></p> <p>The recorder shares their screen with, or sends their notes to, participants. Once they are available to everyone, review the themes and discuss:</p> <ul style="list-style-type: none"> • whether there are any additional thoughts they have, or would like to add to the themes • how the Office could strengthen what it already does well • how the Office could address the areas it could improve on
1.30 – 1.40	Report to the whole group
1.40 – 2.00	<i>Summary:</i> Go over the information that has been gathered and explain next steps. Final feedback.
1.55 – 2.00	Close

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