

SAFETY & RESPECT

AUSTRALIAN LABOR PARTY
CODE OF CONDUCT

Victorian Labor

1. PRINCIPLES AND PURPOSE

- 1.1. Pursuant to Rule 6.1, the Party has adopted this *Code of Conduct (Code)*, which is incorporated into the Branch Rules.
- 1.2. The *Code* sets out the expectations of the Australian Labor Party, Victorian Branch, known as the Party under the Branch Rules and “Victorian Labor” for the purpose of the *Code and Associated Policies*. A reference to Victorian Labor in the *Code and Associated Policies* is also a reference to the Party and vice versa.
- 1.3. The following policies sit alongside the *Code*:
 - 1.3.1. *Policy for Sexual Harassment Prevention and Response* (Schedule J);
 - 1.3.2. *Policy on Bullying and Harassment Prevention and Response* (Schedule K); and
 - 1.3.3. *Complaints Handling Policy* (Schedule L).

(Associated Policies)

2. PRINCIPLES AND PURPOSE

- 2.1. The ALP is the party of equality. All people are entitled to respect, equality, dignity and the opportunity to participate in society free of harassment and receive the protection of the law regardless of their origins, perceived race, religion, sexual orientation, gender identity, disability, age or ethnicity.
- 2.2. Victorian Labor is committed to providing a safe, inclusive and respectful environment in all Victorian Labor forums for members, officials, employees, contractors and volunteers. This extends to ensuring policies and procedures effectively protect Complainants when allegations of misconduct are made.
- 2.3. These principles apply to all those participating in the democratic processes of Victorian Labor.
- 2.4. In order to consistently meet the standards of behaviour demanded by these principles, the ALP has harmonised *Codes of Conduct and Associated Policies* across all levels and Branches of the ALP. In the case of Victorian Labor, the Branch Rules have been modified to incorporate the *Code and Associated Policies*.
- 2.5. In order to ensure people involved with Victorian Labor are aware of, understand and adhere to the *Code and the Associated Policies*, the State Office will promote this *Code and the Associated Policies* across the organisation.

3. APPLICATION

- 3.1. The *Code and Associated Policies* apply to the conduct of all Victorian Labor members, Parliamentarians, officials, employees, contractors and volunteers, who each agree they are familiar with and are, subject to Rule 24, bound by the *Code and the Associated Policies*. The *Code and Associated Policies* also apply to any person who attends a Victorian Labor gathering or event.
- 3.2. The *Code and Associated Policies* apply to workplaces, after hours work, campaign events, social functions convened by Victorian Labor, election campaigns, and meetings and conferences which individuals covered by the *Code and Associated Policies* attend as a result of party-related duties or their involvement with Victorian Labor.

4. INTERACTION WITH OTHER CODES, POLICIES AND PROCEDURES

- 4.1. Victorian Labor reserves the right to develop complaints handling policies for individual workplaces or gatherings, where appropriate, that are consistent with the principles outlined in the *Code and Associated Policies*. Such policies may apply concurrently with the *Code and Associated Policies*.
- 4.2. Victorian Labor also recognises that particular workplaces, including parliamentary workplaces, are governed by specific codes of conduct, legal and WHS requirements and disciplinary procedures. Such policies and obligations may apply concurrently with the *Code and the Associated Policies* and may be better suited to handle complaints in some circumstances, particularly where the matter relates to Ministerial or Parliamentary staff and employment relationships.
- 4.3. The ALP has a *National Code of Conduct and Associated Policies* which apply to national matters as outlined in the *Complaints Handling Policy*.
- 4.4. Members acknowledge and agree that any breach of the *National Code of Conduct and Associated Policies* will be dealt with in accordance with the *National Complaints Handling Policy* and may result in disciplinary action.
- 4.5. The *Code and Associated Policies* are to be read with, and are subject to, Rule 24 of the Branch Rules. Nothing in the *Code or Associated Policies* gives rise to any kind of legally-binding right or obligation.

5. STANDARDS OF CONDUCT

- 5.1. Victorian Labor expects all persons covered by this *Code and Associated Policies* to abide by the following standards and principles:
 - 5.1.1. Every person should be treated with dignity, fairness and respect.
 - 5.1.2. Every member must engage with other members in a way which affords them dignity, fairness and respect.
 - 5.1.3. Every person should comply with all relevant laws and regulations that apply to any Victorian Labor activities.
 - 5.1.4. Every person should be able to participate in activities of Victorian Labor free from bullying, discrimination and harassment including sexual harassment, intimidation, and victimisation.
 - 5.1.5. Action, including decisions as to whether action should be taken, should not be affected by personal interests and relationships and conflicts of interest should be disclosed as appropriate.
 - 5.1.6. No person should behave or act in a way that harms the reputation of the Party or adversely impacts the health and safety of any person.

6. BREACHES OF THE CODE

- 6.1. Misconduct under the *Code* includes but is not limited to situations where someone:
- 6.1.1. breaches the law;
 - 6.1.2. falsifies documents;
 - 6.1.3. is involved in fraud, bribery or corruption;
 - 6.1.4. engages in unlawful or anti-social behaviour including abuse of legal or illegal drugs;
 - 6.1.5. is negligent or incompetent in the performance of duties;
 - 6.1.6. is abusive or uses obscene or threatening language to another person;
 - 6.1.7. is physically or verbally violent against any person;
 - 6.1.8. behaves in a manner that constitutes discrimination as defined in the *Policy on Harassment and Bullying Prevention and Response*, which includes discrimination or harassment towards a group of persons on the basis of race, ethnicity, gender, gender identity, sexuality, age or disability;
 - 6.1.9. sexually harasses another person, as defined in the *Policy on Sexual Harassment Prevention and Response*;
 - 6.1.10. sexually assaults another person;
 - 6.1.11. behaves in a manner that constitutes harassment towards a person as defined in the *Policy on Harassment and Bullying Prevention and Response*, including on the basis of their sex;
 - 6.1.12. breaches workplace policies or workplace health and safety laws;
 - 6.1.13. attends a Victorian Labor gathering or event or when purporting to conduct business on behalf of Victorian Labor or representing Victorian Labor is under the influence of drugs or alcohol which prevents the proper or safe performance of duties;
 - 6.1.14. has unauthorised possession or misuses the property (including information systems) of Victorian Labor;
 - 6.1.15. deliberately fails to declare to Victorian Labor a conflict of interest (and obtain consent where required) which may affect their performance or judgment as an office holder;
 - 6.1.16. behaves in a manner which brings the Party into disrepute;
 - 6.1.17. misuses Victorian Labor's confidential information;
 - 6.1.18. fails to abide by the *Code and Associated Policies* or other internal Party policies for member conduct;
 - 6.1.19. breaches the confidentiality requirements under the *Code and Associated Policies*; or
 - 6.1.20. victimises a person for making a complaint or participating in the complaints handling processes under the *Code and Associated Policies*.

7. SEXUAL HARASSMENT

- 7.1. Victorian Labor strives to be an organisation, and a community, that is safe for everyone; and that it is imperative to take positive action to prevent sexual harassment. Victorian Labor recognises that sexual harassment is a form of gendered violence.
- 7.2. Victorian Labor recognises sexual harassment can constitute serious misconduct. Further details about what conduct is considered sexual harassment and how Victorian Labor handles allegations of sexual harassment are outlined in the *Policy on Sexual Harassment Prevention and Response* (Schedule J).

8. BULLYING AND HARASSMENT

- 8.1. Victorian Labor takes a strong stance against bullying and harassment, including harassment on the ground of sex, of any person by any individual covered by the *Code*.
- 8.2. Victorian Labor recognises that bullying and harassment can constitute serious misconduct. Further details about what conduct is considered bullying and harassment and how Victorian Labor handles this are outlined in the *Policy on Bullying and Harassment Prevention and Response* (Schedule J).

9. PROCEDURE FOR COMPLAINTS

- 9.1. Victorian Labor takes seriously complaints involving alleged breaches of the *Code and Associated Policies*.
- 9.2. Pathways to make, handle and resolve complaints, either formally or informally, are outlined in the *Complaints Handling Policy*. Complaints under the *Code* are intended to, and will, be handled under a separate process to disciplinary offences under the *Rules*.
- 9.3. Victorian Labor encourages Complainants to report criminal conduct to the police or other relevant authorities.
- 9.4. When dealing with allegations of misconduct, Victorian Labor will:
 - 9.4.1. act promptly;
 - 9.4.2. undertake a transparent process having regard to procedural fairness; and
 - 9.4.3. maintain confidentiality.