

The Liberal Party of Australia (SA Division)

Code of Conduct

As adopted by the State Executive on 20 January 2020.

1. The Liberal Party of Australia, and its State and Territory Divisions (collectively, LPA), are committed to providing a productive, rewarding and healthy workplace and environment for all our staff, volunteers, members and representatives.
2. Every person who undertakes activities on behalf of, in the representation of, or as a member of the LPA should treat others with dignity, courtesy and respect, enabling everyone to contribute in a cohesive manner to our objectives as set out in our Constitution.
3. The LPA is committed to the highest standards of behaviour by its staff, volunteers, members and representatives and to providing a safe and respectful environment. We are also committed to equal opportunity of employment.

SCOPE

4. It is acknowledged that State and Territory Divisions of the LPA have their own codes of conduct or similar, and their own disciplinary procedures or processes for dealing with misconduct. It is also acknowledged that, in addition to Commonwealth law, different State or Territory laws may apply to different Divisions. This Code of Conduct should be read and applied wherever possible consistently with those codes, procedures, processes of the State or Territory Divisions or applicable laws. Where there is an inconsistency between this Code of Conduct and the codes, processes, procedures or laws of a state or territory jurisdiction, the latter prevail.
5. Subject to that caveat, this Code applies to all staff, contractors, members, volunteers and representatives of the LPA.
6. It applies to on-site, off-site or after-hours work, meetings and social functions convened by the LPA or its associated bodies, and LPA conferences and campaign events which individuals may attend as a result of their Liberal Party of Australia membership or duties.
7. The LPA is a political party and its public reputation is important. Although the LPA cannot require compliance with this Code by its staff, contractors, members, volunteers and representatives in activities unrelated to the LPA, everyone is encouraged to consider this Code when dealing with others in any capacity.
8. This Code does not operate as a term of any contract of employment or service, unless agreed by the employer and the employee.

GENERAL PRINCIPLES

9. The LPA is committed to the principles that:

- every person should be treated with dignity and respect;
- addressing inappropriate behaviour supports a positive, healthy and positive workplace and experience;
- if there are issues or conflicts in the organisation, everyone has a role to recognise those issues and bring them to the attention of the right people; and
- everyone has an obligation to work respectfully to resolve difference or conflict.

LPA'S EXPECTATIONS

10. The LPA expects that staff, volunteers, members and representatives will at all times:

- act in a manner that promotes the objectives of the LPA
- act lawfully and ethically;
- treat each other with respect, courtesy and dignity;
- exercise a reasonable degree of care, skill and diligence in carrying out their duties, acknowledging that this may vary according to the role or duty;
- not act in a manner which causes, comprises or involves intimidation, harassment or verbal abuse; and
- not act in a manner which causes, comprises or involves discrimination, disadvantage or adverse treatment.

INAPPROPRIATE BEHAVIOUR

11. Discrimination, vilification, bullying and harassment, including sexual harassment, and other forms of inappropriate behaviour are unlawful under Commonwealth, State and Territory legislation. Such behaviour is prohibited by the LPA and will not be tolerated. Everyone is entitled to participate in LPA activities in an environment that is free from this behaviour.

Discrimination

12. Discrimination is behaviour which treats, or proposes to treat, someone unfavourably because of a personal characteristic when that characteristic is protected by the law, such as sex, age, race, religion or disability.
13. It is acknowledged that entitlement to membership of some LPA bodies established under the Constitutions of the LPA, or its State or Territory Divisions, may be based on characteristics such as age or gender. These bodies include, for example, the Young Liberal Movement and Federal Women's Committee. These bodies or committees have specific aims consistent with the nature of their membership and the objects of LPA. It is not discriminatory to so restrict membership of these bodies.

Direct discrimination

14. Direct discrimination occurs when a person is treated less favourably than another in a similar situation because of a personal characteristic protected by law. The prohibited grounds of discrimination are set out in Commonwealth, State and Territory anti-discrimination laws and include discrimination on the grounds of sex, race, age etc.
15. Discrimination can occur directly when a person or group is treated less favourably than another person or group in a similar situation because of a personal characteristic protected by law. It can also occur indirectly, when an unreasonable requirement, condition or practice is imposed that has, or is likely to have, the effect of disadvantaging people with a personal characteristic protected by law.
16. Examples of grounds on which discrimination may occur include:
 - race;
 - religion;
 - age;
 - sex;
 - marital or relationship status;
 - pregnancy;
 - breastfeeding;
 - carers responsibilities;
 - sexual preference or orientation;
 - gender identity; and
 - HIV/AIDS.

This list is not exhaustive.

Indirect discrimination

17. Indirect discrimination may occur when an unreasonable requirement, condition or practice is imposed that has, or is likely to have, the effect of disadvantaging people with a personal characteristic protected by law.
18. Discrimination may also include the situation where a workplace participant harasses another person based on a ground of discrimination.

Vilification

19. Vilification is an act which incites hatred, severe contempt or severe ridicule of a person or group, because of race, homosexuality, transgender, transsexuality or HIV/AIDS. Vilification is a particularly serious breach of applicable legislation and will be dealt with accordingly.

Bullying and harassment

20. Bullying is repeated, unreasonable and inappropriate behaviour directed towards an individual or group, which creates a risk to physical or mental health and safety. It can be a form of discrimination.
21. Bullying can take many forms, including jokes, teasing, nicknames, emails, pictures, text messages, social isolation or ignoring people, or unfair work practices.
22. Harassment is unwelcome conduct that a reasonable person would expect to offend, humiliate or intimidate.

Sexual harassment

23. Sexual harassment is a specific and serious form of harassment. It is unwelcome sexual behaviour, which could be expected to make a person feel offended, humiliated or intimidated. Sexual harassment can be physical, spoken or written. It can include, but is not limited to:
 - sexually suggestive behaviour, such as leering or staring;
 - wilfully brushing up against someone, touching, fondling or hugging;
 - sexually suggestive comments or jokes;
 - displaying offensive screen savers, photos, calendars or objects;
 - repeated unwanted requests to go out;
 - requests for sex;
 - sexually explicit posts on social networking sites;
 - insults or taunts of a sexual nature;
 - sending sexually explicit emails or text messages;
 - inappropriate advances on social networking sites;
 - accessing sexually explicit internet sites; and
 - behaviour that may also be considered to be an offence under criminal law, such as physical assault, indecent exposure, sexual assault, stalking or obscene communications.
24. Just because someone does not object to inappropriate behaviour at the time, does not mean that they are consenting to the behaviour.
25. All employees, members and volunteers have the same rights and responsibilities in relation to sexual harassment. A single incident is enough to constitute sexual harassment – it doesn't have to be repeated. All incidents of sexual harassment – no matter how large or small or who is involved – require employers and managers to respond quickly and appropriately.
26. Comments and behaviour that do not offend one person may offend others.

PROCEDURES FOR COMPLAINTS

27. The LPA is committed to ensuring that allegations of inappropriate behaviour are dealt with promptly, confidentially, and in accordance with the principles of procedural fairness for all parties involved. Complaints must also be dealt with in accordance with applicable legislation.
28. Complaints relating to breaches of this Code should be dealt with in accordance with each Division's complaints and dispute resolution procedures and Constitution.
29. The LPA's *Complaints and Dispute Resolution Policy* sets out best practice complaint and dispute resolution procedures.
30. Criminal conduct should be reported by the complainant to the police.
31. Staff members of Members of the upper and lower houses of the federal, state and territory parliaments, or of ministers, who have a complaint relating to their employment should refer the matter to their employer, being the relevant Parliament or government department.