

# Standards of behaviour and behaviour codes

*Resolution adopted 10 October 2024*

That the Senate and the House of Representatives approve the following standards of behaviour and behaviour codes with effect from 14 October 2024, noting the Behaviour Code for staff employed under the *Members of Parliament (Staff) Act 1984* is subject to a determination by the Special Minister of State:

## **Behaviour Standards for Commonwealth Parliamentary Workplaces**

Welcome to this Commonwealth Parliamentary Workplace. Please be aware we have clear guidelines on how we must behave towards each other:

Act respectfully, professionally and with integrity.

Encourage and value diverse perspectives and recognise the importance of a free exchange of ideas.

Recognise your power, influence or authority and do not abuse them.

Uphold laws that support safe and respectful workplaces, including anti-discrimination, employment, work health and safety and criminal laws.

Bullying, harassment, sexual harassment or assault, or discrimination in any form, including on the grounds of race, age, sex, sexuality, gender identity, disability, or religion will not be tolerated, condoned or ignored.

## **Behaviour Code for Australian Parliamentarians**

### **Purpose of Parliamentarians' Behaviour Code**

- (1) All Australian Parliamentarians have a shared responsibility as employers and leaders in the community to ensure that Commonwealth Parliamentary Workplaces meet the highest

standards of integrity, dignity, safety and mutual respect.

- (2) All Australian laws must be upheld, including the employer obligations outlined in the *Members of Parliament (Staff) Act 1984*.
- (3) This code forms the Parliament's expectations for how we behave towards each other and others we engage with in the course of our work, while recognising the importance of a free exchange of ideas and parliamentary privilege, which is an integral part of our democracy.

### **Code coverage**

- (4) Every Parliamentarian is required to understand and comply with this code and the Behaviour Standards for Commonwealth Parliamentary Workplaces. These codes and standards are enforceable and a breach of either code could lead to sanctions being imposed.
- (5) Both the code and the standards apply to Parliamentarians in the course of their role, including at social events, when travelling for work, and outside of normal business hours. This includes conduct engaged in by any means, including in person, or by electronic communication. Alcohol is no excuse for breach of this code or the standards.
- (6) Ensuring compliance with the code and the standards is a core requirement of Parliamentarians discharging their work health and safety obligations as employers.

### **Respect**

- (7) Parliamentarians must treat all those with whom they come into contact in the course of their parliamentary duties and activities with dignity, courtesy, fairness and respect.

- (8) Parliamentarians, as employers and leaders in the community, have a leading role to play in fostering a healthy, safe, respectful and inclusive environment where all people feel safe and valued.

### **Diversity**

- (9) Parliamentarians, as employers and leaders in the community, have a role in fostering and respecting diversity in their workplace, to ensure everyone feels safe and welcome to contribute.
- (10) Parliamentarians recognise the importance and value of diverse viewpoints, and that robust debate is conducted with respect for differing views, which are essential for a functioning democracy.

### **Prohibited behaviours**

- (11) Bullying and harassment, sexual harassment and assault, discrimination in all its forms including on the grounds of race, age, sex, sexuality, gender identity, disability, or religion is unacceptable. Such behaviour will not be tolerated, condoned or ignored.

### **Independent Parliamentary Standards Commission**

- (12) Anyone who believes this code has been breached is encouraged to raise their concerns about the breach.
- (13) Disclosures and complaints in relation to this code will be received confidentially and managed by the Independent Parliamentary Standards Commission (IPSC).
- (14) Advice and support regarding this code can be sought from the Parliamentary Workplace Support Service.

- (15) Parliamentarians have obligations to the Independent Parliamentary Standards Commission to:
- (a) cooperate with investigations and comply with sanctions imposed;
  - (b) maintain the confidentiality of the complaint process, unless authorised by the IPSC (or otherwise required by law) to share or release information; and
  - (c) act on allegations of misconduct made about their staff and to implement recommendations of the IPSC in relation to staff misconduct.

Failure to do so may be a breach of this code and sanctions may apply.

#### **Complaints under this code**

- (16) A vexatious complaint or a complaint made in bad faith may itself be a breach of this code and may be subject to sanctions.
- (17) Any attempt to intimidate or victimise a reporter/complainant or to lobby, influence or intimidate the IPSC (its office-holders, staff or contractors) will be treated as a serious and aggravated breach of this code.

#### **Upholding the Code for Parliamentarians**

- (18) Parliamentarians must incorporate this code in their everyday workplace practice. This is done by:
- (a) undertaking any training or professional development as recommended or deemed necessary as an employer and leader within the community; and
  - (b) complying with all workplace policies.

## **Behaviour Code for staff employed under the *Members of Parliament (Staff) Act 1984***

### **Purpose of MOP(S) Act Behaviour Code**

- (1) All employees employed under the *Members of Parliament (Staff) Act 1984* (MoPS Act) have a shared responsibility to ensure that Commonwealth Parliamentary Workplaces meet the highest standards of integrity, dignity, safety and mutual respect.
- (2) All Australian laws must be upheld, including relevant workplace laws.
- (3) This code forms the expectations for behaviour in the course of MoP(S) Act employment while recognising the importance of a free exchange of ideas, which is an integral part of our democracy.

### **Code coverage**

- (4) Every MoP(S) Act employee is required to understand and comply with this code and the Behaviour Standards for Commonwealth Parliamentary Workplaces. These codes and standards are enforceable and a breach of either could lead to sanctions being imposed.
- (5) Both the code and standards apply to all duties undertaken in the course of MoP(S) Act employment, including at social events, when travelling for work, and outside of normal business hours. This includes conduct engaged in by any means, including in person, or by electronic communication. Alcohol is no excuse for breach of this code or the standards.

## **Respect**

- (6) MoP(S) Act employees must treat all those with whom they come into contact in the course of their MoP(S) Act duties and activities with dignity, courtesy, fairness and respect.
- (7) All MoP(S) Act employees have a role in fostering a healthy, respectful and inclusive environment where all people feel safe and valued.

## **Diversity**

- (8) All MoP(S) Act employees have a role in fostering and respecting diversity in their workplace, to ensure everyone feels safe and welcome to contribute.
- (9) MoP(S) Act employees recognise the importance and value of diverse viewpoints, and that robust debate is conducted with respect for differing views, which are essential for a functioning democracy.

## **Prohibited behaviours**

- (10) Bullying and harassment, sexual harassment and assault, discrimination in all its forms including on the grounds of race, age, sex, sexuality, gender identity, disability, or religion is unacceptable.

## **Independent Parliamentary Standards Commission**

- (11) Anyone who believes this code has been breached is encouraged to raise their concerns about the breach.
- (12) Disclosures and complaints in relation to this code will be received confidentially and managed by the Independent Parliamentary Standards Commission (IPSC).
- (13) Advice and support regarding this code can be sought from the Parliamentary Workplace Support Service.

- (14) MoP(S) Act employees have obligations to the Independent Parliamentary Standards Commission to:
- (a) cooperate with investigations and comply with sanctions imposed; and
  - (b) maintain the confidentiality of the complaint process, unless authorised by the proposed IPSC (or otherwise required by law) to share or release information.

#### **Complaints under this code**

- (15) A vexatious complaint or a complaint made in bad faith may itself be a breach of this code and may be subject to sanctions.
- (16) Any attempt to intimidate or victimise a reporter/complainant or to lobby, influence or intimidate the IPSC (its office-holders, staff or contractors) will be treated as a serious and aggravated breach of this code.

#### **Upholding the Code**

- (17) MoP(S) Act employees must incorporate this code in their everyday workplace practice. This is done by:
- (a) undertaking any training or professional development as recommended or deemed necessary; and
  - (b) complying with all workplace policies as required by the Parliament.