

ALP NATIONAL POLICY FOR SEXUAL HARASSMENT PREVENTION AND RESPONSE

FEBRUARY 2021



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1. PRINCIPLES

- 1.1. This policy is to be read alongside the accompanying National Code of Conduct, which sets out the overarching principles within which the Australian Labor Party (ALP), its members, employees, and volunteers are committed to operate. It sits alongside, and is complementary to, the ALP Policy for Harassment and Bullying Prevention and Response and the National Complaints Handling Policy.
- 1.2. 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. These same principles apply to all those participating in the democratic processes of the Party.
- 1.3. ILO convention 190 – Violence and Harassment in the World of Work recognises the fundamental right of every worker to be free from all forms of violence and harassment at work, regardless of their employment type. This includes volunteers, contractors, casuals, trainees and apprentices.
- 1.4. Consistent with the Convention, the ALP stands against work related gendered violence, in all its forms, including sexual harassment, bullying and other types of inappropriate behaviour, which are prohibited and will not be tolerated.
- 1.5. Workplace bullying and harassment, particularly sexual harassment, can cause physical, emotional, sexual, psychological and economic harm. Victims, survivors and complainants in many workplaces have historically been silenced and left unsupported. We strive to create a strong and positive workplace culture, and commit ourselves to the creation of policies, training and grievance procedures that will effectively protect complainants when allegations of harassment are made.

2. PURPOSE AND SCOPE

- 2.1. The ALP believes in an organisation, and a community, that is safe for everyone; and that it is imperative to take positive action to prevent sexual harassment.
- 2.2. If sexual harassment does occur, then the Party has a duty to ensure that it is responded to promptly, confidentially and safely.
- 2.3. The ALP recognises that simply having a policy or code is not enough, and that the Party must ensure that steps are taken to create a robust positive culture by improving awareness, providing training and putting in place robust systems and processes.

- 2.4. Sexual harassment at any ALP associated event, venue or workplace will not be tolerated and will be addressed.

3. AWARENESS AND TRAINING

- 3.1. The ALP has a duty to ensure that everyone involved with the Party is aware of this policy and the expectations of the ALP regarding sexual harassment.
- 3.2. The ALP recognises that it has a duty to provide adequate training to Members of Parliament, elected officials, paid staff and support staff and to extend training opportunities to other members of the ALP as time and resources permit. Training should be mandated upon induction for MPs and senior staff, with regular refresher training. A register will be established and kept of each person who has received training, including persons who have received appropriate equivalent training in a workplace setting.

4. WHAT IS SEXUAL HARASSMENT?

- 4.1. Sexual harassment is unwanted, unwelcome misconduct of a sexual nature in circumstances where it is reasonable to anticipate the recipient will feel offended, humiliated or intimidated. It is irrelevant whether the person committing the acts intends to sexually harass the recipient. Sexual harassment is not interaction, flirtation or friendship which is mutual or consensual.
- 4.2. Sexual harassment can take many different forms – it can be obvious or indirect, physical or verbal, and repeated or one-off. Sexual harassment may include (this list is not exhaustive):
 - 4.2.1. physical acts, such as unwanted touching or sexual gestures;
 - 4.2.2. verbal acts, such as requests for sexual favours or dates, making promises or threats in return for sexual favours, inappropriate jokes and innuendos, explicit conversations, derogatory comments, insults, taunts, or intrusive questions about a person's private life; or
 - 4.2.3. visual acts, such as leering or staring at a person, and viewing, displaying or distributing offensive or explicit material including via the internet.
- 4.3. Sexual harassment can be a form of discrimination and can have serious consequences for individuals and work teams. It can expose the ALP to disputes and litigation.
- 4.4. Sexual harassment can occur in person or online. Technology-facilitated abuse can take many forms, such as: abusive messages or calls, account take overs, image-based abuse, fake social media accounts; and being tracked through a phone or device.
- 4.5. Sexual harassment can cause distress and harm for people who are not directly involved.

- 4.6. Anyone can be a victim of sexual harassment, regardless of their gender and of the gender of the harasser. What matters is that the sexual conduct is unwanted and unwelcome by the person against whom the conduct is directed.

5. ACTIVE BYSTANDER INTERVENTION

- 5.1. The ALP encourages and values safe active bystander intervention by members of the Party to prevent or stop sexual harassment from occurring or continuing.
- 5.2. Steps involved in safe active bystander intervention are:
 - 5.2.1. noticing the situation – paying attention to what is going on nearby;
 - 5.2.2. deciding whether someone might need help;
 - 5.2.3. checking with others if unsure;
 - 5.2.4. accepting responsibility to take action – not assuming someone else will act; and
 - 5.2.5. making a plan to step in, without being aggressive or putting oneself or others in danger.

6. SUPPORT

- 6.1. A member who alleges sexual harassment by a member of the Party, and/or a person who alleges that sexual harassment took place at a gathering or event under the auspices of the ALP, is entitled to a respectful response from the ALP.
- 6.2. Part of the resolution process is ensuring that a complainant is aware of available reporting options. This may involve referral to counselling or other independent avenues of professional advice and assistance, with the consent of the complainant.
- 6.3. Appropriately skilled and trained party members can support a person who has experienced sexual harassment. However, it is of the utmost importance to ascertain and respect the wishes of the person making a complaint with respect to privacy and confidentiality.
- 6.4. Where criminal conduct, including sexual assault, has occurred, or may have occurred, referral to police should occur subject to the consent of the complainant.
- 6.5. Where criminal conduct may have occurred, the complainant should be actively assisted in obtaining advice and assistance about medical, legal and other supports, from qualified independent victim support services (see more detailed information and indicative referrals in the National Complaints Handling Policy).

7. RESOLUTION AND COMPLAINTS

- 7.1. Different methods of resolution may be used to resolve potential complaints of sexual harassment, depending on the nature of the allegations, the seriousness of the alleged behaviour, and the wishes of the complainant.

- 7.2. The process to handle and resolve complaints, either formally or informally, is outlined in the ALP's National Complaints Handling Policy.

8. MONITORING AND EVALUATION

- 8.1. The ALP recognises the importance of monitoring this Policy. The ALP will finalise a reporting mechanism to capture anonymously the number of incidents, how they were dealt with, and any recommendations made. This will be done on a yearly basis. As a result of this report, the ALP will evaluate the effectiveness of this policy and make any changes needed.