

Political Activities

POLICY

This policy outlines the rights and obligations of Victorian government school employees when participating in political activities.

SUMMARY

When participating in political activities, Victorian government school employees (including school council employees) should:

- make sure they understand their rights and obligations as public sector employees
- ensure that any political activities they participate in are undertaken outside work and do not create a conflict of interest with their official duties or employment obligations

DETAILS

Victorian government school employees:

- have the right to 'freedom of association', including the right to form and join trade unions
- have the right to freedom of expression, subject to lawful restrictions such as protecting public order and breach of confidence
- may participate in political activities outside working hours if they are clearly undertaken in a private capacity
- must apply for leave of absence in the usual way to participate in political activities in working hours (including standing for election), and must resign if elected as a member of parliament
- must ensure that their political activities do not create a conflict of interest with their official duties
- must inform their line manager if they believe they may have a conflict of interest so a judgment may be made about the extent of any conflict and any necessary interim arrangements
- must not use information gained at work for any other purpose than official duties
- must not solicit students to become agents of any organisation or individual
- must not use their position to advocate for or against particular parties, candidates or issues in relation to an election campaign

Important: Partisan or party political materials, including materials that advocate for or against a particular political party, candidate or political issue in relation to an election campaign, must not be distributed, promoted or displayed in a school, other than for educational purposes.

These instructions do not apply to the display of notices or the preparation or distribution of material that relates to government policy in education that is the subject of public debate encouraged by the government or approved by the Department.

RELATED POLICIES OR ADVICE

- [Conflict of Interest](http://www2.education.vic.gov.au/pal/conflictinterest/overview) <http://www2.education.vic.gov.au/pal/conflictinterest/overview>
- [Elections — Schools as Polling Places](http://www2.education.vic.gov.au/pal/polling-places/policy) <http://www2.education.vic.gov.au/pal/polling-places/policy>
- [Members of Parliament and Candidates Visiting Schools](http://www2.education.vic.gov.au/pal/members-parliament-visittingschools/policy) <http://www2.education.vic.gov.au/pal/members-parliament-visittingschools/policy>

RELEVANT LEGISLATION

- [Charter of Human Rights and Responsibilities Act 2006 \(Vic\)](https://www.legislation.vic.gov.au/in-force/acts/charter-human-rights-andresponsibilities-act-2006) <https://www.legislation.vic.gov.au/in-force/acts/charter-human-rights-andresponsibilities-act-2006>
- [Commonwealth of Australia Constitution Act \(Cth\)](https://www.legislation.gov.au/Details/C2013Q00005) <https://www.legislation.gov.au/Details/C2013Q00005>
- [Constitution Act 1975 \(Vic\)](https://www.legislation.vic.gov.au/inforce/acts/constitution-act-1975) <https://www.legislation.vic.gov.au/inforce/acts/constitution-act-1975>
- [Equal Opportunity Act 2010 \(Vic\)](https://www.legislation.vic.gov.au/inforce/acts/equal-opportunity-act-2010) <https://www.legislation.vic.gov.au/inforce/acts/equal-opportunity-act-2010>
- [Fair Work Act 2009 \(Cth\)](https://www.legislation.gov.au/Details/C2019C00270) <https://www.legislation.gov.au/Details/C2019C00270>
- [Ministerial Order 1038 Teaching Service \(Employment Conditions, Salaries, Allowances, Selection and Conduct\)](https://www.education.vic.gov.au/hrweb/Documents/Ministerial-Order-1038.pdf) <https://www.education.vic.gov.au/hrweb/Documents/Ministerial-Order-1038.pdf>

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SCOPE

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