

Political neutrality and contracting with the TEC

The Tasmanian Electoral Commission (TEC) is an independent statutory body, with responsibility to provide independent, impartial and high-quality electoral services to the people of Tasmania.

As part of working for or with the TEC, it is important to:

- ✓ *be impartial*
- ✓ *uphold the TEC's independence*
- ✓ *be accurate*
- ✓ *be transparent*
- ✓ *comply with electoral law*

- ✗ *not comment on political matters*
- ✗ *not hide errors*

One of the ways the Commission maintains its integrity is by ensuring that it engages contractors that are, and are seen to be, politically neutral.

The Tasmanian Anti-Discrimination Commissioner has therefore granted the TEC an exemption under the *Anti-Discrimination Act 1998*, to enable the TEC to refrain from using contractors who engage in political activity that undermines the integrity of the Commission.

To be engaged as a contractor by the TEC, you will need to complete this form which asks you to disclose anything that could compromise the TEC's independence.

Depending upon the nature of the contracted service involved, the procurement documents may, as part of the compliance criteria, require the submission of a political neutrality declaration from the prospective contractor in the endorsed form. This declaration will be assessed by the evaluation team, who must be satisfied that:

- » the tenderer, any key staff and/or subcontractors involved with or having influence over the provision of the contracted service do not, and have not recently, engaged in political activity that would, or could be seen to, impact on the integrity and independence of the TEC as outlined in this policy, and
- » the tenderer will take steps to monitor and mitigate any situations that arise where key staff or subcontractors may engage in such political activity, and advise the TEC of any issues in a timely manner.

In accordance with the TEC's values, the TEC will deal with questions or issues affecting political neutrality as they pertain to prospective and current contractors in a fair, open and transparent manner. TEC staff responsible for procurement must be aware of this policy and its application.

Some examples of activities that may be interpreted as conflicting with political neutrality include:

- » letters to the editor of a political nature
- » social media posts and comments on public social pages, of a political nature
- » doorknocking or distributing political material or displaying political advertising on your property,
- » donations of money, time or goods to political parties, candidates or lobby groups, and
- » employment by a party, member or candidate.

While each contractor's circumstances will be dealt with according to the relevant facts, merely following a person or page on social media is unlikely to pose a problem, but actively promoting a current political position through posting, sharing, or commenting could be perceived as political messaging or commentary.

For more information on the exemption and TEC's political neutrality policy, please refer to the information, including the exemption itself, on our website www.tec.tas.gov.au/neutrality_policy or contact the TEC on 1800 801 701.

If the TEC finds that at this point a prospective contractor is not considered suitably politically neutral, it will directly contact them and advise of its decision.

Any prospective contractor who is aggrieved by a decision of the TEC in relation to the application of the exemption may make a complaint to the Anti-Discrimination Commissioner under the *Anti-Discrimination Act 1998* or to the Human Rights Commission under the *Australian Human Rights Commission Act 1986* within 12 months. Further information can be found at www.equalopportunity.tas.gov.au and www.humanrights.gov.au.

Political neutrality declaration form

Please answer on behalf of yourself, or any staff or subcontractors who would have involvement and/or impact on the provision of contracted services.

Are you, or have you been in the past 5 years:

- » a member of any political party anywhere in Australia? Yes No
- » a Member of Parliament or a local government councillor or a candidate in any State, Federal or local government election? Yes No
- » engaged in activity or employment that supports the aims of a political party, Member of Parliament or local government councillor, or candidate in any State, Federal or local government election? Yes No

If Yes to any of the above, please provide details

Have you publicly engaged in conduct promoting a political position in respect of a current political issue (including participating in social media commentary of a political nature)? Yes No

If Yes, please provide details

Are you, or have you been a member of a lobby group (not being a union or professional association) which promotes a political position for an issue currently before the electorate? Yes No

If Yes, please provide details

Is there anything else that should be considered when assessing your political neutrality? Yes No

If Yes, please provide details

Declaration

- » Aside from what I have answered above, I declare that I am politically neutral and that all information I have provided on this form is true and accurate.
- » I also declare that I will notify the TEC of any changes to my circumstances if they put at risk my impartiality or independence or that of the TEC.

Name	Signature	Date DD / MM / YYYY
Phone	Email	

OFFICE USE ONLY

Reviewed by:	Position	Date	Decision
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