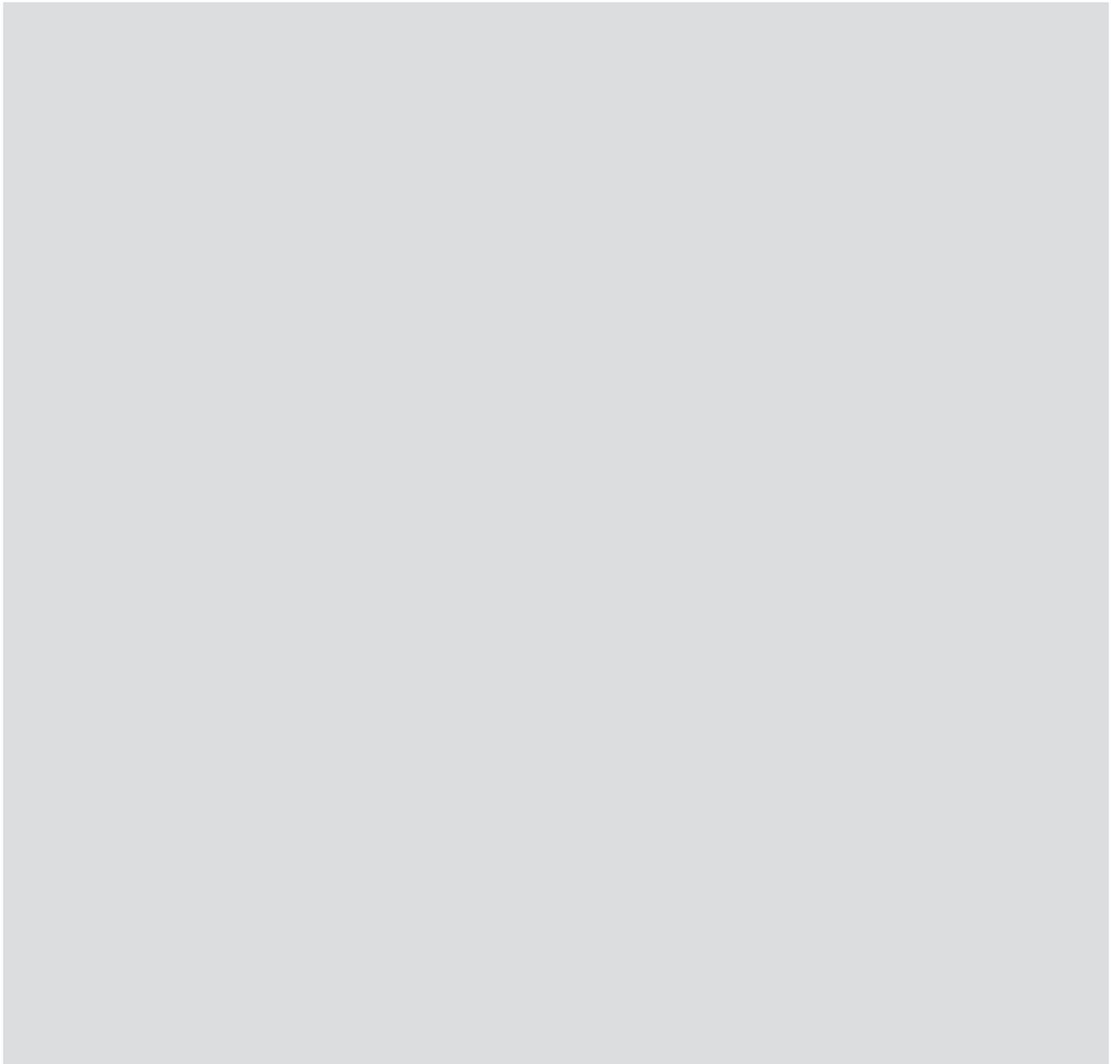




National Platform



Chapter 10: Open and accountable government

Introduction

- 1 Labor wants to strengthen our democracy and give Australians a real say in shaping our future. As the only Australian political party that pre-dates Federation, Labor has a long history of support and respect for Australia's democratic institutions and values and the Westminster Parliamentary tradition from which they are derived. Since its earliest days, Labor has fought to strengthen our democracy.
- 2 Labor has always been the party that has invested in our nation's public services and public institutions, to serve the common good, achieve broader social democratic goals and give individuals access to the support they need to fully participate in their community. This commitment holds strong today.
- 3 Our public services and institutions have a critical role to play in building the Australia of the 21st century. Labor recognises the importance of long term planning to fund the public service. This will ensure that the public service can attract and retain the high skilled employees needed to provide high quality policy solutions that address the big issues facing Australia, and provide better services now and in the future.
- 4 Labor understands that changes in our population, society and economy are creating new needs and that modern democratic engagement and service delivery must reflect those needs. As communication technology improves, our national broadcasters are able to provide more content to more diverse audiences. As technology increases access to government, our public services and elected representatives should become more accountable. As our population ages, services will need to adapt to meet the demand for greater choice and control. Labor recognises that these changes present new challenges to our democratic processes, our public services and the community and not-for-profit sector.

Labor values

- 5 Labor believes our Constitution and Federation need to be modernised to resolve the funding and administrative problems that have prevented government effectively dealing with the challenges of today. This includes ensuring our constitutional framework recognises our role as an independent nation and our federal funding and administrative structures reflect our status as a nation, not as a number of colonies.
- 6 Labor believes government should be transparent and driven by electoral mandate, not hidden and unaccountable power. Whether through donations to political parties, lobbying activities restrictions on freedom of information, government should be free of the vested and sectional interests that undermine the ability of government to act in the national interest.
- 7 Labor is committed to democratic and accountable government. This means upholding the highest standards of transparency and probity in the conduct of government and public services. It means a vital role for our public media and broadcasting in informing and educating our citizens. Labor also believes an effective democracy requires a healthy civil society. Labor supports the development of the community and not-for-profit sectors, voluntary groups and methods to increase direct public involvement in decision-making and governance.

- 8 Elections and voting are at the heart of a functioning democracy, and ensuring that the democratic franchise is able to be exercised by all Australians regardless of social class, race or background is an enduring Labor value. Labor believes that Parliament should always be accountable to voters, because effective oversight and scrutiny deepens our democracy, allowing policies to be properly evaluated, and judged at subsequent elections and providing a more informed and active polity.
- 9 Labor has always had a vision of government as an enabler: providing the necessary regulation and opportunities for achieving our broader social democratic goals. Labor is committed to shaping government so that it delivers through collaboration and partnership and encourages deliberative solutions to the complex challenges many Australians face.
- 10 Labor's tradition of nation building extends beyond our essential economic and physical infrastructure. For Australia to be a fair, inclusive and well governed society, Labor believes in investing in public services and institutions, the community sector and our national and community media and broadcasting infrastructure.
- 11 Labor recognises the important role of Australia's public services in providing essential services for the entire community, while also providing long-term policy advice for government that serves the national interest. Labor believes public services should be efficient, high quality, effective and accountable and they should also be protected from interference from government, the private sector or political parties with decisions to outsource public services not made solely on cost.
- 12 Labor acknowledges that the Productivity Commission is an important tool to assist government in policy making. However, Labor recognises that the Productivity Commission should, as part of its charter, be obliged to take account of social and environmental considerations, as well as economic considerations, in reporting and making recommendations. Labor will ensure the Productivity Commission is highly skilled and reflective of the broader community including trade unions, non-government organisations, economists, the business and investment community and academia.
- 13 We believe government should be open to increased citizen participation in decision making, particularly in light of increased opportunities provided by technology and communications. Labor believes the public should have a greater say in decisions that affect their lives and a greater involvement in the services they need and value.
- 14 Labor believes in a flourishing civil society to counter-balance market forces and the inherent power of the state. Labor supports the community and not-for-profit sectors and recognises the pivotal role they play in civil society, particularly in advocating for and serving marginalised Australians. Labor supports both the sector's advocacy role and the major contribution it makes to delivering essential services to people who need those services most.
- 15 Labor is committed to high quality media that is accessible and diverse, and provides choice and breadth in information, opinion, education and entertainment. Labor believes that a nation as large and diverse as ours needs national broadcasting institutions that are publicly owned and run in the national interest. These institutions are central to building national unity, and to recognising the diversity that makes us a strong community.

Labor achievements

We have:

- delivered measures to make government more open and accountable, such as holding Community Cabinets across the country. Labor is committed to continuing Community Cabinet meetings across Australia and will ensure that Ministers at the highest levels are made available through these public forums
- introduced the first Federal Lobbying Code of Conduct to help build trust in government processes. For the first time, over 500 lobbyists who represent third parties have publicly registered. Labor is committed to the ongoing use of the Lobbying Code of Conduct and Lobbyist Register
- introduced new guidelines on government advertising, which take the politics out of government communications, and have set up an Independent Communications Committee to independently review campaign advertising
- strengthened Freedom of Information legislation
- introduced a revised code setting out new Standards of Ministerial Ethics, requiring Ministers to act with integrity and fairness
- required Ministers to divest themselves of all shareholdings other than through broadly diversified investment vehicles, managed funds or trust arrangements
- introduced a 'cooling-off' period of 18 months before former Ministers can take up jobs with lobbying and other private sector companies in their previous areas of responsibilities; and 12 months before advisers can work as third party lobbyists in their former areas of expertise
- introduced the first Code of Conduct for Ministerial staff
- prohibited electoral fundraising at the Lodge or Kirribilli House
- introduced and published the first Annual Report on Ministerial and Parliamentary Staff
- developed a National Compact Working Together with the not-for-profit sector
- established a Not-for-Profit Sector Reform Council to help drive the government's plans to reform the sector
- developed, in partnership with the sector, a National Compact and set up a Not-for-Profit Sector Reform Council to support its implementation for a vibrant, independent and innovative not-for-profit sector
- provided funding to the not-for-profit section to:
 - develop additional emergency relief and financial counselling services
 - support innovative projects such as low interest loans and matched savings schemes
- established a career transition and support centre in the APSC to provide redeployment opportunities for public servants and built on this through detailed redeployment principles.

Labor priorities

Progressing constitutional reform

- 16 Labor has a long-standing commitment to constitutional reform to modernise our democratic structures and make our public administration more effective, efficient and prepared to deal with the challenges of the 21st century. Labor believes that first and foremost our Constitution should reflect Australia's status as a parliamentary democracy and an independent nation.

- 17 Labor supports the recognition of our first peoples in the Australian Constitution. The recognition of Indigenous peoples in the Australian Constitution is an important step in building a more reconciled nation based on strong relationships and mutual respect. Labor supports changes that will reflect the unique and special place of Indigenous people in our nation. Labor will work to build public support for Constitutional recognition of Indigenous Australians.
- 18 Labor believes that modernising our Constitution also entails a transition to an Australian Republic, with an Australian Head of State, who can fully represent our traditions, values and aspirations as a nation. Labor is committed to consulting with the Australian people, other political parties and the states and territories as to the form that the Republic should take. Labor will promote community debate about the advantages and disadvantages of the various republican models. Labor will conduct plebiscites to establish support for an Australian Head of State and the preference for different forms of a Republic. When a preference has emerged Labor will initiate an appropriate referendum under section 128 of the Constitution.
- 19 Labor recognises that constitutional reform must be underpinned by popular ownership of the reform agenda, broad political support and effective community education. Labor remains committed to constitutional reform that:
- entrenches the principle of one vote, one value for all elections, to ensure equal participation for all regardless of place of residence
 - allows simultaneous, fixed four-year terms for the House of Representatives and the Senate
 - prevents the Senate rejecting, deferring or blocking appropriation bills
 - removes the barrier on election to parliament of a person holding an office of profit under the Crown, provided that office is relinquished on election
 - allows all Australian citizens to contest Commonwealth elections
 - removes racially discriminatory provisions from the Constitution, in particular by amending or removing section 25 and section 51(xxvi) to ensure they cannot be used to discriminate against Indigenous Australians
 - makes clear the capacity of the Commonwealth and the states and territories to work together using the full range of cooperative schemes to achieve harmonised laws and national enforcement regimes
 - recognises the role of local government.
- 20 Labor will continue using the COAG process to modernise our Federation and improve the delivery of important services in areas like health, education, transport, water, emergency services and Indigenous equality.

Reforming electoral law

- 21 Labor is committed to the fair, open and transparent operation of our electoral system and to the essential democratic principle that every person should have the right to full participation in it.
- 22 Labor will ensure that all Australians, and particularly first-time voters, people from non-English speaking backgrounds, Indigenous people, people in remote locations and young people are not excluded from the electoral system.
- 23 Labor will improve the integrity of the electoral system and, most urgently, restore transparency, openness and accountability to the funding and disclosure regime.

- 24 Building on the improvements made to date, Labor will:
- encourage public debate about reform of our electoral laws including enrolment and electoral participation
 - ensure that disadvantaged groups are not excluded from the democratic process
 - introduce a new scheme for the regulation of political financing, including donations, other revenues, expenditures, and record-keeping
 - ensure maximum opportunities for enrolment and involvement in our electoral process
 - remain committed to constitutional reform that allows simultaneous, fixed four-year terms for the House of Representatives and the Senate
 - continue to build confidence in the system by effectively investigating and reporting all claims of electoral malpractice
 - commit to advance the cause of making electoral enrolment and voting as quick, simple and flexible as possible, seeking to maximise the franchise consistent with maintaining the integrity of the system. Labor will further amend electoral legislation to ensure the capacity of Australians to participate in the electoral system is undiminished and extended where possible and appropriate.
- 25 Labor acknowledges the decision of the High Court during the 2010 election campaign on the matter of new voters. Labor has legislated to give effect to that decision and will consider further amendments to allow enrolments as close to the election date, up to and including polling day.
- 26 Labor recognises the important role of the Australian Electoral Commission in ensuring the integrity of the electoral system and will provide the (AEC) Commission with the appropriate funding needed to meet its responsibilities.

Ensuring women's equal place in a stronger democracy

- 27 Labor is committed to promoting the equal participation of women and men in decision-making processes.
- 28 Labor is committed to promoting and supporting women's leadership in Australia's parliaments, governments, senior levels in the private sectors and communities throughout Australia.

Labor will work to ensure women's equal place in the world by:

- maintaining an active role in international forums to promote the rights of women including institutions formed under the United Nations Convention on the Elimination of All Forms of Discrimination against Women
- ensuring the Sex Discrimination Act and the powers of the Commissioner are adequately protecting women against discrimination on the basis of gender and family responsibility
- supporting women's representative organisations to participate in policy development
- applying sophisticated gender policy advice and analysis to policy development of the government
- supporting and promoting women's leaders in all facets of Australian society through a range of regulatory and educative measures
- supporting the greater representation of women in all of Australia's parliaments
- supporting diversity in corporate Australia, including in appointments to boards and at the executive level
- adopting a target for government boards that by 2015 at least 40 per cent of members should be women and 40 percent of members should be men

- recognising the particular issues faced by Indigenous women, women of culturally and linguistically diverse backgrounds, women with disabilities, rural women, young women, lesbians, bisexual women and women of transgender or intersex background, and ensures that government policies and programs are funded, accessible and appropriate to their needs.

29 Labor will require as a condition of all Commonwealth grants and other financial support to organisations that they perform their contracts in accordance with state, territory and Commonwealth anti-discrimination laws.

LGBTI place in a stronger democracy

30 Labor believes in a society that embraces diversity. Labor will support lesbian, gay, bisexual, transgender and intersex Australians and ensure that they are safe, valued and respected.

31 Labor recognises that the Yogyakarta Principles on the Application of International Human Rights Law in Relation to Sexual Orientation and Gender Identity provide a substantial guide to understanding Australia's human rights obligations in relation to LGBTI Australians and their families.

32 Labor recognises that LGBTI Australians and their communities contribute much to Australian society. Labor will work with LGBTI Australians and representative groups to:

- expand integrated advice and support services for LGBTI Australians, and ensure their engagement in the policy development of government
- support GLBTI Australians with particular needs, such as those who are young, Aboriginal and Torres Strait Islanders, from CALD backgrounds and those living in rural, regional and remote Australia
- strengthen laws and expand programs against discrimination and harassment on the basis of sexual orientation and gender identity
- support and engage with communities and stakeholders to provide input into government decision making, including consideration of a LGBTI ministerial advisory committee. Labor will strengthen support for LGBTI people by integrating advice and support to ensure they are supported in government policy development.

33 Labor will strengthen support for LGBTI Australians by integrating advice and support services and ensuring they are engaged in the policy development of government.

34 Labor condemns sexual violence, or any derogatory behaviour and harassment towards all people. Labor recognises the harm that such actions cause and will pursue policies that prevent discrimination.

35 Labor will:

- establish appropriate mechanisms to coordinate and promote both policy development and the initiatives across government needed to ensure effective implementation of policies, with adequate ongoing funding to ensure that all government services are provided in a way that furthers those policy aspirations in practice
- strengthen partnerships between the Commonwealth and LGBTI community groups in the delivery of support services for LGBTI Australians and their families
- investigate the establishment of a National Gender Centre to provide support and advocacy for transgender and intersex Australians, which could also have an education and training role to promote awareness about transgender and intersex issues to the wider public
- review documentation requirements, including passports and birth certificates, as they affect transgender and intersex people, to facilitate their equal enjoyment of human rights without discrimination and to promote identification options beyond binary male / female.

- 36 Labor will build upon previous legal achievements to implement equality in practice, so that every area of policy is inclusive of the needs and interests of all Australians-including lesbians and gay men, and bisexual, transgender and intersex people-without discrimination.
- 37 Building on the 2008 reform of 85 Commonwealth statutes that discriminated against same-sex couples and their families, Labor will:
- ensure that the impact on LGBTI people is considered in developing bills or regulations
 - ensure LGBTI Australians enjoy equality before the law, and have access to every state institution without discrimination.

Transparent government

- 38 Labor has introduced major reforms to Freedom of Information (FOI) to strengthen citizens' rights of access to government material and bring down the costs of FOI including:
- strengthened the public's right to access documents under FOI by minimising exemptions and broadening the application of public interest tests under the Act
 - streamlined and improved review processes
 - extended FOI to information held by other entities delivering government services
 - established an FOI Commissioner within the Office of the Australian Information Commissioner
 - abolished the power to issue conclusive certificates under the FOI Act and the Archives Act
 - restored the role of the Administrative Appeals Tribunal and the Courts in determining disputes over FOI requests
 - proactive release and reporting of information by agencies on their operations and policies.
- 39 Labor will continue to promote transparency and accountability by maintaining and promoting a pro-disclosure culture across Australian Government agencies.
- 40 Access to government information and decision-making facilitate the workings of our democratic system, allowing the public and community to obtain reasonable access to government records and documents that affect their lives. Labor has a long standing commitment to the creation of more comprehensive and effective public interest disclosure laws, to enhance the openness and transparency of public administration. Labor will work with stakeholders, including trade unions to create new arrangements for the handling of public interest disclosures within the federal public sector. The legislation will include clearer procedures governing how agencies deal with public interest disclosures protections extending beyond current public servants, and applying to the full range of government services the provision of a clear framework in reporting procedures and requirements central monitoring, oversight and reporting to government on public interest disclosures enhanced protections for whistleblowers.

Protecting privacy

- 41 Labor believes an individual's right to privacy is a fundamental political, civil and human right that must be protected. We believe it is the responsibility of government to provide a strong regulatory framework to protect people's right to privacy and ensure the security of their personal information, whether held in the public sector or the private sector. To this end, Labor introduced the first Commonwealth Privacy Act in 1988. Labor is committed to:
- progressing policy changes based on the recommendations of the Australian Law Reform Commission in its 2008 report on privacy

- improving privacy principles at the federal level governing both the public and private sectors
- introducing privacy reform legislation into Parliament in stages —dealing with new uniform privacy principles, credit information, health information, the powers and functions of the Privacy Commissioner and other privacy laws relating to new technologies.

42 Labor will:

- work to educate Australians, particularly Australian youth, about the impact on privacy of new technologies
- develop appropriate frameworks for the protection of privacy in the workplace
- ensure that personal information of Australians transferred overseas is protected
- work with state and territory governments to achieve greater national uniformity in privacy laws.

Freedom of speech

43 All Australians enjoy the right to exercise their freedom of speech in a manner that respects the individual and collective rights enjoyed by other Australians and allows others to live free from violence, the fear of violence or the threat of violence. To protect freedom of speech further, Labor will:

- move to implement the Australian Law Reform Commission recommendations on sedition laws
- provide shield laws to protect confidential sources and recognise the public interest in giving the community appropriate access to information
- review secrecy laws and laws that criminalise disclosure of matters of public interest.

44 Labor recognises that homophobic harassment by the written or spoken word causes actual harm, not mere offence, to people with a history of suffering discrimination and prejudice, and particular harm to young same-sex attracted or gender-questioning people who do not yet have support networks in place to assist them in coming out, and considers such harmful harassment is an unacceptable abuse of the responsibilities that come with freedom of speech and must be subject to effective sanctions.

45 Labor supports uniform national defamation laws that provide a proper balance between freedom of expression, public debate and the protection of the reputation of others. Labor believes that adults should be entitled to read, hear and see what they wish in private and in public, subject to adequate protection against persons being exposed to unsolicited material offensive to them and preventing conduct exploiting, or detrimental to the rights of others, particularly women and children. Labor is concerned about the portrayal of violence and inappropriate content in all forms of media. Labor will ensure that appropriate controls that reflect community standards are in place to classify and protect all Australians, particularly children and young people.

46 Ministers, staff and all members of Parliament should follow clear standards relating to their behaviour, contact with lobbyists, receipt of any gifts, and disclosure of any potential conflicts of interest which may affect them carrying out their public duty. To build on recent reforms, Labor will:

- make government operations more transparent by releasing information about the costs of government advertising, the costs of Ministerial and Parliamentary travel and related matters
- ensure Parliamentary entitlements are efficiently used and properly monitored with a high degree of transparency.

A dynamic, effective and modern public sector

- 47 Labor believes that the Australian Public Service (APS) and the wider public sector have a crucial role to play in nation building. Public services should be properly funded to deliver quality public policy, foster innovation, achieve best practice and create quality jobs.
- 48 We believe the APS should be:
- professional and apolitical
 - strong, independent and well-resourced
 - committed to equality and social cohesion as well as economic efficiency
 - accountable for meeting high standards of service delivery
 - recruited from the brightest and best in the Australian community
 - allowed and encouraged to provide frank and fearless advice
 - a model employer in terms of consultation, internal communication, trade union engagement, and the conditions of employment and opportunities for advancement for its staff, including through continuous education and lifelong learning
 - subject to democratic oversight through parliament and relevant bodies including the Auditor-General, the Australian National Audit Office, the Commonwealth Ombudsman and the Australian Public Service Commission
 - subject to independent administrative review of its actions
 - a leader in environmental best practice.
- 49 Labor has always been a strong advocate and protector of the professionalism and integrity of the public service. We will work with the public service and unions to ensure the public service is efficient, effective and responsive to the changing requirements of the Australian people.
- 50 Labor recognises that:
- Australians want a career public service without partisanship
 - public service employment must be fair and equitable
 - there is necessarily a limit on, and need for public scrutiny of, top public service remuneration
 - there must be an ethos of public service
 - outcomes are funded by public money.
- 51 Labor will ensure that these special elements are reflected in public service industrial relations arrangements by:
- supporting a single, unified APS by addressing current pay inequities through an agreed mechanism to achieve equal pay for work of equal value across the APS
 - ensuring service-wide productivities are recognised as efficiency gains by APS agencies and that these gains are shared between government, employees and the community
 - ensuring best practice bargaining arrangements including genuine negotiation over pay and conditions
 - ensuring genuine, good faith consultation on all matters affecting employees in the workplace
 - facilitating support for the role of trade unions and delegates in the workplace
 - ensuring secure, comprehensive, service-wide standards and classifications

- ensuring secure superannuation arrangements in industrial instruments. Labor will maintain at least 15.4 per cent employer contribution to the superannuation of Commonwealth Government employees, regardless of choice of fund.
- emphasising training and career development
- enabling public servants to balance work and family responsibilities
- ensuring appeal and review rights
- encouraging direct employment and limiting hiring on a contract basis
- enabling employment mobility across the whole of the public service
- providing adequate agency funding across the whole of the APS
- centrally and fully funding measures that address pay inequities in low-paying public sector agencies with a high proportion of Aboriginal and Torres Strait Islander staff
- taking further active steps to increase the proportion of Indigenous employees in the APS including the provision of meaningful career development and regularly reviewing the effectiveness of those measures in achieving that goal
- taking further active steps to increase the proportion of people with a disability employed in the APS and ensuring they have access to meaningful career development and regularly reviewing the effectiveness of those measures in achieving that goal
- ensuring that contracting-out is not used as a vehicle to cut wages and working conditions for public sector employees
- establishing staffing levels commensurate with workloads.

52 Labor will work with trade unions and employees to investigate a range of alternatives for measuring agency efficiency and identify alternative measures to the efficiency dividend that allow APS agencies to most efficiently and effectively deliver government services and develop public policy.

53 Labor will build on the measures it has taken in office by:

- introducing merit-based selection procedures to the appointment of agency heads—other than departmental secretaries—and statutory offices working within or closely with APS agencies
- continuing to support and fund special programs aimed at increasing the proportion of Indigenous employees in the APS
- attaching renewed priority to the employment of people with disabilities in the APS
- establishing an Ethics Advisory Service in the APSC.

Vibrant community and not-for-profit sectors

54 Labor believes a strong, vibrant, independent and innovative not-for-profit sector is essential to underpin a productive and inclusive Australia. Not-for-profit organisations contribute to good public policy, enrich our culture, protect our environment and promote health and wellbeing as well as advocate on behalf of Australian communities including marginalised groups. The work of not-for-profit organisations complements the role of the public sector in the provision of essential services to the community; it should not duplicate or compete with them. Labor has developed a National Compact: Working Together that outlines how the government and sector organisations will work together in new ways based on partnership and respect. It is the culmination of extensive consultation between the government and the sector.

- 55 The National Compact sets out a shared vision between the government and the not-for-profit sector where each will work together to improve social, cultural, civic, economic and environmental outcomes, building on the strengths of individuals and communities. This collaboration will contribute to improved community wellbeing and a more inclusive Australian society with better quality of life for all.
- 56 The Labor Government and the not-for-profit sector will work together according to these principles to achieve their shared vision:
- we believe a strong independent sector is a vital element in the achievement of a fair and inclusive society. We acknowledge and value the immense contribution the sector and its volunteers make to Australian life
 - we aspire to a relationship between the government and the sector based on mutual respect and trust
 - we agree that authentic consultation, constructive advocacy and genuine collaboration between the sector and the government will lead to better policies, programs and services for our communities
 - we believe the great diversity within Australia's not-for-profit sector is a significant strength, enabling it to understand and respond to the needs and aspirations of the nation's varied communities, in collaboration with those communities.
- 57 In addition to developing the National Compact, Labor has also established the Not-for-Profit Sector Reform Council. These will enhance the understanding of the value of the sector's work and drive improvements in regulation, administration and funding arrangements for the sector.
- 58 The national regulatory framework for not-for-profit organisations should be developed so that it:
- stimulates the establishment and further development of a broad range of community or not-for-profit organisations
 - does not attempt to inhibit the public advocacy role of the sector
 - encourages donor confidence
 - sets a reasonable standard for public disclosure
 - establishes appropriate oversight of the sector.
- 59 Labor supports the development of a national regulatory framework based on the 2008 report of the Senate Standing Committee on Economics Disclosure regimes for charities and not-for-profit organisations, and supports the examination of:
- a single national Associations Act providing for the registration and regulation of not-for-profit organisations, including all current non-profit companies and incorporated associations, by a referral of powers from the states through COAG
 - a tiered system for regulation based on revenue
 - a single national Fundraising Act to regulate fundraising by not-for-profit organisations
 - a specialist national regulatory body for not-for-profits
 - an accounting standard for not-for-profits, with appropriate recognition for small, non-complex organisations
 - codification of the law relating to the taxation of charities and not-for-profits, based on the June 2001 report of the Inquiry into the Definition of Charities and Related Organisations.

Delivering quality community services

- 60 Labor recognises that government relies on the non-government and community sector to help build an inclusive society. Labor believes that a highly-skilled and well-educated workforce is central to the delivery of quality services by the non-government community sector.

- 61 Labor believes government has a core responsibility for developing partnerships with the community sector to build an inclusive society. In procuring social and human capital Labor will ensure the real value of funding is maintained to ensure the attraction of a highly skilled and well educated workforce. Labor recognises that the social value and unique contribution of the community sector must be taken into account and that many competitive tendering models which take into account price alone do not deliver on broader social policy objectives.
- 62 Labor recognises the need for competitive wages in the community sector to overcome problems in retaining skilled workers in the industry, recognising the value of the work performed and ensuring the sector can provide the quality of service expected by the community.
- 63 Labor will support the establishment of career structures and pay scales that enhance service delivery, skills development and education opportunities for the community sector workforce.

Government procurement

- 64 Labor will promote a procurement strategy that safeguards skills and jobs, under existing international obligations, to ensure that Australian businesses can compete locally and internationally.
- 65 Labor will take into account a range of considerations when determining what constitutes good value for money, not just purchase price. Government agencies will not be forced to choose the cheapest supplier when that choice would cost taxpayers more in the long run because the products or services on offer are inferior in quality or have high ongoing costs. Agencies will also not be forced to choose the cheapest supplier when this would have detrimental social or environmental effects. Agencies will be required to consider all direct and indirect benefits and costs over the whole life of each product and service, along with the performance history of each prospective supplier (including, industrial relations, environmental and, where appropriate, community engagement).
- 66 Labor recognises the importance of both value for money and compliance with the government policy and Fair Work Act in procurement processes. This is why the Commonwealth Procurement Guidelines require that suppliers comply with workplace relations laws.
- 67 Labor has established the Fair Work Principles which ensure that procurement decisions are consistent with the Fair Work Act. It is a requirement that suppliers and their contractors comply with the Fair Work Principles. Commencing with industries or sectors where there is a risk of non-compliance with the Fair Work Principles (which set out best practice workplace relations and Occupational Health and Safety standards), Labor will use existing procurement mechanisms such as multi-user lists and coordinated procurement, or if necessary introduce a pre-qualification system, to require prospective tenderers to demonstrate their compliance as a condition of the ability to tender. The recent amendments to the FMA Regulations to allow the issuing of the Commonwealth Cleaning Services Guidelines is an example of the government acting where there is demonstrated non-compliance with the Fair Work Principles in particular sectors. To ensure compliance, this process will be transparent, and be subject to oversight by a tripartite body where appropriate. The existing Productivity Consultative Committee which includes representatives of unions, business and the government will advise on areas of concern.
- 68 Recognising that direct government procurement represents only a proportion of the money the Australian government expends each year, Labor is also examining how procurement policies (including those that promote good workplace relations outcomes and Australian industry participation) can be extended to other areas of expenditure including grants and other funding. Labor will investigate ratifying ILO Convention 94, on the payment of market wages in government procurement, as an additional measure.

- 69 Labor is committed to:
- ensuring that government procurement delivers world-class public services, through fair and open procurement processes free of corruption and discrimination
 - ensuring that a robust objective public interest test occurs if services are shifted from the public sector and that it is not done for the purpose of lowering wages and conditions. The test must take into account social and environmental outcomes, including access to and quality of services, impact on regional areas and on local jobs, privacy provisions, risks and consequences, and the cost and benefits to the public
 - providing leadership on sustainability and ethical procurement practices.
- 70 Labor recognises that:
- in its role as a major purchaser of goods and services, government has a crucial role to play in fostering Australia's manufacturing, service and information industries, particularly for emerging industries or companies
 - for goods or services to be ethically sourced, suppliers must be good corporate citizens who comply with the law in all matters, most notably laws regarding taxation, trade practices, corporations, industrial relations, consumer affairs, environment and immigration
 - in obtaining and retaining information about citizens of a private nature including health, employment and financial data, government will maintain and protect such information and do so in a manner that promotes Australia's service and information industries.
- 71 Labor will continue to require that:
- Commonwealth procurement guidelines and codes reflect government policy on ethical procurement
 - principal suppliers to the Commonwealth comply with procurement policies by requiring all sub-contractors involved in the principal's supply chain to the Commonwealth to comply with all materially relevant laws
 - agencies should not enter into contracts with suppliers who have had a judicial decision against them (not including decisions under appeal) relating to employee entitlements and have not paid the claim
 - agencies seek to confirm a tenderer has no such unsettled judgements by seeking a declaration on the matter from all tenderers.
- 72 To further enhance transparency, Labor is ensuring agencies keep records of, and make available on request, the details of any sub-contractor engaged by a contractor in respect of a Commonwealth contract for procurement.
- 73 Labor has acted to support Australian Small and Medium Enterprises (SMEs) to participate in the government procurement market, including the manufacturing sector. There are special measures in place within the procurement framework to ensure SMEs (small and medium enterprises) have the opportunity to compete for government business. These include a current commitment to source at least 10 per cent of purchases by value from SMEs. The latest figures show that the SME share of government procurement exceeded the government's stated 10 per cent commitment. As part of our commitment to supporting manufacturing in challenging economic conditions, Labor will identify measures to increase the sourcing from SMEs across sectors. Labor will investigate the benefits of increasing the definition of the size for SMEs from 200 employees to 500 in line with the definition used in the United States, and whether the particular challenges facing the textiles, clothing and footwear industry merit an increased commitment and size definition for that sector. The implementation of this commitment will be progressed through the work of the Prime Minister's Manufacturing Taskforce. Labor will better coordinate Commonwealth procurement and where it is sensible to do so, consider options to utilise model terms and conditions to assist business and contractors.

- 74 Labor is committed to maximising opportunities for Australian companies to compete for business by establishing a Procurement Coordinator. The Procurement Coordinator will review and advise on practices across government; handle and review complaints; aggregate procurement information and submit an annual report to the government.
- 75 Labor is ensuring that SMEs (small and medium enterprises) are able to engage in fair competition for government business. Government officials undertaking procurement are required to ensure that procurement methods do not unfairly discriminate against SMEs.
- 76 The Labor Government requires written contracts for procurements by an agency from a small business to specify payment within 30 days. This applies to payments valued up to and including A\$5 million (GST inclusive). Labor has required all contracts up to a value of \$1 million (GST inclusive) with small businesses to include the right to charge interest for late payments.
- 77 Labor is increasing the transparency of government contracts by limiting the use of commercial-in-confidence exclusions in public documents. All government agencies are required to maintain a register of commercial-in-confidence exclusions, to be periodically tabled in Parliament and subject to scrutiny by the Joint Committee of Public Accounts and Audit.
- 78 Building on recent reforms to Commonwealth procurement policy including the Indigenous Opportunities Policy and exemption to the mandatory procurement guidelines for Indigenous small to medium enterprises, the Labor Party will continue to use procurement to support the growth of the Indigenous business sector and will urge states and territories to implement similar reforms to their procurement policies.

Australian media

- 79 The media, particularly broadcasting, are undergoing a process of major change, driven by digitisation, convergence of technology and the globalisation of broadcasting, communications and information technologies.
- 80 Labor is committed to ensuring that Australia has both the regulatory processes and industry structures to support a strong, healthy, responsible and independent media that operates in the public interest.
- 81 Labor supports the National Classification Code that classifies content against the standards of morality, decency and propriety accepted by reasonable adults, without discrimination on the basis of sexual orientation or gender identity. The principles of classification should apply on a platform neutral basis. Labor recognises the necessity of an independent and accountable review process for the list of URLs to be blocked by mandatory filtering. Labor believes mandatory ISP level filtering should be limited to Refused Classification content according to the National Classification Code. Labor does not support the introduction of mandatory ISP filtering that would lead to significant degradation of network speeds.
- 82 Labor will pursue policies that ensure that Australians have access to a diverse range of information and opinion in Australia's media. Labor is committed to maintaining appropriate Australian content quotas in the broadcasting sector. Labor will ensure that television and radio advertising are properly regulated and that community standards are reflected in the regulatory approach.
- 83 Labor will ensure that Australians will continue to enjoy coverage of premium sporting events on free-to-air television.

- 84 Labor is committed to ensuring that the Australian Communications and Media Authority is adequately resourced and has sufficient regulatory powers to ensure the maintenance of appropriate community standards in broadcasting material.
- 85 Labor is committed to ensuring local captioning in the broadcasting sector to ensure that all Australians are able to enjoy and access content on television.

Public broadcasting

- 86 The Australian Broadcasting Corporation (ABC) and the Special Broadcasting Service (SBS) are two of Australia's most important public institutions. Labor acknowledges the unique operations of these broadcasting services and is committed to ensuring adequate funding and support for Australia's public broadcasters, to enable them to continue to provide Australians with high quality broadcasting services, free from political and commercial interference.
- 87 Labor recognises the importance of the ABC being maintained as an independent and comprehensive national public broadcaster, catering for a diversity of interests in the Australian community.
- 88 Labor recognises that the SBS provides a unique national broadcasting service that promotes a multicultural Australia, and provides services to Australians from non-English speaking backgrounds which are not delivered by the ABC or the commercial broadcasting sector.
- 89 Labor will:
- ensure public broadcasters cater to the needs of urban, regional and rural Australia, providing coverage of local news, current affairs and community activities
 - provide programs and services relevant to young Australians, including specialist children's programming available on digital channel ABC3
 - ensure the ABC produces high levels of distinctive local content
 - work with Indigenous people to provide services and programs relevant to them and their communities
 - provide comprehensive coverage of a broad range of sporting and artistic activities
 - ensure board members are appointed on the basis of merit
 - restore a staff-elected commissioner position on the ABC board, by passing the necessary legislation before the end of the current term of parliament
 - continue to invest in youth-accessible current affairs, and look to establish new services using new media
 - support and promote Australia's external broadcasters in radio, television and digital platforms, which encourage awareness of Australian values around the world and build closer ties in our region
 - that Australia's international broadcasting service should be recast as a converged service offering TV, radio and online programs, and become a permanent division within the ongoing operations of the ABC, Australia's national broadcaster.
- 90 Labor will also ensure that the ban on ABC advertising and sponsorship remains in place. Labor will also ensure that advertising is not permitted on ABC branded websites. Labor commits to no extension of the current advertising quotas on SBS to ensure that SBS remains a publicly funded broadcaster.
- 91 Labor will provide adequate funding on a triennial basis to the ABC and SBS to ensure they can deliver quality public broadcasting services. Labor will ensure that the national broadcasters are able to exploit the potential of new technology to deliver attractive and innovative content over digital television and the internet including regional broadband hubs on ABC websites.

Community broadcasting

- 92 Labor regards community broadcasting, which includes Indigenous, ethnic and multicultural broadcasting on radio and television, as an essential component of Australian broadcasting, and will continue to encourage its maintenance, growth and development.
- 93 Labor supports diversity in community and Indigenous broadcasting recognising that it meets the needs of many communities, including Aboriginal and Torres Strait Islanders, ethnic and multicultural communities, and Australians with a print disability; and addresses developing Australian media needs with services for youth, mature age, LGBTI-focussed, religious, specialist music and other emerging communities of interest.
- 94 Labor will investigate the need for administrative arrangements to assist the training, support and regulatory compliance needs of Aboriginal and Torres Strait Islander broadcasters.
- 95 Labor believes adequate public funding must be provided to community and Indigenous radio and television for their effective ongoing operation. Labor seeks to improve the capacity of community and Indigenous stations to serve their communities by providing support to the sector for content production, improving skills, technical infrastructure, new digital broadcasting, and sector coordination and planning. Labor accepts that appropriate funding must be provided to the community and Indigenous broadcasting sector.
- 96 Labor acknowledges the importance of community broadcasting organisations in providing opportunity for Aboriginal and Torres Strait Islander produced content.
- 97 Labor remains committed to supporting an Indigenous, nation-wide free to air television channel through National Indigenous Television.

Keeping Australia Post public

- 98 Labor will:
- maintain Australia Post in full public ownership
 - maintain Australia Post as the sole carrier of the standard-size, letter service and the sole issuer of postage stamps. Cross-subsidy arrangements between metropolitan and regional Australia will remain to ensure an equitable, flat-rate postal charging arrangement for the standard letter
 - encourage the growth of Australia Post's services and ensure that Australia Post's community service obligations provide equitable access to a full range of postal services for all Australians
 - ensure that Australia Post continues to maintain appropriate coverage of post office and post box outlets throughout Australia. Labor will ensure that the present Australia Post corporate retail outlets remain publicly owned and operated and that the current ownership mix will be maintained
 - promote greater social responsibility by Australia Post towards its employees and the communities in which it operates, particularly those communities within regional Australia
 - encourage Australia Post to continue to use its network to provide public access to new communications options and essential community information. Labor envisages Australia Post playing a key role as a platform for the delivery of digital services, particularly to regional Australia
 - strongly encourage Australia Post toward direct full time employment of staff rather than on a contract basis, where possible, to limit the use of the "out-working" or "remote commencement and cessation"
 - endeavour to ensure that contractors will not be used to undermine the current entitlements of direct employees.