

Policy Details

Directorate:	Organisational Services
Branch:	Corporate Governance
Responsible Manager:	Corporate Governance Manager
Date adopted:	28/10/2020 (minute number 136/2020)
Date for review:	2 years from the date of adoption or date of last review
Legislative basis:	<i>Human Rights Act 2019</i>
Related Documents - forms and procedures	Human Rights Guidelines (DM #14124110)

1. Policy Purpose

The purpose of this policy is to promote and protect human rights across the decision making powers of Council. This will be achieved by the consideration of human rights, in accordance with the *Human Rights Act 2019* (HRA), in the making, interpreting and applying laws, policies and in providing services.

2. Scope

This policy applies to all Councillors, employees and contractors working for Council regardless of whether they are permanent, temporary, full-time, part-time or casual. For the purposes of this policy, the term contractor includes on-hired temporary labour services (agency staff) and sub-contractors.

3. Policy Statement

The HRA commenced on 1 January 2020 with the vision of promoting a modern, fair and responsive Queensland where human rights are respected, protected and promoted. This act forms part of the administrative law obligations and oversight mechanisms which hold government and subsequently Council to account.

The main objectives of the HRA are to:

- Protect and promote human rights;
- Help build a culture in the Queensland public sector that respects and promotes human rights;
- Help promote a dialogue about the nature, meaning and scope of human rights.

This policy will seek to uphold Council's obligations in relation to human rights stemming from the HRA. The legislation requires that Council act and make decisions in a way which is compatible with human rights, in particular this policy will assist Council in:

- Meeting its human rights obligations under legislation;
- Promoting awareness about human rights within the community;
- Improving Council services, actions, decision-making processes and governance frameworks;
- Providing councillors and Council officers with the necessary tools to comply with the HRA;
- Maintaining customer service standards whilst managing obligations under the HRA; and
- Enhancing community confidence in Councils ability to comply with the HRA.

The following principles are set out by the HRA and underpin Council’s approach to human rights:

- The inherent dignity and worth of all human beings;
- The equal and inalienable human rights of all human beings;
- Human rights are essential in a democratic and inclusive society that respect the rule of law;
- Human rights must be exercised in a way that respects the human rights and dignity of others;
- Human rights should only be limited after careful consideration and in a way that can be justified in a free and democratic society; and
- Human rights have a special importance for the Aboriginal peoples and Torres Strait Islander peoples of Queensland as Australia’s first people, particularly the right to self-determination.

Council undertakes that all Councillors, employees and contractors are required to act and make decisions in a way which is compatible with human rights.

Council employees responsible for responding to human rights complaints made under the HRA will do so in accordance with the requirements of the act and any other relevant Council policies, procedures or complaint management documentation. Council’s Human Rights Guidelines (DM# 14124110) takes into consideration the diverse range of activities, functions and services of Council and provides for how compliance with the HRA is achieved. The guideline assists Council employees applying human rights to decision making processes.

The Councillor Decision Making Framework assists councillors applying human rights to their decision making processes.

4. Definitions

The following definitions apply to this policy and the associated procedure.

TERM	DEFINITION
Councillor	All elected representatives including the Mayor.
Employee	Any person employed directly by Logan City Council regardless of their employment status, and contractors undertaking duties on behalf of Council.
Human rights	Human rights are the recognition of the inherent value of each person, regardless of background. They are based on principles of dignity, equality and mutual respect. In particular, section 7 of the HRA sets out the rights protected by this legislation and targeted by this policy.

Document Control

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1.0	Original version	Corporate Governance	28 October 2020