

<b>DATE AMENDED:</b>	<b>20 MAY 2014</b>
<b>DATE OF NEXT REVIEW:</b>	<b>20 MAY 2018</b>
<b>DATE ADOPTED:</b>	<b>JULY 2012</b>
<b>RESPONSIBLE OFFICER:</b>	<b>MANAGER HUMAN RESOURCES</b>
<b>REFERENCES:</b>	Policy 33: Respectful Behaviours Policy 37: Councillor / Staff Relationships Policy 4: Communication and Consultation Policy 24: Risk Management Policy 57: Employee Code of Conduct Policy 64: Complaints Handling

**RELEVANT LEGISLATION:**

**Victorian**

- Children, Youth and Families Act 2005
- Crimes Act 1958
- Disability Act 2006
- Equal Opportunity Act 2010
- Freedom of Information Act 1982
- Information Privacy Act 2000
- Mental Health Act 2014
- Occupational Health and Safety Act 2004
- Racial and Religious Tolerance Act 2001

**Commonwealth**

- Age Discrimination Act 2004
- Crimes Act 1914
- Disability Discrimination Act 1992
- Human Rights and Equal Opportunity Commission Act 1986
- Racial Discrimination Act 1975
- Sex Discrimination Act 1984
- Charter of Human Rights & Responsibilities Act 2006

## **Best Value Principles**

Hepburn Shire Council has the responsibility to provide its ratepayers with best value, with all services provided by Council meeting the expectations in terms of quality and cost. In providing this, all services need to be accessible, responsive to the needs of the community, considerate of the natural environment and subject to continuous improvement.

To achieve the best over life outcome for Council's expenditures, which meets quality and service expectations, there will be periodic review of services against best on offer in both the public and private sectors.

All Council staff members are responsible for supporting best value principles in their normal day to day actions to ensure services are recognised by the community as delivering best value.

## **Introduction**

The *Victorian Charter of Human Rights and Responsibilities Act 2006* is a law that protects the human rights of all people in Victoria.

From January 1, 2008 the Charter became fully operational and from this date Council is required to comply and have regard for human rights in its day to day operations.

Hepburn Shire Council has a responsibility to act compatibly with the Charter and give proper consideration to human rights when making decisions. This responsibility is set out in the Charter and the Public Administration Act 2004.

## **Scope**

The Charter requires all public authorities and their employees to act compatibly with human rights in the delivery of services and when making decisions.

This policy therefore applies to Hepburn Shire Council in its entirety; Councillors, employees, contractors, volunteers and other third parties who provide a Council service.

## **Purpose**

The purpose of this Policy is to ensure Council acts compatibly with human rights by having regard to the principles of Freedom, Respect, Equality and Dignity and the 20 basic rights when making laws and decisions. These rights will also be considered when providing services and programs to the community.

Council will provide human rights in so far as is reasonably possible and ensure any limitations are lawful. Council will establish a balance between protecting the rights of its citizens and other competing public interests and create a human rights culture.

## **Policy**

Hepburn Shire Council is committed to the principles within the Charter of Human Rights and Responsibilities and will ensure these are taken into consideration when making laws, setting policies and providing services and programs to the community.

Hepburn Shire Council upholds that every citizen of Hepburn Shire is free and equal in dignity and rights and is entitled to a quality of life that allows them to reach their potential. Through this commitment to the Human Rights Charter, Hepburn Shire Council affirms its commitment to respecting, protecting and promoting human rights in all its spheres of influence and will avoid complicity in abuses of human rights.

Council will have regard for human rights in its day to day operations by ensuring that it considers the 20 rights and 4 basic principles of:

## Freedom

- Freedom from forced work
- Freedom of movement
- Freedom of thought, conscience, religion and belief
- Freedom of expression
- Right to peaceful assembly and freedom of association
- Property rights
- Right to liberty and security of person
- Fair hearing
- Rights to criminal proceedings
- Right not to be tried or punished more than once
- Protection from retrospective criminal laws

## Respect

- Right of life
- Protection of families and children
- Cultural rights, including recognition of the distinct cultural rights of the Aboriginal people of Victoria

## Equality

- Recognition and equality before the law
- Entitlement to participate in public life

## Dignity

- Protection from torture and cruel, inhuman or degrading treatment
- Protection of privacy and reputation
- Humane treatment when deprived of liberty
- Appropriate treatment of children in the criminal process

Hepburn Shire Council is committed to the principles of Human Rights and building a Shire that supports communities and individuals to fulfill their aspirations. In its efforts towards achieving positive outcomes for all citizens Hepburn Shire will:

- Treat all citizens with respect and without discrimination and provide an environment which is free from all forms of discrimination and harassment.
- Model social justice and respect for human rights within our activities and our dealings with all.
- Promote and integrate principles of human rights and equity into all policies, local laws, procedures and plans including access in the provision of services, programs and opportunities, and facilitate public participation in decision-making.
- Proactively support community initiatives that promote equity and participation in community life and provide support for those that are socially and economically disadvantaged

- Foster a climate of mutual respect through demonstrating a commitment to harmony and diversity
- Work in partnership with key stakeholders and organisations that seek to address disadvantage and promote the commitment to human rights within our communities
- Respond to all concerns raised by members of the community in relation to Human Rights in accordance with Council's Complaints Handling Policy.

## **Review**

This policy will be reviewed within the first 12 months of a General Election in accordance with the Policy Framework or sooner if required by legislative change. The management of this policy is the responsibility of the Manager Human Resources.