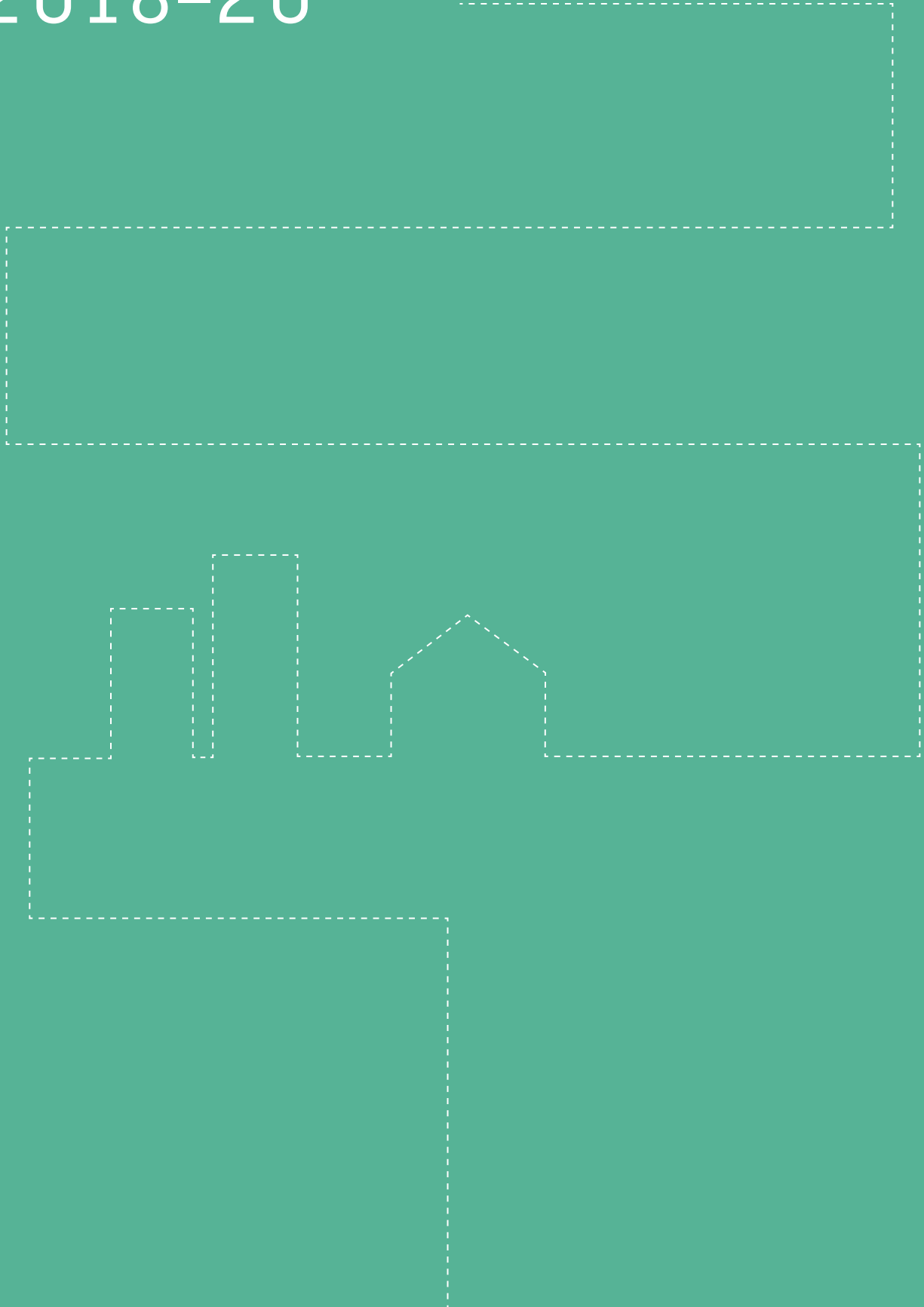




Victorian Equal Opportunity  
& Human Rights Commission

# **BUSINESS PLAN**

## 2018-20





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# OUR STRATEGIC PRIORITIES AND PROGRAM OF WORK FOR 2018–20

Our five-year strategy, *Upholding human rights close to home*, articulates our focus on four strategic priorities, which will drive our vision for a fair, safe and inclusive Victoria. These priorities were set based on how we can best contribute to the change we want to see, taking into account our mandate, expertise and current community needs.

Over the next two years we will focus on a program of work that will contribute to delivering our outcomes in each of these priority areas. The steps we are taking to make an impact are outlined in this business plan.

## OUR VISION AND MISSION

Our vision is for a fair, safe and inclusive Victoria where every person is respected and treated with dignity.

Our mission is to engage and influence law and policymakers, institutions, communities and individuals to protect and promote human rights in Victoria.

## OUR GOALS

To achieve our vision, we believe the following long-term goals need to be achieved:

1. **Law and policy:** human rights become central to the development and enactment of Victorian law and policy.
2. **Individuals and communities:** people in Victoria value and stand up for human rights.
3. **Institutions:** government, organisations, businesses, service providers, and the media champion human rights and develop, adopt and drive leading practice.



## PRIORITY 1

# EMBEDDING A HUMAN RIGHTS CULTURE

Victoria's Charter of Human Rights and Responsibilities provides the public sector with a framework for considering human rights when making decisions, planning, delivering services and interacting with the community. Embedding a human rights culture across government and the broader community through increased knowledge and skills will lead to fairer decisions and outcomes for all Victorians.

The Charter also recognises the distinct rights of Aboriginal and Torres Strait Islander people to enjoy their identity and culture. Protecting cultural rights encourages meaningful and respectful relationships between public authorities and the Aboriginal community and also advances self-determination.

## PROGRESS

### WORK WITH GOVERNMENT

For the past 18 months, the Commission has partnered with the Department of Justice and Regulation in building a human rights culture in the public sector. This has included supporting a senior leadership group nominated by the Victorian Secretaries Board to promote human rights; providing tailored education to more than 5000 public sector workers; and creating targeted, practical digital resources. As a result of this work, there has been a significant increase in awareness and understanding from public servants about how human rights apply to their work.

### ABORIGINAL RIGHTS

The Commission also developed and disseminated a range of materials to promote Aboriginal cultural rights and the importance of cultural connection. More recently, the Commission has partnered with PwC Australia to produce a framework for tracking improvements in human rights culture in public authorities.

Over the next two years we will build on this work and undertake a range of new activities, across the public sector and also in schools, to embed a human rights culture and carefully monitor improvements and progress.

### OUTCOMES WE SEEK OVER THE NEXT FIVE YEARS

- Increased knowledge and appreciation of the Charter across the Victorian public sector.
- Increased reliance on human rights in the corporate plans and strategic objectives of public authorities.
- Increased awareness and use of cultural rights by Aboriginal people and respect for cultural rights by public authorities.

**2018–20**  
**STEPS WE ARE TAKING**  
**TO MAKE AN IMPACT**

**01**

We will continue our work in **building a culture of human rights in the Victorian public sector** by engaging senior leadership, co-designing action plans with agencies, incorporating the Charter into leadership programs, delivering tailored education services, developing resources, and facilitating knowledge sharing and communities of practice.

**02**

In partnership with the Department of Education and Training, we will co-design and deliver a **comprehensive professional development program for all school staff, and an accompanying community engagement program**, to strengthen human rights awareness, capacity and knowledge across 10 schools that will benefit students, teachers, parents and carers.

**03**

We will use our new framework of **human rights indicators and measures** to track the progress of public authorities and the impact of the Charter in the community as part of our **annual Charter Report**.

**04**

We will advocate to strengthen the Charter through the inclusion of **additional rights** and **enforceable remedies**.

# IMPROVING WORKPLACE EQUALITY

Work is fundamental to our identity, financial security and sense of contribution.

Significant social and structural barriers to inclusion and equality in the workplace remain in both the public and private sectors. This is particularly true for women, people with a disability, older people, LGBTI people, Aboriginal people and people from a culturally or linguistically diverse background.

The Commission's laws provide a strong framework for the protection of equality, safety and inclusion for women and other groups who continue to experience discrimination and harm in employment and workplaces. This includes providing a free, fair and confidential service for resolving workplace disputes of discrimination and sexual harassment.

## PROGRESS

### INDEPENDENT REVIEWS

Over the past 18 months, the Commission has worked closely with key sectors and organisations, such as fire and emergency services and Victoria Police to address gender inequality and foster safe and respectful workplaces. We audited Victoria Police's work to implement recommendations from our 2015 Independent Review into sex discrimination and sexual harassment and created a 10-year monitoring framework to track progress. We supported Victoria Police to achieve a measurable increase of women in leadership roles, conduct its first gender pay

gap audit, implement a policy of 'all roles flex', create a parental leave backfill program, and develop workplace harm training across the organisation.

### PARTNERSHIPS

We have been strong advocates for gender equality and inclusive workplace cultures through our representation and work on the Ministerial Council on Women's Equality, the Equal Workplaces Advisory Council and convening the Fire and Emergency Male Champions of Change. We have also worked with a range of employers to develop and implement diversity and inclusion actions plans, and provided many tailored education sessions for managers and staff.

### OUTCOMES WE SEEK OVER THE NEXT FIVE YEARS

- Key workplaces and sectors understand how their specific structures and systems can exclude and harm, and commit to the implementation of equality and diversity measures.
- A measurable increase in equality and diversity in key sectors that the Commission has worked with.
- A reduction in the gender pay gap.



2018-20  
**STEPS WE ARE TAKING  
TO MAKE AN IMPACT**

# 01

We will continue to work with the fire and emergency services sector to **address barriers to equity and diversity and improve safety and respect**, including convening the Fire and Emergency Male Champions of Change.

# 02

We will conduct a final audit of Victoria Police's progress in implementing the recommendations of our Independent Review, including a further examination of **experiences of sex discrimination and sexual harassment**.

# 03

We will partner with the Office for Women to **design innovative tools** to support staff and managers to have healthy and safe conversations about **sexual harassment, pregnancy, return-to-work discrimination and flexible work**. These toolkits will be piloted in workplaces across Victoria and accompanied by education and coaching.

# 04

We will work with key partners to **strengthen legislative and policy frameworks** to promote **gender equality** in the workplace, focusing on sexual harassment, pay equity and flexibility.

## PRIORITY 3

# PROTECTING HUMAN RIGHTS IN CLOSED ENVIRONMENTS

We all have a right to be protected when in care or detention and to be free from cruel, inhuman and degrading treatment.

People living in detention, or in residential or care settings where their liberty is restricted, have limited control over their lives and choices and are more vulnerable to having their human rights abused or denied through poor treatment or neglect. Issues faced by people in closed environments include a lack of access to news and connection with the community, separation from family, a denial of cultural rights, use of excessive force, inappropriate use of restraint, and disrespect for privacy and dignity in daily activities.

### PROGRESS

On 21 December 2017, the Australian Government ratified the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT), which aims to prevent the mistreatment of people in detention by establishing a system of regular, independent inspections. This is a significant step toward improving the oversight and conditions of places of detention in Australia.

Over the past 18 months, the Commission has worked to protect the rights of young people who are in detention. We intervened in a series of cases in the Supreme Court to raise human rights arguments concerning the detention of children at the Grevillea Unit within Barwon

adult prison. In May 2017, the Supreme Court made orders preventing children being held there.

The Commission has been a strong supporter of embedding self-determination and respect for Aboriginal cultural rights in the justice system through its membership on the Aboriginal Justice Forum and the Steering Committee for Burra Lotjpa Dunguludja, the new Aboriginal Justice Agreement. In late 2017, we partnered with the Commission for Children and Young People to interview youth justice stakeholders and Aboriginal cultural knowledge holders about how to support young people in youth justice centres to maintain their connections to culture and community; making recommendations to government. In 2018, we also provided human rights education to Corrections Victoria, and to prison managers and supervisors in all of Victoria's prisons.

### OUTCOMES WE SEEK OVER THE NEXT FIVE YEARS

- Law and policy that regulates closed environments is better informed by human rights principles.
- Vulnerable individuals have greater awareness of rights in closed environments and are better able to take action.
- Institutions understand the benefits of human rights and are more committed to ensuring that the rights of people in their care are protected.

**2018–20**  
**STEPS WE ARE TAKING**  
**TO MAKE AN IMPACT**

**01**

We will work with civil society, people with lived experience of closed environments, oversight bodies and the government to **support the effective implementation of OPCAT in Victoria.**

**02**

We will use our function of reviewing the practices and programs of public authorities for compatibility with human rights to **improve conditions in closed environments**, starting with the Dame Phyllis Frost Centre.

**03**

We will support the outcomes of the **Aboriginal Justice Agreement** through our membership on the Aboriginal Justice Forum and by contributing to strategies that strengthen human rights protections for Aboriginal people involved in justice programs and services.

## PRIORITY 4

# REDUCING RACISM

Significant levels of racism and discrimination continue to be felt by people based on their race and ethnic, cultural or religious background.

We know that many Aboriginal Victorians experience ongoing race discrimination in a number of areas of public life, and confront systemic barriers. Despite Victoria's multicultural ethos, we continue to hear about the racism and discrimination experienced by people from migrant, refugee and culturally and linguistically diverse backgrounds.

The mental and physical health impacts of racism on people from minority communities are well documented. It can leave people feeling isolated and vulnerable and has a silencing effect on individuals and communities. Racism also has a negative impact on productivity and community cohesion.

### PROGRESS

Throughout 2017, the Commission undertook extensive consultations with multicultural and multi-faith community leaders and members, and key community agencies and advocates to develop our Multicultural and Multifaith Engagement Action Plan 2018–22. The objectives of the plan are to deepen our partnerships and engagement with multicultural and multifaith organisations; empower the members of those communities to understand and exercise their rights; and adopt digital strategies to encourage increased reporting of racism.

Over the past 18 months, the Commission intervened in two cases involving the promotion of rights to equality, religious freedom and culture. In 2017, the Commission intervened before the Victorian Civil and Administrative Tribunal in a case involving discrimination against a Sikh boy by a Christian college, which prevented him from wearing a patka to school. That decision led to the school changing its uniform policy and enabling the student to attend. In 2018, the Commission successfully intervened in the Supreme Court to argue that a Yorta Yorta man's cultural and equality rights under the Charter needed to be taken into account by the Magistrates' Court when making decisions about whether he could access the Koori court.

### OUTCOMES WE SEEK OVER THE NEXT FIVE YEARS

- A greater understanding within our community of the impact and harm caused by racism.
- People experiencing racism are better able to assert their rights.
- Communities and key institutions adopting strategies to stand up to racism.

**2018–20  
STEPS WE ARE TAKING  
TO MAKE AN IMPACT**

**01**

We will implement the activities in our **Multicultural and Multi-Faith Engagement Action Plan 2018–22** and evaluate our impact.

**02**

We will work with African and Muslim communities to co-design education programs and resources to **increase their awareness of rights and how to report racism.**

**03**

We will work with Code for Australia to develop a **more accessible way for vulnerable groups to report racism using digital tools.**

**04**

We will support the aspirations of Aboriginal Victorians for **greater self-determination.**

# OUR PRINCIPLES

The Commission has four guiding principles that inform how we exercise our functions and deliver on our priority work over our five year strategic plan.

## MAKE HUMAN RIGHTS REAL

We will prioritise storytelling as a vehicle for helping Victorians to understand the importance of human rights to their work and lives. We will enhance our digital presence to ensure our information is accessible and well targeted throughout Victoria, including in rural and regional Victoria.

## CREATE ENDURING CHANGE

We will focus on work that leads to transformative change. In doing this, we will develop and maintain strategic and influential relationships and partnerships across government, community and business.

## LEAD WITH EVIDENCE

Our work will be informed by a rigorous evidence base drawing on our own and comparative research. We will prioritise reflective practice and improve our capability to monitor and evaluate our impact.

## BE THE BEST WE CAN BE

We will develop and maintain a high performing team that thinks critically and carefully about all of its work. We will lead by example with a diverse and respectful workplace. We will invest in our organisation and staff to build capability, be creative and ensure strong governance and operations.

# BRINGING OUR PRINCIPLES TO LIFE

Over the next two years, using our principles to guide us, we will focus on specific activities to strengthen our operations and how we deliver our functions to maximise our impact.

- We will continue to refine and deliver on our **digital strategy**, including redeveloping our website and digital experience to be more accessible and interactive, and increasing our digital capability.
- We will embed our **monitoring and evaluation framework** across our work, continue to focus on building an evaluation culture and publish our first annual impact report showing the impact of our strategy.
- Following our review into our **dispute resolution service** we will implement a range of improvements to ensure delivery of the service continues to be best practice, as efficient as it can be, and that access to the service is **simple and effective**.
- We will focus on enhancing our organisational capability and ensuring we have **effective, supportive and enabling** processes, tools and technologies in key areas such as project management, knowledge and information management, and the use of data and evidence.
- We will continue to invest in our people and our workplace by embedding our values, nurturing a **diverse, inclusive and respectful** workforce and ensuring a safe, healthy and productive work environment that aims to bring the best out of our people and make the Commission a great place to work.





# DELIVERING SERVICES TO THE COMMUNITY

The Commission delivers a range of services to the community as part of its mission to protect and promote human rights. Our functions of providing information, education and dispute resolution are critical to achieving our long-term goals of people in Victoria valuing and standing up for human rights and organisations adopting and driving leading practice.

The measures in the table below are part of a suite of indicators that we use to monitor the effectiveness of our services. These measures are reported on quarterly and are published in our annual report.

## SERVICE DELIVERY MEASURES

MEASURE	TARGET
<b>QUANTITY</b>	
Enquiries made by the community to the Commission for information and advice	8000–8500
Complaint files received and handled by the Commission	900–1050
Settlement rate of conciliation	65%
Education and consultancy sessions delivered by the Commission	350
<b>QUALITY</b>	
Customer satisfaction rating of community education/training programs, services and events delivered by the Commission	85%
Customer satisfaction rating of dispute resolution services delivered by the Commission	85%
<b>TIMELINESS</b>	
Complaints finalised within agreed timeframe	85%

# WHO WE ARE AND WHAT WE DO

The Commission is an independent statutory body with responsibilities under Victoria's key human rights laws: the *Equal Opportunity Act 2010*, *Racial and Religious Tolerance Act 2001* and the Charter of Human Rights and Responsibilities.

Our role is to protect and promote equal opportunity and human rights in Victoria. We do this through a range of functions under our laws.

## RESOLVE COMPLAINTS

We resolve complaints of discrimination, sexual harassment and racial and religious vilification by providing a free and confidential dispute resolution service.

## RESEARCH

We undertake research to understand and find solutions to systemic causes of discrimination and human rights breaches.

## EDUCATE

We provide information to help people understand and assert their rights. We conduct voluntary reviews of programs and practices to help organisations comply with their equal opportunity and human rights obligations. We provide an education and consultancy service to government, business and community to drive leading practice in equality, diversity and human rights, including a collaborative approach to developing equal opportunity action plans.

## ADVOCATE

We raise awareness across all parts of the community about the importance of equality and human rights, encouraging meaningful debate, leading public discussion and challenging discriminatory views and behaviours.

## MONITOR

We monitor the operation of the Charter of Human Rights and Responsibilities and track Victoria's progress in protecting fundamental rights.

## ENFORCE

We intervene in court proceedings to bring an expert independent perspective to cases raising equal opportunity and human rights issues. We also conduct investigations to identify and eliminate systemic discrimination.

# OUR VALUES

In everything we do, we embrace creativity, accountability, rigour and empathy. These values describe the way we act with our colleagues, our partners and the people and communities that we work with.

## CREATIVITY

We know that to solve difficult problems, we need to have the courage to imagine original and creative solutions. We do this through learning from others, seeking inspiration and trying new approaches.

## ACCOUNTABILITY

We work responsibly to achieve our objectives in an impartial and transparent way. We seek to achieve the best use of our resources and to continually improve. We accept responsibility for our actions and hold ourselves and others to account.

## RIGOUR

We apply critical thinking and thorough analysis to our work, ensuring it is considered, accurate and well-reasoned.

## EMPATHY

We understand that people experience the world in different ways and have different stories to tell. Listening intently and respectfully allows us to question our own assumptions about what is fair and see problems from different perspectives.

## CONTACT US

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