



Victorian Equal Opportunity
& Human Rights Commission

Building Victoria's human rights culture

A guide to using the
Human Rights Culture
Indicator Framework
in your organisation

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Contents

1. Building Victoria’s human rights culture	6
1.1 About this guide	7
1.2 Bringing the Charter to life	7
1.3 How to use this guide	8
2. Roadmap for action	10
2.1 Leadership	12
2.2 Attitudes and values of employees	16
2.3 Transparency and accountability	20
2.4 Community engagement and participation	24
2.5 Operational capability – knowledge and resourcing	30
2.6 Systems and processes	36
3. Find out more	40
Appendix A	40
Human rights protected in the Charter	40

1. Building Victoria's human rights culture

When the Victorian Parliament passed Victoria's Charter of Human Rights and Responsibilities (the Charter) in 2006, it recognised that human rights are essential in a democratic and inclusive society.

The Charter establishes a framework for promoting and protecting human rights across the state for all people without discrimination and recognises the special significance of human rights for Aboriginal people in Victoria. Public authorities have responsibilities to uphold the Charter and play an essential role in Victoria's journey from establishing the Charter as law to becoming a state where human rights are a foundation for the everyday work of government.

Since the Charter became a law, it has proved its value for public sector decision-makers. Human rights place the community of Victoria at the centre of decision-making, leading to stronger policy and reform outcomes, as well as building trust in government. The Charter provides the public sector with a decision-making tool for weighing up and balancing competing rights, leading to more confident decision-making and helping to mitigate risks. The Charter connects the public sector with its core values of dignity, inclusion, respect for each other and for the rule of law.

What makes a positive human rights culture?

A positive human rights culture is a pattern of shared attitudes, values and behaviours that influence the policy-making, decisions and practices of government to uphold the human rights of all people.

The Charter has its greatest impact when public sector workers, departments, local government, ministers and police know their human rights obligations and place people's rights at the centre of decision-making. Importantly, an embedded human rights culture leads to fairer decisions and outcomes for all Victorians.

1.1 About this guide

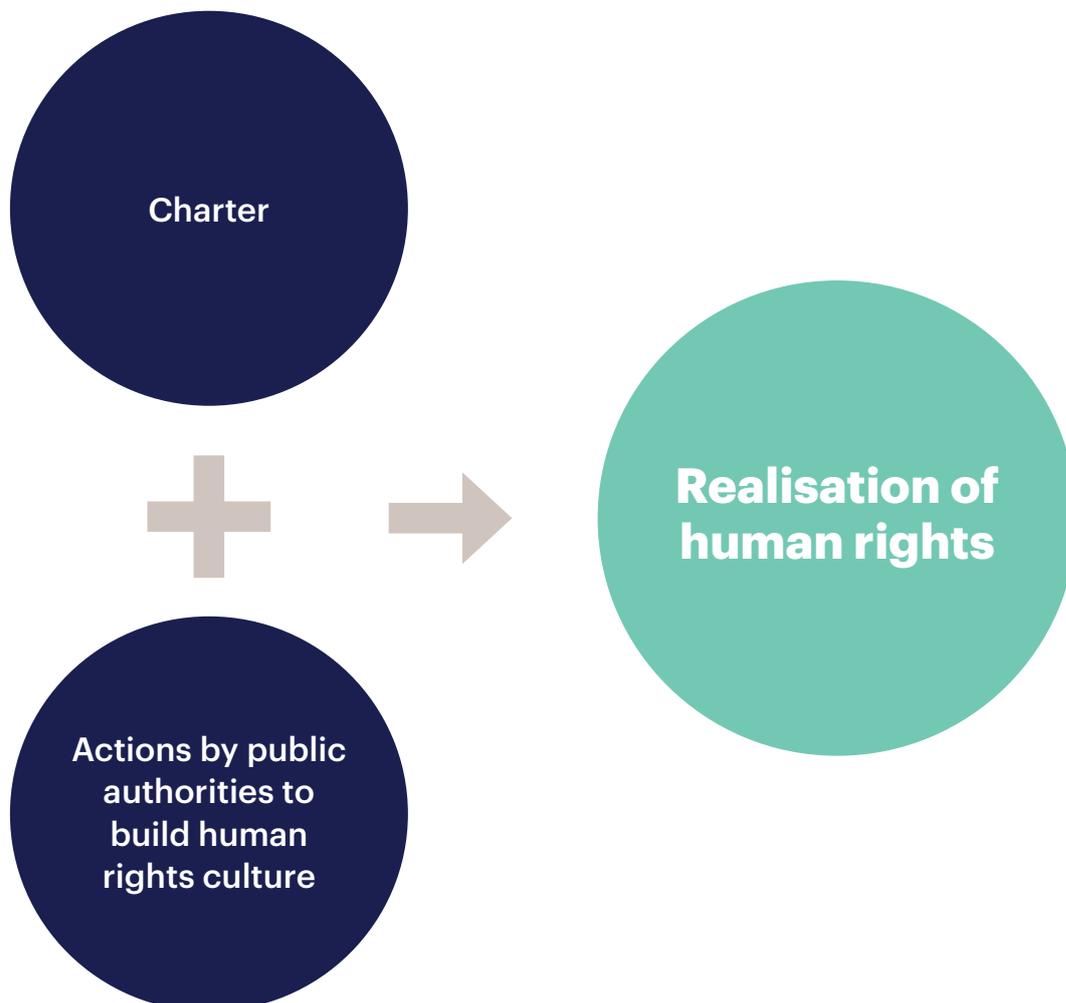
This guide has been prepared by the Victorian Equal Opportunity and Human Rights Commission (the Commission) to assist Victorian public authorities to build a culture of human rights within their organisations. The guide explains the Commission's human rights culture indicator framework and outlines a non-exhaustive list of actions and leading practices to strengthen human rights culture.

The guide supports Victorian public authorities and community organisations by:

- providing guidance on actions public authorities can take to implement the framework across their functions and practices, and monitor their progress
- providing information to community organisations and monitoring bodies on the range of actions public authorities can take to embed human rights culture
- serving as an educative resource to inspire action under the Charter.

1.2 Bringing the Charter to life

Making human rights real for people in Victoria requires both the legal protection of rights in the Charter and action by public authorities to build human rights culture.



1.3 How to use this guide

The way public authorities use this guide will depend on the size, function and priorities of the organisation. Human rights culture in Victoria is dynamic – every year we learn about new ways public authorities engage with human rights and strengthen their own systems and practices. We encourage public authorities to consider and adapt this guide to align with their own policies, procedures and experiences.

The guide is structured against the six influences on human rights culture identified in the indicator framework:



Each section contains an explanation of:

- influences – factors that determine whether a human rights culture is embedded
- indicators – activities that happen when a positive human rights culture exists
- measures – ways of tracking improvements in human rights culture.

Practice tip: Embedding the Charter in existing work

Public authorities uphold human rights when they take considered and deliberate action to apply the Charter. Public sector organisations have a range of opportunities to advance the Charter by connecting human rights with existing work, such as diversity and inclusion plans, disability access frameworks, Aboriginal engagement strategies and gender equality initiatives.

This guide helps support this work.

2. Roadmap for action

A practical approach to building human rights culture requires action against the six influences on human rights culture identified in the indicator framework.

INFLUENCE	Engaged leadership 	Attitudes and values of employees 	Transparency and accountability 
INDICATORS	<ul style="list-style-type: none"> • Leaders demonstrate their commitment to human rights and the Charter both publicly and within their respective organisations • Discussions on human rights are included at leadership forums (including at business and branch planning forums) • Executive performance review documents include metrics on human rights 	<ul style="list-style-type: none"> • People feel safe to raise issues and call out problems • The organisation is genuinely diverse and inclusive and reflects the communities it serves 	<ul style="list-style-type: none"> • Organisations encourage good human rights practice • Organisations know what they have achieved and what still needs to be done to embed a positive human rights culture • The organisation understands and complies with human rights reporting mechanisms

Community engagement and participation 	Operational capability – knowledge and resourcing 	Systems and processes 
<ul style="list-style-type: none"> • Community participation has informed key work and feedback is regularly sought from the community • Improvements and interventions are made based on community feedback • Tools and information are available for the community about their human rights • The organisation has structured and effective processes to ensure accessibility • Complaint mechanisms are available and accessible to the community 	<ul style="list-style-type: none"> • Victorian Public Service staff understand the Charter and how to apply it in their work • Relevant human rights days and achievements are articulated and celebrated • The organisation has dedicated resources (both time and funding) to embed human rights • Champions or influencers of human rights are empowered and resourced 	<ul style="list-style-type: none"> • The Charter is included in legal compliance frameworks • The organisation embeds human rights into key processes and tools • The organisation delivers available, accessible, adaptable, acceptable, inclusive and quality services

2.1 Leadership



Leaders are central to a public authority's efforts to build and sustain a positive human rights culture. Engaged leaders motivate and inspire, set the tone and direction for the organisation, role model human rights and values, create an environment for Charter compliance and ensure accountability.



Leaders show their commitment to human rights and the Charter both publicly and within their respective organisations

Leaders show commitment to human rights in their words and their actions. This requires leaders to take positive actions that are visible both internally and externally, and champion the benefits a human rights culture brings to the organisation's capability and work environment.

Example actions:

- Leaders are seen to make appropriate links between the work of the organisation and human rights.
- Leaders use internal communications to illustrate human rights action, such as all-staff meetings, staff newsletters, all-staff emails and team meetings. Examples of good human rights practice are shared across the organisation, including examples of behaviours or decisions upholding or promoting human rights, and examples of key learnings and improvements made on human rights.
- Leaders use external communications to promote human rights and account for action through speeches, reports, website content, social media posts, media releases and press statements, annual reports and public submissions.



Discussions on human rights are included at leadership forums, including at business and branch planning forums

Leaders put people and commitment to human rights at the centre of their work. Visible and sustained leadership is required to ensure human rights remain central in strategic and resourcing decisions and messaging.

Example actions:

- Leaders set expectations that human rights standards are considered at all relevant levels of planning, design, and service development and delivery.
- Leaders have standing agenda items on human rights at relevant business/ leadership meetings or integrate human rights appropriately on the agenda and ensure that internal briefings to leaders incorporate human rights considerations.
- Internal briefings for leadership forums integrate human rights so that leadership are well prepared to properly consider human rights.



Executive performance reviews include metrics on human rights

Clear ownership and lines of accountability for driving human rights culture need to be part of key capability and performance expectations for leaders. Leaders may also use learning goals to strengthen their understanding of and capability around human rights.

Example actions:

- Set professional development goals and measures on how leaders uphold human rights standards, values and human rights principles.
- Establish clear lines of accountability on human rights in the organisational structure and communicate this to managers and staff.
- Set learning goals for leaders to deepen their knowledge of human rights through training opportunities, guest speakers, research tasks and sharing of expert reports.

Demonstrating leadership commitment to human rights

'I lead the communications function in a government department, and human rights shapes a lot of the conversations within our executive team. We've all undertaken advanced training on the Charter and what it means, in practical terms, for each of our business units.

Our secretary is a real champion for human rights and has always been very clear that our Charter obligations need to be embedded in our service delivery, not just something that we talk about after the fact. This approach has helped us weigh up the human rights implications from any major projects or policy changes we're considering. My team works closely with the secretary and other executives on their public messaging and internal communications – it's an important way for us to share our organisational commitment to human rights and help every member of our department ensure they are respecting the rights of Victorians.'

—Paula, a senior communications executive



Measures and data collection

Example methods for data collection		
Measures	Community survey/ interview	
External commitment measured by how often and in what context human rights and the Charter are promoted externally (for example, whether referenced in every speech, report and web page or just human rights ones).	✓	
Internal commitment measured by how often and in what context human rights and the Charter are promoted internally (for example, in leadership forums or executive meetings or via internal staff communication).		
Measure whether executives' performance reviews include metrics for embedding a positive human rights culture.		

	Internal data – for example, collect examples of internal activities that promote the Charter	Internal data – for example, a register of internal human rights statements/ emails/performance reviews	Internal data – for example, evidence of business improvements stemming from human rights
	✓	✓	✓
	✓	✓	✓
		✓	

2.2 Attitudes and values of employees



A positive human rights culture exists when public sector staff are diverse and recognise and value human rights. Diversity in the public sector supports a culture of human rights by boosting collaboration and innovation and offering a range of perspectives when it comes to problem-solving.¹ Change to staff demonstrate the value of human rights by actively implementing, promoting and supporting the Charter. Staff meet the VPS values and code of conduct by speaking up and reporting breaches of human rights and protecting the human rights of their colleagues, other public officials and the community.



People feel safe to raise issues and call out problems

Public sector values are upheld when staff are supported to respect and uphold human rights and feel comfortable raising problems without negative consequences. Ensuring human rights concerns are taken seriously and dealt with promptly builds employees' confidence to raise concerns within the organisation.

Example actions:

- Encourage staff to value human rights by leading team discussions on the importance of rights and share positive stories from within the organisation.
- Set clear, transparent and accessible processes for reporting human rights concerns within the organisation, communicate the importance of raising concerns to all staff and routinely encourage staff to raise issues.
- Support leaders to act promptly and with integrity in response to human rights complaints and widely report on the effectiveness of the complaint process in dealing with concerns, especially when there have been improvements.

¹ See Victorian Public Sector Commission website: <https://vpssc.vic.gov.au/toolkits/wellbeing/diverse-and-inclusive-teams/>

Practice tip: VPS values

The Public Administration Act 2004 establishes seven fundamental values to guide conduct and performance in the Victorian public sector – responsiveness, integrity, impartiality, accountability, respect, leadership and human rights. These values underpin the integrity and accountability framework for all public sector employees. They define what is important to an organisation, how things will be done and underpin an employee's interaction with the government, community, suppliers and other employees.



The organisation is genuinely diverse and inclusive and reflects the community it serves

All staff feel valued, respected, and can take part and contribute to improving the organisation. Organisations take planned action to achieve staffing diversity – for example, across age, culture, ability, sexuality, faith and gender – in accordance with laws and policies, such as Victoria's *Gender Equality Act 2020* and the federal *Disability Discrimination Act 1992*.

Example actions:

- Use action planning mechanisms to build a diverse and inclusive workforce – for example, diversity and inclusion plans, Aboriginal engagement or reconciliation strategies, disability action plans, LGBTIQ+ inclusion plans, multicultural or cultural diversity action plans and gender equality action plans.
- Develop goals for each executive relating to how they will progress the organisation's diversity and inclusion goals.
- Understand the workforce and implement targeted initiatives to make all staff feel they belong and are safe, connected and appreciated.

Human rights values

'I think HR teams can play a really powerful role in embedding human rights in public sector agencies. In my team, we've been working through all our recruitment and induction documentation and processes to make sure that anyone joining our organisation respects human rights and understands how the Charter applies to their role. Our general induction modules provide some formal education on this, but we also make sure it's reiterated through team-specific inductions and ongoing mentoring. Every position description reiterates our agency's commitment to human rights, and all staff are expected to reflect on how their actions have upheld human rights in the annual performance review process. It's made a big difference to how people think about respect for human rights as a fundamental underpinning for the work they do.'

—Ramesh, a people and culture adviser



Measures and data collection

Example methods for data collection		
Measures	People Matter Survey	
Measure inclusive and diverse culture	✓	
Measure attitudes and values with questions such as 'In my workgroup, human rights are valued' and 'People in my workgroup are able to bring up problems and tough issues', available in the People Matter Survey	✓	
Measure how examples of behaviours or decisions consistent with human rights and the Charter are shared at team planning forums or significant staffwide forums		

	Internal data – for example, evidence of progress against diversity and inclusion and other relevant laws and action plans	Internal data – for example, a register of staff complaints related to human rights and outcomes	Internal data – for example, improvements stemming from staff complaints about human rights
	✓	✓	
		✓	✓
		✓	✓

2.3 Transparency and accountability



A culture of human rights supports a transparent and accountable public sector. Transparency is about processes that facilitate public access to information that is relevant, accessible, timely and accurate. Accountability is about responsibility, answerability, and oversight. Transparency, accountability and human rights are central components of the Victorian Public Sector Code of Conduct and, together with community engagement and participation (see section 2.4), form a strong democratic foundation in public authorities.



Organisations encourage good human rights practice

Management addresses accountability under the Charter by setting clear expectations of good human rights practice and taking active steps to monitor and shape human rights practice across their organisations.

Example actions:

- The organisation communicates clear expectations that staff comply with the Charter and ensure staff have adequate direction, support and guidance to improve human rights practices.
- Managers monitor how staff are applying the Charter.
- Managers and staff demonstrate how their work complies with the Charter in supervision, performance reviews and team meetings.



The organisation knows what they have achieved and what still needs to be done to embed a positive human rights culture

Public sector organisations use the framework to track progress, identify areas for improvement and put in place plans to lift performance and accountability under the framework.

Example actions:

- Undertake a gap analysis against the framework to identify areas for improvement.
- Implement a plan to strengthen human rights culture in line with the framework, in consultation with staff and communities.
- Establish a whole-of-organisation mechanism for tracking progress against the framework.



The organisation understands and follows human rights reporting mechanisms

Public authorities are accountable for their human rights compliance through participation in investigations and inquiries by oversight organisations, and publicly reporting on their progress towards achieving human rights goals. Public authorities demonstrate their respect for the principle of transparency by reporting on their Charter compliance in an open and honest manner.

Example actions:

- Create a template for reporting on human rights concerns and suspected Charter breaches.
- Identify opportunities to share any progress on human rights with the public and communicate this in an accessible and engaging format.
- Create processes that allow staff to participate in external investigations as required.

Accountability for human rights

‘I remember shortly after I started here, my director said that unless we make human rights part of our “business as usual”, we’ll never be able to track whether our agency is fulfilling its obligations or whether we could be doing more. To embed human rights thinking, we now have human rights as a standing agenda item for our executive team. We updated our project planning methodology, too, so that any significant pieces of work we undertake have a full human rights assessment before they’re signed off. We think it’s important for the Victorian public to know that we take our human rights obligations seriously – so we report publicly on ways we uphold human rights through our annual report. We include updates on any human rights complaints that we’ve received, as well as positive initiatives we’ve put in place.’

— Amira, a governance and policy officer



Measures and data collection

Example methods for data collection		
Measures	People Matter Survey	
Number of organisations completing VEOHRC survey to public authorities		
Reporting of qualitative case studies of good human rights practice		
Measure with questions such as 'My organisation encourages employees to act in ways that are consistent with human rights' available in the People Matter Survey	✓	

	Internal data – for example, evidence of annual reports and corporate material referencing human rights or completing VEOHRC's human rights survey	Internal data – for example, collect examples of good human rights practices
	✓	
	✓	✓
	✓	✓

2.4 Community engagement and participation



Community engagement provides ways for organisations to understand the priorities and goals of all members of the community and ensure policies and services reflect these. When community participation is effective, organisations will have a better understanding of community needs and greater trust and confidence, and services will be more relevant. The right to participate in government decision-making is protected under the Charter.



Community participation has informed key work, and feedback is regularly sought from the community

Public authorities can seek out and support communities to share their concerns, priorities and goals. These can be incorporated into decision-making processes and can be used to shape policy and service responses that meet genuine needs. Key work is a broad term that covers but is not limited to legislative reform, strategic planning, policy development, and service design and delivery.

Example actions:

- Establish and support community consultation processes that encompass all groups to influence service delivery, policy, procedures, budgeting and legislative reform from the outset. Integrate stakeholder mapping and meaningful engagement across all areas of work.
- Make use of suggestions provided by community organisations on how to effectively engage with specific communities as well as how to deliver relevant services.
- Set up community feedback mechanisms to seek input, ensure adequate resources and ability to respond.



Improvements and interventions are made based on community feedback

Organisations consult with the public to seek input on improvements to service design and delivery and other key areas of business.

Example actions:

- Document and report on how public consultation and feedback has resulted in improvements.
- Deliberately seek out and support participation from vulnerable and marginalised community members – they might not come to you, so you may need to go to them.



Tools and information are available for the community about their human rights

Communities are provided with information about the issues at hand and relevant human rights to inform their participation. In addition, public sector organisations provide information about the rights of people in Victoria and their role in protecting human rights in the work that they do.

Example actions:

- Disseminate information to the community on relevant rights and the issues at hand to underpin the consultation process.
- Provide information in a variety of formats – written, spoken, visual, pictorial – in a range of languages, designed to meet the visual, auditory and physical learning needs of people.
- Take action to ensure staff are capable, empowered and available to help explain and contextualise information to diverse communities.



The organisation has structured and effective processes to ensure accessibility

Community engagement activities and events need to be structured in a way that encourages meaningful participation. Accessibility should be embedded into all community engagement systems and processes.

Example actions:

- Design community engagement processes that are easy to understand and easy to navigate.
- Provide clear and accessible avenues for the community to access proper support and information during engagement processes.
- Identify and mitigate any structural barriers to participation.



Complaint mechanisms are available and accessible to the community

Community members are not always satisfied with the services they receive from public sector organisations. Formal avenues for feedback and complaints are important because they can highlight significant problems as well as opportunities for improvement. Impartial and effective complaint-handling builds confidence and trust. Effective complaint mechanisms are those that are easy to access and respond quickly and appropriately. Complaint outcomes should be just, meet human rights standards and be easily communicated to the public.

Example actions:

- Create user-friendly and accessible systems that facilitate taking and resolving complaints from community members.
- Provide transparent information on how complaints will be dealt with and keep the complainant informed throughout the process.
- Identify and action human rights issues raised in complaints.

Consulting with the community

‘For a health service like ours, it’s pretty well accepted that you can’t expect a one-size-fits-all approach to suit all your patients. We treat a lot of people from the local Aboriginal community, so we’re committed to making sure our services are culturally safe, respect human rights and can triage any complex cases we identify. Our leadership team spent a lot of time consulting with local Elders to make sure we understood their priorities and any issues their community was experiencing when accessing healthcare. We conducted a dedicated review of all our intake policies, shared lessons with staff in all areas, and produced tailored plain-language information for Aboriginal community members about what they could expect from us and how they could raise any concerns about their human rights.’

—Gianna, an associate nurse unit manager



Practice tip: public participation

Public participation is a critical input to government activity, and developing effective strategies, programs and projects. Failing to adequately engage the public risks alienating the community and creating negative impacts through poorly informed and implemented decisions.

—John Doyle, former Victorian Auditor-General, January 2015

The Victorian Auditor General’s better practice guide *Public participation in government decision-making* provides a high-level framework for agencies across the public sector to use when deciding how best to involve the public in government decision-making and implementation.

[Download the guide](#)

Measures and data collection

Example methods for data collection			
Measures	Scrutiny of Acts and Regulations Committee	Community survey/ interview	
Have a process to identify: <ul style="list-style-type: none"> • groups in the community to consult with • how often they were consulted on key work • whether feedback is regularly sought from the community 		✓	
How did the community engagement or participation impact on the decision/policy?		✓	
Measure whether information about the Charter and human rights is clear and accessible to the public		✓	
Measure whether a diverse cross-section of the community accesses services		✓	
Increased awareness in the community about how to use complaints processes		✓	
Measure whether a diverse cross-section of the community is using complaints processes		✓	
The number of community submissions to parliament's Scrutiny of Acts and Regulations Committee	✓		
Reporting of qualitative case studies demonstrating community participation and engagement		✓	

	Internal data – for example, data on consultations, feedback forms, improvements	Internal data – for example, number of languages and alternate formats used in communications	Internal data – for example, register to record the number and nature of complaints received, evidence of outcomes of complaints
	✓		✓
	✓		✓
	✓	✓	
	✓	✓	✓
			✓
			✓
	✓	✓	✓

2.5 Operational capability – knowledge and resourcing



The Charter sets out legal requirements for all public sector staff to act compatibly with human rights and properly consider human rights when making decisions. To ensure legal duties are met, the public sector needs knowledge, skills and confidence to apply the Charter. An organisation's human rights capability is dependent on planned action and resources to build staff knowledge and skills and embed good human rights practice over time.



Victorian public sector staff understand the Charter and how to apply it in their work

All staff should know the rights protected under the Charter, how the Charter applies to their work and be skilled in making Charter-compatible decisions to uphold human rights and lawfully limit rights when justified.

Example actions:

- Introduce training workshops to build the human rights capability of senior leaders and managers to understand their Charter responsibilities, and guide and sustain good human rights practice in their teams.
- Have a plan for regular whole-of-organisation training and development on human rights; include Charter education in staff inductions and professional development commensurate with their role and duties; include human rights metrics in staff performance reviews.
- Deepen the understanding of the Charter across teams through actions such as human rights networks, guest speakers and human rights champions.

Practice tip: Know your responsibilities

The Commission's *Charter of Human Rights and Responsibilities – A guide for Victorian public sector workers* explains human rights and obligations under the Charter. There is also a quick guide to decision-making under the Charter. Together, these resources assist public authorities to apply the Charter in their work.

[Download the quick guide](#)



Relevant human rights days and achievements are articulated and celebrated

International Human Rights Day on 10 December marks the signing of the Universal Declaration of Human Rights. The United Nations has dedicated many international days to promote a range of human rights issues. Human rights days provide an opportunity to raise awareness of human rights across organisations. Staff contributions to human rights culture and human rights achievements can also be celebrated and promoted.

Example actions:

- Link international human rights days to the work of the organisation and promote positive human rights stories.
- Use staff-wide events, including staff meetings, to raise the profile of human rights champions and/or human rights advisers within the organisation.
- Showcase how human rights practices are being improved using internal mechanisms such as intranet, notice boards, newsletters, tip sheets and work prompts.

Practice tip: Celebrate human rights days

Did you know that the United Nations has a list of all international days that are recognised globally?

[View the list](#)



The organisation has dedicated resources (time and funding) to embed human rights

Organisations dedicate resources to build human rights capability and ensure staff are supported to improve their human rights practice and expertise over time.

Example actions:

- Give specific staff members responsibilities and time to support and promote human rights culture.
- Set aside funding for staff education on human rights and resource development to embed practice.
- Allocate sufficient time in team and divisional workplans for identifying and developing practical tools and resources to help all staff embed human rights into key work and decision-making processes.



Champions or influencers of human rights are empowered and resourced

Human rights champions and human rights advisers hold great expertise on the Charter. With the support of leadership and adequate resourcing, champions and advisers will positively influence human rights culture.

Example actions:

- Identify key roles across the organisation that can champion human rights and provide adequate time and resources for the role to be impactful.
- Develop key selection criteria for champion roles and write these responsibilities into performance development plans.
- Appoint a dedicated human rights adviser or write human rights advisory services into the position description of existing advisers.

Building operational capability in human rights

‘From my first days at the academy, it was made very clear that respecting human rights is an essential foundation for effective policing. We spent a lot of time looking at how the Charter operates in Victoria, the scope of the rights it covers, and how we can use it to shape our decision-making on the job. There was a similar emphasis when I started at a station – my senior sergeant would revisit our human rights obligations frequently in staff meetings and briefings, and we’d do refresher training on human rights throughout the year. I’ve found it’s a critically important lens for so much of what we do – for example, understanding the human rights impacts when you’re conducting a search or managing crowds at a public protest.’

—Jordan, a senior constable



Measures and data collection

Example methods for data collection		
Measures	People Matter Survey	
Measure the percentage of staff completing Charter training programs		
Measure engagement with awareness-raising activities, such as human rights days celebrated		
Measure awareness of the Charter and application to work – for example, 'I understand how the Charter of Human Rights and Responsibilities applies to my work', available in People Matter Survey	✓	
Measure the number of dedicated resources (both time and funding) responsible for embedding positive human rights culture		
Human rights and the Charter are embedded in professional development		
Measure whether staff performance reviews include metrics for embedding a positive culture of human rights		

	Internal data – for example, number of staff trained, evidence of budget allocations for human rights practice	Internal data – for example, number and impact of awareness events	Internal data – for example, percentage of staff with human rights metrics written into performance development plans, human rights achievements reported in performance reviews
	✓		
		✓	
	✓	✓	
	✓		✓
			✓

2.6 Systems and processes



A strong human rights culture is one where human rights are embedded in systems and processes across an organisation, informing the design, review and improvement of key work. This supports staff to meet their Charter obligations and contributes to more consistent decision-making and improved outcomes.



The Charter is included in legal compliance frameworks

Legal obligations under the Charter are embedded in the organisation's legal compliance frameworks that monitor, assess and audit compliance with laws. Human rights duties are features of good governance, audit and risk management processes and integrated into existing business oversight frameworks and plans.

Example actions:

- Identify the legal requirements of the organisation under the Charter and ensure compliance is tracked through legal compliance frameworks.
- Assess how the Charter relates to the organisation's vision, strategic priorities and business plan.
- Include human rights duties in the organisation's audit and risk management frameworks.



The organisation embeds human rights into key processes and tools

Human rights are integrated in decision-making tools, systems and processes. These include complaints, policies, business planning documents, codes of conduct, employment standards, risk management plans, internal grievance systems and processes, procurement processes, contracts, recruitment, position descriptions and performance reviews, research applications and inter-agency agreements.

Example actions:

- Embed human rights impact assessments to identify entry points for human rights in systems, policies, processes or practices, and review and improve them over time.
- Design complaints processes that prompt staff to consider human rights regardless of whether it is directly raised in the complaint itself.
- Keep a register of service improvements that stem from complaints.

Practice tip: Good complaints handling

Providing clear reasons for decisions displays fairness, transparency and accountability. It helps the person making the complaint understand why you made your decision, regardless of whether their complaint was upheld. Wherever possible, it is good practice to contact the person making the complaint regarding the reasons for your decision.²



The organisation delivers available, accessible, adaptable, acceptable, inclusive and quality services

Organisations pay sufficient attention to the right to equality. They plan and deliver a fair distribution of services to those who need it. Organisations ensure these services are inclusive and accessible, and do not exclude people as a result of structural barriers to participation and access.

Example actions:

- Design, develop and deliver services that are culturally acceptable to and inclusive of all parts of targeted communities.
- Build flexibility and responsiveness into services to adapt to the changing needs of target communities while striving to improve quality.
- Map the distribution of services to make sure they are available to all the intended beneficiaries.

Shaping systems and processes that respect human rights

‘When you’re dealing with infringements, it’s vital that you keep human rights front and centre. Sometimes people have good reasons for why they cannot pay their fines on time, so it’s important that we have the right review processes in place. We’d received a few complaints from members of the public about one of our existing policies for determining when deadlines for fines could be extended. We took a step back and conducted a major redesign of our review policy to ensure we were upholding our obligations under the Charter of Human Rights and Responsibilities. We found that people fleeing violence were being unfairly impacted by the policy – it’s not always easy for people in that situation to request a review before the fine is due. We updated the process so that there is now more flexibility built in for vulnerable groups. We’ve been monitoring the data from when we receive a request to review an infringement, and both staff and clients are reporting reduced stress and better outcomes.’

—Thao, an infringements officer



Practice tip: Record your human rights assessment

Recording how you considered a person’s human rights will help you if your decision is later the subject of a complaint. Good recordkeeping is also consistent with best practice in complaint handling.³

2 Ombudsman Victoria Good Practice Guide for Managing Complaints (2017) p5.

3 Ombudsman Victoria Good Practice Guide for Managing Complaints (2017) p5.

Measures and data collection

Example methods for data collection		
Measures	Community survey/ interview	
Measure whether the Charter is included in legal compliance frameworks		
Human rights are embedded into decision-making tools and/or processes, which are used across the organisation and are applied consistently and meaningfully from contracting through to service delivery		
Measure human rights breaches in risk management registers		
Measure service improvements that stem from complaints (internal or external)	✓	
Measure number of investigations undertaken by external independent bodies		
Volume of complaints, number of complaints resolved within the specified timeframe and any changes in complaint themes		
Reporting of qualitative case studies – constructive stories about the Charter’s value the Charter are shared regularly	✓	
Measure whether services are meeting the needs of the communities they serve	✓	

	Internal data – for example, evidence of Charter obligations in compliance frameworks, record of breaches in risk	Internal data – for example, evidence of improvements stemming from human rights, feedback from the community	External complaints data – for example, feedback from oversight agencies
	✓		
	✓	✓	
	✓		
		✓	
			✓
			✓
		✓	
		✓	

3. Find out more

Victoria's culture of human rights is growing each year. Organisations requiring support can seek assistance internally and externally.

Internal

For support complying with the Charter, organisations can look internally to their legal team and staff with Charter expertise. The Victorian Government Solicitor's Office (VGSO) can also provide advice on complying with the Charter to the Victorian Government and public sector bodies. In certain circumstances, the VGSO may also provide advice to local government.

Victorian Government Solicitor's Office

Email enquiries@vgso.vic.gov.au
Web vgso.vic.gov.au

External

The Commission can support public authorities in Victoria to understand the rights and duties set out in the Charter and improve their human rights culture through our education and consultancy services. Our education and consultancy team helps organisations build workplace capabilities on human rights, develop action plans and tailored resources, shift behaviour and create enduring change.

Victorian Equal Opportunity and Human Rights Commission

Enquiry Line 1300 292 153
Email enquiries@veohrc.vic.gov.au
Web www.humanrights.vic.gov.au/education

Further resources

Victorian Equal Opportunity and Human Rights Commission, [The Charter of Human Rights and Responsibilities: A guide for Victorian public sector workers \(July 2019\)](#)

Victorian Equal Opportunity and Human Rights Commission, [Quick guide to the Charter](#)

Victorian Equal Opportunity and Human Rights Commission, [2018 Report on the operation of the Charter](#)

Department of Justice and Community Safety, [From commitment to culture: Review of the Charter of Human Rights and Responsibilities](#)

Victorian Ombudsman, [Managing complaints involving human rights](#)

Victorian Auditor-General's Office, [Better practice guide: Public participation in government decision-making \(2015\)](#)

Judicial College, [Charter of Human Rights bench book](#)

Deloitte, [Waiter, is that inclusion in my soup? A new recipe to improve business performance: Research report](#)

Appendix A

Human rights protected in the Charter

The Charter protects 20 basic rights and freedoms in Victoria.

Section 8	The right to recognition and equality before the law
Section 9	The right to life
Section 10	The right to protection from torture and cruel, inhuman or degrading treatment
Section 11	The right to freedom from forced work
Section 12	The right to freedom of movement
Section 13	The right to privacy and reputation
Section 14	The right to freedom of thought, conscience, religion and belief
Section 15	The right to freedom of expression
Section 16	The right to peaceful assembly and freedom of association
Section 17	The right to protection of families and children
Section 18	The right to take part in public life
Section 19	Cultural rights, including Aboriginal cultural rights
Section 20	Property rights
Section 21	The right to liberty and security of person
Section 22	The right to humane treatment when deprived of liberty
Section 23	Rights of children in the criminal process
Section 24	The right to a fair hearing
Section 25	Rights in criminal proceedings
Section 26	The right to not be tried or punished more than once
Section 27	The right to protection from retrospective criminal laws



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Fax	1300 891 858
NRS Voice Relay	1300 555 727 then quote 1300 292 153
Interpreters	1300 152 494
Email	enquiries@veohrc.vic.gov.au
Live chat	livechat.humanrights.vic.gov.au
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