

Queensland Fire and Emergency Services

Human Rights Act 2019

Annual Performance Report 2021–22

Introduction

Queensland Fire and Emergency Services' (QFES) is the primary provider of fire and rescue, emergency services and disaster management capability services throughout Queensland. The department encompasses the Fire and Rescue Service (FRS), disaster management services, Rural Fire Service (RFS) and State Emergency Service (SES). The department works with community and partners to minimise the impacts and consequences of disasters and emergencies on persons, property and the environment. This is supported by assisting communities to understand their local hazards and ensuring they have the right knowledge, information and resources to strengthen their capability and resilience.

On 1 January 2020, respecting human rights became the law for all Queensland Government departments under the *Human Rights Act 2019* (the Act). The Act respects, protects and promotes the human rights of all people in Queensland. It requires agencies to act and make decisions in a way that is compatible with human rights. Human rights can only be limited in certain circumstances and after careful consideration. The purpose of the Act is 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.

Human rights are basic entitlements that belong to everyone regardless of your background, what you look like, what you think, what you believe or any other status or characteristic. Everyone is entitled to have their human rights protected, without discrimination.

The Act protects 23 fundamental human rights such as the right to freedom of movement and the right to liberty and security of person; and acknowledges the inherent dignity and worth of all human beings.

In preparation for the commencement of the Act and prior to 1 July 2021, QFES undertook significant work to progress compatibility with the Act including:

- QFES doctrine (policy, procedures, standards, role manuals and operations doctrine) was reviewed and an assessment tool developed to align future documents to the Act. Assessing all QFES doctrine against the human rights legislation is a business-as-usual activity within QFES.

- The Complaints Management procedure was updated to include complaints about human rights and the Complaints Assessment process and forms were updated to ensure compatibility with human rights.
- Training material for the School of Fire and Emergency Services Training was aligned with the Act. This included QFES handbooks, implementation documents and course guides.
- The requirements of the Act were incorporated into Service Level Agreements with volunteer groups that provide emergency response to Queenslanders, through variations or new agreements.
- Internal processes for drafting of legislative amendments were modified to build in human rights considerations.
- Proposals, business cases and approvals are considerate of human rights and QFES' obligations under the Act.

QFES conducts annual workforce experience surveys such as the Working for Queensland (WfQ) survey and Volunteering for Queensland (VfQ) survey to measure and monitor staff and volunteer experiences. The annual surveys are a confidential forum enabling the department to gauge its performance collectively and in each division, region and branch. The WfQ and VfQ 2021 results indicate 73 per cent of staff and 70 per cent of volunteers responded positively to the survey question '*I understand how the Human Rights Act 2019 applies to my work*'.

Human rights complaints

A human rights complaint is defined in the Act (section 63) as: *a complaint about an alleged contravention of section 58(1) by a public entity in relation to an act or decision of the public entity.*

During 2021–22, QFES received five human rights complaints.

At 30 June 2022:

- » four complaints have been finalised with three allegations either unsubstantiated or discontinued; and one where it was determined QFES had a legal obligation under Queensland legislation. Outcome advice was provided to the complainants.
- » one complaint has been lodged with the Queensland Human Rights Commission and is ongoing.

Actions taken to further the objects of the Act

QFES continued to further the objects of the Act during the reporting period by:

- approving the QFES Human Rights Information Awareness Strategy on 16 December 2021. The strategy has delivered multiple activities to increase awareness of, and build a culture of, human rights within the department including:
 - Promoting Human Rights Week (1–10 December 2021) with the theme *Make equality your priority* and celebrating Human Rights Day on 10 December 2021. The department conducted an online session for staff and volunteers to explore how human rights work in day-to-day situations. The session was recorded and is available to staff and volunteers on the QFES Gateway (staff intranet).
 - Launching an e-learning product in March 2022 that explores human rights from the perspective of the responsibilities of staff and volunteers to respect, promote and protect the human rights of all Queenslanders.
 - Continuing to provide support to areas across the department to implement QFES specific human rights information awareness and training activities for staff and volunteers to ensure they continue to meet the needs of the workforce in terms of accessibility and content.
 - Updating the QFES Gateway Human Rights content to include easy-to-use resources for staff and volunteers such as a one-page quick reference guide, decision checklist and responsibilities posters. Resources have been

developed and are available for each QFES service (FRS, RFS and SES) to ensure that information provided is targeted to individual service requirements. The Human Rights QFES Gateway content also includes links to training packages and interactive scenarios exploring human rights in operational and management situations familiar to staff and volunteers.

- Introducing an online community of practice open to all members of QFES where human rights issues are discussed and the latest human rights news is shared.
- continuing to deliver training to management on their obligations under the Act; and on specific changes to policies, procedures and practices relating to human resources and complaints management
- planning the inclusion of the Human Rights topic and core lessons into the department's Corporate Induction program for commencement in 2022–23
- including in the QFES strategic plan the statement: *When implementing our strategies QFES will respect, protect and promote human rights in our decision-making and actions*
- including references to human rights in the QFES *Strategic Workforce Plan 2021–2024*
- attending a Human Rights Policy workshop in November 2021 hosted by the Department of Justice and Attorney-General to better understand the application of the Act. QFES attendees included conduct investigators and policy and legislation officers.

In addition, manager and staff education on human rights and how they are applied in managing complaints and within the decision-making framework is continuing through the department's Senior Advisor Workplace Standards network. Human rights are considered in the implementation of staff personal achievement and development plans and flexible work arrangements.

Details of reviews of policies, programs, procedures, practices or services undertaken for compatibility with human rights

Assessing QFES doctrine (policy, procedures, standards, role manuals and operations doctrine) against the human rights legislation is a business-as-usual activity within the department with key considerations relating to human rights embedded into doctrine assessment tools.