

Queensland Fire and Emergency Services

Human Rights Act 2019

Annual Performance Report 2022–23

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.

In preparation for the commencement of the Act, QFES undertook significant work to progress compatibility with the Act including:

- ✧ QFES doctrine (i.e. policies and procedures) 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
- ✧ the alignment of training material with the Act for the School of Fire and Emergency Services Training, including the 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.

The department's strategic plan 2022–26 includes the department's commitment to respecting, protecting and promoting human rights in decision-making and actions.

QFES conducts annual workforce experience surveys such as WfQ and VfQ surveys to measure and monitor staff and volunteer experiences. The annual surveys are a confidential forum enabling QFES to gauge its performance collectively and in each division, region and branch. The WfQ 2022 and VfQ 2022 results indicate 72 per cent of staff and 62 per cent of volunteers responded positively to the survey question '*I understand how the Human Rights Act 2019 applies to my work*'.

In addition, an e-learning product (launched 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 is available on aXcelerate (the QFES Student Management System accessible to all QFES paid staff and volunteers).

The QFES Gateway (staff intranet) also includes 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.

Details of actions taken to further the objects of the Act during the reporting period

QFES continued to embed the objects of the Act as business-as-usual activities during the reporting period. Highlights include:

- ✧ continuing membership of the Human Rights Interdepartmental Committee. The committee was established in 2019 to provide central leadership of whole-of-government implementation of the Act and continues to play a whole-of-government leadership role in providing leadership, proactive support, and maintaining momentum for the development of a human rights culture across the Queensland Government
- ✧ continuing delivery of an *Introduction to the Human Rights Act* session in the quarterly QFES Corporate Induction Forum. Attendees are also provided with a one-page guide to the Act and directed to the resources available on the QFES Gateway for further information.

In addition, the QFES *Leading Others* leadership program (targeted at team leaders or aspiring program leaders) also raises awareness of the Act and directs participants to the available resources as part of their self-directed learning.

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.
- ✧ Assessing QFES legislation and policy proposals to ensure compliance with the Act is a business-as-usual activity, including the preparation of human rights statements of compatibility for Bills and human rights certificates for subordinate legislation.
- ✧ Giving proper consideration to human rights before making decisions to ensure compatibility with human rights has been embedded in QFES briefing templates as a business-as-usual activity.

Details of human rights complaints received by the entity within the reporting period, including number and outcome of complaints and other information prescribed by regulation

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 2022–23, QFES received nine human rights complaints. At 30 June 2023:

- ✧ three complaints had been lodged with the Queensland Human Rights Commission (QHRC). One matter was referred to QFES by the QHRC and is in progress and two matters are under assessment by the QHRC
- ✧ three matters received by QFES were assessed as being suitable for management action and are in progress
- ✧ two matters received by QFES were not substantiated and the complainants were provided with outcome advice
- ✧ one matter received by QFES was discontinued as the complainant did not engage in the process. The complainant was advised the matter has been closed however, can be reopened should they wish to engage in the future.

In addition, during the reporting period, one matter lodged with the QHRC in 2021–22 was closed. The complainant then filed an application with the Queensland Industrial Relations Commission and subsequently withdrew it.