

Queensland Fire and Emergency Services

Human Rights Act 2019

Annual Performance Report 2020–21

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, disaster management services, the Rural Fire Service and State Emergency Service. 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 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 2020, QFES undertook significant work to progress compatibility with the Act including:

- » all QFES doctrine were 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 including the QFES handbooks, implementation documents and course guides.
- » the QFES Gateway (staff intranet) includes information regarding the Act and provides different human rights scenarios for staff in relation to a request for part-time or flexible work; firefighters growing a beard and wearing breathing apparatus; and recruitment and selection.
- » a training video on the topic of decision-making for human rights in operational scenarios was released on the QFES Gateway.
- » the requirements of the Act were incorporated into Service Level Agreements, through variations or new agreements with Surf Life Saving Queensland, Volunteer Marine Rescue Association Queensland and Royal Life Saving Society Queensland Inc.

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 2020–21, QFES received three human rights complaints. At 30 June 2021, one complaint is being managed within QFES and is part of a broader workplace conduct complaint that is in progress; and two complaints have been lodged with the Queensland Human Rights Commission and are in progress.

Actions taken to further the objects of the Act

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

- » including in the QFES Strategic Plan 2021–2025 the following statement: *When implementing our strategies QFES will respect, protect and promote human rights in our decision-making and actions.*
- » finalising the development of a Human Rights Awareness e-learning package. The package was rolled out through Nexus (learning management system) to all staff and volunteers.
- » delivering 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.
- » convening a working group in March 2021 to evaluate the department's progress in meeting its responsibilities under the Act. The evaluation was undertaken to ensure no activities were overlooked due to the department's focus on supporting the government's response to COVID-19. The working group was disestablished in June 2021 after confirming that all required activities have been completed, other than awareness and training activities which are continuing to be progressed to further embed a culture of human rights in QFES.
- » undertaking consultation and planning to establish the purpose, scope and membership of a QFES Human Rights Information Awareness collaborative team, in preparation for the first meeting to be held in July 2021. This team will continue the development and implementation of QFES specific human rights information awareness and training activities for paid staff and volunteers to ensure they continue to meet the needs of the workforce in terms of accessibility and content.

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 QFES' 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

The following activity occurred during 2020–21:

- » 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.
- » assessing all QFES doctrine (policy, procedures, standards, role manuals and operations doctrine) against the human rights legislation continues to be a business-as-usual activity within the department.
- » an ongoing partnership with QFES doctrine owners through the QFES Knowledge Advisory Group continues to enhance a broader understanding of human rights.
- » the requirements of the Act have been incorporated into Service Level Agreements through variations with the Australian Volunteer Coast Guard Association and PCYC Queensland (Emergency Services Cadets).