

1. Purpose

The purpose of this policy is to affirm Council's unwavering commitment to upholding, protecting, and promoting human rights as enshrined in the *Human Rights Act 2019 (Qld)*. As a public entity, Council is legally and ethically obligated to act and make decisions in a manner that is compatible with human rights and to give genuine and proper consideration to relevant rights in all aspects of governance, service delivery, and community engagement.

2. Scope

This policy applies to all workplace participants, including:

- Councillors;
- Permanent, temporary, and contract employees; and
- Volunteers and contractors engaged by Council.

It governs all Council functions and activities, including but not limited to:

- i. Delivering services to the community;
- ii. Responding to human rights complaints and inquiries;
- iii. Making administrative decisions and interpreting legislation;
- iv. Developing, reviewing, and implementing policies, procedures, and local laws; and
- v. Inducting, training, and supporting new staff and elected members.

This policy applies across all levels of Council operations and is integral to fostering a culture of respect, fairness, and accountability.

3. Responsibility

Councillors and Executive Leadership: Lead by example in championing a human rights culture and ensuring strategic decisions reflect Council's legal and ethical obligations.

Managers and Supervisors: Integrate human rights principles into operational planning, staff supervision, and decision-making processes.

All Staff, Volunteers and Contractors: Demonstrate respect for human rights in daily interactions, service delivery, and workplace conduct.

Governance and Legal Services: Provide expert guidance on human rights compliance, support complaint resolution, and ensure alignment with legislative requirements.

4. Definitions

Human Rights as defined in Part 2, Divisions 2 and 3 of the *Human Rights Act 2019*, including but not limited to:

- Equality before the law;
- Right to life, liberty, and security;
- Freedom of expression, movement, thought, and religion;
- Cultural rights, including those of Aboriginal and Torres Strait Islander peoples; and
- Right to education, health services, and fair legal processes.



Compatible with Human Rights as per Section 8 of the Act, an act or decision is compatible if it does not limit a human right or limits it only to the extent that is reasonable and demonstrably justifiable under Section 13.

Public Entity includes local governments, Councillors, and employees performing public functions (Section 9 of the Act).

Workplace Participants means all individuals engaged in Council work, including staff, Councillors, contractors, and volunteers.

5. Protected Human Rights

Under Section 11 of the *Human Rights Act 2019 (Qld)* (the Act), all individuals in Queensland have human rights. Corporations do not have human rights under the Act.

The Act protects 23 specific human rights, which Council must consider when making decisions, developing policies, and delivering services. These include:

1. Recognition and equality before the law;
2. Right to life;
3. Protection from torture and cruel, inhuman or degrading treatment;
4. Freedom from forced work;
5. Freedom of movement;
6. Freedom of thought, conscience, religion and belief;
7. Freedom of expression;
8. Peaceful assembly and freedom of association;
9. Taking part in public life;
10. Property rights;
11. Privacy and reputation;
12. Protection of families and children;
13. Cultural rights – generally;
14. Cultural rights – Aboriginal and Torres Strait Islander peoples;
15. Liberty and security of person;
16. Humane treatment when deprived of liberty;
17. Fair hearing;
18. Rights in criminal proceedings;
19. Rights of children in the criminal process;
20. Right not to be tried or punished more than once;
21. Retrospective criminal laws;
22. Right to education; and
23. Right to health services.

Council acknowledges that these rights are not absolute and may be limited only where such limitation is reasonable and demonstrably justifiable under Section 13 of the Act.



6. Policy

Council is committed to fostering a workplace and community environment that respects, protects, and promotes human rights. Council will:

- Ensure all decisions, actions, and policies are compatible with human rights;
- Provide ongoing education, training, and resources to support staff and Councillors in understanding their obligations;
- Respond to human rights complaints with fairness, transparency, and procedural integrity;
- Embed human rights principles into all aspects of governance, service delivery, and community engagement; and
- Promote awareness of human rights among staff, stakeholders, and the broader community.

Council recognises the ‘dialogue model’ established by the Act, which requires public entities to consider human rights in the development of laws, policies, and decisions. Council will ensure that all actions and decisions are compatible with human rights, meaning they either do not limit rights or limit them only to the extent that is reasonable and demonstrably justifiable under the Act.

7. Human Rights Complaints

Under the Act, any individual who believes that a public entity—such as Hinchinbrook Shire Council—has breached their human rights has the right to make a complaint and seek resolution.

1. Lodging a Complaint

Individuals are encouraged to first raise their complaint directly with Council. Council will respond within **45 business days**. If the individual is not satisfied with the response or receives no response within that timeframe, they may escalate the matter to the **Queensland Human Rights Commission (QHRC)**.

To assist in efficient handling of complaints, individuals are asked to:

- Clearly identify the human rights concern (Council staff can assist if needed);
- Provide all relevant supporting information in an organised format;
- Avoid providing misleading or vexatious information; and
- Cooperate respectfully with Council’s investigation process.

How to lodge a human rights complaint with Council

Online: via Council’s website at hinchinbrook.qld.gov.au

Email: council@hinchinbrook.qld.gov.au

In person: 25 Lannercost Street, Ingham QLD 4850

Post: Governance Branch Hinchinbrook Shire Council PO Box 366 Ingham QLD 4850

2. Independent Complaints

If the matter is unresolved after 45 business days, individuals may lodge a complaint with the **Queensland Human Rights Commission (QHRC)**. The QHRC may accept a complaint if:

- It was first made to the public entity (e.g., Council)
- 45 business days have passed since the complaint was submitted
- The complainant has not received a response or is dissatisfied with the outcome



More information is available at www.qhrc.qld.gov.au.

3. Raising Human Rights in Courts or Tribunals

While individuals cannot bring standalone legal action under the Act, they may raise human rights arguments in legal proceedings under other laws. Courts and tribunals must interpret legislation in a way that is compatible with human rights, where possible.

4. Remedies

The Act does not provide for financial compensation. However, the QHRC may recommend actions to resolve the complaint or improve future compliance. Council is committed to considering and implementing such recommendations where appropriate.

8. Legal Parameters

This policy is underpinned by the following legislation:

- *Human Rights Act 2019 (Qld)*;
- *Local Government Act 2009 (Qld)*; and
- *Local Government Regulation 2012 (Qld)*.

Council acknowledges its legal obligations under these Acts and will ensure compliance through regular policy review, staff training, and governance oversight.

9. Associated Documents

- Complaints (Administrative Action) Policy;
- Code of Conduct for Councillors;
- Code of Conduct for Employees;
- Human Rights Management Guidelines; and
- Staff Induction Manual.

10. Monitoring and Review

This policy will be reviewed every two years or as required to ensure ongoing compliance with legislative changes and best practice. Council will monitor implementation through internal audits, staff feedback, and complaint trends.

DOCUMENT HISTORY AND STATUS				
Action	Name		Position	Date
Approved by Council	Mary Anne Uren		Chief Executive Officer	27/01/2026
Policy Version	1	Initial Version Adopted	27/01/2026	Current Version Adopted
Maintained By	CCDS Director		Next Review Date	27/01/2027