

HUMAN RIGHTS PROCEDURE

OBJECTIVE

This procedure aims to support Banana Shire Council in creating a community where every person is treated with dignity, fairness, and respect. It guides Councillors, staff, volunteers, and contractors in understanding and upholding the human rights of all individuals when making decisions, delivering services, and engaging with the public. Through clear processes, accessible information, and a commitment to continuous learning, this procedure helps ensure that human rights are recognised, genuinely considered, and protected in everything we do.

DEFINITIONS

Council	Banana Shire Council.
Councillors	Councillors include the Mayor, Deputy Mayor and other Councillors of Banana Shire Council, unless specifically identified.
CEO	Chief Executive Officer, Banana Shire Council.
Council Staff / Workers	Includes employees, contractors, volunteers and all others performing work on behalf of Council.
Manager / Supervisor	Includes persons appointed to positions with responsibility for staff management.
Services	Services provided to the community by Council, including libraries, the provision of community assistance and Community Resource Centre services.
Human Rights	Are rights inherent to all people regardless of nationality, place of residence, ethnic origin and religion etc.

PROCEDURE

This procedure applies to all Councillors, employees, contractors and volunteers of Council.

This procedure applies to interactions that occur when –

- Dealing with customers or community members when providing day to day services.
- Processing and dealing with human rights complaints from the public.
- Making decisions, interpreting and applying laws.
- Developing policies and procedures in respect to Council services and operations.
- Inducting new Councillors, employees, contractors and volunteers.

Informing the Community of their Human Rights

Members of the community can access information around their rights and how Council upholds these rights, including how to provide feedback or make a complaint via Council's website.

A printed copy of this information can be provided upon request.

Training and Awareness

Council's induction program for new Councillors, staff, contractors and volunteers will contain guidance and resources to build understanding of human rights, including:

- The duty to act compatibly with human rights and properly consider them in decision-making, and
- Information about Human Rights and their role and responsibility in applying the principles of fairness and human rights to the community members/service users they support.

Council will provide refresher training and additional training as required to help staff and volunteers maintain their understanding and roles and responsibilities in human rights.

Recruitment and Selection

Dignity, respect and human rights underpin all practices undertaken by Banana Shire Council.

Recruitment and selection procedures will make specific reference to our values and our expectations of staff to uphold the human rights of service users.

Suitability Screening Requirements

All staff, volunteers, and contractors will undergo appropriate suitability screening for the roles they perform, including:

- National Police checks.
- Working with children checks (where duties involve contact with children or young people).
- Aged Care worker screening or NDIS worker screening (where duties involve these service areas).
- Reference checks prior to appointment.

Council will ensure screening is current and compliant with relevant legislation, sector standards and Council's Recruitment and Selection Policy and Procedure.

Respecting Cultural Diversity

Staff, contractors and volunteers are to ensure that services are provided with sensitivity to and an awareness of the cultural beliefs and practices of service users from of Aboriginal and Torres Strait Islander people, their families and service users from communities with culturally and linguistically diverse backgrounds.

Equitable Access and Screening for Service Eligibility

Council will apply a fair, transparent and consistent system for screening eligibility and need for services, including services accessed by people with disabilities and older persons. Screening decisions will be based solely on service criteria, assessed needs, and reasonable adjustments required to ensure equal

access. No individual will be disadvantaged on the basis of disability, age, culture, communication needs, or personal characteristics.

Managing Service Demand and Escalation

Where demand for Council services exceeds available capacity, a documented demand-management process will be applied. This includes:

- Transparent waitlist processes.
- Risk-based and needs-based prioritisation.
- Clear communication with affected individuals.
- Offering alternative services or referral options.
- Escalation to the relevant Manager where delays may impact health, safety, wellbeing or human rights.

This process applies equally to disability-related services, community assistance services and services accessed by older persons.

Reasonable Adjustments

Council will take reasonable and proportionate steps to remove barriers to access, participation and communication for people with disabilities and older persons. Reasonable adjustments may include physical accessibility measures, communication supports (interpreters, hearing augmentation, Easy English), flexible appointment methods or outreach, and assistance to understand and engage with Council processes.

Legislative and Sector Standard Compliance

In delivering services, including those accessed by people with disabilities and older persons, Council will act in accordance with the *Human Rights Act 2019* (Qld), *Disability Services Act 2006* (Qld), relevant aged-care legislation and standards, anti-discrimination laws, and all other applicable regulatory requirements.

Responding to a Concern

Where a staff member has concerns or makes an allegation about the infringement of the human rights of service users or of abuse, neglect or exploitation the subsequent complaint will be managed in accordance with the *Human Rights Act 2019*, Councils Complaints Management Policy and Procedure and any other relevant policies and procedures.

If an individual or member of the public believes that Council has breached their human rights obligations, they have the right to complain and seek remedies.

There are several ways that an individual can make a complaint under the Act:

1. Internal complaints
2. Independent complaints
3. Raising the Act in courts and tribunals

1. Internal Complaints

An individual must first raise a complaint directly with Council. Once forty-five (45) business days has elapsed the matter may be referred to the Queensland Human Rights Commission if the complaint has not been responded to, or if the individual is not satisfied with the response.

An individual may make a human rights complaint to Council:

In writing, by mail to Chief Executive Officer
Banana Shire Council
PO Box 412
BILOELA QLD 4715

By telephone 07 4992 9500

By email enquiries@banana.qld.gov.au

Online www.banana.qld.gov.au

In Person At any Council office in Biloela, Moura or Taroom.

2. Independent Complaints

An individual or member of the public may also raise a complaint about human rights with the Queensland Human Rights Commission or another independent body. In order to accept complaints under the Act, the Queensland Human Rights Commission must be satisfied that:

- A complaint has first been made to the public entity alleged to have breached the Act.
- At least forty-five (45) Business days have elapsed since the complaint was made to the public entity.
- The complainant has not received a response to their complaint or has received an inadequate response.

Further details on the Queensland Human Rights Commission complaint process can be found on their website.

3. Raising the Act in courts and tribunals

In some cases, the complaint can be taken to a court or tribunal. While individuals cannot make complaints directly to courts and tribunals for breaches of the Act, it is possible to raise breaches of the Human Rights Act in the process of a hearing based on another law.

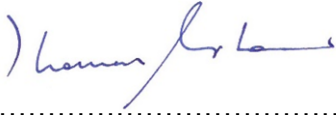
Council will ensure service delivery practices uphold the rights to equality, access to health services, participation, safety, dignity and respect.

This Council Procedure acknowledges the importance of fundamental human rights.

Council is committed to recognising and protecting these rights when creating policies and procedures that shape the frameworks, standards, behaviors, and actions of the Banana Shire Council.

An assessment of this Procedure determined that it does not limit or affect any human rights under the *Human Rights Act 2019*.

CERTIFICATION



.....
**CHIEF EXECUTIVE OFFICER
BANANA SHIRE COUNCIL**

14 April 2026

.....
DATE