

Appendix 5

Human Resources and Administrative Services

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Performance management and staff development

HREOC reviews staff performance annually through its Performance Management Scheme. The Scheme provides an opportunity to set goals and priorities and assess the level of individual performance and contribution to Unit outcomes.

The Scheme also provides an opportunity to identify and address learning and development needs and to plan effectively for the acquisition of identified skill requirements.

HREOC supports additional professional development through its Studies Assistance Program. During 2007-08, HREOC provided assistance in the form of study leave, examination leave and/or financial assistance to 16 staff.

HREOC provided opportunities for work experience and internships through placements in various units.

Workplace diversity and equal employment opportunity

Throughout the year, HREOC supported diversity events, including International Women's Day, NAIDOC Week and Harmony Day. The workplace diversity committee is developing a Calendar of Events for 2008 to ensure that opportunities to celebrate and acknowledge various events are undertaken with care, creativity and forward planning.

HREOC's Reconciliation and Action Plan was developed during the year and the strategies developed will link in with our Workplace Diversity Plan.

A new Indigenous Employment Strategy is in development to maximise our capacity to attract, engage and retain Indigenous applicants.

Reconciliation Action Plan

HREOC has developed a Reconciliation Action Plan ('RAP') as part of its commitment to Reconciliation Australia's *National Program of Action for Reconciliation*.

HREOC launched its RAP on Friday 25 May 2007, to coincide with the 40th anniversary of the 1967 referendum that changed the provisions of Australia's Constitution relating to Aboriginal people.

Throughout 2007-08, HREOC has worked with Reconciliation Australia to improve and develop its RAP. HREOC hopes to have a revised RAP approved by Reconciliation Australia and in place early in the 2008-09 financial year.

In addition to HREOC's extensive 'core work' in relation to Aboriginal and Torres Strait Islander people (see Chapter 6), HREOC and its staff undertook a range of activities under the RAP in 2007-08, including:

- Placement of Indigenous interns and students participating in the 'Aurora' project;
- Revising HREOC's induction procedures to ensure that all staff receive Indigenous cultural awareness training;
- Commemoration and celebration of significant events, including the national apology to the Stolen Generations on 13 February 2008; and
- Organising seminars on issues relating to the human rights of Aboriginal and Torres Strait Islander people.

HREOC's RAP is available on-line at www.humanrights.gov.au/about_the_commission/rap/index.html

Occupational health and safety

The new Health and Safety Management Arrangements (HSMAs), required as a result of changes to the *Safety Rehabilitation Compensation and Other Legislation Amendment Act 2007*, were finalised in June. The HSMA was developed in consultation with the OHS committee and staff.

HREOC's commitment to staff health and well being, on site and off site, continued with workplace assessments for the resolution of ergonomic issues, access to a software program that encourages staff to take regular breaks throughout the day, and access to preventative/informative health information sessions.

HREOC offers support to staff through QUIT smoking programs, flu vaccinations and a Healthy Lifestyle Program.

HREOC provides staff with access to counselling services through its Employee Assistance Program. This is a free and confidential service for staff and their families to provide counselling on personal and work-related problems if required. No systemic issues have been identified through this service.

Workplace relations and employment

HREOC's Certified Agreement expires in December 2008. Consultation with staff will commence in September on a new agreement.

The current agreement provides core employment conditions and supports family friendly policies. It offers 14 weeks paid maternity leave, four weeks paid parental leave, and access to extended leave following maternity or parental leave. HREOC also supports access to part-time employment up until the child reaches school age.

Salary progression within classification levels is subject to performance assessment. Salary ranges are shown at Table 40.

HREOC has eight staff covered by Australian Workplace Agreements, including one senior executive service (SES) level staff member.

Consultancy services

HREOC uses consultants where there is a need to access skills, expertise or independence not available within HREOC.

During 2007-08, four new consultancy arrangements were entered into involving total actual expenditure including GST of \$283 800.

Consultant Name	Description	Contract Price	Actual Payments	Selection Process	Justification*
Australian Multicultural Foundation	Establish Steering Committee to research and prepare a report on Freedom of Religion and Belief	\$209 000	\$88 000	Direct Source	A,B,C
Australian National University	Research project – Creating a representative Indigenous voice	\$22 000	\$22 000	Select Tender	A,B,C
SW Consulting	Develop and Coordinate the Community Partnership for Human Rights Evaluation Project	\$30 800	Nil	Select Tender	A,B
Prof. Richard Harding and Prof. Neil Morgan	Research into the implementation in Australia of the Optional Protocol to the Convention against Torture	\$22 000	Nil	Select Tender	A,B
Total		\$283 800	\$110 000		

*A – skills currently unavailable within the agency

B – need for specialised or professional skills

C – need for independent research or assessment

Purchasing

HREOC's purchasing procedures adhere to the Commonwealth Procurement Guidelines issued by the Department of Finance and Administration and updated to incorporate policy changes effective 1 January 2005. They address a wide range of procurement situations, allowing managers flexibility when making procurement decisions, while complying with the Commonwealth's core procurement principle of value for money. There were no contracts exempt from publishing through AusTender in 2007-08.

There was no competitive tendering and contracting during 2006-07 that resulted in a transfer of providers of goods and services from a Commonwealth organisation to a non-government body.

Ecologically sustainable development and environmental performance

While human rights principles are fundamentally embedded within the principles of ecologically sustainable development (ESD), HREOC's activities do not explicitly contribute to ESD nor impact directly on the environment other than through its business operations in the consumption of those resources required to maintain the operations of HREOC.

HREOC uses energy saving methods in its operations and endeavours to make the best use of resources. Purchase and/or leasing of 'Energy Star' rated office machines and equipment with 'power save' features is encouraged, and preference is given to environmentally sound products when purchasing office supplies.

HREOC has implemented a number of environmentally friendly initiatives to reduce the environmental impact from its operating practices. Major energy consuming services such as air conditioning and lighting are switched off outside work hours. In addition waste paper, cardboard, printer cartridges and other materials are recycled subject to the availability of appropriate recycling services. HREOC also uses new generation low mercury triphosphor fluorescent tubes.

During 2007-08 HREOC and staff participated in the Earth Hour initiative which was held on Saturday 29 March 2008.

Audit Committee

Consistent with the ASX (Australian Stock Exchange) principles of good corporate governance and the requirements of the *Financial Management and Accountability Act 1997*, HREOC maintains an audit committee to advise the President on the Commission's compliance with external reporting requirements and the effectiveness and efficiency of internal control and risk management mechanisms. The audit committee met four times during the reporting period.

Fraud control

HREOC has a Fraud Risk Assessment and Fraud Control Plan and has procedures and processes in place to assist in the process of fraud prevention, detection, investigation and reporting in line with the Commonwealth Fraud Control Guidelines. The Fraud Control Plan is made available electronically to all HREOC staff.

Staffing

HREOC's average staffing level for the year was 116 staff, with a turnover of 12 per cent for ongoing staff. An overview of HREOC's staffing profile as at 30 June 2008 is summarised in the table below. The number of part-time staff excludes casual staff.

Classification	Male	Female	Full-time	Part-time	Total Ongoing	Total Non-ongoing	Total
Statutory Office Holder	3	1	3	1		4	4
SES Band 2		1	1		1		1
EL 2 (\$88,116- \$105,879)	12	12	21	3	22	2	24
EL 1 (\$76,401- \$83,782)	5	21	20	6	19	7	26
APS 6 (\$61,079- \$68,458)	10	20	28	2	23	7	30
APS 5 (\$55,178- \$59,596)	2	4	5	1	5	1	6
APS 4 (\$49,470- \$53,714)	3	15	14	4	9	9	18
APS 3 (\$44,387- \$47,907)	2	12	4	10	10	4	14
APS 2 (\$40,043- 43,215)	0	2	2	0	2	0	2
APS 1 (\$34,434- \$38,057)	1	0	0	1	1	0	1
Total	38	88	98	28	92	34	126

COMMONWEALTH DISABILITY STRATEGY (CDS)

HREOC, along with all other Commonwealth agencies, reports against the CDS performance framework annually. Full details on the CDS can be found on the Department of Families, Housing, Community Services and Indigenous Affairs website at: www.facsia.gov.au/disability/cds/default.htm

Through the CDS, the government seeks to ensure its policies, programs and services are as accessible to people with disabilities as they are to all other Australians. This, of course, is integral to the work of HREOC and evident in the work we do. The CDS identifies four core roles that may be relevant to the agency. HREOC's primary roles are that of policy adviser and service provider. HREOC's employer role is now dealt with through the *State of the Service* report which is compiled by the Australian Public Service Commission. Full details on the policies and services highlighted in the Appendices can be found within the relevant section of the Annual Report.

HREOC is committed to implementing best practice in providing and improving access to its services for people with disabilities. In particular, our CHS, on-line access to our services, website and education material, and consultation with disability groups provide examples of what we are doing to achieve this.

COMMONWEALTH DISABILITY STRATEGY PERFORMANCE REPORTING JUNE 2008

Further details on programs and policies outlined against the performance indicators can be found in the relevant sections of the Annual Report.

POLICY ADVISER ROLE

HREOC disability rights programs are planned by reference to the Commission's jurisdiction under the Disability Discrimination Act and the Human Rights and Equal Opportunity Commission Act and include consultations with disability groups and partnerships with disability organisations.

Performance indicator 1

New or revised policy/program assesses impact on the lives of people with disabilities prior to decision

Performance measure

Percentage of new or revised policy/program proposals that document that the impact of the proposal was considered prior to the decision-making stage.

Current level of performance 2007-2008

- HREOC public Inquiries and exemption applications include people with disabilities to seek views on the issue before finalisation.
- National peak disability groups and selected regional groups are consulted on new projects in the development phase to seek their views on impact. In the Disability Rights Unit compliance is 100 per cent.

- All submissions to Inquiries are taken in a range of formats, including verbal/audio (transcribed by HREOC), e-mail and handwritten letters.
- All new initiatives are made publicly available through HREOC's website and key disability organisations are informed of developments through HREOC's e-mail lists.
- Through the use of HREOC's website and e-based networks HREOC provides extensive information about new and revised policies and programs and seeks feedback at any stage on their effect.

Performance Examples

- Ongoing inspection of immigration detention facilities and commentary regarding asylum-seekers and refugees has a strong focus on:
 - the availability and quality of mental health services, and
 - the connection between declining mental health, immigration detention and restrictive visa conditions.

Goals and Actions for 2008-2009

- Promote ratification and implementation of the *Convention on the Rights of Persons with Disabilities* including: promoting effective review of laws, policies and programs; promoting awareness of the Convention; promoting development of NGO strategies to use the Convention.
- Promote adoption and implementation of DDA Disability Standards.

Performance indicator 2

People with disabilities are included in consultation about new or revised policy/program proposals

Performance measure

Percentage of consultations about new or revised policy/program proposals that are developed in consultation with people with disabilities.

Current level of performance 2007-2008

- Consultation with people with disabilities and their representative organisations occurs at a number of levels, through:
 - direct contact with representative organisations at a national and state/territory level;
 - invitation to respond to new and revised policy/programs through HREOC's website, e-based networks, in writing or by phone; and
 - public forums, conferences and public meetings.
- New initiatives are made publicly available through HREOC's website, and disability organisations and individuals are informed of developments through HREOC's e-mail lists.
- Public consultation events all occur in accessible venues with hearing augmentation and sign language interpreters available.

Performance Examples

- The Sex Discrimination Commissioner consulted with disability stakeholder groups and individuals during her Listening Tour. The Commissioner visited every state and territory in Australia. Over 1 000 people took part in the 90 events held in metropolitan, regional and remote locations. An additional 128 people contributed through the Listening Tour blog, with 39 612 viewers reading the Commissioner's Listening Tour diary, and a total of 66 826 hits. The Commissioner identified three crucial areas for achieving equality between women and men in Australia:
 - economic independence for women,
 - balancing work and family balance across the life cycle, and
 - freedom from discrimination, harassment and violence.
- The Sex Discrimination Commissioner and the Disability Discrimination Commissioner met with Women with Disabilities Australia. Issues raised at this meeting included: sterilisation, violence against women, access to breast and cervical screening, removal of children from mothers with intellectual disability, lack of data regarding disability and concerns raised at airports regarding personal aids which are required during transit.
- In early 2008 HREOC reviewed its strategic goals and direction through its planning process, HREOC21. This process involved all staff and key stakeholders, including representatives from peak disability groups to:
 - reflect on HREOC's achievements to date;
 - create an inspired, motivating and realistic role for HREOC in the future; and
 - set clear and measurable goals and objectives to assist HREOC in achieving its vision.

Goals and Actions for 2008-2009

- Consult with a wide range of groups including disability stakeholder groups and individuals in the development of a charter of rights proposal.
- Use public inquiry processes, emphasising use of internet and media, to ensure the opportunity to participate for the broadest range of affected parties and to increase awareness of DDA requirements.
- Assist and encourage industry bodies to develop compliance strategies

Performance indicator 3

Public announcements of new, revised or proposed policy/program initiatives are available in accessible formats for people with disabilities in a timely manner

Performance measure

- Percentage of new, revised or proposed policy/program announcements available in a range of accessible formats.
- Time taken in providing announcements in accessible formats.

Current level of performance 2007-2008

- All information about new HREOC initiatives is available on a W3C/WAI compliant website, simultaneous with public release.
- 100 per cent of announcements and information material available in accessible electronic format.
- 100 per cent of material produced is also available in standard print, large print, audio and Braille on request.
- The time taken to produce in other than electronic format varies according to the size of the document, but generally within seven days.

Goals and Actions 2008-2009

- Review accessibility issues in relation to the Internet.

PROVIDER ROLE

Further details on HREOC's complaint handling function, with a full description of its services and relevant statistics can be found in Chapter 4: Complaint Handling Section.

Performance indicator 1

Complaints information service provides information about complaint handling service to people with disabilities

Performance measure

- Complaints information service accessible to people with disabilities.
- Number of calls/e-mails/visits to complaints information service related to disability issues.
- Number of groups that attended complaint handling information session, or were visited by the CHS during regional and interstate visits, that included disability advocacy and disability legal services.

Current level of performance 2007-2008

- HREOC complaints information is available in electronic and alternative formats. An e-mail facility and accessible on-line complaint form for the lodgement of complaints is available. Telephone and TTY facilities are available with a national 1300 number at local call cost.
- All complaint handling brochures and publications are available on HREOC's website in accessible electronic format and are available in alternative formats on request. Information about the complaints process and legislation is available in plain English format on HREOC's website. The website is updated regularly.
- 16 per cent of phone, e-mail and written enquiries to the CHS are related to disability issues.
- 59 groups attended a CHS information session or were visited by CHS staff.

- A complaints information referral list is updated regularly to ensure callers with disabilities can be referred to appropriate advocacy groups and other appropriate services.

Goals and Actions 2008-2009

- Targeted community education and liaison with disability groups and advocacy organisations in all states and in particular regional areas.
- Liaise with Indigenous and disability networks in each state to ensure the CHS are responsive to their needs.
- Liaise with networks working with young people and mature/older people with disabilities to ensure the CHS is responsive to their needs.

Performance indicator 2

Complaint handling service accessible to people with disabilities

Performance measure

- Number of complaints received under the DDA.
- Number of complaints lodged by people with disabilities under all legislation administered by HREOC.
- Number of complainants who identify the need for specific assistance on intake form.
- Complaints received about accessibility of service.

Current level of performance 2007-2008

- 988 complaints were received under the DDA for 2007-2008.
- Complaints were received from people identifying as having a disability under all Acts administered by HREOC. 51 per cent of responses to a survey question on demographics indicated the complainant had a disability. This was a similar response in past years.
- 143 requests for assistance were recorded, including assistance with language interpreters and sign language interpreters, provision of information in an alternative format, TTY and assistance with writing.
- There were no formal complaints received regarding the accessibility of HREOC complaint handling service or premises. Performance measure is 100 per cent.
- HREOC's premises are accessible. Premises used for remote and regional conciliation conferences are accessible. Performance measure is 100 per cent.
- The Complaint Handling Section Access Committee reviews access to the CHS service by the community, including specific focus on people with disabilities.

Goals and Actions 2008-2009

- Maintain a flexible approach to service delivery.

Performance indicator 3

Staff training and development, includes training related to people with disabilities

Performance measure

Percentage of training programs that include information regarding people with disabilities and relevance to complaint handling processes.

Current level of performance 2007-2008

- CHS investigation and conciliation training courses include specific training on accommodating people with disabilities in the complaint handling investigation and conciliation processes. Performance measure is 100 per cent.
- Ad hoc CHS training sessions specifically address relevance to people with disabilities who use complaint handling services. Performance measure is 100 per cent.
- CHS Complaint Handling Manual advises staff to consider reasonable accommodation for people with disabilities is provided during the investigation and conciliation process such as provision of Auslan interpreters, use of TTY and use of alternative formats for information. Performance measure is 100 per cent.

Goals and Actions 2008-2009

- Provide specific client service training to all CHS staff, focussing on the needs of clients with disabilities.

Performance indicator 4

Complaint mechanism in place to address concerns raised about service and addresses requirements of people with disabilities

Performance measure

Established complaint/grievance mechanism in operation. Detailed in the Charter of Service, which is provided to all parties to a complaint and available on the HREOC website. Provided in alternative format on request.

Current level of performance 2007-2008

- Charter of Service addresses roles and responsibilities of HREOC and parties.
- No complaints about accessibility of service or disability related issues were received under the Charter in the year.
- Performance measure is 100 per cent.

EMPLOYER ROLE

Performance indicator 1

Employment policies, procedures and practices comply with the requirements of the Disability Discrimination Act

Performance measure

Number of employment policies, procedures and practices that meet the requirements of the Disability Discrimination Act.

Current level of performance 2007-08

- HREOC's Corporate Plan includes reference to the Australian Public Service (APS) Values and social justice principles to ensure access to HREOC's services.
- HREOC's Certified Agreement 2005-08 contains a commitment to the acceptance of diversity in the workplace and preventing and eliminating discrimination. Most of HREOC's policies on employment are contained within the Certified Agreement.
- The Workplace Diversity Plan outlines strategies to maximise employment and developmental opportunities for people with disabilities. The Plan is available to all staff on HREOC's intranet.
- HREOC's e-mail/Internet Policy is reviewed regularly. It specifically refers to the inappropriate use of e-mails that may demean people with disabilities.
- No formal complaints/grievances were made by staff with disabilities with regard to current work practices.
- Reasonable adjustment principles are adhered to in the modification of employee's duties in the workplace. Two employees have been provided with voice-activated software to enable them to undertake their duties and another staff member with CCTV equipment.

Performance indicator 2

Recruitment information for potential job applicants is available in accessible formats on request

Performance measure

- Percentage of recruitment information requested and provided in alternate electronic formats and accessible formats other than electronic.
- Average time taken to provide accessible information in electronic formats and formats other than electronic.

Current level of performance 2007-08

- Performance in providing accessible formats for recruitment material is 100 per cent.

- Applicants are advised on HREOC's website that recruitment information is able to be provided in any format. All recruitment material is on HREOC's website and available by download at the same time it is advertised in the press. Advertisements in the press advise that information is available by contact phone, by TTY phone and on HREOC's website. The HREOC website meets the criteria for accessibility as outlined in the Government Online Strategy. The Jobs Page (www.humanrights.gov.au/about/jobs/) received 58 522 page views during 2007-08.
- There were no requests for Braille during 2007-08. HREOC is able to supply any requests within 3-7 days.

Performance indicator 3

Agency recruiters and managers apply the principle of reasonable adjustment

Performance measure

Percentage of recruiters and managers provided with information on reasonable adjustment.

Current level of performance 2007-08

- Selection guidelines include information on reasonable adjustment and guidelines for interviewing staff with disabilities.
- Recruitment action is managed internally and not outsourced and all committees are provided with selection information on reasonable adjustment.

Performance indicator 4

Training and development programs consider the needs of staff with disabilities

Performance measure

Percentage of training and development programs that consider the needs of staff with disabilities.

Current level of performance 2007-08

- Due to the small number of staff in the agency, training is coordinated by each of the unit managers under HREOC's Performance Management Scheme. The majority of training is provided off-site with external providers. Any in-house training programs recognise the needs of people with disabilities.
- Training nomination forms allow staff to advise any specific requirements such as:
 - wheelchair access;
 - accessible toilets/parking;
 - a hearing device;
 - sign language interpreter;
 - an attendant;
 - a support person; and
 - information in Braille, audio cassette, large print, ASCII format.

Performance indicator 5

Training and development programs include information on disability issues as they relate to the content of the program

Performance measure

Percentage of training and development programs that include information on disability issues as they relate to the program.

Current level of performance 2007-08

- As noted above, training is coordinated by each individual section.
- Induction includes information on workplace diversity and relevant legislation that HREOC administers, including the Disability Discrimination Act.
- The Complaint Handling Section conducts training and information on disability issues for staff.

Performance indicator 6

Complaint/grievance mechanisms, including access to external mechanisms, in place to address issues and concerns by staff

Performance measure

Established complaints/grievance mechanisms, including access to external mechanisms in operation.

Current level of performance 2007-08

- There is an established process in the HREOC Certified Agreement for complaints/grievances, which includes access to external review through the Australian Public Service Commission.
- All staff are advised of access to HREOC's Employee Assistance Program and encouraged to use this service when needed. This free service provides counselling and support for staff and their families.
- Provision of access to complaints/grievance mechanisms is 100 per cent.

Note: Accessible electronic formats include ASCII (or txt) files and html for the web. Non-electronic accessible formats include Braille, audio cassette, large print and easy English. Other ways of making information available include video captioning and Auslan interpreters.