

Appendix 5

HUMAN RESOURCES AND ADMINISTRATIVE SERVICES

Performance management and staff development

HREOC's Performance Management Scheme provides a framework to manage and develop our staff to achieve our corporate objectives. The scheme provides regular and formal assessment of an employee's work performance and allows for access to training and skills development.

HREOC's Certified Agreement recognises the need to provide adequate training for staff to support workplace changes. This is especially relevant with changes in the Information Technology area where staff are provided with relevant and ongoing training.

Training is identified through an individual's training and development plan in conjunction with the Performance Management Scheme. Training encompasses a range of development activities including: professional development courses; on-the-job training; and the opportunity to represent the organisation at seminars/fora. These may broaden the skills and experience of staff, and where overseas/interstate travel is involved, may also provide an opportunity to reward staff for their performance. As part of HREOC's staff development strategy, staff are also provided with support under our Studies Assistance policy. The policy provides for access to study leave and financial assistance where study is relevant to the work of HREOC, an individual's work responsibilities, and where it assists with career development.

Workplace diversity and equal employment opportunity

HREOC recognises that diversity in our staff is one of our greatest strengths and assets and is committed to valuing and promoting the principles of workplace diversity through our work practices.

Throughout the year, HREOC supported diversity events, including International Women's Day, NAIDOC Week and Harmony Day.

Other strategies under the plan focus on supporting staff with family responsibilities. Family friendly workplace policies were enhanced in the current Certified Agreement which increased paid parental leave and provided access to extended leave following maternity or parental leave. Staff can apply for part-time employment up until the school age of their child. At the end of 30 June 2007, 12 ongoing staff had part-time arrangements in place. Staff are able to access a Family Support Service to obtain information on dependent care including child care and elder care options.

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, to coincide with the 40th anniversary of the 1967 Referendum that changed the provisions of Australia's Constitution relating to Aboriginal people.

The RAP identifies action to be taken by HREOC across the following areas:

1. Cultural recognition and awareness;
2. Education, promoting understanding and public discussion of Indigenous people's rights;
3. Working for HREOC;
4. Human rights compliance;
5. Celebration and commemoration; and
6. Responsibility for implementing the RAP.

To assist in monitoring, developing and implementing the RAP, HREOC has established a RAP Committee. To reflect the HREOC-wide nature of our commitment to reconciliation, the Committee consists of senior staff representing all parts of HREOC and includes an Indigenous staff representative.

The Committee engaged an Indigenous consultant in formulating the RAP and is committed to engagement with the Indigenous community in further developing the RAP.

HREOC's RAP is available online at: www.humanrights.gov.au/about/rap.html

Occupational health and safety

HREOC's policy is to promote and maintain the highest degree of health, safety and wellbeing of all staff. HREOC monitors health and safety through its Occupational Health and Safety (OH&S) Committee, which includes a staff health and safety representative and four corporate support staff who meet regularly through the year. Minutes of the committee are placed on HREOC's intranet and any issues that require action are brought to the attention of management.

A hazards survey is conducted annually and the Committee monitors any OH&S issues that arise. Personnel staff have been trained as case managers and regularly attend Comcare forums and training as required. Ongoing assistance and support on OH&S and ergonomic issues is provided to new and existing staff.

Assessments are completed as required for staff who identify particular ergonomic issues. A software program called 'Workpace' assists staff in taking regular pause breaks throughout the day. HREOC offers support to staff through QUIT smoking programs and flu vaccinations.

HREOC has a Healthy Lifestyle Program to promote health and fitness as a means of achieving work/life balance and improving the health and wellbeing of our employees.

HREOC continues to provide staff with access to counselling services through its Employee Assistance Program (EAP). 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.

Work has begun on the development of new Health and Safety Management Administrative plans (HSMA's) as a result of changes to the *Safety Rehabilitation Compensation and Other Legislation Amendment Act 2007* which came into effect on 13 April 2007.

Workplace relations and employment

Staff in HREOC are employed under section 22 of the *Public Service Act 1999*. HREOC's current agreement was certified by the Australian Industrial Relations Commission on 23 December 2005 and is in operation for three years. The agreement is comprehensive and was certified under section 170LJ of the *Workplace Relations Act 1976*. The number of HREOC employees covered by the agreement as at 30 June 2007 was 116, including both ongoing and non-ongoing staff. Employees received a four percent increase during 2006–07.

The agreement maintains core employment conditions and supports family friendly policies. The current Agreement provides for 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 reflected in the table below. HREOC has six 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 2006–07, eight new consultancy arrangements were entered into involving total actual expenditure including GST of \$249 870. There were no active part-performed consultancy contracts from prior years.

<i>Consultant Name</i>	<i>Description</i>	<i>Contract Price</i>	<i>Selection Process</i>	<i>Justification*</i>
Acumen Alliance	Internal Audit Services	\$99 000	Select Tender	B,C
Clayton Utz	Specialist Legal Services	\$13 576	Direct Source	A,B
Clayton Utz	Specialist Legal Services	\$15 729	Direct Source	A,B
Libraries Alive Pty Ltd	Library advisory and consultative services	\$39 200	Direct Source	A,B,C
Monash University	Research and analysis on Native Title issues	\$17 600	Direct Source	A,B
Justine Nolan	Review of Corporate Social Responsibility and Human Rights in Australia	\$25 000	Direct Souce	A,B
Pure Hacking Pty Ltd	IT Security Audit and policy formulation	\$21 065	Direct Souce	A,B,C
Pure Hacking Pty Ltd	IT Security work to enable connection to FEDLINK	\$18 700	Direct Source	A,B,C
Total		\$249 870		

**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. The procedures 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 2006–07.

There was no competitive tendering and contracting during 2005–06 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 environmental impact. Waste paper, cardboard, printer cartridges and other materials are recycled subject to the availability of appropriate recycling schemes. HREOC also uses new generation low mercury triphosphor fluorescent tubes.

During 2006–07 HREOC and staff participated in the Earth Hour initiative which was held on Saturday 31 March 2007.

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 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 104 staff, with a turnover of 13 percent for ongoing staff. This included three staff who retired during the year. An overview of HREOC’s staffing profile as at 30 June 2007 is summarised in the table below. The number of part-time staff also includes casual staff employed as at 30 June 2007.

<i>Classification</i>	<i>Male</i>	<i>Female</i>	<i>Full time</i>	<i>Part time</i>	<i>Total Ongoing</i>	<i>Total Non-ongoing</i>	<i>Total</i>
Statutory Office Holder	3	–	2	1	–	3	3
SES Band 2	–	1	1	–	1	–	1
EL2 (\$84,727–\$101,807)	10	11	18	3	19	2	21
EL 1 (\$73,462–\$80,559)	5	13	11	7	11	7	18
APS 6 (\$58,730–\$65,825)	10	20	25	5	26	4	30
APS 5 (\$53,056 –\$57,304)	2	6	8	–	2	6	8
APS 4 (\$47,568 –\$51,648)	–	8	6	2	6	2	8
APS 3 (\$42,680 –\$46,065)	5	25	18	12	14	16	30
APS 2 (\$38,503 –\$41,553)	–	5	3	2	1	4	5
APS 1 (\$33,109 –\$36,593)	1	–	–	1	1	–	1
Total	36	89	92	33	81	44	125

COMMONWEALTH DISABILITY STRATEGY

HREOC, along with all other Commonwealth agencies, reports against the Commonwealth Disability Strategy (CDS) performance framework annually. Full details on the CDS can be found on the Department of Families, Community Services and Indigenous Affairs website at: www.facsia.gov.au/disability/cds/index.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 five core roles that may be relevant to the agency. HREOC's primary roles are that of policy adviser, service provider and employer. 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. Our complaint handling processes, online 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 2007

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

POLICY ADVISOR ROLE

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 2006–07

- 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. Compliance in the Disability Rights Unit (DRU) is 100 percent.
- 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 webpage and key disability organisations are informed of developments through HREOC's e-mail list.
- Through HREOC's website and e-based networks, HREOC provides extensive information on new and revised policies and programs and seeks feedback at any stage on their effect.

Performance Examples

- *Same-Sex: Same Entitlements* Inquiry examined discrimination against people in same-sex relationships who:
 - ◊ were on disability pensions;
 - ◊ living with HIV/AIDS;
 - ◊ in residential aged care facilities; and
 - ◊ seeking workers compensation payments.
- 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 2007–08

- The annual report outlines areas of study, such as mental health, that will be undertaken during 2007–08.

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 2006–07

- Consultation with people with disabilities and their representative organisations occurs at a number of levels including:
 - ◊ direct contact with representative organisations at a national and state/territory level;
 - ◊ invitations to respond to new and revised policy/programs through HREOC's website, e-based networks, in writing or by phone; and

- ◊ through public forums, conferences and public meetings.
- New initiatives are made publicly available through HREOC's webpage and disability organisations and individuals are informed of developments through HREOC's e-mail lists.
- Public consultation events are always held in accessible venues with hearing augmentation and sign language interpreters available.

Performance Examples

- The *Same-Sex: Same Entitlements* Inquiry sought the view of peak disability groups regarding the impact of discrimination on same-sex couples where one or more person had a disability.
- HREOC convened working groups including representatives of peak disability groups to monitor and promote implementation of the recommendations of HREOC's report on *WORKability II: Solutions – People with Disability in the Open Workplace*.
- The final report of the Sex and Age Discrimination Unit project *Striking the Balance: Women, men, work and family* was released in early 2007. The report made 45 recommendations aimed at assisting workers to meet their caring responsibilities across the life course, including caring for people with disability. The Sex and Age Discrimination Unit launched the report and held a series of forums throughout Australia to inform the community on the outcomes of the project and to receive feedback on the proposals for further research, policy work and law reform. These forums were open to the public as well as invited participants, including disability stakeholder groups.

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 2006–07

- All information about new HREOC initiatives is available on a W3C/WAI compliant website, simultaneous with public release.
- 100 percent of announcements and information material available in accessible electronic format.
- 100 percent of material produced is also available in standard print, large print, audio and Braille on request.

- Time taken to produce in other than electronic format varies according to the size of the document, but generally within seven days.

PROVIDER ROLE

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

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 Complaint Handling Section (CHS) during regional and interstate visits, that included disability advocacy and disability legal services.

Current level of performance 2006–07

- HREOC complaints information is available in electronic and alternative formats. An e-mail facility and accessible online 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.
- 15 percent of phone/e-mail/written enquiries to the CHS are related to disability issues.
- 100 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 2007–08

- Increase targeted community education and liaison with disability groups and advocacy organisations in all states, in particular regional areas.

- Targeted community education and liaison with Indigenous and disability networks in each state.
- Targeted education and liaison with networks working with young people and mature/older people with disabilities.

Performance indicator 2:

Complaint handling service accessible to people with disabilities

Performance measure

- Number of complaints received under the *Disability Discrimination Act* (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 2006–07

- There were 802 complaints received under the Disability Discrimination Act (DDA) legislation for 2006–07. Refer to the Complaint Handling Section of the Annual Report for further details (Chapter 4).
- Complaints were received from people identifying as having a disability under all Acts administered by HREOC. Of responses to a survey question on demographics, 51 percent indicated the complainant had a disability.
- There were 123 requests for assistance recorded, including assistance with language interpreters and sign language interpreters, provision of information in alternative format, TTY and assistance with writing.
- There were no formal complaints received regarding accessibility of HREOC complaint handling service or premises. Performance measure = 100 percent.
- HREOC's premises are accessible. Premises used for remote and regional conciliation conferences are accessible. Performance measure = 100 percent.
- The Complaint Handling Section Access Committee reviews access to the CHS service by the community, including specific focus on people with disabilities. Further details are available in the Annual Report.

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 2006–07

- CHS investigation and conciliation training courses include specific training on accommodating people with disabilities in the complaint handling investigation and conciliation processes. Performance measure = 100 percent.
- ‘Ad hoc’ CHS training sessions specifically address relevance to people with disabilities who use complaint handling services. Performance measure = 100 percent.
- 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, use of alternative formats for information. Performance measure = 100 percent.

Performance indicator 4:***Complaint mechanism in place to address concerns raised about service and address requirements of people with disabilities****Performance measure*

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

Current level of performance 2006–07

- The 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 = 100 percent.

EMPLOYER ROLE**Performance indicator 1:*****Employment policies, procedures and practices comply with the requirements of the Disability Discrimination Act 1992****Performance measure*

Number of employment policies, procedures and practices that meet the requirements of the *Disability Discrimination Act 1992*.

Current level of performance 2006–07

- 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 2006–07

- Performance in providing accessible formats for recruitment material = 100 percent.
- 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 60 847 page views during 2006–07.
- There were no requests for Braille during 2006–07. HREOC is able to supply any requests within three-seven 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 2006–07

- 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 2006–07

- 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
 - ◊ 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 2006–07

- 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 1992*.
- 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 2006–07

- 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= 100 percent.

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.