

POLICY

5.0 HUMAN RIGHTS

Purpose

This policy outlines Better Together's commitment to human rights. The purpose of this policy is to:

- a) ensure the safeguarding and implementation of the rights of people with disabilities
- b) ensure that Better Together's staff, services and practice empower people with disabilities to exercise their fundamental human rights as equal citizens and to uphold their dignity every day
- c) respect the power and control people with disabilities have over matters that affect their lives, such as the choices and decisions they make
- d) ensure people with a disability have a voice and are included in any discussions and decisions that affect them and they are asked about their thoughts, ideas and perspectives when decisions are being made
- e) support stakeholders in educating community members of the valued status of our service user and how everyone can be building opportunities for people with a disability to have active participation and integration into their community.
- f) affirm Better Together's commitment as human rights duty-bearers to ensure that people with disabilities not only exercise their rights but enjoy their human rights
- g) protect the rights of people with disabilities from abuse, neglect, exploitation, violence, discrimination, harm and restrictive practice
- h) define the concept of human rights; and
- i) define the responsibilities of staff, committees and organisational entities for the various elements of human rights.

Applicability

The policy applies to all of the organisation's programs and activities, staff, volunteers, committee members agency workers and any contractors involved with Better Together.

Policy Statement

Better Together is committed to developing an organisational culture that supports the legal and human rights of service users. Promoting and safeguarding the fundamental rights of people with disabilities as equal citizens. Better Together ensures our service user are able to exercise those rights as outlines in relevant legislation including:

- Qld Disability Services Act 2006
- Disability Discrimination Act 1992
- QLD Human Rights Act 2019
- Australian Human Rights Commission Act 1986
- Racial Discrimination Act 1975
- Sex Discrimination Act 1984
- Anti-Discrimination Act 1991

In promoting the equality of people with disabilities, Better Together is also committed to ensuring people with a disability are empowered and have a voice in how they live their lives

Better Together aims to be a model agency in facilitation of this commitment to the 'Valued Status' of each person, using the Social Role Valorisation as a framework of practise, application and implementation tool to assist our Service Users in gaining the good things in life.

Better Together is committed to providing quality services that promote opportunities for every person with a disability to fulfil valued roles in the social, civic and economic life of the community and support the development and maintenance of skills and competencies relevant to those valued roles, to the extent of each person's ability and appropriate to the funded or stated purpose of the service they receive

Better Together also strives to seek the most positive interpretation of people with disability and have the most valued conferring and valid associations, which will support and enhance the potential of people with disability to maintain and develop their competency, abilities and contributions, and to enable others to recognise their competence, abilities and contributions

Better Together is committed to removing the social and physical barriers that limit the participation and inclusion of people with disabilities. Better Together works toward realising inclusion and participation of people with disabilities in the community.

There are several important key concepts in defining human rights. These include but are not limited to the following:

- a) A human right is universal and inalienable – this means that every person has fundamental human rights;
- b) communication is a human right. Individuals with complex communication needs must be supported because communication is a precursor to people with disability being able to access other rights;
- c) human dignity is inherent in a person and cannot be taken away from the person;
- d) people with disabilities are rights-bearers – this means they have a right to exercise and enjoy their human rights;

- e) service providers and staff are duty-bearers – this means staff has to respect, protect and fulfil human rights of people with disabilities as articulated in the CRPD. Hence it is the duty of Better Together staff to ensure people with disabilities are empowered to exercise their rights and to uphold their dignity at all times;
- f) people with disabilities have power and control over their lives, this includes a right to self-determination, make choices and decisions, participate actively in the community, assumed to have capacity to make decisions, and be respected for the decisions and choices they make; and
- g) achieving positive change and addressing disadvantage in the social and physical environments.

Translating Human Rights into Action

The central principle for Better Together service delivery is the right of the Service User to be in control of his/her own life decisions. Better Together Service Users take responsibility for the life decisions they make or are supported to make such decisions.

Better Together as a service provider is required to:

1. Uphold and respect the dignity of the person in everyday interactions with Service Users and their families/carers and with each other
2. Empower Service Users to have a voice in all aspects of their life and promote and actively support the person to make decisions and choices every day, engage the person in decision-making by ensuring information provided is appropriate to the person's level of comprehension and/or in an alternative and augmentative communication system used by the person
3. Promote the Service User's dignity, well-being, and ensure equity and access to quality services, regardless of the ethnicity, gender, beliefs, age, social status, sexuality or other individual differences. The human rights lens is applied across Better Together policy, practice and service delivery.
4. Ensure that the person with the disability as the Service User is the focus and centre of any planning and design of services, and that the person and his/her family/carer or support person are involved in the process of support plans or any plans that affect them.
5. Promote and act promptly on feedback and complaints from people with disabilities, their families/carers and stakeholders so that learning from the feedback will enhance our service delivery
6. keep personal information about Service Users securely and the personal information is kept confidential and private
7. Inform people with disabilities and their families/carer or support person of their right to seek independent or external advocacy, and/or to take any complaints to the

National Disability Insurance Scheme Commissioner, relevant department agencies and other appropriate organisations (the Public Advocates)

8. Implement quality, service, practice and research strategies or activities that enhance human rights (particularly in the area of well-being, safety, participation and access), build self-advocacy and hear the voice of relevant stakeholders (such as families/carers, advocates or support person) to advise us on realising our vision and mission
9. Establish and seek feedback from Service Users and stakeholder groups (such as from people with disabilities and their families/carers or support persons) in decisions that affect them, such as service planning or policy development
10. Implement quality, service, practice and research strategies or activities that will achieve social change in the community and address disadvantage experienced by people with disabilities, and that these strategies or activities are consistent with the CRPD. This may include but is not limited to not participating in or developing services that are considered as institutional or that isolates the person from the community. rather Better Together will work with diverse stakeholders to reduce and/or eliminate barriers that diminish the human rights of people with disabilities
11. Implement quality, service and practice strategies or activities that safeguard and protect the person from abuse, neglect, exploitation, violence, discrimination, harm and any restrictive practice that diminishes human rights. Any breaches of rights are immediately addressed through the Service User Feedback and Complaints Policy
12. Work towards the safe elimination of restrictive interventions or reduce the use of such practice, and that if required, the limitation of the person's rights are lawful under the Disability Act 2006 on restrictive interventions.

United Nations Convention on the Rights of the Persons with Disabilities

Relevant Legislation, Standards and Agreements

[Disability Discrimination Act 1992](#)

[Human Rights Commission Act 1986](#)

[Age Discrimination Act 2004](#)

[National Disability Insurance Scheme Act 2013](#)

[Race Discrimination Act 1975](#)

[Sex Discrimination Act 1984](#)

Definitions

Any defined terms below are specific to this document:

Continuous quality improvement - the process of identifying, describing, and analysing strengths and problems and then testing, implementing, learning from, and revising solutions.

Empowerment - Promotes independence, autonomy and other values related to people taking control of their own lives.

Equity - The provision of service with the same degree of access, agreed risk and opportunity as any other citizen.

Ethical Issue - A question about the suitability of practice based on the degree of accord with or divergence from a stated policy position, legislative requirement, or organisational tenet.

Practice - Professional actions carried out in response to, and in support of a stated Service User choice, expectation or need.

Quality - Meeting or exceeding individual's expectations and consistently delivering on what you promise.

Support plans - Any Service User related plans that are required by legislation, contractual agreements or requested by the Service User. The support plans comprise but are not limited to the following: Service User support plans, participant support plans, health-care, behaviour support, other plans.