

Human Rights Charter

Policy last updated

15 June 2020

Scope

- Schools
 - School councils
 - All Department staff
-

Date: March 2020

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Overview

Overview

Human rights belong to every human being and include the right to recognition and equality before the law, to be protected from torture and cruel, inhuman or degrading treatment, the right to the protection of families and children, and to have our privacy respected.

The Victorian Charter of Human Rights and Responsibilities Act 2006 (the Charter) sets out the basic rights, freedoms and responsibilities of all people in Victoria. The Charter contains 20 rights that reflect 4 basic principles of freedom, respect, equality and dignity.

The Charter aims to improve service delivery and ensure transparent decision making by promoting a human rights culture across state and local government departments and agencies, and people delivering services on behalf of government across Victoria.

All Victorian government departments and public authorities must act compatibly with the Charter and take human rights into account when making decisions and providing advice or services. Government schools, school councils and Department corporate staff are all public authorities under the Charter.

The Charter of Human Rights training module has been designed to assist all Department staff in understanding their responsibilities and their rights under the Charter. All staff are encouraged to complete this training module as part of the Department's commitment to the Charter. The link to this training module is in the [Resources](http://www2.education.vic.gov.au/pal/human-rights-charter/resources) <http://www2.education.vic.gov.au/pal/human-rights-charter/resources> tab.

Indigenous Australian cultural rights

The Charter also provides a right to culture for minority groups, including Aboriginal and Torres Strait Islander people in Victoria. It is founded on the principle that human rights have special importance for the Aboriginal people of Victoria, as descendants of Australia's first people, with their cultural institutions, ancestral lands, natural resources and traditional knowledge.

The Victorian Equal Opportunity and Human Rights Commission (the Commission) has useful resources on their website to explain the cultural rights of Aboriginal and Torres Strait Islander people and how these rights need to be considered by public authorities. The link to the Commission's webpage is on the Resources tab.

The Charter of Human Rights and Responsibilities — Guidelines for Legislation and Policy Officers in Victoria (Charter Act Guidelines)



Charter Act Guidelines have been written primarily for legal and policy officers in the Victorian public service. In particular, they have been written for those responsible for developing new policies and preparing draft instructions for legislation, such as a Bill or an amendment to existing legislation. The Guidelines will also assist program managers to assess whether their programs are delivered in a way that is consistent with the Charter. The link is on the Resources tab.

If you are interested in training on the Human Rights and Responsibilities Charter, please contact the Legal Division on [03 9637 3146](tel:0396373146) or by email at legal.services@education.vic.gov.au <mailto:legal.services@education.vic.gov.au>

Related topics

- [Code of Conduct](http://www2.education.vic.gov.au/pal/code-conduct/overview) <http://www2.education.vic.gov.au/pal/code-conduct/overview>
- [Inclusive Workplaces](http://www2.education.vic.gov.au/pal/inclusive-workplaces/overview) <http://www2.education.vic.gov.au/pal/inclusive-workplaces/overview>
- [Equal Opportunity — Employees](http://www2.education.vic.gov.au/pal/equal-opportunity/overview) <http://www2.education.vic.gov.au/pal/equal-opportunity/overview>
- [Values — Department and VPS Values for School Employees](http://www2.education.vic.gov.au/pal/values-department-vps-school-employees/overview) <http://www2.education.vic.gov.au/pal/values-department-vps-school-employees/overview>

Relevant legislation

- [Charter of Human Rights and Responsibilities Act 2006 \(Vic\)](https://www.legislation.vic.gov.au/in-force/acts/charter-human-rights-and-responsibilities-act-2006)  <https://www.legislation.vic.gov.au/in-force/acts/charter-human-rights-and-responsibilities-act-2006>
- [Equal Opportunity Act 2010 \(Vic\)](https://www.legislation.vic.gov.au/in-force/acts/equal-opportunity-act-2010)  <https://www.legislation.vic.gov.au/in-force/acts/equal-opportunity-act-2010>

Policy and Guidelines

Policy and Guidelines

There is no further guidance for this topic. For more information and a link to the Charter of Human Rights training module, refer to the [Resources](http://www2.education.vic.gov.au/pal/human-rights-charter/resources) <<http://www2.education.vic.gov.au/pal/human-rights-charter/resources>> tab.

Resources

Resources

- [LearnED Information and Help Documents](https://edugate.eduweb.vic.gov.au/edrms/keyprocess/PDEV/Pages/LearnED-LMS.aspx) 
<https://edugate.eduweb.vic.gov.au/edrms/keyprocess/PDEV/Pages/LearnED-LMS.aspx>
- [The Charter of Human Rights and Responsibilities LearnED Training Module](https://edupay.eduweb.vic.gov.au/psp/hoadmin/EMPLOYEE/PSFT_LM/c/LM_SS_LEARNING.LM_LEARNING_ITEMS.GBL?Page=LM_SS_ACT_DTL&Action=U&LM_ACT_ID=1175&LM_CI_ID=1079&NAV=URL) 
<https://edupay.eduweb.vic.gov.au/psp/hoadmin/EMPLOYEE/PSFT_LM/c/LM_SS_LEARNING.LM_LEARNING_ITEMS.GBL?Page=LM_SS_ACT_DTL&Action=U&LM_ACT_ID=1175&LM_CI_ID=1079&NAV=URL> — for all Department staff (LearnED on eduPay — your eduPay login details are required)
- [Charter Guide for Victorian Public Sector Workers](https://www.humanrights.vic.gov.au/resources/the-charter-of-human-rights-and-responsibilities-a-guide-for-victorian-public-sector-workers-jul-2019/) 
<https://www.humanrights.vic.gov.au/resources/the-charter-of-human-rights-and-responsibilities-a-guide-for-victorian-public-sector-workers-jul-2019/>
- [Quick Charter Guide for Victorian Public Sector Workers \(PDF\)](https://www.humanrights.vic.gov.au/static/c5acb1c4980160aedbd937b98a490881/Resource-Responsibilities-VPS_Charter_Quick_Guide.pdf) 
<https://www.humanrights.vic.gov.au/static/c5acb1c4980160aedbd937b98a490881/Resource-Responsibilities-VPS_Charter_Quick_Guide.pdf>
- [The Charter of Human Rights and Responsibilities — Guidelines for Legislation and Policy Officers in Victoria](https://www.justice.vic.gov.au/charter-of-human-rights-guidelines-for-legislation-and-policy-officers-in-victoria) 
<https://www.justice.vic.gov.au/charter-of-human-rights-guidelines-for-legislation-and-policy-officers-in-victoria>
- [Human Rights Certificate](http://humanrights.vgso.vic.gov.au/legislation-development/developing-leg-policy/human-rights-certificates)  <http://humanrights.vgso.vic.gov.au/legislation-development/developing-leg-policy/human-rights-certificates> (Employee Guide)
- [Human Rights Impact Assessment \(Word\)](https://www.education.vic.gov.au/hrweb/Documents/Human-Rights-Impact-Assessment-Table.docx) 
<https://www.education.vic.gov.au/hrweb/Documents/Human-Rights-Impact-Assessment-Table.docx>
- [2019 Charter Highlights \(PDF\)](https://edugate.eduweb.vic.gov.au/edrms/tracking/Attachments/TEMP1kwwklxhi41c0000/COR2066755_Attachment%20_VEOHRC_2019CharterHighlights.pdf) 
<https://edugate.eduweb.vic.gov.au/edrms/tracking/Attachments/TEMP1kwwklxhi41c0000/COR2066755_Attachment%20_VEOHRC_2019CharterHighlights.pdf>
- [2019 report on the operation of the charter of Human Rights and Responsibilities](https://www.humanrights.vic.gov.au/resources/2019-report-on-the-operation-of-the-charter-of-human-rights-and-responsibilities-nov-2020/)  <https://www.humanrights.vic.gov.au/resources/2019-report-on-the-operation-of-the-charter-of-human-rights-and-responsibilities-nov-2020/>

Useful links

- [Victorian Equal Opportunity and Human Rights Commission](https://www.humanrightscommission.vic.gov.au/) 
<https://www.humanrightscommission.vic.gov.au/>

Reviewed 14 May 2020