



Policy Name:	Human Rights Policy	Policy Number:	ELO-051
Date Approved:	13 December, 2017	Approved By:	Management Committee
Date Issued:	14 December, 2017	Review Date:	13 th December 2020

1. Aim

Early Links is committed to developing an organisational culture that supports the legal and human rights of individuals – including children and young people and their families.

The purpose of this document is to outline how Early Links promotes and supports the human rights of children, young people and their families. This includes their right to privacy, confidentiality, dignity, safety and to exercise choice just as everyone else in community.

The supporting systems and procedures will ensure that there are guidelines and consistency around how we:

- Uphold the value and dignity of the children/young people we support
- Build trusting relationships with our children/young people, their families and carers
- Provide services in an environment that is safe and welcoming for everyone
- Empower our children/young people, their families and carers by helping them to understand their rights
- Support people to feel safe to raise concerns
- Respond proactively to concerns and complaints when they arise
- Foster collaboration with other organisations in upholding consumers' human rights and preventing abuse and neglect.

2. Scope

This policy applies to all workers, advocates, Committee members, contractors and others who may act on behalf of the organisation from time to time.

3. Policy

- 3.1 Early Links works to uphold their duty of care to ensure that the rights of children and young people are respected, their well-being is safeguarded, and that they are not exposed to any form of abuse and neglect while in our service.
- 3.2 Early Links will identify resources that will assist and support us to empower children and young people in relation to issues of human rights and self-advocacy, and use them in training for staff and families.
- 3.3 Early Links aims to make it easy for staff and families to understand the Human Rights in Disability and Child Care – see Appendix 1.
- 3.4 All Early Links staff will support families to access their right to participate and have choice in service delivery.
- 3.5 Early Links will ensure families and others have access to a fair and transparent process for making complaints and for reporting any breach of their rights.
- 3.6 Early Links will ensure the rights and responsibilities of the organisation and its service users are clear and transparent.

- 3.7 Early Links will ensure the children, young people and families we work with have the right to access, participate and be fully supported to achieve inclusion in their chosen communities.
- 3.8 Early Links workers are aware of culturally safe practice and will take into consideration the diverse cultural needs of families when undertaking service provision, to ensure equity for all families.
- 3.9 The Early Links recruitment procedures will be of a high standard and we will ensure that the right staff are appointed to ensure our responsibilities under human rights are upheld.
- 3.10 Early Links staff will participate in training about Human Rights principles and legislation on commencement of employment and will agree to work under the Early Links Code of Conduct and meet the requirements under Child Protection Legislation.
- 3.11 Early Links will involve parents and carers in the development and review of policies and procedures that impact on their services.
- 3.12 Early Links will provide each family with a Parent Information Booklet and support each family, during service orientation, to understand what Early Links does, how parent/carers can contact Early Links, client rights, the standard of service that families can expect and how they can take advantage of opportunities to provide feedback or make a complaint.
- 3.13 Early Links will display posters for families and staff to view in their service locations, to remind everyone of the rights of children.
- 3.14 Serious Incident Reporting will be completed within the seven working days' time frame as outlined in the Incident and Hazard Reporting Policy and Incident Reporting Procedures.
- 3.15 Summary data of reported concerns and allegations will be provided to the NSW Disability Services Commission www.ombo.nsw.gov.au/what-we-do/our-work/community-and-disability-services/community-services on an annual basis, as per the reporting requirements of the Service Agreement.
- 3.16 Any incidents that involve a child or young person being at serious risk of harm must be reported and addressed as outlined in the Child Protection Policy.

4. Related Policies

This policy must be read in conjunction with the following policies, procedures or documents which supports this policy:

- Code of Conduct
- Recruitment Policy
- Staff Grievance Policy
- Feedback and Complaints Policy
- Privacy Policy
- Confidentiality Policy
- Duty of Care Statement
- Child Protection Policy
- Feedback and Complaints Policy
- Cultural Safety Policy
- Participation and Inclusion Policy

5. References

Australian Human Rights Commission Act 1986

Universal Declaration of Human Rights
The United Nations Convention on the Rights of the Child
The United Nations Convention on the Rights of Persons with Disabilities 2006
Anti-Discrimination Act 1977
Racial Discrimination Act 1984
Age Discrimination Act 2004
Sex Discrimination Act 1984
Disability Discrimination Act 1995
NSW Carers (Recognition) Act 2010
Commission for Children and Young Persons (Care And Protection) Act 1998
Children & Young People Act 1998
Privacy Act 1988
Australian Privacy Principles
Privacy Amendment (Enhancing Privacy Protection) Act 2012
Disability Inclusion Act 2014

NSW Disability Service Standard

Standard 1 – Rights
Standard 4 – Feedback and Complaints
Standard 6 – Service Management

6. Persons Responsible

All employees are responsible for:

- Upholding and advocating for the rights of the children and young people we support and their families
- Ensuring their knowledge and understanding of this policy and human rights, including rights of children and people with a disability, are up to date
- Report any suspicion of abuse or harm as outlined in this and related policies
- Undertake any duties required as a mandatory reporter under the Child Protection legislation

Supervisors are responsible for:

- Supporting staff in relation to this policy
- Ensuring staff are aware of their responsibilities in maintaining the rights of the people we support
- Offering debrief for staff – either one-on-one and/or as a group – after any issues are raised or incidents occur

Managers are responsible for:

- Supporting staff in relation to this policy
- Ensuring staff are aware of their responsibilities in maintaining the rights of the people we support
- Offering debrief for staff – either one-on-one and/or as a group – after any issues are raised or incidents occur
- Providing training to staff as to maintain their knowledge and understanding of this policy and human rights, including the rights of children and people with a disability.
- Ensuring this policy is current and up to date

Management Committee are responsible for:

- Ensuring they are aware of the organisations responsibilities in relation to human rights, including rights of children and
- d people with a disability
- Approving this policy

7. Definitions

Management Committee – the governing body of Early Links, comprised of elected or appointed members who jointly oversee the activities and legal responsibilities of the organisation

Employee is any person Early Links employs, whether or not they are employed to work directly with children, as well as anyone from outside the agency who is engaged to provide services to children such as contractors, carers, volunteers, students on placement.

Family –refers to the parents/caregivers of the children or young people that receive support from Early Links

Early Links – all Early Links Incorporated services and programs

Manager – refers to the General Manager or Program Manager, whichever is relevant in the context of the situation

Supervisor – refers to all senior staff who are responsible for supervising one or more staff members

Staff – refers to employees and volunteers of the organisation

Visitor – any person who is visiting a Early Links service who is not a staff member, client or family

Worker – anyone who is carrying out work, in any capacity, for Early Links. This includes employees, contractors/subcontractors and their employees, labour hire employees engaged to work in the organisation, outworkers, apprentices, trainees, students on work experience and volunteers

Early Links would like to acknowledge Orange and District Early Education Program Inc. and Orana Early Childhood Intervention as a resource for creating this policy.

Document review history

Date	Section	Change
March 2015	4	Additional reference to Disability Inclusion Act
April 2016	4	Removal of reference to NQS & EYLF as Early Links is no longer a licensed service.

APPENDIX 1 – Human Rights in Disability and Child Care



Principles of Human Rights in Disability Care (acronym FRED)

Freedom – we all have the right to be free, including those living with a disability – the right to our own things (home, clothes etc.), right to freedom, choice of work and the right to be safe.

Respect – we all have the right to be treated with respect, including those living with a disability – the right to have choices respected, and to have family, culture and religious beliefs respected.

Equity – we all have the right to be treated equally, no matter what our abilities are – the right not to be discriminated against or treated unfairly, the right to the same opportunities and to participate in community, having equal access to facilities and services.

Dignity – we all have the right to be treated with dignity, including those living with a disability – a person must not be physically or mentally abused or neglected, or subject to cruel, inhuman or degrading treatment.

Underlying Principles of the UN Convention on the Rights of Persons with Disabilities

(acronym I RAN FREE)

Individual autonomy, including the freedom to make one's own choices and be independent and have dignity respected.

Respect for different human diversity and humanity.

Accessibility – people with a disability must have access to places, services and information (includes making information available in way for people to understand, e.g. easy English).

Non-discrimination - people with a disability must be treated fairly and must not be discriminated against.

Full and effective participation in the community, including voting, going to the park/shops, receive an education, going to work and having a social life.

Recognise and respect evolving capacities of children – to grow and change over time. The right to education and family life and to reach their full potential.

Equality of opportunity – don't assume people with a disability can't contribute to society. We all bring skills and gifts to the community.

Equality of men and women – men and women (boys and girls) should not be treated unfavourably or denied opportunities because of their gender.

Underlying Principles of the UN Convention on the Rights of the Child

From the article "International Human Rights to Early Intervention for Infants and Young Children With Disabilities - Tools for Global Advocacy by Sharan E. Brown, JD, EdD; Michael J. Guralnick, PhD (*Infants & Young Children*, Vol. 25, No. 4, pp. 270–285, Copyright©2012 Wolters Kluwer Health | Lippincott Williams & Wilkins)

There are 54 Articles that make up the UN Convention on the Rights of the Child. There are four main principles that must be considered in implementing all articles into practice:

Article 2: Children must not suffer discrimination irrespective of child or parents' race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth, or other status.

Article 3: The best interests of the child must be a primary consideration in all actions that affect the child.

Article 6: Children have the inherent right to life and the right to survival and development in all aspects of life.

Article 12: Children have the right to express their opinion freely and to have that opinion taken into account in all matters affecting their lives.

These four articles all specifically speak to the work of Early Links, working with infants, children and young people living with a disability.

"A Guide to General Comment 7: 'Implementing Child Rights in Early Childhood'" is a great resource collated by the UNICEF (United Nations Committee on the Rights of the Child). The guide includes the following paragraph, which has particular relevance to the early intervention work that Early Links undertakes:

Early childhood is the period during which disabilities are usually identified and the impact on children's well-being and development recognized. Young children should never be institutionalized solely on the grounds of disability. It is a priority to ensure that they have equal opportunities to participate fully in education and community life, including by the removal of barriers that impede the realization of their rights. Young disabled children are entitled to appropriate specialist assistance, including support for their parents (or other caregivers). Disabled children should at all times be treated with dignity and in ways that encourage their self-reliance. (Committee on the Rights of the Child, paragraph 36(d))

In addition Article 31 says 'Children have the right to relax, play and to join in a wide range of leisure activities'.

Early Links believe that when staff adhere to the policies and procedures they are expected to follow under their employment contract, we are working towards fair, respectful and equal treatment of all children and young people that we work with, upholding their rights not only as a child, but also as a child living with a disability.