

The Human Rights Act: Supporting best practice

The *Human Rights Act 2019* came into effect on 1 January 2020. It supports all school staff and volunteers to achieve best practice by respecting and promoting the human rights of our students.

Responsibilities for P & C members

Together with all departmental staff, including teachers and principals, P&C members must respect, protect and promote [23 human rights](#) and work in a way which is compatible with human rights.

How is the Department of Education preparing?

- Training staff on best practice in protecting human rights
- Reviewing its policies and procedures to ensure compliance
- Developing a process for addressing and responding to human rights complaints.

For those on the frontline: OSHC and tuckshops

If you interact with students in your day-to-day role with your P&C, it is important that you know about the 23 protected rights. A right may be impacted and restricted, for example, when you are responding to a child with challenging behaviours in Outside School Hours Care (OSHC), or when you are serving a child with religious dietary requirements at a tuckshop.

There are three simple questions to ask when making a decision to ensure it upholds human rights:

1. Is a human right being restricted?
2. Can I legally restrict this right? Am I permitted to do so?
3. Is this the most fair and balanced course of action or decision in the circumstances?

Hypothetical – Sam

Sam works for the OSHC run by her local school's P&C. On her shift, a child displays challenging behaviours, kicking other children. Sam thinks about how best to balance the right of the child displaying these behaviours to be protected from degrading treatment, and the rights of the other children to their security. Sam decides to ask the child to sit away from the other children for a short "time out". Her decision is the most fair and balanced in the circumstances.

Your rights as a parent

The Act protects and promotes the rights of everyone in Queensland in their interactions with public agencies and entities. If you believe that your or your child's rights have been affected by staff actions or decisions, you are encouraged to contact your school.

More information

Further information on the Act – including support for volunteers and information on your rights as a member of the public – is available at [The Queensland Human Rights Commission's website](#).