

GOV-007  
Office of the CEO

# Human Rights, Equity & Inclusion Policy

Global

Policy Owner: Global Policy & Advocacy Director

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## 1. PURPOSE

The purpose of this Policy is to affirm that in achieving its vision to see a world in which no person is needlessly blind or vision impaired The Fred Hollows Foundation (**The Foundation**) will uphold:

- 1.1. the universal principles of Human Rights throughout all business practices in the achievement of its vision
- 1.2. human rights regardless of race, ethnicity, nationality, Indigeneity, cultural beliefs, religion, disability, age, displacement, caste, sex, gender identity, sexuality, sexual orientation, poverty, class or socio-economic status using an Intersectional approach; and
- 1.3. Gender Equity, Disability Equity and Rights and the rights of Indigenous and Tribal Peoples as specific areas of organisational strategic focus.

## 2. SCOPE

- 2.1. This Policy asserts a clear and unequivocal position on human rights broadly and The Foundation's commitment to taking a human rights-based approach in all areas of its work. It further identifies Gender Equity and Disability Equity and Rights as strategic priorities in the availability and access to eye health services and articulates how The Foundation will strive to address other sites of inequity hindering access to eye health in the countries we work, dependant on the local context.
- 2.2. This policy should be read under the provision that it addresses matters of Human Rights specifically and in the context of The Foundation's role as an eye health organisation:
  - a) As a non-government organisation that does not support welfare, evangelism or partisan politics working in international development headquartered in Australia that has requirements under Australian laws, norms and standards;
  - b) Principally as an eye health organisation with its vision to see a world in which no person is needlessly blind or vision impaired, and as such, its particular mandate and voluntary obligation to Article 12 on the right to health of the UN Covenant on Economic, Social and Cultural Rights (1966) and related articles of other human rights instruments;
  - c) To uphold principles of non-discrimination and the enjoyment of all rights and freedoms as they pertain to the pursuit of The Foundation's vision and mission, to the extent lawfully permissible in the context with which we work and the bounds of our reach and resources;
  - d) Acknowledging the cultural, moral and ethical standards and values of our founder of which define our approach to supporting those who are vulnerable and most marginalised and recognising the indivisible link between the enjoyment of other rights and the exercise of one's right to access eye health care, supporting and striving towards the fulfilment of all human rights that is context appropriate and in a manner uncompromising of our principal objective; and

- e) Recognising The Foundation's unique role in Australia extending from our founder and history towards broader social justice for Aboriginal and Torres Strait Islander peoples.

### **3. BACKGROUND**

- 3.1. Human Rights, while articulated in international and domestic legal instruments and often taken to be self-evident, require proactive actions to be nurtured, upheld and realised. A human rights-based approach emphasises how the Foundation seeks to achieve equity in its eye health work<sup>1</sup>.
- 3.2. The relationship between Human Rights, Gender, Disability and development is complex. Disability and Gender discrimination both impact the extent to which an individual is able to enjoy their Human Rights, and recognition of this must guide all development activities. Both women and people living in poverty are more likely to have or acquire a disability over the course of their life, and the majority of the world's poor are women. Women are disproportionately affected by all treatable and preventable conditions that cause blindness, and the vast majority of women living with blindness are also living in poverty.
- 3.3. The intersectionality of gender-based marginalisation compounded with issues associated with disability discrimination and vice versa, can result in cascading marginalisation in which women with disability are at greater risk of being social excluded and economic disadvantage. As development accelerates, systemic sexism, ableism and exclusionary power structures threaten to leave women, persons with disability and Indigenous and Tribal Peoples behind – unless we embed clear, accountable mechanisms to guarantee their full, equal participation and actively support their leadership.
- 3.4. Acknowledging and working to uphold human rights, to remove barriers that limit access to eye health services and promote diversity in all we do, must be a key priority within The Foundation's mission to see a world in which no person is needlessly blind or vision impaired.

### **4. GUIDING PRINCIPLES**

- 4.1. The Foundation will take a Human Rights-based approach across all its business practices and functions while being sensitive to the range of contexts in which we work.
- 4.2. The Foundation upholds and recognises the importance of:
- 4.2.1. Respect for and protection of internationally recognised Human Rights including civil and political, economic, social and cultural rights, the right to development and the rights of Indigenous and Tribal Peoples.
- 4.2.2. Universality of the right to health and its indivisibility from and interdependence on other Human Rights —all individuals are equally entitled to enjoy the highest attainable standard of health, including eye health, irrespective of their income or socio- economic status and that the realisation or deprivation of an individual's right to eye health will impact on their ability to realise and enjoy their full Human rights.
- 4.2.3. Strong national health and development systems as the foundation for an individual's ability to enjoy their right to affordable, accessible and acceptable eye health.
- 4.2.4. Recognising and upholding every person's inherent dignity and human rights by ensuring their full, effective participation in society and equal opportunity – irrespective of gender identity, functional ability, indigeneity, or any other status.

### **5. COMMITMENTS UNDER THIS POLICY**

The Foundation applies these guiding principles across all aspects of its work to achieve a world where no person is needlessly blind or vision impaired through the following commitments.

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<sup>1</sup> <https://humanrights.gov.au/our-work/rights-and-freedoms/human-rights-based-approaches>

## 5.1. Governance

The Foundation will:

- 5.1.1. Comply with all national and international regulations that translate international Human Rights principles and conventions to protect Human Rights, subject to local laws and customs to protect the integrity, safety and lawful function of The Foundation in the places we operate, our staff, partners and beneficiaries.
- 5.1.2. Ensure that The Foundation's internal global and divisional policies and procedures are consistent with a human rights-based approach and the principles of Gender Equity and Disability Equity and Rights.

## 5.2. Strategic approach

The Foundation will take a human rights-based approach to include and address the needs of vulnerable, marginalised and disadvantaged communities in its programs, partnerships, advocacy and communications to promote universal health coverage for eye health and strengthen national health and development systems, and within our business practices.

## 5.3. Programming

Applying a human rights-based approach to programming, The Foundation will:

- 5.3.1. Ensure our programs take a context specific approach to addressing barriers to diversity, equity and inclusion in the places where we work, including the complexities relating to issues of inequity in access to eye health care and appropriate responses. During the conduct of situational analyses, project design, planning and development, monitoring, evaluation and review, we will take an Intersectional approach to addressing barriers of equity related to Gender, age, place of residence, socio-economic status, ethnicity and Indigeneity, Disability and other context specific factors.
- 5.3.2. Adopt a participatory approach to programming – meaningfully consulting, empowering and engaging a diverse range of stakeholders and their representative organisations, including Women's Organisations and Organisations of Persons with Disabilities (OPDs) – throughout our program cycle. In doing so, we not only ensure they contribute to, and benefit from, our work on an equal basis, but also honour and leverage their expertise and lived experience.

## 5.4. Partnerships

- 5.4.1. The Foundation recognises that there may be instances of Human Rights not being upheld in many of the countries in which it works, including in Australia. The Foundation's approach is to positively influence progressive change in line with local culture and values through our work and in partnership with agencies that support The Foundation's vision. We employ a process of due diligence to ensure that appropriate partnerships are entered into in line with our own values and principles as a human rights-based organisation. The Foundation recognises and encourages communication, transparency and accountability between partners as vital to ensuring that Human Rights are respected and protected within the programs supported by The Foundation and more broadly within the countries where we work. All potential partners should have written policies, or a willingness to progress towards developing policies, on aspects of practice including Human Rights and inclusive practices (e.g. Gender and Disability).
- 5.4.2. The Foundation commits to improving greater diversification of partnerships to enhance our work, to include Women's Organisations, Organisations of People with Disabilities (OPDs), Indigenous Peoples Organisations (e.g., Aboriginal Community Controlled Health Organisations in Australia) and other representative organisations and to engage them throughout the project management cycle, from design through planning, implementation, monitoring and evaluation. We recognise these organisations can play a vital role in helping to locate and connect with marginalised groups, assist with the identification of barriers and enablers of access, participate as program

implementers, in conducting training and awareness raising, on steering committees or in stakeholder groups. Likewise, building partnerships with representative organisations can also be key in building two-way referral processes and for the purpose of conducting joint advocacy.

## **5.5. Private Sector relationships**

The Foundation expects private sector contractors, suppliers, and organisations to adhere to relevant labour laws, child protection and anti-discrimination regulations and standards. The Foundation's OPR-005 Procurement Policy provides guidance on the principles that underpin our private sector contracted relationships. Where possible, The Foundation will use its relationships with the private sector to encourage best practices for Gender Equity, equal employment opportunity and access to services for people with Disability.

## **5.6. Advocacy**

The Foundation will:

- 5.6.1. Take a human rights-based approach to our advocacy to advance eye health by influencing systemic changes to laws, policies, budgets, in attitudes and within institutions to maximise our impact beyond our direct program interventions at the local, national and global level.
- 5.6.2. Work in partnership with like-minded organisations and seek to elevate, listen to and integrate voices of people with lived experience of blindness and vision impairment and those from marginalised groups, taking a coordinated and evidence-based approach to mobilise supporters and influence governments, multilateral institutions and international organisations to ensure no one is left behind in having access to eye health services.
- 5.6.3. Promote eye health as integral to the enjoyment of Human Rights including the right to health, education, labour force participation and the broader expression through the achievement of the 2030 Agenda for Sustainable Development and the Sustainable Development Goals.
- 5.6.4. Champion evidence-based gender equity and disability equity and rights across the global eye health sector, building a strong international profile on both fronts to ensure women and girls and people with disability can access and benefit from quality eye care.

## **5.7. Australian Aboriginal and Torres Strait Islander Peoples**

As an enduring legacy from The Foundation's founder Professor Fred Hollows, The Foundation will:

- 5.7.1. Recognise that Aboriginal and Torres Strait Islander Peoples have the right to determine the priorities and directions of their own health and wellbeing. In its external partnerships, The Foundation is committed to working in ways that respect and strengthen principles of community control, supporting Aboriginal and Torres Strait Islander-led organisations, structures and decision-making processes. Partnerships will be grounded in reciprocity, accountability, cultural responsiveness and respect, ensuring that benefits flow directly to communities and that The Foundation's role is as an ally and supporter, not a substitute for Aboriginal and Torres Strait Islander leadership.
- 5.7.2. Ensure that its work to promote the health and wellbeing of Aboriginal and Torres Strait Islander Peoples respects their right to free, prior and informed consent and to self-determination by respecting their decisions to engage with The Foundation and to have control over how they engage with The Foundation.
- 5.7.3. Strive to ensure there is Aboriginal and Torres Strait Islander leadership in the Aboriginal and Torres Strait Islander health and social justice work of The Foundation and that the voices of Aboriginal and Torres Strait Islander Peoples are elevated and listened to at all levels (internally and externally) on matters related to Aboriginal and Torres Strait Islander peoples.
- 5.7.4. Support the meaningful and appropriate recognition of Aboriginal and Torres Strait Islander Peoples in the Constitution of Australia and promote reconciliation between Aboriginal and Torres Strait Islander Peoples and the wider Australian community.

Strait Islander Peoples and the wider Australian community.

- 5.7.5. Continue to call out injustice and inadequate treatment of Aboriginal and Torres Strait Islander Peoples where appropriate, in its role as a human rights-based organisation, an advocate and ally.

## **5.8. People, culture and development**

The Foundation will:

- 5.8.1. Support employment opportunities for local people within the countries where we work, reflect the breadth of diversity across each context and seek to elevate voices to achieve an organisational culture that deeply respects and appreciates diversity, equity, rights and inclusion in all its forms and upholds our value of integrity.
- 5.8.2. Aspire to proactively engage disability employment services as part of our recruitment outreach and seek to provide greater employment, internship and volunteer opportunities for people with disability.
- 5.8.3. Ensure recruitment policies and practices are transparent and well documented to enable monitoring, evaluation and continual improvement, advance merit-based, non-discriminatory selection processes that attract the widest pool of suitably qualified applicants and reflect positively on The Foundation's brand, protect our reputation and prevents conflicts of interest.
- 5.8.4. Provide equal opportunity in employment to people without discrimination based on personal characteristics, including age, sex, gender identity, race, disability, breastfeeding, employment activity, marital status, physical features, pregnancy, and other protected attributes under Australian laws and the laws of countries in which we work. We will seek to progressively develop targeted affirmative action measures to advance diversity, equity and inclusion in our recruitment, development and recognition practices and across all levels of The Foundation.
- 5.8.5. Work with and provide reasonable accommodations to staff with disability to ensure safety and a work environment comparable to their peers, achieved through intentional and immediate action and separate from accessibility measures for all people, which are accomplished progressively over time.
- 5.8.6. Strive to achieve and model the highest standards of best practice gender equity and inclusion across our business, support a flexible workplace culture and empower our female staff to be leaders in the global health sector. We will achieve and maintain gender balanced leadership at all levels across all leadership bands and achieve and maintain gender pay equity.
- 5.8.7. Embed reconciliation in all that we do in Australia, continually improve and build on our reconciliation activities, and strive to be recognised as publicly accountable and a true ally as assessed by Aboriginal and Torres Strait Islander Peoples. We will embed specific initiatives to support the elevation of Aboriginal and Torres Strait Islander staff voices, assess and improve cultural safety and responsiveness across The Foundation and in our recruitment and retention strategies (including KPIs at the Executive level). We will grow, support and develop the Aboriginal and Torres Strait Islander workforce across The Foundation, including the engagement of external Aboriginal and Torres Strait Islander organisations to support these initiatives.

## **5.9. Communications**

- 5.9.1. The Foundation will uphold a human rights-based approach to all communications at all times, communicating truthfully, transparently, ethically and in an accessible manner. Our approach to obtaining and disseminating Communication Materials is to treat all stakeholders, including beneficiaries and partners, consistently with respect and dignity.
- 5.9.2. Communication materials must be obtained and used according to ethical principles following the ACFID Code of Conduct, be consistent with their stated purpose and The Foundation's values and comply with Web Content Accessibility Guidelines (WCAG) 2.2 Accessibility Standards (Level AA).

## **6. RESPONSIBILITIES & ACCOUNTABILITIES**

### **6.1. Chief Executive Officer (CEO)**

The CEO is responsible for ensuring this Policy is upheld and will ensure progress in relation to Human Rights, Equity and Inclusion is included in standard reporting to the Board.

6.1.1. The CEO will ensure the Board is informed of any concerns relating to Human Rights, equity or inclusion that may present risk to The Foundation and its staff, beneficiaries, volunteers, partners, reputation, operations or other activities.

6.1.2. The CEO will hold relevant Directors accountable to this Policy.

### **6.2. Policy Owner**

6.2.1. The Policy Owner is responsible to ensure this Policy complies with The Foundation's obligations and contemporary practice and will suggest updates to this Policy as required.

6.2.2. The Policy Owner will be responsible for addressing any issues arising in relation to this Policy and will be the point of contact for all staff for any issue of contention.

6.2.3. The Policy Owner will inform the CEO of any issues of risk to The Foundation and will record any issues on the organisation risk register.

### **6.3. Senior Leaders**

6.3.1. Senior Leaders will promote this Policy to all staff.

6.3.2. Senior Leaders will ensure Foundation and divisional procedures, practices, plans and operations align with this Policy and that all relevant staff members are aware of, and understand, this Policy and their responsibilities under it. Divisions are encouraged to put in place procedures to implement the principles set out in this Policy. However, this Policy will prevail to the extent of any ambiguity or inconsistency between this Policy and those procedures.

6.3.3. Senior Leaders are responsible for monitoring and responding to any Human Rights based risk or concerns arising within The Foundation's business activities. Senior Leaders will seek the advice of the Policy Owner on issues of contention.

### **6.4. All staff of The Foundation**

6.4.1. All staff will apply the principles and commitments required under this Policy.

6.4.2. All staff are responsible for identifying and responding to any Human Rights based risk or concerns arising within The Foundation's business activities. Any matters of contention will be reported to Policy Owner.

### **6.5. All associated stakeholders**

All associated stakeholders operating with or on behalf of The Foundation are expected to apply the principles and relevant commitments under this Policy while being sensitive to the range of contexts in which they work. Stakeholders are to advise the primary contact point within The Foundation of any issues that may arise.

## **7. MONITORING**

7.1. A report on the implementation of this Policy will be submitted to the Board every three years across The Foundation's business activities, including the countries in which we work. The Policy Owner is responsible for compiling this report and submission to the CEO.

7.2. This Policy will be reviewed every three years and the Policy Owner is responsible to undertake this review.

7.3. The Enabling Services Division has oversight for all Governance and Operational Policy and will ensure

the Policy is listed on the Policy Register and provide support to ensure monitoring and reporting obligations are met.

## 8. DEFINITIONS

**Communications Materials** has the meaning set out in The Foundation's OPR-001 Communications & Transparency Policy.

**Disability** is an evolving concept resulting from the interaction between persons with impairments and broader attitudinal and environmental barriers that hinder their full and effective participation in society on an equal basis with others. Persons with disability include those who have long term physical, mental, intellectual or sensory impairments<sup>2</sup>.

**Disability Equity and Rights** in an international development context recognises that, like all members of a population, people with disability are both beneficiaries and agents of development. A disability inclusive approach to effective development seeks, in partnership with people with disabilities and their representative organisations to identify and address barriers that prevent people with disability from participating in, and benefiting from, development. The approach is grounded in a human rights approach and founded on the central tenant of the global disability movement, 'Nothing about us without us'. This also involves adopting a Twin-Track Approach by both mainstreaming – ensuring people with disability have access to services on an equal basis with others, together with taking a targeted approach to address the specific needs of people with disability to empower them and improve their situation.

**Diversity** is a multifaceted concept that incorporates a multitude of personal and group identities that draw upon many social markers, lived experience and circumstances that make everyone unique. The Foundation values diversity and promoting inclusion in our workplace and the unique qualities, attributes, skills and experiences our employees, volunteers, donors, supporters and our beneficiaries bring to our work. Moreover, as an international development organisation that is grounded in a human rights-based approach, it is important we reflect the diversity of the people and communities in which we work and strive to reflect that diversity across The Foundation as much as practicably possible, from the Board through the Executive, management and staff, and across the constituencies and beneficiaries of our work.

**Gender** refers to the socially and culturally constructed ideas of what it is to be male, female or nonbinary in a specific context. Gender is evidenced in the roles, responsibilities, attitudes and behaviours that a society expects and considers appropriate for males and females, independent of an individual's own identity or expression. Societal and individual expectations about gender are learned, changeable over time, different within and among cultures and often intersect with other factors such as race, class, age, disability, and sexual orientation. Gender interacts with but is different from sex. Sex refers to the different biological and physiological characteristics of females, males and intersex persons, such as chromosomes, hormones and reproductive organs<sup>3</sup>. Gender and sex are related to but different from gender identity. Gender identity refers to a person's deeply felt, internal and individual experience of gender, which may or may not correspond to the person's physiology or designated sex at birth.

**Gender Equity** requires fairness in treatment of all people regardless of sex or gender identity and/or expression. The concept of gender equity recognises that individuals have different needs and power based on their sex or gender identity and/or expression, and that these differences should be identified and addressed in a manner that rectifies inequities. To ensure fairness, affirmative action is often used to remedy gaps and compensate for historical and social disadvantages that prevent individuals from otherwise operating as equals.

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<sup>2</sup> [UN Convention on the Rights of Persons with Disabilities](#)

<sup>3</sup> [https://www.who.int/health-topics/gender#tab=tab\\_1](https://www.who.int/health-topics/gender#tab=tab_1)

**Human Rights** covers a range of civil and political, economic, social and cultural rights and freedoms that are widely held to be essential prerequisites for people's enjoyment of a life based on the centrality of human dignity. Human Rights are universal, inalienable, indivisible and apply equally to all people regardless of race, ethnicity, nationality, Indigeneity, cultural beliefs, religion, disability, age, displacement, caste, sex, gender identity, sexuality, sexual orientation, poverty, class or socio-economic status. Human rights involve both responsibilities to respect and protect against the infringement of one's rights and freedoms and proactive obligations towards the fulfilment of basic human rights.

**Indigenous and Tribal Peoples** has the meaning given by the International Labor Organization Indigenous and Tribal Peoples Convention. Indigenous Peoples are those who on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonisation or the establishment of present state boundaries and who, irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions. Tribal peoples are described as those whose social, cultural and economic conditions distinguish them from other sections of the national community, and whose status is regulated wholly or partially by their own customs or traditions or by special laws or regulations. Self-identification as indigenous or tribal is regarded as a fundamental criterion for determining the identification of Indigenous and Tribal Peoples.

**Intersectionality** refers to the way different social factors such as race, class, gender, disability and other identities combine to affect lived experience in different ways. An intersectional approach acknowledges and works to understand the differences within and among social identities and how these differences can compound to create power imbalances, unequal opportunities, access to resources and amplify layers of disadvantage.

**Rights of Indigenous and Tribal People** is based on the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) which affirms that Indigenous and Tribal Peoples have the right to the full enjoyment, as a collective or as individuals, of all human rights and fundamental freedoms, to self-determination with respect to political status and the pursuit of economic, social and cultural development, to the dignity and diversity of their cultures, traditions, histories and aspirations, and to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures.

## CONTROL OF DOCUMENTATION

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## **ANNEXURE 1: LEGISLATIVE AND REGULATORY FRAMEWORK**

The Foundation is required to adhere to the human rights-based regulations of the countries in which The Foundation has offices and programs. The Foundation also acknowledges the relevant international treaties and conventions:

[Universal Declaration of Human Rights \(1948\)](#)

[International Covenant on Civil and Political Rights \(1966\)](#)

[International Covenant on Economic, Social and Cultural Rights \(1966\)](#)

[International Convention on the Elimination of All Forms of Racial Discrimination \(1965\)](#)

[Convention on the Elimination of All Forms of Discrimination against Women \(1979\)](#)

[Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment \(1984\)](#)

[Convention on the Rights of the Child \(1989\)](#)

[Declaration on Fundamental Principles and Rights at Work \(1998\)](#)

[Convention on the Rights of Persons with Disabilities \(2006\)](#)

[Guiding Principles on Business and Human Rights \(2011\)](#)

[United Nations Declaration on the Rights of Indigenous Peoples](#)

[International Labor Organisation Convention \(No. 169\)](#)