



Preventing and responding to workplace sexual harassment policy

Version: 1.0 | Version effective: 22/01/2024

Audience

Department-wide

Purpose

This policy outlines the Department of Education's (department) approach to preventing, responding to, and managing sexual harassment in the workplace.

Policy statement

The department has a positive duty to provide safe, respectful and inclusive workplaces free of sexual harassment and discrimination. This policy communicates the department's responsibility and commitment to ensure the prevention, response and management of sexual harassment in the workplace.

Sexual harassment is defined under section 119 of the [Anti-Discrimination Act 1991](#) (AD Act). Sexual harassment is unethical, unlawful and may be a criminal offence. Sexual harassment is unacceptable in any departmental or Queensland public sector workplace.

Principles

Principle	What this means for the department
Safe workplaces	<ul style="list-style-type: none"> All employees have the right to feel safe within their workplace without being subjected to sexual harassment. The department promotes a positive culture of respect and inclusion in the workplace. All employees who report sexual harassment have a right to feel safe. The department promotes cultural safety when preventing and responding to sexual harassment.

Principle	What this means for the department
	<ul style="list-style-type: none"> The department provides and maintains safe workplaces to prevent sexual harassment and protect all employees from risks to their health and safety, including when making a report of sexual harassment.
Employee focus	<ul style="list-style-type: none"> The department acknowledges the significant impact of sexual harassment on employees who experience or witness it. The department considers ways to support accessibility and inclusion for employees when undertaking processes or carrying out its obligations to support employees impacted by sexual harassment. The department proactively manages reports of sexual harassment with a proportionate response that, where possible, considers the views of the employee who has reported an experience or incident. The department takes a person-centred approach when responding to instances of sexual harassment to ensure incidents are dealt with promptly, impartially, confidentially, and sensitively. Employees who report sexual harassment will have access to support options that are appropriate to the circumstance of their reported concerns. This includes, but is not limited to, person-centred advice. The department works in partnership with Aboriginal peoples and Torres Strait Islander peoples when making decisions directly affecting them. The department affords procedural fairness to all parties when responding to instances of sexual harassment.
Capability and continuous improvement	<ul style="list-style-type: none"> The department educates and supports employees to prevent, intervene early, and respond to offensive behaviour. The department promotes resources and leadership training to reinforce the expected standards of behaviour and processes for responding to reports of sexual harassment. The department builds cultural capability to promote culturally safe environments and undertake culturally safe prevention and response activities.
Accountability and transparency	<ul style="list-style-type: none"> The department's strategic risk-based Health, Safety and Wellbeing executive committee supports and provides advice on sexual harassment issues raised by local and regional committees. The department takes all reasonable action to identify the risk of sexual harassment associated with the department's operations and workforce context. All reports of sexual harassment impacting physical and psychological health are effectively managed and appropriately recorded.

Principle	What this means for the department
	<ul style="list-style-type: none"> • The department ensures employees who report alleged sexual harassment are advised of their rights and obligations under the Public Interest Disclosure Act 2010 (Qld) and Crime and Corruption Act 2001 (Qld). • Managers and leaders are available to listen, respect, empower and support employees who report allegations of sexual harassment and act to resolve concerns. • All decisions regarding sexual harassment comply with human rights obligations, and consider the cultural rights of Aboriginal peoples and Torres Strait Islander peoples.

Requirements

Legislation

It is the responsibility of all employees to behave in a way that is respectful and inclusive and ensures the safety and well-being of others.

- These expectations are outlined in:
 - the Code of Conduct for the Queensland Public Service ([Code of Conduct](#))
 - [Chapter 2](#) (Equity, diversity, respect and inclusion) of the *Public Sector Act 2022* (Qld) ([Act](#))
 - Managing the risk of psychosocial hazards at work: Code of Practice 2022 ([Code of Practice](#))
 - Preventing and responding to workplace sexual harassment ([Directive 12/23](#)).

As defined by section 119 of the AD Act (Qld), sexual harassment happens if a person:

- subjects another person to an unsolicited act of physical intimacy (for example, physical contact such as patting, pinching or touching in a sexual way, or unnecessary familiarity such as deliberately brushing against a person), or
- makes an unsolicited demand or request (whether directly or by implication) for sexual favours from the other person (for example, sexual propositions), or
- makes a remark with sexual connotations relating to the other person (for example, unwelcome and uncalled for remarks or insinuations about a person's sex or private life, or suggestive comments about a person's appearance or body), or
- engages in any other unwelcome conduct of a sexual nature in relation to the other person (for example, offensive telephone calls or indecent exposure).

And the person engaging in the conduct described above does so:

- with the intention of offending, humiliating, or intimidating the other person, or
- in circumstances where a reasonable person would have anticipated the possibility that the other person would be offended, humiliated, or intimidated by the conduct.

Under the Code of Practice, all employees are obliged to intervene or report behaviour they suspect may cause offence, distress or harm to others, where it is safe to do so.

Under the [Human Rights Act 2019](#), all employees have an obligation to act and make decisions that consider and are compatible with human rights. When making decisions or acting under this policy, managers and decision-makers must comply with human rights obligations.

Application

This policy applies to all Department of Education employees, including:

- permanent, fixed-term temporary, full-time, part-time or casual employees
- anyone who works in any other capacity for the department including volunteer workers, adult students on placement and contractors.

It applies to employees in all their work-related dealings with each other and with customers, contacts or clients of the department. It applies to employees while:

- in the workplace or when working off site
- at work-related functions (including social functions and celebrations)
- on work-related travel or
- attending conferences.

The department's workplaces extend beyond physical workspaces or worksites. Sexual harassment may occur in the workplace or in work-related locations, including client sites or public spaces where department work is conducted.

It may also occur outside of normal working hours at work-related events such as at conferences, social events and business trips. It may also occur through different mediums such as text messaging, face-to-face, email or social media.

The department's [Preventing and responding to workplace sexual harassment procedure](#) outlines the process for preventing, reporting, responding to, and resolving incidents of sexual harassment in the workplace.

Definitions

Unless otherwise defined, the terms in this policy have the meaning set out in the [Public Sector Act 2022 \(Qld\)](#).

Term	Definition
Person-centred	A person-centred approach means placing people – the targets of sexual harassment – at the centre of any response to sexual harassment. It is about listening to, empowering and supporting people who are impacted by sexual harassment.
Sexual harassment	Any unwelcome conduct of a sexual nature that is done either to offend, humiliate or intimidate another person, or where it is reasonable to expect the person might feel that way. It includes uninvited physical intimacy such as touching in a sexual way, uninvited sexual propositions, and remarks with sexual connotations.

Term	Definition
	For the full definition see the 'Requirements' section of this policy, or section 119 of the Anti-Discrimination Act 1991 (Qld) .
Workplace	Means a place where work is carried out for the department and includes any place where an employee goes, or is likely to be, while at work. This encompasses working from home using online collaboration tools to conduct meetings, send messages and capture group conversations.

Legislation

- [Anti-Discrimination Act 1991 \(Qld\)](#)
- [Code of Conduct for the Queensland Public Service](#)
- [Crime and Corruption Act 2001 \(Qld\)](#)
- [Criminal Code Act 1899 \(Qld\)](#)
- [Human Rights Act 2019 \(Qld\)](#)
- [Industrial Relations Act 2016 \(Qld\)](#)
- [Managing the risk of psychosocial hazards at work: Code of Practice 2022](#)
- [Preventing and responding to workplace sexual harassment](#) (Directive 12/23)
- [Public Interest Disclosure Act 2010 \(Qld\)](#)
- [Public Sector Act 2022 \(Qld\)](#)
- [Sex Discrimination Act 1984 \(Cth\)](#)
- [Work Health Safety Act 2011 \(Qld\)](#)

Delegations/Authorisations

- Nil

Policies and procedures in this group

- [Preventing and responding to workplace sexual harassment procedure](#)

Supporting information for this procedure

- Nil

Other resources

- [Australian Human Rights Commission Act 1986](#) (Cth)
- [Australian Human Rights Commission](#)

- [Department Employee Assistance Program \(EAP\)](#) (DoE employees only)
- [Decision-making framework](#) (DoE employees only)
- [How to make a complaint](#) (DoE employees only)
- [Individual employee grievance policy](#) and [procedure](#)
- [Industrial Court of Queensland – Queensland Industrial Relations Commission](#)
- [Preventing workplace bullying and unlawful discrimination policy](#)
- [Queensland Government workplace sexual harassment information](#)
- [Queensland human rights commission](#)
- [Respect@work](#)
- [Safe Work Australia](#)
- [We All Belong workplace inclusion and diversity framework](#) (DoE employees only)

Contact

For general advice about preventing sexual harassment, please contact your regional HR Business Partnering team:

Central Queensland Region

CQRegion.HUMANRES@qed.qld.gov.au

North Queensland Region

HumanResources.NQR@qed.qld.gov.au

Central Office

HRBPCentralOffice@qed.qld.gov.au

South East Region

HR.Southeast@qed.qld.gov.au

Darling Downs South West Region

ddswregion.humanres@qed.qld.gov.au

North Coast Region

HumanResourcesCorrespondence.NCR@qed.qld.gov.au

Far North Queensland Region

HumanResources.FARNTHQLD@qed.qld.gov.au

Metropolitan Region

Metropolitan.HRSouth@qed.qld.gov.au

For advice on lodging employee grievances, please contact:

EmployeeRelations.HUMANRES@qed.qld.gov.au

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22/01/2026

Superseded versions

Previous seven years shown. Minor version updates not included.

Nil

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