



# Preventing and responding to sexual harassment and related conduct at work policy

**Version:** 2.0 | **Version effective:** 09/08/2025

## Audience

Department-wide

## Purpose

This policy supports the Department of Education's (department) commitment to, and requirements for, preventing, responding to, and managing reports of, sexual harassment and related conduct at work. Related conduct is harassment on the basis of sex, conduct creating a work environment that is hostile on the basis of sex and related acts of victimisation.

## Policy statement

All people have a right to work without being subjected to sexual harassment and related conduct. Sexual harassment, and related conduct, is unlawful, harmful and is not tolerated. The department is committed to supporting workers affected by sexual harassment and related conduct at work.

## Principles

Principle	What this means for the department
<b>Accountability, integrity and support of the public interest</b>	<p>The department:</p> <ul style="list-style-type: none"> <li>• sets out workers' responsibilities to comply with the policy and the minimum standards of behaviour.</li> <li>• identifies behaviours that constitute sexual harassment and related conduct at work and the possible consequences.</li> <li>• outlines how the positive duty to prevent and eliminate sexual harassment and related conduct at work will be met.</li> </ul>

Principle	What this means for the department
	<ul style="list-style-type: none"> <li>• outlines training requirements and how awareness of this policy and related processes will be promoted.</li> <li>• is committed to supporting affected workers by outlining support, advice and reporting pathways.</li> <li>• will outline how relevant matters will be responded to and managed.</li> <li>• actions and decisions will consider, and be compatible with, human rights.</li> </ul>
<b>Supporting equity, diversity, respect and inclusion at work</b>	<p>The department:</p> <ul style="list-style-type: none"> <li>• fosters a workplace environment committed to promoting equity and diversity, actively considers strategies to improve accessibility and inclusion for workers, and supports a positive culture of respect and inclusion.</li> <li>• works in partnership with Aboriginal peoples and Torres Strait Islander peoples when making decisions directly affecting them.</li> <li>• ensures reports are dealt with promptly, impartially, confidentially and sensitively.</li> </ul>

## Requirements

### 1. Application

This policy applies to workers in all their work-related dealings with each other and other persons connected to work.

This policy reflects the requirements of the Public Sector Commission (PSC) [Directive 02/25: Preventing and responding to sexual harassment and related conduct at work](#) (the directive). This policy should be read in conjunction with the department's [Preventing and responding to sexual harassment and related conduct at work procedure](#) (the procedure), which outlines the responsibilities and process to prevent, report and respond to sexual harassment and related conduct at work.

This policy, and the procedure, does not replace, modify or revoke any legislative requirements that apply to the reporting, or management, of particular incidents. For example, corrupt conduct under the [Crime and Corruption Act 2001 \(Qld\)](#), public interest disclosures under the [Public Interest Disclosure Act 2010 \(Qld\)](#), complaints under the [Human Rights Act 2019 \(Qld\)](#) or [Anti-Discrimination Act 1991 \(Qld\)](#), or mandatory reporting requirements in the area of student protection.

### 2. Positive duty

The department promotes a positive culture of respect and inclusion in the workplace which is critical to preventing sexual harassment and related conduct. The department is committed to preventing, responding to and managing reports of sexual harassment in a manner that is compatible with human rights.

The department has a positive duty to take reasonable and proportionate measures to eliminate, as far as is reasonably practicable, sexual harassment and related conduct in the workplace.

The department must provide safe workplaces, ensuring workplace risks to both physical and psychological health and safety (including those relating to sexual harassment and related conduct) are promptly identified, and appropriate control measures are implemented to eliminate or minimise these risks.

The Director-General will:

- ensure senior leaders understand, role model, communicate and implement the obligations under the directive and this policy
- recognise the underlying drivers of sexual harassment and related conduct, such as gender inequality
- foster and promote a positive workplace culture of respect and inclusion by fulfilling the obligations under [chapter 2 of the Public Sector Act 2022 \(Qld\)](#) (PS Act)
- actively promote worker awareness of this policy, and the procedure, by requiring leadership and employee training on the expected standards of behaviour and how to appropriately identify and respond to reports of sexual harassment and related conduct
- take a risk-based approach to managing the health and safety of workers via the department's [Health, Safety and Wellbeing Management System](#) (DoE employees only)
- support a reframed relationship with Aboriginal peoples and Torres Strait Islander peoples and promoting cultural safety when preventing and responding to sexual harassment and related conduct at work
- promote equity and diversity in employment.

### 3. Reporting and monitoring

The department is required to report on the implementation of the directive and other data as determined by the PSC Commissioner.

The department will collect, use, and where appropriate, report on data about sexual harassment and related conduct to understand the nature and extent of this within the department, inform prevention and response actions, assist in education initiatives and support positive change within the organisation.

Data will be used in a way that protects the privacy, confidentiality and anonymity of workers. Workers are not obliged to provide data about sexual harassment and related conduct if they do not wish to do so.

### 4. Transitional provisions

Where a complaint, grievance or dispute was made prior to 9 May 2025, the directive will apply to any steps and decision made after that date, but it does not apply to any step taken or decision made prior to that date.

Where alleged sexual harassment and related conduct occurred prior to 9 May 2025, but the complaint, grievance or dispute was made after that date, the directive will apply.

## Definitions

The terms in this policy have the meaning set out in the PS Act, directive and relevant legislation.

Term	Definition
<b>Conduct creating a work environment that is hostile on the basis of sex</b>	Conduct on the basis of sex that may result in the workplace environment being offensive, intimidating or humiliating. For full definition see section 28M of the <a href="#">Sex Discrimination Act 1984 (Cth)</a> .
<b>Harassment on the basis of sex</b>	<p>Happens if a person:</p> <ul style="list-style-type: none"> <li>• (a) engages in unwelcome conduct of a demeaning nature in relation to another person; and</li> <li>• (b) engages in the conduct on the basis of: <ul style="list-style-type: none"> <li>○ (i) the other person's sex; or</li> <li>○ (ii) a characteristic that a person of the other person's sex generally has; or</li> <li>○ (iii) a characteristic that is often imputed to a person of the other person's sex; or</li> <li>○ (iv) a sex the other person is presumed to be, or to have been at any time, by the person engaging in the conduct; or</li> <li>○ (v) a sex the other person has been, even if the person is not that sex at the time of the conduct; and</li> </ul> </li> <li>• (c) engages in the conduct: <ul style="list-style-type: none"> <li>○ (i) with the intention of offending, humiliating or intimidating the other person; or</li> <li>○ (ii) in circumstances where a reasonable person would have anticipated the possibility that the other person would be offended, humiliated or intimidated by the conduct.</li> </ul> </li> </ul> <p>It does not matter whether the other person's sex is only one of the reasons for the person/s engaging in the conduct.</p>
<b>Employee</b>	A person employed by the department, including permanent, temporary and casual employees, officers and the chief executive. For the full definition see section 12 of the PS Act.
<b>Other persons connected to work</b>	Are persons who are not workers and may include clients, customers or visitors. For example, students, parents/guardians.
<b>Person-centred</b>	Involves the individual being at the centre of decision-making and having control, as much as is possible, over the actions/services they receive.

Term	Definition
<b>Related conduct</b>	Is the collective term for harassment on the basis of sex, conduct creating a work environment that is hostile on the basis of sex, and related acts of victimisation (including victimisation related to sexual harassment) in the Queensland public sector.
<b>Sexual harassment</b>	<p>Happens if a person:</p> <ul style="list-style-type: none"> <li>• (a) 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</li> <li>• (b) makes an unsolicited demand or request (whether directly or by implication) for sexual favours from the other person. For example: sexual propositions</li> <li>• (c) 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</li> <li>• (d) engages in any other unwelcome conduct of a sexual nature in relation to the other person. For example: offensive telephone calls, or indecent exposure</li> </ul> <p>(e) and the person engaging in the conduct described in paragraphs above does so:</p> <ul style="list-style-type: none"> <li>○ (i) with the intention of offending, humiliating, or intimidating the other person, or</li> <li>○ (ii) in circumstances where a reasonable person would have anticipated the possibility that the other person would be offended, humiliated, or intimidated by the conduct.</li> </ul> <p>The circumstances that are relevant in determining whether a reasonable person would have anticipated the possibility that the other person would be offended, humiliated or intimidated by the conduct include:</p> <ul style="list-style-type: none"> <li>• (a) the sex, age or race of the other person; and</li> <li>• (b) the age of the other person; and</li> <li>• (c) the race of the other person; and</li> <li>• (d) any impairment that the other person has; and</li> <li>• (e) the relationship between the other person and the person engaging in the conduct; and</li> </ul>

Term	Definition
	<ul style="list-style-type: none"> <li>(f) any other circumstance of the other person.</li> </ul> <p>Sexual harassment and related conduct can be directed at a person or group of people and be carried out by one or more persons.</p>
<b>Trauma-informed</b>	Recognises and acknowledges the impact of distress experienced by an employee and focuses on an understanding of the elements necessary to support the employee's recovery.
<b>Victimisation</b>	<p>Treating someone unfairly or negatively because they have made or are associated with a complaint about sexual harassment and related conduct. For full definitions see:</p> <ul style="list-style-type: none"> <li>section 130 of the <a href="#">Anti-Discrimination Act 1991 (Qld)</a>, for victimisation relating to sexual harassment</li> <li>section 47A of the <a href="#">Sex Discrimination Act 1984 (Cth)</a>, for victimisation relating to harassment on the basis of sex, or conduct creating a work environment that is hostile on the basis of sex.</li> </ul>
<b>Worker</b>	<p>A person who carries out work in any capacity for a person conducting a business or undertaking, including work as:</p> <ul style="list-style-type: none"> <li>(a) an employee; or</li> <li>(b) a contractor or subcontractor; or</li> <li>(c) an employee of a contractor or subcontractor; or</li> <li>(d) an employee of a labour hire company who has been assigned to work in the person's business or undertaking; or</li> <li>(e) an outworker; or</li> <li>(f) an apprentice or trainee; or</li> <li>(g) a student gaining work experience; or</li> <li>(h) a volunteer; or</li> <li>(i) a person of a prescribed class.</li> </ul>
<b>Workplace</b>	Is any place where work is carried out for the department and includes where a worker goes, or is likely to be, while working.

## Legislation

- [Public Sector Act 2022 \(Qld\)](#)
- [Directive 02/25: Preventing and responding to sexual harassment and related conduct at work](#)
- [Human Rights Act 2019 \(Qld\)](#)



## Delegations/Authorisations

- [Human resources delegations](#) (DoE employees only)

## Policies and procedures in this group

- [Preventing and responding to sexual harassment and related conduct at work procedure](#)

## Supporting information for this policy

- Nil

## Other resources

- Nil

## Contact

For further information about preventing, responding to or managing reports of sexual harassment and related conduct, please contact [HR Support](#) (DoE employees only).

For further information about this policy, please contact [WorkforcePolicy@qed.qld.gov.au](mailto:WorkforcePolicy@qed.qld.gov.au).

## Review date

9/08/2030

## Superseded versions

*Previous seven years shown. Minor version updates not included.*

1.0 Preventing and responding to workplace sexual harassment policy

## Creative Commons licence

Attribution CC BY

Refer to the [Creative Commons Australia](#) site for further information