Independent Education Union
Queensland and Northern Territory Branch

IEUA-QNT SUBMISSION

13 November 2026

STRATEGIC REVIEW of the QUEENSLAND HUMAN RIGHTS COMMISSION and related reviews

The Independent Education Union – Queensland and Northern Territory Branch (IEUA-QNT) welcomes the opportunity to provide feedback in response to the Queensland Government's *STRATEGIC REVIEW of the Queensland Human Rights Commission and related reviews DISCUSSION PAPER*.

About IEUA-QNT

IEUA-QNT represents more than 16,000 teachers, support staff and ancillary staff in non-government education institutions in Queensland and the Northern Territory and consistently engages in industrial and education debate at both state and national levels through its Education and Industrial Committees and through its national counterpart, the Independent Education Union of Australia, which receives input from teachers in all States and Territories.

Our members work in kindergartens, schools and post-secondary institutions and work with students from a wide variety of backgrounds, in a wide variety of sociocultural contexts.

IEU-QNT is not affiliated with any political party, but is affiliated with the Queensland Council of Unions (QCU). We understand that the QCU has also filed a submission to this review.

IEU-QNT is a strong supporter of Queensland's human rights and anti-discrimination framework, including the Human Rights Act 2019 [1] and the important role played by the Queensland Human Rights Commission (QHRC).

We support a legislative framework that protects the dignity, equality and rights of all Queenslanders and promotes fair, inclusive and respectful communities.

As a union representing teachers, principals and school leaders, however, we have observed a number of unintended consequences arising from the operation of the current framework. These concerns do not reflect opposition to human rights protections. Rather, they reflect the need to ensure that rights are balanced appropriately, complaint processes are efficient and proportionate, and the wellbeing and safety of workers is afforded equal consideration.

This submission focuses on matters of greatest relevance to our members and responds principally to Questions A2-A32, B12-B13, B21 and C11-C19 of the Discussion Paper [2]. We also offer additional feedback on relevant matters that are not addressed through specific questions.

Submission: Strategic Review of the QHRC

Part A - Strategic Review of the QHRC

QA2-A5: Complaints handling processes

1. We strongly support the availability of human rights and anti-discrimination complaints mechanisms and believe that genuine complaints should be investigated diligently and resolved in a timely manner.

2. However, our members report that a growing number of complaints appear to be vexatious, strategically motivated, lacking in substance, or based on misunderstandings of human rights obligations. Even where such complaints are ultimately unsuccessful, the burden imposed on teachers, principals and school leaders can be substantial.

3. Members report impacts including:

- significant stress and anxiety
- reputational harm
- diversion of time from teaching and educational leadership
- extensive preparation of documents and responses
- prolonged uncertainty during investigations and complaint processes.

4. The Review notes that complaint volumes have increased significantly and that complaint backlogs exist. It also notes stakeholder concerns that generative AI may be increasing both complaint volume and complexity.

5. Our experience is consistent with those observations.

6. In practice, the backlog of complaints makes use of the QHRC framework an option of last resort for resolution of disputes.

Recommendations

QA6-A8: Conciliation and dispute resolution

7. Conciliation remains an important mechanism for resolving genuine disputes. However, it is not always an efficient process where complaints are fundamentally without merit.

8. In some instances, respondents are required to dedicate considerable time and resources to participate in conciliation processes despite there being little realistic prospect of resolution.

QA12: Education services

9. Our union supports the QHRC's educational role.

10. However, many members perceive a reduction in visible workplace education and engagement activities in recent years. The Review highlights the educational role of the QHRC and asks whether improvements are required.

11. Our members would welcome:

- increased face-to-face training;
- sector-specific education for schools;
- practical case studies;
- clearer guidance on balancing competing rights;
- resources explaining the limits as well as the scope of human rights protections.

12. Particular attention should be given to educating community members about the proper use of complaint mechanisms.

13. The rise of generative AI means that individuals can now produce lengthy and sophisticated complaints with little effort. Increased education may help discourage misuse of complaints processes and encourage early local resolution of concerns.

QA16-A17: Engagement and public understanding

14. As per our response to Discussion Question A12, we would indicate that there is a need for stronger community engagement by the QHRC.

Changes to the Anti-Discrimination complaints framework

QA19: Changes to the complaints framework

15. We support calls from other unions to modify the Anti-Discrimination Act to recognise that a trade union may make a complaint on behalf of a member.

16. This would be consistent with both federal discrimination laws and the existing Industrial Relations Act and the Work Health and Safety Act.

Changes to the Human Rights complaints framework

QA22: Naming individual employees

17. IEU-QNT strongly supports reform to ensure complaints are directed to public entities and employers rather than individual employees.

18. Teachers, principals and school leaders should not face personal exposure arising from actions undertaken in the course of their professional duties and employment.

19. Where concerns relate to decisions made within government or school systems, the employer should ordinarily be the respondent.

20. This would reduce unnecessary stress and better reflect principles of organisational accountability. The Review itself notes concerns that naming individual employees can be a significant source of distress.

21. We would however, also draw attention to our comments in response to Part C (Respect at Work and Anti-Discrimination Framework) regarding the creation of incentives for defensive record-keeping and the administrative burden this creates in schools and other education settings.

QA24-A25: Requirement to engage with public entities

22. IEU-QNT supports retaining the requirement that complainants first raise concerns with the relevant public entity.

23. Many school-related concerns can be resolved locally through existing complaint processes.

24. Removing this requirement would likely increase complaint numbers and further burden both schools and the QHRC.

QA26-A27: Form of complaints

25. We suggest there is a need for additional support measures to improve accessibility, including:

- The availability of oral complaints in appropriate circumstances;
- Assistance for people with disability or literacy barriers;
- Alternative communication methods

26. Accessibility reforms should not reduce procedural fairness, and all complaints should ultimately be recorded clearly so that respondents understand the allegations they are required to answer.

QA30: Time limits

27. IEU-QNT does not support extending complaint time limits where this may make it more difficult for employees and schools to respond to allegations.

28. If time limits are extended, stronger safeguards should apply for respondents, noting that staff move schools and records become harder to retrieve over time.

PART A – IEU-QNT Recommendations

R.A1 The QHRC should strengthen early assessment processes to identify and dismiss complaints that are frivolous, vexatious, misconceived or lacking substance at the earliest possible stage.

R.A2 Timeframes for preliminary assessment should be reduced.

R.A3 Repeat vexatious complainants should be subject to stronger procedural controls.

R.A4 The QHRC should develop guidance materials explaining what does and does not constitute a human rights breach.

R.A5 Modification of the Anti-Discrimination Act to allow registered trade unions to bring a complaint on behalf of a member.

R.A6 Earlier triaging and dismissal of weak complaints.

R.A7 Greater use of preliminary assessment conferences.

R.A8 Authority for the QHRC to decline conciliation where complaints are clearly lacking substance.

R.A9 Stronger powers to manage abuse of process.

Part B - Human Rights Act 2019

QB12: Obligations on public entities and the procedural limb

29. We support the retention of obligations requiring public entities to consider human rights.

30. However, our members report that the procedural obligations often result in excessive record-keeping and administrative burden.

31. There is a widespread perception that employers require extensive written documentation to protect themselves from potential complaints, including complaints that ultimately prove unsuccessful.

32. This can:

- divert time away from teaching and learning;
- increase workload for teachers and school leaders;
- encourage defensive decision-making;
- create a culture of compliance rather than sound professional judgement.

33. If the procedural limb is retained, clearer and more proportionate expectations should be developed.

Submission: Strategic Review of the QHRC

QB13 and B21: Balancing competing rights

34. One of the most significant concerns raised by our members relates to the practical balancing of rights within schools.

35. IEU-QNT strongly supports the rights of students, including students with disability and students facing disadvantage. However, schools are communities in which multiple rights must coexist.

36. Too often, members perceive that the verified needs or asserted rights of individual students are prioritised above:

- the safety of staff;
- the safety of other students;
- the learning rights of classmates;
- the health and wellbeing of teachers and school leaders.

37. Examples include situations where schools are reluctant to utilise suspension or other behavioural interventions, despite significant safety concerns, due to concerns about perceived human rights implications.

38. Our position is that there is a need for balanced-rights framework.

39. Human rights should not be viewed as belonging only to the student whose behaviour is under consideration. Staff and other students also possess rights, including rights to safety, education, dignity and security.

40. Guidance should more clearly articulate how competing rights are to be balanced in educational settings.

Racism in schools

41. IEU-QNT members, including our Yubbah Action Group (First Nations advisory group) and our Equity, Industrial and International Committees are increasingly concerned about racism within Queensland schools.

42. Members are increasingly reporting incidents of racism between students; racist behaviour directed towards teachers; and heightened tensions around cultural and religious issues.

43. The framework should place greater emphasis on preventing racism and supporting culturally safe educational environments.

44. Our union supports stronger positive duties requiring employers to proactively create culturally safe workplaces and educational environments. Such duties should extend beyond

responding to complaints and require employers to identify and address systemic barriers, racism and exclusion before harm occurs.

45. The QHRC should devote additional resources to anti-racism education and awareness programs.

46. Members increasingly identify technology-facilitated abuse as an emerging workplace risk.

47. In particular, reports of students generating or distributing deepfake pornographic images depicting teachers have become a source of considerable concern. These incidents can have profound and long-lasting effects on the targeted employee, regardless of whether the images are clearly fabricated.

48. Teachers subjected to this conduct frequently report: significant psychological distress; fear of reputational damage within the school community; reluctance to attend work; concerns about future employment prospects; and diminished trust in their employer's capacity to protect them.

49. We are concerned that employer responses are not always proportionate to the seriousness of the conduct. In some cases, concerns regarding student rights, behavioural support needs or alternative disciplinary approaches may overshadow consideration of the harm experienced by affected staff.

50. A balanced human rights framework must acknowledge that teachers have a right to work free from harassment, abuse and gender-based harm. Failure to respond effectively to these incidents risks normalising unacceptable behaviour and further undermining workforce retention.

51. As with occupational violence and aggression, technology-facilitated abuse should be recognised as a significant psychosocial hazard in educational workplaces.

Workforce Retention, Safety and Employer Responses

52. Public entities should be required to consider the impact of technology-facilitated abuse, including deepfake pornography and image-based abuse, on employee safety and wellbeing.

53. Guidance should be developed to assist schools and employers to respond appropriately to incidents involving artificial intelligence-generated sexualised content targeting employees.

54. Technology-facilitated abuse should be expressly recognised as a psychosocial workplace hazard.

Occupational violence and aggression

55. Our union is also increasingly concerned by reports of students creating, sharing or threatening to create synthetic or "deepfake" pornographic images using photographs of teachers and school staff.

56. While technology-facilitated abuse is affecting many parts of society, members report that these incidents are becoming more prevalent in schools as generative artificial intelligence tools become more accessible and sophisticated.

57. Such conduct can have severe consequences for affected staff, including: humiliation and reputational damage; psychological injury; loss of professional confidence; concerns regarding personal safety and privacy; impacts on workplace relationships; and decisions to take leave or exit the profession altogether.

58. The creation or distribution of deepfake pornographic material targeting teachers is not merely a disciplinary issue. It is a serious form of gendered harassment, abuse and workplace harm.

59. Members report particular concern regarding the impact on female teachers, who are disproportionately targeted by sexualised forms of online harassment and image-based abuse. Such behaviour is contributing to the loss of experienced female teachers from the profession.

60. Having noted the disproportionate effects on female teachers however, our members have also reported students targeting male teachers, and also commonly raise concerns about discriminatory content in parent emails.

61. The human rights of students must be balanced with the rights of teachers to dignity, privacy, safety and freedom from harassment.

62. Schools, employers and policymakers should ensure that human rights frameworks are not interpreted in ways that inhibit timely and effective responses to serious technology-facilitated abuse.

Part B – IEU-QNT Recommendations

R.B1 Renewed in-person engagement with schools and education stakeholders;

R.B2 Dedicated education-sector resources;

R.B3 Greater focus on balancing rights;

R.B4 Resources addressing racism and discrimination in school communities;

R.B5 Practical guidance for schools managing competing human rights interests.

Part C - Respect at Work and Anti-Discrimination Framework

QC11: Burden of proof

63. Our union has a number of concerns about proposals to broaden or shift burdens of proof.

64. Where employers and employees are required to defend allegations, there is a risk that changes to evidentiary burdens will further increase administrative workload and encourage excessive documentation practices.

65. Any changes must maintain procedural fairness and avoid creating incentives for defensive record-keeping.

QC12-C13: Positive duty

66. We support the principle that employers should proactively prevent discrimination, harassment and unlawful conduct.

67. In particular, we support stronger obligations on employers to create: culturally safe workplaces; respectful working environments; systems for preventing racism and discrimination and; early intervention mechanisms.

68. However, implementation should be practical and proportionate.

69. There is also a need to avoid duplicating obligations that already exist under work health and safety legislation and other workplace frameworks.

70. Positive duties should extend to reasonably preventing, responding to and addressing emerging forms of workplace harm facilitated by technology.

71. This includes ensuring that employers have appropriate policies, investigative processes, staff support mechanisms and disciplinary responses for incidents involving technology-facilitated harassment and abuse, including image-based abuse and deepfake pornography targeting employees; gender-based harassment and online misconduct; and emerging psychosocial risks associated with artificial intelligence technologies.

QC18-C19: Guidelines

72. We strongly support a power for the QHRC to issue binding or authoritative guidance.

73. Education-sector specific guidance would be particularly valuable.

74. Compliance with QHRC guidelines should be treated as a relevant factor when assessing whether an employer has acted reasonably.

Religious Discrimination

75. It is our view that employers do not requires provisions that allow religious discrimination in order to manage their workforce.

76. Where a faith-based organisation advertises a role where faith is an inherent requirement, this can be dealt with during the recruitment process.

77. Religious discrimination exemptions should not operate retrospectively in a way that undermines the security or rights of existing employees.

78. More broadly, employers and governing bodies should retain the ability to manage workforce matters based on professional requirements, capability and conduct without unnecessary expansion of religious discrimination provisions.

Indirect Discrimination and Family Responsibilities

79. IEU-QNT remains concerned about the ongoing prevalence of indirect discrimination in employment, particularly in relation to flexible work arrangements and employees with caring responsibilities.

80. While direct discrimination is generally well understood, many of the issues experienced by our members arise from workplace policies and practices that appear neutral on their face but have a disproportionate adverse impact on particular groups of employees.

81. A recurring concern raised by members relates to the approach adopted by some large employers towards part-time employment and flexible work arrangements.

82. Members have reported situations in which employers demonstrate a strong preference for employees to work either 0.50 full-time equivalent (FTE) or 1.0 FTE (full-time), while being resistant to requests for working arrangements that fall between these fractions.

83. Although such arrangements may be administratively convenient, the practical effect can be to disadvantage employees who require a different working pattern because of family responsibilities, caring obligations, disability-related needs or other protected attributes.

84. This is a particular concern where flexibility is assessed through broad assumptions rather than consideration of individual circumstances.

85. Members have reported instances in which requests for flexible work arrangements have been refused on the basis that an employer formed a view that a child was "too old" to require parental care. Such assumptions are often made without any meaningful understanding of the circumstances of the particular family, including matters such as disability, health conditions, family composition, caring responsibilities, travel requirements or other relevant factors.

86. These forms of decision-making risk reproducing discriminatory assumptions about caregiving and family responsibilities and may amount to indirect discrimination where individuals are disadvantaged by inflexible workplace requirements that are not reasonable in the circumstances.

87. Our union has successfully represented members in a number of matters involving these issues through industrial and workplace relations processes. In some cases, disputes have resulted in employers providing financial compensation, revising decisions and issuing letters expressing regret for the handling of requests for flexible work arrangements.

88. However, despite these outcomes, members continue to report similar experiences, suggesting that the underlying practices and organisational cultures have not been adequately addressed.

89. The persistence of these issues indicates that stronger guidance and education may be required regarding family responsibilities discrimination; indirect discrimination; flexible work obligations; individualised decision-making; and the interaction between workplace flexibility, gender equality and workforce participation.

90. Teachers and school leaders increasingly balance complex caring responsibilities alongside demanding professional roles. Workplace practices that unnecessarily restrict flexibility can contribute to workforce attrition, particularly among experienced employees who may otherwise remain in the profession.

Part C – IEU-QNT Recommendations

R.C1 Review whether existing indirect discrimination provisions adequately address systemic barriers to flexible work.

R.C2 Strengthen guidance regarding the assessment of requests based on family and caring responsibilities.

R.C3 Emphasise that decisions regarding flexibility should be based on the individual circumstances of employees rather than generalised assumptions.

R.C4 Promote best-practice approaches to flexible work arrangements within large public-sector employers.

R.C5 Consider whether additional powers are required to address repeated organisational practices that have previously been found to produce discriminatory outcomes but continue to occur.

Submission: Strategic Review of the QHRC

Concluding comments

IEUA-QNT thanks the Queensland Government for the opportunity to provide feedback in response to the *STRATEGIC REVIEW of the QUEENSLAND HUMAN RIGHTS COMMISSION and related reviews DISCUSSION PAPER*.

IEU-QNT remains a strong supporter of Queensland's human rights framework and the important role of the QHRC. However, our members continue to experience unintended consequences arising from the operation of current complaint processes and human rights mechanisms.

Our key priorities are:

1. Earlier dismissal of vexatious and unmeritorious complaints.
2. Faster resolution of genuine complaints.
3. Balancing the protection of employees with incentivisation of employer oversight.
4. Reduced administrative burden and excessive record-keeping requirements.
5. Greater recognition of the rights of staff and other students when balancing competing rights.
6. Improved guidance on behaviour management and safety in schools.
7. Increased QHRC education, training and community engagement.
8. Improved accessibility of complaints processes.
9. Stronger action to address racism and promote culturally safe workplaces.
10. Positive duties focused on preventing discrimination and creating respectful, inclusive workplaces.
11. Recognition that excessive complaint-related workload, occupational violence and aggression, technology-facilitated abuse including deepfake pornography, and insufficient consideration of staff safety are contributing to teacher and school leader attrition and must be addressed as part of a balanced human rights framework.
12. Stronger protections against technology-facilitated harassment, image-based abuse and AI-generated deepfake pornography targeting school staff, together with clearer obligations on employers to prevent and respond to such conduct.
13. Stronger protections against indirect discrimination, particularly where inflexible workplace practices disadvantage employees with family or caring responsibilities and contribute to workforce retention problems.

Queensland's human rights framework has important benefits, but in practice insufficient attention is sometimes given to the rights, safety, dignity and wellbeing of education workers and other frontline employees.

Submission: Strategic Review of the QHRC

Human rights protections are strongest when they maintain community confidence. Achieving a fair balance between access to justice, protection of rights, procedural fairness and the wellbeing of workers will be critical to the success of any future reforms.

Kind regards,



Terry Burke
Branch Secretary
Independent Education Union of Australia - Queensland and Northern Territory Branch
Friday 13 November 2026

References

1. *Human Rights Act 2019*.
2. *STRATEGIC REVIEW of the QUEENSLAND HUMAN RIGHTS COMMISSION and related reviews DISCUSSION PAPER 30 September 2026*. 2026, The_State_of_Queensland: Brisbane.

Note

Microsoft CoPilot365 was used to support the writing of this submission. All output was reviewed and refined by humans to generate the final submission. Prompts and responses are available on request.