

Corrective Services (Emerging Technologies and Security) and Other Legislation Amendment Bill 2022

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Submission: Corrective Services (Emerging Technology and Security) and Other Legislation Amendments Bill 2022

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About the QTU

The Queensland Teachers' Union of Employees (QTU) was founded in 1889 and currently represents over 47,000 teachers employed in Queensland state schools (including high schools, special schools and other specialist educational institutions) and TAFE institutes. Roughly three quarters of the 47,000 members of the Queensland Teachers' Union of Employees (QTU) are female. Education is a highly feminised profession.

Each year, the QTU sets annual priorities. Our top priority for 2022 is "respect for the profession", which includes eliminating harassment and discrimination. Another of the QTU's 2022 priorities is "embracing member diversity". This includes supporting women and First Nations people in leadership and addressing unconscious bias. These priorities inform some of the contents of our submission.

In common with many unions of professionals, the QTU represents the interests of its members in relation to professional, as well as industrial matters. In the context of the QTU, these professional issues include matters such as curriculum and assessment issues, teacher registration, professional standards and rights, and school behaviour management. The QTU is also a strong advocate for state schools and public education generally, including matters relating to school funding.

The Department of Education and the QTU have, through consultation, developed a Memorandum of Agreement covering the discrete cohort of members' industrial entitlements for working at the state's Youth Detention Centres. It is with this context that this submission has been developed. The recently certified Department of Education State School Teachers' Certified Agreement 2022, The Teaching in State Education Award – State 2016 and the Work Health and Safety Act 2011 have been considered in the development of this submission

Chapter 4 Part 3A

Section 173A Electronic surveillance of corrective services facilities

1. The QTU asserts that there should be tighter determination of the authorisation by the chief executive in the use of a prescribed surveillance device at a corrective facility. In particular, Section 173A should include a limitation of the chief executive's authorisation to exclude the possible surveillance and recording of educator's performance in their regular approach to pedagogical practices. This is not to undermine the safety and security of the members or the ability for the chief executive to collect and record surveillance materials for the purposes outlined in Section 173A(1). This material should not and specifically should be excluded for use in a performance-based manner.

Recommendation 1

THAT 173A(3) be amended to (b) must not authorise the covert use of a prescribed surveillance device **for the purpose of performance management**.

Chapter 4 Part 5

Section 271B Declaration of emergency

2. The QTU believes that any significant changes to working conditions or environments should be done with thorough consultation with the workers. As the union of state school teachers, QTU suggests that a legislative requirement be included in this legislation which mirrors and supports the industrial instruments that regulate the teaching profession. This will also need to take into account the Work Health and Safety Act 2011 which explicitly outlines the requirements for PCBU to consult with their workers whenever any significant change occurs in the workplace. With this in mind the QTU feels an additional piece of information be added to 271B(5).

Recommendation 2

THAT 271B(5) be amended to insert **(d) relevant ancillary employees' representatives such as the Queensland Teachers' Union of Employees, Together Queensland, United Workers' Union, Australian Workers' Union or other registered industrial employee organisations**.

Chapter 6 Part 9A

Section 301R Review of suitability of place to be temporary detention centre

3. Regarding the continuation of educational services in the event of an alternate location for a temporary detention centre the QTU deems that there should be a determination of whether business as usual is appropriate. With the complexity of the relocation of the prisoners into an unfamiliar location and potential unsettled working conditions a question is raised as to the appropriateness of this function in this environment. Therefore, the QTU encourages a potential withdrawal of services for the interval (where appropriate) that a temporary detention centre is invoked. To address this QTU believes that an inclusion as reflected below should be considered.

Recommendation 3

THAT 301R(3) be amended to insert **(c)(iii) there be a continuation or discontinuation of educational services.**

Section 301S Particular entities to be notified about declaration

4. Regarding the continuation of educational services in the event of an alternate location for a temporary detention centre the QTU believe that in line with Workplace Health and Safety legislation the workers or their representatives should be consulted regarding their conditions. With that in mind QTU suggests inclusion or workers representatives in that process.

Recommendation 4

THAT 301S(2) be amended to insert **(m) relevant ancillary employees' representatives such as the Queensland Teachers' Union of Employees, Together Queensland, United Workers' Union, Australian Workers' Union or other registered industrial employee organisations.**