



Anti-Discrimination Commission Queensland

Annual Report 2011-12

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Annual Report 2011-12

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This publication can be found in electronic format on the Anti-Discrimination Commission Queensland's website at: www.adcq.qld.gov.au.

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Letter of compliance

3 September 2012

The Honourable Jarrod Bleijie MP
Attorney-General and Minister for Justice
Level 18 State Law Building
50 Ann Street
Brisbane Qld 4000

Dear Attorney-General

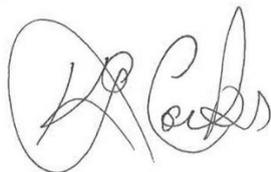
I am pleased to present the Annual Report 2011-12 and financial statements for the Anti-Discrimination Commission Queensland.

I certify that this Annual Report complies with:

- the prescribed requirements of the *Financial Accountability Act 2009* and the *Financial and Performance Management Standard 2009*, and
- the detailed requirements set out in the *Annual report requirements for Queensland Government agencies*.

A checklist outlining the annual reporting requirements can be found at Appendix B of this annual report or accessed at www.adcq.qld.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Kevin Cocks', written in a cursive style.

Kevin Cocks AM
Commissioner
Anti-Discrimination Commission Queensland

Commissioner's foreword

Welcome to the Anti-Discrimination Commission Queensland Annual Report 2011-12.

The Anti-Discrimination Commission Queensland has a legislative requirement and is committed to strengthening the understanding, promotion and protection of human rights in Queensland. We do this work through receiving and managing complaints, training and education, research and submissions, and a broad range of activities to engage and inspire the community.

Our annual report provides an overview of our progress towards achieving a fair and inclusive Queensland, through the delivery of our core services of complaint handling, community engagement, training and education services. The report reflects our commitment to transparent corporate governance by giving an account of our revenue and how we have used public funds.

I would like to acknowledge and thank all the staff for their energy, professionalism and commitment to the promotion and protection of human rights in Queensland. The Commission has a workforce which embraces diverse viewpoints resulting in the Commission delivering its core services more innovatively, effectively and efficiently.

The following is a snapshot of the Commission's work for the year 2011-12.

Complaint Management

The Commission has continued its focus on effective complaint management, with only 17 per cent of the 690 complaints received being referred to the Queensland Civil and Administrative Tribunal.

Conciliation remains a valuable tool to resolve complaints early, saving all parties the time and cost of proceedings in the Tribunal. Conciliators at the Commission assist a wide variety of individuals, groups, businesses and their staff to find common ground through a better understanding of their rights and responsibilities under the law.

This not only results in most complaints being settled but helps prevent complaints arising in the future. Staff at the Commission recognise the important role businesses in particular play in preventing discrimination and sexual harassment both in the workplace and when providing products and services to the general public.

Community Relations

The Commission has renewed its focus on community engagement to create opportunities in local communities for relationship building and collaborative efforts to advance local human rights issues. A major review of education and training materials was conducted resulting in improved standard training courses as well as tailored training to meet specific organisations' needs.

Education and Training

The Commission has again exceeded its target of 320 education sessions during 2011-12, delivering a total of 351 sessions across the state. Increased demand for training in regional areas was noted this year, with all regions outside South-East Queensland exceeding their targets significantly.

Mabo Oration

The Commission hosted the 5th biennial Mabo Oration in partnership with the Mabo family and the Queensland Performing Arts Centre (QPAC). The event honours Eddie Koiki Mabo. This year's Mabo Oration occurred on Sunday 3 July as part of the *Torres Strait Islands – A Celebration*.

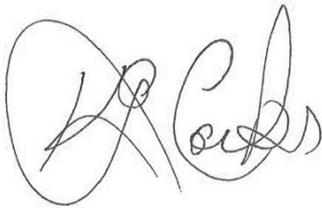
This year's oration was delivered by Terri Janke, respected Indigenous solicitor, published author and businesswoman. Ms Janke examined the rights of Indigenous peoples to protect their knowledge, arts and cultural heritage as intellectual property – a right that is not currently recognised by law.

20th Anniversary Celebrations

To celebrate the 20th anniversary of the Queensland Anti-Discrimination Act, the Commission hosted a series of community round tables. The events focused on creating opportunities for the development of community partnerships to advance human rights in our communities, towns and cities across the state.

One of the operational outcomes arising from the 20th anniversary engagement with communities across Queensland was the development of a strategic communications plan for the commission. Two key projects arising from this plan are the development of a *Schools Project* and a *Small Business Training Project*.

I am pleased to note that the targets have been achieved for the 2011-12 financial year. For further detailed information regarding targets, statistics and activities please go to relevant sections within this report.

A handwritten signature in black ink, appearing to read 'Kevin Cocks', written in a cursive style.

Kevin Cocks AM
Commissioner

About the Anti-Discrimination Commission Queensland

Our vision

A fair and inclusive Queensland.

Our purpose

To strengthen the understanding, promotion and protection of human rights in Queensland.

Our functions

Established under the *Anti-Discrimination Act 1991*, the Commission is an independent statutory body that exercises the following functions:

- to inquire into complaints and, where possible, to effect conciliation;
- to carry out investigations relating to contraventions of the Act;
- to examine Acts and, when requested by the Minister, proposed Acts, to determine whether they are, or would be, inconsistent with the purposes of the Act, and to report to the Minister the results of the examination;
- to undertake research and educational programs to promote the purposes of the Act, and to coordinate programs undertaken by other people or authorities on behalf of the State;
- to consult with various organisations to ascertain means of improving services and conditions affecting groups that are subjected to contraventions of the Act;
- when requested by the Minister, to research and develop additional grounds of discrimination and to make recommendations for the inclusion of such grounds in the Act;
- such functions as are conferred on the commission under an arrangement with the Commonwealth under part 3 of the *Anti-Discrimination Act 1991*;
- such functions as are conferred on the commission under an arrangement with the Commonwealth under part 3 of the *Anti-Discrimination Act 1991*;
- to promote an understanding and acceptance, and the public discussion, of human rights in Queensland;
- if the commission considers it appropriate to do so – to intervene in a proceeding that involves human rights issues with the leave of the court hearing the proceeding and subject to any conditions imposed by the court;
- such other functions as the Minister determines;
- to take any action incidental or conducive to the discharge of the above functions.

Our objectives

The Commission's key objectives are to:

- provide a fair, timely and accessible complaint resolution service;
- provide information to the community about their rights and responsibilities under the Act;
- promote understanding, acceptance and public discussion of human rights in Queensland;
- create opportunities for human rights to flourish.

These objectives underpin the Government's objectives for the community to *Grow a four pillar economy* and *Revitalise front-line services*. ADCQ's strategic direction is focused on its vision of a fair and inclusive Queensland where the benefits of social cohesion and diversity flourish. Economic performance is enhanced through social cohesion where the diverse abilities of all members of the community are able to contribute. A mature society, with an understanding of individual rights and

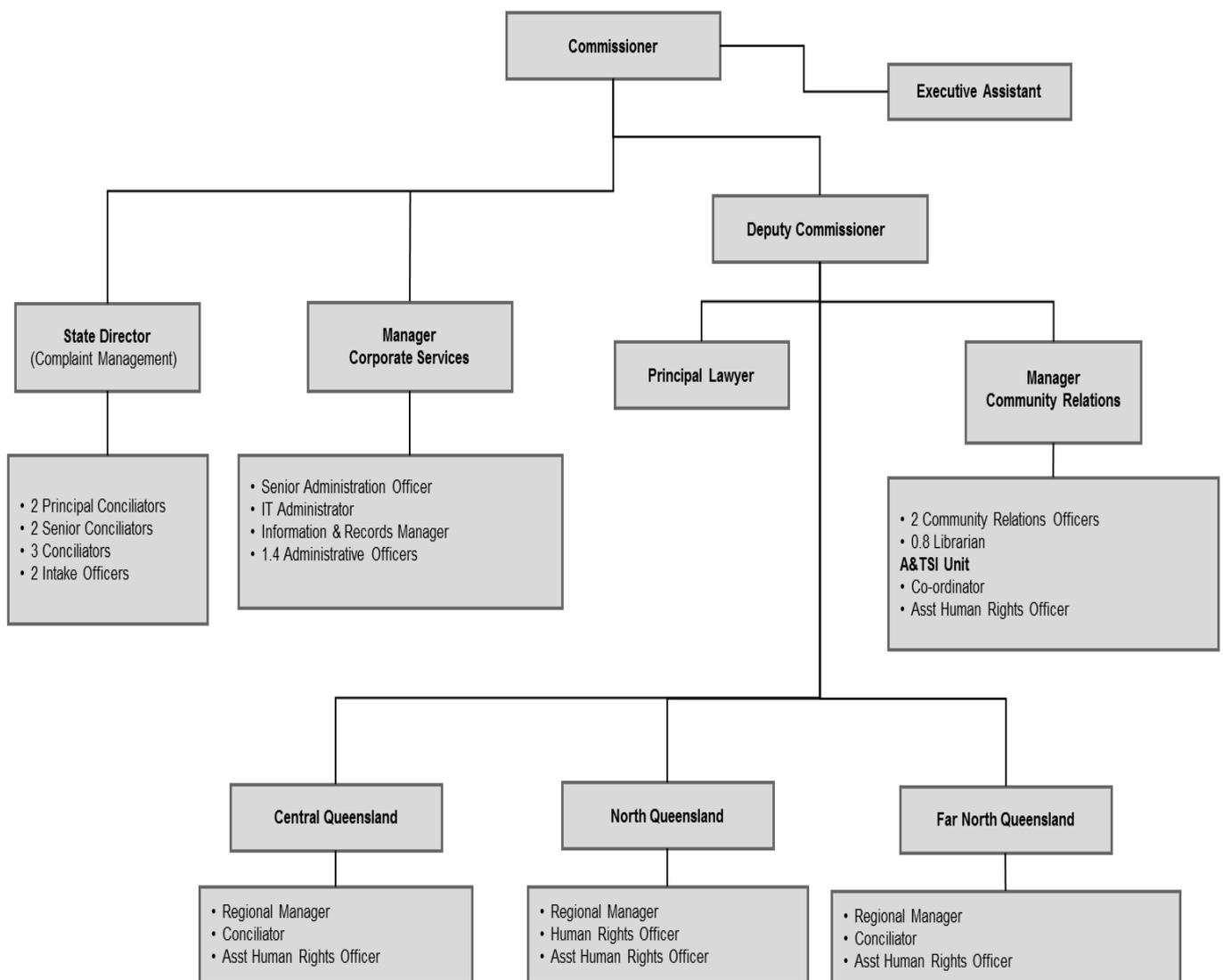
responsibilities, is free to concentrate on growth. The ADCQ is also focussed on delivering frontline services directly to the community – be that the business sector, the general community or vulnerable groups within society.

Our people

The Commission delivers services to the Queensland community via four offices located in Brisbane, Rockhampton, Townsville and Cairns. The role of the Commissioner is administered from the Brisbane office, which also serves as the business hub of the Commission, providing corporate functions to the regional offices.

Each regional office performs a variety of functions including complaint management, training, community engagement and provision of information services directly to the public.

Organisational structure



Our work

The work of the Commission is guided by our commitment to the following values:

- treating everyone with respect and dignity, acknowledging their fundamental human rights;
- treating everyone fairly and impartially;
- supporting a workplace culture that encourages diversity, innovation and responsiveness to the needs of our clients;
- valuing our independence and the rule of law.

As a small agency charged with the responsibility of servicing the whole state of Queensland, we are constantly looking for new and innovative strategies for delivering accessible and inclusive services to the broader community. In addition to geographical challenges, the Commission is faced with attitudinal and behavioural challenges including:

- a lack of awareness or sense of responsibility for those in the community whose human rights are not respected and realised;
- a culture of exclusion of certain groups based upon attributes including race, religion, sexuality, impairment and gender identity;
- a lack of understanding about human rights;
- unlawful discrimination continuing to occur in our workplaces, schools and communities;
- a lack of inclusion for those in the community whose human rights are not respected or realised;
- a lack of ownership and skills within the community to promote a culture of inclusion of all persons.

In order to meet these challenges, we must maintain and build the capability of our people, processes and organisation. In particular, we have, and will continue to:

- invest in technology to reduce costs and enhance our reach into the community;
- invest in professional development for staff;
- improve corporate governance to enhance accountability, ethical behaviour and performance.

Our focus for 2012-13 will be the development of resources for schools and exploring ways to enhance services to the small business community. The majority of discrimination complaints received by the Commission are in the area of work. By investing in school leavers and small business operators, we are taking a pro-active approach to discrimination and sexual harassment. The Commission considers strategies that empower young people to enter the workforce with a clear understanding of their rights and responsibilities, and tools which support business operators to foster positive workplace cultures, are efficient and economical approaches to tackling discrimination.

'When we passed the Anti-Discrimination Act we were conscious of the fact that we were defining a new society. We were establishing a new normative standard which we wanted people to follow and aspire to. And although there have been advances in social inclusion since the Anti-Discrimination Act, the Anti-Discrimination Act was the necessary pre-condition for those advances'

-- former Queensland Attorney-General, Dean Wells

Performance statement 2011-12

The ADCQ performed strongly throughout the 2011-12 financial year, meeting or exceeding the majority of performance targets across core service delivery areas. Highlights include:

- resolving 55 per cent of accepted complaints and finalizing 84 per cent of these within six months
- delivering training to over 5 000 people - over 14 700 people trained in the last three years
- over 400 visits to community groups - exceeding target by 26 per cent
- co-hosting the Mabo Oration and hosting 17 roundtable events across the State which were attended by over 500 people
- commissioning a new website to increase reach into the community and position the commission to deliver services using web based technology and social media.

Service standards	Notes	2011-12 Target/Est.	2011-12 Est. actual	2012-13 Target/Est.
Percentage of accepted complaints resolved by conciliation		55%	54%	55%
Percentage of clients satisfied with complaint handling service measured via client survey		85%	87%	85%
Percentage of clients satisfied with training sessions measured via client survey		90%	90%	90%
Percentage of accepted complaints referred to the Tribunal		25%	27%	25%
Other measures				
Percentage of complaints where the time from receipt to assessment notification is:				
• within 28 days	1	60%	52%	60%
• over 28 days	1	40%	48%	40%
Percentage of complaints where time from acceptance notice to conciliation conference is:				
• within 42 days		70%	72%	70%
• over 42 days		30%	28%	30%
Percentage of complaints where time from acceptance notice to complaint being closed is:				
• within three months	2	60%	66%	60%
• within six months		20%	18%	20%
• within nine months	2	10%	5%	10%
• within 12 months		5%	5%	5%
over 12 months		5%	6%	5%

Notes:

1. An unusual number of complaint staff left the commission in the first quarter of the financial year leaving insufficient resources to assess complaints within target timelines.
2. Despite staff changes, complaints have been managed effectively once assessed and more files have been managed through the process faster than the target timeframes.

The Commission delivers frontline services to the community via three primary channels: education and community engagement, complaint management and promotion of human rights.



Human rights promotion

The Commission has a responsibility under the Act to promote the understanding and acceptance of human rights in Queensland. This is achieved through contributions to legislation and policy that influence human rights, and through media awareness, public events and the Commission's website.

Forums and presentations

The Commissioner and Deputy Commissioner regularly speak at conferences, meetings and forums to promote human rights and anti-discrimination law in Queensland. Some of their key presentations in 2011-12 were at the following events:

- AusAid Pacific Women's Conference
- Spinal Injuries Association Annual General Meeting
- Mamre Association workshop
- Australian Institute of Administrative Law end of year function and seminar
- Queensland Law Society Equalising Opportunities in Law Committee – Law Practice Health Check Seminar
- Queensland Association of Independent Legal Services conference
- Local Government Access and Inclusion workshop
- Leaders for Tomorrow retreat
- Workforce Innovation 2012 conference – Inclusive workplaces – values and vision panel
- Reverend Peter Allan Memorial Address at the Gay and Lesbian Welfare Association Annual General Meeting
- Council on the Ageing panel discussion for Seniors Week 2011
- Griffith University School of Medicine – presentation to students on disability issues
- Bar Association of Queensland practice course – dealing with people from minority groups

Media

The media plays an important role in informing the public about the Commission's mandate to promote an understanding and acceptance, and the public discussion, of human rights in Queensland. The Commission therefore engages proactively with the media to bring its messages to the attention of stakeholders and ensure public opinion about the Commission and human rights in Queensland is based on accurate and contemporary information.

The Commission utilises media releases to promote positive human rights stories or events, and also to provide a rights based perspective on topical issues. Where appropriate, the Commission also facilitates media requests with a view to further promoting discussion of human rights issues and providing clarification of the intricacies of Queensland anti-discrimination legislation. In 2011-12 the Commission facilitated requests for information or official comment from a variety of media outlets including Channel 10 News; ABC radio; Brisbane Times; Channel 7 News; Bumma Bippa radio; 4EB radio; The Courier Mail; mX; Warwick Daily News; ABC local radio Far North Queensland; 89.1 Cairns Community Radio; The Morning Bulletin, Rockhampton; ABC Capricornia and WIN News Townsville and Rockhampton.

Events

An effective and generally low cost strategy for promoting the Act in Queensland is through attendance at community events and festivals that promote human rights. The Commission's presence at these events usually takes the form of an information stall, but can also be as event host, sponsor or guest speaker. This involvement provides the opportunity to engage with a broad cross-section of the Queensland community and provide information to people who may otherwise be unaware of the Commission's services. Some of the key events attended in 2011-12 included:

- NAIDOC week celebrations in Brisbane, Rockhampton, Townsville and Cairns
- Q-Comp Return to Work Expo, Brisbane
- Harmony Day, Cairns
- Former Origin Greats (FOGS) Indigenous Employment and Careers Expo in Brisbane, Rockhampton, Townsville and Cairns.
- Law Week in Rockhampton
- Black, Bold and Beautiful Indigenous Women's Day event, Brisbane
- QPILCH Walk for Justice, Brisbane
- Homeless Connect in Brisbane and Rockhampton
- UN Women's Australia – International Women's Day breakfast
- International Human Rights Day events in Cairns and Townsville
- Mining and Gas Jobs Expo, Cairns
- University of Queensland O-Week Market Day, Brisbane

Website accessibility

The Commission's website is currently AAA compliant with the W3C (Worldwide Web Consortium), providing access to people with visual and motor impairments as well as people from non-English speaking backgrounds. Translated information is now available in 30 languages other than English, with a Karen translation being added during this reporting period.

During 2011-12 access to the website decreased overall, this is in contrast to the continual increase in access noted in previous years. Significant decreases in access to the language translations were also noted during this period, except for two of the newer translations – Tamil and Karen.

In 2012-13 the Commission will finalise the redevelopment of the current public website. The focus of the upgrade is on creating a user friendly site which maintains the current high standard of accessibility and promotes two way engagements between ADCQ and the community.

Table 1 Website visits

Month	2010-11	2011-12
July	24 022	19 349
August	31 437	27 638
September	31 433	25 084
October	31 714	27 022
November	27 866	28 342
December	21 058	20 836
January	20 684	23 386
February	25 268	25 320
March	32 368	31 359
April	28 842	27 716
May	34 888	32 328
June	26 943	28 137
Total	336 523	316 517

Web-based services have improved exponentially over the last few year and now provide opportunities to enhance the reach of the commission to clients in remote areas or who, for physical reasons, have difficulty accessing services at the Commission's offices.

During 2011-12, and continuing into 2012-13 the Commission has invested in the development of a new website and intranet. This investment will provide the commission with a powerful tool to drive community engagement to a wider audience by hosting web-based forums using video-conferencing, delivering computer based training, allowing remote access in a secure environment to the website and intranet using devices like laptops, smartphones and tablets, incorporating the latest developments in accessible software and web design to enhance the user experience and make dealing with the commission easier for the community, and opening the way for the selective use of social media platforms like Facebook. The new website will be a central component of the commission's drive to enhance community engagement and modernise access to services by the broadest possible range of clients.

Table 2 Community language website statistics

Language	2010-11	2011-12
Creole	1709	1331
Farsi	1116	613
Indonesian	1115	682
Albanian	1084	748
Somali	1036	612
Vietnamese	1031	592
Arabic	1030	613
Polish	1028	594
Spanish	1013	583
Italian	1007	607
Russian	1004	621
Bosnian	995	576
French	989	582
Samoan	986	442
Croatian	967	593
Japanese	942	685
Chinese	931	580
Amharic	858	549
Cook Islands	811	607
Malay	755	520
Serbian	749	557
Kirundi	739	477
Swahili	737	477
Tagalog	737	489
Dinka	661	432
Turkish	633	409
Khmer	333	192
Punjabi	157	133
Karen	-	221
Tamil	139	200
Total	25 292	16 317

Community Engagement and Education

The Commission promotes human rights in Queensland through its education program and community engagement activities. The education program operates on a fee for service basis, with reduced rates being offered to small community organisations to ensure equity. There are a range of standard training sessions offered within the education program, as well as the option for training to be specifically tailored.

The education program offered by the Commission has multiple benefits including:

- ensuring compliance with current legislation
- reducing claims of discrimination and sexual harassment
- raising awareness of rights and responsibilities under the Act
- contributing to creating fair, productive and inclusive workplaces and communities
- retaining staff and reducing costs associated with recruitment and training.

The education program is complemented by a range of community engagement activities that serve to further promote the purpose of the Act. The Commission staff liaises with community, government and business organizations to raise awareness through the community visits program. They also speak at meetings, community events, lectures and conferences as well as holding information stalls at public events and facilitating round tables focused on human rights issues.

In 2011-12 the Commission exceeded targets for both training sessions and community engagement activities. A total of 351 training sessions were delivered, and 541 community engagement activities were undertaken.

The most significant community engagement activity in this reporting period was the commemoration of the 20th anniversary of the Queensland Anti-Discrimination Act. The Commission utilised this milestone to launch a renewed focus on community engagement, commencing with the facilitation of 17 round table events across the state to hear Queenslanders' views on building a fair and inclusive community. These events were attended by over 500 people and the feedback obtained has been used to inform the Commission's new strategic communications plan which will direct our community engagement activities over the coming three years. Future community engagement activities will not only be focused on providing information to Queenslanders, but also on empowering individuals and communities to take action against discrimination and contribute to a fair and inclusive society. As part of the 20th anniversary project, the Commission also produced a video of both high profile and everyday people responding to the statement 'If there was one thing I would do to make Queensland more fair and inclusive it would be...'. This video will be used as a resource to promote further discussion of human rights in Queensland.

The Commission continues to participate in the whole of government Positively Ageless seniors campaign and the It's OK to Complain joint initiative between independent accountability agencies in Queensland. As part of the Positively Ageless strategy, the Commission provides free information sessions to seniors about their rights under the Act, and also raises awareness of the free enquiry and complaint service available to resolve complaints. The It's OK to Complain project helps to improve the community's understanding of the roles of independent complaint agencies in Queensland through a web portal, a range of information brochures translated into 15 languages and joint representation at community events.

Regional highlights

South-East Queensland

Demand for anti-discrimination training in South-East Queensland remains strong, with 212 training sessions being delivered this financial year. Approximately half of the training sessions delivered in South-East Queensland were contracted by private sector organisations. Many of these were larger organisations requesting multiple sessions to ensure their entire staff was trained. Public sector agencies continue to access training with 45 sessions delivered to government departments and statutory bodies this year. It is anticipated that this statistic may reduce in the coming year following significant machinery of government changes. The community sector was also well serviced this year, with 31 training sessions being delivered to not-for-profit and community organisations.

Community engagement was a significant focus for the team this year, with the following activities being conducted:

- 29 community visits
- 8 round tables facilitated as part of the 20th Anniversary of the Anti-Discrimination Act
- 2 consultations facilitated on behalf of the Australian Human Rights Commission in relation to the National Anti-Racism Strategy
- Participation in the Australian Government's National Human Rights Action Plan consultation hosted by the Human Rights Law Centre
- Attendance at community events including NAIDOC Week, Q-Comp Return to Work Expo, the African cultural festival in Logan, Disability Action Week event in Caboolture, Homeless Connect, QPILCH Walk for Justice and Brisbane Multicultural Festival.

Members of the Brisbane based community relations team also represent the Commission on a number of professional, government and community advisory groups and committees. These include the Play by the Rules reference group, Inter-Departmental Committee on Multicultural Affairs, Milpera State High School Advisory group, Community Legal Educators Network and Interagency Communicators Network for independent statutory bodies. In 2011-12 team members also provided input to the Advisory Panel on the Economic Potential of Senior Australians and attended the biennial National Human Rights Conciliators and Educators Conference.

Central Queensland

The Commission's impact in the Central Queensland (CQ) region has significantly increased this year, with training delivery exceeding the target by 100% and community engagement activities exceeding the target by 150%.

In addition to facilitating roundtables in Rockhampton, Gladstone and Hervey Bay as part of the 20th anniversary of the Act celebration, the CQ team has been proactively involved in community events including:

- Law Week exhibition
- LGBTI communities' Fair Day
- Excellence in Action Disability Awards
- Disability Action Week
- International Day of Families
- NAIDOC expo
- Former Origin Greats (FOGS) Indigenous Employment and Careers Expo

For many of these events, the CQ team has taken a lead role by being part of the organising committee, hosting events or judging awards. Additionally, participation in the Rockhampton Regional Council Access and Equity Committee remains an ongoing commitment of the CQ office. This involvement allows the Commission to have input into addressing issues raised by the community through the various access and equity groups within Central Queensland.

The Central Queensland office has increased and broadened its training activities over the past several years in terms of the number of participants, training hours, revenue and reach. It has been the pilot site for a trial of video conferencing technology to deliver training to participants in locations which the Commission would ordinarily not have the resources to attend. This technology has assisted in the delivery of training sessions and community relations activities to Thursday Island, Hervey Bay, Bundaberg, Gladstone, Emerald, Mackay, Mount Isa, Beenleigh, Sandgate, Beaudesert, Longreach and Redcliffe. Participants have evaluated the effectiveness of the training to be on par with that delivered face-to-face.

North Queensland

Community engagement for the North Queensland (NQ) team continued to be a large component of the work throughout 2011-2012. Attendance at and active participation in many events throughout North Queensland, in addition to targeted visits to numerous organisations ensured that the work of the commission continued to be promoted and awareness raised about discrimination law in Queensland.

Three 20th anniversary roundtables were conducted successfully by NQ staff in Charters Towers, Mackay and Townsville. Over fifty high school students, accompanying staff and members of the local community came together in Charters Towers in October 2011 to tackle the issue of discrimination and propose ways to create a more fair and inclusive community. This youth-focused round table generated vibrant discussion and students identified innovative ways to promote fairness and inclusiveness in their schools and beyond into their wider communities.

The NQ team continued to extend its reach into the north western region in June 2012, visiting the rural communities of Charters Towers, Richmond and Hughenden. This was a great opportunity to spread the Commission's message and explore ways to better service these areas. Introductory meetings were undertaken with 21 key influential community members including the sport and recreation coordinator from each town, representatives from local sporting groups, counselors and Council Chief Executive Officers, small business and property owners, government agency representatives and staff from three local schools. In collaboration with community members, suitable strategies to further promote awareness in their communities were identified and training options for the future were established.

In preparation for the Commission's 2012-13 *Schools Project*, the NQ team this year focused strongly on engagement with young people in order to build networks and conduct research to inform the project. During visits to schools in Hughenden, Richmond, Charters Towers and Mackay in the first half of 2012, liaison occurred with principals, teachers and careers counsellors. Staff provided valuable information that will assist in the design and development of resources for teachers and students about the Queensland *Anti-Discrimination Act*.

NQ staff conducted education sessions with over 200 year 10 students in Townsville as part of their career day activities. A presentation was also given to female educators at the *Townsville Women's Conference of Independent Educators* about their rights and responsibilities under the Act.

NQ staff continued to maintain a strong presence in the community this year by actively participating in a number of public events including the LGBTI communities' Family Pride Fair Day, NAIDOC Deadly Day Out, and Seniors in the Park. The 2011 International Human Rights Day was also celebrated with an information stall and free Christmas card making in Townsville city centre. Over fifty children, with accompanying adults, participated enthusiastically in this activity and throughout the morning there were many opportunities to promote the role and services of the ADCQ and address issues with individual enquirers.

The North Queensland office has significantly increased its delivery of training sessions this year from 46 sessions in 2010-11 to 59 sessions in 2011-12. Over 800 people have participated in ADCQ training in the Northern Region in the past twelve months. Significant travel has been involved in the delivery of face-to-face training, with sessions being conducted at mine sites near Cloncurry and Moranbah, sugar mills in Ayr, Proserpine, Sarina and Ingham and courthouses in Townsville, Charters Towers, Ayr, Ingham, Richmond and Hughenden. Other private training was conducted predominantly for organisations in and around Townsville and Mackay.

Far North Queensland

Under the vision of a fair and inclusive Queensland, the Commission this year took a much broader approach to community relations activities than in previous years. Quantitative data shows the number of community engagement activities undertaken in FNQ this year (111) has increased markedly compared to last year (88) and exceeded the operational plan target expected of the region (40) by almost threefold. Qualitative data about outcomes achieved is also pleasing, with regional staff making significant contributions to regional events and improvements in regional services. Examples include improvements to local disaster recovery and evacuation services, contributions to community participation in employment, education, sport and recreation.

The increased community engagement activity in FNQ region has also served to strengthen existing stakeholder relationships and forge new connections. A few notable examples of coordinated stakeholder initiatives in which the FNQ team participates are the Local Area Coordination Forum run by Centacare Migrant Services, the Cross Government Seniors Network, and the Planning Committee for the Mental Health Conference Indigenous Forum. Participation in forums from previous years such as the Multicultural Action Group at the Cairns Regional Council and the planning committee of the International Human Rights Day “Living Books” Event has continued.

As in previous years, FNQ has had a strong focus on Aboriginal and Torres Strait Islander issues with community visits to numerous Indigenous organizations and participation at significant events such as NAIDOC Day Celebrations, the Life Skills Expo and the Former Origin Greats (FOGS) Indigenous Employment and Career Expo. This year community relations work in the private sector and the wider community sector was also targeted, particularly in relation to organizations that provide disability and aged care services and services to clients from culturally diverse backgrounds. Engagement with local media also increased to promote the Commission, the Act and human rights generally.

The 20th anniversary celebrations were a highlight for the year with over 70 people attending the round table event in Cairns. Anecdotal evidence received since the event confirms that the desired outcome, namely to inspire community action towards a fairer and more inclusive Queensland, was achieved. One example of such community action is the planning of a Disability Rights Advocacy Workshop which will take place during Disability Action Week next year, with the collaboration of the FNQ Regional Office, Deaf Services Queensland, the Disability Discrimination Legal Service and Rights in Action Inc. In Innisfail a smaller and more intimate, but no less inspirational and enthusiastic event was held with several participants committing to action to promote inclusion in their local community in future.

State-wide training performance

The Commission has again exceeded its target of 320 education sessions during 2011-12, delivering a total of 351 sessions across the state. Increased demand for training in regional areas was noted this year, with all regions outside South-East Queensland exceeding their targets significantly.

The overall number of training sessions delivered has decreased slightly from the previous year's total of 370 sessions. This is due to a decline in demand for training from the public sector. In 2010-11 a total of 125 training sessions were delivered to public sector agencies, however this number decreased to only 67 in 2011-12. Following recent significant machinery

of government changes, reduced demand for training by the public sector is expected to continue in 2012-13.

Table 3 Delivery of training by sector, by region

	South-East	Central	North	Far North	Total
Private sector	111	34	37	6	188
Public sector	45	12	15	9	83
Community	31	2	-	6	37
In-house	25	6	7	5	43
Total	212	54	59	26	351

In 2011-12 the Commission finalised a review and enhancement of the education program to now include a suite of 11 standard courses, as well as offering tailored training to meet specific organisational needs. *Introduction to the Anti-Discrimination Act* remains the most popular training course offered by the Commission, with 150 sessions being delivered this financial year. *The Contact Officer* course remains popular, which is a positive indication that workplaces continue to make efforts to support and promote discrimination free workplaces.

2011-12 was the first full year that the *Introduction to the Anti-Discrimination Act for Managers* course has been made available in South-East Queensland. It has been well received, resulting in 11 sessions being delivered this year. The course was only recently introduced in Cairns, Townsville and Rockhampton, and already 6 sessions have been delivered in regional areas.

In response to the decreased demand for the train-the-trainer style *Fairness-Everyone's Business* package, the Commission is phasing out this resource. There are plans to further enhance the education program by developing online training packages and resources. While face-to-face delivery will remain the most effective method of training, the online resources will make training more accessible to small business owners, regional Queenslanders and others who may be unable to attend training sessions in person. The Commission is already utilising video conferencing technology to facilitate some training sessions, and with the implementation of enhanced communication technologies within the organisation, training delivery options will expand.

Table 4 Types of training sessions

Course	South-East	Central	North	Far North	Total
Introduction to the Anti-Discrimination Act	86	35	24	5	150
The Contact Officer (standard & refresher course)	23	6	10	6	45
Positively Ageless	7	-	-	-	7
Managing complaints	3	1	2	1	7
Recruitment & Selection	3	-	4	-	7
Tracking your rights - A&TSI	8	-	-	1	9
Introduction to the Anti-Discrimination Act for Managers	11	-	3	3	17
Understanding Discrimination Law (standard & community organisations)	13	1	1	4	19
Fairness- Everyone's Business	1	-	-	-	1
Tailored training	57	11	15	6	89
Total	212	54	59	26	351

The Commission also exceeded the overall financial target of \$180,900 for training revenue in 2011-12. The result was achieved primarily through increased training delivery to the private and public sectors in both Northern and Central regions. Far Northern region also exceeded its financial target despite delivering less sessions overall than in the previous year. The financial result for South-East Queensland fell slightly below the target of \$102,100. However it is notable that almost one quarter of training delivered in this region is to the community sector and is consequently charged at a reduced or zero fees.

Table 5 Details of training sessions

	South-East	Central	North	Far North	Total
No. of people	3761	518	834	247	5360
Hours of delivery	547	131	172	94	944
Actual Revenue	93,674	27,780	47,440	19,791	188,685

Evaluation

As part of the Commission's commitment to continuous improvement of services, training participants are asked to complete an evaluation form at the end of each training session. The evaluation is based on the content of the training session, the quality of the information resources provided, the value of the case study discussions, and the overall presentation of the session. The Commission has maintained an average 95% satisfaction rating for all training delivered in the 2011-12 financial year. A sample of responses from training participants follows:

- *The presenter was excellent. Even as a lawyer I found the explanations of the legislation through examples extremely insightful.*
- *Excellent presentation – informative relevant and delivered enthusiastically.*

- *Most interesting anti-discrimination presentations I've ever seen well done.*
- *Very informative – I think a lot of my staff in my department should do this as a compulsory induction.*
- *Best session of this type I have attended. It was not a “brow beating” exercise but an educational one.*
- *Highly individualised to suit our circumstances, knowledge and experience.*
- *Great, easy to listen to facilitator. First time I didn't feel the need to try and stay awake.*

Aboriginal and Torres Strait Islander unit

The ADCQ Aboriginal and Torres Strait Islander Unit was formally established and launched in November 2003. Staff work to ensure issues important to Aboriginal and Torres Strait Islander peoples stay on the human rights agenda.

The Unit is based in the Brisbane office and has a Coordinator and Indigenous Human Rights Assistant who are able to assist with enquiries. An Indigenous Human Rights Assistant is also based in the Cairns office to provide assistance with enquiries. The unit has a strong community focus. This includes visiting communities, presenting information sessions, engaging in projects and coordinating the biennial Mabo Oration. In 2011-12, Unit completed 60 visits to Aboriginal and Torres Strait Islander community organisations, businesses and service providers, delivered eight Tracking Your Rights training sessions and coordinated the successful presentation of the 5th Mabo Oration. The team also travelled to Aboriginal communities of Woorabinda, Cherbourg and Charters Towers to deliver training and to liaise with Community Justice Groups and community members in relation to discrimination issues. Through its Aboriginal and Torres Strait Islander Unit, the Commission will continue to promote respect for Aboriginal and Torres Strait Islander peoples and their culture to staff and stakeholders.

Reconciliation Action Plan

The Commission launched its Reconciliation Action Plan (RAP) on 9 August 2011, coinciding with International Day of the World's Indigenous People. In developing the RAP, the Aboriginal and Torres Strait Islander Unit were assisted through the process by Reconciliation Australia, who provided guidance and examples of numerous other RAPs as a reference point for the RAP Working Group.

A workplace RAP Working Group was formed comprising non-Indigenous and Indigenous staff (approximately 50:50), from each region and each section of the Commission, who all contributed to the drafting of a final RAP.

Reconciliation Australia's focus on three key performance indicators – Relationships, Respect and Opportunities - provided meaningful actions with measurable targets for the Commission's RAP.

The RAP was a synthesis of the Commission's core business of dealing with complaints of discrimination and other conventions of the Queensland *Anti-Discrimination Act 1991* and the other major function of educating the broader Queensland community about their rights and responsibilities in relation to the legislation.

Reconciliation Australia values the Commission's commitment to reconciliation between Aboriginal peoples and Torres Strait Islander peoples, the First Australians, and other Australians. The Reconciliation Action Plan will support the Commission's work in creating a Queensland community that is fair, just and inclusive, where every Queenslanders is treated with respect and dignity.

– Leah Armstrong, CEO Reconciliation Australia

As the lead human rights agency in Queensland, the Commission regularly engages with community groups in promoting our vision for reconciliation through a Queensland community that is fair, just and inclusive and where every Queenslanders is treated with respect and dignity.

The RAP is helping to achieve our vision and mission by committing the whole organisation to working in ways that respect, value, engage and support Aboriginal and Torres Strait Islander peoples. Since the RAP launch, the Commission has, with the leadership of the Commissioner and the Aboriginal and Torres Strait Islander Unit, encouraged Aboriginal and Torres Strait Islander community people to participate in two major projects coordinated by Commission in the last year; our 20th Anniversary Fair and Inclusive Queensland round table consultations and the Australian Human Rights Commission consultations in Townsville and Brisbane relating to the national Anti-Racism Strategy.

Internally the Commission observed significant events relating to Aboriginal and Torres Strait Islander peoples, such as the National Apology, National Close the Gap Day, National Sorry Day, National Reconciliation Week, Mabo Day, National NAIDOC Week. In addition, all staff members have completed cultural awareness training.

The Commission has completed its six month RAP Review which has seen the majority of our targets met and has provided the guide for our long term future in maintaining commitment to reconciliation.

Mabo Oration

The Commission, in partnership with Queensland Performing Arts Centre (QPAC) and the Mabo family, presented the fifth biennial Mabo Oration in July 2011.

The Oration celebrates the High Court of Australia's landmark Mabo decision on native title rights and the overturning of the proposition of *terra nullius*. The event honours Eddie Koiki Mabo, celebrating his contribution to native land title, Indigenous human rights, and associated legal and political changes in Australia. The Mabo Oration aims to:

- inform and inspire public thinking about the status of Aboriginal and Torres Strait Islander communities in Queensland;
- promote Indigenous social, economic, civil and human rights in Queensland and Australia;
- raise public awareness of ongoing and future human rights concerns for first nation peoples.

The 2011 Oration was delivered by Terri Janke, respected Indigenous solicitor, published author and businesswoman. Ms Janke's professional charter is to advance the protection of Indigenous people in respect of intellectual and cultural property matters. The Oration examined the rights of Indigenous peoples to protect their knowledge, arts and cultural heritage as intellectual property – a right that is not currently recognised by law. Commentary was provided by Bryan Keon-Cohen QC.

The Mabo Oration was attended by 531 people, including the Mabo family, the President of the National Native Title Tribunal, Graeme Neate and the then Minister for Disability Services, Mental Health and Aboriginal and Torres Strait Islander Partnerships, the Honourable Curtis Pitt.

Race discrimination in the area of work

The complainant, a fifteen year old Aboriginal boy, who worked casually in a fast food restaurant, alleged his supervisor said to him, 'Quickly you have a customer, jump out the front, you dirty Aboriginal.' At the conciliation conference, the individual respondent, a young man, acknowledged that he had made the comment. He made a very sincere and genuine verbal apology to the complainant and expressed his regret to the complainant's mother. Although an emotional situation for the parties involved, the conciliation process was very successful with a strong sense of reconciliation and the respondent parties displaying a preparedness to make things right. The matter settled with an agreement that the company pay \$2000 to the complainant, conduct cultural awareness training for all staff at the complainant's workplace and make a \$500 financial contribution and \$500 worth of donations to NAIDOC celebrations in the local community over the next 5 years.

Whole-of-government plans

The Commission contributes to the *Absolutely Everybody* whole-of-government action plan and Department of Justice and Attorney-General *Disability Services Plan 2011-14* by:

- Promoting rights and responsibilities under the Queensland Anti-Discrimination Act 1991, the federal Disability Discrimination Act 1992 and the Convention on the Rights of Persons with Disabilities
- Promoting the uptake of voluntary disability action plans in the broader community including in local government, arts, cultural, sporting and recreational arenas.
- Contributing to the identification and support of champions from across government, business, industry and community to promote the human rights agenda and the message of social inclusion across Queensland.

Complaint management

The Commission has the function of resolving complaints under the *Anti-Discrimination Act 1991*. There continues to be a focus on effective complaint management processes within the statutory framework set out in the Act. This year the Commission has largely met its complaint management targets in terms of quantity, quality and timeliness.

The effective complaint management processes adopted by the Commission mean that satisfaction rates remain high with 87% of all parties evaluating the service as satisfactory or very satisfactory, continuing the consistently high satisfaction rates of the past six years.

The most significant change in complaint management within the Commission has been that complaints are now managed in the Brisbane, Rockhampton and Cairns offices, with Townsville office being quarantined from complaint management for the latter half of the year to allow a greater focus on training and community engagement activities.

Age discrimination in the areas of work, superannuation and insurance

The Commission received a complaint of age discrimination from a man who discovered that the death and total permanent impairment insurance component of his employer sponsored superannuation fund had ceased on his 65th birthday. The respondents did not deny the discrimination, but sought to rely on the exemptions that apply in the superannuation and insurance areas of the *Anti-Discrimination Act 1991*. These exemptions allow age discrimination in circumstances where actuarial, statistical or other data make it reasonable to discriminate. The Commission used its power under section 157 of the Act to direct the respondents to provide the source of the data on which the discrimination was based. The respondents failed to comply with the direction, but agreed to settle the complaint at a conciliation conference on confidential terms that were suitable to the complainant.

State-wide complaint trends

This year 690 complaints were received across the state, representing a small decrease from last year in the number of complaints made. The majority of these, namely 546 complaints which represents 79 per cent of complaints received, were made to the Brisbane Office and originated from the south-east Queensland region. 396 complaints were accepted as coming within the Commission's jurisdiction. This represents about 57 per cent of complaints received, down from a high of 68 per cent last year. The remaining 43 per cent of complaints received during the financial year are either awaiting final assessment or fell outside of the Commission's jurisdiction. Where a complaint does not come within the Commission's jurisdiction complainants are referred to a more appropriate agency to assist them.

Table 6 - Complaints received, assessed and finalised

	South-East	Central	North	Far North	State-wide
Complaints received	459	100	33	98	690
Complaints accepted	278	41	31	46	396
Complaints finalised – accepted	310	42	42	53	447
Complaints finalised – not accepted	201	45	50	6	302
Total complaints finalised	511	98	92	48	749

Complaint trends closely mirror the pattern of complaints accepted in previous years. Complaints most commonly are accepted on more than one ground under the Act.

Allegations of discrimination are included in 69% of accepted complaints. A breakdown of the attributes on which allegations of discrimination are made in Table 7 clearly shows that discrimination on the basis of impairment remains the dominant ground, comprising 27% of all complaints. This is consistent with previous years. Race and sex discrimination allegations also remain significant with each comprising 10% of discrimination complaints, followed by family responsibilities, pregnancy and age discrimination. Most sex discrimination complaints involve gender based sexual harassment.

As shown in Table 8, 64% of discrimination complaints arose in the workplace or when seeking work. This is largely consistent with previous years. This clearly demonstrates the importance of workplace fairness in people’s lives. It seems that discrimination in the workplace is more likely to be identified and also more likely to result in a complaint to the Commission.

A further 12% of accepted complaints include allegations of sexual harassment, similar to previous years. The vast majority of complaints of sexual harassment arise in the workplace, as can be seen from Table 8. Sexual harassment continues to remain a substantial cause for complaint, particularly complaints by women against men.

Complaints of victimisation have increased slightly this year to 9%. As set out in Table 8, 63% of victimisation complaints arose in the workplace. It is unclear whether this is because of an actual increase in victimisation of people making complaints under the Act or whether more complainants are now reporting these behaviours.

Public vilification complaints remain low with only 3% of accepted complaints including allegations of race, sexuality or religious vilification. No complaints of vilification on the basis of gender identity were received this year. As shown in Table 8, half of the vilification complaints for which data is available, actually arose in connection with workplace conflict and the other half arose in the context of neighbourhood conflict.

Table 7 State-wide accepted complaints by ground

Ground	Number	%
Discrimination		
• Age	23	3.8%
• Breastfeeding	1	0.2%
• Family responsibilities	30	5.0%
• Gender identity	3	0.5%
• Impairment	160	26.5%
• Lawful sexual activity	8	1.3%
• Parental status	9	1.5%
• Political belief/activity	1	0.2%
• Pregnancy	24	4.0%
• Race	60	9.9%
• Relationship status	10	1.7%
• Religion	9	1.5%
• Sex	60	9.9%
• Sexuality	16	2.6%
• Trade union activity	3	0.5%
Sub-total discrimination	417	69.0%
Request/encourage a breach	9	1.5%
Sexual harassment	75	12.4%
Unnecessary questions	25	4.1%
Victimisation	57	9.4%
Vilification		
• Race	11	1.8%
• Religion	3	0.5%
• Sexuality	6	1.0%
Sub-total Vilification	20	3.3%
Whistleblower reprisal	1	0.2%
Total	604	100.0%

*Complaints may be accepted under more than one ground

Table 8 State-wide accepted complaints by area

*Only discrimination breaches require an area

	Discrimination	Request or encourage a breach	Sexual harassment	Unnecessary questions	Victimisation	Vilification	Whistleblower Reprisal	Total	
								#	%
Accommodation	27	1	3	3	4	4	-	42	7.5
State laws and programs	19	-	-	1	-	-	-	20	3.6
Goods and services	68	-	2	3	1	-	-	74	13.1
Club membership and affairs	4	-	-	-	-	-	-	4	0.7
Superannuation and insurance	5	1	-	1	-	-	-	7	1.2
Work	237	-	54	9	40	4	-	344	61.1
Education	13	-	-	1	1		-	15	2.7
Not recorded*	-	7	21	2	18	8	1	57	10.1
Total	373	9	80	20	64	16	1	563	100.

While Table 9 clearly shows the prevalence of discrimination complaints across most grounds in the workplace, a significant number of complaints of impairment discrimination arose in connection with the provision of goods and services (27%) which includes access to public places and buildings. Similarly, a significant number of race discrimination complaints arose in connection with the provision of goods and services (16%).

Almost all complaints of pregnancy and family responsibility discrimination arose in the work area.

Table 9 State-wide accepted discrimination complaints by ground, by area

	Accomm	State laws & programs	Goods & services	Club membership	Super & insurance	Work	Education	Total	
								#	%
Age	4	1	1	-	4	14	-	24	5.4%
Breastfeeding	-	-	-	-	-	1	-	1	0.2%
Family responsibility	1	-	1	-	-	29	-	31	7.0%
Gender identity	-	1	1	-	-	-	1	3	0.7%
Impairment	7	12	47	-	-	99	7	171	38.9%
Lawful sexual activity	7	-	2	-	-	-	-	9	2.0%
Parental status	3	1	2	-	-	5	-	11	2.5%
Political belief/activity	-	-	1	-	-	-	-	1	0.2%
Pregnancy	-	-	-	-	-	24	1	25	5.7%
Race	5	3	10	1	-	41	3	63	14.3%
Relationship status	2	1	1	-	-	7	-	11	2.5%
Religion	-	1	-	-	-	7	1	9	2.0%
Sex	2	-	7	3	-	51	-	63	14.3%
Sexuality	2	1	1	-	1	11	-	16	3.6%
Trade union activity	-	-	-	-	-	3	-	3	0.7%
Total	33	21	74	4	5	292	13	442	100.0%

Settlement of complaints

The Commission assists all parties to resolve complaints that come within jurisdiction, by exploring the issues, identifying common interests and generating option for settlement at a conciliation conference.

54 per cent of complaints were resolved by conciliation, which remains consistent with the target of 55 per cent.

73 per cent of accepted complaints were finalised within the Commission, with 27 per cent of accepted complaints referred to the Tribunal. The rate of referral to the Tribunal remains steady and on target, despite the lower conciliation rate, because of a small increases in the numbers of complaints withdrawn, not referred and where contact was lost with the complainant. The outcomes for accepted complaints can be seen in the table below. Most complaints continue to be made in relation to the area of work as can be seen from the table below.

Table 10 State-wide outcomes for accepted complaints by region

	South-East	Central	North	Far North	State-wide	% Outcome for accepted complaints state-wide
Conciliated	167	21	20	31	241	54%
Lost contact (s169)	10	2	1	1	14	3%
Lapsed (s168)	2	1	1	0	4	1%
Referred to QCAT	76	7	17	18	118	27%
Unconciliable but not referred	19	4	2	3	28	6%
Withdrawn	32	6	1	0	39	9%
Total	306	41	42	53	442	100%

Timeliness

The number of complaints which were assessed within the 28-day legislative timeframe decreased to 52 per cent, a small drop from the last financial year. Where complaints did not contain sufficient information to enable a final decision to be made, further information was sought from the complainant before a decision could be made as to whether the allegations came within the Act.

72 per cent of accepted complaints reached conference within the 42-day statutory timeframe. This is consistent with targets and represents a slight improvement on last year. Conferences in the remaining matters were generally delayed where parties were unavailable to participate for a variety of reasons.

66 per cent of accepted complaints were finalised within three months of acceptance. A total of 84 per cent of accepted complaints were finalised within six months, and a total of 94 per cent of complaints were finalised within twelve months of acceptance, which is consistent with last year's timeliness.

Once a complaint has been allocated to a conciliator it is able to be managed in a timely way through to completion.

Sexuality discrimination in the area of work

A complaint was received from a homosexual man who complained that he had been denied the opportunity to serve a customer at work by his manager because the customer was allegedly homophobic. The complainant attempted to take the matter up with the manager and was informed that she was trying to protect him. The complainant was upset by the incident and felt unable to continue working, consequently taking leave. The complainant made an internal complaint which was investigated by the company's Area Manager who determined that the claim of discrimination could not be substantiated.

Subsequently, the complainant lodged a complaint with the Commission alleging sexuality discrimination in the area of work. Upon accepting the complaint, early intervention discussions were initiated. Within a month of lodging the complaint, resolution had been achieved. The company agreed to re-credit all leave taken by the complainant since the incident; the individual respondent agreed to apologise and the company agreed to the complainant returning to work in a graduated manner as recommended by his medical practitioner and counsellor. The company also later agreed to reimburse the complainant for his out-of-pocket medical expenses, capped at a maximum of \$350.

Applications to the Queensland Civil and Administrative Tribunal for review

Under section 169 of the *Anti-Discrimination Act 1991* a complainant may apply to the Queensland Civil and Administrative Tribunal for review of a decision to lapse a complaint where the Commissioner had formed the opinion that the complainant had lost interest in continuing with the complaint.

No applications for review were made to the Queensland Civil and Administrative Tribunal during 2011-2012.

Judicial Review of decisions

Decisions of the Commissioner may be judicially reviewed by the Queensland Supreme Court under the *Judicial Review Act 1991*. No applications for a statutory order of review were made to the Supreme Court during 2011-2012.

An application made in March 2011 for review of a decision not to accept two complaints made out of time was heard on 17 October 2011. The decision dismissing the application was delivered on 2 November 2011. An appeal to the Court of Appeal against the decision was heard on 26 April 2012. The decision of the Court of Appeal is yet to be delivered.

Intervention in proceedings

Under section 235 of the *Anti-Discrimination Act 1991* the Commission has the function to intervene in a proceeding that involves a human rights issue, with the leave of the court hearing the proceeding, if the Commission considers it appropriate to do so.

The Commission sought and obtained leave to intervene in an appeal from a decision of the Queensland Civil and Administrative Tribunal which had determined that the involuntary retirement provisions of the *Public Service Act 2008* impliedly repealed the unlawful discrimination prohibition in section 15 of the *Anti-Discrimination Act 1991*. The Queensland Civil and Administrative Tribunal Appeal Tribunal found there was no contrariness or inconsistency between the two Acts and overturned the primary decision.

The State of Queensland, as respondent, applied for and obtained leave to appeal to the Court of Appeal, and the appeal was heard on 16 August 2012. The decision of the Court of Appeal is yet to be delivered.

Submissions

Under section 113 of the *Anti-Discrimination Act 1991* the Queensland Civil and Administrative Tribunal is required to consult the Commission before deciding an application for an exemption from the operation of a specified provision of the *Anti-Discrimination Act 1991*. During 2011-2012 the Commission made submissions on 9 exemption applications.

The Commission provided submissions to various State and Federal bodies on the development of government policies and legislation. These included submissions to:

- the Sentencing Advisory Council on Standard Non-Parole Periods;
- the Department of the Australian Attorney-General on the Consolidation of Commonwealth Anti-Discrimination Laws, as well as contributing to a joint submission of State anti-discrimination bodies;
- the Health & Disability Committee of Queensland Health on Severe Substance Dependence – A Model for Involuntary Detoxification & Rehabilitation;
- the Queensland Parliament Finance and Administration Committee on the Further Review of the Meaning of Fundamental Legislative Principles; and
- the Queensland Parliament Legal Affairs, Police, Corrective Services and Emergency Services Committee on the Identification Laws Amendment Bill 2011 and the Civil Partnerships Bill (Qld).

The Commission also contributed to the reports of the Department of Justice and Attorney-General for the Article 22 reports for the period 1 July 2011 to 30 June 2012 on:

- ILO 100 – Equal Remuneration Convention, 1951; and
- ILO 111 – Discrimination (Employment & Occupation), 1958.

Focus on complaint management

The complaint management process involves three main stages, the assessment stage, the conciliation stage and the post-conference stage.

During the assessment stage, complaints are received in the Commission and staff assess whether the complaint contains sufficient details to indicate an alleged breach of the Act, in order to decide whether to accept the complaint as coming within the Commission's jurisdiction. Where the complaint clearly does not fall within the Commission's jurisdiction, the complainant is generally referred to another agency which may be able to assist. If the complaint does not contain enough details to assess whether the Commission has jurisdiction, further information may be sought from the complainant before the complaint can be fully assessed. If the complaint does come within the Act, the Commission accepts the complaint and then moves on to the conciliation stage.

During the conciliation stage, the focus of the Commission is to try to resolve complaints that come within its jurisdiction.

Complaints are conciliated through a private conciliation conference facilitated by an conciliator who is independent and impartial of the parties to the complaint. All parties are required to participate in the conciliation conference, which may be conducted in person, by teleconference or through shuttle negotiations.

While legal representation at the conference is not necessary, parties are generally permitted to attend with the support of an advocate, friend or family member who can assist the conciliation process.

It is the conciliator's role to ensure that the process is fair to all parties and to assist the parties to reach agreement to resolve the complaint. If a complaint can be resolved, the conciliator writes up the agreement which is then signed by all parties and filed in the Queensland Civil and Administrative Tribunal and becomes enforceable as a court order.

Conciliation agreements often include formal or informal apologies, undertakings to receive training and change policies and financial compensation.

If a complaint cannot be resolved at conference, it then moves on to the post-conference stage.

During the post-conference stage, settlement negotiations may continue after the conference where there is real likelihood of a complaint being resolved. If a complaint cannot be resolved, the complainant has the option of referring the complaint to the Queensland Civil and Administrative Tribunal for a public hearing. The Commission's role is to prepare a report and remit the complaint to the Tribunal.

The Commission's conciliation service is free for all parties.

Corporate governance

Corporate governance is the manner in which an organisation is controlled and governed in order to achieve its strategic goals and operational objectives. It is the cornerstone of sound stewardship and effective management.

Queensland Audit Office, 1999.

Governance framework

The Commission's governance framework supports transparent, accountable decision-making by establishing clear lines of authority and requiring monitoring and reporting of operational performance. It is the mechanism through which our strategic goals can be achieved and is based on the following principles:

- effective vision, leadership, and strategic direction;
- transparency and disclosure of decision-making processes;
- clear lines of responsibility and accountability;
- participation in the governance process by employees.

These principles ensure that the Commission maintains its focus on:

- meeting its statutory responsibilities under the Act;
- effective and efficient performance management;
- improving service delivery through a process of engagement with key stakeholders;
- reporting on performance.

While the Commission is independent of government, it is accountable to the Queensland Parliament through the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister for State.

Managing the ADCQ

Accountability for the Commission's operations under the *Financial Accountability Act 2009* resides solely with the Commissioner as the Accountable Officer.

The Commissioner is appointed under section 238 of the *Anti-Discrimination Act 1991* for a term of no longer than seven years. ADCQ employees are appointed under the *Public Service Act 2008*.

Two committees have been established to support the Commissioner in achieving the strategic goals and operational objectives of the Commission. They are the Executive Leadership Team (ELT) and the Leadership Group.

The ELT supports the Commissioner by providing advice in the following areas:

- establishing priorities;
- developing an overarching fiscal strategy;
- maintaining the corporate governance framework;
- overseeing major initiatives and projects;
- managing external relationships;
- setting corporate performance objectives;
- fostering an appropriate corporate culture that supports the Commission's values and code of conduct;
- ensuring business continuity;

- providing the strategic focus for corporate communications and marketing.

The members of the ELT are:

- Anti-Discrimination Commissioner (Chair);
- Deputy Commissioner (Deputy Chair);
- State Director, Complaint Management;
- Manager, Corporate Services;
- Manager, Community Relations.

The Leadership Group is a sub-committee of the ELT. The group is responsible for providing advice to the Commissioner in the following areas:

- overseeing strategic and operational planning processes to ensure that strategies, goals and performance measures address overarching priorities;
- monitoring performance to ensure services are being delivered to the required level and quality;
- driving the identification and establishment of best practice in all aspects of service delivery;
- monitoring the effectiveness of governance practices including policies and procedures;
- allocation and management of resources;
- ensuring the integrity of reporting systems and that appropriate systems of internal control are in place to manage risk;
- ensuring there are adequate processes in place to comply with statutory reporting requirements;
- ensuring that planning and performance management processes are based on an understanding of operational issues and constraints;
- maintaining relationships and partnerships with stakeholders.

The members of the Leadership Group are:

- Anti-Discrimination Commissioner (Chair);
- Deputy Commissioner (Deputy Chair);
- State Director, Complaint Management;
- Principal Legal Officer;
- Manager, Corporate Services;
- Manager, Community Relations;
- Manager, Far North Queensland Region;
- Manager, North Queensland Region;
- Manager, Central Queensland Region;
- Principal Conciliators;
- Coordinator Aboriginal and Torres Strait Islander Unit.

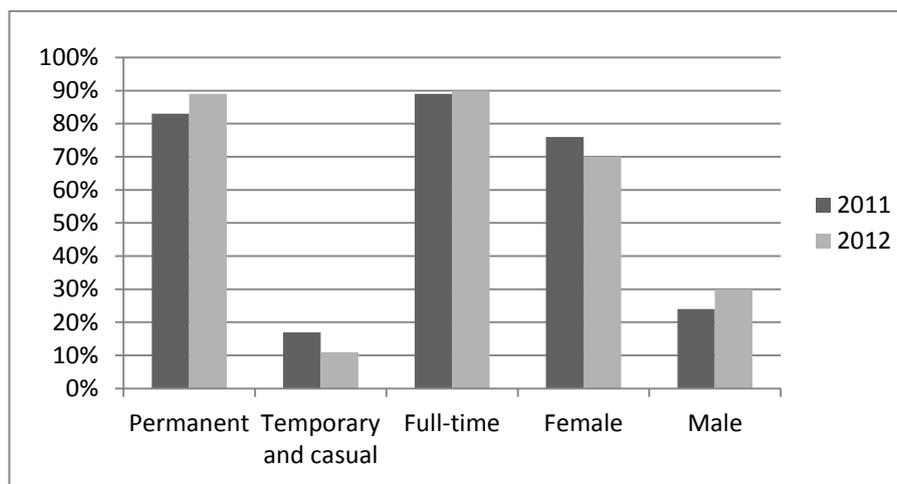
Commission staff

The Commission maintains offices in Brisbane, Cairns, Townsville and Rockhampton. At 30 June 2012, we employed 29.8 equivalent permanent, temporary and casual staff. This figure excludes people on leave without pay. The proportion of permanent staff increased from 83 to 89 per cent over the last year. The permanent staff retention rate during 2010–11 was 96 per cent. The permanent staff separation rate was 4 per cent.

Table 11 Staff groups

Group	Employees
Executive management	3
Legal	1
Corporate support	3
Information technology	1
Conciliation	8
Community relations	6
Regional services	8
Total	30

Graph 1–Employee profiles



Shared services

The Commission has service level agreements with the Department of Justice and Attorney-General and Queensland Shared Services for the provision of financial, human resource, internal audit and processing services. These arrangements benefit the Commission by providing a cost-effective processing environment and access to a greater range of skills than it can maintain internally given its size, and allows the organisation to focus on core business.

Statutory obligations

Ethical behaviour

Prior to 1 June 2011 the Commission developed a *Code of Conduct* in accordance with the requirements of the *Public Service Ethics Act 1994*. The code provided guidance on the way staff should behave in the workplace, and when representing the Commission outside the workplace, clearly explaining the standard of conduct expected of all employees.

Amendments to the *Public Service Ethics Act 1994* (PSEA) in 2010 included the introduction of the *Code of Conduct for the Queensland Public Service* (the Code), applicable to all public service agencies. The *Public Sector Ethics Amendment Regulation (No. 1) 2011* included ADCQ in the definition of a public service agency, meaning that the Code applied to the Commission from 1 June 2011.

Annual refresher training for all staff was provided in June 2012.

The Code applies to every person employed by the Commission and breaches of the Code may be subject to appropriate disciplinary action as outlined in the *Public Service Act 2008*.

Carer's (Recognition) Act 2008

All Commission staff are made aware of the obligations required to comply with the *Carers (Recognition) Act 2008* (Qld).

Information systems and recordkeeping

The Commission recognises the significant value of its information resources to the achievement of corporate goals. Controls are implemented and monitored to safeguard the integrity, availability and confidentiality of information in order to maintain business continuity. Recordkeeping policies and systems meet the accountability requirements of the *Public Records Act 2002*, as well as other whole-of-government policies and standards, including *Information Standard 40: Recordkeeping*.

Internal and external audit

Internal audit services are provided to the Commission under a service level agreement with the Department of Justice and Attorney-General. The size of the Commission is such that a formal Audit Committee is not required. The responsibilities associated with internal audit and the maintenance of an appropriate internal control framework are discharged by the Executive Leadership Team.

A copy of the external audit report and certificate of our financial statements are supplied with this report. The Auditor-General's delegate has provided an unqualified certificate indicating the Commission's compliance with financial management requirements and the accuracy and fairness of the financial statements.

Risk management

The Commission's risk management framework ensures risk is managed as an integral part of decision-making, planning and service delivery. This practice aims to reduce vulnerability to internal and external incidents that limit the Commission's ability to achieve strategic objectives and deliver services to the community. Key aspects of the risk management framework include:

- maintenance of an effective system of internal control;
- regular reporting of identified risks to the Executive Leadership Team;
- physical security of ADCQ assets including security access to premises;
- maintenance of security over access to information through network security;
- investment in new information technology infrastructure;
- media monitoring and risk evaluation.

An independent review of the commission's internal control framework was undertaken during the year. The review detected no major issues and found that the internal controls and governance framework were sound and compliant with the requirements governing financial management in the Queensland public sector. Some recommendations for improvement were

made – these recommendations consist mainly of suggestions for improving already relatively sound processes.

The standard operating environment of the commission is Windows 7 and Office 2010 and all core software is supported by appropriate support agreements and software assurance. The commission has migrated from desktops to laptops to reduce costs, enhance mobility and allow for business continuity in the event of natural disasters.

The responsibilities associated with risk management are discharged by the Executive Leadership Team.

Consultancies

The Commission did not engage any consultants during 2011–12.

Machinery of government changes

As at 30 June 2012, Commission had not been directly affected by machinery of government changes.

Right to information

The Commission supports the government's commitment to openness, and maintains a Publication Scheme on the public website.

Summary of financial information

Summary of financial information overview

The operating result for the Commission for 2011–12 was a modest surplus of approximately \$24 000 which was a sound result.

The major activities undertaken during the year include:

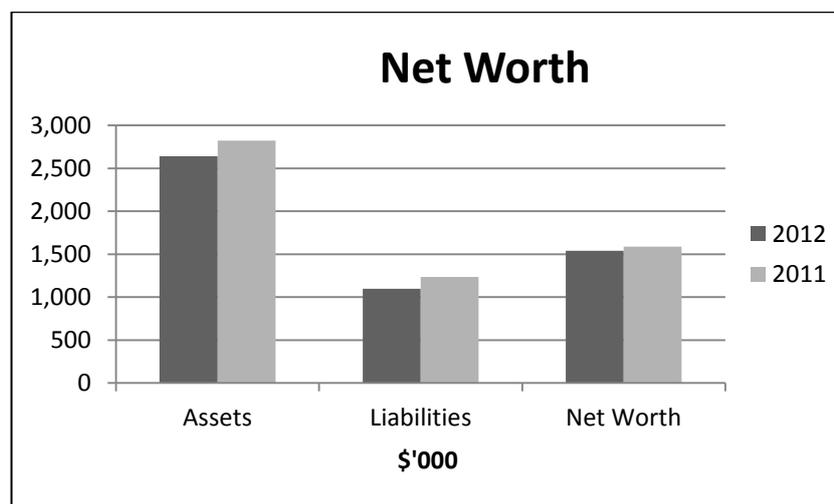
- co-hosting the bi-annual Mabo Oration with the Queensland Performing Arts Trust;
- hosting 17 community roundtable events throughout Queensland in celebration of the 20th anniversary of the passing of the Anti-Discrimination Act 1991;
- commissioning a project for the development of a new website and intranet to provide a platform for enhanced community engagement and to generate efficiencies within ADCQ;
- commissioning the replacement of obsolete telecommunications services to reduce costs and provide better conferencing facilities;
- investing in the ICT network to provide sufficient capacity to support new technology and applications which increase services and reduce costs;
- migrating all staff to laptops.

The financial effects of these major activities are provided in detail in the audited financial statements provided with this report and on the ADCQ's website (www.adcq.qld.gov.au).

The ADCQ's financial position

The financial position provides an indication of the Commission's underlying financial health, or net worth, at 30 June 2012. This provides a measure of our equity level. The Commission's assets at 30 June 2012 were \$2.6 million and liabilities were \$1.1 million, resulting in a total equity of \$1.5 million. The Commission's financial position remains strong.

Graph 2 Net worth



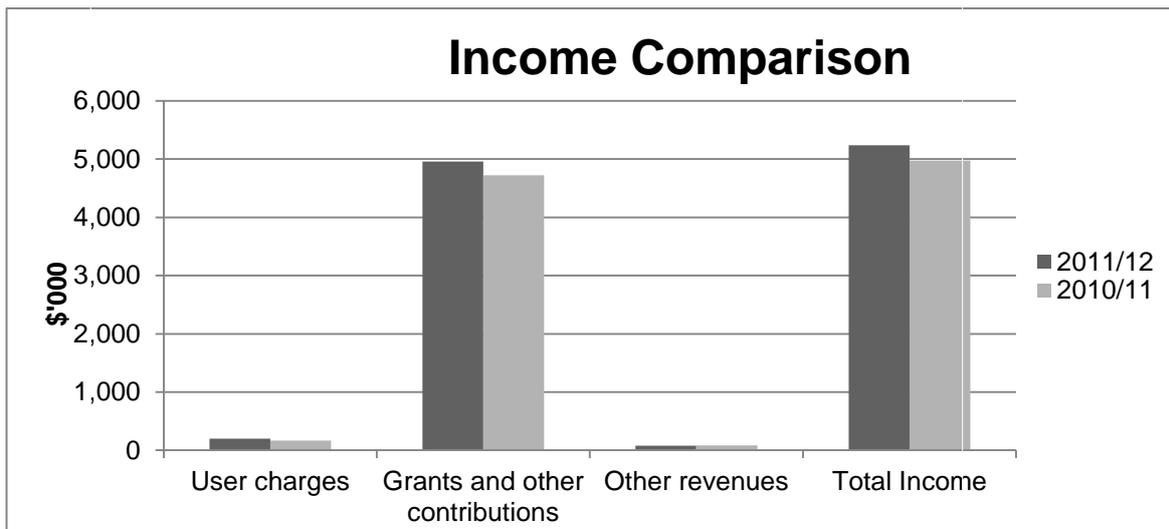
Financial performance

The Income Statement shows the total income for 2011–12 as \$5.236 million and expenditure as \$5.212 million. The Commission finished the year with an operating surplus of approximately \$24,000.

Income

The Commission derives most of its income from the Queensland Government, through a grant paid by the Department of Justice and Attorney-General. The Commission also generates funds through investment of surplus cash in interest bearing deposits and the provision of training on a fee-for-service basis.

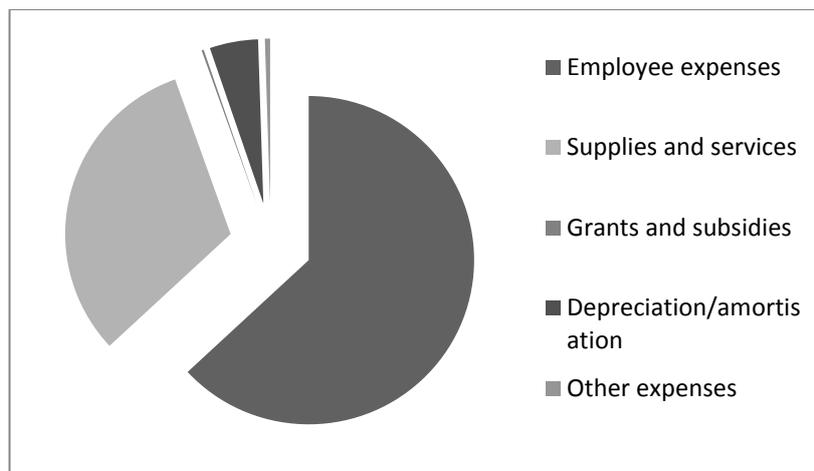
Graph 3 Source of funds 2011–12



Expenses

Total operating expenses for 2011–12 were \$5.212 million. The largest expense category is employee-related costs, which account for almost 63 per cent of total expenses. The second biggest category is supplies and services, which account for approximately 32 per cent.

Graph 4 Application of funds



Comparison to budget*

	Budget \$'000	Actual \$'000	Variance \$'000
Revenue			
User charges	194	199	5
Revenue from Interest	70	66	-4
Grants and contributions	4 960	4 960	-
Other	11	11	1
Total revenues	5 235	5 236	2
Expenses			
Employee expenses	3 461	3 332	129
Supplies and services	1 499	1 596	-97
Grants and subsidies	10	10	-
Depreciation/amortisation	241	246	-5
Other expenses	24	28	-4
Total expenses	5 235	5 212	22
OPERATING RESULT - Surplus/(Deficit)	-	24	24

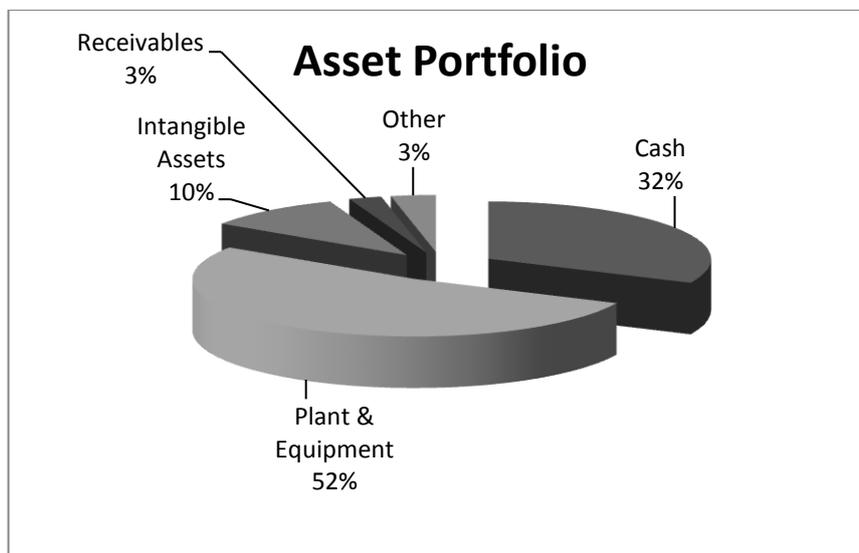
* Totals may not add due to rounding.

Savings in salary costs resulted from vacancies in the Brisbane office. The surplus funds were used to provide enhanced staff training and accelerate the replacement of ICT equipment.

Assets

Total assets did not change materially over the course of the financial year and are valued at \$2.6 million at 30 June 2012. Current assets are valued at \$1 million and are available to meet current liabilities which are valued at \$0.5 million. The Commission remains well positioned to meet all its obligations as they fall due.

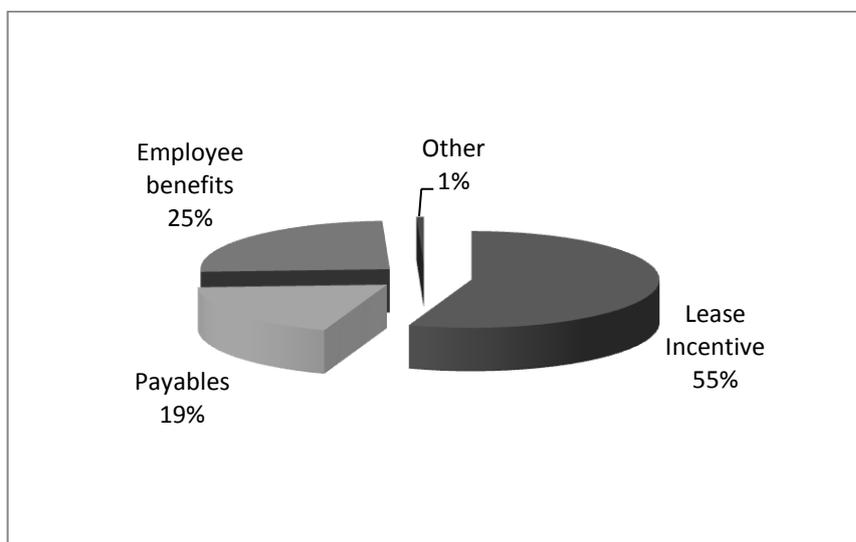
Graph 5 Asset portfolio



Liabilities

Total liabilities at 30 June 2012 were about \$1.1 million. The largest single liability is \$0.6 million for a lease incentive associated with the new office accommodation. This liability will be discharged over the life of the fit-out assets created during the relocation. It has no cash effect as it is balanced by the increased asset value in the Commission. The remaining liabilities mainly relate to accrued employee entitlements and trade creditors.

Graph 6 Liability composition



Financial statements

Certification of financial statements

The Certification of financial statements accompanies the annual report or can be viewed at www.adcq.qld.gov.au.

Independent auditor's report

The independent auditor's report accompanies the annual report or can be viewed at www.adcq.qld.gov.au.

Appendix A-Glossary of terms

Term	Description
the Act	the <i>Anti-Discrimination Act 1991</i> (Qld)
ADCQ	Anti-Discrimination Commission Queensland
the Code	The <i>Code of Conduct for the Queensland Public Service</i>
complaint	<p>Means a complaint made under the Act. A complaint must:</p> <ul style="list-style-type: none"> • be in writing; • set out reasonably sufficient details to indicate an alleged contravention of the Act; • state the complainant's address for service; • be lodged with, or sent by post to, the Commissioner. <p>A person is only entitled to make a complaint within one year of the alleged contravention of the Act</p>
conciliation	A conciliation conference is a meeting to help parties resolve a complaint. It is the main way in which complaints are resolved. A conciliator from the ADCQ contacts the parties and manages the conciliation conference. Complaints that cannot be resolved through the conciliation process may be referred to the Queensland Civil and Administrative Tribunal for a public hearing to decide whether there has been a breach of <i>the Anti-Discrimination Act 1991</i> , and decide any compensation.
Commission	Anti-Discrimination Commission Queensland
direct discrimination	Direct discrimination on the basis of an attribute happens if a person treats, or proposes to treat, a person with an attribute less favourably than another person without the attribute is or would be treated in circumstances that are the same or not materially different.
Executive Leadership Team	The Executive Leadership Team is one of the key strategic advisory bodies of the ADCQ. It supports the Commissioner in providing the strategic direction as part of the overall corporate governance framework and oversees the Commission's strategic performance.
indirect discrimination	Indirect discrimination on the basis of an attribute happens if a person imposes, or proposes to impose, a term with which a person with an attribute does not or is not able to comply; and with which a higher proportion of people without the attribute comply or are able to comply; and that is not reasonable.
Leadership Group	The Leadership Group is a sub-committee of the Executive Leadership Team (ELT). It supports the Commissioner by ensuring that operational activity aligns with the strategic direction of the ADCQ as set by the ELT.
QCAT	Queensland Civil and Administrative Tribunal
vicarious liability	If a person's workers or agents contravene the Act in the course of work or while acting as agent, both the person and the worker or agent, are jointly and severally civilly liable for the contravention, and a proceeding under the Act may be taken against either or both. It is a defence to a proceeding for a contravention of the Act if the respondent proves, on the balance of probabilities, that the respondent took reasonable steps to prevent the worker or agent contravening the Act.

Appendix B-Compliance checklist

The characteristics of a quality annual report are that it:

- complies with statutory and policy requirements
- presents information in a concise manner
- is written in plain English
- provides a balanced account of performance – the good and not so good.

FA Act *Financial Accountability Act 2009*

FPMS *Financial and Performance Management Standard 2009*

ARRs *Annual Report Requirements for Queensland Government Agencies*

Summary of requirement		Basis for requirement	Annual report reference
Accessibility	<ul style="list-style-type: none"> • Table of contents • Glossary 	ARRs – section 8.1	Page 1 Appendix A
	<ul style="list-style-type: none"> • Public availability 	ARRs – section 8.2	Inside front cover
	<ul style="list-style-type: none"> • Interpreter service statement 	<i>Queensland Government Language Services Policy</i> ARRs – section 8.3	Inside front cover
	<ul style="list-style-type: none"> • Copyright notice 	<i>Copyright Act 1968</i> ARRs – section 8.4	Inside front cover
	<ul style="list-style-type: none"> • Government Information Licensing Framework (GILF) Licence 	<i>Government Information Licensing Framework (GILF) QGEA Policy</i> ARRs – section 8.5	N/A
Letter of compliance	<ul style="list-style-type: none"> • A letter of compliance from the accountable officer or statutory body to the relevant Minister(s) 	ARRs – section 9	Page 2
General information	<ul style="list-style-type: none"> • Introductory Information • Agency role and main functions • Operating environment • External scrutiny • Machinery of government changes • Review of proposed forward operations 	ARRs – section 10.1 ARRs – section 10.2 ARRs – section 10.3 ARRs – section 10.4 ARRs – section 10.5 ARRs – section 10.6	Page 5 Page 5 Page 6 Page 35 Page 36 Page 7, 11
Non-financial performance	<ul style="list-style-type: none"> • Government objectives for the community 	ARRs – section 11.1	Page 5
	<ul style="list-style-type: none"> • Other whole-of-government plans / specific initiatives 	ARRs – section 11.2	Page 14, 22
	<ul style="list-style-type: none"> • Council of Australian Government (COAG) initiatives 	ARRs – section 11.3	N/A
	<ul style="list-style-type: none"> • Agency objectives and performance indicators 	ARRs – section 11.4	Page 5, 8
	<ul style="list-style-type: none"> • Agency service areas, service standards and other measures 	ARRs – section 11.5	Page 8-9
Financial performance	<ul style="list-style-type: none"> • Summary of financial performance 	ARRs – section 12.1	Page 37
	<ul style="list-style-type: none"> • Chief Finance Officer (CFO) statement 	ARRs – section 12.2	Page 40
Governance – management and structure	<ul style="list-style-type: none"> • Organisational structure 	ARRs – section 13.1	Page 6
	<ul style="list-style-type: none"> • Executive management 	ARRs – section 13.2	Page 32
	<ul style="list-style-type: none"> • Related entities 	ARRs – section 13.3	N/A
	<ul style="list-style-type: none"> • Schedule of statutory authorities or instrumentalities 	ARRs – section 13.4	N/A
	<ul style="list-style-type: none"> • Boards and committees 	ARRs – section 13.5	N/A

	<ul style="list-style-type: none"> • Public Sector Ethics Act 1994 	<i>Public Sector Ethics Act 1994</i> (section 23 and Schedule) ARRs – section 13.6	Page 35
Governance – risk management and accountability	<ul style="list-style-type: none"> • Risk management 	ARRs – section 14.1	Page 36
	<ul style="list-style-type: none"> • Audit committee 	ARRs – section 14.2	Page 35
	<ul style="list-style-type: none"> • Internal Audit 	ARRs – section 14.3	Page 35
Governance – human resources	<ul style="list-style-type: none"> • Workforce planning, attraction and retention 	ARRs – section 15.1	Page 34
	<ul style="list-style-type: none"> • Early retirement, redundancy and retrenchment 	Directive No.17/09 <i>Early Retirement, Redundancy and Retrenchment</i> ARRs – section 15.2	N/A
	<ul style="list-style-type: none"> • Voluntary Separation Program 	ARRs – section 15.3	N/A
Financial statements	<ul style="list-style-type: none"> • Certification of financial statements 	FAA – section 62 FPMS – sections 42, 43 and 50 ARRs – section 16.1	Page 40 & Appendix F
	<ul style="list-style-type: none"> • Independent Auditors Report 	FAA – section 62 FPMS – section 50 ARRs – section 16.2	Page 40
	<ul style="list-style-type: none"> • Remuneration disclosures 	<i>Financial Reporting Requirements for Queensland Government Agencies</i> ARRs – section 16.3	Appendix F
Disclosure of additional information	<ul style="list-style-type: none"> • Additional information to be reported online 	ARRs – section 17	Page 35,36 Optional/ departments only

Appendix C–Publications

Brochures

- 10 things you should know about fair treatment in Queensland
- 10 things you should know about fair treatment in Queensland - Aboriginal and Torres Strait Islander peoples
- Getting to know the law
- Making a complaint
- Responding to a complaint
- All about conciliation conferences
- Age discrimination
- Gender identity discrimination & vilification
- Impairment discrimination
- Lawful sexual activity discrimination
- Pregnancy and breastfeeding discrimination
- Racial and religious discrimination and vilification
- Racial discrimination and vilification - Aboriginal and Torres Strait Islander peoples
- Relationship status, parental status & family responsibilities discrimination
- Sex discrimination
- Sexual harassment
- Sexuality discrimination and vilification
- It's OK to complain (joint independent complaint agencies brochure, produced in multiple languages)

Fact sheets - available as web download from www.adcq.qld.gov.au

- Direct and indirect discrimination
- Exemptions
- Vicarious liability
- Victimisation

Information guides - available as web download from www.adcq.qld.gov.au

- Discrimination in accommodation – guide for accommodation providers
- Discrimination in education – a guide for education providers
- Discrimination in provision of goods & services – guide for service providers
- Discrimination in employment – a guide for employment providers

Posters

- Race – 'We're all the same and we're all different'
- Reaching out to Aboriginal & Torres Strait Islander peoples...
- Sexual harassment – 'Are you stepping on someone's toes?'
- General – 'Fair treatment – the way to go!'
- Universal Declaration of Human Rights (easy reference guide)
- Where do human rights begin? (Eleanor Roosevelt quote)

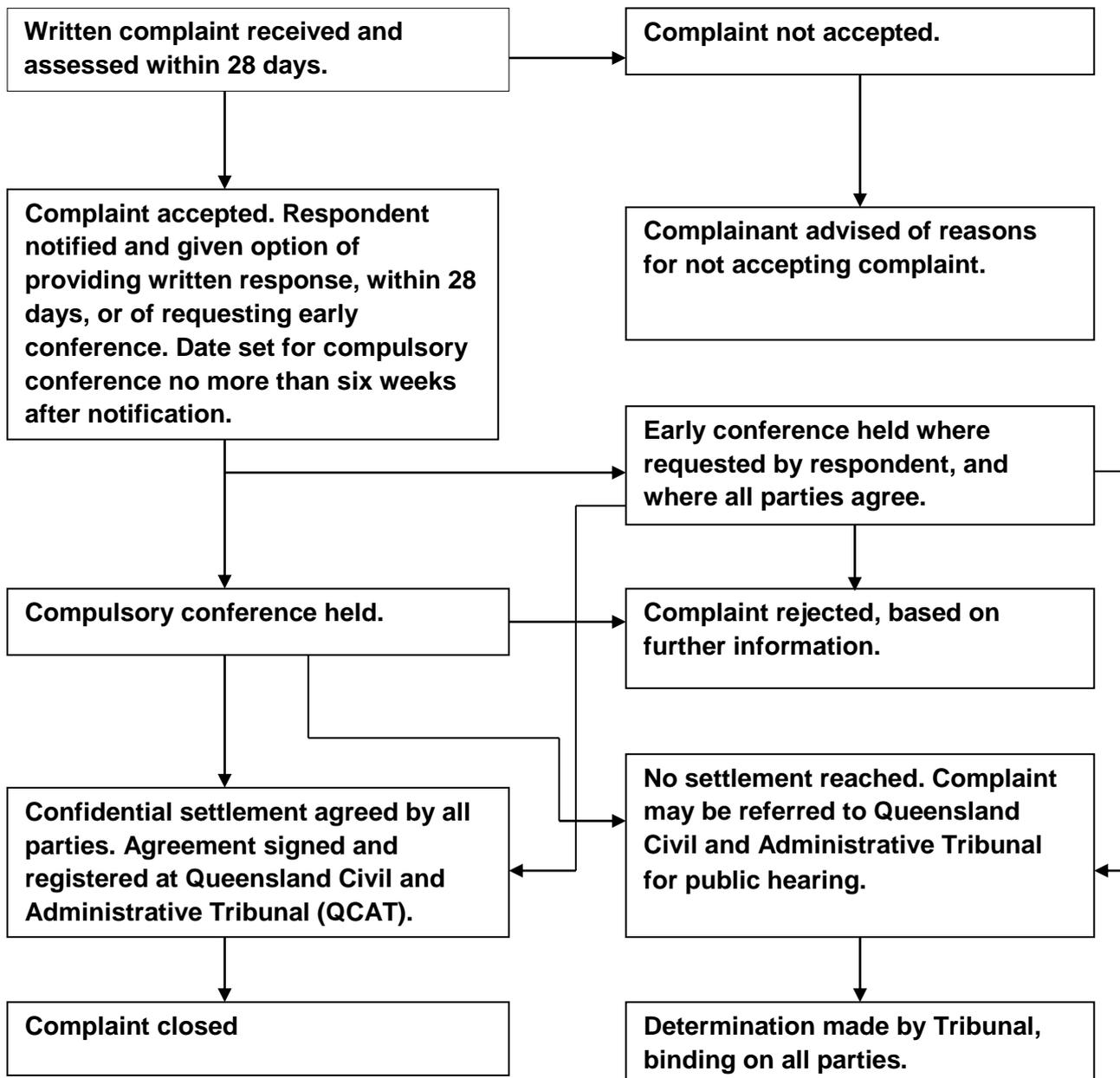
Postcards

- Race - We're all the same and we're all different'
- Sexual harassment – 'Are you stepping on someone's toes?'

Rights cards

- Racial & religious hatred in Arabic, Bosnian, English, Farsi and Indonesian
- Aboriginal & Torres Strait Islander peoples
- LGBTI community
- Muslim community
- Young people

Appendix D—Complaint handling process



Appendix E–Map of areas visited in 2011-12



Appendix F – Certified financial statements

See attached

ANTI-DISCRIMINATION COMMISSION
Statement of Comprehensive Income
for the year ended 30 June 2012

	Notes	2012 \$'000	2011 \$'000
Income from Continuing Operations			
Revenue			
User charges	2	199	167
Grants and other contributions	3	4,960	4,721
Other revenues	4	77	85
Total Income from Continuing Operations		5,236	4,973
Expenses from Continuing Operations			
Employee expenses	5	3,332	3,181
Supplies and services	7	1,596	1,495
Grants and subsidies	8	10	10
Depreciation and amortisation	9	246	219
Other expenses	10	28	27
Total Expenses from Continuing Operations		5,212	4,932
Operating Result from Continuing Operations		24	41
Other Comprehensive Income			
		-	-
Total Comprehensive Income		24	41

The accompanying notes form part of these statements.



ANTI-DISCRIMINATION COMMISSION
Statement of Financial Position
as at 30 June 2012

	Notes	2012 \$'000	2011 \$'000
Current Assets			
Cash and cash equivalents	11	842	913
Receivables	12	63	76
Inventories	13	48	50
Other	14	38	27
Total Current Assets		991	1,066
Non Current Assets			
Intangible assets	15	266	301
Plant and equipment	16	1,382	1,456
Total Non Current Assets		1,648	1,757
Total Assets		2,639	2,823
Current Liabilities			
Payables	17	206	172
Other financial liabilities	18	90	90
Accrued employee benefits	19	189	293
Other	20	7	7
Total Current Liabilities		492	562
Non Current Liabilities			
Other financial liabilities	18	518	609
Accrued employee benefits	19	88	65
Total Non Current Liabilities		606	674
Total Liabilities		1,098	1,236
Net Assets		1,541	1,587
Equity			
Contributed equity		337	407
Accumulated surplus		1,204	1,180
Total Equity		1,541	1,587

The accompanying notes form part of these statements.



ANTI-DISCRIMINATION COMMISSION
Statement of Changes in Equity
for the year ended 30 June 2012

	Accumulated Surplus	Contributed Equity	TOTAL
	\$'000	\$'000	\$'000
Balance as at 1 July 2010	1,139	407	1,546
Operating Result from Continuing Operations	41	-	41
Balance as at 30 June 2011	1,180	407	1,587
Balance as at 1 July 2011	1,180	407	1,587
Operating Result from Continuing Operations	24	-	24
Transactions with Owners as Owners:			
- Equity Withdrawal Non Appropriated	-	(70)	(70)
Balance as at 30 June 2012	1,204	337	1,541

The accompanying notes form part of these statements.



ANTI-DISCRIMINATION COMMISSION
Statement of Cash Flows
for the year ended 30 June 2012

	Notes	2012 \$'000	2011 \$'000
Cash flows from operating activities			
<i>Inflows:</i>			
User charges		214	177
Grants and other contributions		4,060	4,721
Interest receipts		66	74
GST input tax credits from ATO		184	165
GST collected from customers		21	18
Other		11	11
<i>Outflows:</i>			
Employee expenses		(3,415)	(3,186)
Supplies and services		(1,662)	(1,513)
Grants and subsidies		(10)	(10)
GST paid to suppliers		(184)	(161)
GST remitted to ATO		(21)	(17)
Other		(28)	(27)
Net cash provided by (used in) operating activities	21	136	252
Cash flows from investing activities			
<i>Outflows:</i>			
Payments for plant and equipment		(137)	(229)
Payments for intangibles		-	(28)
Net cash provided by (used in) investing activities		(137)	(257)
Cash flows from financing activities			
<i>Inflows</i>			
Equity withdrawals		(70)	-
Net cash provided by (used in) financing activities		(70)	-
Net increase (decrease) in cash and cash equivalents		(71)	(5)
Cash and cash equivalents at beginning of financial year		913	918
Cash and cash equivalents at end of financial year	11	842	913

The accompanying notes form part of these statements.



Objectives and Principal Activities of the Commission

- Note 1: Summary of Significant Accounting Policies
- Note 2: User Charges
- Note 3: Grants and Other Contributions
- Note 4: Other Revenues
- Note 5: Employee Expenses
- Note 6: Key Executive Management Personnel and Remuneration
- Note 7: Supplies and Services
- Note 8: Grants and Subsidies
- Note 9: Depreciation and Amortisation
- Note 10: Other Expenses
- Note 11: Cash and Cash Equivalents
- Note 12: Receivables
- Note 13: Inventories
- Note 14: Other Current Assets
- Note 15: Intangible Assets
- Note 16: Plant and Equipment
- Note 17: Payables
- Note 18: Other Financial Liabilities
- Note 19: Accrued Employee Benefits
- Note 20: Other Current Liabilities
- Note 21: Reconciliation of Operating Result to Net Cash from Operating Activities
- Note 22: Commitments for Expenditure
- Note 23: Contingencies
- Note 24: Financial Instruments



Objectives and Principal Activities of the Commission

The *Anti-Discrimination Act 1991* (the Act) aims to promote equality of opportunity for everyone by protecting them from unfair discrimination in various areas of public life, from sexual harassment and from other conduct such as discriminatory advertising and victimisation.

The Commission's functions are set out in section 235 of the Act and they fall into two broad categories. The first category is a redress function:

- to inquire into complaints, attempt to conciliate complaints of discrimination and sexual harassment; and
- to carry out investigations relating to contraventions of the Act.

The second category is a set of broad, systemic and proactive community relations and policy functions:

- to undertake research and educational programs to promote the purposes of the Act;
- to consult with various organisations on ways of improving services and conditions affecting groups subjected to contraventions of the Act, and
- to promote an understanding and acceptance and the public discussion of human rights in Queensland.

The Commission is predominantly funded through parliamentary appropriations via a grant from the Department of Justice and Attorney-General.

The Commission provides some services on a fee for service basis with respect to:

- publications; and
- training workshops.



1. Summary of Significant Accounting Policies

(a) Statement of Compliance

The Anti-Discrimination Commission has prepared these financial statements in compliance with section 43 of the *Financial and Performance Management Standard 2009*.

These financial statements are general purpose financial statements, and have been prepared on an accrual basis in accordance with Australian Accounting Standards and Interpretations. In addition, the financial statements comply with Treasury's Minimum Reporting Requirements for the year ending 30 June 2012, and other authoritative pronouncements.

With respect to compliance with Australian Accounting Standards and Interpretations, the Anti-Discrimination Commission has applied those requirements applicable to not-for-profit entities, as the Anti-Discrimination Commission is a not-for-profit entity. Except where stated, the historical cost convention is used.

(b) The Reporting Entity

The financial statements include the value of all revenues, expenses, assets, liabilities and equity of the Commission. The Commission does not control any other entities.

(c) User Charges

User charges and fees controlled by the Commission are recognised as revenues when the revenue has been earned and can be measured reliably with a sufficient degree of certainty. This involves either invoicing for related goods/services and/or the recognition of accrued revenue. User charges and fees are controlled by the Commission where they can be deployed for the achievement of Commission objectives.

(d) Grants and Contributions

Grants, contributions, donations, and gifts that are non-reciprocal in nature are recognised as revenue in the year in which the Commission obtains control over them. Where grants are received that are reciprocal in nature, revenue is recognised over the term of the funding arrangements.

(e) Cash and Cash Equivalents

For the purposes of the Statement of Financial Position and the Statement of Cash Flows, cash assets include all cash and cheques received but not banked at 30 June as well as deposits at call with financial institutions.

(f) Receivables

Trade debtors are recognised at the amounts due at the time of sale or service delivery i.e. the agreed purchase/contract price. Settlement of these amounts is required within 30 days from invoice date.

The collectability of receivables is assessed periodically with provision being made for impairment. All known bad debts were written-off as at 30 June.

Other debtors generally arise from transactions outside the usual operating activities of the Commission and are recognised at their assessed values. Terms are a maximum of three months, no interest is charged and no security is obtained.



(g) Inventories

Inventories held for sale are valued at the lower of cost and net realisable value.

Cost is assigned on a weighted average basis and includes expenditure incurred in acquiring the inventories and bringing them to their existing condition, except for training costs which are expensed as incurred.

Net realisable value is determined on the basis of the Commission's normal selling pattern.

Expenses associated with marketing, selling and distribution are deducted to determine net realisable value.

Inventories held for distribution are those inventories that the Commission distributes for no or nominal consideration. These consist of videos, CDs, DVDs and brochures. Inventories held for distribution are measured at cost adjusted, where applicable, for any loss of service potential.

(h) Acquisitions of Assets

Actual cost is used for the initial recording of all non-current physical and intangible asset acquisitions. Cost is determined as the value given as consideration plus costs incidental to the acquisition, including all other costs incurred in getting the assets ready for use. However, any training costs are expensed as incurred.

Assets acquired at no cost or for nominal consideration, other than from an involuntary transfer from another Queensland Government entity, are recognised at their fair value at the date of acquisition in accordance with AASB 116 *Property, Plant and Equipment*.

(i) Plant and Equipment

Items of plant and equipment with a cost or other value equal to or in excess of \$5,000 are recognised for financial reporting purposes in the year of acquisition. Items with a lesser value are expensed in the year of acquisition.

Plant and equipment is measured at cost in accordance with Treasury's *Non-Current Asset Policies*.

(j) Intangibles

Intangible assets with a cost or other value equal to or greater than \$100,000 are recognised in the financial statements, items with a lesser value being expensed. Each intangible asset, less any anticipated residual value, is amortised over its estimated useful life to the Commission. The residual value is zero for all the Commission's intangible assets.

Where intangible assets have an active market, they are measured at fair value, otherwise they are measured at cost. It has been determined that there is not an active market for any of the Commission's intangible assets. As such the assets are recognised and carried at cost less accumulated amortisation and accumulated impairment losses.

No intangible assets have been classified as held for sale or form part of a disposal group held for sale.

Internally Generated Software

Expenditure on research activities relating to internally-generated intangible assets is recognised as an expense in the period in which it is incurred.

Costs associated with the development of computer software have been capitalised and are amortised on a straight line basis over the period of expected benefit to the Commission.

(k) Amortisation and Depreciation of Intangibles and Plant and Equipment

All intangible assets of the Commission have finite useful lives and are amortised on a straight line basis.

Plant and equipment is depreciated on a straight-line basis so as to allocate the net cost or revalued amount of each asset, less its estimated residual value, progressively over its estimated useful life to the Commission.

Assets under construction (work-in-progress) are not depreciated until they reach service delivery capacity. Service delivery capacity relates to when construction is complete and the asset is first put to use or is installed ready for use in accordance with its intended application. These assets are then reclassified to the relevant classes with plant and equipment.

Any expenditure that increases the originally assessed capacity or service potential of an asset is capitalised and the new depreciable amount is depreciated over the remaining useful life of the asset to the Commission.

For each class of depreciable asset the following depreciation and amortisation rates were used:

Class	Rate %
Plant and equipment:	
Computer equipment	14 to 20
Electrical equipment	11
Leasehold improvements	10 to 20
Other	20
Intangible assets:	
Software Internally Generated	10

(l) Impairment of Non-Current Assets

All non-current physical and intangible assets are assessed for indicators of impairment on an annual basis. If an indicator of possible impairment exists, the Commission determines the asset's recoverable amount. Any amount by which the asset's carrying amount exceeds the recoverable amount is recorded as an impairment loss.

The asset's recoverable amount is determined as the higher of the asset's fair value less costs to sell and depreciated replacement cost.



(l) Impairment of Non-Current Assets (cont'd)

An impairment loss is recognised immediately in the Statement of Comprehensive Income, unless the asset is carried at a revalued amount. When the asset is measured at a revalued amount, the impairment loss is offset against the asset revaluation surplus of the relevant class to the extent available.

Where an impairment loss subsequently reverses, the carrying amount of the asset is increased to the revised estimate of its recoverable amount, but so that the increased carrying amount does not exceed the carrying amount that would have been determined had no impairment loss been recognised for the asset in prior years. A reversal of an impairment loss is recognised as income, unless the asset is carried at a revalued amount, in which case the reversal of the impairment loss is treated as a revaluation increase.

(m) Leases

Operating lease payments are representative of the pattern of benefits derived from the leased assets and are expensed in the periods in which they are incurred.

Incentives received on entering into operating leases are recognised as liabilities. Lease payments are allocated between rental expense and reduction of the liability.

The Commission does not have any finance leases.

(n) Payables

Trade creditors are recognised upon receipt of the goods or services ordered and are measured at the nominal amount i.e. agreed purchase/contract price, gross of applicable trade and other discounts. Amounts owing are unsecured and are generally settled on 30 day terms.

(o) Financial Instruments

Recognition

Financial assets and financial liabilities are recognised in the Statement of Financial Position when the Commission becomes party to the contractual provisions of the financial instrument.

Classification

Financial instruments are classified and measured as follows:

- Cash and cash equivalents - held at fair value through profit or loss
- Receivables - held at amortised cost
- Payables - held at amortised cost

The Commission does not enter into transactions for speculative purposes, nor for hedging. Apart from cash and cash equivalents, the Commission holds no financial assets classified at fair value through profit or loss.

All other disclosures relating to the measurement and financial risk management of financial instruments held by the Commission are included in Note 24.

(p) Employee Benefits

Employer superannuation contributions and long service leave levies are regarded as employee benefits.

Payroll tax and workers' compensation insurance are a consequence of employing employees, but are not counted in an employee's total remuneration package. They are not employee benefits and are recognised separately as employee related expenses.

Wages, salaries, recreation leave and sick leave

Wages, salaries and recreation leave due but unpaid at reporting date are recognised in the Statement of Financial Position at the current salary rates.

For unpaid entitlements expected to be paid within 12 months, the liabilities are recognised at their undiscounted values. Entitlements not expected to be paid within 12 months are classified as non-current liabilities and recognised at the present value of the future cash flows.

Prior history indicates that on average, sick leave taken each reporting period is less than the entitlement accrued. This is expected to continue in future periods. Accordingly, it is unlikely that existing accumulated entitlements will be used by employees and no liability for unused sick leave entitlements is recognised.

As sick leave is non-vesting, an expense is recognised for this leave as it is taken.

Long service leave

Under the Queensland Government's long service leave scheme, a levy is made on the Commission to cover the cost of employees' long service leave. The levies are expensed in the period in which they are payable. Amounts paid to employees for long service leave are claimed from the scheme quarterly in arrears.

No provision for long service leave is recognised in the Commission's financial statements, the liability being held on a whole-of-Government basis and reported in those financial statements pursuant to AASB 1049 *Whole of Government and General Government Sector Financial Reporting*.

Superannuation

Employer superannuation contributions are paid to QSuper, the superannuation plan for Queensland Government employees, at rates determined by the Treasurer on the advice of the State Actuary. Contributions are expensed in the period in which they are paid or payable. The Commission's obligation is limited to its contribution to QSuper.

Therefore, no liability is recognised for accruing superannuation benefits in the Commission's financial statements, the liability being held on a whole-of-Government basis and reported in those financial statements pursuant to AASB 1049 *Whole of Government and General Government Sector Financial Reporting*.

Key executive management personnel and remuneration

Key executive management personnel and remuneration disclosures are made in accordance with section 5 of the *Financial Reporting Requirements for Queensland Government Agencies* issued by Queensland Treasury. Refer to note 6 for the disclosures on key executive management personnel and remuneration.

(q) Insurance

The Commission's non-current physical assets and other risks are insured through the Queensland Government Insurance Fund, premiums being paid on a risk assessment basis. In addition, the Commission pays premiums to WorkCover Queensland in respect of its obligations for employee compensation.

(r) Contributed Equity

Non-reciprocal transfers of assets and liabilities between wholly-owned Queensland State Public Sector entities as a result of machinery-of-Government changes are adjusted to Contributed Equity in accordance with Interpretation 1038 *Contributions by Owners Made to Wholly-Owned Public Sector Entities*. Appropriations for equity adjustments are similarly designated.

There were no Machinery of Government changes during the 2011-12 financial year.

(s) Taxation

The Commission is a State body as defined under the *Income Tax Assessment Act 1936* and is exempt from Commonwealth taxation with the exception of Fringe Benefits Tax (FBT) and Goods and Services Tax (GST). FBT and GST are the only taxes accounted for by the Anti-Discrimination Commission. GST credits receivable from, and GST payable to the Australian Tax Office (ATO), are recognised (refer to note 12).

(t) Issuance of Financial Statements

The financial statements are authorised for issue by the Anti-Discrimination Commissioner and Manager of Corporate Services at the date of signing the Management Certificate.

(u) Judgements

The preparation of financial statements necessarily requires the determination and use of certain critical accounting estimates, assumptions and management judgements that have that potential to cause a material adjustment to the carrying amounts of assets and liabilities within the next financial year. Such estimates, judgements and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognised in the period in which the estimate is revised and in future periods as relevant.

The Commission has made judgements and assumptions when determining the depreciation and amortisation rates disclosed in note 1(k). These rates impact on depreciation expense and valuations of plant and equipment and intangible assets.

The Australian government passed its Clean Energy Act in November 2011 with a start date of 1 July 2012. The legislation will result in the introduction of a price on carbon emissions made by Australian businesses from 1 July 2012.

The flexible market-based price phase of the carbon pricing mechanism will commence on 1 July 2015. It will be preceded by a three-year period during which the price of permits will be fixed at \$23 per tonne or carbon dioxide equivalent in year one, \$24.15 in year two and \$25.40 in year three.

Section 4.3.4 of Queensland Treasury's report on 'Carbon Price Impacts for Queensland' dated August 2011 indicates that, for non-residential construction activities, costs may increase by between 0.7 per cent and 0.8 per cent over the period 2012-13 to 2015-16.

On this basis and other information available, the introduction of the carbon pricing mechanism is not expected to have a significant impact on the Commission's critical accounting estimates, assumptions and management judgements.

(v) Rounding and Comparatives

Amounts included in the financial statements are in Australian dollars and have been rounded to the nearest \$1,000 or, where that amount is \$500 or less, to zero, unless disclosure of the full amount is specifically required.

Comparative information has been restated where necessary to be consistent with disclosures in the current reporting period.



(w) New and Revised Accounting Standards

The Commission did not voluntarily change any of its accounting policies during 2011-12. Those new and amended Australian accounting standards that were applicable for the first time in the 2011-12 financial year had no significant impact on the Commission's financial statements.

AASB 2010-4 *Further Amendments to Australian Accounting Standards arising from the Annual Improvements Project* [AASB 1, AASB 7, AASB 101 & AASB 134 and Interpretation 13] became effective from reporting periods beginning on or after 1 January 2011. Given the Commission's existing financial instruments, there was only a minor impact on the Commission's financial instruments note (note 24), in relation to disclosures about credit risk. That note no longer needs to disclose amounts that best represent the maximum exposure to credit risk where the carrying amount of the instruments already reflects this. As this was the case with all the Commission's receivables as at 30 June 2012 (and as at 30 June 2011), receivables are not included in the credit risk disclosure in this year's financial statements.

As the Commission held no collateral or other credit enhancements in respect of its financial instruments, and did not renegotiate the terms of any financial assets, during the reporting periods presented in these financial statements, there were no other changes required to the Commission's financial instruments note arising from the amendments to AASB 7 *Financial Instruments: Disclosures*.

AASB 1054 *Australian Additional Disclosures* became effective from reporting periods beginning on or after 1 July 2011. Given the Commission's previous disclosure practices, AASB 1054 had minimal impact on the Commission. One of the footnotes to note 10 Other Expenses, regarding audit fees, has been slightly amended to identify the Commission's auditor and clarify the nature of the work performed by the auditor.

AASB 2011-1 *Amendments to Australian Accounting Standards arising from the Trans-Tasman Convergence Project* [AASB 1, AASB 5, AASB 101, AASB 107, AASB 108, AASB 121, AASB 128, AASB 132 & AASB 134 and Interpretations 2, 112 & 113] also became effective from reporting periods beginning on or after 1 July 2011. The only potential implication for the Commission from this amending standard was the deletion from AASB 101 *Presentation of Financial Statements* of the requirement for disclosure of commitments. However, Treasury Department's Financial Reporting Requirements require continuation of commitments disclosures, so this deletion from AASB 101 has no impact on the Commission's commitments note (note 22).

The Commission is not permitted to early adopt a new or amended accounting standard ahead of the specified commencement date unless approval is obtained from the Treasury Department. Consequently, the Commission has not applied any Australian accounting standards and interpretations that have been issued but are not yet effective. The Commission applies standards and interpretations in accordance with their respective commencement dates.

At the date of authorisation of the financial report, the expected impacts of new or amended Australian accounting standards with future commencement dates are as set out below.

AASB 1053 *Application of Tiers of Australian Accounting Standards* applies as from reporting periods beginning on or after 1 July 2013. AASB 1053 establishes a differential reporting framework for those entities that prepare general purpose financial statements, consisting of two tiers of reporting requirements – Australian Accounting Standards (commonly referred to as "tier 1"), and Australian Accounting Standards – Reduced Disclosure Requirements (commonly referred to as "tier 2"). Tier 1 requirements comprise the full range of AASB recognition, measurement, presentation and disclosure requirements that are currently applicable to reporting entities in Australia. The only difference between the tier 1 and tier 2 requirements is that tier 2 requires fewer disclosures than tier 1.

Pursuant to AASB 1053, public sector entities like the Anti-Discrimination Commission may adopt tier 2 requirements for their general purpose financial statements. However, AASB 1053 acknowledges the power of a regulator to require application of the tier 1 requirements. In the case of the Commission, Treasury Department is the regulator. Treasury Department has advised that its policy decision is to require adoption of tier 1 reporting by all Queensland Government departments and statutory bodies (including the Anti-Discrimination Commission) that are consolidated into the whole-of-Government financial statements. Treasury's policy also prohibits the early adoption of the arrangements outlined in AASB 1053 and its accompanying amending standards. Therefore, the release of AASB 1053 and associated amending standards will have no impact on the Commission.

All other Australian accounting standards and interpretations with future commencement dates are either not applicable to the Commission's activities, or have no material impact on the Commission.



ANTI-DISCRIMINATION COMMISSION

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS 2011-12

	2012 \$'000	2011 \$'000
2. User Charges		
Training sessions	196	159
Saleable publications	3	8
Total	<u>199</u>	<u>167</u>

3. Grants and Other Contributions

Recurrent grant from Department of Justice and Attorney-General	4,960	4,720
Industry contributions	-	1
Total	<u>4,960</u>	<u>4,721</u>

4. Other Revenues

Interest	66	74
Services to Human Rights & Equal Opportunity Commission	10	10
Other	1	1
Total	<u>77</u>	<u>85</u>

5. Employee Expenses

Employee Benefits

Wages and salaries	2,463	2,348
Annual leave expense*	306	287
Employer superannuation contributions*	334	319
Long service leave levy*	57	54
Other employee benefits	4	19

Employee Related Expenses

Workers' compensation premium*	18	9
Payroll tax*	124	114
Other employee related expenses	26	31
Total	<u>3,332</u>	<u>3,181</u>

* Refer to Note 1(p)

The number of employees including both full-time employees and part-time employees measured on a full-time basis is:

	2012	2011
Number of employees:	30	33



6. Key Executive Management Personnel and Remuneration

(a) Key Executive Management Personnel

The following details for key executive management personnel include those positions that had authority and responsibility for planning, directing and controlling the activities of the agency during 2011-12. Further information on these positions can be found in the body of the Annual Report under the section relating to Executive Management.

Position	Responsibilities	Current Incumbents	
		Contract classification and appointment authority	Date appointed to position (Date resigned from position)
Anti-Discrimination Commissioner	Accountable officer responsible for leading the Commission in performing its functions under the <i>Anti-Discrimination Act 1991</i> .	SES3/Anti-Discrimination Act 1991	7th February 2011
Deputy Commissioner	Provide high level advice to enhance the delivery of strategic and operational targets within a human rights framework.	SO(2)/Public Service Act 2008	16th February 2004
State Director, Complaints Management	Strategic management of complaints under a statutory complaints framework.	SO(1)/Public Service Act 2008	23rd February 2004
Manager, Corporate Services	Provide strategic advice and manage the delivery of corporate services within the Commission.	AO8/Public Service Act 2008	30th March 2009
Manager, Community Relations	Manage the Commission's training and community engagement programs	AO7/Public Service Act 2008	18th April 2011

(b) Remuneration

Remuneration policy for the agency's key executive management personnel is set by the Queensland Public Service Commission as provided for under the *Public Service Act 2008*, with the exception of the Anti-Discrimination Commissioner who is appointed under the *Anti-Discrimination Act 1991*. The remuneration and other terms of employment for the key executive management personnel are specified in employment agreements. In the case of SES officers, the contracts provide for the provision of benefits including motor vehicles.

For the 2011-12 year, remuneration of key executive management personnel increased in accordance with government policy by 2.5% for SES and SO officers and 4% for other officers.

6. Key Executive Management Personnel and Remuneration (cont'd)

(b) Remuneration (cont'd)

Remuneration packages for key executive management personnel comprise the following components:-

- Short term employee benefits which include:
 - Base - consisting of base salary, allowances and leave entitlements paid and provided for the entire year or for that part of the year during which the employee occupied the specified position. Amounts disclosed equal the amount expensed in the Statement of Comprehensive Income.
 - Non-monetary benefits - consisting of provision of vehicle together with fringe benefits tax applicable to the benefit, only applicable to SES officers.
- Long term employee benefits include long service leave accrued.
- Post employment benefits include superannuation contributions.
- For SES officers, redundancy payments are not provided for within individual contracts of employment. Contracts of employment provide only for notice periods or payment in lieu of notice on termination, regardless of the reason for termination.

Total fixed remuneration is calculated on a 'total cost' basis and includes the base and non-monetary benefits, long term employee benefits and post employment benefits.

No performance bonuses were paid or payable by the Commission during the 2010-11 and 2011-12 financial years.

1 July 2011 - 30 June 2012

Position	Short Term Employee Benefits		Long Term Employee Benefits	Post Employment Benefits	Termination Benefits	Total Remuneration
	Base \$'000	Non-Monetary Benefits \$'000	\$'000	\$'000	\$'000	\$'000
Anti-Discrimination Commissioner	184	-	5	19	-	208
Deputy Commissioner	126	-	4	14	-	144
State Director, Complaints Management	108	-	4	14	-	126
Manager, Corporate Services	113	-	4	14	-	131
Manager, Community Relations	99	-	3	12	-	114

ANTI-DISCRIMINATION COMMISSION

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS 2011-12

6. Key Executive Management Personnel and Remuneration (cont'd)

(b) Remuneration (cont'd)

1 July 2010 - 30 June 2011

Position	Short Term Employee Benefits		Long Term Employee Benefits	Post Employment Benefits	Termination Benefits	Total Remuneration
	Base \$'000	Non-Monetary Benefits \$'000	\$'000	\$'000	\$'000	\$'000
Anti-Discrimination Commissioner 7 Feb 11 to 30 Jun 11	77	-	1	8	-	86
Acting Anti-Discrimination Commissioner 1 Jul 10 to 6 Feb 11	80	-	2	9	-	91
Deputy Commissioner 7 Feb 11 to 30 Jun 11	52	-	1	6	-	59
Acting Deputy Commissioner 1 Jul 10 to 13 Sep 10	22	-	1	3	-	26
State Director, Complaints Management 14 Sep 10 to 30 Jun 11	86	-	2	11	-	99
Acting State Director, Complaints Management 1 Jul 10 to 13 Sep 10	15	-	1	3	-	19
Manager, Corporate Services 1 Jul 10 to 30 Jun 11	105	-	3	13	-	121
Manager, Community Relations 18 Apr 11 to 30 Jun 11	19	-	-	2	-	21

ANTI-DISCRIMINATION COMMISSION
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS 2011-12

	2012	2011
	\$'000	\$'000
7. Supplies and Services		
Tenancy	631	604
Property outgoing	113	128
Printing and postage	97	71
Inventory sold	14	2
Inventory distributed below cost	-	11
Professional services	58	100
Travel	79	40
Operating level agreement	134	121
Computing	163	156
Conference/workshop	29	15
Motor vehicle	36	21
Telephones	108	82
Subscription and publications	26	23
Transcription charges	1	2
Stores and stationery	34	24
Interpreter's fees	13	7
Plant and equipment charges	27	74
Other	33	14
Total	1,596	1,495



ANTI-DISCRIMINATION COMMISSION**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS 2011-12**

	2012 \$'000	2011 \$'000
8. Grants and Subsidies		
Australian Sports Commission	10	10
Total	<u>10</u>	<u>10</u>

9. Depreciation and Amortisation

Depreciation and amortisation were incurred in respect of:

Plant and equipment	211	186
Software internally generated	35	33
Total	<u>246</u>	<u>219</u>

10. Other Expenses

External audit fees ***	24	24
Insurance Premiums - QGIF	3	2
Sponsorships	1	1
Total	<u>28</u>	<u>27</u>

*** Total audit fees paid to the Queensland Audit Office relating to the 2011-12 financial statements are estimated to be \$24,000 (2011: \$24,000). There are no non-audit services included in this amount.

11. Cash and Cash Equivalents

Imprest accounts	2	2
Cash at bank	260	331
Term deposits	580	580
Total	<u>842</u>	<u>913</u>

Term deposits with the Commonwealth Bank earned interest at rates between 3% and 5.80% (2011: 4.25% and 5.80%)



ANTI-DISCRIMINATION COMMISSION

NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS 2011-12

	2012	2011
	\$'000	\$'000
12. Receivables		
Trade debtors	33	37
GST receivable	21	21
Long service leave reimbursements	9	7
Sundry debtors	-	11
Total	<u>63</u>	<u>76</u>

13. Inventories		
Inventory held for resale	34	34
Inventory held for distribution - at cost	14	16
Total	<u>48</u>	<u>50</u>

14. Other Current Assets		
Prepayments	38	27
Total	<u>38</u>	<u>27</u>

15. Intangible Assets		
Software Internally Generated		
At cost	350	350
Less: Accumulated amortisation	(84)	(49)
Total	<u>266</u>	<u>301</u>

Intangibles Reconciliation	Software Internally Generated		Total	
	2012 \$'000	2011 \$'000	2012 \$'000	2011 \$'000
Carrying amount at 1 July	301	306	301	306
Acquisitions	-	28	-	28
Amortisation	(35)	(33)	(35)	(33)
Carrying amount at 30 June	<u>266</u>	<u>301</u>	<u>266</u>	<u>301</u>



	2012	2011
	\$'000	\$'000
16. Plant and Equipment		
Plant and equipment:		
At cost	1,952	1,862
Less: Accumulated depreciation	(618)	(406)
	<u>1,334</u>	<u>1,456</u>
Work in Progress:		
At cost	48	-
Total	<u><u>1,382</u></u>	<u><u>1,456</u></u>

Plant and equipment is valued at cost in accordance with Queensland Treasury's *Non-Current Asset Policies*.

Plant and Equipment Reconciliation	Work in Progress		Plant and Equipment		Total	
	2012	2011	2012	2011	2012	2011
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Carrying amount at 1 July	-	-	1,456	1,413	1,456	1,413
Acquisitions	137	-	-	229	137	229
Transfers between classes	(89)	-	89	-	-	-
Amortisation	-	-	(211)	(186)	(211)	(186)
Carrying amount at 30 June	<u>48</u>	<u>-</u>	<u>1,334</u>	<u>1,456</u>	<u>1,382</u>	<u>1,456</u>

The Commission has no plant and equipment with a written down value of zero still being used in the provision of services.

17. Payables

Trade creditors	208	174
FBT payable	2	5
Payroll tax payable	(4)	(7)
Total	<u>206</u>	<u>172</u>

18. Other Financial Liabilities

Current

Lease incentive liability	90	90
Total	<u>90</u>	<u>90</u>

Non-Current

Lease incentive liability	518	609
Total	<u>518</u>	<u>609</u>



ANTI-DISCRIMINATION COMMISSION
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS 2011-12

	2012 \$'000	2011 \$'000
19. Accrued Employee Benefits		
Current		
Recreation leave	175	180
Long service leave levy payable	14	14
Wages outstanding	-	99
Total	<u>189</u>	<u>293</u>
Non-Current		
Recreation leave	88	65
Total	<u>88</u>	<u>65</u>

The discount rates used to calculate the present value of non-current annual leave is 2.9% (2011: 4.5%).

20. Other Current Liabilities

Unearned revenue	7	7
Total	<u>7</u>	<u>7</u>

21. Reconciliation of Operating Result to Net Cash from Operating Activities

Operating result	24	41
Depreciation and amortisation expense	246	219
Change in assets and liabilities:		
(Increase)/decrease in trade receivables	4	6
(Increase)/decrease in GST input tax credits receivable	-	5
(Increase)/decrease in LSL reimbursement receivables	(2)	1
(Increase)/decrease in other receivables	11	4
(Increase)/decrease in inventories	2	1
(Increase)/decrease in prepayments	(11)	(2)
Increase/(decrease) in lease incentive liability	(91)	(89)
Increase/(decrease) in accounts payable	34	53
Increase/(decrease) in accrued employee benefits	(81)	12
Increase/(decrease) in unearned revenue	-	1
Net Cash provided by (used in) operating activities	<u>136</u>	<u>252</u>



ANTI-DISCRIMINATION COMMISSION
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS 2011-12

2012
\$'000

2011
\$'000

22. Commitments for Expenditure

(a) Non-Cancellable Operating Lease

Commitments under operating leases at reporting date are inclusive of anticipated GST and are payable as follows:

Not later than one year	808	811
Later than one year and not later than five years	2,697	2,600
Total	3,505	3,411

Operating leases are entered into as a means of acquiring access to office accommodation and storage facilities. Lease payments are generally fixed, but with inflation escalation clauses on which contingent rentals are determined.

23. Contingencies

(a) Litigations in progress

As at 30 June 2012 there were two cases filed in the Court of Appeal naming the State of Queensland, acting through the Commission, as respondent.

It is not possible to make a reliable estimate of the final amount payable, if any, in respect of the litigation before the courts at this time.

(b) Financial Guarantees

The Commission was not committed to any guarantees or undertakings at 30 June 2012.



24. Financial Instruments

(a) Categorisation of Financial Instruments

The Commission has the following categories of financial assets and financial liabilities:

Category	Note	2012 \$'000	2011 \$'000
Financial Assets			
Cash and cash equivalents	11	842	913
Receivables	12	63	76
Total		<u>905</u>	<u>989</u>
Financial Liabilities			
Financial liabilities measured at amortised cost:			
Payables	17	206	172
Total		<u>206</u>	<u>172</u>

(b) Financial Risk Management

Anti-Discrimination Commission's activities expose it to a variety of financial risks - interest rate risk, credit risk, liquidity risk and market risk.

Financial risk management is implemented pursuant to Government and Anti-Discrimination Commission's policy. These policies focus on the unpredictability of the financial markets and seek to minimise potential adverse effects on the financial performance of the Commission.

Anti-Discrimination Commission measures risk exposure using a variety of methods as follows -

Risk Exposure	Measurement method
Credit risk	Ageing analysis, earnings at risk
Liquidity risk	Sensitivity analysis
Market risk	Interest rate sensitivity analysis

24. Financial Instruments (cont'd)

(c) Credit Risk Exposure

Credit risk exposure refers to the situation where the Commission may incur financial loss as a result of another party to a financial instrument failing to discharge their obligation.

The maximum exposure to credit risk at balance date in relation to each class of recognised financial assets is the gross carrying amount of those assets inclusive of any provisions for impairment.

The following table represents the Commission's maximum exposure to credit risk based on contractual amounts net of any allowances:

Maximum exposure to credit risk			
Category	Note	2012 \$'000	2011 \$'000
Financial assets			
Cash	11	842	913
Receivables	12	63	76
Total		905	989

Financial Assets

No collateral is held as security and no credit enhancements relate to financial assets held by the Commission.

The Commission manages credit risk through the use of the credit management strategy. This strategy aims to reduce the exposure to credit default by ensuring that the Commission invests in secure assets and monitors all funds owed on a timely basis. Exposure to credit risk is monitored on an ongoing basis.

No financial assets and financial liabilities have been offset and presented net in the Statement of Financial Position.

The method for calculating any provision for impairment is based on past experience, current and expected changes in economic conditions and changes in client credit ratings. These economic and geographic changes form part of the Commission's documented risk analysis assessment in conjunction with historic experience and associated industry data.

No financial assets have had their terms renegotiated so as to prevent them from being past due or impaired, and are stated at the carrying amounts as indicated.



ANTI-DISCRIMINATION COMMISSION
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS 2011-12

24. Financial Instruments (cont'd)

(c) Credit Risk Exposure (cont'd)

Aging of past due but not impaired financial assets are disclosed in the following tables:

2012 Financial assets past due but not impaired

	Overdue				Total
	Less than 30 days	30-60 days	61-90 days	More than 90 days	
	\$'000	\$'000	\$'000	\$'000	
Receivables	15	1	-	-	16
Total	15	1	-	-	16

2011 Financial assets past due but not impaired

	Overdue				Total
	Less than 30 days	30-60 days	61-90 days	More than 90 days	
	\$'000	\$'000	\$'000	\$'000	
Receivables	9	6	-	3	18
Total	9	6	-	3	18

Financial Liabilities

The Commission has no financial liabilities that have credit risk exposure in this reporting period.



24. Financial Instruments (cont'd)

(d) Liquidity Risk

Liquidity risk refers to the situation where the Commission may encounter difficulty in meeting obligations associated with financial liabilities that are settled by delivering cash or another financial asset.

The Commission is exposed to liquidity risk in respect of its payables.

The Commission manages liquidity risk through the use of a liquidity management strategy. This strategy aims to reduce the exposure to liquidity risk by ensuring the Commission has sufficient funds available to meet employee and supplier obligations as they fall due. This is achieved by ensuring that minimum levels of cash are held within the various bank accounts so as to match the expected duration of the various employee and supplier liabilities.

The following table sets out the liquidity risk of financial liabilities held by the Commission. It represents the contractual maturity of financial liabilities, calculated based on cash flows relating to the liabilities at reporting date.

	Note	2012 Payable in			Total \$'000
		<1 year \$'000	1-5 years \$'000	>5 years \$'000	
Financial Liabilities					
Payables	17	206	-	-	206
Total		206	-	-	206

	Note	2011 Payable in			Total \$'000
		<1 year \$'000	1-5 years \$'000	>5 years \$'000	
Financial Liabilities					
Payables	17	172	-	-	172
Total		172	-	-	172



24. Financial instruments (cont'd)

(e) Market Risk

The Commission does not trade in foreign currency and is not materially exposed to commodity price changes. The Commission is exposed to interest rate risk through its cash deposited in interest bearing accounts. Details have been disclosed in the interest risk tables. The Commission does not undertake any hedging in relation to interest risk and manages its risk as per the liquidity risk management strategy.

(f) Interest Rate Sensitivity Analysis

The following interest rate sensitivity analysis is based on a report similar to that provided to management, depicting the outcome on operating result and equity if interest rates would change by +/-1% from the year-end rates applicable to the Commission's financial assets. With all other variables held constant, the Commission would have a surplus and equity increase/(decrease) of \$8,000 (2011: \$9,000).

Financial Instruments	Carrying Amount \$'000	2012 Interest rate risk			
		-1%		+1%	
		Operating Result \$'000	Equity \$'000	Operating Result \$'000	Equity \$'000
Cash	842	(8)	(8)	8	8
Potential Impact		(8)	(8)	8	8

Financial Instruments	Carrying Amount \$'000	2011 Interest rate risk			
		-1%		+1%	
		Operating Result \$'000	Equity \$'000	Operating Result \$'000	Equity \$'000
Cash	913	(9)	(9)	9	9
Potential Impact		(9)	(9)	9	9

(g) Fair Value

The fair value of trade receivables and payables is assumed to approximate the value of the original transaction, less any allowance for impairment.



CERTIFICATE OF THE ANTI-DISCRIMINATION COMMISSION

These general purpose financial statements have been prepared pursuant to section 62(1) of the *Financial Accountability Act 2009* (the Act), relevant sections of the *Financial and Performance Management Standard 2009* and other prescribed requirements. In accordance with Section 62(1)(b) of the Act we certify that in our opinion:

(a) the prescribed requirements for establishing and keeping the accounts have been complied with in all material respects; and

(b) the statements have been drawn up to present a true and fair view, in accordance with prescribed accounting standards, of the transactions of the Anti-Discrimination Commission for the financial year ended 30 June 2012 and of the financial position of the Commission at the end of that year.



Warren Edwards
Manager, Corporate Services

20 August 2012



Kevin Cocks AM
Anti-Discrimination Commissioner

20 August 2012

INDEPENDENT AUDITOR'S REPORT

To the Anti-Discrimination Commission

Report on the Financial Report

I have audited the accompanying financial report of the Anti-Discrimination Commission, which comprises the statement of financial position as at 30 June 2012, the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information, and certificates given by the Commissioner and the Manager, Support Services.

The Commissioner's Responsibility for the Financial Report

The Anti-Discrimination Commissioner is responsible for the preparation of the financial report that gives a true and fair view in accordance with prescribed accounting requirements identified in the *Financial Accountability Act 2009* and the *Financial and Performance Management Standard 2009*, including compliance with Australian Accounting Standards. The Commissioner's responsibility also includes such internal control as the Commissioner determines is necessary to enable the preparation of the financial report that is free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

My responsibility is to express an opinion on the financial report based on the audit. The audit was conducted in accordance with the *Auditor-General of Queensland Auditing Standards*, which incorporate the Australian Auditing Standards. Those standards require compliance with relevant ethical requirements relating to audit engagements and that the audit is planned and performed to obtain reasonable assurance about whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation of the financial report that gives a true and fair view in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control, other than in expressing an opinion on compliance with prescribed requirements. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the Anti-Discrimination Commission, as well as evaluating the overall presentation of the financial report including any mandatory financial reporting requirements approved by the Treasurer for application in Queensland.

I believe that the audit evidence obtained is sufficient and appropriate to provide a basis for my audit opinion.

Independence

The *Auditor-General Act 2009* promotes the independence of the Auditor-General and all authorised auditors. The Auditor-General is the auditor of all Queensland public sector entities and can only be removed by Parliament.

The Auditor-General may conduct an audit in any way considered appropriate and is not subject to direction by any person about the way in which audit powers are to be exercised. The Auditor-General has for the purposes of conducting an audit, access to all documents and property and can report to Parliament matters which in the Auditor-General's opinion are significant.

Opinion

In accordance with s.40 of the *Auditor-General Act 2009* –

- (a) I have received all the information and explanations which I have required; and
- (b) in my opinion –
 - (i) the prescribed requirements in relation to the establishment and keeping of accounts have been complied with in all material respects; and
 - (ii) the financial report presents a true and fair view, in accordance with the prescribed accounting standards, of the transactions of the Anti-Discrimination Commission for the financial year 1 July 2011 to 30 June 2012 and of the financial position as at the end of that year.

Other Matters - Electronic Presentation of the Audited Financial Report

This auditor's report relates to the financial report of the Anti-Discrimination Commission for the year ended 30 June 2012. Where the financial report is included on the Anti-Discrimination Commission's website the Commissioner is responsible for the integrity of the Anti-Discrimination Commission's website and I have not been engaged to report on the integrity of the Anti-Discrimination Commission's website. The auditor's report refers only to the subject matter described above. It does not provide an opinion on any other information which may have been hyperlinked to/from these statements or otherwise included with the financial report. If users of the financial report are concerned with the inherent risks arising from publication on a website, they are advised to refer to the hard copy of the audited financial report to confirm the information contained in this website version of the financial report.

These matters also relate to the presentation of the audited financial report in other electronic media including CD Rom.





O C CLARE, FCPA
(as Delegate of the Auditor-General of Queensland)

Queensland Audit Office
Brisbane