



Matter No:  
WHS / 2026 / 127

**Form 73A – Notice of WHS dispute**

  
**INDUSTRIAL REGISTRAR**  
**23 JUN 2026**  


Work Health and Safety Act 2011, s 102B

Information
<ul style="list-style-type: none"> <li>Use this form to notify of a WHS dispute.</li> <li>Once filed, this notice must be <b>immediately</b> served on all other parties to the dispute.</li> <li><b>This Notice will be published on the QIRC website pursuant to s 102B(3) of the <i>Work Health and Safety Act 2011</i>.</b></li> <li>If a relevant union for a worker affected by the WHS matter not already named as a party wish to participate in the resolution of the dispute, they may notify the Industrial Registrar in writing.</li> <li>Please read this form carefully and complete all relevant sections.</li> <li>Documents which are longer than 30 pages in length must be provided to the Industrial Registry in hard copy before it will be accepted for filing.</li> <li>For further information on please refer to the website <a href="http://www.qirc.qld.gov.au">www.qirc.qld.gov.au</a> or contact the Industrial Registry on 1300 592 987 or via email at <a href="mailto:qirc.registry@qirc.qld.gov.au">qirc.registry@qirc.qld.gov.au</a>.</li> </ul>

Notification
Notice is hereby given of a dispute in accordance with s 102B of the <i>Work Health and Safety Act 2011</i> .
Has a <i>Form 74 – Application for WHS review</i> been filed in relation to the matter/s in dispute? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes [Matter No. WHS/___/___]

<b>Notifier</b>	<b>State of Queensland (Department of Education)</b>
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AND

<b>Respondent</b>	<b>Queensland Teachers' Union</b>
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If there are more parties to the WHS dispute, please complete a **Form 1 – Parties List** and file it together with this form.

1. Particulars of the party notifying of the dispute	
<b>Name:</b>	State of Queensland (Department of Education)
<b>Postal/Service address:</b>	PO Box 15033
	Suburb/Town City East <span style="float: right;">Postcode 4002</span>
<b>Phone number:</b>	07 3513 6512
<b>Mobile number:</b>	
<b>Email address:</b>	EmployeeRelations.HUMANRES@qed.qld.gov.au
<b>Name of contact person:</b>	Damien Cricchiola
<b>Direct phone number:</b>	
<b>Mobile number:</b>	0437 141 986
<b>Direct email address:</b>	damien.cricchiola@qed.qld.gov.au

2. Particulars of the other party to the dispute			
Name:	Queensland Teachers' Union		
Postal/Service address:	PO Box 1750		
	Suburb/Town	Milton	Postcode 4064
Phone number:	07 3512 9000	Mobile number:	
Email address:	qtu@qtu.asn.au		
Name of contact person:	Brendan Crotty		
Direct phone number:		Mobile number:	
Direct email address:	bwc@qtu.asn.au		

3. Workplace where dispute exists
Rockhampton Special School 91-115 William Street Rockhampton 4700

4. WHS matter subject of the dispute	
<b>This dispute (as defined in s 102A of the <i>Work Health and Safety Act 2011</i>) is in relation to:</b> [Please pick one or more of the options below]	
<input type="checkbox"/>	A work group determination matter.
<input type="checkbox"/>	A work group variation matter.
<input checked="" type="checkbox"/>	Access to information by a health and safety representative under s 70(1)(c) of the Act.
<input type="checkbox"/>	The giving of a notice or information to a health and safety representative under s 70(1)(cb) or (cc) of the Act.
<input type="checkbox"/>	A request by a health and safety representative for a person assisting the representative to have access to the workplace under s 70(1)(g) of the Act.
<input type="checkbox"/>	A matter mentioned in s 72(2)(aa), (a) or (b), or s 72(4)(a), (b) or (c) of the Act relating to training for a health and safety representative.
<input type="checkbox"/>	A health and safety committee matter.
<input type="checkbox"/>	A matter about work health and safety that is an issue to which Part 5, Division 5 (Issue Resolution) of the Act applies.
<input type="checkbox"/>	An issue about cessation of work under Part 5, Division 6 (Right to cease or direct cessation of unsafe work) of the Act.
<b>Does this dispute relate to any of the following decisions made by an Inspector?</b>	
<input type="checkbox"/>	s 54(5) – Negotiations regarding an agreement
<input type="checkbox"/>	s 76(6B) – Regarding a health and safety committee

5. Compliance powers	
Has an inspector been appointed to assist the parties reach an agreement or resolve the dispute?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, was a decision made by an inspector to exercise, or not to exercise, compliance powers under Part 10 of the Act subject to review under Part 12 of the Act?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**6. Issues in dispute**

**Please outline the issues in dispute between the parties:**

[Please note that any details you provide will be published as part of this Notice]


*Please attach a schedule if more room required*

**See attached schedule**

**7. Briefly state the relevant industrial instrument/s affected (e.g. award, agreement, determination) OR the industry in which the dispute arose and/or type of work being undertaken by those in dispute**

**Teaching in State Education Award - State 2016  
Department of Education State School Teachers' Certified Agreement 2022**

**8. Signature of the party notifying of the WHS dispute**

<b>Signature:</b>	
<b>Name:</b>	Damien Cricchiola
<b>Position/Capacity:</b>	Executive Director, Integrity and Employee Relations
<b>Date:</b>	22/06/2026

**NOTICE OF INDUSTRIAL DISPUTE**  
**STATE OF QUEENSLAND (DEPARTMENT OF EDUCATION) (NOTIFIER)**  
**AND**  
**QUEENSLAND TEACHERS' UNION OF EMPLOYEES (RESPONDENT)**

**NOTICES OF ENTRY**

**First Notice of entry — Dated 25 May 2026**

1. Mr Daniel Coxen, the Queensland Teachers' Union of Employees (QTU) purported to enter the workplace at Rockhampton Special School (school) under sections 117 and 120 of the *Work Health and Safety Act 2011* (WHS Act) (First Notice).<sup>1</sup>

**Entry under sections 117, 119 and 120 of the WHS Act**

2. Section 117(1) of the WHS Act relevantly provides a WHS entry permit holder may enter a workplace for the purpose of inquiring into a suspected contravention of this Act ... that relates to, or affects, a relevant worker.
3. Under s117(2) the WHS entry permit holder must reasonably suspect before entering the workplace that the contravention has occurred or is occurring.
4. Section 117 must be read in conjunction with s119 of the WHS Act and s28 of the *Work Health and Safety Regulation 2011* (WHS Regulation).
5. Section 119 of the WHS Act provides—

**119 Notice of entry**

- (1) *Before entering a workplace under section 117, a WHS entry permit holder must give notice of the proposed entry and the suspected contravention of this Act or the Electrical Safety Act 2002 to—*
  - (a) *the relevant person conducting a business or undertaking; and*
  - (b) *the person with management or control of the workplace.*
- (2) *The notice must comply with a regulation made for this section.*
- (3) *The notice must be given during usual working hours at that workplace at least 24 hours, but not more than 14 days, before the entry.*

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<sup>1</sup> Attachment A

- (4) *Subsection (5) applies if a WHS entry permit holder reasonably believes that a relevant worker is exposed to a serious risk to their health and safety, emanating from an immediate or imminent exposure to a hazard.*
- (5) *Despite subsections (1) and (3), the WHS entry permit holder may give the notice to the persons mentioned in subsection (1) as soon as reasonably practicable after entering the workplace.*
- (6) *A notice given or purported to be given under this section is not invalid only because of—*
  - (a) *a formal defect or irregularity in the notice; or*
  - (b) *a failure to use the correct name of a person or relevant union mentioned in the notice if the notice sufficiently identifies the person or union.*

6. Section 28 of the WHS Regulation provides—

**28 Additional requirements—entry under [section 117](#)**

*A notice of entry under [section 119](#) of the [Act](#) in relation to an entry under [section 117](#) of the [Act](#) must also include the following—*

- (a) *so far as is practicable, the particulars of the suspected contravention to which the notice relates;*
- (b) *a declaration stating—*
  - (i) *that the union is entitled to represent the industrial interests of a worker who carries out work at the workplace entered and is a member, or eligible to be a member, of that union; and*
  - (ii) *the provision in the union's rules that entitles the union to represent the industrial interests of that worker; and*
  - (iii) *that the suspected contravention relates to, or affects, that worker.*

7. Section 120 of the WHS Act provides—

**120 Entry to inspect employee records or information held by another person**

- (1) *This section applies if a WHS entry permit holder is entitled under [section 117](#) to enter a workplace to inquire into a suspected contravention of this Act or the [Electrical Safety Act 2002](#).*

- (2) *For the purposes of the inquiry into the suspected contravention, the WHS entry permit holder may enter any workplace for the purpose of inspecting, or making copies of—*
  - (a) *employee records that are directly relevant to a suspected contravention; or*
  - (b) *other documents that are directly relevant to a suspected contravention and that are not held by the relevant person conducting a business or undertaking.*
- (3) *Before doing so, the WHS entry permit holder must give notice of the proposed entry to the person from whom the documents are requested and the relevant person conducting a business or undertaking.*
- (4) *The notice must comply with a regulation made for this section.*
- (5) *The notice must be given during usual working hours at that workplace at least 24 hours, but not more than 14 days, before the entry.*

8. Section 29 of the WHS Regulation provides—

**29 Additional requirements—entry under [section 120](#)**

*A notice of entry under [section 120](#) of the [Act](#) in relation to an entry under that section must also include the following—*

- (a) *so far as is practicable, the particulars of the suspected contravention to which the notice relates;*
- (b) *a description of the employee records and other documents, or of the classes of records and documents, directly relevant to the suspected contravention, that are proposed to be inspected;*
- (c) *a declaration stating—*
  - (i) *that the union is entitled to represent the industrial interests of a worker who is a member, or eligible to be a member, of that union;*  
*and*
  - (ii) *the provision in the union's rules that entitles the union to represent the industrial interests of that worker; and*
  - (iii) *that the suspected contravention relates to, or affects, that worker;*  
*and*
  - (iv) *that the records and documents proposed to be inspected relate to that contravention.*

9. The First Notice and its service did not comply with the substantive requirements of the WHS Act and Regulation. These substantial defects were more than a formal defect or irregularity in the notice.

10. The First Notice was defective in that it—

- (1) was not served on both the relevant person conducting a business or undertaking, and the person with management or control of the workplace as required under s119(1) of the WHS Act;
- (2) lacked particulars of the suspected contravention to which the notice relates as required by ss28 and 29 of the WHS Regulation to establish whether—
  - (a) a reasonable suspicion could have been formed before entering the workplace under s117(1) of the WHS Act;
  - (b) that a contravention of the WHS Act had occurred;
- (3) purported to declare that the QTU was entitled to represent the industrial interest of the worker/s at this workplace but failed to declare the workers were a member, or eligible to be a member of the QTU as required by ss28 and 29 of the WHS Regulation;
- (4) purported to seek documents other than employee records directly relevant to a suspected contravention under s120(2)(b) of the WHS Act when that section has no application to the PCBU (s120(2)(b) applies to documents held by persons other than the PCBU);
- (5) purported to declare that the QTU had authority to seek other documents under s120 of the WHS Act when it had no entitlement to do so and further lacked a declaration that the records and documents proposed to be inspected related to the suspected WHS Act contravention as required by s29(c)(iv) of the WHS Regulation.

#### **Second Notice of entry — Dated 17 June 2026**

11. In addition to the above defects, the Second Notice of entry purported to exercise entry rights under s121 of the WHS Act as well. Section 121 of the WHS Act must be read in conjunction with s122 of the WHS Act and s30 of the WHS Regulation (**Second Notice**).<sup>2</sup>

12. Section 122 of the WHS Act provides—

#### **122 Notice of entry**

- (1) *Before entering a workplace under this division, a WHS entry permit holder must give notice of the proposed entry to—*
  - (a) *the relevant person conducting a business or undertaking; and*
  - (b) *the person with management or control of the workplace.*
- (2) *The notice must comply with a regulation made for this section.*

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<sup>2</sup> Attachment B

- (3) *The notice must be given during the usual working hours at that workplace at least 24 hours, but not more than 14 days, before the entry.*

13. Section 30 of the WHS Regulation provides—

**30 Additional requirements—entry under [section 121](#)**

*A notice of entry under [section 122](#) of the [Act](#) in relation to an entry under [section 121](#) of the [Act](#) must also include a declaration stating—*

- (a) *that the union is entitled to represent the industrial interests of a worker who carries out work at the workplace proposed to be entered and is a member, or eligible to be a member, of that union; and*
- (b) *the provision in the union’s rules that entitles the union to represent the industrial interests of that worker.*

14. The Second Notice and its service did not comply with the substantive requirements of the WHS Act and Regulation. These substantial defects were more than a formal defect or irregularity in the notice.

15. The Second Notice was defective in that it—

- (1) was not served on both the relevant person conducting a business or undertaking, and the person with management or control of the workplace as required under s122(1) of the WHS Act;
- (2) purported to declare that the QTU was entitled to represent the industrial interest of the worker/s at this workplace but failed to declare the workers were a member, or eligible to be a member of that union as required by s30 of the WHS Regulation;

**Conduct of Daniel Coxen**

16. The Notifier is obligated to maintain a safe system of work for its employees.

17. Across various periods of time, the Notifier has raised concerns about the conduct and behaviour of Mr Coxen, who attended its workplaces without prior notice and engaged in conduct that has been perceived to be aggressive and intimidatory when engaging with departmental staff around, or in the exercising of right of entry powers.

18. On or about 20 November 2025 at Longreach State High School and 11 March 2026 at Yeppoon State School, Mr Coxen attended both workplaces without prior notice of entry as required by the WHS Act.

19. On or about 17 March 2026, Ms Sue Dalton, Regional Director, and Ms Kerri Dromgoole, Director, Human Resources, Central Queensland Region, raised concerns with the QTU around Mr Coxen acting with a lack of procedural correctness when exercising right of entry concerning schools in the region.

20. The Notifier is concerned that Mr Coxen has acted in ways calculated to intimidate its employees at Rockhampton Special School through using intimidatory

language and contacting school leadership excessively through a number of forms of communication including by multiple emails, texts and phone calls over short periods.

21. Examples of conduct of concern include:

- a. In a telephone conversation on 2 June 2026, Mr Coxoen encouraged a Principal leader to not follow a lawful and reasonable direction from her employer not to provide documents in response to a defective entry notice. At this time Mr Coxen said words to the effect that the Principal was acting “illegally” and “in a compromising position that significant fines can be incurred” and “I should be provided access to these documents”. Mr Coxen also made reference to the “CFMEU” and said words to the effect of “people die in situations where organisations hide things and while I am not saying this is the case in this instance, this is a very serious matter”. The Notifier is concerned by the referencing to the CFMEU and perceives this as an implied threat. It was subsequently accepted by the QTU that the relevant notice was defective, and it was reissued.
- b. Between 25 May and 17 June 2026, Mr Coxen contacted or attempted to contact a Principal leader approximately 17 times in connection with the exercise of right of entry at Rockhampton Special School. The Notifier holds concerns that the volume of contact in relation to this matter is unreasonably excessive and additionally that Mr Coxen has engaged in intimidatory and aggressive language when speaking with the Principal.
- c. On or about 17 June 2026, Mr Coxen sent an email to a School Principal attaching a Notice of Entry and indicating he would attend at the school on 18 June 2026. The School Principal responded advising that she would be unable to meet Mr Coxen due to another commitment on 18 June 2026. Mr Coxen indicated he still intended to attend and requested a Deputy Principal or Regional Representative be available to allow him access to the requested information. The Notifier holds concerns that Mr Coxen continued to insist on exercising his right of entry powers in circumstances where senior Notifier officials had engaged with senior representatives of the QTU around perceived deficiencies in the Notice. During this contact between the Notifier and the QTU, the QTU acknowledged that there were no imminent WHS risks at Rockhampton Special School that would warrant the exercise of an immediate right of entry power. The Notifier holds concerns that despite these conversations, Mr Coxen exercised right of entry on 18 June 2026.

**Access to student confidential information**

22. The First and Second Entry Notices name and identify three students of Rockhampton Special School as risks. The Notifier is concerned that this student information has been provided to an external party, being the QTU and right of entry is being used to improperly attempt to access personal information of students. This may contribute to the Notifier breaching its obligations under the *Information Privacy Act 2009* and is inconsistent with confidentiality requirements and these individual students' rights to access education under the *Education (General Provisions) Act 2006*.

# Notice of entry template

V10.07.18

This notice of entry by a Work Health and Safety Entry Permit Holder to a workplace is provided under section 119 of the *Work Health and Safety Act 2011*.

## Part A – to be completed for all entries

Full name of entry permit holder: Daniel Coxen
Name of union represented: Queensland Teachers' Union of Employees
Name and address of workplace being entered: Rockhampton Special School, Kent Street, Rockhampton, Qld 4700.
Date of entry or proposed entry: 01/06/26 10am
<small>* if entry is under section 120 or 121 of the Act, notice of entry must be given to the person conducting the business or undertaking at least 24 hours but not more than 14 days before entry.</small>

## Purpose of entry:

<input checked="" type="checkbox"/> Section 117	to inquire into a suspected contravention of the Act (complete parts A, B and D) sections 18, 19, 47
<input checked="" type="checkbox"/> Section 120	to inspect employee records or information held by another person in relation to a suspected contravention of the Act (complete parts A, B, C and D)
<input type="checkbox"/> Section 121	to consult and advise relevant workers on health and safety matters (complete parts A and D)

## Part B – only complete for entry under sections 117 (suspected contravention) and 120 (inspect employee records or information)

Provide details of the suspected contravention to which this notice relates <small>(e.g. What are the concerns? How do they contravene the Act? What area of the workplace is affected?)</small>
Duty to provide a safe work environment and manage foreseeable risk. Duty to consult worker. Have been contacted by members in relation to the management of risk associated with the following students: [REDACTED] It has been reported that current risk assessments are not in place and risks are not assessed as WH&S incidents are reported.

## Part C – only complete for entry under section 120 (inspect employee records or information)

List the employee records and other documents directly relevant to the suspected contravention that are proposed to be inspected or copied
Any 2026 WH&S incidents relating to [REDACTED]. Also any risk assessments or risk management plans undertaken in relation to these students. Any evidence of consultation with workers affected.

## Part D – to be completed for all entries

I declare that:
<ul style="list-style-type: none"> <li>the above named union is entitled to represent the industrial interests of worker/s at this workplace.</li> <li>the provision in the union's rules that entitles the union to represent the industrial interests of the worker/s is <u>QTU Constitution &amp; rules 1 The union - 1.2 objectives, 1.3 constitution, Teaching in State Education Award - State 2016</u></li> </ul>
I am a union official with WHS Entry Permit no. WHS/2024/27. Industrial Authority AIO/2023/105.
<ul style="list-style-type: none"> <li>if entry is under section 117 or section 120 of the <i>Work Health and Safety Act 2011</i>, the suspected contravention relates to worker/s the union is entitled to represent.</li> <li>if entry is under section 120 of the <i>Work Health and Safety Act 2011</i>, the employee records and other documents proposed to be inspected relate to worker/s the union is entitled to represent.</li> </ul>

Signed: [REDACTED]	Date: 25/05/26
Work Health and Safety Entry Permit Holder Daniel Coxen	

**NOTE: the legislation provides for civil penalties of up to \$10 000 for individuals and \$50 000 for a body corporate relating to breaches of right of entry laws.**

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Workplace Health and Safety Queensland

www.worksafe.qld.gov.au

1300 362 128



Industrial Registrar - Queensland  
**AUTHORITY**  
Daniel Coxon  
Organisation:  
Queensland Teachers Union of Employees  
Issue Date: 24 07 2023  
Expiry Date: 23 07 2026

Industrial Registrar - Queensland  
**WHS Entry Permit**  
Daniel Coxon  
Organisation:  
Queensland Teachers Union of Employees  
Issue Date: 12 02 2024  
Expiry Date: 11 02 2027

## Notice of entry template

V10.07.18

This notice of entry by a Work Health and Safety Entry Permit Holder to a workplace is provided under section 119 of the *Work Health and Safety Act 2011*.

### Part A – to be completed for all entries

Full name of entry permit holder: Daniel Coxen
Name of union represented: Queensland Teachers' Union of Employees
Name and address of workplace being entered: Rockhampton Special School, Kent Street, Rockhampton, Qld 4700
Date of entry or proposed entry: 18/06/26
<i>* If entry is under section 120 or 121 of the Act, notice of entry must be given to the person conducting the business or undertaking at least 24 hours but not more than 14 days before entry.</i>

### Purpose of entry:

<input checked="" type="checkbox"/> Section 117	to inquire into a suspected contravention of the Act (complete parts A, B and D) sections 18,19,47. please see attached information.
<input checked="" type="checkbox"/> Section 120	to inspect employee records or information held by another person in relation to a suspected contravention of the Act (complete parts A, B, C and D)
<input checked="" type="checkbox"/> Section 121	to consult and advise relevant workers on health and safety matters (complete parts A and D)

### Part B – only complete for entry under sections 117 (suspected contravention) and 120 (inspect employee records or information)

Provide details of the suspected contravention to which this notice relates <i>(e.g. What are the concerns? How do they contravene the Act? What area of the workplace is affected?)</i>
Duty to provide a safe work environment and manage foreseeable risk. Duty to consult workers. I have been contacted by members in relation to the management of risk associated with the following students; [REDACTED] It has been reported that current risk assessments are not in place and risks are not assessed as WH&S incidents are being reported.

### Part C – only complete for entry under section 120 (inspect employee records or information)

List the employee records and other documents directly relevant to the suspected contravention that are proposed to be inspected or copied
Any 2026 WH&S incidents relating to [REDACTED] Also any risk assessments or risk management plans undertaken in relation to these students. Any evidence of consultation with workers affected.

### Part D – to be completed for all entries

I declare that:
<ul style="list-style-type: none"> <li>the above named union is entitled to represent the industrial interests of worker/s at this workplace.</li> <li>the provision in the union's rules that entitles the union to represent the industrial interests of the worker/s is <u>QTU Constitutions and Rules 1 The union, - 1.2 objectives, 1.3 constitution, Teaching in State Education Award - State 2016</u>. I am a union official with WHS Entry Permit no. WHS/2026/109 and Industrial Authority Permit no. AIO/2026/76</li> <li>if entry is under section 117 or section 120 of the <i>Work Health and Safety Act 2011</i>, the suspected contravention relates to worker/s the union is entitled to represent.</li> <li>if entry is under section 120 of the <i>Work Health and Safety Act 2011</i>, the employee records and other documents proposed to be inspected relate to worker/s the union is entitled to represent.</li> </ul>

Signed: [REDACTED]	Date: 17/06/2026
Work Health and Safety Entry Permit Holder Daniel Coxen	

**NOTE: the legislation provides for civil penalties of up to \$10 000 for individuals and \$50 000 for a body corporate relating to breaches of right of entry laws.**

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