



Department of
Transport and Main Roads

[REDACTED]

PRIVATE AND CONFIDENTIAL

Dear [REDACTED]

Decision on disciplinary penalty under s188 of the *Public Service Act 2008* (PS Act)

I refer to my letter dated [REDACTED] in which I provided you with an opportunity to respond to why the following disciplinary action should not be imposed under section 188 of the *Public Service Act 2008* (the Act):

- A reduction in increment, for 12 months from an AO3 (2) to AO3 (1)

I have now carefully considered all the evidence available to me, including your response which was received on [REDACTED]

In your response you state that:

- *I appreciate the time you have taken to go through my responses to the allegations that have been made against me.*
- *I understand and accept that you have found the allegations to be substantiated in each case, and can only reiterate that this was a thoughtless error of judgement on my part.*
- *I am extremely sorry about this whole stupid episode and how it has impacted on the Department.*
- *I will be doing my utmost to make up for this mistake, and to move forward with my career in TMR.*
- *Consequently, I accept the penalty of a reprimand and reduction in increment, from an AO3 (2) to an AO3 (1).*

My decision

In reading your response, I acknowledge that you have expressed your regret and have apologised for your actions. However, whilst there have been no previous incidents or actions that have called your past performance into question, it does not diminish your conduct and behaviour in this matter.

[REDACTED]
Office of the General Manager
[REDACTED]

[REDACTED]

I hold the view that your level of experience across a number of teams within [REDACTED], provided you with considerable awareness of the work processes, team structure and services offered to our customers, and that this knowledge was used to intentionally mislead in your written response to me dated [REDACTED].

I note that the version of events you presented to Queensland Police Service and TMR Ethical Standards Unit Investigators, in relation to your interactions with [REDACTED] were inconsistent. In considering all of the information presented to me, I also note that inconsistencies in relation to the information you have provided for my consideration, have continued to occur throughout this process.

In not reporting [REDACTED] request for private customer information, accessing the TRAILS system to retrieve the information and subsequently providing [REDACTED] with this information, you displayed poor judgement and decision making. In your role as a Senior [REDACTED] Officer, you have a responsibility to protect customer privacy and manage information in accordance with Information privacy legislation. Your actions constituted a breach of trust, and as such, you did not meet the high level of ethical standards expected of a public service employee.

Therefore, I find your behaviour to be unacceptable. I remind you that as a public service employee, it is your responsibility to ensure your actions align with the Code at all times.

As established in the letter to you dated [REDACTED] you have breached the Code and that a penalty is warranted. Therefore, I have decided to impose the following action under section 188(1) of the *Public Service Act 2008*:

- A reduction in increment for 12 months from an AO3 (2) to AO3 (1)

This disciplinary action will be implemented 21 days after you receive this letter. During the 21 days you may appeal my decision. You can find further information on the website of the Public Service Commission (www.psc.qld.gov.au) or you can call them on 1300 038 472.

Subject to any appeal, I will write to you again once the period has expired to advise you the action is being implemented.

Please be aware that this matter may be used in any future consideration of disciplinary action.

Records management

A record of this action will be retained on a separate confidential disciplinary file and may be a factor in the consideration of any future disciplinary process initiated against you. Your personnel file held with Queensland Shared Service (QSS) will contain only the outcome of the disciplinary action and a notation that a separate disciplinary file exists.

Confidentiality and support

I remind you that you are to keep this matter confidential and should not be discussed in the workplace or with any other employee not part of this process. Should you fail to follow this lawful direction this may constitute grounds for further administrative action.

I understand that these types of processes can have a personal impact on you. I encourage you to contact OPTUM if you feel you need additional personal support. The service is a confidential counselling and support service and is available on 1800 604 640. You may also wish to seek advice from an appropriate support person.

If you have any questions about the content of this letter please do not hesitate to contact

[Redacted]

Yours sincerely

[Redacted]

[Redacted]

[Redacted]