



Department of  
Transport and Main Roads



**PRIVATE AND CONFIDENTIAL**

Dear [REDACTED]

**Decision on disciplinary finding and termination of discipline process.**

I refer to my letter dated [REDACTED] in which I invited you to respond to why a disciplinary finding should not be made against you under the *Public Service Act 2008* (PSA). I acknowledge receipt of your response of [REDACTED]. I have now read your response in its entirety and considered it along with all relevant information that I have before me.

I note in your response you state:

- You served [REDACTED] as alleged, however this was coincidental and that Q Matic had allocated her to your counter. You deny that you called [REDACTED] ticket from the parked queue.
- You admitted that you processed a change of address for [REDACTED] however as per Doabase, you did so after [REDACTED] provided the required Power of Attorney documentation.
- You acknowledged that you removed a Special Interest Vehicle Concession on [REDACTED] registration without attaching the Power of Attorney documentation or stamping your user id to the 'Report for File'.
- You re-affirm that [REDACTED] did provide two envelopes containing the Power of Attorney documentation for [REDACTED] and [REDACTED] and that [REDACTED] must have missed this when [REDACTED] examined the CCTV footage.
- You have been a friend and colleague of [REDACTED] and have known [REDACTED] for [REDACTED] years prior to you becoming a Casual [REDACTED] Officer, however you had not seen [REDACTED] for over twelve months prior to [REDACTED].
- You have completed and fully understand the relevant Accelerate courses and never intended to breach the Code of Conduct or other TMR policies.

I will now address the allegation against you and make my findings.

Allegation 1

On [REDACTED] without proper authority, you accessed the department's TICA/TRAILS system records pertaining to a previous employee/friend's [REDACTED] [REDACTED] resulting in unauthorised access of the TICA/TRAILS system and an actual conflict of interest due to a past and or ongoing personal friendship with [REDACTED] [REDACTED]

The evidence before me clearly shows that you accessed the customer records for [REDACTED] [REDACTED] and that you did not declare a conflict of interest to your supervisor nor follow Docbase Guidelines.

I have carefully considered your response and whilst you deny that you arranged to serve [REDACTED] from the parked queue, you have admitted that you have known her for [REDACTED] years prior to your casual engagement with TMR.

When [REDACTED] presented at your counter you should have advised a supervisor of the conflict of interest and made the necessary arrangements for another officer to process [REDACTED] [REDACTED] transactions, as is the standard procedures when issues like this occur in a Customer Service Centre.

Your admission that you did not attach the required Power of Attorney documentation or stamp your user id on both [REDACTED] filing, demonstrated that you failed to follow both the Docbase Guideline– Concessional Registration (3014) and the Docbase Guideline – Change of Customer Details Guide (5022).

Based on the evidence before me, I find on the balance of probabilities that the allegation is **substantiated**.

As stated in my letter to you dated [REDACTED] you have contravened, without reasonable excuse, a standard of conduct under the *Code of Conduct for the Queensland Public Service* (the Code), a provision of this Act or a standard of conduct namely the *Code of Conduct for the Queensland Public Service*, specifically:

Standard of conduct 3.1 *Commit to our roles in public service*

*Our role is to undertake our duties, and to give effect to the policies of the elected government, regardless of its political complexion.*

*We will:*

- c. comply with the laws of the State, Australian and local governments,*
- d. comply with all relevant awards, certified agreements, subsidiary agreements, directives, whole-of-government policies and standards, and*
- e. adhere to the policies, organisational values and organisational documents of our employing agency.*

Specifically the following policy:

- Customer Services Branch – Access to Customer Records Policy

**In addition**

Standard of conduct 1.2 *Manage Conflicts of interest*

*A conflict of interest involves a conflict between our duty, as public service employees, to serve the public interest and our personal interests. The conflict may arise from a range of factors including our personal relationships, our employment outside the public service, our membership of special interest groups, or our ownership of shares, companies, or property.*

*Having a conflict of interest is not unusual and it is not wrongdoing in itself. However failing to disclose and manage the conflict appropriately is likely to be wrongdoing.*

*As public service employees we are committed to demonstrating our impartiality and integrity in fulfilling our responsibilities and as such we will:*

- a. always disclose a personal interest that could, now or in the future, be seen as influencing the performance of our duties. This will be done in accordance with our agency policies and procedures*
- b. actively participate with our agency in developing and implementing resolution strategies for any conflict of interest, and*
- c. ensure that any conflict of interest is resolved in the public interest*

**My decision**

Whilst I do not condone your conduct or choices, I have taken into consideration the remorse you have shown for your actions and the commitment you have given to never repeat this behaviour. I also note that neither [REDACTED] or yourself derived any benefit from you processing the identified transactions.

Departmental policies, Docbase Guidelines and branch training provide support and direction to ensure a clear understanding of employee responsibilities when accessing customer information and processing transactions. It is my expectation that in the future, you will adhere to these requirements without exception.

I have decided to refer this matter back to [REDACTED] to manage locally. Within two weeks of receipt of this letter you are required to:

- meet with your manager and/or human resources to discuss the expectations, behaviours and professionalism necessary to undertake your role as a Casual [REDACTED] Officer;
- re-enrol and complete following Mandatory Accelerate Courses:
  - CSB Staff Responsibilities;
  - ICT facilities and Devices; and
  - Which Way Would You Go?

- read Docbase Guideline – Concessional Registration (3014) and Docbase Guideline – Change of Customer Details Guide (5022).

Please advise [REDACTED] when you have finalised the above directions.

As I have found that no disciplinary ground exists, the disciplinary process is now finalised. Records relating to this process will be retained on a confidential departmental file.

If you believe that my decision to find that the allegations above are substantiated is unfair and unreasonable, you may lodge a fair treatment appeal under the public service appeal provisions of the *Public Service Act 2008* within 21 calendar days of your receipt of this decision.

The QIRC Industrial Registry will be able to provide further information about public service appeal procedures ([www.qirc.qld.gov.au](http://www.qirc.qld.gov.au); Tel: 1300592987 or 3227 8060).

Please note, this matter remains confidential and should not be discussed in the workplace. If you have any questions about the contents of this letter please do not hesitate to contact

[REDACTED]

I would reiterate that employees of the Department are required at all times to be vigilant about adherence to Code of Conduct.

I understand this may be a difficult time for you and encourage you to seek ongoing support through the department's Employee Assistance Service, LifeWorks by [REDACTED]. The Employee Assistance Program provides a confidential counselling service to all employees of the Department and you can access this service by contacting LifeWorks by [REDACTED] on 1800 604 640.

Yours sincerely

[REDACTED]

[REDACTED]

[REDACTED]