



Department of
Education

Managing a Breach of the Public Sector Standard Claims policy

Effective date: 15 February 2022

Version: 4.1

Last update date: 16 January 2026

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1. Policy statement

The Department manages claims of breaches of public sector standards in human resource management in a transparent, fair and timely manner.

2. Policy rules

All employees will comply with the Managing Breach of Public Sector Standards Claims framework.

3. Responsibility for implementation and compliance

Principals and line managers are responsible for implementation of the policy.

The Executive Director, People Services is responsible for compliance.

4. Scope

This policy applies to all employees

5. Related documents

Relevant legislation or authority

[Commissioner's Instruction 1: Employment Standard](#)

[Commissioner's Instruction 40 : Ethical Foundations](#)

[Commissioner's Instruction 2: Filling a Public Sector Vacancy](#)

[Commissioner's Instruction 11: Redeployment Standard](#)

[Discipline Standard](#)

[Grievance Resolution Standard](#)

[Industrial Relations Act 1979](#)

[Performance Management Standard](#)

[Public Sector Management Act 1994](#)

[Public Sector Management \(Breaches of Public Sector Standards\) Regulations 2005](#)

[Public Sector Standards in Human Resource Management](#)

[School Education Act Employees' \(Teachers and Administrators\) General Agreement \(staff only\)](#)

[Agreement Termination Standard](#)

Related Department policies

[Employee Performance policy](#)

[Recruitment, Selection and Appointment policy](#)

[Secondment policy](#)

[Staff Conduct and Discipline policy](#)

Other documents

[Code of Conduct and Standards \(staff only\)](#)

[Commissioner's Instruction 1 – Employment Standard: Questions and Answers](#)

[Grievance Framework](#)

6. Contact information

Policy manager:

Director, Industrial and Employee Relations

T: (08) 9264 4921

Policy contact officer:

Manager, Employee Relations

T: (08) 9264 4921

7. History of changes

Effective date	29 June 2011
Last update date	22 October 2012
Policy version no.	2.0
Notes	Reference to School Education Act Employees (Teachers and Administrators) General Agreement 2008 updated to 2011 and references to the Public Sector Reform Act 2010 and the Staff Conduct policy removed. D12/0628035

Effective date	29 June 2011
Last update date	11 July 2013
Policy version no.	2.0

Notes	Amendments to references to documents as per D13/0222254.
Effective date	29 June 2011
Last update date	14 May 2014
Policy version no.	2.1
Notes	Section 2 and the guidance in section 4.1.1 and 4.2 updated to reflect regulation changes that provide for the Public Sector Commissioner to recommend, and now direct relief, where it is determined that a breach of Standard has occurred. The title Director, Labour Relations has been updated to Director, Employee Relations. D14/0235146
Effective date	29 June 2011
Last update date	5 August 2014
Policy version no.	2.2
Notes	Breach claims are managed by Workforce Policy and Coordination. Contact and position details updated to reflect this. D14/0363117
Effective date	28 March 2017
Last update date	28 March 2017
Policy version no.	3.0
Notes	Major review undertaken. Policy recast into new policy format with mandated Managing Breach of Public Sector Claims Framework (D16/0667967). Endorsed by the Director General at Corporate Executive on 28 November 2016.
Effective date	28 March 2017
Last update date	12 September 2018
Policy version no.	3.1

Notes	Updated legislation links D18/0207680.
Effective date	15 February 2022
Last update date Policy version no.	4.0
Notes	<p>Managing a Breach of Public Sector Standards Claim policy has undergone a major review. Endorsed by Director General on 1 December 2021</p> <p>Summary of changes to the Managing a Breach of the Public Sector Standard Claims policy and framework on Ikon (staff only).</p>
Effective date	15 December 2025
Last update date	16 January 2026
Policy version no.	4.1
Notes	<p>Minor changes to links and contact details. Transfer ownership from People Services (Workforce) to Employee Relations. Amendments to incorporate changes under the Industrial Relations Act 1079 and Public Sector Management (Breaches of Public Sector Standards) Regulations 2005. Changes endorsed by Director Organisational Design, Development and Planning</p>

8. More information

Supporting content

Framework

[Managing a Breach of the Public Sector Standard Claims Framework](#)

Policy review date

15 February 2025

Policy last updated

16 January 2026