GOVERNMENT OF
WESTERN AUSTRALIA

Department of
Education

Managing a Breach of the Public Sector Standard Claims policy

Effective date: 15 February 2022

Version: 4.3

Last update date: 2 July 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

All policy and procedural statements contained within this document are lawful orders for the purposes of section 80(a) of the Public Sector Management Act 1994 (WA) and are therefore to be observed by all Department of Education employees.

Commissioner's Instruction 50: Backfilling Temporary Vacancies

Commissioner's Instruction 40: Ethical Foundations

Commissioner's Instruction 49: Recruitment, Selection and Appointment to Fixed Term Vacancies

Commissioner's Instruction 48: Recruitment, Selection and Appointment to Permanent Vacancies

Commissioner's Instruction 11: Redeployment Standard

Commissioner's Instruction 12: Redeployment and Redundancy

Commissioner's Instruction 51: Transfer 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

Recruitment Standard (in Commissioner's Instructions 48, 49 and 50)

School Education Act Employees' (Teachers and Administrators) General Agreement

Termination Standard

Related Department policies

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Employee Performance and Development policy

Recruitment, Selection and Appointment policy

Secondment policy

Staff Conduct and Discipline policy

Other documents

Code of Conduct and Standards (staff only)

Grievance Framework

6. Contact information

Policy manager:

Director, Industrial and Employee Relations

Telephone: (08) 9264 4921

Policy contact officer:

Manager, Employee Relations

Telephone: (08) 9264 4921

7. History of changes

Effective date	29 June 2011
Last update date	22 October 2012
Policy version no.	2.0

All policy and procedural statements contained within this document are lawful orders for the purposes of section 80(a) of the Public Sector Management Act 1994 (WA) and are therefore to be observed by all Department of Education employees.

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

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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	Managing a Breach of Public Sector Standards Claim policy has undergone a major review. Endorsed by Director General on 1 December 2021 Summary of changes to the Managing a Breach of the Public Sector Standard Claims policy and framework on Ikon (staff only).
Effective date	15 December 2025
Last update date	16 January 2026
Policy version no.	4.1
Notes	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

All policy and procedural statements contained within this document are lawful orders for the purposes of section 80(a) of the Public Sector Management Act 1994 (WA) and are therefore to be observed by all Department of Education employees.

Effective date	15 February 2022
Last update date	6 March 2026
Policy version no.	4.2
Notes	Minor change - Related document link updated (Director approval D26/0176946)

Effective date	15 February 2022
Last update date	2 July 2026
Policy version no.	4.3
Notes	Minor changes to links, including further changes to v4.3 from June 2026 (Approval D26/0521110)

All policy and procedural statements contained within this document are lawful orders for the purposes of section 80(a) of the Public Sector Management Act 1994 (WA) and are therefore to be observed by all Department of Education employees.

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

2 July 2026

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