



Department of  
**Education**

# **Managing a Breach of the Public Sector Standard Claims policy**

Effective date: 15 February 2022

Version: 4.2

Last update date: 6 March 2026

## Table of contents

<b>1. Policy statement</b>	<b>3</b>
<b>2. Policy rules</b>	<b>3</b>
<b>3. Responsibility for implementation and compliance</b>	<b>3</b>
<b>4. Scope</b>	<b>3</b>
<b>5. Related documents</b>	<b>3</b>
<b>6. Contact information</b>	<b>5</b>
<b>7. History of changes</b>	<b>5</b>
<b>8. More information</b>	<b>8</b>
Policy review date	8
Policy last updated	8

## 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 \(staff only\)](#)

[Termination Standard](#)

### **Related Department policies**

[Employee Performance and Development policy](#)

[Recruitment, Selection and Appointment policy](#)

[Secondment policy](#)

[Staff Conduct and Discipline policy](#)

### **Other documents**

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

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

[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

<b>Effective date</b>	29 June 2011
<b>Last update date</b>	22 October 2012
<b>Policy version no.</b>	2.0
<b>Notes</b>	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
<b>Effective date</b>	29 June 2011
<b>Last update date</b>	11 July 2013
<b>Policy version no.</b>	2.0

<b>Notes</b>	Amendments to references to documents as per D13/0222254.
<b>Effective date</b>	29 June 2011
<b>Last update date</b>	14 May 2014
<b>Policy version no.</b>	2.1
<b>Notes</b>	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
<b>Effective date</b>	29 June 2011
<b>Last update date</b>	5 August 2014
<b>Policy version no.</b>	2.2
<b>Notes</b>	Breach claims are managed by Workforce Policy and Coordination. Contact and position details updated to reflect this. D14/0363117
<b>Effective date</b>	28 March 2017
<b>Last update date</b>	28 March 2017
<b>Policy version no.</b>	3.0
<b>Notes</b>	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.
<b>Effective date</b>	28 March 2017
<b>Last update date</b>	12 September 2018
<b>Policy version no.</b>	3.1

<b>Notes</b>	Updated legislation links D18/0207680.
<b>Effective date</b>	15 February 2022
<b>Last update date</b> <b>Policy version no.</b>	4.0
<b>Notes</b>	<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 <a href="#">lkon</a> (staff only).</p>
<b>Effective date</b>	15 December 2025
<b>Last update date</b>	16 January 2026
<b>Policy version no.</b>	4.1
<b>Notes</b>	<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>
<b>Effective date</b>	15 February 2022
<b>Last update date</b>	6 March 2026
<b>Policy version no.</b>	4.2
<b>Notes</b>	Minor change - Related document link updated (Director approval D26/0176946)

## 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

---