



ACT
Government

Environment, Planning and
Sustainable Development



Notice of Disciplinary Action

Dr Annie Lane, Executive Director, Environment wrote to you on 9 June 2017 and advised you of her findings in relation to allegations of misconduct against you. Dr Lane also advised you that she proposed to take disciplinary action and the reasons for that decision.

You were invited to provide a written submission in relation to Dr Lane's findings and the proposed discipline actions.

I have received your written submission dated 23 June 2017 and considered it in reaching my final decision. My consideration of your submission is detailed as follows.

1. I note that in your response you have acknowledged the errors of judgment that led you to authorise the payment of [redacted] Allowance [redacted] to [redacted] when in fact [redacted] was not entitled to that allowance. You concede that continuing to authorise the payment was a significant oversight on your part.



The decision maker indicated to you her intention to take a course of action based on the facts of the matter outlined in the investigation report and your own admission. The proposed course of action was not taken lightly and was a considered and measured one. All aspects were considered, including your own work performance history, the reputation [redacted] and the broader ACT Public Service, balanced with the significant impact that a sanction such as this would have on an individual.

Public Servants have an obligation to abide by the Code of Conduct and to ensure that they are held to account when they fail to do so. As a senior officer you are expected to maintain a high level of integrity and probity whilst exercising the delegated functions of your position.

I have determined that you have failed to uphold your obligations under the Code of Conduct and your actions have the potential to significantly impact on the reputation of the [REDACTED] as evidenced by you:

1. Making an unauthorised agreement with [REDACTED] to claim the [REDACTED] Allowance [REDACTED]
2. approving [REDACTED] claims for [REDACTED] Allowance [REDACTED]
3. approving [REDACTED] claim [REDACTED] Allowance [REDACTED] when [REDACTED] was on approved leave for the full days.

It is for these reasons that I have taken the decision to permanently transfer you to [REDACTED] classification, effective from the date of this letter.

Right of Appeal

You may appeal this decision under Section J of the *ACT Public Service Administrative and Related Classifications Enterprise Agreement 2013-2017* (the Agreement) (attached) by submitting a written application to the Convenor of Appeal Panels within fourteen calendar days of receipt of this letter at the following address:

Attention: The Convenor of Appeal Panels
Public Sector Workplace Relations
Chief Minister, Treasury and Economic Development
GPO Box 158
Canberra ACT 2601

Email: ACTPS_Appeals@act.gov.au

In accordance with the disposal schedules under the *Territory Records Act 2002*, records of investigations of misconduct allegations which are found proven must be retained for a minimum of five years.

Should you require support in relation to this matter, the Employee Assistance Program (EAP) is available to provide confidential and professional counselling to you and members of your family throughout this process. You may access this service by phoning OPTUM on 1300 361 008.

Alternatively you can contact NewAccess on 6287 8066. NewAccess is a program run by Beyond Blue and services are free and confidential.

If you have any queries please contact Myfanwy Greenwood Assistant Manager Human Resources on 6205 8496.

Yours sincerely



Daniel Iglesias
A/g Executive Director
Environment Division
Environment, Planning and Sustainable Development

7 July 2017

