

# Implementation checklist - discipline

## Actions for public sector entities when implementing Directive 05/23 – Discipline

1. To do now	2. Ongoing activities
<p>Read the <a href="#">discipline sections (s90-s100)</a> of the <i>Public Sector Act 2022</i> (the Act).</p> <p>Create or update all relevant entity policies and procedures to reflect the requirements of the Act and Directive 05/23 – Discipline (the Directive).</p> <p>Create or update discipline template letters and update onto your entity's letterhead.</p> <p>Ensure your entity's template letters contain information about an employee's appeal rights to the Queensland Industrial Relations Commission.</p>	<p>Ensure processes are in place to facilitate periodic reviews at the timeframes set out in the Directive.</p> <p>Ensure appropriate delegations, template letters and assessment tools to support disciplinary processes remain current.</p>
<p>Prepare communications for employees and decision makers, including in relation to:</p> <ul style="list-style-type: none"> <li>• A summary of the discipline provisions of the Act, what it means and how it will be implemented in your entity.</li> <li>• Requirements for taking disciplinary action for performance reasons, with linkages to the positive performance management framework.</li> <li>• Requirements for taking disciplinary action for conduct matters.</li> <li>• Periodic reviews and employee-initiated reviews.</li> <li>• Roles and responsibilities for decision makers, employees, unions and support persons.</li> <li>• Transitional arrangements under the Act for discipline processes that were in progress on 1 March 2023. Entities should also consider the best way to communicate these changes to subject officers.</li> </ul>	<p>Update your entity's policy and procedure about discipline processes to reflect any changes to the Act or Directive requirements.</p>

Ensure human resource (HR) processes are in place for conduct or performance matters which align to the following requirements:

- Matters relating to an employee’s conduct where [s91\(1\)\(h\)](#) of the Act is being relied upon are sufficiently serious for discipline to commence.  
Consider:
  - The impact on the employee, work unit, organisation and public sector reputation.
  - Whether there is previous history of the employee engaging in similar behaviours.
  - Whether the conduct can be corrected by using management action.
- Matters relating to an employee’s performance where [s91\(1\)\(a\)](#) of the Act is being relied upon have first been managed through positive performance management principles at [s85-s86 of the Act](#).

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Identify decision makers for discipline matters and identify independent decision maker to conduct periodic review of discipline matter at 6 months duration. Reviews will also need to be undertaken by a chief executive after 12 months.

If you are an entity that is new to the legislative framework, engage with your entity’s portfolio department to obtain guidance and support for implementation. Update employee information sources such as your entity’s intranet to reflect changes.

Ensure employee information sources such as your entity’s intranet remain up to date.

Create or update your entity’s HR delegations manual to ensure the decision makers and independent reviewers for discipline matters are clearly identified and appropriately authorised to act.

Build knowledge and capability of HR practitioners, managers and decision makers.

Continue to build knowledge and capability of HR practitioners, managers and decision makers.

Implement or review record keeping processes to ensure decisions and case management activities are appropriately recorded for compliance purposes.

If you are an entity that is new to the legislative framework, engage with your entity’s portfolio department to obtain guidance and support around discipline matters.

Continue to ensure record keeping arrangements remain fit for purpose.