Template letter: Decision on disciplinary action

[Address]

Dear [insert name],

I refer to my letter dated [insert date of show cause on disciplinary action letter] in which I invited you to respond to why the following disciplinary action should not be imposed under section [insert the disciplinary action that was proposed].

I have carefully considered all the evidence available to me, including [outline all relevant information considered and insert date it was received].

[Address points and analyse all information raised by the employee against information put to them].

Accordingly, following my earlier decision of [date of disciplinary finding] under section 91(1)(x) of the *Public Sector Act 2022 (*Act) on the grounds that you [insert the grounds], I have decided to impose the following disciplinary action under section 92 of the Act:

* [insert the disciplinary action to be taken]
* [if disciplinary action varies and is less onerous from what was originally proposed explain why].

A record of this action will be retained on a separate confidential disciplinary file and may be a factor in the consideration of any future disciplinary process initiated against you. Your personnel file will contain only the outcome of the disciplinary action and a notation that a separate disciplinary file exists.

As previously advised, the [insert name of department’s employee assistance service] is available to departmental employees. The service is a confidential counselling and support service and is available on [insert telephone number]. You may also wish to seek advice and assistance from your union.

[**Option one** – use this content for all decisions other than termination of employment]

A right of appeal of a disciplinary decision is contained at section 131(1)(c) of the Act.

You may appeal this disciplinary decision within 21 days of receiving the decision.

Subject to any appeal, the above disciplinary action will be implemented on the conclusion of the appeal lodgement period.

The Queensland Industrial Relations Commission Industrial Registry can provide further information about public sector appeal procedures. Visit [www.qirc.qld.gov.au](http://www.qirc.qld.gov.au), or telephone 1300 592 987 or (07) 3227 8060.

[**Option two** – use this content for termination of employment decisions]

As termination of employment is not a disciplinary action which may be appealed under the appeal provisions of the Act, you may lodge an application for reinstatement under the *Industrial Relations Act 2016* with the Queensland Industrial Relations Commission (QIRC).

The QIRC Industrial Registry can provide further information about an application for reinstatement. Visit [www.qirc.qld.gov.au](http://www.qirc.qld.gov.au), or telephone 1300592987 or (07) 3227 8060.

In making this decision on disciplinary action, I have considered any potential limitations on your human rights under the *Human Rights Act 2019* including [include each human right that is potentially limited eg right to take part in public life, right to privacy and reputation or right to freedom of movement].

I am of the view that any limitation of your human rights is justified [include rationale and what was considered, including risks and how this outweighs the potential impact on the employee’s human rights]

Please note, this matter remains confidential and should not be discussed in the workplace.

If you have any questions about the contents of this letter please do not hesitate to contact [insert name of departmental contact] on telephone number (07) [number].

Yours sincerely

[Decision maker/delegated authority]

[Address]