



ACT
Government

Justice and Community Safety

Mr Adrian Marron
Chief Executive
Canberra Institute of Technology
GPO Box 826
Canberra ACT 2601

Dear Mr Marron

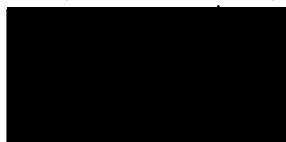
Thank you for providing the additional documents that I requested in my last letter. I have now reviewed all the information you have provided in relation to CIT's actions in response to Improvement Notice ISCE001/2012.

I note the significant progress that has been made in addressing the issues identified by WorkSafe ACT. I am satisfied that in relation to ensuring the prevention and management of bullying and harassment at work CIT has implemented and is continuing to implement a range of appropriate actions designed to ensure it is meeting its duties under the *Work Health and Safety Act 2011* and has therefore complied with the requirements of the above Notice.

Improving a workplace culture takes time and as stated in my previous letter, I have noted your commitment to maintaining the momentum of the work undertaken to date.

I have also noted your invitation to WorkSafe ACT to evaluate continued progress of the work being done in this area. In this regard, I would appreciate receiving the report of the next staff survey which will hopefully confirm that sound progress is continuing to be made.

Yours sincerely



Stewart Ellis
A/g Senior Director and Inspector
WorkSafe ACT

28 November 2012

WORKSAFE ACT

255 Canberra Ave Fyshwick ACT 2609 |
GPO Box 158 Canberra act 2601 |
Phone 6207 3000 | Fax 6205 0336 |
worksafe@act.gov.au | worksafe.act.gov.au



ACT
Government
Education and Training



BRIEF

Ref: 2013/00699

**SUBJECT: CANBERRA INSTITUTE OF TECHNOLOGY (CIT)
MINISTERIAL REVOCATION 2013 (NO 1)**

To: Minister for Education and Training

From: Director-General, Education and Training Directorate

Director: Ann Goleby
Branch: Training and Tertiary
Education

Recommendations

That you:

- sign the attached Notifiable Instrument Canberra Institute of Technology Ministerial Revocation 2013 (No 1) (Attachment A)

~~AGREED/NOT AGREED/PLEASE DISCUSS~~

- sign the attached letter to the Chief Executive, Canberra Institute of Technology Informing him of the revocation (Attachment B)

~~AGREED/NOT AGREED/PLEASE DISCUSS~~

Joy Burch MLA

Action Officer: Trish Wilks
Branch: Training and Tertiary Education
Extension: 58468

Critical date and reason

To meet the requirement to revoke a Ministerial Direction.

Purpose

To provide the necessary documentation to allow the Minister to revoke the Ministerial Direction of 16 April 2012 (Attachment C) which required the Chief Executive and Director of the Canberra Institute of Technology to undertake a number of actions to prevent and decrease bullying and harassment practices.

Background

The previous Minister issued a Direction to the Chief Executive and Director of the Institute requiring a number of actions to be undertaken. This was a consequence of a WorkSafe ACT report of 11 April 2012.

On 28 November 2012, WorkSafe ACT advised the Chief Executive of the Institute that it was satisfied with the progress undertaken in the prevention and management of bullying and harassment (Attachment D).

Issues

In a letter dated 28 November 2012 WorkSafe ACT stated that the Institute has complied with its requirements and is satisfied.

As a result the Ministerial Direction (NI2012-176) can be revoked.

Consultation

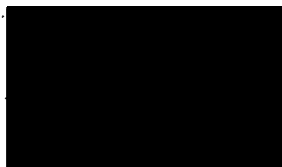
Ministerial and Government Relations, Minister's Office.

Financial

Nil

Media

Nil



Diane Joseph
Director-General
11 January 2013

Australian Capital Territory

Canberra Institute of Technology Ministerial Revocation 2013 (No.1)

Notifiable Instrument NI2013- 43

made under the

Canberra Institute of Technology Act 1987, s6 (Minister's directions)

1 Name of Instrument

This instrument is the *Canberra Institute of Technology Ministerial Revocation 2013 (No.1)*

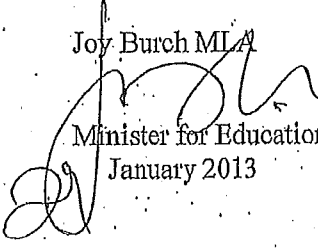
2 Commencement

This instrument commences on the day after notification.

3 Revocation of Ministerial Direction

I hereby revoke instrument NI2012-176.

Joy Burch MLA


Minister for Education and Training
January 2013

Australian Capital Territory

Canberra Institute of Technology Ministerial Direction 2012 (No 1)

Notifiable instrument NI 2012 – 176

made under the

Canberra Institute of Technology Act 1987, s6 Minister's Directions

1 Name of Instrument

This instrument is the *Canberra Institute of Technology Ministerial Direction 2012 No.1*.

2 Commencement

This instrument commences on 16 April 2012.

3 Legislation

Section 6 (1) of the Canberra Institute of Technology Act provides that the Minister may give a direction to the director in relation to the exercise of the Institute's functions.

Section 6(2) stipulates that the institute is required to comply with any direction of the Minister.

4 Direction

I direct the Director of the Canberra Institute of Technology to undertake immediate action to:

- conclude the implementation of the CIT Action Plan identified in WorkSafe ACT report of 11 April 2012.
- ensure all staff employed by CIT are trained in bullying awareness;
- ensure all managerial staff are trained in bullying prevention and response;
- review CIT policies and procedures to ensure it is clear when allegations of bullying or harassment should be the subject of an independent investigation, and the process for such investigation being undertaken;
- review CIT policies and procedures to ensure the management of bullying and harassment complaints adhere to the principles of natural justice;

- ensure that staff are involved in your review of the policies and procedures in respect of the prevention and management of bullying and harassment, and that these are reviewed on regular basis again in consultation with staff;
- take active steps to build confidence in the staff in relation to the policies and procedures;
- closely monitor the centres identified in the WorkSafe ACT Report of 11 April 2012 to ensure, as far as is reasonably practicable, that bullying and harassment is not occurring at those centres;
- test staff confidence in the bullying and harassment complaints process, at regular intervals.

I further direct that you provide me with weekly reports on the action you have taken to comply with this direction, with the first report being required on 18 April 2012.

Dr Chris Bourke

Minister for Education and Training
12 April 2012



ACT
Government

Justice and Community Safety

Mr Adrian Marron
Chief Executive
Canberra Institute of Technology
GPO Box 826
Canberra ACT 2601

Dear Mr Marron

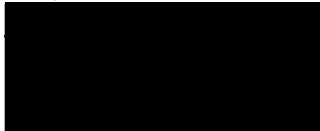
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Yours sincerely


Stewart Ellis
A/g Senior Director and Inspector
WorkSafe ACT

28 November 2012

WORKSAFE ACT

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Phone 6207 3000 | Fax 6205 0336 |
worksafe@act.gov.au | worksafe.act.gov.au



E-MAILED
31/1/13

Joy Burch MLA

MINISTER FOR EDUCATION AND TRAINING
MINISTER FOR DISABILITY, CHILDREN AND YOUNG PEOPLE
MINISTER FOR THE ARTS
MINISTER FOR WOMEN
MINISTER FOR MULTICULTURAL AFFAIRS
MINISTER FOR GAMING AND RACING

MEMBER FOR BRINDABELLA

Mr Adrian Marron
Chief Executive
Canberra Institute of Technology
GPO Box 826
CANBERRA ACT 2601

Dear Mr Marron.

I have received a copy of the advice from WorkSafe ACT which was sent to you by Stewart Ellis the Senior Director and Inspector, on 28 November 2012. The letter indicates that WorkSafe ACT is satisfied with the Canberra Institute of Technology's actions in response to Improvement Notice ISCE001/2012.

As a consequence I intend to revoke the Canberra Institute of Technology Ministerial Direction 2012 (No 1). This will take effect the day after the formal notification of revocation.

I will continue to discuss the Institute's progress in improving its workplace culture in our regular meetings. In particular, I will be interested in receiving the results of the latest staff survey.

Yours sincerely

Joy Burch MLA
Minister for Education and Training
29 January 2013

ACT LEGISLATIVE ASSEMBLY

London Circuit, Canberra ACT 2601 GPO Box 1020, Canberra ACT 2601
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Email BURCH@act.gov.au Twitter: @JoyBurchMLA Facebook: www.facebook.com/joyburchmla

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CANBERRA
Page 1

Laurent, Kristen

From: Laurent, Kristen
Sent: Wednesday, 23 October 2013 4:47 PM
To: Dunne, Vicki
Cc: [REDACTED]
Subject: Ministerial Statement on allegations of workplace bullying and misconduct at the Canberra Institute of Technology
Attachments: Ministerial Statement - Commissioners Report.docx

Dear Madam Speaker

Please find attached a Ministerial Statement on allegations of workplace bullying and misconduct at the Canberra Institute of Technology, to be delivered by Minister Burch in the Assembly tomorrow morning.

Regards

Kristen Laurent | Commonwealth Relations Officer
Phone: 6207 9234 | Fax: 6205 5425 | Email: kristen.laurent@act.gov.au
Ministerial and Commonwealth Relations | Education and Training | ACT Government
Level 6 220 Northbourne Avenue | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

**Ministerial Statement on allegations of workplace bullying and misconduct at the
Canberra Institute of Technology**

On Thursday 26 September the Commissioner for Public Administration published his report of the Review of Allegations of Workplace Bullying and Other Misconduct at the Canberra Institute of Technology *Colleagues, Not Cases - Managing People and Resolving Workplace Issues*.

This has been a long awaited and welcomed report. The Commissioner conducted the review after consultation with the CIT Chief Executive, the Chief Minister, Minister for Education and Training, following the release of the WorkSafe ACT report in April 2012.

The report provides a systemic review of concerns raised about CIT's management of workplace issues, allegations of bullying or other misconduct, and its employees. It seeks to draw learnings for CIT and the wider ACTPS that might inform and improve ongoing management practices.

The Commissioner found that CIT is NOT characterised by a culture of entrenched and systemic bullying.

The report did identify some issues in relation to a small number of individuals and particular areas within CIT, some of which reopened historical matters and decisions made ten years ago.

The Commissioner was clear in his report that those concerns should not be allowed to taint the whole organisation and that CIT staff members, almost without exception, are professional, behave properly, and are dedicated to the advancement of their students and to the success of CIT.

The Commissioner made nine recommendations. CIT has welcomed the report and has accepted all the recommendations. Of these, two that relate specifically to CIT. These are:

Recommendation 1: That CIT acknowledge and apologise for past failures in the management of a small number of areas within CIT when dealing with workplace

issues and when dealing with allegations of workplace bullying, and recommit itself to fostering positive workplaces with healthy workforce cultures. In so doing, CIT should continue to resource and consistently apply the initiatives set out in its response to the WorkSafe report of April 2012.

Recommendation 4: That CIT appoint additional Respect, Equity and Diversity Contact Officers in accordance with the RED Framework to support implementation of the framework and assist in the resolution of workplace issues.

CIT has acted swiftly in relation to recommendation 1 and has written to the individuals the Commissioner was in contact with in September 2013 extending a sincere apology.

CIT Chief Executive (Acting), through internal communication, has apologised to all CIT staff, noting the impact this has had on all involved. The CIT Chief Executive (Acting) has also extended an invitation to all staff to speak with her directly about the content of the report, should they wish to do so.

CIT has publicly recommitted to fostering positive workplaces with healthy workforce cultures and will continue to resource and consistently apply the initiatives set out in its response to the WorkSafe report of April 2012.

In relation to recommendation 4, the engagement of additional RED Contact Officers outside of the corporate area has been accepted and options for implementation are being considered by the CIT People Committee with recommendations from that Committee expected to go to the CIT Board of Management on 31 October.

The remaining seven recommendations are relevant to all agencies in the ACT public sector that engage staff under the *Public Sector Management Act*, and are subject to the *ACTPS Code of Conduct*. A whole-of-government response to these recommendations is being prepared and will be provided in due course. CIT will be also considering how it will adopt these recommendations as it has a momentum of action in relation to these matters.

Since the release of the WorkSafe report in 2012 and the Ministerial Direction to the CIT Chief Executive, CIT has conducted a large body of work to improve its management of

workplace bullying and other issues by ensuring managers are skilled in addressing these matters. CIT has also made significant changes to enhance its workplace culture. A comprehensive progress report outlining some of this work was tabled in the Legislative Assembly on 23 August 2012.

The Commissioner is of the view that CIT has demonstrated genuine commitment and good will in its response to the WorkSafe report of April 2012 and also acknowledges the very significant efforts made by the CIT Executive through the course of 2012, in collaboration with staff and unions, to address the issues identified by WorkSafe and to improve CIT's policy and procedural framework for dealing with workplace issues.

The Commissioner believes that CIT's new framework for managing workplace issues demonstrates leading practice in the ACT public sector and that this framework "should form the basis of a template to be consistently applied across all directorates and agencies".

I am assured that CIT Chief Executive (Acting) has been very responsive to the complaints that were received by the Commissioner for Public Administration in 2012 both in terms of the recommendations regarding individual complaints and the overall recommendations of the Commissioner's report.

The Commissioner noted that CIT is not overrepresented in contemporary complaints to his office and that a number of the original complaints were withdrawn "based on their positive experiences of change following implementation of CIT's response to the WorkSafe report".

This is testament to the progress that CIT has made in improving its practices around managing workplace issues and the workplace culture. CIT has also acknowledged that its handling of some of the matters that were escalated to the Commissioner could have been better managed. The learnings from CIT and this experience will contribute to the enhancement of the ACTPS for all employees.

The ACT Government is committed to a public service where all staff adhere to the values of respect, integrity, collaboration and innovation enshrined in the ACTPS Code of Conduct and treat each other accordingly. Managing people is not always easy and straight forward, particularly within a large workforce of such diversity. To do this well is not easy and can be

confronting for many of our managers. It takes courage, good leadership, clear direction and continual review of policies and procedures to make sure they are working effectively. CIT has demonstrated that with concerted effort you can change workplace culture.

I believe it is time now for the ACT Government and members of the ACT Legislative Assembly to support CIT to rebuild its reputation as one of the ACT's chief educational assets.