

From: Nikola Stepanov
Sent: Monday, 8 March 2021 7:45 AM
To: Robert Setter
Cc: Dave Stewart
Subject: Mediation and proposed outcomes

Dear Rob and Dave,

I apologise for my email yesterday.

I was working and about to speak at the IWD event and the frustrations about the ongoing communication issues bubbled over.

Rob, I appreciate from your email below that this has been a large and important body of work including undertaking an audit and implementing the recommendations.

However, to ensure that those who will be impacted by the training understand what you are trying to achieve and why, engagement and communication are critical.

If people understand why you wish to take them on a particular journey, we need to know that it is happening and to understand why.

Such endeavors ought to begin in the spirit of reciprocity so that existing workloads and prior training and expertise can be taken into account.

Further, where complex governance arrangements such as our occur, communication and engagement ought to be tailored, particularly where the automated responses included that a failure to undertake training by a specific date will see the issue escalated to PSC ELT.

Whilst such communication might be appropriate for PSC employees. I am not a PSC employee and do not sit under PSC.

In my view a tailored communication strategy appropriate to our situation would have involved having a conversation with me, including:

- talking with me about why this was an important initiative of PSC and how I could assist
- working together with me to discuss the value of each module and reaching an agreement about which modules were appropriate and why. For example, my work leading the whole of government project that considered the use of barriers and ppe across sectors and settings would likely have met, given my expertise, that the COVID module was not necessary to complete and would not bring any further value to the workplace
- working together to agree on completion dates, taking into account the volume of work I am doing and any reporting obligations you have in terms of completion dates, and
- agreeing on an approach if I found myself unable to set aside the time to do the modules.

This did not occur and it is reasonable that I would question the legitimacy of PSC ELT, without notice, mandating training modules for me to complete.

Now that you have raised this issue with Dave, you have opened the door for a broader discussion about how we work together to resolve the outstanding issues.

I am taking the opportunity to walk through the door.

One Thursday I found myself in a position where, with no prior warning, I am left with 1 FTE as support.

Whilst I recognise that it is your legitimate right to make decisions about your staff, and naturally as CE the interest of PSC were placed first, the decisions that you made have placed me in an untenable position, including in terms of continuing to ensure public confidence in the independence and resourcing of an integrity commission.

In two weeks I will host, together with the CCC and SA IBAC, the inaugural Lobbying Summit.

The heads of the various responsible agencies will be attending. I looks to be a great success and in part came about, as Dave is aware, that we wished to send a strong message that we lead in the field of regulating lobbying and that the public should have confidence in our approach in Queensland.

However, I now found myself in a position where:

- In an already under-resourced office, the legal delegate for the lobbying functions has been re-assigned without warning or any opportunity to handover, including current CCC and QPS matters.
- my total FTE for support is 1 staff member who does not have legal training
- my workload is at unprecedented highs and as such is always a topic under heavy Parliamentary, media, and public scrutiny
- and this is occurring in a highly scrutinized environment.

We are all aware that the governance arrangements are inappropriate and this was confirmed in the Bridgeman Review.

Whilst I had planned to have the issues canvassed with suitable alternative arrangements recommended as part of the Strategic Review, given that such reviews take time, that is no longer a viable option given recent events.

I recommend that we enter mediation to seek to reach a compromise on how best we move forward in the public interest.

In that regard, I propose that:

- We undertake informal or formal mediation to work with us to identify the issues and propose suggestions on a way forward
- The mediator could be an NMAS mediator, or a DG who has only a little prior relationship with either of us, or a barrister.
- The mediation should traverse issues dating back before my appointment so that the parties can have a better understanding of the tensions that arise in such governance arrangements and this can inform any structure moving forward.
- The primary outcome of the mediation should be that we reach an agreement as to an interim governance structure to put in place.
- The effectiveness of such a structure, and any alternatives, can be further considered as part of the Strategic Review.

As a number of past and current issues relate to CCC matters, I further recommend that we seek approval from the CCC to discuss the matters but only in very general terms.

Happy for you both to discuss.

Yours sincerely,
Dr Nikola Stepanov JD, PhD (Med.)

Queensland Integrity Commissioner
P 07 3003 2885
E integrity.commissioner@integrity.qld.gov.au W www.integrity.qld.gov.au
Level 13, 53 Albert St, Brisbane QLD 4000

The information in this email is confidential. It is intended solely for the addressee. Any unauthorised access or disclosure of the contents of this email or any attachments is an offence under section 24 of the *Integrity Act 2009* (Qld).
If you have received this email in error, please contact the office of the Integrity Commissioner immediately.



Queensland Integrity Commissioner

From: Robert Setter <Robert.Setter@psc.qld.gov.au>
Sent: Sunday, 7 March 2021 12:26 PM
To: Nikola Stepanov <nikola.stepanov@integrity.qld.gov.au>
Cc: Dave Stewart <david.stewart@premiers.qld.gov.au>
Subject: Re: Outstanding learning modules

Nikola

The mandated online training modules are a collection of eLearning programs that act as control mechanisms and risk mitigation strategies under the Premier's portfolio risk management framework.

Several of the training packages have been implemented in response to audit recommendations as an appropriate and cost effective method of improving practice and strengthening governance.

In the case of cyber security training, it is increasingly important that system users are aware of the latest methods and techniques employed by threat actors to attack our systems and steal or compromise our information and data.

The completion of standardised training also provides an opportunity for us to develop a shared understanding of our roles and responsibilities in performing public sector work.

While I appreciate that training such as the code of conduct may not apply to your circumstances, I encourage you to complete as many of the modules as your schedule allows to assist us to maintain an effective and comprehensive risk management system, and to provide insight into the administrative obligations of the employees in your office.

As a result I will not be removing you from the system; it is entirely your decision as to how you wish to ensure compliance with the Premier's portfolio risk management framework – undertaking the training is one such way.

I have cc'd Dave as the portfolio lead to ensure your concerns are noted.

Rob

Robert Setter

Commission Chief Executive
Public Service Commission

P 07 3003 2810 | E robert.setter@psc.qld.gov.au | W psc.qld.gov.au
Level 27, 1 William Street, Brisbane QLD 4000 | Microsoft Teams: [contact me](#)



From: Nikola Stepanov <nikola.stepanov@integrity.qld.gov.au>

Sent: Friday, 5 March 2021 10:14 AM

To: Robert Setter <Robert.Setter@psc.qld.gov.au>

Subject: FW: Outstanding learning modules

Dear Rob,

I am unclear how it has come to pass that PSC ELT has mandated that I undertake these course

Can you please remove me from this system.

Yours sincerely,
Dr Nikola Stepanov JD, PhD (Melb.)

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Queensland Integrity Commissioner

From: iLearnPSC <ilearnpsc@psc.qld.gov.au>
Sent: Thursday, 4 March 2021 11:00 AM
To: Nikola Stepanov <nikola.stepanov@integrity.qld.gov.au>
Subject: Outstanding learning modules

Good morning,

According to our latest report, the following learning modules are due for completion. Please login through [iLearn](#) and relaunch to complete these outstanding modules. These modules have been deemed by PSC ELT as mandatory and are required to be re-completed on an annual basis.

First Name	Last Name	Catalogue Item
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Nikola	Stepanov	[QGOV] Public entities and the Queensland Human Rights Act 2019
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Nikola	Stepanov	[PSC-HR] Code of Conduct 2020-21

All outstanding modules should be completed by COB Friday 26 March 2021. After this date, any modules still outstanding will be reported to the Executive Leadership Team (ELT) for follow up.

For further assistance or queries please don't hesitate to contact me.
Thank you

s73 name

iLearn Administrator
Governance and Business Services
Public Service Commission

P 07 3003

E ilearnpsc@psc.qld.gov.au

Microsoft Teams – [contact me](#)

I work Monday-Thursday



s73 name

From: Nikola Stepanov
Sent: Tuesday, 9 March 2021 1:36 AM
To: Robert Setter
Cc: Dave Stewart
Subject: Re: Mediation and proposed outcomes

Dear Rob,

I am not satisfied with that outcome and have proposed a way forward.

That the communication issues are not self-evident, at least in light of what I detailed below, is a further reason for the involvement of an impartial third party.

There is no reason that restoring the functionality of my office whilst resolving a more appropriate way forward cannot occur simultaneously.

Yours sincerely,

Dr. Nikola Stepanov PhD (Melb.)
Queensland Integrity Commissioner

M
E nikola.stepanov@integrity.qld.gov.au
W www.integrity.qld.gov.au

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Sent from my iPhone.

On 8 Mar 2021, at 9:01 pm, Robert Setter <Robert.Setter@psc.qld.gov.au> wrote:

Nikola

Thank you for your email.

I suggest that we focus on getting your office functional again in the first instance – I am aware of Megan’s efforts to progress this today.

This will require your you assisting Shaun and Megan to understand your needs, so that they are best placed to assist.

Then let's meet and discuss your concerns below - which I must say come as a surprise to me.

Rob

Robert Setter

Commission Chief Executive
Public Service Commission

P 07 3003 2810 | E robert.setter@psc.qld.gov.au | W psc.qld.gov.au
Level 27, 1 William Street, Brisbane QLD 4000 | Microsoft Teams: [contact me](#)

<image002.jpg>

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Yours sincerely,

Dr Nikola Stepanov JD, PhD (Melb.)

<image005.png>

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<image006.jpg>

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From: Robert Setter <Robert.Setter@psc.qld.gov.au>

Sent: Sunday, 7 March 2021 12:26 PM

To: Nikola Stepanov <nikola.stepanov@integrity.qld.gov.au>

Cc: Dave Stewart <david.stewart@premiers.qld.gov.au>

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Robert Setter

Commission Chief Executive

Public Service Commission

P 07 3003 2810 | E robert.setter@psc.qld.gov.au | W psc.qld.gov.au

Level 27, 1 William Street, Brisbane QLD 4000 | Microsoft Teams: [contact me](#)

<image015.jpg>

From: Nikola Stepanov <nikola.stepanov@integrity.qld.gov.au>
Sent: Friday, 5 March 2021 10:14 AM
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<image016.png>

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<image017.jpg>

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From: iLearnPSC <ilearnpsc@psc.qld.gov.au>
Sent: Thursday, 4 March 2021 11:00 AM
To: Nikola Stepanov <nikola.stepanov@integrity.qld.gov.au>
Subject: Outstanding learning modules

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Nikola	Stepanov	[PSC-HR] Code of Conduct 2020-21

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For further assistance or queries please don't hesitate to contact me.
Thank you

s73 name

iLearn Administrator
Governance and Business Services
Public Service Commission

P 07 3003

E ilearnpsc@psc.qld.gov.au

Microsoft Teams – [contact me](#)

I work Monday-Thursday

<image019.jpg>

Released under RTI - DPC

s73 name

Subject: HOLD: Meeting: Dave Stewart, Rob Setter, Rachel Hunter & Nikola Stepanov
Location: Director-General's Office - Level 40, 1 William Street, Brisbane City

Start: Mon 15/03/2021 3:00 PM
End: Mon 15/03/2021 3:30 PM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Dave Stewart
Required Attendees: Rachel Hunter; Robert Setter

TBC

Please allow 10 minutes to sign-in to 1 William Street Concierge (Ground Floor Concierge).

Attendees:

Dave Stewart, Director-General - Department of the Premier and Cabinet
Rachel Hunter, Under Treasurer - Queensland Treasury
Robert Setter, Commission Chief Executive - Public Service Commission
Nikola Stepanov, Queensland Integrity Commissioner

Contacts:

DPC: [redacted] EA to Dave Stewart 07 3003 [redacted] [\[redacted\]@premiers.qld.gov.au](mailto:[redacted]@premiers.qld.gov.au)

Subject: CONFIRMED: Meeting: Dave Stewart, Rob Setter, Rachel Hunter & Nikola Stepanov
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Organizer: Dave Stewart
Required Attendees: Rachel Hunter (Treasury); Robert Setter; Dr Nikola Stepanov

Confirmed.

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Rachel Hunter, Under Treasurer - Queensland Treasury
Robert Setter, Commission Chief Executive - Public Service Commission
Nikola Stepanov, Queensland Integrity Commissioner

Contacts:

DPC: [redacted] EA to Dave Stewart 07 3003 [redacted] [\[redacted\]@premiers.qld.gov.au](mailto:[redacted]@premiers.qld.gov.au)

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Importance: High

Confirmed.

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Subject: Meeting: Dave Stewart, Rachel Hunter & Nikola Stepanov
Location: Director-General's Office - Level 40, 1 William Street, Brisbane City

Start: Thu 18/03/2021 3:30 PM
End: Thu 18/03/2021 4:00 PM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Dave Stewart
Required Attendees: Rachel Hunter (Treasury); Dr Nikola Stepanov
Optional Attendees: Robert Setter

Confirmed.

Please allow 10 minutes to sign-in to 1 William Street Concierge (Ground Floor Concierge).

Updated date/time

Attendees:

Dave Stewart, Director-General - Department of the Premier and Cabinet
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Meeting Status: Meeting organizer

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Optional Attendees: Robert Setter

Categories: External Attendees

Meeting to be rescheduled.

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Subject: Meeting: Dave Stewart, Rachel Hunter & Nikola Stepanov
Location: Director-General's Office - Level 40, 1 William Street, Brisbane City

Start: Tue 6/04/2021 10:00 AM
End: Tue 6/04/2021 10:30 AM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Dave Stewart
Required Attendees: Rachel Hunter (Treasury); Dr Nikola Stepanov

Please allow 10 minutes to sign-in to 1 William Street Concierge (Ground Floor Concierge).

Updated date/time

Attendees:

Dave Stewart, Director-General - Department of the Premier and Cabinet
Rachel Hunter, Under Treasurer - Queensland Treasury
Nikola Stepanov, Queensland Integrity Commissioner

Contacts:

DPC: [redacted] EA to Dave Stewart 07 3003 [redacted] [\[redacted\]@premiers.qld.gov.au](mailto:[redacted]@premiers.qld.gov.au)
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