

NORTHERN TERRITORY OF AUSTRALIA

Public Sector Employment and Management Act

REVOCATION OF DETERMINATION 4 OF 2011

I, KENNETH DONALD SIMPSON, the Commissioner for Public Employment, pursuant to section 14(2) of the *Public Sector Employment and Management Act* and with reference to section 43 of the *Interpretation Act*, revoke Determination 4 of 2011.

DETERMINATION NUMBER 4 of 2014

PAY PROGRESSION PROCESS FOR SENIOR ADMINISTRATION OFFICERS
AND SENIOR PROFESSIONALS

I, KENNETH DONALD SIMPSON, the Commissioner for Public Employment, pursuant to section 14(2) of the *Public Sector Employment and Management Act* and with reference to section 13(a) of that Act, determine that:

1. pay progression for Senior Officer's employed in the Senior Administrative Officer 1, Senior Administrative Officer 2, Senior Professional 1 and Senior Professional 2 classifications, shall be in accordance with clause 28 of the NTPS 2013-2017 Enterprise Agreement and the Schedule attached to this Determination; and
2. this Determination shall take effect as if signed on 29 November 2013.

Dated: 31 JANUARY 2014



KEN SIMPSON
Commissioner for Public Employment

SCHEDULE 1

Pay Progression for Senior Administrative Officers and Senior Professionals

1. For the Purposes of this Schedule:

- (a) “authorised officer(s)” means the Chief Executive Officer (CEO) or other appropriate person determined by the CEO authorised to assess and approve pay progression for Senior Officers.
- (b) “performance management process” means the Agency performance management and development process as set out in *Public Sector Employment and Management Act* (‘PSEM Act’) and Employment Instruction 4 – Employee Performance Management and Development Systems, as varied from time to time.
- (c) “scheme” means the Senior Officer Pay Progression scheme being the assessment process to determine high performance for the purpose of progression to the next pay point.
- (d) “Senior Officer” means an employee performing duties in a Senior Administrative Officer Level 1 or 2 (SAO1, SAO2); or Senior Professional Level 1 or 2 (SP1, SP2) classification.

2. Senior Officer Pay Progression Principles

- (a) Pay progression for Senior Officers is to be based on high performance. Pay progression is not automatic.
- (b) The scheme is an annual process.
- (c) The scheme is underpinned by a performance management process.

3. Eligibility for Progression

- (a) Participation in the scheme is not mandatory and applications are made at the discretion of the Senior Officer.
- (b) To be eligible, a Senior Officer seeking pay progression must:
 - (i) have a minimum of 12 months service at the SAO1, SAO2, SP1 or SP2 classification; and
 - (ii) have a 12 month performance management process in place and demonstrate satisfactory performance against the performance targets

or work outcomes; and

- (iii) make a written submission in advance of the annual assessment date, demonstrating achievement of one (or a combination) of the progression criteria.

4. Progression Criteria

Progression criteria are set to describe measures that Senior Officers must meet to achieve pay progression through high performance. Subject to clause 3, Senior Officers must satisfy one (or a combination) of the criteria in order to achieve salary progression.

The following are the progression criteria:

- (a) sustained superior performance (i.e. above good performance);
- (b) successful performance of increased duties/responsibilities that are not sufficient to justify an increase in the level of the classification;
- (c) successful undertaking of new projects;
- (d) applied specialist individual expertise resulting in superior outcomes for the agency;
- (e) successful and sustained performance as a leader.

5. Annual Assessment Date

The annual assessment date is the date agreed to in the performance management process.

- (a) Subject to provisions in this Schedule, the annual assessment date is a minimum 12 month period from:
 - (i) the commencement at a Senior Officer level; or
 - (ii) from the date of the previous annual assessment date.
- (b) The annual assessment date may be extended by agreement between the parties.
- (c) Successful progression to the next pay point is effective from the annual assessment date.

6. Impact of a Delay in Assessing an Application on the Annual Assessment Date

- (a) Where there is a delay in assessing a Senior Officer's performance for a progression that is not the result of a Senior Officer's actions:

- (i) Subject to subclause 7(a) the next annual assessment date will be 12 months from the original annual assessment date; and
- (ii) where the assessment results in the Senior Officer progressing to the next pay point, the progression will be effective from the original annual assessment date.

7. Impact of Leave on Annual Assessment Date

- (a) Impact of leave without pay (that does not count for service)

All leave without pay that does not count as service will postpone the annual assessment date by the same number of days a Senior Officer is on leave without pay that does not count for service.

- (b) Impact of other leave

- (i) Subject to 7(b)(ii), periods of approved paid leave are included in the 12 month performance assessment cycle.
- (ii) Where a period of approved paid leave is for an extended duration (for example 3 months) and the period affects the duty performed and the ability to meet performance targets and progression criteria an extension may be granted for a period ('deferred assessment date') by the authorised officer(s).
- (iii) Where a Senior Officer has been granted a deferred assessment date in 7(b)(ii) and is able to demonstrate he or she has met the performance targets and achieved one (or a combination) of the progression criteria in the submission, the progression will apply from the deferred assessment date.

8. Impact of Transfer

- (a) Where a Senior Officer has performed part of the 12 month performance management cycle and subsequently transfers to another position ('new position') at the same level:
 - (i) The annual assessment date will be the date previously agreed to unless a different annual assessment date is agreed to in the performance management process for the new position.
 - (ii) Subject to all relevant circumstances, a different annual assessment date may be less than 12 months from commencement in the new position provided the total period worked in the former and new position combined is a minimum 12 months.

- (b) Where a Senior Officer in the circumstance set out in paragraph (a)(ii) applies for pay progression in the new position the application for progression must satisfy one (or a combination) of the performance progression criteria utilising evidence from the new position and from the former position where relevant.
- (c) In cases detailed in subclause (b), each of the relevant managers may be involved in assessing the evidence against the performance progression criteria for the respective positions.

9. Agency Application and Assessment Process

Agencies are to implement a process for assessing a Senior Officer's application for annual progression to the next performance pay point that is consistent with the following requirements:

- (a) a Senior Officer to be provided with the details of the Agency application and assessment process as soon as practicable after commencing at a Senior Officer classification within the agency;
- (b) a performance management process determining the annual assessment date to be implemented within two (2) months of a Senior Officer's commencement in the agency;
- (c) the process for assessment for pay progression is to provide reasonable timeframes for completion of the application and assessment process;
- (d) a Senior Officer to make a written submission to his or her immediate supervisor (or other person determined by the CEO) for recommendation no earlier than two (2) months prior to the annual assessment date;
- (e) the immediate supervisor to make a recommendation, based on the merit of the submission and his or her knowledge of the Senior Officer's performance, as to the suitability of progression to an authorised officer(s) (as determined by the CEO);
- (f) authorised officer(s) are to assess the submission, including giving due consideration to the supervisor's recommendation, and provide the decision in writing to the Senior Officer and his or her immediate supervisor.

10. Outcome of Assessment

- (a) The outcome of the assessment must be given to the Senior Officer in writing as soon as practicable after the decision.
- (b) The outcome of the assessment shall be:
 - (i) Approved – the Senior Officer has satisfied one (or a combination) of the progression criteria and will progress to the next pay point; or

- (ii) Not approved – the Senior Officer did not satisfy one (or a combination) of the progression criteria and will not receive a pay progression; or
 - (iii) Deferred – a further period, not exceeding three (3) months is granted ('deferred assessment date') by the authorised officer(s) to provide further opportunity to satisfy one (or a combination) of the criteria.
- (c) Where the assessment outcome is not approved or deferred under (b)(ii) and (b)(iii) respectively, the reason for the decision must be provided in writing with feedback to assist the Senior Officer to understand what may be required to achieve progression.
- (d) Where a deferred submission under (b)(iii) results in the Senior Officer progressing to the next pay point, the progression will be effective from the deferred assessment date.

11. Impact of Performing Higher Duties on Progression

- (a) Performing higher duties at a Senior Officer classification
- (i) Subject to clause 3, an Employee performing higher duties at a Senior Officer classification is eligible to participate in the scheme.
 - (ii) Where the period of higher duties is in broken periods, the total period of service at the Senior Officer classification must combine to be at least 12 months within the preceding 24 months.
 - (iii) An Employee performing partial higher duties at a Senior Officer level is not eligible to participate in the scheme unless the CEO (or delegated officer) provides approval to participate in the scheme due to special circumstances.
- (b) Impact of progression on Nominal classification
- (i) Where an Employee on higher duties at a Senior Officer classification is approved for pay progression and the Employee's nominal classification is also a Senior Officer classification, the increment will also count towards pay progression at the nominal classification.
- Note: Where the Employee's nominal classification is not a Senior Officer classification, the usual increment progression process will continue in accordance with the relevant provision under the applicable enterprise agreement.*
- (ii) Where an Employee on higher duties at the Senior Officer classification is not approved for pay progression and the Employee's nominal classification is also a Senior Officer classification, that period of higher duties at the higher level may count towards progression at the Senior Officer's nominal classification if it is assessed that it would have

satisfied the requirements for progression at the nominal level.

12. Grievance on the Merit of Pay Progression

- (a) For a grievance arising in relation to the merits of an assessment against the pay progression criteria the Senior Officer may request, in writing, the CEO to review the merits of the assessment, in the first instance.
- (b) The CEO should complete the review of the assessment outcome within four (4) weeks of receipt of the review request.
- (c) Where the matter is not resolved in paragraph (a) the appropriate grievance review mechanisms under section 59 of the PSEM Act will apply.
- (d) Where the review of assessment under paragraphs (a) and (c) result in the Senior Officer progressing to the next pay point, the progression will be effective from the annual assessment date.

