

NORTHERN TERRITORY OF AUSTRALIA

Public Sector Employment and Management Act

**REVOCAION OF DETERMINATION NUMBER 4 OF 2014**

I, Nicole Hurwood, the Commissioner for Public Employment, pursuant to section 14(2) of the *Public Sector Employment and Management Act 1993* and with reference to section 43 of the *Interpretation Act 1978*, revoke Determination 4 of 2014.

**DETERMINATION NUMBER 6 of 2024**

PAY PROGRESSION PROCESS FOR SENIOR ADMINISTRATIVE OFFICERS  
AND SENIOR PROFESSIONALS

I, Nicole Hurwood, the Commissioner for Public Employment, pursuant to section 14(2) of the *Public Sector Employment and Management Act 1993* and with reference to section 13(a) of that Act, determine that:

1. pay progression for employees employed in the Senior Administrative Officer 1, Senior Administrative Officer 2, Senior Professional 1 and Senior Professional 2 classifications, shall be in accordance with the relevant provisions set out in the Northern Territory Public Sector 2021-2025 Enterprise Agreement and any replacement enterprise agreements and the Schedule attached to this Determination; and
2. this Determination is effective from the date signed and will cease to have effect when revoked.

Dated: 11 October 2024



NICOLE HURWOOD  
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/or approve pay progression for Senior Officers.
- (b) “performance management and development 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 or SAO2); or Senior Professional Level 1 or 2 (SP1 or 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 and development process.
- (d) Participation in the scheme is not mandatory and applications are made at the discretion of the Senior Officer.

#### 3. Eligibility for Progression

To be eligible, a Senior Officer seeking pay progression must:

- (a) have a minimum of 12 months service at the SAO1, SAO2, SP1 or SP2 classification; and
- (b) have a 12 month performance management agreement in place in accordance with the agency performance management system and demonstrate

satisfactory performance against performance targets or work outcomes; and

- (c) make a submission in advance of the annual assessment date or another date agreed with the authorised officer, demonstrating achievement of at least one of the progression criteria set out in clause 4 (the choice of which and how many criteria are addressed is a matter for the Senior Officer).

#### 4. Progression Criteria

Progression criteria describe the measures and standards that Senior Officers must meet to achieve pay progression through high performance. Subject to clause 3, Senior Officers must satisfy at least one of the criteria in order to achieve salary progression.

The following are the progression criteria that define high performance:

- (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 work area/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 and development 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 Senior Officer and the authorised officer.
- (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 pay 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.
- (b) Where there is a delay in a Senior Officer submitting an application for pay progression that is the result of a Senior Officer's actions:
  - (i) The authorised officer may approve a late application submitted after the original annual assessment date where special circumstances warrant; and
  - (ii) (a) If approved, subject to subclause 7(a), the next annual assessment date will be 12 months from the original annual assessment date; and
    - (b) 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.
  - (iii) (a) If not approved, the next annual assessment date will be 12 months from the date of the application; and
    - (b) Where the assessment results in the Senior Officer progressing to the next pay point, the progress will be effective from the date of the application rather than the original annual assessment date.

## 7. Impact of Leave on Annual Assessment Date

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

All leave without pay that does not count as service will postpone the annual assessment date by the same number of days.

- (b) Impact of other leave

- (i) Subject to subclause (ii), periods of paid leave are included in the 12 month performance assessment cycle.
- (ii) Where a period of 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 by the authorised officer resulting in a new



assessment date (the 'deferred assessment date').

- (iii) Where a Senior Officer has been granted a deferred assessment date under subclause (ii) and is able to demonstrate they have met the performance targets in their performance management and development process and achieved at least one of the progression criteria, 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 and development cycle and subsequently transfers to another position ('the 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 and development 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 of 12 months.
- (b) Where a Senior Officer in the circumstance set out in subclause (a)(ii) applies for pay progression in the new position the application for progression must satisfy at least one of the performance progression criteria utilising evidence from the new position and/or from the former position where relevant.
- (c) In cases detailed in subclause (b), each of the relevant supervisors 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 applications for pay progression that is consistent with the following requirements:

- (a) a Senior Officer is to be provided with details of the application and assessment process as soon as practicable after commencing at a Senior Officer classification within the agency;
- (b) a performance management and development agreement is entered into within two (2) months of a Senior Officer's commencement in the agency and this will be used to determine the annual assessment date for any pay progression applications;
- (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 is to make a written submission to their immediate supervisor (or other person determined by the CEO) for recommendation no earlier than two (2) months prior to the annual assessment date;
- (e) if, during an assessment period, a Senior Officer has more than one supervisor for a material period (i.e. for a period during which work performance should be taken into account in assessing whether a progression criteria has been met), the assessment of that former supervisor(s) is to be obtained, included in the pay progression assessment and considered by the immediate supervisor in making a recommendation to the authorised officer;
- (f) the immediate supervisor is to make a recommendation, based on the merit of the submission, the assessment of any former supervisor(s) under (e) and their knowledge of the Senior Officer's performance, as to suitability for progression to the authorised officer;
- (g) the authorised officer is to assess the submission giving due consideration to the supervisor's recommendation.

#### 10. Outcome of Assessment

- (a) The outcome of the assessment must be provided in writing to the Senior Officer and their immediate supervisor as soon as practicable after the decision.
- (b) The outcome of the assessment shall be:
  - (i) Approved – the Senior Officer has satisfied at least one of the progression criteria and will progress to the next pay point; or
  - (ii) Not approved – the Senior Officer did not satisfy at least one 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 to provide further opportunity to satisfy at least one of the progression criteria.
- (c) Where the assessment outcome is not approved or is deferred, the reason for the decision must be provided in writing with feedback to assist the Senior Officer to understand what is 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 authorised 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 under subclause (a), the appropriate grievance review mechanisms under section 59 of the PSEM Act will apply.
- (d) Where the review of assessment under subclause (a) or (c) result in the Senior Officer progressing to the next pay point, the progression will be effective from the annual assessment date.