Request for advice to pay an executive above the remuneration band

Please use this form to request advice from the Victorian Independent Remuneration Tribunal (Tribunal) to pay an executive above the relevant remuneration band for a:

* new appointment
* reappointment
* mid-contract adjustment
* temporary appointment (for example, when undertaking ‘higher duties’).

Please email enquiries@remunerationtribunal.vic.gov.au for information on requesting the Tribunal’s advice when applying the annual adjustment guideline rate.

Instructions

This form can be completed where:

* the executive is not known, such as prior to a recruitment process for a new appointment, or
* the executive is known, such as following a recruitment process for a new appointment, a reappointment, a mid-contract remuneration review or a temporary appointment (such as ‘higher duties’).

Where an employer has sought the Tribunal’s advice prior to a recruitment process (i.e. when the executive was unknown), they must seek further advice from the Tribunal if they propose to pay the executive more than the amount previously advised by the Tribunal. The reasons for the proposed remuneration should be explained in an updated form, including providing further information in the ‘Summary’ and ‘Market testing’ sections of the form.

The employer must complete parts 1 to 5. Information on how to complete the form can be found in the accompanying guidance note. Mandatory information and attachments are listed below.

The executive or proposed executive (if known) must complete Part 6. This part provides notice that an executive’s personal information may be disclosed when the Tribunal publishes its advice (or summaries of its advice) and seeks their consent to disclose this information.

Further information on the Tribunal’s policy on data collection and publication of information is in Part 7.

Part 1: Background

|  |  |
| --- | --- |
| **Employer type** | **Proposal type** |
| [ ]  Victorian public service body  | [ ]  New appointment |
| [ ]  Prescribed public entity | [ ]  Reappointment |
|  | [ ]  Mid-contract adjustment |
|  | [ ]  Temporary appointment (e.g. higher duties) |

Part 2: Details of the proposal

|  |  |
| --- | --- |
| **Name of executive (if known)** |  |
| **Position title** |  |
| **Employer** |  |
| **Work value score** |  |
| **Remuneration band** |  |
| **Proposed total remuneration package (TRP)** |  |
| **New contract start date (for a new appointment or reappointment)****OR****Existing contract start date and contract variation date (for a mid-contract adjustment)** |  |
| **Contract end date** |  |

Part 3: Rationale for the proposed TRP

Please provide a statement and supporting evidence in each section below to justify the specific TRP or TRP range proposed for the position.

Text in green is for guidance only and should be deleted before submission.

|  |
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| **Summary**Outline the key factors that explain why it is not possible to attract or retain an executive for the position within the relevant remuneration band. Further, outline how the specific TRP proposed for this executive position was derived or established.  |
| [insert text here]**Mandatory attachments**[ ]  Current position description[ ]  Current work value assessment based on the attached position description[ ]  Executive’s resume[ ]  Evidence of the executive’s current remuneration [ ]  Organisation chart[ ]  Data on remuneration relativities (see ‘Remuneration relativities’ section below) |

|  |
| --- |
| **Executive position****What are the two or three critical functions and responsibilities of the position? What** **critical skills, capabilities and experience are required for the position? How did these considerations inform the proposed TRP?**In considering the critical functions and responsibilities of the position, you may wish to note how the position contributes to the organisation’s key objectives and priorities, including current strategic risks and significant challenges that the executive in the position will be managing.In your response, please include a brief summary of material changes to the position (if any) since a previous request to the Tribunal. [insert text here] |
| **Market conditions****What is your assessment of the relevant demand and supply conditions for executives with the required skills, capabilities and experience, and how these are affecting market remuneration?**Evidence about demand and supply conditions could include: * external reports or indicators of skill shortages
* an assessment of direct competitor organisations for executives and implications for remuneration setting
* market benchmarking analysis (for example, sector or position-specific remuneration data).

For reappointments or mid-contract adjustments – where ‘flight risk’ is considered a relevant factor, please provide supporting evidence. |
| [insert text here] |

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| --- |
| **Market testing** **What recruitment or other market testing approach was used to identify the executive and how did the outcome of this approach inform the proposed TRP?**In your response, please include the following information:*Forms submitted where the executive is not known (for example, prior to a recruitment process)** the proposed recruitment or market testing process for the position and, where available, relevant insights from a recent market testing or other process for a comparable position.

*Forms submitted where the executive is known* * Where a recruitment process was used – the number of applicants for the position, the number of applicants interviewed, the number of suitable applicants, the remuneration expectations of suitable applicants and evidence of the current remuneration of the preferred candidate.
* Where an alternative market testing process (for example, targeted search) was used – the number of candidates identified, the number of candidates interviewed, the remuneration expectations of suitable candidates and evidence of the current remuneration of the preferred candidate.
* For reappointments or temporary appointments where no recruitment or market-testing was used – where available, relevant insights from a recent market testing or other search process for a comparable position.
 |
| [insert text here] |
| **Remuneration relativities****How will the proposed TRP affect remuneration relativities within the organisation?**This information will assist the Tribunal to understand how the proposed remuneration compares to:* ‘peer’ roles within the organisation (i.e. executives performing similar roles)
* ‘structural’ roles within the organisation (i.e. executives in same area or chain of command) similar roles across the public sector and potential consequences (for example, on intra-public sector recruitment, retention and remuneration).

In your response, please include the following information:* for a new appointment, the TRP of the previous executive and where the proposed executive is known the executive’s remuneration
* for a reappointment, mid-contract adjustment or temporary appointment, the current TRP of the executive and changes to the TRP since the executive’s appointment
* for the manager and direct reports to the position, the classification, work value score and TRP for executives and the classification and remuneration for non-executives
* for comparable executive positions within the organisation, the classification, work value score and TRP.
 |
| [insert text here] |

|  |
| --- |
| **Other information**Please provide other relevant information not covered above that you wish the Tribunal to consider. |
| This could include broader organisation-specific factors or context that may be relevant for the position, including the external operating environment or organisational transformation and structural changes. [insert text here] |

Part 4: Contact information of relevant officer

Please provide details of the relevant person to be contacted regarding any of the information in this form:

|  |  |
| --- | --- |
| **Name:**  |  |
| **Position:** |  |
| **Contact:** | [phone]\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [email address] \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  |

Part 5: Signature block of authorising employer

The authorising employer must sign and date this form. This will be:

* for Victorian public service bodies, the relevant Department Secretary or Administrative Office Head (for requests regarding subordinate executives) or the Premier (for requests regarding Department Secretaries, Administrative Office Heads or the Victorian Public Sector Commissioner), or their delegate (where applicable).
* for prescribed public entities, the Chief Executive Officer (or equivalent) for requests regarding subordinate executives or the Chair of the Board (or, where applicable, their delegate) for requests regarding the Chief Executive Officer.

Digital signatures are accepted.

|  |  |
| --- | --- |
| **Name:**  |  |
| **Position:** |  |
| **Signature:** |  Date: / /  |

 **Once complete, please send this form, including Part 6 and attachments, to:** **enquiries@remunerationtribunal.vic.gov.au**

Part 6: Use and disclosure of executive’s personal information

**Your employer’s request for advice**

The Victorian Independent Remuneration Tribunal (Tribunal) has made [Determination](https://www.vic.gov.au/tribunals-determination-vps-executive-remuneration-bands)s setting the values of remuneration bands for executives employed in Victorian public service bodies and prescribed public entities.

The functions and powers of the Tribunal include providing advice in relation to proposals to remunerate executives above the relevant remuneration band.

Your employer is proposing to remunerate you above the band set in the Determination and as required under legislation, is seeking the Tribunal’s advice in relation to the proposed total remuneration package (TRP). The information in parts 1 to 5 above is necessary to enable the Tribunal to consider your employer’s proposal and provide advice. The absence of some or all of the information requested by the Tribunal may affect the Tribunal’s consideration of, and final advice on, a proposal to pay an executive above the applicable remuneration band.

**Notification of the disclosure of personal information**

To support greater transparency, accountability and evidence-based decision-making in relation to remuneration arrangements, the Tribunal intends to make its advice in relation to your employer’s proposal publicly available on its website. The Tribunal may also publish periodic summaries of its advice, including the advice in relation to you, in its annual report or in other publications.

In publishing its advice or summaries, the Tribunal may disclose any or all of the following personal information (some of which your employer will provide to the Tribunal):

* position title
* your current remuneration
* contract start and end dates
* personal characteristics, such as specialist skills, experience or qualifications you hold
* the TRP the Tribunal considers appropriate
* other personal information that may be provided under parts 2 and 3 of this form.

Please note that the published advice and any summaries will not expressly state:

* your name
* the TRP proposed by your employer.

At any time, you may contact the Tribunal to access and correct your personal information. Further information on the [Tribunal’s policy](https://www.vic.gov.au/virt-privacy-policy) for handling personal information is available on the Tribunal’s website.

**Request for consent to publish**

The Tribunal requests your consent to disclose your personal information when publishing its advice on its website, including in periodic summaries.

Note: while the Tribunal requests your consent, the legislative framework governing and applicable to the Tribunal supports and enables the publication of its advice and summaries without your consent.

**Executive’s acknowledgement of notice and consent**

|  |  |
| --- | --- |
| [ ]  | I am the executive or proposed executive to which this request for advice applies. |
| [ ]  | I have read and understood the Tribunal’s notice that it may disclose my personal information when publishing its advice about my proposed remuneration. |
| [ ]  | I consent to the Tribunal disclosing my personal information when publishing its advice or summaries of advice, noting that my name and proposed TRP will not be expressly stated. |
| [ ]  | I understand that in accordance with the Tribunal’s Collection Notice, I have the right to access and correct my personal information held or published by the Tribunal. |

Digital signatures are accepted

|  |  |
| --- | --- |
| **Name:**  |  |
| **Signature:** |  Date: / /  |

 **Once complete, please send this section to your employer.**

Part 7: Data collection and publication

To support greater transparency, accountability and evidence-based decision-making in relation to remuneration arrangements, the Tribunal intends to publish the advice it provides under section 37 of the *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019* (Vic)(VIRTIPS Act) on its [website](https://www.vic.gov.au/victorian-independent-remuneration-tribunal), with the following modifications. The advice as published on the Tribunal’s website will not expressly state the executive’s or proposed executive’s name and the proposed total remuneration package (TRP). Periodic summaries of the Tribunal’s advice may also be published (such as in the Tribunal’s annual report). These summaries will also not expressly state the name or proposed TRP of the executives.

**Collection notice**
The Tribunal is committed to protecting privacy. The Tribunal handles personal information in accordance with the *Privacy and Data Protection Act 2014* (Vic), *Public Records Act 1973* (Vic) and other applicable legislation. The Tribunal is collecting, using and disclosing personal information for the performance of the functions of the Tribunal’s members and officers under the VIRTIPS Act, in particular sections 6(1)(i), (k), (m), section 6(2) and section 37.

The Tribunal gives notice that, to support greater transparency, accountability and evidence-based decision-making in relation to remuneration arrangements, it intends to take the following steps:

* The Tribunal intends to make its advice provided under section 37 of the VIRTIPS Act publicly available on its website (but without expressly stating the name or proposed TRP of the executive or proposed executive). This will generally be published within 10 business days of the advice being communicated to the employer.
* The Tribunal intends to publish periodic summaries of its advice, such as in the Tribunal’s annual report or elsewhere (but without expressly stating the name or proposed TRP of the executive or proposed executive).

In taking these actions, the Tribunal may disclose the personal information of the executive or proposed executive who is the subject of the advice.

An executive or proposed executive is entitled to access and correct their personal information at any time. In some cases, requests for access to personal information may be handled in accordance with the *Freedom of Information Act 1982* (Vic). Further information is available in the [Tribunal’s policy](https://www.vic.gov.au/virt-privacy-policy) on the handling of personal information or by contacting enquiries@remunerationtribunal.vic.gov.au