Request for Advice: Prescribed Public Entity Executive Officers

*Form A: New appointment (executive yet to be identified)*

**This form should be used to request the Tribunal’s advice about remunerating a public entity executive position above the maximum of the relevant remuneration band in circumstances where the proposed executive is yet to be identified; for example, where a recruitment process has not yet commenced. Employers should seek the Tribunal’s advice prior to commencing a recruitment process for the position.**

**To request the Tribunal’s advice where the proposed executive has been identified, please use Form B.**

The functions and powers of the Victorian Independent Remuneration Tribunal (**Tribunal**) include providing advice in relation to proposals to remunerate executives in prescribed public entities above the relevant remuneration band.

The Tribunal has made a Determination setting the values of remuneration bands for executives employed in prescribed public entities.

The Tribunal has approved this application form to be used to seek its advice in relation to a proposal to offer a total remuneration package (TRP), or a TRP range, above the maximum of the relevant band. Employers should submit the form and seek the Tribunal’s advice prior to commencing the recruitment process, although this form may be submitted at any time prior to finalising the employment agreement with the executive.

Once an employer receives the Tribunal’s advice, the TRP advised can be used to commence or finalise a recruitment process. This means that once an executive is identified, an employer is not required to again seek the Tribunal’s advice to appoint the executive, provided the executive is remunerated at equal to or less than the TRP (or TRP range) advised by the Tribunal for the position.

It is expected that requests for advice to pay above the band will only be made in exceptional circumstances; for example, where there is demonstrated evidence of market pressures to pay above the band in order to recruit a suitable executive. As a threshold decision, employers should first ensure the position is appropriately classified in line with the Public Entity Executive Classification Framework administered by the Victorian Public Sector Commission.

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)on its [website](https://www.vic.gov.au/victorian-independent-remuneration-tribunal) within 10 business days of the advice being communicated to the employer. The advice will be published with one modification - the advice as published on the Tribunal’s website will not state the employer’s proposed TRP or the TRPs of other executives in the organisation, which an employer may provide to the Tribunal as supporting evidence. Periodic summaries of the advices of the Tribunal may also be published (such as in the Tribunal’s annual report). These summaries will also not state the employer’s proposed TRP.

Instructions for completing this form

In order for the Tribunal to consider the proposal and provide advice, the employer must complete and sign this form. Section 5 requires the authorising employer’s signature to request advice from the Tribunal.

Section 1: Core information about the executive position

|  |  |
| --- | --- |
| **Executive position title** |  |
| **Employing public entity body** |  |
| **Relevant remuneration band** |  |
| **Public entity executive classification framework result (mandatory)** |  |
| **Proposed TRP or TRP range** | $ |
| **TRP of previous incumbent (and any bonus payments if applicable)** | $ |
| **Explanation of the proposed recruitment process**  |  |
| **Number of direct reports to the position and their TRPs (also see the requirement to provide an organisational chart with TRPs under Section 3)**  |  |
| **Manager’s title and TRP** |  |
| **Indicative start date for new contract** | Click to enter a date |
| **Indicative end date for new contract** | Click to enter a date |
| **Name and position of authorising employer (i.e. Chief Executive Officer or Chair of the Board– see section 5 for further information)** | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [name]\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [position] |
| **Date of authorisation** | Click to enter a date |

Section 2: Statements against the Guiding Principles

Please provide a statement against one or more of the following Guiding Principles in support of your request. Evidence must be supplied in support of the proposal, and may take the form of (but is not limited to) independent remuneration reports; information about market pressures obtained through a competitive recruitment process for the position (if applicable); information gained through other competitive recruitment processes; objective reports about skills shortages in certain areas; evidence of genuine poaching of a particular executive; or other forms of remuneration advice.

|  |
| --- |
| **Guiding Principle 1:** *There are significant market pressures on the position meaning that a more competitive remuneration offering is required.*  |
|  Insert text here[ ]  Evidence attached  |
| **Guiding Principle 2:** *There will be a significant impact on the prescribed public entity’s business if an executive is not remunerated according to the request.*  |
|  Insert text here[ ]  Evidence attached |
| **Guiding Principle 3:** *There is evidence that a previous recruitment process failed to attract candidates with the required skills and/or qualifications at a remuneration range within the relevant band.* |
|  Insert text here |
| [ ]  Evidence attached |
| **Guiding Principle 4:** *Any other reasons underpinning the proposal which a prescribed public entity employer may consider relevant.* Insert text here[ ]  Evidence attached  |

Section 3: Attachments

Please select the attachments that you are including with your form:

|  |  |
| --- | --- |
| [ ]  Position description and any other documentation to support the recruitment process (mandatory)  | [ ]  Work value assessment report under the Public Entity Executive Classification framework  (mandatory) |
| [ ]  Organisational chart of executives, showing TRP arrangements and date TRPs were set (mandatory) | [ ]  Documentary evidence against Guiding Principles (if available) |
| ☐ Other supporting evidence (if available) |  |

Section 4: Contact information of relevant public entity officer

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

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

Section 5: Signature block of authorising employer

The authorising employer must sign and date this form. This will be either the relevant Chief Executive Officer (or equivalent) for requests regarding subordinate executives or the Chair of the Board for requests regarding the Chief Executive Officer (or equivalent), or their delegate (where applicable).

Digital signatures are accepted.

|  |  |
| --- | --- |
| **Name:**  |  |
| **Position:** |  |
| **Signature / date:** |  Date: / / 202  |

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

**Collection notice**
The Victorian Independent Remuneration Tribunal (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 *Victorian Independent Remuneration Tribunal and Improving Parliamentary Standards Act 2019* (Vic) (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). This will be published within 10 business days of the advice being communicated to the employer.
* The Tribunal intends to publish periodic summaries of its advices, such as in the Tribunal’s annual report or elsewhere (but without expressly stating the name or proposed TRP of the executive).

Further information is available in the Tribunal’s [policy](https://www.vic.gov.au/about-victorian-independent-remuneration-tribunal#privacy-policy) on the handling of personal information or by contacting enquiries@remunerationtribunal.vic.gov.au.