

Senior officers - employment conditions

Directive 02/21 **Effective date:** 1 July 2021

Supersedes: 11/17

1. Purpose

This directive sets out the requirements for appointment and the employment conditions for senior officers and employees seconded to or acting as senior officers.

2. Authorising provisions

This directive is made pursuant to sections 53(1)(b) and 119 of the *Public Service Act 2008* (PS Act).

3. Application

- 3.1 This directive applies to employees engaged under Chapter 5, Part 2 of the PS Act, and by secondment to or acting at the senior officer classification level.
- 3.2 Schedule 1 of this directive also applies retrospectively to employees who were appointed to, engaged or acting in a senior officer role at any time during the period from 1 September 2019 to 1 July 2021, for service at the senior officer classification level during that period, provided that on 1 July 2021 the employee is employed by a government entity as defined in section 24 of the PS Act.

Directive

4. Principles

- 4.1 Senior officers:
- (a) play an important leadership role in Queensland public sector agencies, and are a critical talent pathway to executive leadership roles
 - (b) make a valued contribution, providing a bridge between an agency's strategic leadership and operations, connecting activities to purpose, and driving outcomes
 - (c) work collaboratively across the sector, enabling connected policy and service delivery agendas to improve community outcomes.

- 4.2 The Queensland Government is committed to maximising permanent employment, including for employees at the senior officer classification level. This directive provides for the appointment and fair remuneration of senior officers and for the review of public service employees acting as senior officers for permanent appointment to their role.
- 4.3 Under the *Human Rights Act 2019* decision makers have an obligation to act and make decisions in a way that is compatible with human rights, and when making a decision under this directive, to give proper consideration to human rights.

5. Appointment as a senior officer

- 5.1 Where a role is assessed as being within the work value range (720 – 819) for senior officers under the approved Job Evaluation Management System (JEMS), an appointment to or engagement in the role must be at the senior officer classification level.
- 5.2 Appointing a public service employee to a higher classification level
 - (a) Clause 5.2 applies to:
 - (i) a public service officer who is seconded to a higher classification level as a senior officer in the department in which the employee is substantively employed.
 - (ii) a public service employee (including a fixed term temporary employee) who is assuming the duties and responsibilities of a higher classification level as a senior officer in the department in which the employee is substantively employed.
 - (b) Clause 5.2 does not apply to a person engaged as a senior officer under section 122 of the PS Act, even if the person holds a substantive appointment as a public service employee.
 - (c) An employee in clause 5.2(a) may make a written request to the chief executive to appoint the employee to the senior officer role as a public service officer after:
 - (i) the employee has been performing in the senior officer role for a continuous period of at least one year
 - (ii) each one-year period after a written request made under clause 5.2(c)(i).
 - (d) An employee may make an additional request if the role becomes a substantive vacancy.
 - (e) When deciding the request, the chief executive must consider:
 - (i) whether the employee is eligible for appointment to the senior officer role having regard to the merit principle
 - (ii) the genuine operational requirements of the department.
 - (f) The chief executive must decide the request, and provide a written decision, within the required period – 28 days after the request is made unless there is agreement between the employee and the chief executive to extend the period.
 - (g) If the chief executive does not make a decision within the required period, the chief executive is taken to have refused the request.
 - (h) Any requirement to advertise a role in a directive dealing with recruitment and selection does not apply when permanently appointing an employee under clause 5.2.



- (i) Affected employees registered for priority transfer under the directive about supporting employees affected by workplace change must be considered for placement prior to making a decision to appoint a senior officer under clause 5.2.
- (j) An employee eligible for review under this clause has a right of appeal under section 194(1)(a) of the PS Act where:
 - (i) the chief executive decides not to permanently appoint the employee to the higher classification level, and
 - (ii) the employee has been continuously engaged at the higher classification level as a senior officer for at least two years.
- (k) Continuous period for the purposes of this directive, means a period of unbroken engagement, including periods of authorised leave or absence, in the same senior officer role, in the same agency. A period of engagement at the senior executive service classification level may be considered an authorised absence where the employee returns to the same senior officer role.

6. Hours of work and attendance

- 6.1 The usual full-time work hours of a senior officer are a minimum of 72.5 hours per fortnight¹. However, to perform the role effectively, a senior officer may be required to work additional hours as appropriate.
- 6.2 Hours of work arrangements must consider and seek to manage a senior officer's health and well-being.
- 6.3 A senior officer's manager may approve reasonable time off without debit to a leave account where they consider the senior officer has regularly worked in excess of usual hours.
- 6.4 A senior officer may be required by their chief executive to undertake official duties for the whole or part of a public holiday, as warranted in the circumstances.
- 6.5 Senior officers are not entitled to additional compensation for work performed outside of usual hours (including public holidays).
- 6.6 A senior officer may access flexible work arrangements with the approval of their manager. Flexible work arrangements may relate to the pattern of work, the place of work and the work arrangements used.
- 6.7 A senior officer may be engaged on a part-time work arrangement. An approved part-time work arrangement constitutes the usual hours of the senior officer. A part-time senior officer is entitled to the benefits and entitlements of a full-time senior officer on a pro-rata basis.
- 6.8 A senior officer who is unable to attend work or perform their duties is to report the fact to their manager as soon as possible.

¹ The usual hours may be worked flexibly, including, at the discretion of the chief executive, by averaging work hours over multiple fortnightly periods.

7. Remuneration package and benefits

- 7.1 Senior officers will receive remuneration in accordance with Schedule 1 or the relevant Stage of Schedule 2 of this directive, according to the effective dates of each of those Schedules or Stages.
- 7.2 When appointing a senior officer or engaging a person to act as a senior officer, the chief executive will determine the relevant senior officer pay-point to be paid (that is, pay-point 1, 2 or 3), commensurate with the person's skills and expertise.
- 7.3 A pay-point increase for a senior officer is tied to achieving and exceeding agreed performance objectives. At each annual performance review, the senior officer's manager must consider and recommend a single pay-point increase if there is evidence of sustained high performance.
- 7.4 A recommended senior officer pay-point increase will take effect once approved by the chief executive.
- 7.5 A senior officer may elect, through a signed agreement with their chief executive, to receive the following remuneration package benefits via in-house salary packaging at no administration cost to the senior officer:
 - (a) the payment of employee superannuation contributions
 - (b) the payment of subscriptions for membership of professional or occupational associations
 - (c) a benefit of another kind approved by the Commission Chief Executive, Public Service Commission.
- 7.6 A remuneration benefit agreed in clause 7.5 must not exceed the percentage of superannuable salary that would apply if the senior officer were to access the agency's fee for service salary packaging scheme.
- 7.7 A senior officer may also access other salary packaging items from their agency's provider in accordance with the rules and charges associated with using that service.
- 7.8 A person acting in a senior officer role may access the remuneration package benefits in clause 7.5 when the cumulative period of consecutive acting appointments exceeds 12 months.

8. Technological support

Where determined by the chief executive, a senior officer is to be provided with an official smartphone device and any other technological support necessary to enable the senior officer to fulfil their duties to the satisfaction of the chief executive. A senior officer is entitled to reasonable personal use of the smartphone or other technological support in accordance with departmental policy.

9. Application of award provisions and directives of industrial relations Minister

9.1 A senior officer is entitled to the benefits and allowances set out in the following award provisions and directives of the industrial relations Minister, as though the senior officer was covered by such award provisions and directives, subject to the amendments and/or conditions noted below:

- (a) clauses 20 (Personal leave) and 21 (Parental leave) of the *Queensland Public Service Officers and Other Employees Award – State 2015*
- (b) the directive about hours, overtime and excess travel, only to the extent that it provides for the overtime meal allowance
- (c) the directive about recognition of previous service and employment for long service, sick and paid parental leave purposes
- (d) the directive about leave without salary credited as service, except to the extent that it provides for salary increments
- (e) the directives about long service leave, recreation leave (except to the extent that it provides for Christmas/New Year compulsory closure), sick leave, study and examination leave, special leave and paid parental leave
- (f) the directive about higher duties, except that:
 - (i) the minimum period means 'more than three days'
 - (ii) the relevant percentage is 100%
 - (iii) the clauses dealing with payment of increments during relieving periods and the recognition of higher duties on appointment do not apply
 - (iv) the calculation of the higher duties allowance will be to SO1 pay-point, unless otherwise determined under clause 7.2. Where an existing senior officer undertakes duties in a senior officer classified role in another department at a higher senior officer pay-point, maintenance of that higher pay-point is not automatic on return to their home department.
- (g) the directive about motor vehicle allowances that references the relevant modern award being the *Queensland Public Service Officers and Other Employees Award – State 2015*
- (h) the directive about court attendance and jury service
- (i) the directives about travelling and relieving expenses
- (j) the directive about locality allowances
- (k) the directive about critical incident entitlements and conditions, except to the extent that it provides for overtime, flexitime or time off in lieu
- (l) the directive about leave and travel concessions for isolated centres
- (m) the directive about early retirement, redundancy and retrenchment.

9.2 A senior officer may be provided with benefits under the directive about transfer and appointment expenses. Alternatively, transfer and appointment expenses may be paid in accordance with a proposal approved by their chief executive and supported by a certificate from the chief executive that the total quantum of expenses under the proposal will be no greater than the reimbursement that would have been payable under the directive.

10. Christmas/New Year compulsory closure

- 10.1 A senior officer, including when on recreation or long service leave, is to be granted leave on full pay without debit to any leave account for those days during the Christmas/New Year compulsory closure period that are not public holidays or weekend days (granted leave days). A senior officer on any other form of leave does not qualify for the granted leave days.
- 10.2 Where a senior officer is on approved recreation or long service leave on any of the granted leave days, the senior officer's relevant leave balance is to be adjusted to reflect the granted leave days instead of the recreation or long service leave.
- 10.3 A chief executive may, in exceptional circumstances, determine that an individual senior officer does not qualify for the granted leave days. Where a chief executive makes such a determination, the senior officer is required to apply for leave if they are not otherwise required for work.

Superseded by
Directive 10/23



Schedule 1: Senior officer remuneration rates
 Effective from 1 September 2019
 (2.5% increase)

SO Pay-point	Effective 1 September 2019 \$ per annum				
	Fortnightly Salary 1/09/2019	Annual Salary 1/09/2019	Superannuation 12.75%	Leave loading	Total employment cost 1/09/2019
3	5,570.00	145,318	18,528	1,950	165,796
2	5,323.50	138,886	17,708	1,863	158,457
1	5,077.10	132,458	16,888	1,777	151,123

Per annum = 26.0892857142 fortnights (F/N)

Schedule 2: Senior officer remuneration rates

(2.5% increase each STAGE)

Effective dates: STAGE 1 from 1 September 2021

STAGE 2 from 1 March 2022

STAGE 3 from 1 September 2022

SO Pay-point	STAGE 1 Effective 1 September 2021 \$ per annum					STAGE 2 Effective 1 March 2022 \$ per annum					STAGE 3 Effective 1 September 2022 \$ per annum				
	Fortnightly salary 1/09/2021	Annual salary 1/09/2021	Superannuation 12.75%	Leave loading	Total Employment cost 1/09/2021	Fortnightly salary 1/03/2022	Annual salary 1/03/2022	Superannuation 12.75%	Leave loading	Total Employment cost 1/03/2022	Fortnightly salary 1/09/2022	Annual salary 1/09/2022	Superannuation 12.75%	Leave loading	Total Employment cost 1/09/2022
3	5,709.30	148,951	18,991	1,998	169,940	5,852.00	152,674	19,466	2,048	174,188	5,998.30	156,491	19,953	2,099	178,543
2	5,456.60	142,358	18,151	1,910	162,419	5,593.00	145,917	18,604	1,958	166,479	5,732.80	149,565	19,070	2,006	170,641
1	5,204.00	135,769	17,311	1,821	154,901	5,334.10	139,163	17,743	1,867	158,773	5,467.50	142,642	18,187	1,914	162,743

Per annum = 26.0892857142 fortnights (F/N)