



Department of  
the Premier and Cabinet

# CLASSIFICATION GUIDELINES – 2021

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## Public sector employees seconded to special offices

A guide for agencies to assist in the review of classification of employees seconded to a special office for the purpose of assisting a political office holder.

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## 1 INTRODUCTION

The entitlement to a review of the classification of employees seconded to special offices is provided for under Section 75(3) of the *Public Sector Management Act 1994* to those employees who meet the eligibility criteria.

Section 75(3) of the *Public Sector Management Act 1994* refers to an employee of a Department or organisation seconded to or placed in a special office continuously for at least two years for the purpose of assisting a political officer holder. An employee seconded at a salary which exceeds that equivalent to a Level 5 office under the *Public Service Award (PSA) 1992* is entitled to have his/her classification reviewed in accordance with the Commissioner's Instruction by a person or persons appointed by the Director General of the Department of the Premier and Cabinet (DPC).

A political officer holder is defined in section 3 of the *Public Sector Management Act 1994* as:

- a) Minister of the Crown;
- b) Parliamentary Secretary of the Cabinet;
- c) Parliamentary Secretary holding office under section 44A of the *Constitution Acts Amendment Act 1899*;
- d) Government Whip;
- e) Leader of the Opposition in the Legislative Council;
- f) Leader of the Opposition in the Legislative Assembly; or
- g) person, if any, who, not being a Minister of the Crown, is the leader of a party in the Legislative Assembly of at least 5 members, other than a party led by the Premier or by the Leader of the Opposition referred to in paragraph (f).

Public sector employees are encouraged to seek secondments to special office positions as career development opportunities, and to provide Ministers and other political office holders with public sector expertise in policy and research. Employees undertaking such positions perform a critical function within the public sector.

Employees taking up such opportunities would take back to their agencies new skills, experience and a better understanding of the processes of executive government. However, employees who take up such secondments for extended periods of time may experience difficulties in securing promotional appointments in their home agency.

These Guidelines have been produced to assist employees and reviewers in submitting and assessing an application for a review of classification in accordance with section 75(3) and the Commissioner's instruction - Review of Classification Level of Employees Seconded To Special Offices.

## **2 GUIDELINES FOR SECTION 75(3) CLASSIFICATION**

### **2.1 Classification review**

The provision of section 75(3) is not an entitlement to be reclassified. Rather it simply provides a right for a review of an employee's classification subject to certain eligibility requirements being met.

A review of classification must be carried out in accordance with the Commissioner's Instruction - Review of Classification Level of Employees Seconded to Special Offices.

While the Department of the Premier and Cabinet (DPC) will appoint a reviewer (usually the employing authority) to assess the claim, any decision to reclassify an individual remains the responsibility of the employing authority.

An employing authority seeking to reclassify an employee above Level 8 will require the endorsement of the Public Sector Commissioner.

If the reclassification request is successful, the effective date of reclassification is the date the employee left the special office or if the employee remains in the special office it is the date the employing authority approved the reclassification.

## **3 INFORMATION FOR EMPLOYEES**

### **3.1 Eligibility**

Prior to submitting an application, the employee should confirm with the Department of the Premier and Cabinet (DPC) they meet the following eligibility requirements.

- Continuously held a position or positions in a minister's office for a period in excess of two years.
- Acted continuously for a minimum of two years against a position or positions to which a permanent appointment cannot be made (salary which exceeds that equivalent to a Level 5 office under the *PSA 1992*).
- Seconded to a special office or have left a special office not more than two calendar months ago.
- Must be a minimum of two years since any previous reclassification under this process.

It is recommended, where possible, that the employee meet with an appropriate officer within their home agency (Human Resource Consultant for example) to discuss and confirm this process prior to an application being submitted to the Director General, DPC.

The employee and the home agency are encouraged to seek advice from the DPC.

## **3.2 Information required to be submitted**

To assist in the assessment process the employee should provide the following information addressed to the Director General, DPC:

- A covering letter to the Director General DPC requesting reclassification.
- A detailed current CV, including duties performed in the special office.
- An approved copy of the employee's substantive (home agency position) Job Description Form.
- An explanation of how the employee considers he/she has been disadvantaged in terms of promotion opportunities as compared to at least three peers at your home agency. Peers should be appointed substantively to their current position and not acting.
- Peers are defined as employees in similar roles with a similar skills and experience set to the applicant and must have been classified at the same level as the applicant at the time the applicant was seconded to the ministerial office.

### **3.2.1 Work Value Information - Policy Roles**

Employees need to demonstrate in their application that they are capable of working at the level to which they are seeking reclassification.

For employees seconded to policy roles, work value information about work undertaken in the special office should be categorised using the headings listed below. These are consistent with Public Sector capability profiles published by the Public Sector Commission (PSC) and provide an outline of the expected skills and behaviours required across the public sector, while complementing the agency specific skills and individual job requirements.

Information provided should be cognisant of the capability profiles and at the same time the specific responsibilities expected for Policy Advisor positions as determined from time to time by the DPC and listed in an attachment to these Guidelines.

If employees are seeking reclassification to Level 7 (*PSA 1992*) and above they need to address the Public Sector Commission [Leadership Development Profiles](#).

**Shapes and manages strategy** – Details of the employee's involvement in:

- inspiring a sense of purpose and direction;
- focusing strategically;
- harnessing information and opportunities; and
- showing judgment, intelligence and common sense.

### **Employee Example**

Show how you have contributed to the policy and strategic development process, (provide examples) and whether the results of the employee's input and advice reached and influenced decision makers, such as Minister's and Cabinet.

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**Achieves results** – Details of the employee's involvement in building organisational skill and responsiveness, the marshalling of professional expertise, project management and the delivery of results.

### **Employee Example**

Identify how you have contributed to research and analysis activities (provide examples) of subjects, sources of research and the results that were achieved, such as speeches, reports, briefing notes, development and introduction of legislation etc which directly supported the political office holder.

In delivering outcomes clarify your primary involvement in:

- initiating, developing or implementing;
  - negotiating and advising;
  - co-ordinating and monitoring; or
  - supporting others to carry out some or all of these responsibilities.
- 

**Builds productive relationships** – Details of the employee's involvement in

- nurturing internal and external relationships;
- recognising shared agendas and working toward mutually beneficial outcomes;
- facilitating cooperation and partnerships;
- resolving conflict using appropriate strategies;
- valuing individual differences and diversity;
- guiding, coaching and developing people.

### **Employee Example**

Articulate your responsibility for liaising and building relationships with the political office holder, other political office holders (including Ministers) and other key stakeholders, across a range of matters and clarify their complexity and sensitivity.

Explain your involvement in leading and managing the work and activities of others, including supervising staff or other human resource management responsibilities; the provision of administrative support such as correspondence, budget formulation and monitoring.

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**Exemplifies personal integrity and self-awareness** – Details of the employee demonstrating:

- public sector professionalism and probity;
- engaging with risk and showing personal courage;
- committing to action;
- displaying resilience; and
- self awareness and a commitment to personal development.

**Employee Example**

Describe, how you:

- operated professionally and within the boundaries of organisational processes and legal and public policy constraints;
  - represented the political office holder in public and internal forums; and
  - provided impartial and forthright advice and made difficult decisions to achieve desired outcomes.
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**Communicates and influences effectively** – Details of the employee:

- a. communicating clearly;
- b. listening, understanding and adapting to an audience; and
- c. negotiating persuasively.

**Employee Example**

Explain your involvement in, and extent of, liaison and negotiation with others, demonstrating the key requirements of your role and whether this involves:

- simple or routine exchange of information;
  - preparation of information and correspondence;
  - negotiating complex outcomes with groups, individuals, government officers or Ministerial officers;
  - dealing with and answering queries from the media; or
  - making public presentations on sensitive issues for the Government and/or political office holder.
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**Other** – Details of the employee’s experience and qualifications and any other matters that may affect the assessment of the value of the work as submitted in the application.

## **4 OTHER ROLES**

For employees seconded to other positions (including Media Advisers) a general summary of your experience and skills as compared to the type of positions and classification to which you believe you would be suitable.

### **4.1 Flowchart of Process**

A flowchart of the process is attached at 5.3.1 to assist employees and reviewers understand process.

## **5 INFORMATION FOR EMPLOYING AUTHORITIES**

### **5.1 Reviews**

Following the receipt of an application the Director General DPC will assess whether the employee is eligible for a review and, if so appoint a person to undertake the review.

In most cases the person appointed to undertake the review will be the employing authority of the employee. Where the person so appointed is the employing authority, he or she is not precluded from authorising another person to undertake the review on his or her behalf.

The employee should be formally advised by his/her employing authority that a review has commenced and be kept informed of the progress of his/her submission.

Where the reviewer is not the employing authority, the Director General DPC will advise the employing authority that he/she has initiated a review and provide details of the reviewer and be responsible for advising the employee.

For employees applying for reclassification above Level 8 (*PSA 1992*) the reviewer will be required to seek the endorsement of the PSC.

### **5.2 Responsibilities**

It is the employing authority's responsibility to make a decision on any recommendation provided by a reviewer.

The employing authority is to notify the employee in writing of his/her decision and reasons and also advise the Director General DPC.

## **6 INFORMATION FOR REVIEWERS**

### **6.1 Responsibilities**

The reviewer is required to undertake the assessment within a reasonable period of time in whatever manner they deem appropriate, but subject to the General Principles of Human Resource Management contained in section 8 of the PSM Act and the Western Australian Public Sector Code of Ethics.



It is anticipated that the reviewer will as a minimum:

1. Liaise with the political office holder or his/her representative (usually the Chief of Staff) to verify the claims of the applicant.

*NOTE: While a suggested set of standard questions has been developed and may be used as a template the reviewer is not bound to use these and is free to seek any information relevant to the assessment.*

2. Liaise with the employee to discuss his/her application and claims.
3. Liaise with the employing authority to assess claims made regarding peers and the capability of the employee to return to a job at a level to which they are seeking.

Upon completion of the review, the reviewer is to forward a written report to the employing authority with recommendation in accordance with the home agency's approval internal classification processes.

## **6.2 Important issues to be considered by the reviewer**

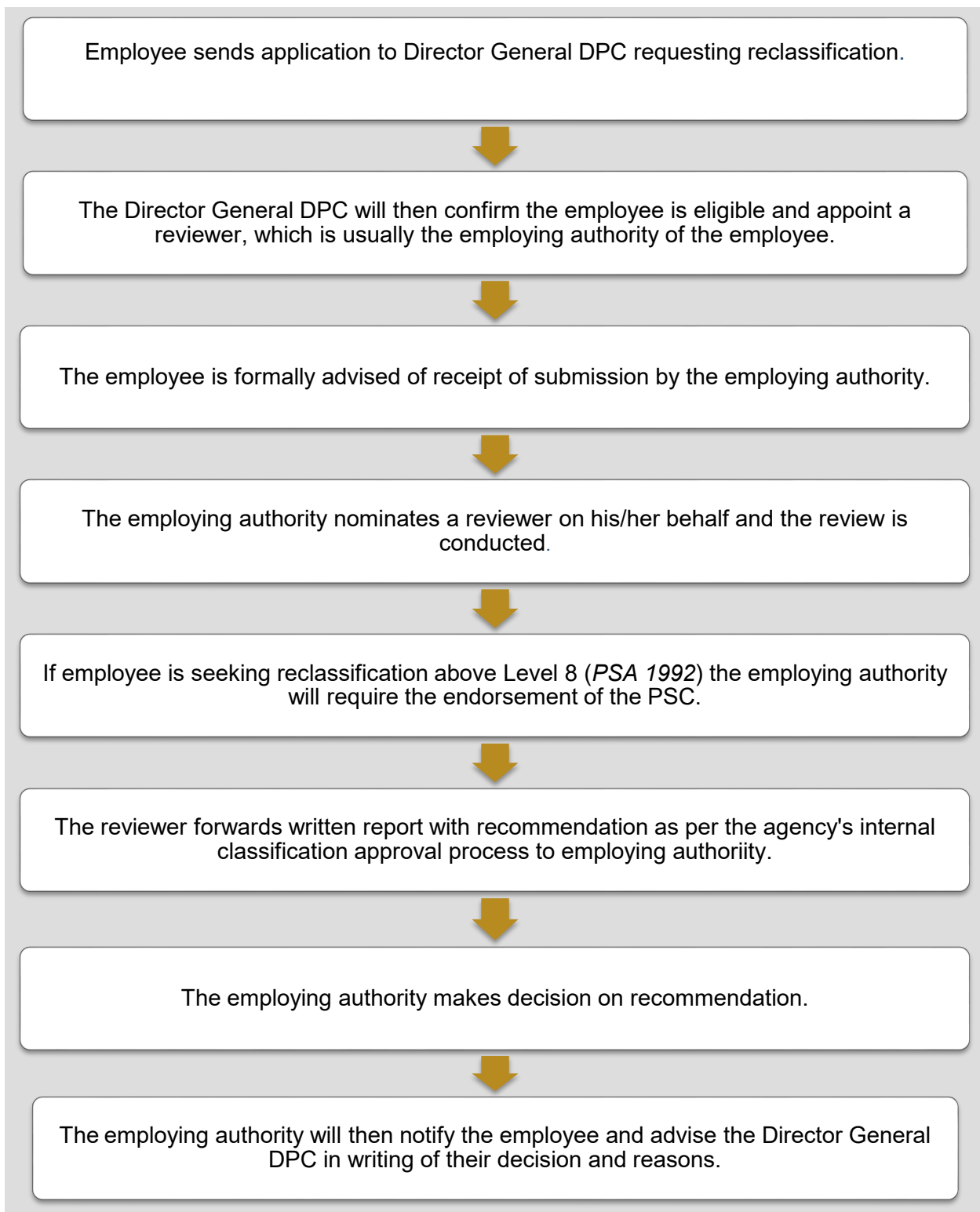
- Does employee's submission contain the required information?
- Is the work value information contained within the employee's submission consistent with the types of duties outlined in the attachment and have they demonstrated they are capable of working at the level they are seeking reclassification to?
- An assessment of the employee's peers which supports the employee's claims that he/she might reasonably have been promoted to a higher level had they not been seconded to the special office.
  1. The employee should identify at least 3 peers.
  2. Peers are defined as employees in similar roles with a similar skills and experience to the applicant and must have been classified at the same level as the employee at the time the employee was seconded to the special office.
  3. Confirm the details of the peers with the Human Resources Branch of the appropriate agency.
- It is unusual to be reclassified by more than one level. Only an application that demonstrates very strong peer disadvantage could justify reclassification by more than one level. Historically, reclassification by more than one level has only been granted to employees who have worked in ministerial offices in excess of two terms – generally eight years and beyond and worked at that significantly higher level for all of that time.

### **6.3 Support material**

To assist the reviewer the following support material has been prepared and is included in these Guidelines.

1. Flowchart of Assessment Process.
2. Suggested List of Questions for Political Office Holders and/or Representatives
3. Template Assessment Report Forma
4. Policy Advisor Duties and Responsibilities
5. The Public Sector capability profiles are available from the Public Sector Commission here: <https://www.wa.gov.au/government/publications/public-sector-capability-profiles>

### 6.3.1 Assessment process - flowchart



## Suggested questions for political office holder or representative

- Can you outline your understanding of the role undertaken by the **Employee** within the **office of the .....** What relationship does **he/she** have with you?
- Do you consider that **Employee** has obtained the required level of skills, knowledge and experience to fulfill the requirements of a position at **classification** sought on returning to the Department? (skills such as Policy, Legislation, Research, Liaison, and Management)
- Do you consider **Employee** has been disadvantaged in terms of promotions attained in relation to his/her peers whilst working in your office for **X years**. Are you be able to cite any peers who have been promoted during the period **Employee** has been in your office?
- In conclusion do you support **Employee's** claims to a reclassification in accordance with Section 75 (3) of the *Public Sector Management Act 1994*?

### **6.3.2 *Template assessment report format***

- Introduction – outline details of employee, the level the employee is seeking reclassification to and refer to the reports of the political office holder as applicable.
- Background – summarise employment history.
- Work value analysis - for employees seconded to Policy Adviser positions, does the information supplied in the submission match the duties and responsibilities of those listed in the attachment and has the work value information demonstrated that the employee is capable of working at the level to which they are seeking reclassification.
- Work Value analysis – for employees seconded to other positions, do the skills and experience provided in the submission match with the requirements of the positions that the employee believes they would be suitable.
- Career disadvantage (peer comparisons) - A list of peers and positions details of their current substantive level and in the year the employee was seconded.
- Conclusion and recommendation.

### 5.3.4 Policy advisor duties and responsibilities

	<b>LEVEL 6 (PSA 1992)</b>	<b>LEVEL 7 (PSA 1992)</b>	<b>LEVEL 8 (PSA 1992)</b>
<b>Relationship with Political Office Holder</b>	Moderate contact with political office holder. Works through Chief of Staff or other senior officer.	Reasonable contact with political office holder. Works through Chief of Staff or other senior officer as well as directly to the political office holder.	Works principally directly to political office holder as well as through Chief of Staff or other senior officer.
<b>Policy Advice</b>	Responsible for policy development and/or advice on one or more aspects of the political office holder's portfolio. Assists in development of strategies to deal with portfolio issues as they arise. Undertakes and coordinates special projects. Participates in development of political office holder's legislative program.	Responsible for policy development and analysis on one or more aspects of the political office holder's portfolio. Develops strategies to manage portfolio issues as they arise. Participates in the development of the political office holder's Legislative Programme. Prepares speeches and responses to, briefing notes, drafts correspondence and parliamentary questions.	Provides advanced policy analysis/specialist knowledge and advice on complex and contentious issues relating to one or more aspects of the political office holder's portfolio OR advises the political office holder across the whole portfolio and in the absence of the Chief of Staff. Discuss with political office holder and other advisers, policy priorities and then plans and co-ordinates strategies to manage priorities. Develops strategies for acceptance of policy initiatives in Cabinet, Parliament, community and stakeholders. Monitors implementation of policies and initiatives. Anticipates issues and negative responses and develops strategies to ensure successful conclusion.
<b>Research</b>	Assesses alternative policy proposals from agencies and recommends appropriate action. Prepares reports, briefing notes and speeches.	Has advanced up to date knowledge of portfolio area and responsibility, including developments overseas and elsewhere in Australia. Evaluates the performance of relevant Government agencies in the achievement of Government policy initiatives. Researches/evaluates and advises on new and innovative policy programs from elsewhere and assesses their applicability to Western Australia.	Has advanced up to date knowledge of portfolio area of responsibility, including developments overseas and elsewhere in Australia. Evaluates the performance of relevant government agencies in the achievement of government policy initiatives. Researches/evaluates and advises on new innovative policy programs from elsewhere and assesses their applicability to Western Australia. Evaluates research findings of other advisers.

	<b>LEVEL 6 (PSA 1992)</b>	<b>LEVEL 7 (PSA 1992)</b>	<b>LEVEL 8 (PSA 1992)</b>
<b>Liaison and Negotiation</b>	<p>Represents political office holder and contributes to work of interdepartmental committees and task forces on policy issues or initiatives. Responds to external enquiries seeking high level advice and guidance on a range of policy issues. Issues sometime contentious.</p>	<p>Consults with other political office holders and their officers, CEOs and other senior officers of agencies concerning policy development and implementation. Represents the political office holder at meetings, conferences etc. Prepares and guides the preparation by others of reports, briefing notes correspondence and speech notes for the political office holder. Responds directly to external enquirers seeking advice and guidance on complex and contentious policy issues. Substantial input to the work of interdepartmental committees and special task forces addressing sensitive policy matters.</p>	<p>Consults and negotiates with political office holders, lobby groups, Government agencies and others on complex and contentious issues on one or more aspects of the political office holder 's portfolio.</p> <p>Develops constructive relationships with CEOs and other senior staff of portfolio agencies. Develops and maintains positive relationship with all stakeholders including those crossing portfolio boundaries. Represents the political office holder at meetings, conferences etc. Prepares and guides the preparation by others of reports, briefing notes, correspondence and speech notes for political office holder. Responds directly to external enquirers seeking advice and guidance on complex and contentious issues.</p>
<b>Experience and qualifications</b>	<p>Demonstrated policy formulation and research skills. Demonstrated ability to liaise effectively with senior officers in both private and public sectors. Conceptual, analytical and decision making ability. Experience in planning development, implementation and evaluation of policy and policy initiatives. Relevant tertiary qualification desirable.</p>	<p>Demonstrated experience in policy development and formulation, research, planning, implementation and evaluation of policy and policy initiatives. Highly developed conceptual, analytical and decision making skills.</p> <p>Demonstrated ability to liaise effectively with senior officers in both private and public sectors.</p> <p>Detailed knowledge of policies and priorities applying at all levels of government. Tertiary qualifications desirable.</p>	<p>Significant experience in management of complex and sensitive research and policy development, analysis and implementation. Detailed knowledge of policies and priorities applying at all levels of government. Tertiary qualifications preferred.</p>