

STATUTORY AND OTHER OFFICES REMUNERATION TRIBUNAL

Report and Determination for Mr Michael Coutts-Trotter in the role of Secretary, Department of Family and Community Services pursuant to Section 24P of the *Statutory and Other Offices Remuneration Act 1975*.

PREMIER’S DIRECTION

- 1. On 29 March 2016 the Statutory and Other Offices Remuneration Tribunal (the Tribunal) received a direction from the Premier, the Hon Mike Baird MP, pursuant to section 24P of the *Statutory and Other Offices Remuneration Act 1975* (SOOR Act) to make a determination as to whether, and (if so) how, the determination of the range of remuneration packages of Band 4 Public Service Senior Executives should be altered in relation to Mr Michael Coutts-Trotter in the role of Secretary, Department of Family and Community Services (FACS).

- 2. Section 24P of the SOOR Act provides for the Premier to direct the Tribunal to make a special determination in the following terms:

24P Special determinations

If the Minister so directs, the Tribunal is required to make (not later than the day specified in the direction as the day on or before which the determination is to be made) a determination as to whether, and (if so) how, any determination already made should be altered in relation to remuneration packages as are referred to in the direction.

- 3. The Secretary, Department of FACS is to be employed as a Public Service Senior Executive (PSSE) Band 4 – Secretary Level. The determination already made in respect of PSSE Band 4 – Secretary Level is the Tribunal’s 2015 annual determination which provides the following remuneration package range:

Band	Per annum range		
Band 4 - Secretary level	\$441,201	to	\$509,750

- 4. The Premier has directed the Tribunal to alter its determination of 1 July 2015 in respect of the remuneration range for Band 4 in relation to the remuneration package for Mr Coutts-Trotter in the role of Secretary, Department of FACS.

BACKGROUND

5. The Department of Family and Community Services supports the Minister for Family and Community Services, Minister for Social Housing, Minister for Ageing, Minister for Disability Services and Minister for Multiculturalism. The Department directly supports approximately 800,000 people every year and reaches a further million people through local community-based programs. The Department's vision is to empower all people to live fulfilling lives and achieve their potential in inclusive communities. The Department collaborates with government, non-government and community partners to work with children, adults, families and communities to improve lives and realise potential, with a focus on breaking, rather than managing, disadvantage.
6. The Secretary, Department of FACS provides strategic leadership to the Department and any executive agencies related to the department, drives Departmental performance and provides expert and independent advice to the portfolio Ministers. The Secretary ensures effective delivery of the government's policy objectives in relation to Family and Community Services.
7. The Premier has advised that the role is currently undertaken by Mr Coutts-Trotter who was employed prior to the introduction of the *Government Sector Employment Act 2013* and introduction of the new executive employment arrangements. Mr Coutts-Trotter is currently paid a total remuneration package that is above the maximum of the range of remuneration payable to Band 4 Secretary roles.
8. In determining the appropriate remuneration for the Secretary, Department of FACSs the Tribunal has had regard the role and its responsibilities, the remuneration currently received by Mr Coutts-Trotter and the remuneration provided to similar roles in NSW and other jurisdictions.
9. The Tribunal is of the view that the remuneration package for Mr Coutts-Trotter in the role of Secretary, Department of FACS will be \$528,372 per annum. In addition to this base amount a discretionary remuneration range of up to 12 per cent will apply. This determination will alter the Tribunal's determination in respect of Band 4 remuneration levels.

10. The Tribunal's determination is consistent with advice contained in the Premier's direction and provides flexibility for remuneration movement over time if Mr Coutts-Trotter exceeds performance expectations, as assessed by the Premier.

11. The Tribunal notes that remuneration for the most senior roles should be sufficient to ensure the best candidates can be attracted, and retained, to work for the NSW Government. While remuneration is not always the primary consideration in a decision to seek public employment, it is important that executive salaries remain competitive with those in other jurisdictions and in the private sector.

12. Consistent with the Premier's request, and in accordance with section 24R of the SOOR Act, this determination is personal to Mr Coutts-Trotter and is not a determination that applies to the office of Secretary, Department of FACS or to future appointments to the role.

13. This determination shall take effect from the date of Mr Coutts-Trotter's re-appointment in the role of Secretary, Department of FACS in accordance with the GSE Act.

DETERMINATION

Pursuant to section 24P of the *Statutory and Other Offices Remuneration Act 1975* the Tribunal determines that the range of remuneration packages of Band 4 Public Service Senior Executives is altered to provide for Mr Michael Coutts-Trotter in the role of Secretary, Department of Family and Community Services with a remuneration package of \$528,372 per annum plus a discretionary remuneration range of up to 12 per cent in addition to the base amount.

Band	Per annum range			
Band 4 - Secretary level	\$441,201	to	\$509,570	Mr Michael Coutts-Trotter, Secretary, Department of Family and Community Services: \$528,372 per annum plus a discretionary remuneration range of up to 12 per cent in addition to the base remuneration.

Statutory and Other Offices

Remuneration Tribunal

Signed

Richard Grellman AM

30 March 2016