

<b>Circular Details</b>	Circular No 22-27 / 19 September 2022 / A830472
<b>Previous Circular</b>	N/A
<b>Who should read this</b>	Councillors / General Managers / All council staff
<b>Contact</b>	Council Governance Team / (02) 4428 4100/ <a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a>
<b>Action required</b>	Response to OLG

## Discussion paper – Senior staff employment

### What's new or changing

- In response to the findings and recommendations of the Independent Commission Against Corruption arising from its investigation of the former Canterbury City Council (Operation Dasha), the parties to the *Local Government (State) Award* (the Award), have requested the Government to amend the *Local Government Act 1993* (the Act) to remove the ability for councils to determine positions in their organisation structure to be “senior staff positions”.
- The Office of Local Government (OLG) has issued a discussion paper to seek the views of the broader local government sector on the changes requested by the parties to the Award. This feedback will be used to inform the Government’s position on this issue.
- The discussion paper is available on OLG’s website [here](#).

### What this will mean for your council

- Councils are invited to make submissions indicating whether they would support the making of the legislative amendments requested by the parties to the Award set out in the discussion paper.
- Submissions may be made by email to [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au).
- Submissions should be labelled ‘senior staff employment’ and marked to the attention of OLG’s Council Governance Team.
- Submissions should be made by **COB 15 November 2022**.

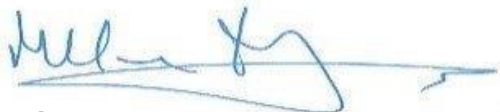
### Key points

- Under the current provisions of the Act, the holders of positions determined by councils to be “senior staff positions” must be employed using standard contracts of between 1–5 years duration.
- A council can only determine a position to be a senior staff position if the responsibilities, skills, and accountability of the position are generally equivalent to those applicable to the Executive Band of the Award (executive level employees) and the total remuneration package is equal to or greater than the minimum remuneration package payable with respect to senior executives whose positions are graded Band 1 under the *Government Sector Employment Act 2013*.

- Under the model proposed by the parties to the Award, only the general manager would be employed under a standard contract and all other council staff, including senior executives, would be employed under the Award.

**Where to go for further information**

- The discussion paper is available on OLG's website [here](#).
- For further information, please contact OLG's Council Governance Team on 02 4428 4100 or by email at [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au).



**Melanie Hawyes**  
**Deputy Secretary, Crown Lands and Local Government**