



ACT
Government

Attraction and Retention Incentives Policy

Office of Industrial Relations and
Workforce Strategy

Chief Minister, Treasury and Economic Development Directorate (CMTEDD)

Policy Number: [INSERT POLICY NUMBER]

Issued: [INSERT MONTH/YEAR]

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Attraction and Retention Incentives Policy

Introduction / Purpose

1. An Attraction and Retention Incentive (ARIn) is provided as a tool for Directorates and Public Sector bodies to utilise when managing recruitment or retention of an employee or group of employees with a required skill set that benefits the ACT Government and community.
2. This policy sets out the mandatory guidelines for the use and approval of ARIns. It supplements the ARIn Framework contained in Annex B of the relevant 2023-2026 [ACTPS Enterprise Agreement](#) (the Agreement).
3. Subject to the terms of the ARIn Framework in the relevant Agreement and this policy, the decision to create, vary or cease an ARIn rests with the Director-General (or equivalent), following consultation with the Head of Service.

Application

4. This policy is a whole-of-government instruction issued by the Head of Service under section 17(2)(a) of the [Public Sector Management Act 1994](#) (PSM Act) and binds all employees engaged under the PSM Act and all public sector employers within the meaning of section 152(1) of the PSM Act.
5. For the purposes of this policy, any reference to the Head of Service and/or Director-General is also taken to be a reference to a public sector employer within the meaning of section 152(1) of the PSM Act.
6. For the purpose of this policy, employee means an officer or a casual employee or a temporary employee who is employed or engaged under the PSM Act in a classification set out in Annex A.
7. This policy applies to all ACT Government Directorates and Public Sector bodies in relation to employees covered by an Enterprise Agreement, which contains the ARIn Framework.

Key Legislative Provisions

8. The key enterprise agreement provisions are contained in Annex B – Attraction and Retention Incentives of the relevant 2023-2026 ACTPS Enterprise Agreements.

Principles

9. An ARIn provides additional pay and/or conditions of employment in recognition of the additional requirements of a position as set out in Annex B2.4 of the Agreement. This is then recorded through a written agreement between the Director-General and the employee occupying the position to which the ARIn applies.
10. An ARIn is not an ongoing entitlement. The provision of an ARIn (even one that is implemented immediately upon commencement as part of a recruitment process), entitles the recipient to the benefits of the ARIn for a set duration and includes review periods.
11. Directors-General have a responsibility to ensure each ARIn:
 - a. complies with the ARIn Framework within the Agreements;
 - b. can be justified based on relevant market comparators;

- c. is properly approved and reviewed;
 - d. is consistent with the requirements of this policy; and
 - e. is provided to the Head of Service for consideration.
12. Generally, an ARIn will be paid as enhanced rates of pay, but it can also include other non-pecuniary benefits or other terms and conditions where the Director-General considers it is required to attract or retain an employee.
13. An ARIn must be consistent with Government policy and there is to be no overall reduction in terms and conditions.

Considerations before offering an ARIn

14. Directors-General must consider the following relevant matters when determining to offer or continue an ARIn to an employee:
- a. Whether the position is critical to the operation of the directorate or to a business unit in the directorate;
 - b. Whether an employee who occupies the position requires specialised qualifications, skill set and/or experience to perform the requirements of the position;
 - c. Whether the role and skills required by the employee who occupies the position are in high demand;
 - d. The level at which comparable individuals with skills and qualifications for the role are remunerated in the marketplace;
 - e. The difficulty and cost associated with recruiting to the position; and
 - f. Any other matter considered relevant to determining whether or not an ARIn would be appropriate in the circumstances.

Organisational Structure and Classification of the Substantive Position

15. Before offering an ARIn, the following should be assessed in relation to the substantive position the ARIn relates to:
- a. *It is contained in an Enterprise Agreement:* ARIns are not available to Senior Executive Service (SES) level employees.
 - b. *It is correctly classified:* if the classification is assessed as being incorrect, it should be reclassified and recruited to according to its correct work value. The classification of a role should not be artificially inflated to meet the expected remuneration.
 - c. *It has reasonable duties commensurate with the classification:* the extent of duties should not be distorted by poor organisational design. The position description and/or organisational structure of the business unit may be able to be adjusted to mitigate the need for the ARIn.

Market Rate Information

16. Market rate information is often broadly based and may not be specifically targeted to the role proposed. In these circumstances the purpose of obtaining market rate information is to set the boundaries within which the ARIn payment is to be struck.

17. Where the ARIn payment rests within a range of salary rates described by market rate information is a decision for the Director-General and should be clearly explained in the Head of Service Submission.

Acting and Temporary Transfer Arrangements

18. Where a person is temporarily transferred to another position any relevant ARIn will be paused or ceased dependant on the relevant dates of the ARIn and dates of the arrangement.
19. If the person transferred is in receipt of an ARIn relevant to their substantive position the ARIn may continue in the new role, however this is subject to a comprehensive submission being completed relevant to the new temporary position.
20. An ARIn does not automatically continue to apply to the next occupant in the position (excluding group ARIns). A new comprehensive submission will need to be completed for the new occupant.
21. In either circumstance, each case should be considered on its merits, and is subject to the approval of the Director-General.
22. Where an employee is temporarily transferred to another position the ARIn expiry date remains the same. For example, where an employee temporarily vacates a position to which an ARIn applies, upon their return to the position, the ARIn would automatically re-commence in line with the original time frame¹. 7.6.3 of Annex B was left in error.
23. It is the managers and employee's responsibility to ensure that Payroll are made aware as soon as possible of any temporary transfers out of the role to which the ARIn applies.
24. Where the role of a position to which an ARIn applies changes or the ARIn expires while the occupant is temporarily transferred to another role, it is open to the Director-General to conduct a review when the employee returns to the role to assess the ARIns ongoing applicability or rate of remuneration.

Suspension with Pay, Misconduct and Performance Issues

25. Generally, an ARIn will continue to be paid when a person is suspended with pay. However, an ARIn may cease to apply as a sanction arising from a misconduct process.
26. An ARIn may also be removed without a review as an outcome of an underperformance process.

Essential Qualification

27. An ARIn will cease to apply if the employee loses an essential qualification or registration which is necessary for them to perform duties of the position to which the ARIn relates. The ARIn will cease to apply on the date the employee loses the qualification or registration.
28. Where the loss of the essential qualification is temporary, each case should be considered on its merits.

Using ARIns during a Recruitment Process

29. ARIns are a key recruitment tool for use in attracting suitable applicants to roles within the service. There are several ways as outlined below that an ARIn can be used, however it is important to note that ARIns should not be offered without prior approval by the Directorate Director-General or Head of Agency and considered by the Head of Service.

¹ Clause 7.6.3 of Annex B – Attraction and Retention Incentives of 2023-2026 ACTPS Enterprise Agreements was left in error and clause 10.9.2 of Annex B applies when an employee in receipt of an ARIn returns to their nominal position.

30. Where an ARIn is used as part of a recruitment process, the total package (excluding superannuation) should be disclosed and disaggregated to show:
 - a. the relevant Enterprise Agreement rate; and
 - b. the content of the ARIn, which is reviewable under the terms of this policy.
31. The nature of the information disclosed at the point of advertising will depend on the type of ARIn used, but applicants should be made aware that the ARIn:
 - a. is reviewable in accordance with the ARIn Framework (where a Group ARIn is involved, the scheduled review date is to be included);
 - b. may be terminated, or have its value adjusted (either up or down); and
 - c. must continue to meet the eligibility criteria, including consideration of relevant market rates and/or changes to the operational requirements of the business unit.
32. To ensure the best field is attracted and merit satisfied, where a Renewable ARIn is proposed, the advertisement may refer to a three-year ARIn term, with an 18-month review.
33. Where a Group ARIn applies, candidates must be advised of the scheduled review date and possible outcomes.
34. For further information on best practice advertising in relation to ARIn's please see **Appendix 2: Recruitment and Advertising in relation to ARIn's.**

Procedure

Process Flow

35. A Flow Chart representing the ARIn process is included at **Appendix 1.**

Content of ARIns

36. The terms of the ARIn must contain provisions setting out:
 - a. The expiry date, or expected expiry date, of the ARIn;
 - b. the level of the employee's classification and base rate of pay;
 - c. the pay component of the ARIn;
 - d. any other terms and conditions of employment that are to apply under the ARIn;
 - e. any lump sum payments;
 - f. the total dollar value of the ARIn; and
 - g. that the employee will revert to the applicable rates of pay and terms and conditions of employment under the Enterprise Agreement in the event the ARIn ceases to operate or is terminated.
37. The above are mandatory provisions and must be completed within the Comprehensive Submission template and Individual Contract template.

Commencement and Payment of ARIns

38. An ARIn will commence from whichever is the latter:
 - a. The date specified within the ARIn; or
 - b. The date of final approval on the ARIn contract by the Director-General following all necessary requirements have been met.

39. In some extenuating circumstances an ARIn may be implemented retrospectively, however only with the approval of the Head of Service and up to a maximum of 3 months.
40. The pay component is payable by fortnightly instalments, unless otherwise specified.
41. The pay component of an ARIn will count as pay for all purposes including superannuation and for the purposes of calculating the rate of pay for annual leave, long service leave, paid personal leave, paid birth leave, redundancy payments and other paid leave granted under the Enterprise Agreement.

New Enterprise Agreements and Transition Arrangements for current ARIns

All ARIns (other than Group ARIns) in place at the time a new enterprise agreement comes into effect, will automatically transition to the new ARIn framework under the new agreement without requiring a new comprehensive ARIn submission. It is recommended that directorates advise employees in receipt of a renewable ARIn of the review changes under the new ARIn framework, that is, a review is now required at the 18 month mark (or earlier) and at the end of the 3 year period. They no longer are required every 12 months.

If the directorate (or employee) wish to change any other term or condition of their ARIn, a comprehensive submission will be required.

Comprehensive Submissions

42. A Comprehensive Submission is required to establish any type of ARIn including if directorates are seeking to advertise a position with an ARIn attached to the position/role. All Comprehensive Submissions are to be reviewed and considered by the Head of Service.
43. The Comprehensive Submission will outline all requirements of the ARIn including justification for the need of the ARIn. Once the Head of Service has considered the ARIn, directorates will be advised that they can proceed with the Director-General approving the ARIn contract and sending to recruitment/payroll for processing.

Types of ARIns

44. There are four types of ARIns, each to be used in particular circumstances.

<u>Project ARIns: Non - Renewable</u>	Fixed Term ARIns: Non – Renewables
<p>Characteristics of a Project ARIn:</p> <ul style="list-style-type: none"> > a term no longer than 36 months' > Must be in association with a specific project; > There is no ability to either vary or extend the ARIn; and > It will cease to operate on the date specified in the ARIn, (up to 36 months from commencement, cessation of the position's involvement in the project or the date of completion of the project, whichever date is the earlier). 	<p>Characteristics of a Fixed Term ARIn:</p> <ul style="list-style-type: none"> > a term no longer than 12 months' duration; > there is no ability to either vary or extend the ARIn; > there is no review; and > it expires on the date expressed in the ARIn.

<p>Where required, a subsequent new Project ARIn may only be offered once only. Where this occurs, a further Comprehensive Submission is required.</p>	
<p style="text-align: center;">Renewable ARIns</p> <p>Characteristics of a Renewable ARIn:</p> <ul style="list-style-type: none"> > a term no longer than 36 months' duration; > must be reviewed by the Director-General no more than 18 months from commencement or from the date of last Renewal or Comprehensive Submission, through either a renewal review or a comprehensive submission review; > must have a comprehensive submission review completed (at least) every 36 months; and > expires on the date expressed in the ARIn or if a review determines an ARIn should no longer apply, the ARIn will cease 90 days from the date the employee is provided notice of cessation, unless an earlier date is otherwise agreed. <p>A renewal review does not require a submission to the Head of Service. Notwithstanding this requirement, the Director-General may determine that a comprehensive submission review be completed at any time during the life of the ARIn (this would require a submission to the Head of Service).</p>	<p style="text-align: center;">Group ARIns</p> <p>Characteristics of Group ARIns:</p> <ul style="list-style-type: none"> > A term no longer than 36 months; > The ARIns expire on the date specified in the Group Approval (up to 36 months from commencement) or an earlier date expressed in the ARIns themselves; > A comprehensive submission is required at the midpoint of the agreed term and prior to the nominal expiry of the Group ARIn. > All individual ARIns made pursuant to a Group ARIn expire on a common date, notwithstanding they may have commenced at different times. > The midpoint review date for a Group ARIn is to be the midpoint of the agreed term. It is the Directors-General responsibility to undertake a comprehensive submission review of all Group ARIns against the eligibility criteria and provide to the Head of Service for consideration prior to this date.

Reviewing an ARIn

45. There are two types of reviews that are undertaken within the ARIn framework, Comprehensive Submission reviews and Renewal reviews

Comprehensive Submission Review

46. Comprehensive Submission Reviews are required where:
 - a. three years has elapsed since the last Comprehensive Submission Review for a Renewable ARIn;
 - b. in relation to a Group ARIn, at the midpoint of the Agreement term, prior to the expiry date of the Agreement and no more than 3 years from either commencement or from the last Comprehensive Submission.
 - c. following a review, it is determined that an individual ARIn or Group ARIn should be varied; or
 - d. following a review, it is found that the ARIn eligibility criteria are no longer met for either a Renewable ARIn or a Group ARIn.
47. The purpose of a Comprehensive Submission Review when an ARIn is to be ceased is to facilitate consultation with the employee in receipt of the ARIn.
48. The Director-General may at their discretion initiate a Comprehensive Submission Review at any time.
49. A Comprehensive Submission Review must:
 - a. assess whether the substantive role is correctly classified;
 - b. assess whether the position's job description and/or organisational structure of the business unit can be adjusted to mitigate the need for the ARIn;
 - c. address the ARIn eligibility criteria requirements of the Agreement (see Annex B2.3 of the ARIn Framework);
 - d. compare and provide evidence that the role and/or occupant justifies the additional remuneration and/or conditions proposed (e.g., market rate information);
 - e. where market rate information that is used to support the ARIn is broadly based, provide evidence to support the ARIn rate proposed;
 - f. identify if the proposed ARIn exceeds 50% of the role's substantive rate of pay and provide appropriate evidence, reasoning and supporting remuneration data; and
 - g. identify and assess the effect of any recent performance or misconduct matters the ARIn recipient may have been subject to.
50. Following the review, the relevant directorate HR area is responsible for completing the Comprehensive Submission form and submitting it to the Head of Service by email to ACTPS_ARIns@act.gov.au.
51. Note that if a review finds that an ARIn is to be ceased, the Cessation form should be used instead of the Comprehensive Submission form.
52. When completing a Comprehensive Submission Review, the Comprehensive Submission form and process must be followed. That is, after approval by Directorate Director-General the submission must be forwarded for Head of Service consideration.

Renewal Reviews

53. Renewal Reviews should be used where it is proposed that a Renewable ARIn should be renewed on the same terms. They are:
 - a. applicable to Renewable ARIns only; and

- b. must be completed no later than 18 months after commencement.
54. A Renewal review may also be used where an employee in receipt of an ARIn temporarily vacates a position and approval is sought for the employee acting in the position to receive the ARIn.
55. The Renewal Submission must contain a declaration from the Director-General that the review has found that:
- a. the substantive role is correctly classified;
 - b. the position's job description and/or organisational structure of the business unit cannot be adjusted to mitigate the need for the ARIn; and
 - c. the ARIn continues to meet the requirements of the Agreement (see Paragraph 5 of the ARIn Framework).

Monitoring of Reviews

56. The Head of Service will monitor the completion of all reviews. Where a review is not completed in time, the responsible directorate will in accordance with the ARIn Framework develop a plan to complete the review within three months. The directorate must notify the employee(s) covered by the ARIn of the delay and provide reasons for the delay to the Head of Service. The ARIn will continue to operate while the review is completed.

Consultation with Employee(s) during an ARIn Review

57. The employee receiving the ARIn must be consulted during the review phase. The Agreement is flexible as to how this should occur but seeking a submission would generally be appropriate.
58. Once a decision is made through a review concerning the ARIn, the employee must have the opportunity to provide a submission concerning that decision. The employee has up to 14 calendar days to respond.
59. There is no obligation for the employee to respond. Should the employee choose not to do so, or not do so in a reasonable timeframe, this will not preclude the review progressing to completion.
60. The fact that an employee may be out of the workplace on leave does not preclude this consultation from occurring. Where the employee is on long term leave (for example workers compensation, Birth Leave or Personal Leave) reasonable attempts should be made to consult with the employee. The employee's circumstances, including any possible negative impact consultation may have on them, should be considered when determining whether contact should be made, and if so, the most appropriate means of communication should be adopted.
61. If concerns exist in relation to consultation with an employee who is on leave because of illness or injury it may be appropriate to liaise with their case manager (if any) before making contact.
62. In some cases, it may also be necessary to seek legal advice from the Government Solicitor's Office.
63. Any feedback received must be assessed and considered without bias prior to making a final decision.

Consultation with Unions(s) during an ARIn Review

64. Where an employee wishes to be represented by a union or other representative as part of their ARIn discussions this should be facilitated.
65. In addition, if the proposed ARIn will replace or reduce an employment condition of the relevant Agreement, the relevant union with coverage of the position to which the ARIn will be applied must

be consulted about the proposed change. The Director-General will consult with the relevant union through the Office of Industrial Relations and Workplace Strategy (OIRWS). Appropriate privacy considerations must be applied to the information provided.

Ceasing an ARIn

66. An ARIn will cease to operate:

- a. *In relation to a Project ARIn:* on the expiry date specified in the ARIn (up to 36 months from commencement), cessation of the position's involvement in the project or the date of completion of the project, whichever date is the earlier.
- b. *In relation to a Fixed Term ARIn:* on the expiry date specified in the ARIn (up to 12 months from commencement).
- c. *In relation to a Renewable ARIn:* where, after a review, the Director-General determines the ARIn should no longer apply to the position, on the date that is a minimum of 90 days after the date notice is provided to the employee of cessation of the ARIn, or less if agreed by the employee.

67. While the minimum notice period is 90 days; more notice may be given where the circumstances require it.

68. The cessation notice period in relation to a renewable ARIn can be served out during the term of the ARIn.

69. In relation to Group ARIns:

- a. where the ARIn is reviewed in accordance with Annex B7.2.5 of the ARIn Framework and the Director-General determines following the review that the ARIns covered by the Group Approval should no longer apply on the date that is a minimum of 90 days after the date notice of cessation of the ARIn is provided to the employee(s) to whom the ARIn applies.

70. An ARIn may also be:

- a. ceased when an employee vacates a position on a permanent basis,
- b. paused temporarily when an employee vacates a position on temporary transfer ~~for up to 90 days;~~
- c. paused temporarily or ceased as a sanction after a finding arising from a misconduct or underperformance matter in accordance with subclause G9 of the Enterprise Agreement; or
- d. paused temporarily or ceased where an employee loses an essential qualification or registration which is required for them to perform the duties of the position to which the ARIn relates.

Responsibilities

71. Directorates are responsible for facilitating Comprehensive and Renewal Submissions and Review processes, including internal governance and approval flows. Directorates are responsible for consulting with employees during the Review phase of the ARIns process.

72. Office of Industrial Relations and Workforce Strategy is responsible for facilitating the Head of Service consideration of Comprehensive Submissions and Comprehensive Submission renewals and has ownership of the overall policy and process. The Office of Industrial Relations and Workforce

Strategy is responsible for compliance checking of Renewal Submissions, the registration of all ARIns and for the payroll processes.

Consultation

73. This policy was consulted with the ACTPS People Forum, unions, the Office of Industrial Relations and Public Sector Employment, Chief Ministers Treasury and Economic Development Directorate and the Head of Service.

References

74. The key principles of this Policy are aligned with the following authorised sources:
- Public Sector Management Act 1994;
 - Financial Management Act 1996;
 - Fair Work Act 2009; and
 - ACTPS Enterprise Agreements.

Further Information

75. Where an employee has questions about an ARIn, the ARIn Framework or this policy, they should in the first instance contact their relevant directorate HR team.
76. The forms related to ARIns are available on the OneGov Service Centre Website <https://actss.service-now.com/sharedservices/?id=employment>.
77. Inquiries related to ARIns and the operation of this policy should be addressed to the Office of Industrial Relations and Workforce Strategy through an email to ACTPS_ARIns@act.gov.au.
78. Inquiries related to ARIn processing or Renewal Review should be addressed to SSHRARIns@act.gov.au.

Review

79. This policy is due for review 3 years from the last issued or reviewed date, or earlier where there are changes that affect the operation of the policy.

Item	Details
Document name:	Attraction and Retention Incentives Policy
Policy Number:	[INSERT DETAILS - (allocated by PSWR)]
Prepared by:	Industrial Relations and Public Sector Employment, OIRWS, CMTEDD
Feedback to:	eba@act.gov.au
Issue Date:	[INSERT DETAILS - (date policy was issued)]
Last Review Date:	[INSERT DETAILS - (date policy was last reviewed)]
Next Review Date:	Month/2027

Approval Authority

80. This policy is approved by

Geoffrey Rutledge

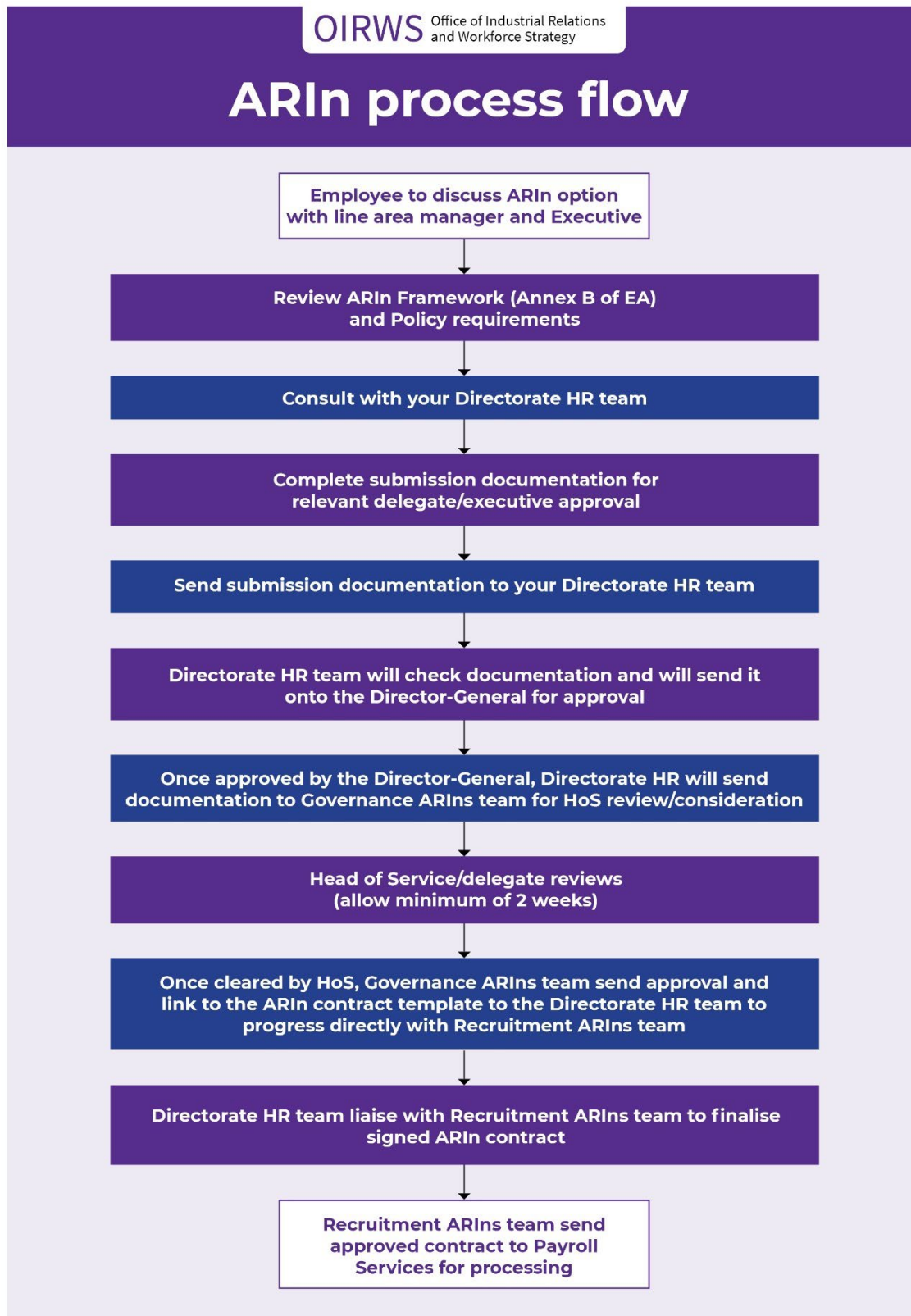
Deputy Director-General

Office of Industrial Relations & Workforce Strategy
Chief Minister, Treasury and Economic Development Directorate
On behalf of the Head of Service

DATE

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Appendix 1: ARIn Process Flow



Appendix 2: Recruitment and Advertising in relation to ARIn's

Advertising with an ARIn

1. There are several ways that a directorate may use an ARIn as part of a recruitment process.

Preferred (and recommended) Approach:

To advertise the position with the ARIn included. That is, advertising the position at a higher total package value, comprising the relevant Agreement rate of pay plus an identified ARIn amount.

i.e.

This position is eligible for an Attraction and Retention Incentive (ARIn) of \$(insert amount). This ARIn is reviewable under the terms of the ACTPS ARIn Framework and Policy. Further details on meeting the criteria can be found in the ARIn Framework at Annex B of the relevant Enterprise Agreement, or by contacting the contact officer.

2. A better field of applicants is likely to be attracted when a position is advertised with a higher total package identified up front.
3. Pre-approval is required via a Comprehensive Submission seeking approval to advertise the position with the ARIn. If pre-approval has been granted, no further Comprehensive Submission will be required. When the employee commences, the ARIn contract can be implemented immediately.
4. When a recruitment selection process is proposed to include a pre-approved ARIn, the Comprehensive Submission must:
 - a. address the circumstances of the recruitment selection process (i.e., why an ARIn is necessary to be included in the advertised rate);
 - b. demonstrate the position (or a similar position) has recently been advertised without an ARIn and did not attract a suitable field or provide evidence that advertising at the Agreement rate will not attract a suitable field; and
 - c. set out the reasons in support of the ARIn itself (i.e. why the position meets the ARIn eligibility criteria).

Alternative Approach:

To advertise the position using the rate of pay set out in the relevant Agreement and state that an ARIn may be available for the right applicant.

i.e.: This position may be eligible for an Attraction and Retention Incentive (ARIn), subject to meeting the ARIn eligibility criteria as outlined in the ARIn framework at Annex B of the relevant Enterprise Agreement.

5. If using this approach, pre-approval of the ARIn is not required.
6. However, if an ARIn is ultimately proposed to be offered to the successful applicant, approval is required through a Comprehensive Submission **PRIOR** to the offer being made to the applicant.

Offering an ARIn as Part of a Job Offer

It is imperative that no offer or commitment is made to the applicant prior to receiving Director-General approval and the Head of Service reviewing the Comprehensive Submission.

7. An ARIn may still be proposed to a successful applicant, even if the advertisement did not state that one was available. Again, in these circumstances approval is required through a Comprehensive Submission **PRIOR** to the offer being made to the applicant.
8. It is essential that directorates anticipate the required time for Director-General approval and the Head of Service review process to occur within their recruitment process timeline. It is recommended that a two week period is allowed for Head of Service consideration.

Advertising Positions Covered by a Group ARIn

9. When a position to be advertised is covered by a current Group ARIn, there is no need for a further Comprehensive Submission (as it has already been completed as part of the Group ARIn process).
10. The recruitment advertisement, however, should state the package at the higher value, comprising the relevant Agreement rate of pay plus the identified ARIn amount, and include the appropriate advice to the prospective employee that an ARIn is a discretionary arrangement (in accordance with Annex B1.4 in the relevant Agreement).

Suggested Group ARIn Recruitment Wording

The successful applicant(s) to this position may be eligible for a Group Attraction and Retention Incentive (ARIn) of \$ (insert relevant amount). The ARIn is reviewed at the midpoint of the relevant Enterprise Agreement term, where the ARIn may be terminated or adjusted under the terms of the ARIn policy. To continue payment, the ARIn must continue to meet the eligibility criteria as outlined in the ARIn framework.

Making Formal Offers with an ARIn Included

11. The formal offer of an ARIn to the employee is made by the Director-General.
12. Selection panels should not commence negotiating starting salaries or other conditions of service which would require an ARIn without the Comprehensive Submission process to the Head of Service being completed.

Appendix 3: Group ARIns

Group ARIns

1. In certain circumstances the Head of Service may determine that a group of employees who are covered by an Enterprise Agreement and who occupy certain like positions should be provided with identical ARIns. This can be done utilising a Group ARIn. Further information regarding Groups ARIns can be found under Annex B 6.14 of the Agreement.
2. Rather than provide approvals for multiple single ARIns which contain identical terms and conditions, the Director-General may request for a Group ARIn to be applied to an identified group of positions which have the same classification and role. In such circumstances, a single Comprehensive Submission to the Head of Service, which addresses how the group of positions satisfies the eligibility criteria in the framework, is required.
3. If the Head of Service endorses the proposal, the Director-General may enter into subsequent individual ARIn contracts in the same terms with employees who fill positions covered by the scope of the Group ARIn. This may be current or prospective positions or occupants.
4. The Director-General is not required to make further submissions to the Head of Service before entering into an individual ARIn with an employee covered by the scope of the Group ARIn, if the ARIn meets the criteria covered under the Group ARIn approval.
5. The Director-General is not required to make further submissions to the Head of Service prior to advertising a position covered by the scope of the Group Approval.
6. The characteristics of Group ARIns are:
 - a. Have a nominal term no longer than three years;
 - b. The ARIns expire on the date specified in the Group Approval (up to 36 months from commencement) or an earlier date expressed in the ARIns themselves, unless they are continued through a Comprehensive Submission Review;
 - c. A Comprehensive Submission is required at the midpoint of the agreed term and prior to the nominal expiry of the Group ARIn;
 - d. All individual ARIns made pursuant to a Group ARIn expire on a common date, notwithstanding they may have commenced at different times; and
 - e. The midpoint review date for a Group ARIn is to be the midpoint of the agreed term.
7. It is the Directors-General responsibility to undertake a Comprehensive Submission review of all Group ARIns against the eligibility criteria and provide to the Head of Service for consideration prior to this date.
8. To assist directorates in managing reviews, reports can be provided by emailing SSHRARIns@act.gov.au upon request.

9. A range of situations can arise from the use of Group ARInS.

<p><u>An employee moves out of or can no longer perform the role covered by the Group ARIn:</u> The ARIn ceases on the basis the employee is no longer in a position or can no longer perform the role covered by the Group ARIn.</p> <p>The Director-General may separately authorise an ARIn for a different role, but it would not be approved through the original Group ARIn process and would be treated in the same way as any other ARIn application.</p>	<p><u>The role covered by a Group ARIn is no longer eligible for an ARIn:</u></p> <p>The circumstances of the Group ARIn no longer satisfies the ARIn eligibility criteria.</p> <p>In such circumstances, all ARInS made pursuant to the same Group ARIn will be ceased (for example, where a group of Physiotherapist positions previously met the ARIn criteria, but no longer do so).</p> <p>The Director-General may authorise an ARIn for some of the roles formerly covered by the Group ARIn, but they would not be approved under the original Group ARIn process and would be treated in the same way as any other ARIn application.</p>
<p><u>ARIn holder under a Group ARIn has additional circumstances which warrant different benefits to the Group ARIn:</u></p> <p>The need may arise for an employee under a Group ARIn to include different terms. This would be in circumstances where it is determined that an employee within the group warrants a different set of benefits than the rest of the group.</p> <p>In this case the ARIn ceases to be within the scope of the Group ARIn and would be treated in the same way as any other ARIn application.</p>	<p><u>The positions covered by a Group ARIn require a variation of the conditions of their ARInS:</u></p> <p>If a review of ARInS made under a Group Approval finds that the ARInS need to be varied, this needs to be done through the provision of a new Comprehensive Submission.</p> <p>This would be in circumstances where it is determined the role that all employees covered by the Group ARIn perform justifies a variation to the benefits received.</p>