

Human Resources Management Policy

Title	Human Resources Management Policy
Policy No.	65
Adoption Date	29 July 2026
Review Cycle	Every two years, or earlier if required
Policy Owner	Manager, People and Wellbeing
Accountable Officer	Chief Executive Officer

1. PURPOSE

This policy establishes Tiwi Islands Regional Council's governance framework for lawful, culturally safe, accountable and consistent human resources management. It supports fair and transparent employment practices, recognises the distinct statutory responsibilities of Council and the Chief Executive Officer, and requires compliance with applicable legislation, industrial instruments, delegations and Council policies.

2. SCOPE

This policy applies to:

- applicants and prospective employees;
- permanent, fixed-term and casual employees;
- the Chief Executive Officer, subject to the statutory and contractual arrangements applying to that office;
- labour-hire workers, contractors and subcontractors;
- volunteers and work-experience participants; and
- elected members when exercising governance responsibilities or interacting with workers.

Employment entitlements in this policy apply to employees as defined by law. Work health and safety, respectful workplace, discrimination, harassment, confidentiality and conduct requirements apply to the wider workforce to the extent provided by law or contract.

3. POLICY STATEMENT

Council is committed to:

- merit-based, culturally appropriate and transparent recruitment and selection;
- lawful, fair and consistent employment practices;
- a physically and psychologically safe, healthy and respectful workplace;
- equal employment opportunity, inclusion, accessibility and reasonable adjustment;
- prevention of discrimination, bullying, harassment, sexual harassment and victimisation;
- professional learning, leadership development and workforce capability;
- ethical leadership, appropriate delegations and accountable decision-making;
- protection of employee information and employment records; and
- continuous monitoring of compliance and workforce risks.

4. GOVERNING PRINCIPLES

4.1 Lawful authority and delegations

- Council is responsible for adopting this policy and for matters concerning the appointment, performance and employment of the Chief Executive Officer as provided by the Local Government Act 2019 (NT).
- The Chief Executive Officer is responsible for appointing, directing, managing, disciplining and ending the employment of other Council employees, subject to legislation, industrial instruments, contracts and valid delegations.
- Elected members must not direct employees or participate in individual employee matters except through a lawful Council decision or where legislation expressly authorises their involvement.
- Recruitment, remuneration, classification, contract, disciplinary and termination decisions must be made by an authorised officer within approved delegations and budget.

4.2 Merit, equity and cultural safety

Employment decisions must be based on genuine role requirements, merit and relevant evidence. Processes must be accessible, free from unlawful discrimination and responsive to Tiwi culture, language and community circumstances. Council will support Aboriginal employment, career pathways and local workforce participation consistently with merit, anti-discrimination law and any lawful special measures.

4.3 Procedural fairness and confidentiality

Where a decision may adversely affect an individual, Council will provide procedural fairness appropriate to the circumstances. This includes clear notice of concerns, a reasonable opportunity to respond, an impartial and authorised decision-maker, genuine consideration of the response, documented reasons, access to a support person where appropriate, and confidentiality to the extent reasonably possible.

5. RECRUITMENT, ENGAGEMENT AND ONBOARDING

5.1 Workforce approval and recruitment

- Positions must be supported by an approved workforce need, budget, position description and classification.
- Advertising must accurately state the role, location, employment status, remuneration arrangements and genuine mandatory requirements.
- Selection panels must be appropriately constituted, declare conflicts of interest and document assessments against the approved selection criteria.
- Council will make reasonable adjustments for applicants with disability and use culturally appropriate and accessible selection methods.
- Referee, qualification, licence, right-to-work, criminal history and Working with Children Clearance checks must be undertaken where relevant, lawful and proportionate to the role.
- Recruitment records and applicant information must be securely retained and disposed of in accordance with approved records requirements.

5.2 Employment status and contracts

Employment status must reflect the true nature of the engagement. Contracts must not provide less than the National Employment Standards, applicable modern award, enterprise agreement or other statutory minimum. HR must review proposed fixed-term and casual engagements before approval.

- Fixed-term contracts must comply with statutory duration and consecutive-contract limits. Any relied-upon exception must be documented.
- Casual employees must be correctly classified and their statutory pathway to permanent employment must be administered within required timeframes.
- Labour-hire and contracting arrangements must not be used to avoid employment obligations or misrepresent an employment relationship.

5.3 Mandatory information and induction

At commencement, Council must provide, as applicable:

- the Fair Work Information Statement;
- the Casual Employment Information Statement;
- the Fixed Term Contract Information Statement;
- the employment contract, applicable industrial instrument and position description; and
- induction covering conduct, WHS, psychosocial safety, respectful workplace behaviour, privacy, payroll, emergency arrangements and reporting channels.

6. EMPLOYMENT CONDITIONS AND INDUSTRIAL COMPLIANCE

6.1 Minimum entitlements and payroll

Council will comply with the National Employment Standards, applicable industrial instruments, lawful contracts and payroll, tax and superannuation obligations. Employees must be correctly classified and paid for all hours worked, including applicable allowances, overtime, penalties and higher duties. Accurate records and payslips must be maintained and issued within statutory timeframes.

Superannuation guarantee contributions must be calculated, reported and paid in accordance with the law, including Payday Super requirements applying to earnings paid from 1 July 2026. Intentional underpayment, falsification of records and unauthorised deductions are prohibited.

6.2 Consultation and workplace change

Council will consult affected employees and their representatives where required by legislation or an industrial instrument, including in relation to major workplace change, roster changes and WHS matters. Consultation must occur while proposals remain capable of being influenced.

6.3 Flexible work and right to disconnect

- Statutory requests for flexible working arrangements and extensions of unpaid parental leave must be considered and answered within required timeframes and may only be refused on lawful grounds.
- Employees may refuse to monitor, read or respond to unreasonable work-related contact outside working hours, subject to lawful and reasonable emergency, recall, on-call and operational requirements.

- Remote operations must establish clear on-call, escalation and emergency-contact arrangements.

6.4 Leave and family and domestic violence

Leave must be administered consistently with legislation and applicable industrial instruments. Information about family and domestic violence leave and related safety arrangements must be treated confidentially, except where disclosure is required by law or necessary to protect health and safety.

7. PROBATION, PERFORMANCE AND DEVELOPMENT

7.1 Probation

Probation must be stated in the employment contract and managed through documented expectations, induction, feedback and review. Probation does not remove an employee's statutory or contractual rights. Any decision not to confirm employment must be authorised, evidence-based, procedurally fair and made before the probation period expires.

7.2 Performance management

- Employees must receive clear duties, performance expectations and regular constructive feedback.
- Performance concerns must be distinguished from misconduct, illness, disability, workplace injury, training needs and systemic barriers.
- Where improvement is required, Council will ordinarily provide reasonable support, measurable expectations, review dates and an opportunity to improve.
- Performance decisions must not be based on a protected attribute, workplace right, temporary absence or other prohibited reason.

7.3 Learning and development

Council will provide fair access to mandatory compliance training, role-specific capability development, leadership development and succession opportunities. Training records, licences and mandatory qualifications must be monitored and maintained.

8. CONDUCT, MISCONDUCT AND CONFLICTS OF INTEREST

- Employees must comply with the Code of Conduct, lawful and reasonable directions, confidentiality requirements and Council policies.
- Actual, potential and perceived conflicts of interest must be disclosed and managed promptly.
- Suspected fraud, corruption, serious misconduct and improper conduct must be reported and managed under applicable Council, ICAC and public-interest disclosure requirements.
- Allegations must be assessed proportionately. Investigations must be impartial, confidential, timely and procedurally fair.
- Disciplinary outcomes must be reasonable, authorised, consistent with the evidence and compliant with legislation, industrial instruments and contract.

9. GRIEVANCES, COMPLAINTS AND PROTECTED REPORTING

Employees and other workers must have access to safe, culturally appropriate and timely mechanisms to raise workplace concerns without victimisation. A person may raise a concern with their manager, People and Wellbeing, another authorised manager, the Chief Executive Officer, or an independent

channel where the usual recipient is involved or a conflict exists.

- Complaints will be acknowledged, risk assessed, triaged and addressed in a manner proportionate to the issues raised.
- Interim safety or workplace measures may be implemented without determining the merits of the complaint.
- Natural justice will be afforded to affected parties and information shared only on a need-to-know basis or as required by law.
- Retaliation, victimisation or disadvantage because a person raised or participated in a complaint or exercised a workplace right is prohibited.
- Complaints involving the CEO must be referred through the lawful Council governance pathway. Protected disclosures must be managed under the Public Interest Disclosure Act 2008 (NT) and relevant procedures.

10. WORK HEALTH, SAFETY AND WELLBEING

10.1 Primary commitment

Council will ensure, so far as is reasonably practicable, the physical and psychological health and safety of workers and other persons affected by its activities. Council will consult workers and health and safety representatives, provide safe systems of work, and provide appropriate information, training, instruction and supervision.

10.2 Psychosocial and remote-work risks

Council will identify, assess, control and review psychosocial hazards, including:

- high or low job demands, fatigue and inadequate resourcing;
- remote or isolated work, travel, heat and limited access to support;
- violence, aggression, trauma and exposure to distressing events;
- bullying, harassment, sexual and gender-based harassment and conflict;
- poor role clarity, support, change management or organisational justice; and
- inappropriate accommodation, facilities or workplace behaviour.

Controls must follow the hierarchy of controls where applicable, be developed in consultation with workers and be reviewed after incidents, complaints, organisational change or evidence that controls are ineffective.

10.3 Incidents, injury management and return to work

Hazards, incidents, injuries and near misses must be reported, investigated and notified where required. Council will maintain workers compensation insurance and support timely, confidential and evidence-based rehabilitation, suitable duties and return-to-work arrangements under the Return to Work Act 1986 (NT).

11. DIVERSITY, EQUAL OPPORTUNITY AND RESPECT AT WORK

Council prohibits unlawful discrimination, bullying, harassment, sexual harassment, sex-based harassment, hostile workplace environments on the ground of sex, racial harassment and victimisation. Council will make reasonable adjustments for disability, pregnancy, caring responsibilities, religion,

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culture and other protected needs where required by law.

Council will take reasonable and proportionate measures to eliminate, as far as possible, sex discrimination and other relevant unlawful conduct connected with work. Measures will include leadership accountability, risk assessment, worker consultation, clear standards, accessible reporting options, training, appropriate responses and monitoring.

12. EMPLOYEE RECORDS, PRIVACY AND CONFIDENTIALITY

- Personal information must be collected only where lawful and reasonably necessary for Council functions.
- Records must be accurate, complete, current, securely stored and accessible only to authorised persons.
- Personnel, medical, workers compensation, complaint, disciplinary and payroll information must be appropriately separated and access controlled.
- Information may only be used or disclosed for an authorised purpose, with consent, or where permitted or required by law.
- Individuals will be provided lawful access to and correction of their personal information.
- Employment and payroll records must be retained and disposed of under statutory minimum periods and approved records retention and disposal schedules.
- Suspected loss, misuse or unauthorised access or disclosure must be reported promptly and managed under Council's privacy and information-security procedures.

13. CESSATION OF EMPLOYMENT

Resignation, retirement, abandonment, redundancy, expiry of fixed-term employment and termination must be managed lawfully, consistently and under an appropriate delegation. Council must comply with notice, consultation, final-pay, record, return-of-property and confidentiality requirements. Before involuntary termination, the decision-maker must consider procedural fairness, applicable protections from unfair dismissal and adverse action, reasonable adjustments, workplace injury protections and any relevant industrial obligations.

14. ROLES AND RESPONSIBILITIES

Role	Responsibilities
Council	Adopt and oversee this policy; employ and manage the CEO as required by law; avoid involvement in operational employee matters; receive appropriate strategic assurance reporting.
Chief Executive Officer	Exercise statutory employment responsibilities; maintain the HR framework; ensure adequate resourcing, lawful delegations and organisational compliance; report material risks to Council.
Manager, People and Wellbeing	Maintain policies and procedures; provide advice and quality assurance; monitor legislative and industrial changes; maintain central HR records, reporting and compliance registers.

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Role	Responsibilities
Managers and Coordinators	Apply policies consistently; act within delegation; consult, document decisions, support performance, safety and wellbeing; escalate risks and seek HR advice.
Employees and other workers	Comply with lawful directions and policies; behave respectfully; disclose conflicts; protect information; participate in consultation and training; report hazards and concerns.

15. COMPLIANCE, MONITORING AND REPORTING

- People and Wellbeing will maintain a legislative and industrial compliance register and review relevant changes.
- Council will periodically audit recruitment, contracts, classifications, payroll, superannuation, employee records, mandatory training and WHS controls.
- Material non-compliance, systemic workforce risks and overdue corrective actions will be reported to the CEO and, where appropriate, the Audit and Risk Management Committee or Council.
- Breaches of this policy may result in corrective action, disciplinary action, contract remedies or referral to an external authority.

16. LEGISLATIVE AND REGULATORY FRAMEWORK

This policy must be read and applied with the current versions of applicable legislation and instruments, including:

- Local Government Act 2019 (NT);
- Local Government (General) Regulations 2021 (NT);
- Fair Work Act 2009 (Cth) and Fair Work Regulations 2009 (Cth);
- National Employment Standards;
- applicable modern award, enterprise agreement and employment contracts;
- Work Health and Safety (National Uniform Legislation) Act 2011 (NT);
- Work Health and Safety (National Uniform Legislation) Regulations 2011 (NT);
- Return to Work Act 1986 (NT) and Return to Work Regulations 1986 (NT);
- Anti-Discrimination Act 1992 (NT);
- Sex Discrimination Act 1984 (Cth);
- Racial Discrimination Act 1975 (Cth);
- Disability Discrimination Act 1992 (Cth);
- Age Discrimination Act 2004 (Cth);
- Australian Human Rights Commission Act 1986 (Cth);
- Information Act 2002 (NT), including applicable records and privacy standards;
- Privacy Act 1988 (Cth), where applicable;
- Long Service Leave Act 1981 (NT);
- Superannuation Guarantee (Administration) Act 1992 (Cth);
- Public Interest Disclosure Act 2008 (NT);

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- Independent Commissioner Against Corruption Act 2017 (NT);
- Care and Protection of Children Act 2007 (NT), where applicable;
- Working with Children (Screening) Act 2025 (NT), where applicable.

Relevant approved codes of practice include:

- Managing Psychosocial Hazards at Work Code of Practice; and
- Sexual and Gender-Based Harassment Code of Practice.

17. RELATED COUNCIL DOCUMENTS

- Code of Conduct;
- Delegations Manual;
- Recruitment and Selection Policy and Procedure;
- Performance Management and Disciplinary Procedures;
- Grievance and Workplace Complaint Procedure;
- Prevention of Bullying, Discrimination and Sexual Harassment Policy;
- Work Health and Safety Policy and Psychosocial Risk Management Framework;
- Injury Management and Return to Work Procedure;
- Employee Records, Privacy and Information Security Procedures;
- Flexible Work and Right to Disconnect Procedure; and
- Public Interest Disclosure and ICAC reporting procedures.

18. DOCUMENT MANAGEMENT AND REVIEW

The Chief Executive Officer is accountable for implementation of this policy. The Manager People and Wellbeing is responsible for maintaining the policy, supporting procedures, forms and compliance registers. This policy will be reviewed every two years, or earlier following significant legislative, industrial or organisational change, a material incident, audit finding or Council resolution.

19. VERSION CONTROL

Version	Decision Number	Adoption Date	History
1.0	OCM/97	19 March 2025	Original
2.0	OCM/378	29 July 2026	Expanded compliance and governance framework