

**Senate Finance and Public Administration Legislation Committee**  
**ANSWERS TO QUESTIONS ON NOTICE**  
**Budget Estimates Hearing 25-29 May 2015**

Prime Minister and Cabinet Portfolio

**Department/Agency:** Tiwi Land Council

**Outcome/Program:** Outcome 2: Indigenous

**Topic:** Mr Brian Clancy contract

**Senator:** Senator Nova Peris OAM

**Question reference number:** 129

**Type of question:** Written

**Date set by the committee for the return of answer:** 10 July 2015

**Number of pages:** 2

**Question:**

1. On page 9 of the 2013/14 Annual Report of the Tiwi Land Council states that Mr Brian Clancy was given a 10 year contract in 2008. Who negotiated and finalised the terms and conditions of Mr Clancy's contract?
2. What is Mr Clancy's current employment status with the Tiwi Land Council?
3. What are the performance review requirements and procedures for Mr Clancy?
4. Under Mr Clancy's employment contract what are the provisions for renewal of his contract?
5. It is highly unusual for any employee to be employed on a ten year contract. Why was Mr Clancy given a ten year employment contract?

**Answer:**

1. Mr. Clancy's and all full time employee contracts issued since 2005 have been based on the formalised common law template, Contract of Employment, produced by Cridland Lawyers.
2. Acting CEO.
3. Performance is annually assessed through the independent Audit Committee of the Land Council and Tiwi Chairman and Managers of the Land Council. From 2013 the Tiwi Land Council is compliant with performance requirements under the Public Governance, Performance and Accountability Act. The independent Audit Committee

meets 4 times a year reviewing compliance under the legislation. This includes staff performance and assessments.

4. Renewal is an employer option only based upon the declared interest and performance of the employee.
5. Mr. Clancy is a professional teacher and past principal with unique attributes unavailable in many remote communities. The Land Council requires continuity of valued staff, particularly those with skills that attract higher remuneration and better conditions than the Tiwi Land Council can offer.