

Recruitment and Selection in the Public Service

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Overview

Unless specifically indicated, this policy guide applies to all public service positions, including executive officer positions. The Department is committed to the standard mode of employment being ongoing. Managers have the capacity to select the best available employees to meet the needs of the workplace and to maximize ongoing employment opportunities.

Selecting the right candidate for a position has a significant impact on workplace performance. Selection to advertised positions is determined solely on the basis of merit assessed in relation to the selection criteria for the position.

Managers have the responsibility within the context of a legislative and policy framework to manage the recruitment of employees as vacancies arise. Part 2 of the *Public Administration Act 2004* sets out public sector values and employment principles to be applied by all Victorian public sector bodies. The employment principles underpin employment processes which apply to the Victorian public sector, and includes employees in the public service. Information regarding the employment principles, standards and associated guidelines is available on HRWeb.

Vacancy Management

Staffing decisions should be made in the context of the current and future projected workforce needs of the area and the approved staffing level and budget for the Division/Region.

CLASSIFICATION AND WORK VALUE

Positions must be classified at the appropriate level. When classifying a position it is important to identify the tasks, the skill levels required and accountability requirements of the position to fulfil effectively the requirements of the position. This is known as determining the work value of a position. The work value of a position arises from an assessment of the total worth of a position in comparison to other similar positions.

When determining the classification level of a new position or in considering the reclassification of an existing position, the following should be considered:

- job complexity and levels of accountability are primary considerations
- a comparison of all levels that encompass the range is to be undertaken by the manager
- positions at all classification levels can be expected to undertake duties applicable to that of a lower classification.

In addition, the manager must consider the following limitations:

- the volume of work does not determine the classification level
- the work value/requirements of a position must have changed demonstrably to justify reclassification of a position
- classification decisions are based on the work requirements of a position, not the qualities of current occupants, applicants or potential applicants.

JOB DESIGN

Job design is the process of developing specific job roles in the context of the workplace structure, unit priorities and the organisation of work.

All employees are to be employed in a role with a current position description which specifies the key job requirements, complexities, challenges and individual qualitative requirements which reflect the appropriate classification for a position at a particular level. The classification level of a position is determined by work value (i.e. job complexity, knowledge and skills required and level of responsibility).

GRADE DESCRIPTORS

The grade descriptors have been developed to describe the VPS grades, Allied Health and Legal grades and their value ranges. There are also descriptors to describe the work of School Nurses and Maternal and Child Health Nurses. The descriptors are used to classify roles, and assist in recruitment and performance management systems and processes. Jobs are classified on a 'whole of job' basis or 'on balance'. No single element determines either the grade or value range within a grade.

Further information, including the descriptors that apply to public service positions, are available on the HRWeb.

RECLASSIFICATION

A position can only be reclassified to a different grade where the position is vacant, and where there has been a demonstrable change in the work value of the position. This will require an assessment of the position to determine whether it meets the description for a higher grade.

Where the reclassification of a position is proposed, the manager is to prepare a new position description. Each of the accountability areas or responsibilities will need to be assessed to determine the level of classification.

Where the Deputy Secretary responsible for the work unit has approved the reclassification of a position, appropriate staffing action is to be taken to fill the position.

MODES OF EMPLOYMENT

Employees may be employed on an ongoing, fixed term or casual basis depending on the staffing needs of the Division or Region. Executive Officers are employed on an executive contract in accordance with the Victorian Public Sector Commission's Executive Remuneration and Employment Handbook.

The Department is committed to using ongoing employment where possible, but will also use alternative modes of employment where appropriate.

The use of fixed term, casual or agency staff will not be for the purpose of undermining the job security or conditions of ongoing employees.

While the Department is committed to the standard mode of employment being ongoing, fixed term employment is appropriate in the following circumstances when a person is employed for a fixed period of time:

- to replace an employee who is absent on approved leave or undertaking a temporary assignment or secondment elsewhere in the public service
- to meet fluctuating client and staffing needs and unexpected increased workloads
- to undertake a specific but finite task (possibly linked to one-off funding from an external source)
- to temporarily fill a vacancy where, following an appropriate selection process, a suitable ongoing employee is not available
- to fill a vacant role while a review of an area is undertaken, provided that such appointment does not exceed a period of 12 months.

Except in exceptional or unforeseen circumstances a fixed term vacancy is to be limited to a maximum of three years. Where a manager considers that a position should be filled on a fixed term basis in circumstances other than those identified above, the manager should contact Corporate People Services for advice.

A fixed term employee must be provided, in writing or electronically, the reason for their fixed term employment. Where the Community and Public Sector Union or Australian Nursing and Midwifery Federation identifies a fixed term position that does not meet the above criteria, it can refer such a position to the Department for reconsideration of the mode of employment. The matter can be dealt with through the Review of Action (Personal Grievance) process should the status of the position not be resolved.

A person may be employed on a casual basis to meet short term or seasonal work demands which are not continuing, or to meet specialist skill requirements which will not be required on a continuing or recurring basis.

Casual employees must be employed or engaged for periods of not less than three consecutive hours in any day, except where the employee works from home by agreement with the employer or in exceptional circumstances. Casual employees should not be engaged for periods greater than six weeks. Where short term employment is required for periods longer than six weeks, employees should be engaged on a fixed term basis. The engagement of an agency to provide contract staff in lieu of employing casual employees should only occur where direct employment is not practicable.

Filling Vacancies

GENERAL

Unless an exemption to the requirement to advertise applies, vacancies are to be advertised as widely as necessary to attract a field of suitable applicants and to enhance the diversity of the workforce. If initial advertising does not result in a suitable candidate pool, the manager may choose to advertise the vacancy more widely.

Vacancies are advertised as ongoing wherever possible, or fixed term where they meet the Department's criteria, as set out in the Vacancy Management section above. Executive Officer vacancies may be filled via the below procedures or through a process determined by the Secretary.

DURATION OF VACANCY

Vacancies of any duration may be advertised externally if a manager considers it necessary, however there are other methods of filling a vacancy that do not require external advertisement. Vacancies that do not require external advertisement are dependent on the duration of the role and are subject to the following procedures.

Vacancies of 6 months or less	<p>Vacancies of 6 months or less are exempt from advertisement and may be filled through a process determined by the manager. The manager should have regard to professional development and workforce planning opportunities such vacancies present.</p> <p>Options for filling the vacancy include:</p> <ul style="list-style-type: none">• from within the work area• inviting expressions of interest from other employees in the Department• advertising externally on the Department's Careers website. <p>Where a vacancy of less than six months extends beyond six months, the vacancy must be advertised.</p>
Vacancies of more than 6 months and up to 12 months	<p>Vacancies of more than 6 months and up to 12 months should be advertised through an internal expression of interest.</p> <p>A manager may consider it necessary to advertise externally in order to attract a wider pool of applicants.</p>
Ongoing vacancies and fixed term vacancies of 12 months or more	<p>Ongoing vacancies and fixed term vacancies of 12 months or more must be advertised externally.</p>

ADVERTISING VACANCIES EXTERNALLY

All externally advertised positions, except for Executive Officer positions, must be advertised on careers.vic.gov.au. The most suitable advertising process will depend on the type of role and desired type of candidate, often a combination of mediums will be appropriate.

In order to advertise a role externally, Corporate People Services requires:

- an up-to-date position description in Microsoft Word format; and
- a completed Request for VPS staffing action form.

Upon request from the manager, Corporate People Services may advertise vacancies through additional mediums, such as:

- Seek
- LinkedIn
- My Career
- regional newspapers

If a manager chooses to advertise through other mediums, advertising fees may be incurred.

Corporate People Services can advise further on the advertising process and are able to assist with placement of advertisements and the most appropriate process for doing so.

The closing date for applications will generally be ten working days from the date of advertisement.

Where a position is advertised in anticipation of an employee's cessation and the employee applies for the position before his or her cessation has taken effect (for example a cessation at age 54 and 11 months), the vacancy must be withdrawn and can only be re-advertised after the effective date of the employee's cessation. Where the employee is an applicant for another position the selection process may continue for that position. If the employee is the preferred applicant for the other position the offer of employment should be delayed until after his or her cessation has taken effect.

POSTING AN EXPRESSION OF INTEREST

Expressions of interest are sought internally from employees in the Department. Eligible employees are those employed on an ongoing, fixed term, and casual basis and includes contracted staff. An invitation for an expression of interest is to include details of the position, selection criteria, remuneration, and duration of the assignment.

Expressions of Interest are posted through a communications request. Jobs are posted on a jobs page on the intranet that lists all corporate short-term vacancies. The minimum requirements for posting an expression of interest are:

- an up-to-date position description in word format
- Executive Director approval

Employees in the work area are to be informed of the staffing arrangements that will apply for the vacancy.

The selection processes relating to expressions of interest are subject to the employment principles of merit and equity.

EXEMPTION FROM ADVERTISEMENT

It is Department policy that vacancies must be advertised. A vacancy can only be exempted from advertisement by the Secretary where:

- the incumbent is in an occupational category where he/she has an entitlement to progression based on successful completion of training and work experience
- the employee has competed on merit in the Graduate Recruitment Selection and Assessment Process and is formally assessed as meeting all the requirements of a position at the VPSG 3 level
- there is targeted recruitment of disadvantaged equal employment opportunity groups (i.e. people of Aboriginal or Torres Strait Islander descent, people with a disability and young people aged between 16 and 20 years who have successfully completed a youth traineeship)
- a delegate directs that an employee be re-assigned at level (i.e. administrative transfer or redeployment)
- there is a vacancy of 6 months or less, or
- the Secretary otherwise certifies there is no breach of merit and equity.

Executive Officers

Executive Officer appointments must be approved by the Secretary. The Secretary, at their discretion, may assign Executive Officers to positions where necessary and appropriate to meet the needs of government.

POSITION DESCRIPTIONS

A position description must be prepared for all vacant positions. Position descriptions are developed through a job design process with the objective of establishing individual yet integrated jobs within the workplace.

A position description for advertisement purposes is to include:

- organisational context
- classification level and value range (where relevant) of the job
- basis of employment (i.e. whether it is ongoing or fixed term, full-time or part-time)
- key accountabilities and activities of the role
- capabilities required for the role
- qualification and/or accreditation requirements (where applicable)
- the base work location for the position (where applicable).

VPS positions

Selection criteria must be developed using the position description tool which identifies the capabilities (knowledge, skills and personal qualities) and experience required for the efficient performance of the job. The selection criteria are to represent the most important capabilities a candidate requires for the role.

The VPS capability-based position description tool should be used for VPS position descriptions. Further information about the VPS Capability-based position description tool is available on HRWeb.

Allied Health, School Nurse and Maternal and Child Health Nurse positions

Selection criteria must be developed that set out the experience, broad competencies, personal qualities and behaviours required for the efficient performance of the position. The selection criteria should be listed in priority order from most to least important. Position descriptions for Allied Health, School Nurse or Maternal and Child Health Nurse positions should be developed using the template available on HRWeb.

QUALIFICATION/REGISTRATION REQUIREMENTS

The Secretary or delegate may require particular qualifications and/or training for a position. Some professions (for example nursing and legal) are externally regulated and have mandatory registration and/or qualification requirements for employment in that profession.

PUBLIC SERVICE GRADUATE RECRUITMENT PROGRAM

The Victorian Public Sector Commission coordinates the Victorian Public Service Graduate Recruitment and Development Scheme. The Department employs graduates through this scheme on a regular basis. Further information about the scheme is available at: <https://careers.vic.gov.au/career-pathways/graduates-1914>.

APPLYING FOR A VACANCY

Any person can apply for a role, except a person who is excluded due to their acceptance of a Voluntary Departure Package from a Victorian government agency within the past three years. Only Australian citizens and permanent residents can be employed in an ongoing position. For fixed-term roles, candidates who are visa holders must have a valid visa with work rights that cover the full period of the advertised position.

Applications for vacancies advertised online should be lodged electronically on the Careers website by the advertised closing date. Applicants who are unable to access or use the Careers website may submit a written application (hard copy) which must reach the contact person specified in the vacancy no later than the advertised closing date. It is the responsibility of the contact person to forward a copy of the written application to Corporate People Services so that the application can be recorded.

A public service employee who is a redeployee (i.e. declared surplus) should clearly indicate in their application that they hold this status.

The manager/contact person for the vacancy has the discretion to accept late applications. In exercising that discretion, the manager must take into account the reasons why the application was late, and the number of applications already received. A record of the reasons for accepting or refusing to accept a late application must be kept, and the applicant informed of the decision.

A late application cannot be accepted after applicants have been advised of the selection decision.

Acknowledgement of the receipt of online applications will be sent automatically to applicants who apply through the Careers website. Where applicants provide hard-copy applications only, the manager is responsible for ensuring that written acknowledgement of receipt of the application is sent promptly, and a copy of the application is provided to Corporate People Services. The application and accompanying materials become the property of the selection panel and are not returnable to candidates.

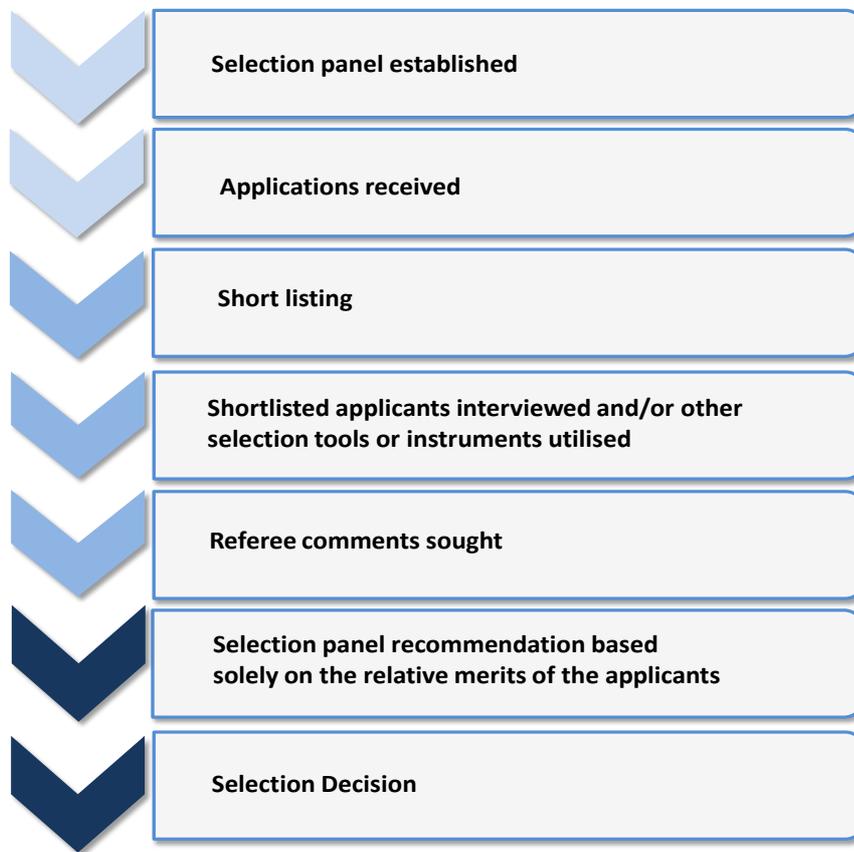
Employees Who Are Surplus

Public service employees, not including Executive Officers, who have been formally declared surplus and apply for, or are referred to, a vacancy have priority over other applicants to be selected for that vacancy provided the applicant meets the selection criteria for the vacancy. Where there are two or more such applicants, the selection panel is to determine who the preferred applicant is. In managing employees identified as surplus, the Department will apply redeployment policy principles in accordance with the *Victorian Public Service Enterprise Agreement* and the *Nurses (Department of Education and Training) Agreement*. Further information is available on HRWeb.

Selection

The purpose of a selection process is to choose the applicant who will perform successfully in the position and do so better than all other applicants. The selection panel can use a range of instruments or selection tools to assist in making the best selection decision. The selection panel should be able to demonstrate the rationale for the selection tools that were used.

The selection process can be illustrated as follows:



Selection to an advertised vacancy is determined solely on the basis of merit assessed in relation to the selection criteria of the position to be filled. The following should be applied in the selection process:

- selection criteria are relevant to the work to be performed, free from bias, documented and available to all applicants
- the applicant's skills, knowledge and abilities relevant to the work to be performed, are fairly assessed
- selection methods are relevant to the work to be performed
- decisions and processes accord with procedural fairness
- decisions are documented and capable of review
- confidentiality is maintained
- all applicants receive fair and equitable treatment, and are not treated less favourably because of personal characteristics which are not relevant to the requirements of the role.

Under the *Equal Opportunity Act 2010* (or under Commonwealth discrimination laws), it is unlawful to discriminate against a candidate due to:

- age
- carer status
- disability or impairment
- gender identity
- industrial activity
- parental status
- physical features
- political belief or activity
- marital status
- pregnancy or breastfeeding

- race
- religious belief or activity
- sex
- sexual orientation
- expunged homosexual conviction
- personal association with someone who has, or is assumed to have, one of these personal characteristics.

When assessing applicants, selection panel members must ensure that they do not directly or indirectly discriminate against applicants on the basis of any of the above attributes. At each stage of the process, panel members should be aware of individual bias, assumptions and stereotyping that may impede the selection of the best applicant for the position and take practical steps to overcome the effects of these biases where possible.

Panel members should be aware that the Department has a positive duty under the *Equal Opportunity Act 2010* to provide reasonable and proportionate measures to eliminate discrimination and a duty to provide reasonable adjustments for people with a disability. Further information is available on the Department's Disability web page.

Delegates and panel members are to avoid any actual or potential perceived conflict of interest in the selection process. A conflict may arise where it could be reasonably perceived that a delegate or panel member is influenced by the private interest of facilitating employment (for example the employment of a family member or associate). Where there could be a perception of favouritism and bias, to mitigate the risk the delegate and/or panel member should remove themselves from the selection process and/or selection decision. A delegate and/or a panel member who considers they may have a conflict of interest must declare their conflict of interest and any steps taken to manage the conflict in the 'Declaration – Conflict of Interest' form in eduPay. Further information is available on HRWeb at: Conflict of Interest.

SELECTION PANELS

The manager is responsible for the selection process and must ensure that as part of the selection process a selection panel is established for each advertised vacancy. A selection panel must have at least three persons, one who acts as a chairperson. In exceptional circumstances there may be two people on a selection panel.

The responsible manager should ensure that members of the selection panel comprise people who have the capacity and capabilities to undertake a proper selection process and between them, possess the following qualities:

- detailed knowledge of the position requirements
- an understanding of the position and its relationship with other organisational functions within the workplace
- selection skills and an understanding of the selection process.

At least one member of the panel must be trained by the Merit Protection Boards in the principles of merit and equity, and there must be at least one male and one female member.

In the event that a selection panel member is unavailable to complete the selection process (whether due to illness, carer responsibilities, death, resignation or other cause) a replacement member may sit on the panel. The new panel member must be fully informed of the recruitment process including any shortlisting and decisions made, prior to sitting on the panel.

The selection panel is to recommend to the delegate the best applicant, based on the evidence gathered in the selection process. The role of the selection panel is to objectively assess each applicant's skills, knowledge and capacity against the selection criteria and to rank the applicants against the criteria. The selection panel may use other appropriate selection tools determined by the panel provided that they are applied consistently to all applicants.

The selection panel is to document the selection process and complete the required selection documentation.

SHORTLISTING

Shortlisting may be used to identify which applicants best meet the selection criteria.

When informing applicants that they have been shortlisted for an interview, the applicant should be asked if they require any reasonable adjustments to allow them to participate in the interview. All reasonable requests must be accommodated and recruitment and selection procedures may be adjusted accordingly. If it is not possible to accommodate a request, the reason for this must be recorded.

Any experience and available evidence relevant to the selection criteria should be taken into account by the panel. Account may also be taken of an applicant's potential to acquire new skills. Specific job knowledge necessary to carry out the duties of a position can be less important where this knowledge can be acquired by the applicant in a reasonable time.

Nominated referees may be contacted at this stage to verify information the applicants have provided in their application.

The selection panel may decide that an applicant does not meet one or more of the selection criteria and not shortlist that applicant. The reasons for not shortlisting applicants for interview are to be documented.

The selection panel should consider whether the final shortlist for interview is balanced and reflects the diversity of the applicant pool. If an applicant from a group with a particular attribute is not shortlisted, the selection panel should actively consider whether the applicant genuinely does not meet the selection criteria, and ensure that extraneous considerations such as stereotypes or biases have not been taken into account.

The panel chairperson may determine that shortlisting should be outsourced, for instance to an external recruitment agency. The circumstances where this may be appropriate might include where there are a large number of applicants, or the role is senior or highly specialised. In such circumstances, an external recruitment agency, or a person who is not a panel member (this includes but is not limited to a People Services Consultant, project officer or contractor) may be used in the recruitment process.

Where the selection panel has not conducted the shortlisting, they will determine whether to accept any recommendations made. It remains the selection panel's responsibility to ensure that the agency or third party complies with the Department's policies and applicable legislation.

Corporate People Services can assist in engaging the services of an external recruitment consultant. If the panel chairperson engages the services of an external recruitment agency or third party, the fees and costs of the service are the responsibility of the Division/Region.

INTERVIEW

Shortlisted applicants should be given adequate notice of interview time and location. Where an applicant is unable to attend for interview other arrangements (such as teleconferencing or Skype) may be used. If such arrangements are not possible the selection panel should judge the applicant on the best available information.

The selection panel should develop a set of questions based on the selection criteria and assess, at interview, each shortlisted applicant's knowledge, skills and personal qualities that best match the competencies to perform the role.

To ensure that all applicants are fairly considered, each applicant should be given the opportunity to respond to similar areas of questioning. Questions are to relate specifically to the selection criteria in the context of the role to be performed. Applicants should also be given the opportunity to ask questions or provide any relevant additional information to assist the selection panel in making its decision.

The interview assists the panel in the assessment of the relative merits of each shortlisted applicant. The performance of an applicant in an interview is to be considered together with information provided in the written application, referee reports and any other assessment tools used in the selection process.

REFEREE REPORTS

Referee reports are an essential part of the assessment of the relative merits of shortlisted applicants who are in high contention for the position. Referee reports allow for the verification of claims made by applicants and the gathering of evidence on work performance.

Applicants are to nominate referees who can clarify, verify and add information to what is gathered in the interview and from other parts of the selection process. Referees can verify claims on matters relating to the applicant's employment history, including dates of employment, positions held and responsibilities.

Referees should be invited to comment on the applicant in relation to all of the selection criteria. The selection panel may seek referee reports either verbally, in person or in written form. Where a selection panel member acts as a referee for an applicant, a further referee report must be obtained from another nominated referee.

The use of other referees who have not been nominated by applicants may assist to confirm information obtained, or provide more balanced information. The selection panel can ask the applicant to provide additional referees, or make its own enquiries of persons who have not been nominated, such as previous managers. In this case, the applicant should be informed that the selection panel proposes to make such contact prior to contact being made.

Where members of the selection panel know or have knowledge of an applicant, this knowledge can provide the panel with a greater understanding of the applicant's knowledge, skills and personal qualities. In such a case, the panel member should provide a prior knowledge statement, which is to be treated in the same way as a referee report.

Referee reports are to be kept confidential.

ASSESSMENT OF QUALIFICATIONS/REGISTRATION

Where specified qualifications and/or registration are mandatory requirements for a position, the chairperson of the selection panel must verify that the recommended applicant meets those requirements. This may involve undertaking a

check with the relevant professional body or regulatory board. The recommended applicant must provide the original or certified copy of their qualifications to the panel chairperson. Documents can only be certified by a person authorised to witness a statutory declaration. Where qualifications/registration are not mandatory for the position but formed part of the selection panel's reasons for the selection of the recommended applicant, they should be verified by the selection panel.

ASSESSING AND RANKING SHORTLISTED APPLICANTS

The selection panel must assess all shortlisted applicants against the selection criteria on the basis of their written application, interview, reports provided by referees, together with any other selection tool used by the panel. It is important that the selection panel does not make its assessment solely on the basis of interview performance. It is the responsibility of the panel to verify the claims of the recommended applicant to confirm details of their employment history, including their experience, qualifications and registrations. At the completion of the assessment, the selection panel must rank all suitable applicants in order of merit.

A panel may decide that a shortlisted applicant is not suitable where the applicant does not meet one or more of the selection criteria. This decision can be made at any point in the selection process.

Positions with significant financial delegations, or which are assessed as being higher risk for the commission of fraud, pose additional risk to the Department. When recruiting for these roles, the chairperson of the selection panel should determine what additional checks should be undertaken, which may include determining whether the recommended applicant has:

- been subject to disciplinary proceedings by a regulator or previous employer
- taken advantage of the laws relating to bankruptcy, or
- lived in high-risk countries, as determined by the Financial Action Task Force (FATF) from time to time.

SELECTION PANEL REPORT

On completion of the selection panel's assessment and ranking of applicants, the panel must prepare a selection panel report. The selection panel report should include:

- details of the position to be filled
- details of the selection panel
- names of applicants not shortlisted and reasons for not shortlisting
- names of applicants shortlisted for interview and reasons why any shortlisted applicant could not be interviewed
- a comparative assessment of each shortlisted applicant
- the individual selection report for each shortlisted applicant that includes the names of persons contacted for referee comment
- the names of the preferred applicants, ranked in order of merit
- The signatures of panel members and the date.

Shortlisted applicants may request a copy of their individual selection report from the panel chairperson once the selection decision has been announced. A selection report template is available on HRWeb.

SELECTION DECISION

The delegate must be satisfied that all parts of the selection process have been undertaken correctly. The selection panel report is to be forwarded to the delegate who may accept, reject or seek a review by the panel of a selection decision.

In considering the recommendation of the selection panel, the delegate is to ensure that the applicant who best meets the selection criteria and can perform the duties of the position is selected. Where the delegate accepts the recommendation, the selection panel report is to be forwarded to Corporate People Services or an external recruitment agency, who will notify all applicants of the outcome.

NOTIFICATION TO APPLICANTS

At the completion of the selection process the successful and unsuccessful applicants will be advised of the outcome of their application. Unsuccessful applicants will be advised in writing of their right, where eligible, to seek a review of the selection decision.

Selection decisions cannot be confirmed until the review period is concluded.

All applicants for a position may seek feedback on their application and/or interview performance from the chairperson of the selection panel. Detailed feedback on the application and/or interview performance should not be provided until the conclusion of the review process.

SECOND OR SUBSEQUENT APPOINTMENTS

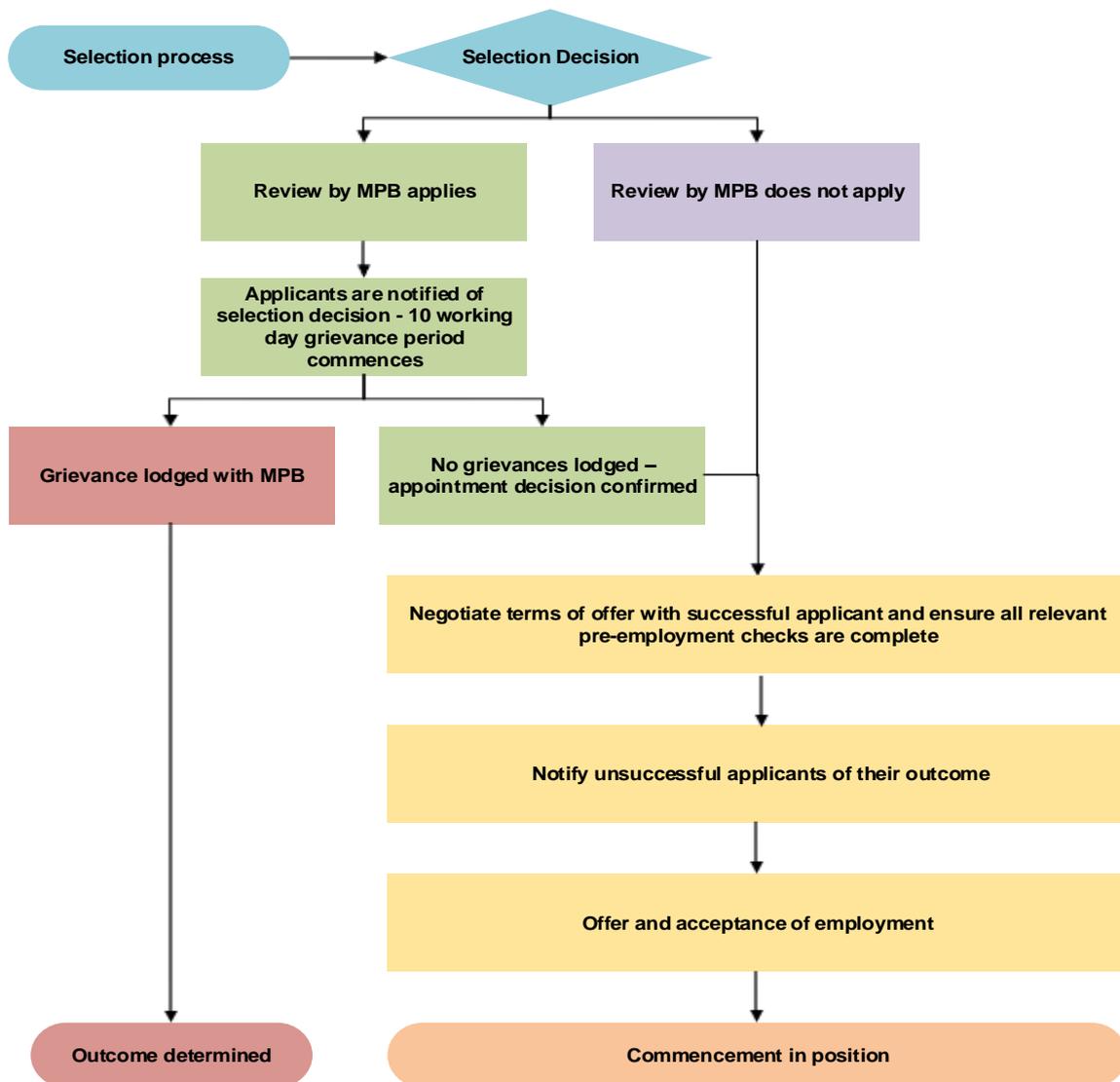
A second or subsequent appointment may be made from the same field of applicants for an advertised vacancy if the manager is reasonably satisfied that further advertisement would not attract a better field of applicants. Such an appointment may be made within three months of the first appointment and where positions are at the same grade and involve substantially the same duties.

RETENTION OF SELECTION DOCUMENTATION

All selection documentation, including copies of applications, interview notes, referee comments and selection reports, must be retained by the panel chairperson for two years after confirmation of the selection decision. This material remains the confidential property of the Department and may be destroyed two years after the confirmation date.

Employment, Promotion or Transfer

The processes following the selection decision can be illustrated as follows:



EMPLOYMENT

To avoid uncertainty regarding the terms of employment, a person **must not** commence in the position until the offer of employment has been formally accepted.

A person employed for a fixed period ceases employment at the conclusion of the fixed period and must cease work at that time, unless a further offer of employment is accepted for the same or another position.

A person who is not employed by the Department will be made an offer of employment which will include:

- the period of employment
- where a position is fixed term, the reason the position is fixed term
- time fraction
- commencement salary
- any probationary period (if required)
- details of payment of relocation expenses (where agreed by the Department)
- terms and conditions of employment.

In circumstances where there are difficulties recruiting suitably qualified people, the Department may consider offering employment to a suitable person from overseas. Further information on visa requirements for the employment and sponsorship of overseas workers is available on HRWeb.

SUITABILITY FOR EMPLOYMENT

Prior to a person commencing employment, pre-employment requirements must be met. The person must be a fit and proper person and suitable to undertake child-related work (if applicable).

In order to determine that the proposed appointee is a fit and proper person, the chairperson of the panel is to make reasonable efforts to contact the person's current or immediate past employer and ask the following question:

- Were there instances where you had concerns that [applicant's name] did not always behave with integrity in their employment, such as not dealing with others in an ethical manner, not declaring or managing a conflict of interest appropriately or not dealing with sensitive or confidential information in an appropriate way? If yes, what steps were taken to deal with these concerns? Were these concerns satisfactorily resolved?

The following pre-employment requirements must be met prior to a person commencing employment. The person must:

- have received a satisfactory criminal records check
- have a current Working With Children Check (if applicable)
- meet any mandatory qualification and/or accreditation requirements (where relevant)
- meet the inherent requirements of the role, including any medical requirements
- not have been the recipient of a Voluntary Departure Package in the past three years
- not have an employment or re-employment restriction placed on him/her by the Department and
- be an Australian citizen or a permanent resident in Australia under any law of the Commonwealth or entitled to permanent residency in Australia under any law of the Commonwealth, or will be a resident in Victoria for sufficient periods to enable the person to undertake the duties of the position.

If these requirements are not met, the person is not to commence employment and the offer of employment will lapse.

Where there are any concerns with the selection panel in relation to the person's suitability for employment, before taking any further action in relation to that person's employment, the selection panel must seek advice from the Employee Conduct Branch.

Working with children

Some positions involve child-related work which requires the successful applicant to have a current Working with Children Check. Where a position involves child-related work, it is also necessary to establish whether an appointee is suitable to undertake work with children.

For positions that require child-related work, the chairperson must make reasonable efforts to contact the person's current or immediate past employer and ask the following questions:

- Have you directly observed [applicant's name] work with children?
- During the period that [applicant's name] worked in your organisation, did you have any concerns about [applicant's name] behaviour or conduct when working with a child or children? If yes, what steps were taken to deal with these concerns? Were these concerns satisfactorily resolved?

- Do you have any concerns about [applicant's name] working directly with children?
- Has any disciplinary action been taken against the applicant in relation to inappropriate or unprofessional conduct towards a child?

Prior to a person commencing employment, the chairperson of the selection panel must be satisfied, based on their knowledge at the time, that the person is suitable to undertake work with children and is a fit and proper person.

PRE-EMPLOYMENT MEDICAL REQUIREMENTS

Health declaration

Employment with the Department is conditional on the applicant being a fit and proper person and able to perform the inherent requirements of the position. A new employee, whether employed ongoing, fixed term (including a person commencing a second or subsequent fixed term period of employment) or on a casual basis, is required to complete a pre-employment health declaration prior to commencing employment.

The primary purpose of the pre-employment health declaration is to assist the Department to ensure that no person is placed in an environment or given tasks that will result in physical or mental harm. It is not the intention of the pre-employment health declaration to deny a person employment solely because of disability or illness.

Where any information provided by the applicant in the pre-employment health declaration is of concern the manager may seek professional advice regarding the person's fitness for employment. The options for doing so include:

- with the person's consent, approaching the person's treating medical practitioner
- asking the person to undergo a medical assessment by a nominated medical practitioner (see below)
- seeking advice from the Medical Advisory Service which is a free telephone advisory service for managers (further information on Medical Advisory Service is available on HRWeb).

Pre-employment medical assessment

In addition to completing a pre-employment health declaration, an appointee may be required to undergo a pre-employment medical assessment. This would normally only occur in, but is not limited to, circumstances where it is considered prudent to independently confirm a person's medical fitness for employment. The Medical Advisory Service can assist in these circumstances.

Any registered medical practitioner may conduct the pre-employment medical assessment.

The person must be provided with a package that includes:

- a letter of request to the medical practitioner outlining the reason for referral
- a copy of the pre-employment health declaration form
- a position description describing the specific duties and responsibilities of the position.

If the successful applicant has previously retired or resigned for reasons of ill-health, a medical assessment should verify that the previous medical conditions are no longer an impediment to the employment of this person.

If the medical practitioner is unable to unconditionally recommend the person is fit for employment, the delegate will need to consider whether the offer of employment should be confirmed or withdrawn, taking into account the medical advice and any reasonable adjustments in the context of the duties to be performed. The medical practitioner must be asked whether there are any reasonable adjustments which, if made would enable to the appointee to perform the inherent requirements of the role.

Generally a medical assessment is valid for three years.

When managing a pre-employment medical assessment the manager should take account of a person's right to access health information (see [Access to Health Information](#)).

Disclosing a disability

There is no obligation for an employee to disclose a disability unless it is likely to affect their ability to perform the inherent requirements of the role, if the disability could reasonably be seen to cause a health and safety risk for other people in the workplace, or if disclosure is required to request reasonable adjustments in the workplace.

Once a disclosure has been made the manager must consider the appropriate response including providing reasonable adjustments.

Reasonable adjustments

The Department must make reasonable adjustments for any person with a disability, who is offered employment, and requires reasonable adjustments in order to perform the genuine and reasonable requirements of the role. The requirement for the Department to provide reasonable adjustments must be taken into account when considering whether the applicant is able to perform the role.

There are a range of adjustments that may assist a person with a disability to be able to perform their role, including adjustments to the workplace, work station or equipment, provision of training for co-workers or supervisors or the use of flexible work options. More information about assessing and accessing reasonable adjustments is provided in the [Disability and Reasonable Adjustment in the Workplace Policy](#).

A workplace assessment can help to determine what reasonable adjustments are required and assist with a plan to implement the adjustments in the workplace. A free workplace assessment is available through JobAccess, a Commonwealth Government organisation that provides information and advice to assist with the employment of people with disability. Workplace assessments are available to people with disability who are about to start a job as well people who are currently working. JobAccess are also able to assist by coordinating any work required and providing financial assistance for adjustments. JobAccess advisors can be contacted on 1800 464 800 or online at www.jobaccess.gov.au.

RETENTION OF APPOINTMENT DOCUMENTS

Documents relating to a person's appointment must be retained on the employee's personnel file. These include:

- evidence of date of birth and qualifications
- evidence of a criminal record check and Working With Children Check (if applicable)
- pre-employment and appointment documentation
- medical assessment/health declaration information
- employment offers.

Where the person does not take up employment, all documents relating to the employment offer will be retained for six months after confirmation of the selection decision.

Further information in relation to records management is available on HRWeb.

TRANSFERS

The Secretary may transfer an employee from one role to another role within the Department, in accordance with the *Public Administration Act 2004*.

The Secretary may also transfer an employee to duties in another public service body or public entity, or approve the transfer of an employee from another public service body to the Department. The Secretary delegates these powers to those listed in the *Instrument of Delegations by the Secretary to the Department* available on HRWeb.

Transfer or promotion of a Department employee

Where an employee is the successful applicant for an ongoing vacancy the employee is permanently transferred or promoted to that position subject to satisfying the relevant qualification and other eligibility requirements.

A transfer (temporary or permanent) or promotion may be subject to review and will not have effect until it is confirmed at the end of the review period. If a transfer or promotion is subject to review, it is confirmed when the Merit Protection Boards advises the Department either that no review has been lodged, or that any review has been resolved.

An employee who is selected for transfer or promotion will be provided with a letter setting out the details of the transfer or promotion including:

- classification level and range (where applicable)
- time fraction
- commencement salary, and any allowances (where applicable)
- commencement date and end date, where transfer is temporary.

Commencement in a position on transfer or promotion

Where an ongoing employee is selected for a temporary assignment to a fixed term position within the Department, their release to take up the position is subject to the manager agreeing to the release for the duration of the assignment. The release date should be negotiated to reflect the needs of both workplaces and the employee and release should not be unreasonably refused. At the expiration of the fixed period the employee will return to his or her substantive workplace.

If an ongoing employee is selected for a further fixed term position in the same workplace, the temporary assignment may be extended subject to the agreement of the manager of the substantive workplace and the employee will return to his or her substantive position at the expiration of the subsequent fixed period.

An employee who is promoted or permanently transferred to an ongoing vacancy will take up the position 14 calendar days after the confirmation of the promotion or transfer unless another date is agreed between the employee and both managers. An employee who is surplus who is transferred to a vacancy is expected to commence in the position as early as possible unless otherwise agreed by the employee and the manager with the vacancy.

Unattached Employees

An employee (other than an Executive Officer) can only become unattached from their substantive position as a result of their position being abolished or by agreement in writing with their Executive Director/Regional Director.

Unattached employees retain the same terms and conditions of employment and remain the responsibility of their substantive Division. The responsible Executive Director/Regional Director is to ensure unattached employees are assigned duties commensurate with their classification, skills and capabilities.

Unattached employees may be attached to a position by way of transfer to a public service vacancy at level or to a lower classification level with the employee's consent.

Unattached employees may be subject to redeployment procedures should no suitable alternative position become available.

Review/Grievance

Information in relation to the right to seek a review is available on HRWeb at: [Review of Action](#).

Further Assistance

Further information, advice or assistance on any matters related to recruitment and selection in the public service is available by:

- accessing the A-Z topic list on [HRWeb](#)
- using the [related topics list](#) or
- contacting [Corporate People Services](#)