

Recruitment in Schools

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Overview

The quality of the workforce is the major factor driving improvement in schools. The Department supports a culture of leadership, learning and renewal in all workplaces with opportunities for career development and advancement. Excellent service provision can only happen when the right people are attracted, recruited, and supported to do their jobs as effectively as possible.

In this context schools are able to build progressively, or maintain, a staff team that can provide the best possible teaching and learning in the school. The Department is committed to the standard mode of employment in schools being ongoing. Schools have the capacity to select the best available employees to meet the educational needs of students and to maximise ongoing employment opportunities in Victorian Government schools. Local selection arrangements provide the most effective way of matching the talents and career aspirations of employees with the specific needs of individual schools.

Principals have the delegated authority and responsibility within the context of a legislative framework to manage the recruitment of employees as vacancies arise. In exercising this authority and responsibility principals are reminded of the consultative requirements under the *Victorian Government Schools Agreement 2017* in relation to matters involving the long-term planning and operation of the school.

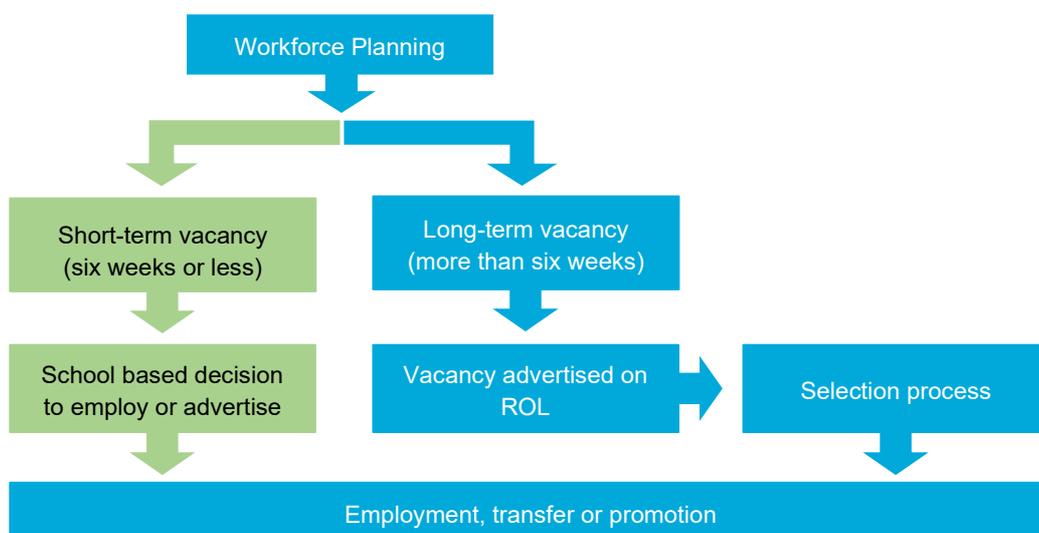
Part 2 of the *Public Administration Act 2004* establishes public sector values and employment principles to be applied by all Victorian public sector bodies. The employment principles underpin employment processes which apply to the Victorian public sector, which includes employees in the teaching service. Information regarding the employment principles, standards and associated guidelines is available on HRWeb.

The Department has the responsibility to protect and provide for the welfare and safety of students and staff and to maintain the security of resources and assets by requiring and maintaining high standards of professional behaviour and conduct from employees. In order to meet its responsibilities, the Department must be satisfied that only those who meet the highest standards of integrity and suitability are employed. In addition, the principal must be satisfied that the prospective employee is suitable for child-connected work.

This document brings together the key aspects of recruitment policy and other Human Resources policies to assist principals in the recruitment, transfer and promotion of staff to meet both the short and long term needs of their school and the professional learning needs and career aspirations of employees. Unless specifically indicated, the policy and procedures outlined apply to all Teaching Service positions other than principal positions.

While principals may exercise a significant degree of discretion in implementing many of these policies and procedures, a number of mandatory requirements are also described. Legislation, orders made under that legislation, and industrial instruments are cross referenced where relevant.

The recruitment process can be illustrated as follows:



Preferred staffing profile

Effective workforce planning produces a simple and meaningful tool to assist decision-making and to implement good staff management practices. A key element of a school's workforce plan is its preferred staffing profile which underpins all recruitment, transfer and promotion decisions made within the school. The preferred staffing profile is determined taking into account the school strategic plan, legislative requirements, state-wide curriculum or other guidelines, and funding available in the Student Resource Package.

The profile should reflect goals and priorities as described in the school strategic plan and may change as goals and priorities alter. The staffing profile must be able to be fully funded within the Student Resource Package and will outline the:

- leadership profile, including assistant principal and leading teacher positions
- learning specialist profile
- mix of full and part-time positions having regard to the needs of employees and students
- mix of ongoing and fixed term employment
- mix of teaching and non-teaching staff.

As vacancies arise staffing decisions should be made in the context of the school's preferred staffing profile. The duties of a position may be redesigned on vacancy or by agreement with the incumbent or when establishing new positions or working arrangements within the school. When doing so, a principal must ensure that the classification level (and range where relevant) of a position is fixed at a level appropriate to the roles and responsibilities of the position.

Where it is proposed to vary the duties of existing employees, local consultation will need to occur within the context of the terms and conditions of employment of the employees affected by the proposed variation.

LEARNING SPECIALISTS

The learning specialist role is aimed at building excellence in teaching and learning within the teaching service. Learning specialists will be highly skilled classroom practitioners who continue to spend the majority of their time in the classroom.

Given the importance of these roles in building excellence in teaching and learning, schools are required to establish learning specialist positions based on the number of classroom teacher positions in a school's workforce profile. This requirement applies to schools with more than 80 students based on a ratio of one learning specialist position for every eighteen full time equivalent classroom teachers as set out below:

Number of classroom teachers (FTE)	Number of learning specialists
1-18	1
19- 36	2
37 -54	3
55-72	4
73-90	5
91-108	6
109-126	7
127-144	8
145-162	9
163-180	10
181-198	11
199-216	12

Schools may choose to have more learning specialist positions in their workforce profile than indicated above. In circumstances where a school is not in a position to advertise a learning specialist vacancy, a higher duties assignment should be considered to enable the school to have a learning specialist in place.

For those schools with 80 or less students consideration should be given to a shared learning specialist. The Staffing Cooperation Guide available on HRWeb provides advice regarding the terms and conditions of employees who work in more than one school. The Professional Practice and Leadership Division has further guidance about access to learning specialists for small schools.

Vacancy management

School based vacancies are managed through the Recruitment Online system.

Principals should initially determine whether the vacancy is within the school's workforce plan and that funding is available and will continue to be available for the duration of the vacancy. In addition consideration should also be given to:

- projected student enrolments
- the duties, classification, range and time fraction of the position
- the expected duration of the position.

Principals may also consider the assignment of higher duties or the use of available funds for other purposes, such as special payments, as an effective method of ensuring the duties of a vacant position are performed and, at the same time, provide opportunities for the continued development of employees.

All employment decisions must be able to be funded by the Student Resource Package. Supplementary funds are not available to schools to employ staff outside the Student Resource Package.

CLASSIFICATION AND WORK VALUE

Positions must be classified within the appropriate class (principal class, teacher class, paraprofessional class or education support class). 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 positions within the class.

When determining the classification level (and range where relevant) of positions the following should be considered:

- The volume of work does not determine the classification level of a position. Job complexity and levels of responsibility are the main areas for consideration.
- The position should be classified, not the person. Classification decisions are based on the work requirements of a position not the qualities of current occupants or potential applicants.
- The work requirements of a position must have changed to justify the reclassification of a position. A position should not be classified at a higher level simply because the current occupant has the skills and ability to work at a higher level.
- Classifying a position should involve a comparison of all levels that encompass the range of work.
- All classification levels can be expected to undertake duties applicable to that of a lower classification.
- Where employment in a regulated profession requires a mandatory qualification (such as psychology, nursing, physiotherapy etc) the classification of such positions must be at least education support class level 1 range 3.

DURATION OF A VACANCY

The Department is committed to the standard mode of employment in schools being ongoing.

It is recognised that for some classroom teacher and education support class positions fixed term or casual employment is necessary. Consistent with the requirements of the *Victorian Government Schools Agreement 2017* vacant classroom teacher and education support class positions should be filled on an ongoing basis other than in the following circumstances:

1. when a person is employed for a fixed period of time to replace an employee who is absent on leave of twelve months or less other than a parental absence.
2. when a person is employed for a fixed period of seven years to replace an employee on a parental absence.
3. when the employer has good reason to believe that, should a person not be employed fixed term, an excess staff situation will arise. This may include predicted enrolment decline determined by the enrolment predictions of the Department.
4. when a person is employed for a fixed period of time to undertake a specific project for which funding has been made available for a specified period of time provided that the vacancy is to be advertised for the duration of that funding.

5. where a teacher with full or provisional registration is not available and a person with permission to teach is employed for a fixed period of time not exceeding three years.
6. when a person is employed for a fixed period of time to replace an ongoing employee who is on temporary transfer or secondment.
7. a temporary visa holder is employed.

The *Victorian Government Schools Agreement 2017* requires the Department to implement proactive processes to ensure fixed term vacancies satisfy the fixed term criteria set out above. To meet this requirement, the Department will actively monitor fixed term vacancy trends and identify those schools that appear to have a larger number of fixed term vacancies than the school's circumstances would indicate.

Principals are required to identify which of the above reason(s) apply in relation to each fixed term position that is to be filled. Where the principal considers a classroom teacher or education support class position should be filled on a fixed term basis in circumstances other than those identified in paragraphs (1) to (7) above, the principal must contact the Schools Recruitment Unit for advice.

Fixed term classroom teacher and education support class positions can be offered for periods of more than thirty working days up to five years other than when a person is employed for a fixed period of seven years to replace an employee on a parental absence. Principals should offer fixed term positions for the expected period of the vacancy rather than for artificially created shorter periods of time. Constant re-advertisement of short-term positions for the same vacancy does not contribute to stability and continuity either within the school, or for fixed term employees.

In relation to fixed term classroom teacher vacancies the duration of the vacancy must include relevant school vacation periods as follows:

Employment for a complete school year

The end date of employment for a teacher or paraprofessional employed on a fixed term basis in one or more fixed periods for a complete school year (i.e. the first day of the school year to the last day of the school year) will be the day before the commencement of the next school year. This ensures that a teacher or paraprofessional employed for a complete school year is paid during all school vacation periods.

Employment for less than a complete school year (other than term 4)

The end date of employment for a teacher or paraprofessional employed on a fixed term basis for 1, 2 or 3 complete terms (other than term 4) will be the day before the commencement of the next school term (e.g. the employment of a teacher or paraprofessional employed for terms 1 and 2 would conclude on the day before term 3 commences). This ensures that a teacher or paraprofessional employed for one or more complete school terms is paid during the relevant school vacation periods.

Employment for less than a complete school year (concluding at the end of term 4)

The end date of employment for a teacher or paraprofessional employed on a fixed term basis for less than a complete school year that concludes at the end of term 4 will be determined based on the number of complete school terms that period of employment spans. On this basis the end date of employment will be as follows:

- for a teacher or paraprofessional employed for all of term 4 - one quarter of the Christmas school vacation period,
- for a teacher or paraprofessional employed for all of terms 3 and 4 - one half of the Christmas school vacation period,
- for a teacher or paraprofessional employed for all of terms 2, 3 and 4 - three quarters of the Christmas school vacation period.

This ensures that a teacher or paraprofessional employed for one or more complete school terms concluding at the end of term 4, is paid during the appropriate component of the Christmas school vacation period.

Employment for less than a complete term

The end date of employment for a teacher or paraprofessional employed on a fixed term basis for less than a complete school term is extended by the amount of accrued annual leave (1% days for each complete month of employment).

Ready reckoner

A fixed term ready reckoner has been developed to assist schools in establishing the appropriate end date of employment.

Student support funded positions

All education support class vacancies linked to Student Support Funding are to be advertised as ongoing. A term of the ongoing employment for vacancies linked to Student Support Funding is that employment can be ended within the first seven years of that person's ongoing employment where:

- the Student Support Funding or comparable funding reduces or ceases; and
- not less than twelve weeks' notice of termination is provided to the employee.

TRANSLATION TO ONGOING EMPLOYMENT

The *Victorian Government Schools Agreement 2017* provides that an eligible fixed term employee (see below) will be offered ongoing employment where a suitable ongoing position would otherwise be advertised in the school.

Principals should continue to offer ongoing employment to eligible employees as positions become available in the school.

Where an ongoing position that would otherwise be advertised becomes available in a school, the principal should determine if the position is a suitable position for any eligible fixed term employee(s) in the school. Where the position is suitable the eligible fixed term employee will be offered ongoing employment. Where the position is not suitable the principal is to inform all eligible fixed term employees of that decision before proceeding to advertise the position.

In circumstances where the number of eligible fixed term employees exceeds the number of suitable positions the principal should inform employees of their eligibility and conduct an internal merit process, including the establishment of a panel, to determine which eligible fixed term employee(s) is to be offered ongoing employment. In this case the principal is to inform all eligible fixed term employees of the outcome of the merit process and inform the unsuccessful employees of their right to lodge a personal grievance with the Merit Protection Boards in respect of the principal's decision within fourteen calendar days.

An offer of ongoing employment to the successful eligible fixed term employee(s) may be made after the time period for lodging grievances has elapsed (fourteen days) or any grievance has been resolved (whichever is the later).

An offer of ongoing employment to an eligible fixed term employee is subject to a probationary period of up to twelve months for teachers and six months for education support class employees.

Eligibility

To be eligible to be offered ongoing employment a fixed term employee must have been employed continuously for longer than twelve months or a complete school year inclusive of all school vacation periods if that is less than twelve months (and in the case of a teacher must hold provisional or full registration from the Victorian Institute of Teaching) in response to:

- a vacancy advertised for longer than 12 months;
- a vacancy advertised for 12 months or less resulting in two or more fixed periods of employment as a result of being offered a second period of employment under clause 21(2)(c)(ii) of the Agreement;
- two or more vacancies advertised for 12 months or less resulting in two or more fixed periods of employment; or
- an advertised parental absence vacancy in the second or subsequent year of that replacement.

A fixed term employee who is a visa holder cannot be translated to ongoing employment where that is inconsistent with the terms of the employee's visa.

In addition, to be eligible to be offered ongoing employment in a special setting (or as a visiting teacher) a fixed term teacher must either:

- hold an approved special education qualification; or
- have completed three or more years of continuous employment as a teacher in the Teaching Service in a special setting and be assessed by the principal (in respect of positions in special settings) or the Regional Director (in respect of visiting teacher positions) as suitable for ongoing employment in a special setting or as a visiting teacher.

A break in employment spanning a school vacation period does not break continuity of eligibility to be offered ongoing employment. To confirm a person's eligibility for ongoing employment a principal may contact the Schools Recruitment Unit via email at schools.recruitment@edumail.vic.gov.au.

Annual Departmental process

In order to meet its obligations under the *Victorian Government Schools Agreement 2017*, each year the Department will:

- identify fixed term employees who are eligible to be offered ongoing employment; and
- provide an opportunity for principals to advise the Department that translation to ongoing employment should not occur as the position(s) continues to meet one of the fixed term reasons set out in clause 21(2)(d) of the *Victorian Government Schools Agreement 2017*.

Where the Department is not satisfied that a position continues to be fixed term, an offer of ongoing employment will be made to the employee, effective from 1 April of that year.

A central offer of translation to ongoing employment to an eligible fixed term employee will be subject to a probationary period of twelve months for teachers and six months for education support class employees.

Where the Department is satisfied that a position continues to be fixed term, an offer of ongoing employment will not be made to the employee and the employee advised in writing of this decision. An employee who is dissatisfied with this decision may lodge a personal grievance with the Merit Protection Boards in respect of the decision.

It should be noted that a person employed for a fixed period of seven years to replace an employee on a parental absence will not be offered ongoing employment as part of this annual process. However, principals are encouraged to consider offering the employee ongoing employment where an ongoing position that would otherwise be advertised becomes available in the school.

Advertising vacancies

To maximise employment opportunities, advertised vacancies are open to all qualified applicants both within and external to the Teaching Service. All advertised vacancies are required to remain open for not less than fourteen days to allow sufficient time for applicants to prepare and lodge an application.

SHORT-TERM VACANCIES

A short-term vacancy in the Teaching Service is a vacancy of six weeks or less or up to one school term (inclusive of the school vacation period for classroom teacher vacancies) to replace an employee who is absent on long service leave. **A person must not be re-employed fixed term in a short-term vacancy in the same school for a period beyond six weeks (or one school term if replacing an employee who is absent on long service leave) without the position being advertised.**

A principal can determine that a short-term vacancy be filled by:

1. the temporary administrative transfer of an ongoing employee from another school with the agreement of the principal of that school; or
2. contacting Schools Recruitment Unit to ascertain if an employee with priority status is available to fill the vacancy;
3. advertising the position through Recruitment Online and identifying, through the merit selection process, a suitable applicant; or
4. employing a person on a fixed term basis; or
5. employing a person on a casual basis, for up to six weeks.

Temporary administrative transfers to short-term vacancies will be voluntary and arranged between individual principals and employees. Employees who accept a temporary administrative transfer to a short-term vacancy in another school will return to their original school at the expiration of the short-term vacancy. The receiving school principal should ensure that the terms of any temporary administrative transfer to a short-term vacancy are communicated to the employee and the principal of the base school prior to the employee commencing in the position.

Schools Recruitment Unit will need to be contacted to give effect to the principal's decision under (1), (2) or (4) above.

LONG-TERM VACANCIES

With the exception of short-term vacancies, Teaching Service vacancies must be advertised using Recruitment Online. Alternatively, a principal may fill the vacancy without advertisement through the administrative transfer of an ongoing employee with priority status. Principals may seek the assistance of principals of neighbouring schools or the Schools Recruitment Unit to identify a suitable ongoing employee with priority status.

Where a position is advertised in anticipation of an employee's cessation and the employee applies for the position before their cessation has taken effect (for example a cessation at age 54 and 11 months), the vacancy must be withdrawn and can only be readvertised 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 is to be delayed until after their cessation has taken effect.

ASSISTANT PRINCIPAL, LEADING TEACHER AND LEARNING SPECIALIST VACANCIES

Principals may advertise an assistant principal vacancy at range 1, 2, 3 or 4. As there is only one level of both leading teacher and learning specialist these positions are advertised as *leading teacher* or *learning specialist* respectively.

Assistant principal, leading teacher and learning specialist positions are tenured for periods of up to five years. Successful applicants will be employed on an ongoing basis with tenure in the position for the period as advertised.

At the completion of the period of tenure, the principal will determine whether any assistant principal/leading teacher/learning specialist tenure is to be renewed or the position abolished or advertised in accordance with Departmental policy. Where tenure is not renewed the employee will continue to be an ongoing employee at the school.

CLASSROOM TEACHER VACANCIES

Principals may advertise a teacher vacancy as *classroom teacher* or *classroom teacher range 2* and may specify particular subjects areas (subject tags). *Classroom teacher range 1* positions are not able to be advertised except as part of the teacher graduate recruitment program (see below).

All primary school vacancies are regarded as generalist teacher vacancies. Subject tags are indications of preferred additional areas of expertise but cannot be the basis for not selecting an excess teacher or teacher eligible for compassionate transfer except in the case of a Languages tag.

At the secondary level subject tags should reflect the actual timetabled allotment of the position but should not be so restrictive as to breach merit-based selection requirements. A teacher who does not satisfy the qualification requirement of a particular subject tag may be selected for a position provided the principal is satisfied that the teacher can demonstrate experience in the subject area.

Where a teaching position is advertised and a suitable qualified person who has current provisional or full registration status approved by the Victorian Institute of Teaching is not available, a person who does not satisfy the requirements for full or provisional registration status but does have permission to teach approved by the Victorian Institute of Teaching may be employed as a paraprofessional on a fixed term basis for the period of the vacancy or a maximum period not exceeding three years subject to any restrictions imposed by the Victorian Institute of Teaching.

When filling parental absence vacancies, the position will be advertised for seven years and the replacement teacher will be employed for seven years or until the teacher being replaced returns to duty or their period of fixed term employment expires whichever is the earlier. Where the teacher absent on leave associated with a parental absence returns to duty or the teacher's period of fixed term employment expires, the replacement teacher's employment may cease prior to the expiration of the seven years on the teacher being provided with not less than twelve weeks' notice of termination.

Where the teacher on parental absence is ongoing and does not return to duty, the replacement teacher will be offered ongoing employment (subject to a probationary period of up to twelve months) except where the replacement teacher does not satisfy the requirements for provisional or full registration.

Where an ongoing teacher is temporarily transferred into a parental absence vacancy and remains in that vacancy for more than twelve months the teacher will be permanently transferred to that school.

Teacher Graduate Recruitment program

The Teacher Graduate Recruitment program assists recent teaching graduates to find a position in a Victorian government school. The program actively supports the employment of teacher graduates in government schools by identifying vacancies for teachers who have completed their course requirements and graduated in the last four years.

The Teacher Graduate Recruitment program enables principals to advertise a defined number of vacancies each year. In primary, P-12, specialist schools and secondary colleges, funded vacancies of up to 2.0 EFT per year may be designated as Teacher Graduate Recruitment vacancies. An additional 2.0 EFT funded vacancies per year may be designated as Teacher Graduate Recruitment in all primary, P-12 or specialist schools where the Student Resource Package exceeds \$2 million and in all secondary colleges where the Student Resource Package exceeds \$5 million.

To be eligible to apply for a position advertised through the Teacher Graduate Recruitment program, a teacher must:

- have completed their course requirements and graduated in the last four years; and

- not be employed as a teacher by the Department at the time the advertised position is to commence.

The successful applicant for a position advertised through the Teacher Graduate Recruitment program will be employed as a *classroom teacher* with salary determined in accordance with commencement salary policy.

Special settings and visiting teachers

Where the view is formed that a teacher vacancy in a special setting (or a visiting teacher position), which requires an approved special education qualification, may not attract applications from teachers with that qualification then the following advice may be included in the job opening when the teacher vacancy is created on Recruitment Online:

"Teachers who do not have an approved special education qualification but do have current provisional or full registration from the Victorian Institute of Teaching may apply. Preference will be given to applicants who have an approved special education qualification."

Where the vacancy was advertised as an ongoing position and an external applicant who does not have an approved special education qualification is selected that person can only be offered fixed term employment for a period not exceeding five years.

PARAPROFESSIONAL CLASS

Paraprofessional vacancies cannot be advertised. The employment of a paraprofessional can only occur when it has been established that there is no suitable registered teacher available to fill the teaching vacancy and the Victorian Institute of Teaching has granted that person permission to teach.

However, where the principal forms a view that a vacancy, which requires particular expertise, may not attract applications from registered teachers then the following advice may be included in the job opening when the teacher vacancy is created on Recruitment Online:

"People who have professional expertise in the area but do not have current provisional or full registration from the Victorian Institute of Teaching may apply. Preference will be given to applicants with teacher training. Applicants who are not eligible for provisional or full registration will be required to obtain permission to teach from the Victorian Institute of Teaching prior to commencing employment."

Where the vacancy was advertised as an ongoing position and an external applicant who only has permission to teach is selected that person can only be offered fixed term employment as a paraprofessional for a period not exceeding three years.

A paraprofessional employed in response to a *classroom teacher* vacancy will be offered employment at either salary range 1 or 2. A paraprofessional employed in response to a *leading teacher* vacancy will be offered employment at either range 3 or 4. The range is determined by the principal having regard to the role and responsibilities the paraprofessional will undertake.

EDUCATION SUPPORT CLASS VACANCIES

Principals may advertise education support class positions at Level 1 Range 1, 2, 3, 4 or 5 or Level 2.

An education support class position may be advertised that requires the successful applicant to undertake duties for all or part of the 30 days additional paid leave. In this case the successful applicant for that position is required to attend for duty consistent with the advertised position and will be paid a leave purchase allowance. The number of days or hours for which attendance is a requirement of the position should be included in the Job Opening under "Role".

When filling positions specifically linked to Student Support Funding the position will be advertised as ongoing with 12 weeks' notice of termination where the funding or comparable funding reduces or ceases in the first seven years of the person's employment.

When filling parental absence vacancies the position will be advertised for seven years and the replacement employee will be employed for seven years or until the employee being replaced returns to duty or their period of fixed term employment expires whichever is the earlier. Where the employee absent on leave associated with a parental absence returns to duty or the employee's period of fixed term employment expires, the replacement employee's employment may cease prior to the expiration of the seven years on the employee being provided with not less than twelve weeks' notice of termination.

Where the employee on parental absence is an ongoing employee and does not return to duty, the replacement employee will be offered ongoing employment (subject to a probationary period of up to six months).

Where an ongoing employee is temporarily transferred into a parental absence vacancy and remains in that vacancy for more than twelve months the employee will be permanently transferred to that school.

Employees with priority/redeployment status

School staffing policy seeks to balance the obligation to select staff through open merit-based processes with the legitimate expectations of employees with priority status (those who are excess to workplace requirements, have compassionate transfer status or are disability retirement benefits pensioners found fit for employment) to be placed into a suitable position.

An employee with priority status who is an applicant for an advertised vacancy at or below their current classification level and salary range must be interviewed and considered on merit against other applicants in accordance with the selection procedures set out in this guide.

REDEPLOYMENT ENTITLEMENT – EDUCATION SUPPORT CLASS EMPLOYEES

An education support class employee who is employed:

- for longer than 12 months in two or more fixed periods of employment where the break between periods of employment is not more than three weeks, excluding school vacation periods or
- in a position specifically linked to Student Support Funding who has been given notice of cessation of employment within the first seven years of employment

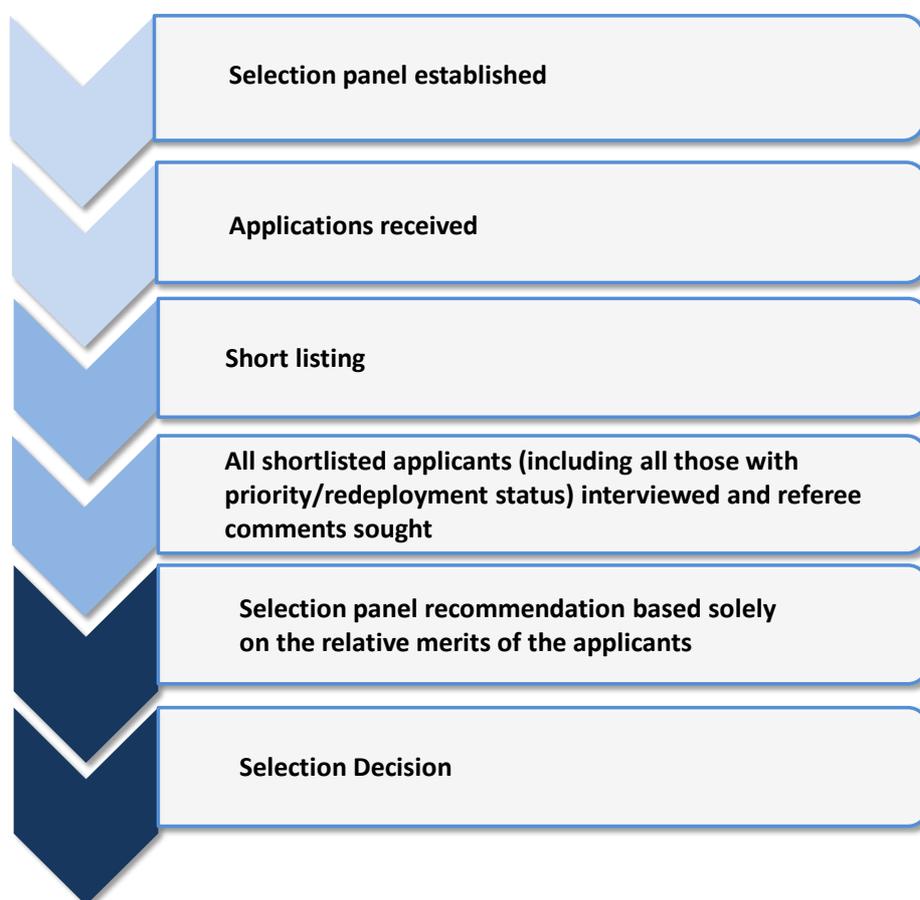
is entitled to be considered for redeployment to vacancies at or below their classification level and salary range for a period of 12 weeks immediately prior to the expiration of their period of employment.

An education support class employee entitled to redeployment must be interviewed for any position for which they are an applicant and compete on merit against other applicants. The redeployment entitlement ceases at the end of the employee's period of employment.

It should be noted that education support class employees entitled to redeployment are not identified as excess.

Selection

The purpose of a selection process is to choose the applicant who will perform successfully in the advertised position and do so better than all other applicants. The selection panel can use a range of instruments or selection tools designed to predict successful performance on the job. The selection panel should be able to demonstrate the rationale for the selection tools used to identify and assess the required competencies. The selection process can be illustrated as follows:



All vacancies must be filled in accordance with the Department's selection procedures set out in this guide and comply with the relevant Ministerial Orders.

Selection to advertised positions is determined solely on the basis of merit assessed in relation to the selection criteria of the position to be filled. **Employees with priority/redeployment status must be interviewed for any position for which they are an applicant and considered on merit against all applicants.**

The following principles should be applied in the selection process.

- Selection criteria are relevant to the work to be performed, free from bias, documented and made available to all applicants and consistent with any core elements for the relevant classification set out in Part 9 of Ministerial Order 1038.
- 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 provide procedural fairness.
- Decisions are documented and capable of review.
- Appropriate confidentiality is maintained.
- All applicants receive fair and equitable treatment without regard to age, breastfeeding, carer status, disability, employment activity, gender identity, industrial activity, lawful sexual activity, marital status, parental status, physical features, political belief or activity, pregnancy, race (including colour, nationality, ethnicity and ethnic origin), religious belief or activity, sex, sexual orientation, an expunged homosexual conviction or personal association (whether as a relative or otherwise) with a person who is identified by reference to any of the above attributes.

When assessing applicants, selection panel members must ensure that they do not directly or indirectly discriminate. Panel members should be aware of individual bias, assumptions and stereotyping which may impede the selection of the best applicant for the position. Panel members should be aware of the diverse pathways of experience and approaches which male and female candidates may bring to the interview and to the workplace, including people of diverse cultural and linguistic backgrounds and people with a disability. This diversity should be viewed as an attribute and should in no way diminish the assessment of the applicant's suitability for the position.

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.

Panel members should also be aware it is unlawful to discriminate against an applicant on the ground of an attribute or ask a discriminatory question, in contravention of the *Equal Opportunity Act 2010*.

Panel members should focus on abilities, skills, knowledge, potential and qualifications required for the position and not seniority, length of experience or familiarity with the position. This is important as to focus too much on length and continuity of experience may impact negatively on people who take career breaks for family reasons and on those who have not had an opportunity to 'act' in the position.

Principals and panel members are to avoid any actual, potential or perceived conflict of interest in the selection process including the selection decision. A conflict may arise where it could be reasonably perceived that a principal 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 possible favouritism and bias, to mitigate the risk the principal and/or panel member should remove themselves from the selection process and/or selection decision. A principal/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. Further information is available on HRWeb at: Conflict of Interest.

POSITION DESCRIPTION

A position description should be prepared for any vacant position which should include the classification, range where applicable, and tenure of the position, any particular qualification requirements, the role and responsibilities of the position and the selection criteria. For information on Roles and Responsibilities for teaching service employees see: Roles and Responsibilities-Teaching Service.

All position descriptions are to include the following statement:

Victorian government schools are child safe environments. Our schools actively promote the safety and wellbeing of all students, and all school staff are committed to protecting students from abuse or harm in the school environment, in accordance with their legal obligations including child safe standards. The school's Child Safety Code of Conduct is available on the school's website.

To assist applicants it is recommended that principals provide information specific to the school such as the school strategic plan and the school's special characteristics, features and programs.

All applicants must receive the same information in relation to a particular position. Additional material may be provided at the request of the applicant.

SELECTION CRITERIA

Selection criteria should specify the relevant skills, personal qualities and abilities required for the efficient performance of a particular position. Selection criteria must be clear, objective and relevant and must not contravene the requirements of any ministerial instructions, regulations or relevant legislation such as the *Equal Opportunity Act 2010* and the *Public Administration Act 2004*.

In developing selection criteria:

- criteria must be consistent with the work requirements and classification and, where applicable, range of the position
- criteria should be set at a level which enables the selection of applicants of the highest quality
- for assistant principals, leading teachers, learning specialists and classroom teachers criteria must be consistent with the key areas from the relevant Ministerial Order
- for education support class employees the criteria must be consistent with the role description of the position and the dimensions of work for the relevant salary range
- criteria should be listed in order of importance
- criteria that require previous work experience must not be so narrowly specified that only someone who has actually performed that particular job can satisfy the criteria.

APPLICATIONS

All applications received by the closing date are to be considered by the selection panel. Applications should be lodged electronically through Recruitment Online by the advertised closing date. Applicants who are unable to access or use Recruitment Online may submit a written application (hard copy) which must reach the school no later than the advertised closing date. It is recommended that employees with priority or redeployment status clearly indicate they hold this status in their application.

Late applications may be accepted during the selection process at the discretion of the principal or, where authorised by the principal, the Chair of the selection panel. Factors that may be considered include the reasons as to why the application is late and the number of applications already received. A late application cannot be accepted after applicants have been advised of the selection decision.

Where a late application is accepted, the principal must keep a record of the reasons for acceptance. When an application is received after the closing date and rejected, the applicant is to be advised in writing that, as the application was received after the closing date, it will not be considered.

Acknowledgement of the receipt of applications will be sent automatically to applicants who apply through Recruitment Online. Where applicants provide hard-copy applications only, the principal is responsible for ensuring that a letter acknowledging receipt of the application is sent promptly. The application and accompanying materials become the property of the selection panel and are not returnable to candidates.

SELECTION PANELS

The principal is responsible for the selection decision at each school and must ensure that, as part of the selection process, a selection panel of at least three persons is established for each advertised vacancy. Where possible the panel should include an employee from the same employment class as the position being advertised.

Principals should ensure that members of the selection panel comprise people who 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 school
- selection skills and an understanding of the selection process.

In determining the composition of selection panels, principals must ensure that:

- at least one member of the panel is a person trained by the Merit Protection Boards in the principles of merit and equity
- provision is made for gender representation.

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

Selection panel members should:

- ensure familiarity with any relevant Ministerial Order
- observe procedures required to be followed by the panel
- complete the required selection documentation.

SHORT LISTING

Short listing may be used to identify those applicants who, on the basis of the information available, best meet the selection criteria and show evidence that their qualifications and experience are competitive with other suitable applicants. **Employees with priority/redeployment status must be short listed for interview.**

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 in a reasonable time.

Only nominated referees may be contacted at the short listing stage of the selection process.

A panel may decide that an applicant does not meet one or more of the selection criteria and not shortlist that person.

A record should be made of the qualifications (where relevant) and the reasons, in relation to the selection criteria, for not short listing applicants for interview.

INTERVIEW

The selection panel should develop a set of questions based on the selection criteria and assess, at interview, each short listed applicant's ability to demonstrate the knowledge, skills and behaviours that best matches the competencies necessary to perform the role. The panel may develop a consistent and fair scoring mechanism to focus attention on the selection criteria and differentiate between applicants' responses.

The interview complements the written application and detailed referee checks. The interview assists the panel in the assessment of the relative merits of each shortlisted applicant. The performance of an applicant in an interview should be integrated with information provided by the application, referee reports and any other assessment tools used in the selection process.

Short listed applicants should be given adequate notice of interview time and location. Nothing precludes a teacher or paraprofessional agreeing to be interviewed through an alternative medium (such as video conference). If such arrangements are not possible the panel should judge the applicant on the best available information.

A teacher or paraprofessional is entitled to reasonable release with full pay to attend an interview for an advertised position in a government school. The principal of the school that has the vacancy and the teacher or paraprofessional will take all reasonable steps to ensure the timing of any release occurs at a time that avoids or minimises the need to provide a replacement teacher during the period of release. Selection panels should, wherever possible, schedule interviews at times that take into account the short listed applicant's teaching commitments.

To ensure that all applicants are fairly considered interviews should have a similar structure with each applicant being 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 and should not be ambiguous or unnecessarily complicated. Before closing the interview, the selection panel is advised to provide an opportunity for the applicant to seek or give any relevant additional information that may not have been covered.

REFEREE REPORTS

Referee reports are a critical part of the assessment of the relative merits of short listed applicants who are in high contention for the position. Such reports allow for a rigorous checking of claims made by those applicants and the gathering of evidence on work performance.

Referees are nominated by the applicants to clarify, verify and add information to what is learned in the interview and from other parts of the selection process. The main purpose of using referees is to elicit information from past employers/employees about the applicant's ability to perform the essential functions of the role and to verify an applicant's claims.

Referees should be invited to comment on the applicant in relation to all of the selection criteria. The selection panel or a nominated member of the selection panel may seek referee reports either verbally (by telephone, teleconferencing), in person or in written form. The selection panel should accurately record both written and verbal referee comments. Where referee comments are provided verbally, the comments should be noted and read back to the referee to confirm the comments.

Where an applicant nominates a panel member as a referee, any referee comments made by that panel member should be documented in the same way as other referee comments.

The use of non-nominated referees may assist the process by confirming particular perspectives or providing more balanced information. Selection panels who do contact non-nominated referees to assist in assessing an applicant's ability, capacity and suitability for a position can do so provided that the applicant is advised of these extended inquiries prior to a selection panel taking any action to contact a person(s) not nominated as a referee. In such instances the applicant is to be informed at or after interview of the name of any person whom the panel intends to contact and provided with an opportunity to comment. The applicant is advised that in such situations information may be disclosed to non-nominated referees relating to the applicant's application.

Members of the selection panel may know or have knowledge of one or more of the applicants. Rather than only disclosing this knowledge as fact in a statement to the panel, members can contribute their perspective in order that the panel develops a richer understanding of a particular applicant's knowledge, skills and behaviours. Prior knowledge statements should be treated on the same basis as referee reports.

Referee reports must remain confidential.

ASSESSING AND RANKING SHORT LISTED APPLICANTS

The selection panel must assess all short listed applicants against the selection criteria on the basis of their written application, interview, reports provided by referees and 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. At the completion of the assessment, the selection panel must rank all suitable applicants in order of merit.

SELECTION PANEL DOCUMENTATION

Selection documentation must include the following items:

Position description

The position description will include the classification, range where applicable, and tenure of the position, any particular qualification requirements, the role and responsibilities of the position and the selection criteria that were used as part of the selection process.

Selection panel report

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

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

Short listed applicants may request a copy of their individual selection report from the principal once the selection decision has been announced.

Retention of selection documentation

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

A selection documentation checklist is available and is to be attached to each selection file.

SELECTION DECISION

Under the *Education and Training Reform Act 2006*, the power to employ, transfer or promote has been delegated to principals. Principals have a professional responsibility for ensuring that all parts of the selection process have been undertaken correctly. In considering the recommendation of the selection panel, principals should ensure that the applicant who best demonstrates that they meet the selection criteria and is capable of performing the duties of the position is selected.

Where the principal's decision does not concur with the panel's recommendation, reasons for this decision must be recorded.

NOTIFICATION TO APPLICANTS

At the completion of the selection process the successful and unsuccessful applicants are to be advised of the outcome of their application.

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

However, short listed applicants may request a copy of their individual selection report following the notification of the outcome of their application.

Qualifications

PRINCIPAL CLASS AND TEACHER CLASS

To be eligible for employment, transfer or promotion in the principal or teacher class a person must have provisional or full registration from the Victorian Institute of Teaching. In addition, from 3 August 2020 to be eligible for employment in the principal class or teacher class, a person who graduated from a Victorian Initial Teacher Education program after 1 July 2016, must demonstrate that they have passed the *literacy and numeracy test for initial teacher education* (LANTITE) requirements. This condition is satisfied where the LANTITE requirement is part of the Victorian Initial Teacher Education program completed by the person.

To be eligible for employment, transfer or promotion in the principal class a person must also be four year trained. Where a teacher is to be employed to teach across an integrated K-2 program, that teacher, in addition to the above registration requirements, must also be registered as an early childhood teacher.

Principals are to ensure that prospective employees provide evidence of registration with the Institute. The Victorian Institute of Teaching has provided a Principals' Hotline on 1300 650 375 to assist principals with registration issues. If urgent consideration of a registration application is required, principals should contact the Institute to expedite processing. Please note however, that the Institute will need to have received a complete application including all required documents from the teacher before registration can be granted.

In addition, the Secretary (or delegate) may require particular qualifications and/or training for a specific position or class of positions.

When assessing the level of competence that a teacher could be expected to display, principals should give consideration to appropriate specialist studies and relevant professional development and training courses that a teacher has undertaken. As a general guide for interpreting appropriate studies, it would be expected that a teacher has either completed sequential studies at tertiary level spanning two or three years or, alternatively, a course that is learning area or specialist specific (for example, a degree in history or postgraduate studies in special education). Academic studies should be combined with appropriate teaching methods and practicum in the teacher training course.

Primary teachers

Generally, primary teachers are expected to be able to teach in the discipline-based learning areas of English, Mathematics, Science, The Arts and Humanities (History, Geography, and Economics). Teachers are also expected to incorporate learning areas from the Physical, Personal and Social Learning and Interdisciplinary Learning Strands for example Information Communications Technology and Interpersonal Development.

Some primary teachers will be able to demonstrate that they have the appropriate knowledge and skills to teach in the other learning areas such as Languages.

It is preferable that English as an Additional Language (EAL) teachers have an EAL methodology and practicum as part of their teacher training or post-graduate studies.

Some secondary teachers have appropriate knowledge and skills to teach in primary schools, particularly at Years 5 and 6. However, in order to maintain staffing flexibility in primary schools and provide these teachers with a career path in primary schools, the principal should encourage secondary-trained teachers to undertake appropriate studies and/or professional development to broaden their expertise in the primary sector.

Such studies/professional learning should be directed at providing the teacher with:

- A knowledge and understanding of the cognitive development for children in the age range of four to twelve years.
- An awareness of the issues associated with primary schools.
- The skills to teach the wide range of discipline-based learning areas delivered by the generalist class teacher.

Secondary teachers

Generally, secondary teachers will have completed two or three years of sequential study in a number of subject areas post-Year 12. Such in-depth studies, combined with teaching methodology and supervised practice teaching, should provide the knowledge and skills to teach the particular disciplines. A teacher who does not satisfy the qualification requirement of a particular subject tag may be selected for a position provided the principal is satisfied that the teacher can demonstrate experience in the subject area.

Some primary teachers may have appropriate skills and knowledge for teaching in a secondary school, particularly at Years 7 and 8. However, to maintain staffing flexibility in secondary schools and to provide these teachers with a career path in secondary schools, the principal should encourage primary trained teachers to undertake appropriate studies and/or professional development to broaden their expertise so that they may teach students in the more senior classes.

Such studies/professional learning should be directed at providing the teacher with:

- A knowledge and understanding of the cognitive development relating to adolescence.
- An awareness of the issues associated with secondary schools.
- The skills and depth of curriculum knowledge to teach discipline-based learning areas to a wider range of year levels.

Special settings

In addition to the registration requirements set out above, principal and teacher class employees in special settings and visiting teachers are required to have completed an approved year of study in an appropriate special education discipline for ongoing employment in special settings or as a visiting teacher.

Where an ongoing teaching position in a special school (or a visiting teacher position) is advertised:

- An ongoing teacher who does not hold an approved special education qualification may be offered permanent transfer to the school if the teacher has completed three or more years continuous employment in the Teaching Service in a special setting and is assessed by the principal (in respect of positions in special settings) or Regional Director (in respect of visiting teacher positions) as suitable for ongoing employment in a special setting.
- An external applicant, including an existing fixed term employee, who does not hold an approved special education qualification, but who holds provisional or full registration with the Victorian Institute of Teaching, may be offered ongoing employment if the teacher has completed three or more years of continuous employment as a teacher in the Teaching Service in a special setting and is assessed by the principal (in respect of positions in special settings) or Regional Director (in respect of visiting teacher positions) as suitable for ongoing employment in a special setting.

Other than set out above, a teacher who does not have an approved special education qualification can only be offered:

- temporary transfer for a period not exceeding three years where the successful applicant is an ongoing employee; or
- fixed term employment for a period not exceeding five years where the successful applicant is not an ongoing employee.

Teachers who do not have an approved special education qualification should continue to be encouraged to undertake and complete a further one year of study in an appropriate special education discipline.

Teachers of languages

All teachers employed to teach languages are, in addition to general teaching qualifications, required to hold a three-year post-Year 12 or four-year beginners stream tertiary study in the language and an approved language teaching method, both the theory and practicum.

Secondary teachers who were employed in government schools before the beginning of the 1996 school year are considered qualified to teach a language if they had completed a post-year 12 language sub major.

Some language teachers may hold a P-12 language teaching qualification enabling them to teach in either primary or secondary schools and P-12 Colleges.

EDUCATION SUPPORT CLASS

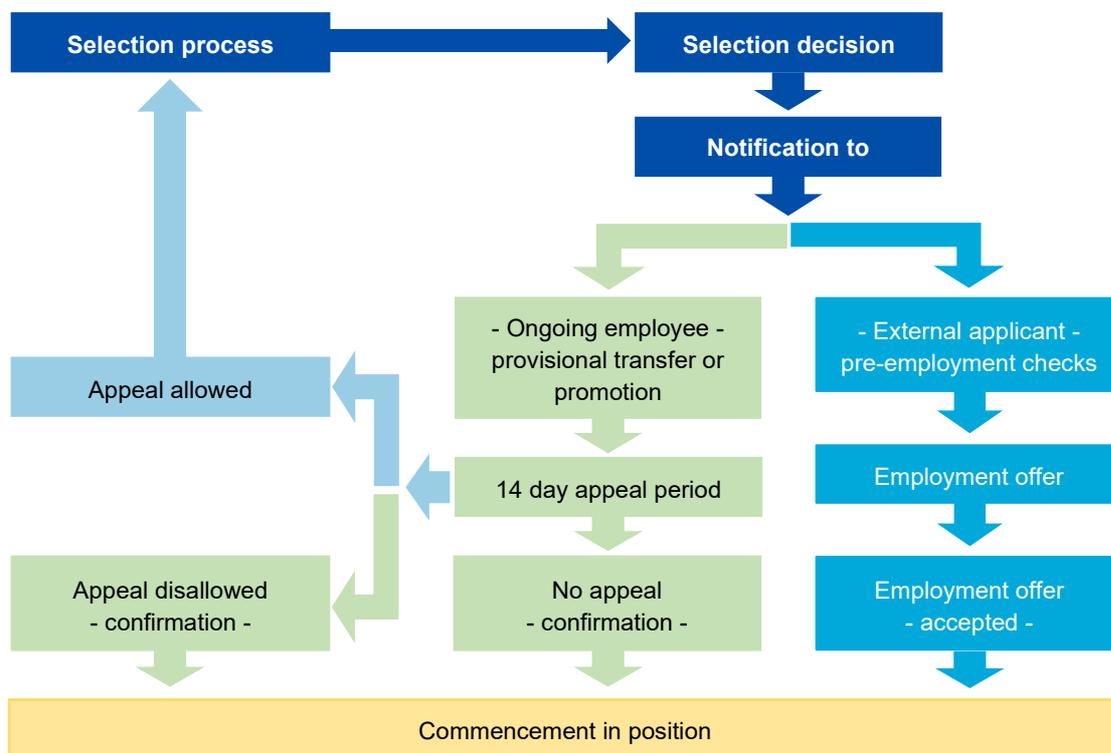
The qualification requirements for education support class positions will depend on the nature of the position. Generally, education support class positions do not have mandatory qualification requirements but may require knowledge in specific functional areas depending on the nature of the role and responsibilities of the position. However, some professions (for example psychology, nursing, physiotherapy) are regulated and have mandatory registration and/or qualification requirements for employment in that profession.

The Secretary (or delegate) may require particular qualifications and/or training for a specific position or class of positions. To date the Secretary has not mandated qualifications for education support class positions other than those required in the regulated professions and required by law.

Where a principal wishes to include a qualification requirement for an education support class position this may be done but must be expressed as desirable unless the position falls into one of the regulated professions in which case the qualification requirement is mandatory.

Employment, promotion or transfer

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



TRANSFER OR PROMOTION OF AN ONGOING EMPLOYEE

Where an ongoing employee is the successful applicant for an ongoing vacancy the employee will be transferred or promoted to that position subject to satisfying the relevant qualification and other eligibility requirements. A transfer or promotion of an ongoing employee is provisional and is subject to review and does not have effect pending confirmation.

Where an ongoing employee is the successful applicant for a school based fixed term vacancy greater than twelve months the employee will be permanently transferred to that school. If the school based fixed term vacancy is at a higher classification or salary range the employee will be permanently transferred at their substantive classification and salary range and paid higher duties for the duration of the fixed term position. In this case the transfer is provisional and is subject to review and does not have effect pending confirmation.

The details of a provisional transfer or promotion, including the closing date for lodging a review, will be available from the day after applicants have been notified through the Recruitment Online system of the selection outcome. The details will be accessible through the Provisional Appointments link on Recruitment Online for fourteen (14) calendar days for all applicants to view and determine their eligibility to seek a review.

A provisional promotion may only be cancelled by the principal before it is confirmed in the following circumstances:

- at the employee's request, where the principal is satisfied that special circumstances make it reasonable for the employee to decline the promotion
- where the position is redundant
- where the position was not advertised on Recruitment Online
- where there is an unattached or an excess employee available to fill the vacancy.

A transfer or promotion is confirmed when the Merit Protection Boards advises either that no review has been lodged or that any review has been resolved.

An ongoing employee who is transferred to a vacancy of more than twelve months will take up the position from the beginning of the next school year or earlier if an agreed start date is negotiated with the employee and their current

principal. An employee with priority status who is the successful applicant for a vacancy is expected to commence in the position as early as possible unless otherwise agreed by the employee and the principal of the school with the vacancy.

An ongoing employee who is promoted to a position will take up the position from the advertised commencement date, unless a later commencement date is agreed by the employee and both principals.

Where an ongoing employee is the successful applicant for a school based parental absence vacancy and that replacement continues beyond twelve months the employee will be permanently transferred to that school. If the school based fixed term vacancy is at a higher classification or salary range the employee will be permanently transferred at their substantive classification and salary range and paid higher duties for the duration of the fixed term position.

The arrangements for an ongoing employee who is the successful applicant for a non-school based fixed term vacancy greater than twelve months are set out in the Release to non-school locations policy.

Generally an offer of employment is not required in respect of the transfer or promotion of an existing ongoing employee other than in respect of an assistant principal position. People Services Branch will prepare a contract of employment offer in respect of assistant principal positions.

As a matter of good practice principals should provide ongoing employees who are selected for promotion or transfer (other than assistant principal positions) with a letter setting out the details of the promotion or transfer including:

- classification level and range (where applicable)
- tenure (such as leading teacher and learning specialist positions)
- number of days of attendance during school vacation periods (only for education support class and only where attendance during school vacation periods was specified in the advertisement)
- time fraction
- commencement salary
- commencement date.

TEMPORARY TRANSFER OF AN ONGOING EMPLOYEE

Except as noted below, where an ongoing employee is the successful applicant for an advertised vacancy of twelve months or less the employee will be temporarily transferred to that position for the period of the vacancy. At the expiration of the fixed period the employee will return to their original school.

For vacancies of twelve months or less, the actual commencement date will need to be negotiated between the respective principals and the successful applicant. The release date should be negotiated to reflect the needs of both schools and the employee and release should not be unreasonably refused. Where the principal of the base school does not agree to release the employee, the employee may lodge an application for a personal grievance with the Merit Protection Boards.

An employee with priority status who is the successful applicant for a vacancy is expected to commence in the position as early as possible unless otherwise agreed by the employee and the principal of the school with the vacancy.

An ongoing employee who is the successful applicant for an identified fixed term position of up to 3 years in the Science, Mathematics and associated Technology areas at John Monash Science School will be temporarily transferred to John Monash Science School. At the expiration of the fixed period the employee will return to their original school.

An ongoing employee who is temporarily transferred in response to an advertised fixed term vacancy may be offered one further period of temporary transfer at the same school, without advertisement of the position, provided the base school principal agrees to the further release and the position continues to satisfy the fixed term criteria set out under 'duration of vacancy'. Where this occurs:

- it can be for the same duration as the initial period of transfer or for any shorter period but not less than thirty working days; and
- the temporary transfer will be extended, and the employee (other than where that employee is excess to workplace requirements) will return to their original school at the expiration of the subsequent fixed period; or
- the employee must be offered permanent transfer to the position if that employee is excess to workplace requirements and the initial and subsequent fixed periods exceed twelve months in total at the same school.

If an ongoing employee is selected for a further advertised fixed term position of twelve months or less at the same school:

- the temporary transfer will be extended and the employee (other than where that employee is excess to workplace requirements) will return to their original school at the expiration of the subsequent fixed period; or
- the employee must be offered permanent transfer to the position if that employee is excess to workplace requirements and the initial and subsequent fixed periods exceed twelve months in total at the same school.

The arrangements for an ongoing employee who is the successful applicant for a non-school based fixed term vacancy of twelve months or less are set out in the Release to non-school locations policy.

EMPLOYMENT OF AN EXTERNAL APPLICANT

A person who is not an ongoing employee in the Teaching Service who is the successful applicant for a fixed term vacancy will be offered employment for the period of the vacancy as advertised. A person employed for a fixed period ceases employment at the conclusion of the fixed period (inclusive of any pro rata school vacation period in respect of a teacher vacancy) unless that person is employed for a further period in the same or another position.

In circumstances where there are difficulties recruiting suitably qualified employees, a principal may consider offering employment to a suitable person from overseas. Further information about the employment of overseas workers is available on HRWeb.

Principals are required to make offers of employment in respect of the employment of any person not currently employed by the Department or the employment of a fixed term employee for a further period of employment. People Services Branch will prepare a contract of employment offer in respect of assistant principal positions.

A fixed term employee employed in response to an advertised fixed term vacancy may be offered one further period of fixed term employment, without advertisement of the position, provided the position continues to satisfy the fixed term criteria set out above under 'duration of vacancy'. The further period of fixed term employment:

- is a separate period of employment, not an extension of the initial period of employment;
- can be for the same duration as the initial period of employment or for any shorter period but not less than thirty working days; and
- is subject to normal pre-employment processes.

Pre-employment checks

Prior to a person commencing employment in the teaching service the principal, as the delegate of the Secretary, must be satisfied that the person:

- is a fit and proper person and is suitable for child-connected work;
- is registered with the Victorian Institute of Teaching if employed as an assistant principal or teacher or has permission to teach if employed as a paraprofessional;
- has a current Working with Children Check if employed as an education support class employee;
- meets the qualification requirements (where relevant);
- meets the medical requirements;
- has not been the recipient of a Voluntary Departure Package in the past three years;
- has no employment or re-employment restrictions placed on them; and
- is 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 resident in Victoria for sufficient periods to enable the person to undertake the duties of the position.

In addition to the above requirements, principals should consider if a criminal record check is required in addition to a Working with Children Check in circumstances where the principal has reasonable grounds to believe a court has determined that an offence has occurred that may be relevant to the duties to be performed, such as dishonesty offences or driving offences. Principals should consult the Employee Conduct Branch on 9637 2594 in such circumstances prior to proceeding.

A person to be employed in any education support class position with a financial delegation or responsibility (including a position that handles cash) is required to undergo a criminal record check conducted by the Department in addition to the Working with Children Check.

Successful applicants who are not employed by the Department will need to provide the following information prior to commencing employment:

- the original or certified copy of qualifications;
- original or certified copy of birth certificate, extract of birth entry, passport, certificate of naturalisation or certificate of citizenship;

- evidence of current registration from the Victorian Institute of Teaching or a Working with Children Check and Assessment Notice; and/or a criminal records check required under this policy;
- a health declaration;
- evidence of permanent residency status or current visa status demonstrating that the visa holder has sufficient work rights to undertake the position at the school; and
- proof of identity and name change, such as marriage certificate or deed poll, where an applicant's name has changed since birth.

Documents can only be certified by a person authorised to witness a statutory declaration and must be sighted prior to confirming employment.

If the applicant is not an Australian or New Zealand citizen, a copy of the relevant pages from the applicant's passport showing the stamp which confirms the right to permanent residence is required. The applicant's name must appear on the copy. If the applicant is a British subject who migrated to Australia prior to 1974, evidence of residence in Australia prior to 1974 is required. New Zealand citizens are regarded as Australian citizens for employment purposes, but evidence of New Zealand citizenship is required. Further information about the employment of overseas workers is available on HRWeb.

The principal must be satisfied that the selected applicant satisfies the qualification requirements for the position. The Victorian Institute of Teaching's assessment for teacher registration approval process includes the assessment of an applicant's qualifications. The Schools Recruitment Unit can provide assistance in checking a teacher's qualifications to teach a particular subject.

In relation to any prospective employee it is essential that a suitability check be undertaken. Information relating to a person's suitability may be accessed on eduPay using the '*Suitability for Employment*' panel. When the proposed employee's name is submitted, if there is an 'N' in the suitability field the proposed employee has an employment restriction. Employment should not proceed at this point and contact should be made with the Employee Conduct Branch or the Schools Recruitment Unit.

Interstate applicants can be checked through the National Check of Employment Status procedures. Principals should contact the Department's Employee Conduct Branch for assistance in relation to this process. The Employee Conduct Branch can provide advice in relation to the person's suitability to be employed in the position for which they have applied.

Where a prospective employee is in receipt of ill-health benefits, the service provider will be notified of the offer of employment.

Suitability for employment

By applying for a position in the teaching service, the applicant is aware that information may be collected in order to establish whether they are suitable for child-connected work and is a fit and proper person.

Prior to a person commencing employment the principal must be satisfied, based on their knowledge at the time that the person is:

- suitable for child-connected work as defined in Ministerial Order 870; and
- a fit and proper person as required by Ministerial Order 1038.

This includes where a person is being employed for a subsequent period of employment where this information was collected more than 12 months previously.

The principal is to ensure reasonable efforts are made to contact the person's current or immediate past employer (which cannot be the school making the offer of employment) 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?
- 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?

Where the responses to these questions raise any concerns with the principal in relation to the person's suitability for employment, before taking any further action in relation to that person's employment, the principal must seek advice from the Employee Conduct Branch.

Employment offer

Employment offers should be made in writing clearly setting out the terms of the offer. Principals must be satisfied that the person meets the requirements set out above.

Offers of employment should include:

- period of employment
- where a position is fixed term the reason why the position is fixed term
- time fraction
- number of days of attendance during school vacation periods (only for education support class and only where attendance was specified in the advertisement)
- commencement salary
- any probationary period
- terms and conditions of employment*

**Note: It is sufficient to incorporate by reference relevant legislation, Ministerial Orders and industrial instruments, relevant policy or a statement of duties that attach to the position. Where this is done the offer should advise the employee where these documents can be accessed.*

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

Pre-employment medical requirements

Health declaration

The *Workplace Injury Rehabilitation and Compensation Act 2013* requires that when employing new staff, principals must:

- provide the person with a written description of their proposed duties
- ask the person, in writing, to disclose any pre-existing injury or illness that could be affected by the nature of the proposed duties
- explain, in writing, to the person that a failure to disclose, or a misleading disclosure concerning pre-existing injuries or illnesses may result in a loss of entitlement to compensation, should the injury recur.

To meet this requirement new employees (which include a person commencing a second or subsequent fixed term period of employment) are required to complete a pre-employment health declaration form prior to commencing employment.

When the person has completed the form, the principal will need to decide whether or not there is a need to seek professional advice.

If the principal wishes to obtain professional advice, 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 medical practitioner nominated by the principal (see below)
- using the Medical Advisory Service which is a free telephone advisory service for principals.

Pre-employment medical assessment

In addition to completing a pre-employment health declaration a principal may require that a person who is the successful applicant for a position in the Teaching Service undergo a pre-employment medical assessment. This would normally only occur in, but is not limited to, circumstances where the principal considers it prudent to independently confirm a person's medical fitness for employment. The Medical Advisory Service can assist principals in these circumstances.

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

The person should 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 medical practitioner is unable to unconditionally recommend the person for employment, the principal will need to confirm or withdraw the offer of employment, taking into account the medical advice in the context of the duties to be performed.

Generally a medical assessment is valid for three years.

When managing pre-employment medical assessments principals should take account of a person's right to access health information.

Retention of appointment documents

Documents relating to a person's appointment must be retained on the employee's personnel file. These include but are not limited to:

- Evidence of date of birth and qualifications
- Evidence of registration with the Victorian Institute of Teaching for teaching positions
- Evidence of a Working With Children Check for non-teaching positions
- Pre-employment and appointment documentation
- Medical assessment/health declaration information
- Employment offers.

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

Review/grievance

Where an employee considers they have been treated unfairly or unreasonably in any matter related to their employment, the *Education and Training Reform Act 2006*, the regulations and orders made under that Act and the various industrial instruments provide for access to appeal, review, grievance or dispute resolution processes depending on the nature of the matter.

An ongoing public service employee is to be treated as an employee of the teaching service for the purpose of lodging a review in relation to a selection decision.

Further information in relation to appeals or grievances is available on HRWeb.

Further assistance

Further information, advice or assistance on any matters related to recruitment in schools is available by:

- accessing the A-Z topic list on [HRWeb](#);
- using the [related topics](#) list; or
- contacting the Schools Recruitment Unit on 1800 641 943.