

# ACTPS Recruitment Policy and Guidelines



## Tool 9 – Understanding Pre-employment Checks

All new ACTPS employees must complete a [New Employee Acceptance Pack](#) prior to commencing employment. The purpose of the package is to:

- facilitate mandatory ACTPS pre-employment checks as required by the *Public Sector Management Act 1994* (PSM Act) (Division 5.3, Section 68);
- collect personal details from employees necessary for the commencement of salary action (including superannuation arrangements) and employee equity and diversity details to understand the employee's special requirements and for ACTPS reporting purposes; and
- provide employees with important information regarding their obligations as public employees.

Under Section 68 of the PSM Act a person will not be appointed to the ACTPS unless:

- the person has been selected for appointment in accordance with the provisions of the PSM Act and Public Sector Management Standards 2016 (PSM Standards);
- the person is an Australian citizen or a Permanent Resident of Australia;
- the Head of Service has certified in writing that after due inquiry he or she is satisfied that the person is a fit and proper person to be so appointed having regard to –
  - verification of the person's identify; and
  - whether the person has any prior criminal convictions; and
  - the previous employment record of the person; and
  - the need for suitable references in support of the person's application for appointment; and
  - verification of the person's educational qualifications required for the appointment.

## The following checks are required for all new ACTPS employees:

### Nationality Checks

1. **Permanent positions:** Applicants must be an Australian citizen or have Permanent Resident status.
2. **Temporary positions:** Applicants who are not Australian Citizens or Permanent Residents must have an approved and appropriate work visa, i.e. the legal right to be employed in Australia. If you are unsure about an applicant's visa status, please consult with your Directorate HR team or Shared Services Recruitment.

## Identity Checks

The Delegate must be satisfied that the identity of the person being appointed is that of the person who undertook the selection process. Section 69 of the PSM Act requires employee records to include their date of birth. A certified copy of the applicant's birth certificate or passport are acceptable forms of evidence as proof of identity.

## Mandatory Qualification Checks

Where a mandatory qualification is required for a position, an employee must provide evidence of this qualification prior to commencement. The following documents are acceptable forms of evidence of educational qualifications:

- a certified certificate of qualification such as a degree or diploma;
- a certified transcript issued by the educational institution; or
- an official letter from the educational institution certifying the applicant's qualifications.

Applicants who have achieved qualifications overseas must be able to demonstrate that their qualification is equivalent to the mandatory qualification required for the position. Overseas qualifications can be accredited by the Department of Home Affairs or [Overseas Qualification Unit, ACT Office of Multicultural Affairs](#)

## National Police Checks

A National Police Check is a legislative requirement for appointing a permanent ACTPS employee. It is also considered best practice when engaging a temporary employee. Shared Services Recruitment will arrange for the appropriate documents to be sent through to the Australian Federal Police.

It is the responsibility of the Delegate/Directorate to ensure that the person to be appointed is deemed suitable for appointment, having regard to whether they have any prior criminal convictions. See Section 68 (c) of the PSM Act.

If the National Police Check reveals an offence that may affect the prospective employee's suitability for the position the Delegate/Directorate must consider:

- the nature and seriousness of the offence;
- the number and frequency of the offences; and
- the amount of time that has lapsed since the offence/s if relevant.

Prospective employees should have the opportunity to discuss offences which may cast doubt on their suitability for appointment with the Delegate making the appointment decision.

New ACTPS employees must not commence employment, except in exceptional circumstances, without completing the National Police Check process. Should an applicant be required to commence employment prior to receiving the results from the National Police Check, the Delegate must ensure they comply with their Directorate's risk mitigation practices and guidance.

## Working with Vulnerable People (WWVP) Checks

The [Working with Vulnerable People \(Background Checking\) Act 2011](#) (WWVP Act) requires people who provide or engage in certain regulated activities and/or services for vulnerable people to be registered with the Officer of Regulatory Services.

When recruiting to a new position (including Higher Duties and temporary transfer positions) the Delegate should check whether the position requires a WWVP registration. WWVP identified positions should be advertised on the basis that they 'will require registration or the ability to obtain registration'. All letters of offer should clearly state that the offer and/or commencement of employment is conditional upon a successful candidate being registered. The selected applicant must not commence in the role without a WWVP registration and therefore it is preferable that the checks are completed before the offer of employment is made.

For further information relating to WWVP checks, including a guide to assist Directorates identify positions requiring a WWVP registration, please refer to the [Working with Vulnerable People \(Background Checking\) Policy](#).

## Pre-Employment Medical Checks

It is up to the Directorate to determine whether the position being filled requires a pre-employment medical check. Historically, all prospective employees were required to undergo pre-employment medical checks prior to permanent appointment to the ACTPS.

However, there is no legislative requirement to undertake pre-employment medical checks for employees entering low-risk streams of employment. Accordingly, there are positions within the ACTPS where full medical examinations are not necessary for the requirements of the role. These positions are of a predominantly administrative nature and rarely produce adverse medical findings for assessed prospective employees.

Directorates may choose to limit pre-employment medical checks to streams of employment that require a particular level of health and fitness to meet the physical requirements of the role, such as fire fighters, paramedics, corrections officers, rangers and nursing staff. This advice does not affect Directorates' ability to request 'fitness for duty' medical assessments as required for existing employees.

Directorates and entities are advised to review their practices and procedures relating to Probation arrangements in order to strengthen suitability checks for new employees.

## Review

This document is an attachment to the ACTPS Recruitment Policy and Guidelines 2021 and is due for review in line with the policy.

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