



ACTPS Recruitment Policy and Guidelines

Policy number: 3/2020

Issue Date: May 2021

ISSUED BY:

WORKFORCE CAPABILITY AND
GOVERNANCE, CMTEDD

CONTENTS

INTRODUCTION	5
APPLICATION	6
LEGISLATIVE FRAMEWORK GOVERNING RECRUITMENT	6
PRINCIPLES OF RECRUITMENT IN THE ACTPS	6
Promoting permanent employment and job security for employees within the ACTPS.....	6
Merit and Equity Principle.....	7
Merit	8
Equity.....	9
Fairness	9
Reasonable Adjustment	9
Efficiency.....	10
Workplace Diversity and Inclusion	10
Identified Positions.....	10
Unconscious Bias Training.....	11
Confidentiality.....	11
Eligibility.....	12
ROLES AND RESPONSIBILITIES	13
ACTPS Directorates	13
The Selection Committee	13
JSC and SAC Responsibilities	14
JSC and SAC member requirements.....	14
JSC and SAC record keeping requirements	15
The Hiring Manager.....	16

The Contact Officer	16
The Chairperson	16
The Delegate	17
Scribe	18
Shared Services Recruitment and Information Services	18
RECRUITMENT BEST PRACTICE.....	18
Aim of the Recruitment and Selection Process.....	19
Stage 1: Identify the Vacancy	19
Position Management	19
Secure Employment	19
Identify the need to recruit.....	19
Decide on the recruitment approach.....	20
Stage 2: Define the Position	21
Review and finalise the Position Description.....	21
Develop the Position Requirements	22
Stage 3: Recruitment Advertising	22
Select an Advertising Strategy.....	22
Gazette	23
Request to Advertise	23
Excess and Potentially Excess Officers	23
Writing a Recruitment Advertisement.....	24
After the Advertisement closing date	24
Stage 4: Plan and Conduct Assessment	25
Form the Selection Committee	25
Short-list Applicants	25
Select assessment methods and conduct assessments.....	26
Conduct Referee Checks	27
Stage 5: Selection	27
Selecting the best applicant/s	27

Ranking methods – Order of Merit List and Merit Pool.....	28
Selection Committee Report	28
Minority Report	29
Delegate Decision.....	29
Confidentiality	29
Providing Feedback to Applicants	30
Appeals	30
Process Review	31

STAGE 6: ENGAGING/ADVISING THE SUCCESSFUL APPLICANT/S.... 31

Informing the Successful Applicant/s	31
Pre-employment checks and pre-offers	31
Formal Letter of Offer and Notifications	32
Salary on Commencement	32
Notification in the ACT Government Gazette	33

FREQUENTLY ASKED QUESTIONS ABOUT RECRUITMENT AND SELECTION 33

Consultation.....	38
References	38
Review	38
Approval Authority.....	38

INTRODUCTION

The way we undertake recruitment in the ACT Public Service (ACTPS) should enable us to recruit talented individuals, which is essential to delivering high quality and responsive services to the ACT Community and serving the Government of the day. An effective recruitment process ensures that the right person is selected, in the right job, at the right time. Further, effective recruitment supports the creation and development of a diverse and inclusive workforce. Diversity of backgrounds, professional and personal experience is a vital high-performance business strategy that allows the ACTPS to deliver the best possible services to the ACT community and Government.

This set of policy and guidelines outline and describe policy advice and best practice recruitment methods and principles intended to support the ACTPS in managing recruitment activity. They are intended to provide ACTPS employees undertaking recruitment processes with a detailed understanding of how to approach recruitment and selection in an effective way. With this knowledge, ACTPS selection committee members will be able to select the most suitable applicants possible.

This set of policy and guidelines has been written to further support the ACTPS legislative framework, as prescribed by the [ACTPS Enterprise Agreements](#), the [Public Sector Management Act 1994](#) (PSM Act) and the [Public Sector Management Standards 2016](#) (PSM Standards 2016). Further information about the ACT Public Sector Employment Framework can be found on the [ACTPS Employment Portal](#).

The policy and guidelines will assist users to:

- understand the principles of recruitment in the ACTPS
- understand the roles and responsibilities of parties involved in the recruitment and selection process (including the role of the chairperson, selection committee and delegate, the Directorate's HR team and Shared Services Recruitment)
- understand the range of different options for filling vacancies and the rules that apply to each Directorate
- define the capabilities and criteria required for each role
- write accurate, meaningful and professional position descriptions
- select the most appropriate and effective assessment methods
- develop effective technical and behavioural evidence-based interview questions
- understand and maximise different applicant sourcing mechanisms and utilise recruitment advertising effectively
- understand pre-employment checks
- understand the eligibility of applicants
- select and engage the most suitable applicant/s for the job
- maximise inclusion and diversity employment opportunities and conduct rigorously fair and culturally safe recruitment processes
- implement commitments under the ACT Aboriginal and Torres Strait Islander Agreement 2019-28.

The policy and guidelines are accompanied by several practical guidance tools. These tools are intended to provide users with further information about specific components of the recruitment and selection process.

APPLICATION

This set of policy and guidelines applies to ACT Government Directorates and Public Sector bodies in relation to employees or officers (also referred to as “employee”) covered by an ACT Public Sector Enterprise Agreement (‘Enterprise Agreement’). This set of policy and guidelines contains a set of whole-of-government instructions issued by the Head of Service under the PSM Act which binds all officers engaged under that Act.

LEGISLATIVE FRAMEWORK GOVERNING RECRUITMENT

All employment within the ACTPS is governed by ACTPS Enterprise Agreements, the PSM Act and the PSM Standards 2016. It is also governed by Awards and Commonwealth legislation as well as other ACT specific legislation such as the [*Working with Vulnerable People \(Background Checking\) Act 2011*](#). Enterprise Agreements provide the terms and conditions of employment for ACTPS employees, including appeal, review and discipline mechanisms. The PSM Act establishes the ACTPS and sets out general provisions and primary employment conditions. The Enterprise Agreements override the PSM Act and PSM Standards to the extent of any inconsistency.

Recruitment processes in the ACTPS must follow and apply the principles outlined in the Enterprise Agreements, PSM Act and PSM Standards 2016. The fundamental principles of recruitment in the ACTPS are that:

- there is a preference for permanency
- selection is based on merit, equity and fairness
- decisions are made without bias or prejudice.

PRINCIPLES OF RECRUITMENT IN THE ACTPS

Promoting permanent employment and job security for employees within the ACTPS

The ACTPS is committed to promoting permanent employment and job security for employees within the ACTPS. The Enterprise Agreements set out the expectation that recruitment processes should aim to minimise the use of temporary and casual employment wherever possible.

The use of temporary or casual employment should only be considered when permanent employment is not viable or appropriate, for example where:

- there is no permanent officer available with the expertise, skills or qualifications required for the duties to be performed

- the assistance of a temporary nature is required for the performance of urgent or specialised work within a particular business unit of the ACTPS, including backfill for a permanent officer absent on leave or for discrete projects
- it is not practical in the circumstances to use the services of an existing officer
- the work is of a seasonal, ad hoc or irregular “on demand” nature
- funding is only available for a fixed period consistent with the intent of the employment framework in the PSM Act and without expectation of funding being renewed in a reasonable timeframe
- the position is part of an entry level program in accordance with clause C6 of the enterprise agreements.

Managers must not opt to use temporary or casual employment to ascertain an employee’s ability to perform the duties or functions of the position. Where appropriate, the probation process is available to assess employee performance before confirmation of appointment is considered. Please refer to the Probation Policy for more information.

Where it becomes apparent that casual employment is no longer casual in nature (for example, regular and systematic patterns of work are emerging) and there is a reasonable expectation that such arrangements will continue, consideration should be given to engaging the person on a permanent or temporary basis.

Insecure funding should not in itself be a barrier to permanent employment. While there are circumstances where fixed term or outcome-based funding will justify temporary employment, an assessment must be done on a case-by-case basis to assess whether an employee can be offered a permanent position, despite fixed term or outcome-based funding. Factors that should be considered include:

- how many times the funding has been renewed previously
- how likely it is that the funding will be renewed
- how likely it is that the employee’s skillset and experience can be utilised in other similar roles across the ACTPS
- the period of time the position will be funded.

Please contact your relevant HR Area or refer to specific Directorate policies for further information and guidance on recruitment options available in your Directorate.

Merit and Equity Principle

The ACTPS is underpinned by the merit and equity principle. The term ‘merit and equity principle’ is defined in section 8(4) of the PSM Act as follows:

The head of service exercises a function under this Act in accordance with the merit and equity principle if the head of service -

(a) is an equitable employer; and

(b) employs a person in a job who is best able to do the job in all the circumstances.

Section 17(3)(a) of the PSM Act states the head of service must engage, appoint and employ people on behalf of the Territory in accordance with the merit and equity principle.

Section 27(1) outlines the circumstances when the merit and equity principle applies as follows:

(a) a person to be engaged in an SES position for a period of more than 9 months; or

- (b) a person to be appointed as an officer to a vacant office; or*
- (c) an officer to be transferred to a higher-level vacant office for a period of more than 3 months; or*
- (d) an officer to be promoted to a vacant office; or*
- (e) a person to be employed as a fixed term employee for a period of more than 12 months*

When applying the merit and equity principle, section 27(2) states the Head of Service must ensure:

- (a) all eligible people have, as far as practicable, a reasonable opportunity to apply for selection; and*
- (b) selection of a person is made on the basis of a comparative assessment of the applicants, having regard to –*
 - I. the nature of the functions to be exercise by the selected person; and*
 - II. the relevant abilities, qualifications, experience, personal qualities and potential for development of the applicants; and*
- (c) the person selected is an 'eligible person'.*

Note: The application of the Merit and Equity Principle Declaration Form should be used for Higher Duties transfers between 3 to 6 months in duration, when they are not advertised. This can be found at **Tool 11 – Application of the Merit and Equity Principle Declaration Form**

Merit

In accordance with section 27 of the PSM Act, selection of the most suitable applicant must be made based on a comparative assessment of the applicants' relevant behavioural capabilities, skills, knowledge, qualifications, experience, and the potential for development in relation to the duties and responsibilities of the position. This merit-based assessment is the primary consideration when making recruitment decisions.

Merit is the foundation for recruitment in the ACTPS. Merit requires that:

1. selection is based on an applicant's ability to perform the duties and responsibilities of the position, and based on evidence obtained in the recruitment process
2. selection is fair and objective at each stage of the recruitment process and all applicants are assessed against the same criteria and capabilities that are relevant to and required for the position
3. applicants' competencies and capabilities are assessed based on the information obtained during the selection process and not based on previous experience with the applicant/s at work
4. evidence can be obtained from the written application, skills tests, responses at interview, referee reports or other pre-determined assessment methods
5. the best applicant is chosen for the position based on a comparative assessment against other applicants and the capabilities and criteria required for the position
6. recruitment decisions are based on an objective recruitment process and the recruitment decision can be justified.

Merit must be applied to ALL recruitment selection processes in the ACTPS, irrespective of whether the process is being conducted for a permanent or temporary/casual position and the length of the temporary/casual vacancy. Merit must underpin ALL recruitment selection processes to ensure that

recruitment decisions are fair and the right applicant is selected based on the evidence provided in the recruitment process.

Equity

Equity refers to the fact that job opportunities should be advertised so that there is, as far as practicable, a reasonable opportunity for all eligible members of the community to apply and be considered for the positions.

Equity in recruitment ensures everyone is given equal opportunity to compete for positions, and no one is denied employment opportunities because of discrimination on the grounds of any of the attributes (such as race, sex, sexual preference, marital status, pregnancy, age, religious beliefs or physical or mental disability) under the *Discrimination Act 1991*. For example, it is unlawful to deny a woman a promotion on the grounds that she is, or may soon become, pregnant.

Fairness

Each applicant has a right to a fair and unbiased consideration of their application. Treating everyone the same, however, does not necessarily make a process fair. You may need to account for an individual's circumstances to give them an equitable chance to present their case. A fair recruitment process allows applicants to equally compete for positions. In this sense, equity and fairness does not mean all applicants are treated the same, but rather that there is fair opportunity for all.

Reasonable Adjustment

A recruitment process should allow all people to compete on an equal basis for employment opportunities. Recruitment processes may need to be modified in certain cases to ensure that discrimination does not occur, for example providing reasonable adjustment for an applicant so that they have equal opportunity to be considered for selection, appointment, promotion or transfer. In line with the ACTPS's commitment to be an equitable employer, all ACTPS Directorates must follow the principles of reasonable adjustment.

Reasonable adjustment involves administrative, environmental or procedural modification that may provide an individual with a different way to provide evidence that they meet the requirements of a position equally and fairly. This may include providing a culturally safe and comfortable environment for an individual or a change to a process, practice or procedure to enable an individual with a disability or injury to compete for a position in a way that minimises the impact of their disability or injury. For example: providing voice activated software for someone who has a physical impairment or injury, providing an amplified phone for an individual who is hard of hearing or providing a digital recorder for someone who finds it difficult to take written notes. Further information is contained in the [ACT Public Sector Reasonable Adjustment Policy 2015](#).

Additionally, the ACTPS has obligations under the *Disability Discrimination Act 1992* (Cth), the *Discrimination Act 1991* (ACT), *Fair Work Act 2009* (Cth), the *Human Rights Act 2004* (ACT), and the *Human Rights Commission Act 2005* (ACT). These obligations include ensuring that all employees and potential employees can participate fully in all aspects of employment.

It is the responsibility of the selection committee to ask applicants if any reasonable adjustments are required to enable them to participate equally in the recruitment process. It is best practice to ask all applicants when inviting them to an interview or assessment process if they require any adjustments; regardless of whether they have indicated that special requirements are required on their application form.

Selection committees must ensure that all applicants are assessed on their ability to meet the inherent requirements of the role. 'Inherent requirement' means the ability to perform the essential functions required to be able to successfully undertake the role.

Efficiency

All elements of the recruitment process should be carried out in a timely manner and be supported by effective procedures and processes. Efficiency should not compromise consistent, appropriate and merit-based recruitment.

Unnecessary delays are likely to mean the loss of high quality, talented prospective employees to a competing organisation. The recruitment process therefore should be conducted as efficiently as possible without sacrificing attention to detail and a quality decision and outcome.

The benchmark for completing a selection process within the ACTPS, from the time a vacancy is advertised through to the date that the written letter of offer of employment is sent from Shared Services Recruitment to the successful applicant, is 40 working days.

Workplace Diversity and Inclusion

The ACTPS is committed to supporting workforce diversity and providing an inclusive workplace. We recognise that diversity is a positive contributor to organisational capability, fostering innovation, employee engagement and overall productivity. Our workforce should reflect the broader ACT community. The ACTPS is committed to attracting, retaining and developing people from the following diversity groups:

- Aboriginal and Torres Strait Islander People
- People with Disability
- Lesbian, Gay, Bisexual, Transgender, Intersex and Queer (LGBTIQ)
- Culturally and Linguistically Diverse People
- Women
- Veterans

Workplace diversity and inclusion programs enable people in designated groups to compete for appointment, engagement, transfer or promotion, and pursue careers in the ACTPS as effectively as other persons. Attracting people from diversity and inclusion groups can include targeted recruitment strategies to encourage individuals to apply for non-identified and identified ACTPS positions. However, while all eligible persons can apply for non-identified positions, only those employees from the identified position diversity group are eligible to apply for identified positions. Please see the inclusion programs and information page on the employment portal for more details on employment strategies and helpful tools for attracting, retaining and developing people within particular diversity groups or contact the relevant HR directorate area for more information.

Identified Positions

The ACT Government recognises the value of individual differences and encourages diversity in ACTPS workplaces in order to improve the way we deliver services to our diverse ACT community. In order to support the employment of Aboriginal and Torres Strait Islander people and People with Disability; the Head of Service (delegate) has the power to declare any vacant position as an identified position (section 13 of the PSM Standards 2016).

An identified position may only be filled by Aboriginal and Torres Strait Islander people and People with Disability, depending on which group is identified.

Unconscious Bias Training

Under the Aboriginal and Torres Strait Islander Agreement 2019-28 (the Agreement) the ACT Government is committed to genuine partnership with the Aboriginal and Torres Strait Islander community to harness cultural knowledge and build a respectful, fair and inclusive community.

A major commitment in the Agreement relates to taking action to prevent unconscious bias that may exist in ACT Government recruitment processes and take action to mitigate those issues in order to increase Aboriginal and Torres Strait Islander employment in the ACTPS.

Unconscious biases are held by all people, from every background regardless of gender, age or other attributes.

“Unconscious biases are social stereotypes about certain groups of people that individuals form outside their own conscious awareness. Everyone holds unconscious beliefs about various social and identity groups, and these biases stem from [a person’s] tendency to organize social worlds by categorizing.

Unconscious bias is far more prevalent than conscious prejudice and often incompatible with [a person’s] conscious values. Certain scenarios can activate unconscious attitudes and beliefs. For example, biases may be more prevalent when multi-tasking or working under time pressure.”

Source: <https://diversity.ucsf.edu/resources/unconscious-bias>

Examining our unconscious bias assists us to implement fairer and more inclusive recruitment practices for all communities and people that apply for roles with the ACT Government.

In recognition of this, all panel members are highly encouraged to take part in training to understand unconscious bias that may exist prior to undertaking an Act Government recruitment process.

The SBS Cultural Competence e-learning course is a free online course available to all ACTPS employees through ACTGovLearn, the ACT Government’s online learning platform. Other training on Aboriginal and Torres Strait Islander Cultural Awareness is encouraged and can also be accessed through ACTGovLearn, the ACTPS Training calendar and directorate- specific training

Confidentiality

ACTPS employees are bound by various legal obligations including section 9 of the PSM Act and the [Information Privacy Act 2014](#) to preserve the confidentiality of information available to them as a result of their duties. As such, any ACTPS employee involved in a recruitment process must understand their responsibilities to maintain confidential information regarding all aspects of a recruitment process.

Confidential information is information acquired by an ACTPS employee as a consequence of their employment, or information acquired from a document to which an ACTPS employee has access to as a consequence of their employment. It is an ACTPS employee’s duty not to disclose such confidential information. Where a breach of confidentiality occurs, the entire recruitment process can be questioned and in extreme cases may negate the whole process.

Eligibility

In order to be an 'eligible person' as defined under the PSM Act, persons must meet certain requirements to determine their eligibility. This includes mandatory qualifications that are an inherent requirement of their role, which must be maintained by the employee during their employment in the position.

An eligible person, as defined in the PSM Act Dictionary, means a person who:

- a) *satisfies any of the following:*
 - (i) *is an Australian citizen;*
 - (ii) *is a permanent resident of Australia;*
 - (iii) *holds a visa that permits the person to work in the service; and*
- b) *is capable of:*
 - (i) *upholding the public sector values; and*
 - (ii) *exercising each function that the person is, or will be, employed to exercise, in accordance with the best practice principle; and*
 - (iii) *acting consistently with section 9 (public sector conduct); and*
- c) *holds all qualifications required to lawfully exercise every function that the person is employed to exercise.*

Please note that where an eligible person satisfies criteria (a)(iii) above, and the visa permit contains work limitations, the employment offered must not exceed those limitations.

Qualification is also defined in the PSM Act and includes the following:

- an academic qualification;
- an apprenticeship;
- a licence;
- membership of a professional body;
- a registration;
- a security clearance.

Therefore, selection of the most suitable applicant must be made based on a comparative assessment of the applicants' relevant behavioural capabilities, skills, knowledge, qualifications, experience, and the potential for development in relation to the duties and responsibilities of the position. Comparative assessment is defined in section 8 of the PSM Standards 2016.

ROLES AND RESPONSIBILITIES

ACTPS Directorates

ACTPS Directorates and statutory authorities are responsible for the employment of staff under the PSM Act. As such, it is the responsibility of the Director-General (i.e. person with Directorate responsibility) or Chief Executive Officer to establish recruitment processes and procedures that accord with the legislative employment framework. This guide will assist the ACTPS in managing this responsibility.

Directorate Human Resource (HR) areas support and advise on recruitment processes, and may manage elements of the recruitment process. Delegates, chairpersons, members of selection committees and those involved in recruitment need to familiarise themselves with recruitment best practice and the legislative and procedural requirements of the recruitment and selection process before commencing a process. Where required, advice should be sought from the relevant Directorate HR area about relevant processes and the employment framework.

The Selection Committee

There are two types of selection committees that can be used to fill a vacancy:

1. Selection Advisory Committee (SAC)
2. Joint Selection Committee (JSC).

Although the recruitment selection process run by the SAC and JSC is very similar, each selection committee is established with slightly different parameters and needs to be chosen carefully when considering the recruitment of a particular position. The main differences between the two selection committees are as follows:

- A SAC is established under section 24 of the PSM Standards 2016, and a JSC is established under Clause B4 of the ACTPS Enterprise Agreements
- A JSC requires union agreed and union nominated panel members, whereas a SAC does not have this particular membership requirement
- A SAC is more suited for filling individual vacancies, whereas a JSC is more suited to filling bulk recruitment rounds where there are several vacancies to be filled from the same recruitment process (although both can be used for any situation)
- SAC recommendations for promotion or transfer of positions at or below an Administrative Service Officer Class 6 (or equivalent classification) are appealable¹ or reviewable² but all unanimous recommendations by a JSC are non-appealable.

Note: JSC provisions vary slightly across enterprise agreements. Please refer to your relevant agreement or contact your HR area for further information.

¹ An appellable decision means a decision mentioned in schedule 2, column 3 under a provision of the PSM Act mentioned in column 2 in relation to the decision.

² A reviewable decision means a decision mentioned in schedule 1, column 3 under a provision of the PSM Act mentioned in column 2 in relation to the decision.

Throughout this policy and guide the term “selection committee” refers to both JSC and SAC, unless specified otherwise.

For practical guidance regarding selection committee processes and determining the most suitable selection committee, please refer to:

Tool 10 – JSC and SAC recruitment processes

JSC and SAC Responsibilities

The selection committee is responsible for the recruitment process from the assessment of applicants through to making a final recommendation to the delegate. The selection committee comprises the chairperson and, in all circumstances for prescribed selection processes, must include two other members.

For practical guidance regarding prescribed selection processes please refer to:

Tool 1 – Recruitment Options

All selection committee members are responsible for ensuring that the integrity of the merit selection process is maintained, by minimising the perception that a conflict of interest may exist and declaring any perceived conflicts of interest.

Selection committee members should maintain a close liaison with the delegate. They should consult the delegate on issues such as choosing an alternative assessment option or exploring issues around reasonable adjustment, and bring to their attention any concerns regarding the process.

The role of the selection committee is to:

- ensure that the merit and equity principle is followed;
- objectively consider all the evidence presented by the applicants and endeavour to recommend the applicant who best matches the requirements of the position;
- ensure that a smooth, timely, objective, fair and transparent process occurs; and
- put recommendations to the delegate.

JSC and SAC member requirements

A selection committee must consist of at least three members for prescribed selection processes, with one independent member from outside the immediate work area. This best practice approach allows for different perspectives to be considered and this diversity of thought results in a more robust decisions being made. In all cases, selection committees should be made up of the following:

- ACTPS employees. If there is a requirement for a non-ACTPS employee, e.g. labour hire contractor to participate as a committee member, approval must be sought from the Director General, or their delegate. Please consult your Directorate HR area for further advice if required
- diverse gender representation
- one person from the immediate work area (often the Manager who the position reports to)
- one independent member from outside the immediate work area

- members of the selection committee that are at the same substantive level or higher than the vacancy (unless approved otherwise by the head of service - see note below)
- a chairperson who should be at least one substantive level above the vacancy classification level
- For a JSC, a union nominated member and a union agreed member, where this is specified within the relevant enterprise agreement
- for identified positions, all reasonable attempts must be made to include a person from that inclusion group.

Note: In certain circumstances, a delegate may approve a selection committee member who is at a lower classification than the position being selected for. This may occur if a person has specialist skills, experience or qualifications that are relevant to the position or be someone who is on higher duties at the same level or higher than the vacancy. It may also be relevant for a joint selection committee, where a committee member may be nominated by a union and may not have a comparable classification or is not an ACTPS employee. Please consult your Directorate HR area for further advice if required.

When forming a selection committee, it is important to ensure that members have an appropriate level of knowledge of the job content and/or skill and experience required for the position. It is highly desirable to include the immediate supervisor or manager on the selection committee.

Selection committee members should have a good understanding of, and preferably have been trained on, recruitment best practice and unconscious bias. Most Directorates deliver their own specific training, and there is also ACTPS training available. At a minimum, the chairperson of every selection committee should complete a recruitment training course to ensure they have the appropriate knowledge and skills to conduct a recruitment process. For some Directorates, training for all selection committee members is mandatory, so please check with Directorate policies or your Directorate HR area.

Care must be taken to avoid selecting committee members who may have (or be perceived to have) a conflict of interest in the process, e.g. personal interest in the success (or otherwise) of a particular applicant. There is an inherent requirement in the public sector conduct, section 9 of the PSM Act for public servants to take all reasonable steps to avoid a conflict of interest and to declare or manage a conflict of interest that cannot reasonably be avoided. Before commencing a selection process, or if it becomes known during the selection process, committee members must disclose any conflicts of interest such as personal relationships or knowledge they have of particular applicants that may influence their selection decision.

Directorates may have a policy and a formal process where a Declaration of Impartiality form may need to be completed by selection committee members at the commencement of all recruitment processes. Please consult with your Directorate HR area for applicable forms/processes.

If a member of a selection committee is a referee for an applicant, a referee report must be provided in writing and be provided prior to applications being reviewed or short-listed.

JSC and SAC record keeping requirements

The chairperson and selection committee members are required to keep all their notes for any recruitment or selection process for 12 months after the recruitment decision has been finalised, as per the *Territory Records Act 2002* and the *Records Disposal Schedule*. These notes will be required in the event of an appeal or review and may also be used to provide feedback to applicants.

The Hiring Manager

This is the person whose team the vacancy is in, and often also reports to. The hiring manager will often fulfil the chairperson and contact officer roles.

The hiring manager is responsible for ensuring that the position description is updated and accurately reflects the details of the role. They also need to ensure that the advertising campaign is well positioned and that the advertisements are professionally written in order to attract the most suitable applicants. Please refer to specific advertisement requirements for JSC and SAC recruitment selection processes in **Tool 10: JSC and SAC recruitment processes**.

The hiring manager will decide what recruitment process is required and the type of selection committee that will be convened.

The Contact Officer

The contact officer's details will appear on the recruitment advertisement and their role is vital to a successful selection outcome. The contact officer is the first point of contact for potential applicants enquiring about the role and seeking information that will assist them to decide if they wish to apply for the position.

The role of the contact officer is to provide all applicants with consistent advice and information. The contact officer should ideally be the hiring manager. If not, it needs to be someone who understands the position well. They should be able to provide details of the vacancy, such as:

- details of the position (including specific requirements such as shift work, overtime or travel)
- background of the workplace and team
- details of the position description and requirements
- assessment methods to be used
- the deadline for acceptance of applications and the timeframe for an outcome.

The contact officer must be available to answer queries from potential applicants from the time the advertisement is published until the closing date, and be familiar with the position description and requirements. The contact officer should also be familiar with the application documentation available on the ACT Government's JobsACT website and/or any Directorate specific requirements.

The contact officer must not, in any circumstances, be an applicant. Particular issues that could give rise to lodgement of appeals or grievances or negative publicity for the ACTPS include:

- directly suggesting that specific applicants should not apply for positions;
- providing incorrect information about the vacancy or requirements of the position; or
- any suggestion of predetermined selection outcomes.

The Chairperson

The chairperson is responsible for the overall running of the recruitment and selection process. The chairperson should be at least one substantive level above that of the vacancy. The chairperson is responsible for ensuring that the integrity of the merit selection process is maintained, and for minimising the perception that a conflict of interest may exist.

The role of the chairperson is to:

- convene the selection committee

- advise the selection committee members of their roles and responsibilities
- manage the selection committee including organising meetings, times for assessment and times for evaluation of applicants
- draft the interview questions and co-ordinate the interviews;
- manage the write up of the selection committee reports and related documents
- once the delegate has approved the report, make the verbal offer to the successful applicant/s where requested by the delegate
- ensure that the unsuccessful applicants are informed of the outcome
- provide feedback to all applicants who request it.

When convening a selection committee, the chairperson should give consideration to the employment status of committee members, such as temporary employees or employees on higher duties. In these circumstances the chairperson should determine whether the employee is an appropriate individual to involve in the recruitment process, or whether there is another more suitable employee. Employees on higher duties should have a substantive position at the same level as the vacancy, or higher.

The Delegate

The Delegate has responsibility for the administration of the recruitment and selection process and has the authority to employ a person under the relevant section of the PSM Act. The delegate will consider the recommendation made by the selection committee and is accountable for the formal decision to appoint, promote, transfer or temporarily engage the selected applicant. Please refer to the relevant Directorates HR Delegation Schedule for further guidance. The Delegate must remain objective and should not participate in the selection process as a chairperson or selection committee member.

The Delegate's role is to ensure a selection decision has been made in accordance with legislative and policy requirements and the principles of merit and equity. The Delegate has responsibility to ensure that the chairperson and members of the selection committee have the necessary skills and experience, have no real or perceived conflicts of interest and are appropriate to conduct the recruitment process. The Delegate is responsible for ensuring that the integrity of the merit selection process is maintained, and for minimising the perception that a conflict of interest may exist.

It should be noted that in exceptional circumstances, and for appropriate and justifiable reasons, the Delegate can choose to not approve a selection committee's recommendation based on the information provided. There are several options available to the Delegate:

- request further information from the selection committee
- request some of the applicants who were not interviewed, to be interviewed
- request that the committee re-interview or use an additional assessment method to assess some or all of the applicants
- if interviews have been conducted, determine that a different committee be convened to re-interview applicants
- re-advertised the vacancy
- if the selection committee cannot agree, and a minority report is submitted along with the selection documents, the Delegate may approve the minority or majority recommendation, request further information, convene a new committee or re-advertise the position
- change the order of merit

- appoint, promote, transfer or engage someone other than the recommended applicant.

Should the Delegate's decision differ from the recommendation provided by the selection committee, the reasons for this must be documented for transparency. Where the Delegate's decision differs from the recommendation provided by a joint selection committee, the decision becomes appealable.

Scribe

The primary role of the scribe is to keep an accurate and detailed record of the applicants' responses and the selection panels short-listing considerations. By reflecting this information back to the selection committee, it can assist with the decision-making. All selection committee members are still expected to take their own notes to submit to the chairperson as evidence if required, at the conclusion of the process. Most scribes will also draft the Selection Reports for the chairperson. However, since the chairperson is accountable for the reports, they will need to review and finalise the reports. A scribe may also be engaged to conduct the referee checks.

A scribe is not a Selection Committee member and as such must not participate in the interview or influence the selection outcome.

Shared Services Recruitment and Information Services

Shared Services Recruitment provides advice and support to undertake recruitment and hiring activities. This includes position creation and changes, excess officer redeployment registration and referrals, advertising vacancies, coordinating applications for selection committees, sending offers, conducting pre-employment checks, notifying unsuccessful applicants, updating probation status, managing Attraction Retention Incentives (ARIs), publishing gazettal notices and providing documentation for appeals and internal reviews.

Shared Services Recruitment provides services in accordance with the following timeliness targets:

Refer excess officers within 2 working days of receipt of approved advertising request
Process request to advertise within 5 working days after redeployment clearance
Send job applications received to contact officer within 3 working days after advertisement closes
Send pre-offer (new staff) or notification (existing staff) within 5 working days of receiving selection report

Note: this is the standard service Shared Services Recruitment offers; however, Directorates may have different arrangements than those stipulated above.

RECRUITMENT BEST PRACTICE

- 1.1 This section details key policy and procedural issues and recruitment methodology, such as attraction, assessment and selection. It is designed to provide best practice guidance to ACTPS Directorates on recruitment and selection, including a structured and systematic approach to assist those involved in recruitment to make effective selection decisions.
- 1.2 Further information and best practice tips can be found in the Tools attached. These tools are intended to assist Managers in the ACTPS to conduct efficient and effective recruitment and selection processes.

Aim of the Recruitment and Selection Process

- 1.3 The aim of a well-structured recruitment process is to attract and select high quality individuals to the ACTPS. A well-run recruitment process reflects positively on the Directorate and the ACTPS as a whole, and will ensure that the Directorate selects the right person for the job at the right time.
- 1.4 The recruitment and selection process should:
- recruit staff with the right skills, knowledge and behavioral capabilities to deliver the key objectives of the position, business unit and the ACTPS
 - ensure that equity of opportunity is considered as a fundamental part of recruitment practice, thus encouraging diversity
 - promote the ACTPS by using recruitment activities as an effective attraction and engagement tool
 - ensure that recruitment is based on merit and equity and a fair and transparent process
 - ensure the recruitment process is efficient and cost effective
 - be continuously monitored, reviewed and improved in light of experience and information and feedback obtained from those involved in the process.

Stage 1: Identify the Vacancy

Position Management

Before commencing any recruitment activity, ensure that the position to be recruited to is correctly reflected in the HR system. A position that will be recruited to permanently must be established for permanent filling and must be nominally vacant before any recruitment can commence, including for an expected vacancy. If a position has been established as temporary, it must be changed to permanent in order to recruit to it permanently. If a position is established as part-time and it needs to be recruited as a full-time position, it must be changed to full-time. If a new position needs to be established, it must be created before submitting an advertising request. If this is not done, it may delay advertising or the ability to make offers to successful applicants, as positions must exist to place an employee into. These requests are actioned through the “Manage Positions” function on the Shared Services website, and can be accessed [here](#). A *position management change request* must be submitted if any change to a position is required.

Secure Employment

As stated under the principles of recruitment above, the ACT Government is committed to providing secure and ongoing employment. Permanent employment is the default expectation when advertising positions. Temporary or casual forms of employment should only be utilised when permanent employment is not viable or appropriate.

Identify the need to recruit

A vacancy presents an opportunity to review workforce plan strategies, the team priorities and re-examine the duties, responsibilities and classification of a position, as well as considering restructuring, redefining or abolishing the position.

Before deciding to recruit, consideration should be given to the following points:

- has the broader workforce planning context been considered?
- have the team structure, functions and positions been reviewed?
- does the budget support filling the vacancy? Is it funded?
- do you have the appropriate approval to fill the position?
- has the Position Description or duty statement been updated?
- are the duties and requirements still relevant? At the relevant classification?
- is it necessary to fill the position?
- is there the possibility of retraining existing employees?
- can the position be filled on a part-time or job share basis?
- can work be re-distributed across the team?
- is it timely to change reporting lines, or review supervisory arrangements?
- are you able to use an existing order of merit from a recent relevant selection exercise?

The hiring manager should examine the area's current resources including staff, skills and budget to determine whether they can be used more productively. Job re-design and work area review, in consultation with Directorate HR areas, are processes that can help to improve effectiveness and efficiency. Where significant changes to work areas are proposed, consultation with employees and unions should occur, as per Section G1 of the Enterprise Agreement.

Decide on the recruitment approach

There are many considerations when deciding on the most appropriate recruitment approach when filling a vacancy. The scope of options is determined by ACTPS employment legislation and Enterprise Agreements as well as business requirements. The first and most important decisions are whether the vacancy should be **permanently or temporarily** filled, and if temporary, for what purpose and for how long. The answers to these initial questions, and a number of further contextual elements, will determine the options available to you.

Keep in mind the ACT Government's commitment to promoting permanent employment and to minimise the use of temporary employees, labour hire contractors and consultants in the ACTPS. Union consultation must be undertaken if the temporary vacancy is for a period of 12 months or longer, and this includes periods of extensions, whereby if a temporary vacancy is advertised for 6 months with possibility of extension, union consultation is required if this vacancy is then extended for another 6 months or longer.

Upon deciding that running a merit-based recruitment process for a vacancy is the most appropriate approach, a JSC or SAC should be established immediately, and Chairperson identified. This ensures that each committee member is involved in the entire recruitment process and enables timely scheduling of short-listing and assessment, with all panel members involved. For determining the most appropriate selection committee for the recruitment process, please refer to the Selection Committee section within this policy or **Tool 10: JSC and SAC recruitment processes**.

Please also refer to **Tool 1: Recruitment Options** for further general information on the available options. There are Directorate-specific requirements and timeframes, so assistance should also be sought from your Directorate's HR area for information about the best option available for your specific recruitment activity.

Stage 2: Define the Position

Review and finalise the Position Description

The Position Description defines the position, the duties and responsibilities and the requirements of the role. It serves several purposes during the employee life cycle, from providing information about the role during the recruitment process to giving both the manager and the employee a good understanding of what is expected in the role and also assists with performance development plans and the identification of learning and development opportunities.

It is good Human Resources practice to have up-to-date Position Descriptions for all positions across the organisation. For vacant positions, it is best practice to review and update the Position Description before the role is advertised. There are several benefits that come with reviewing a Position Description, including the opportunity for the manager to assess current and future organisational structures and to accurately define and understand the role. Please consult your directorate HR area for advice on writing Position Descriptions, particularly if the role has changed.

When reviewing a Position Description, consideration must be given to the following:

- the level of responsibility and the classification of the position
- the intended duties and responsibilities of the position, what outcomes will they be accountable for?
- the skills, knowledge and/or experience required by the occupant of the position; i.e. what will they require?
- the behavioral capabilities that will enable success in the role
- any mandatory qualifications, registrations or certifications required by the occupant of the position
- the need to satisfactorily meet other requirements such as physical fitness and other standards inherent to the nature of the job.

The [Work Level Standards](#) should be used to ensure that the duties and responsibilities for the position are consistent with the proposed classification and level.

Whenever the duties and responsibilities, and/or requirements of a position change, the Position Description should be updated to reflect the contemporary nature of the position in consultation with the nominal employee.

For practical guidance on developing a Position Description, please refer to:

Tool 2 – Writing a Position Description

For the latest Position Description template, please refer to:

Tool 3 – Position Description template

Develop the Position Requirements

The Public Sector Management Standards 2016 (Part 2, Division 2.1), states:

Selection Criteria, for a prescribed selection process for a position, means criteria about skills and experience required to exercise the functions of the position.

The word “criteria” can be used interchangeably with “capabilities” or “competencies”. In this context, “criteria” refers to an individual’s requirements of a position, i.e. the skills, knowledge and behavioural capabilities someone must possess in order to successfully perform the role. The required capabilities should be related to the duties and responsibilities of the job. They should be detailed in the Position Description and take into consideration the ACTPS Values and Signature Behaviours and the ACTPS Shared Capability Framework.

The requirements for a position are detailed in the “What you Require” section of the Position Description. Well-developed capabilities should:

- reflect the essential elements of the position
- for recruitment purposes, provide a fair, objective and reliable standard that applicants can be assessed against. They should be used at the different stages of the recruitment process, including short-listing, interview, reference-checking and applicant feedback
- be easily understood and simple
- enable a comparative assessment of applicants according to merit and equity.

Position Descriptions should be updated using the latest templates available from Shared Services Recruitment.

Stage 3: Recruitment Advertising

Once there has been a decision to fill a vacancy and the Position Description has been developed/reviewed, the next step in the recruitment process is to devise an attraction strategy to source suitable applicants. The most common method of doing this is through recruitment advertising. The aim of recruitment advertising is to make people aware of an ACTPS vacancy, encouraging a wide range of suitable applicants to apply so that a competitive merit selection process may be undertaken and the most suitable applicant/s can be selected for the vacancy/ies. Further, if the recruitment strategy is to engage persons from the diversity and inclusion group, please visit the Inclusion Programs and Information page on the employment portal or contact Workforce Capability and Governance, CMTEDD for assistance.

Select an Advertising Strategy

Different vacancies require different methods of attracting suitable applicants, and it is important to select an advertising strategy that considers which recruitment channels are likely to be most successful in attracting the desired applicants. It is important to attract sufficient applicants from a broad range of sources to enable a competitive selection process to be undertaken, so that the most suitable applicants can be selected.

In addition to advertising a vacancy on the [JobsACT](#) website, it is highly recommended to utilise other advertising channels such as online services (e.g. SEEK), professional social media (e.g. LinkedIn) or specialist websites or publications. Factors to consider include the type and level of vacancy being advertised and the type of target audience.

For further information and practical guidance on Recruitment Advertising, please refer to:

Tool 5 – Recruitment Advertising

Gazette

It is a legislative requirement that:

- all permanent vacancies; and
- all temporary vacancies of six months or more are advertised in the online ACT Government Gazette, incorporated on www.jobs.act.gov.au (see Tool 1: Recruitment Options for further information).

Temporary vacancies that are shorter than six months can, but are not required to, be gazetted and advertised. However, they still require that merit has been demonstrated³. Further information can be found in Tool 1: Recruitment options.

Request to Advertise

To have a vacancy advertised, Hiring Managers are required to submit an [Advertise a Vacancy](#) online form which details:

- the position and vacancy details, including an updated Position Description
- if the vacancy should be advertised in external media, in addition to the JobsACT website
- the exact wording of the advertisements, including formatting and very clear instructions to applicants about what they are required to submit
- the type of committee (SAC or JSC) that will be established (so that non-appealable positions are clearly identified within the advertisement for JSC recruitment selection processes)
- Contact Officer details
- a range of quality assurance information to assist delegates to make an informed decision, such as whether the position is funded and why it needs to be filled; this may include the need to attach additional internal clearance documents from your individual Directorate.

Full approval of this information by the appropriate Delegate is required prior to submission to Shared Services Recruitment. The Delegate must hold the relevant HR and/or financial delegations. If you plan on using psychometric assessments as part of the committee's assessment of applicants, prior approval from the Head of Service Delegate is required (this should be attached in the form of a minute).

If you need any assistance with completing the Advertise a Vacancy online form, please speak to your Directorate HR team or call the Shared Services HR Service Desk on 620 79000 (ext. 79000).

Excess and Potentially Excess Officers

Under Section L5.4 of the Enterprise Agreement (common core), employees who have been declared excess or potentially excess and are referred by Shared Services or have chosen to apply for an

³ The merit and equity principle is defined in section 8(4) of the PSM Act.

advertised position, must be assessed in isolation from, and prior to, all other applicants for a vacancy that is at their substantive (equivalent) level. This will be clearly stated on the applicant's online application form if applications have been sent to Shared Services for collating.

Shared Services Recruitment maintains a register of excess and potentially excess officers from across the ACTPS. Shared Services Recruitment will review the register of excess or potentially excess employees against any requests for advertising a vacancy; to identify a match of skills and classification. Where a match is identified, and prior to advertising, Shared Services Recruitment will refer the employee/s to the contact officer for the selection committee to assess the suitability of the employee's skills and experience in isolation, and prior to the vacancy being advertised. The chairperson, with the approval of the Delegate, should then advise Shared Services Recruitment, in writing of the outcome of the assessment. If the approved committee assessment is that there is no suitable excess officer, Shared Services will proceed to arrange the advertisement to be advertised in the requested external media, the JobsACT website and in the ACT Government Gazette. Other quality assurance checks may occur to ensure legislative compliance or based on individual Directorate needs.

An excess or potentially excess officer will be regarded as suitable so long as they can demonstrate they have the potential to perform the duties and responsibilities of the role with reasonable training within a reasonable period of time (generally three to six months). Where more than one excess or potentially excess officer is being considered for the same position, a merit selection process must be conducted between these applicants prior to consideration of any other applicants. As per the Enterprise Agreement, an excess officer will be given preference over a potentially excess officer.

Writing a Recruitment Advertisement

An integral component of an effective recruitment strategy is an attractive, informative, well-written recruitment advertisement. Recruitment advertisements are often the first exposure for many people interested in a career in the ACTPS.

Alongside the Position Description, the text and format of a recruitment advertisement is one of the key elements that will attract suitable applicants and promote a strong image and brand of the ACTPS.

While writing the advertisement, critically analyse the requirements of the position from an applicant's perspective and consider including all the elements that will attract a suitable target audience.

For further information and practical guidance on Recruitment Advertising, please refer to:

Tool 5 – Recruitment Advertising

After the Advertisement closing date

Following the closing date for positions listed on the JobsACT website, Shared Services Recruitment will collate all applications received and provide them to the Contact Officer for circulating to the selection committee.

Applications are submitted using the whole of government online application form, which asks applicants mandatory questions to ensure minimum eligibility requirements can be met (for example, validity of residency status, if prior service included a voluntary redundancy, current and previous misconduct).

Stage 4: Plan and Conduct Assessment

The next stage of the recruitment and selection process is to plan and conduct the assessment of applicants. There are a range of assessment methods available to Directorates to select the best suited applicant for the position.

Form the Selection Committee

The selection committee (JSC or SAC) should be formed immediately after the decision to advertise a vacant position, in order to allow sufficient time to identify and develop assessment methods and for panel members to familiarise themselves with the Position Description and requirements of the position. The committee members also need to agree upfront how the ratings in the Recruitment Rating Scale (located on the JobsACT website: <http://www.jobs.act.gov.au/about-the-actps/selection>) will be applied to each of the capabilities being assessed. Selection committee members, guided by the chairperson, should have a common understanding of how each capability will be rated. This ensures consistency and prevents a misunderstanding later in the process. Committee members must be available for the whole selection process, including being involved in the shortlisting.

Please refer to the Roles and Responsibilities – Selection Committee section of this policy and Tool 10 which provides further information on forming selection committees.

Short-list Applicants

Short-listing is the process of reviewing the applications received for a position/s and identifying which applicants have the knowledge, skills, behavioural capabilities, experience, and qualifications required to be considered for further assessment. Effective short-listing is important to improve timeliness by enabling the selection committee to quickly identify which applicants are most suitable to move to the next stage of assessment.

All members of the selection committee must be involved in the short-listing process. Initial short-listing can be undertaken by individual committee members, however, the selection committee must then discuss and collaboratively determine which applicants to short list and progress to the next assessment stage.

To ensure a consistent standard of short-listing the selection committee is required to use the ACTPS Recruitment Rating Scale, located on the JobsACT website: <http://www.jobs.act.gov.au/about-the-actps/selection>.

For further information on how to short list applicants, please refer to:

Tool 6 – Tips for Effective Short-listing

Once the selection committee has determined the short-list, these applicants should be contacted and informed of the details of the assessment (e.g. interview, assessment centre) as well as the date, time and location of the assessment. They should also be asked if they will require any reasonable adjustment for the assessment.

If feasible, it is best practice to keep the delegate informed throughout the process. It is important to inform the delegate of the shortlisted applicants, particularly if many of the applicants are ACTPS employees. This way, if there are any current employees who have not been shortlisted, the applicants who were unsuccessful in being shortlisted may be advised as soon as reasonably practical. It is better for non-shortlisted applicants to get the information from the selection committee, than find out by default that other staff members have been invited to attend an interview and they haven't. Please note that this advice should not be confused with advising applicants the final recruitment outcome following delegate approval.

Select assessment methods and conduct assessments

There are a range of assessment methods that may be used to select the most suitable applicant/s for a position/s. Each assessment method has advantages and disadvantages which should be carefully considered when deciding which method to choose.

To increase the likelihood of recruiting individuals who possess the right skills, knowledge and behavioural capabilities to be successful in the vacancy/ies, it is important to choose assessment methods that are well suited to effectively measuring the capabilities required for success in the role. Online assessments or skills tests are a quick and cost-effective way of testing some capabilities. It is best practice to use tests that are developed by professionals and are standardised, valid and reliable. Please seek advice from the relevant Directorate HR area. Any psychometric testing must be approved by the Head of Service or Delegate, in writing for the assessment to take place in accordance with section 8 of the PSM Standards 2016.

While interviews remain one of the most common assessment methods used for recruitment in the ACTPS, selection committees should reflect on the nature and duties of the vacancy when selecting this assessment method. Interviews are not mandatory, and consideration should be given to whether an interview is the only and the most appropriate assessment method to evaluate applicants, particularly for non-office-based roles. For some roles, a practical skills test/s may be more useful to determine applicants' suitability.

It is important that interview questions relate directly to the critical requirements of the job, are clear and unambiguous and facilitate comparison between applicants. It is best practice to use evidence-based interview questions where the questions are asked of all applicants for comparison. Past experience is an excellent indicator of future performance and behaviour and asking evidence-based interview questions is an effective way to understand how an applicant is likely to perform in a role.

A selection committee may make a selection decision based on Curriculum Vitae, written applications and referee reports only, however, in the absence of any other assessment method being used, this should only be applied in exceptional circumstances and applicants must be advised of this in the advertisement for the vacancy.

For further information relating to assessment methods, please refer to:

Tool 7 – A Guide to Assessment Methods

For information relating to the development of evidence-based interview questions, please refer to:

Tool 8 – Examples of Evidence-based Interview Questions

Conduct Referee Checks

While it is not mandatory to conduct referee checks, it is highly recommended that the selection committee use this mechanism to substantiate the evidence provided by the applicant during the earlier stages of the recruitment process. Referee checks can be used to obtain information from a previous manager or supervisor regarding an applicant's work history, and to confirm how the applicant has performed in the past. Typically, referee checks are conducted during the final stages of the selection process, unless required to be prepared in advance, by selection committee members. Referee Reports can be written (confirmed and signed by a previous manager/supervisor and acknowledged by the applicant) or verbal, however verbal reports should be captured in writing and confirmed by the manager/supervisor and acknowledged by the applicant to ensure right of reply is available if the report is adverse. Where no other assessment methods, like interviews, have been used, and the selection decision is being made only on application and referee checks, it is highly encouraged that two referee checks are conducted. Directorates may have different requirements around this, so please seek advice from your HR team.

Should the selection committee decide to use referee checks, it is best practice to seek referee comments for at least the highest ranked applicant. There is no requirement to seek referee comments for all applicants that are interviewed/assessed, however if there are several applicants that are highly ranked after interview/assessment, it is advisable to seek referee comments from at least one referee for each applicant. The comments obtained from referees can sometimes assist the selection committee with making a final decision between the top-ranked applicants. If the selection committee does not believe that an applicant is in contention for the position, they are not required to obtain referee comments.

Stage 5: Selection

Following the assessment of applicants, the selection committee will then evaluate the information gathered in Stage Four to decide on the preferred applicant/s and make a recommendation to the delegate. All selection committee members should:

- participate equally in the decision making process
- consider all information obtained through the various selection methods used
- make judgments based only on how well applicants meet the requirements for the job regarding current skills, knowledge and behavioural capabilities against the criteria.

Selecting the best applicant/s

The best practice approach to making a recruitment decision is to consider all aspects of the assessment process and score applicants according to merit. The selection committee should agree on a score for each applicant for each of the capabilities which were assessed. Suitable applicants can then be selected by comparing them on their overall scores, which is the sum of all the capability scores. To ensure fairness and clarity, all selection committee members must use the Recruitment

Rating Scale. Each member of the selection committee should summarise how well each applicant meets the requirements of the position. Then, as a group the selection committee must:

- discuss the reasons for any differences in the assessment of applicants
- fill any information gaps (e.g. through further referee checks or additional interviews or other assessments)
- rate each applicant against each capability using all available information
- based on these ratings, decide which applicants are Suitable for the job and which are Unsuitable.

Ranking methods – Order of Merit List and Merit Pool

There are two ways to rank multiple suitable applicants:

- **Order of Merit:** Either rank the suitable applicants in an order of merit, i.e. from the highest overall score to the lowest overall score. If applicants are ranked on an order of merit List, the applicant with the highest score has to be offered the position first. Then the next one down on the list if there is another position etc. If this merit list is tapped into for future positions, the merit list order still has to be adhered to, i.e. the highest scoring available applicant gets made an offer first.
- **Merit Pool:** Another option is to list all suitable applicants in a merit pool. These applicants are all equally suitable, despite there being a difference in their overall scores. Any of these applicants can be made offers. This needs to be clearly stated on the selection report. This method is often used for bulk recruitment rounds, but can also be used for ordinary recruitment.

Orders of merit and merit pools are valid for 12 months from the date that the delegate approves the selection committee report. Directorates can contact Shared Services Recruitment to access current orders of merit and merit pools. To select someone at a later date within 12 months from an order of merit or merit pool, Directorates should complete a Fill Identical Vacancy form.

As part of this process, the selection committee should consider all the requirements for the position, including possible future requirements, in order to determine who will be most suitable.

Selection Committee Report

Selection committees submit their selection documents, using the online [Selection Report](#). A hardcopy selection committee report is available if committee members are unable to access the Shared Services website.

The Selection Report conveys the selection committee's recommendation and should provide enough information for the delegate to make an informed decision. The chairperson usually writes the Individual Assessments and Comparative Assessments which are attached to the Selection Report; however, a scribe may be engaged to scribe the interviews and can also be asked to prepare the Assessments on behalf of the chairperson. It remains the responsibility of the chairperson and panel members to ensure that the documents accurately reflect the information collected during the selection process and the panel's decision.

All members of the selection committee, as well as the Delegate, must agree to and sign or electronically approve the Selection Report (except where a selection committee member submits a minority report). For the purposes of review, the Selection Report should demonstrate that

applicants have been provided with natural justice and the opportunity to see that the selection decision was based on the requirements of the position and an open, unbiased merit assessment of all applicants. Should the Delegate decide to make a different decision than the one recommended by the Selection Committee in the Selection Report, it is their responsibility to justify and document their reasons.

Shared Services Recruitment requires that the following documents are completed, submitted and approved in order to appoint and/or promote the selected applicant/s:

- An individual assessment for each applicant who was interviewed
- Comparative assessment
- Updated schedule of applicants (shortlisted and non-shortlisted)
- Any applications not received by Shared Services Recruitment
- Completed referee reports (if obtained)
- Certified true copies of mandatory qualifications/registrations where these are required elements of the assessment methodology
- Evidence of potentially excess or excess officer assessment if this was required
- Evidence of applicant advising of their withdrawal if this occurred
- Copies of letters for non-shortlisted applicants (if the committee dispatched these)

Please refer to the Recruitment Checklist to assist you with collating the necessary documentation, which can be accessed [here](#) on the Shared Services website.

Minority Report

Any Selection Committee member in disagreement with the final recommendation can prepare a minority report detailing their disagreement. A minority report must be submitted to the delegate with the Selection Report and associated documentation.

Delegate Decision

It is the delegate's responsibility to consider the recommendation(s) contained within the Selection Committee Report, including the comparative and individual assessments submitted by the selection committee, and make the formal decision whether or not to appoint, promote, transfer or engage the recommended selected applicant/s. As discussed in the 'Roles and Responsibilities' section of this guide, the delegate has the authority to, for appropriate reasons, reject a selection committee's recommendation, providing this is adequately justified and documented.

Once the Delegate has approved the Selection Committee's recommendation and signed or approved the Selection Report, the Directorate can proceed to appoint, promote, transfer or engage the selected applicant.

Confidentiality

Selection committee members must not discuss the content of the report or the decision with applicants or anyone else until after the Delegate has approved the Selection Committee's recommendation and signed/approved the Selection Committee Report and the decision has been

formally announced. Care must be taken to ensure the confidentiality of the Selection Report, interview notes, electronic records or other documents relating to any recruitment process. These records must be stored securely at all times. This includes not storing documents in locations which may be accessed by unauthorised employees.

Providing Feedback to Applicants

The chairperson or other members of the Selection Committee must provide feedback to any applicant who seeks it. Feedback should only be provided to applicants after the Delegate has signed the Selection Committee Report. Providing feedback offers an opportunity for applicants to receive authentic, constructive advice, giving them the opportunity to understand their strengths and weaknesses and identify development needs that may assist them in future selection processes. Providing feedback also helps to prevent inaccurate views or rumours.

It is especially important that feedback is provided to internal staff from within the work area who were unsuccessful (not short-listed, interviewed or selected). This will assist them in assessing areas for improvement, and ensure that their motivation and confidence is maintained, and the morale of the work area is sustained. Feedback should be related to the evidence collected during the recruitment process only, and should not include feedback on general work performance.

The chairperson is responsible for providing feedback, but may nominate another member of the selection committee to undertake the process. Feedback may be sought at the conclusion of the recruitment process, or when an applicant is:

- not short-listed: detailed feedback is generally not provided to applicants who were not short-listed, unless specifically requested by the applicant. However, if the applicant is from within the business unit, the chairperson or committee member should provide feedback; or
- not selected after interview: chairperson or selection committee member should provide verbal or written feedback (in the form of their individual assessment report), regarding the assessment outcome. If verbal advice is being provided, the chairperson or committee member should take care to ensure privacy and confidentiality is maintained.

Feedback should focus on the evidence provided by the applicant during the selection process in relation to the requirements of the position, emphasising the applicant's strengths and where there may be development opportunities or where the applicant can provide more clarity in their application/interview in future applications.

Appeals

Under Section K – *Appeal and Process Reviews of certain recruitment decisions* within the ACTPS Enterprise Agreements, employees may have a right to lodge an appeal in relation to selection decisions involving promotions or temporary transfer to higher duties. Appeal procedures are in place to help ensure transparency and accountability of recruitment processes within the ACTPS. The appeal mechanism applies to:

- decisions about promotion or temporary transfer to a higher office or role (for a period in excess of six months) affecting the officer, where the officer was an applicant for the position, except decisions made on the unanimous recommendation of a JSC
- decisions to promote an officer after acting for a period of twelve months or more in a position at or below Administrative Service officer Class 6 (or equivalent classification).

The appeal period for positions relating to a vacancy at or below an Administrative Service Officer Class 6 (or equivalent classification) closes 14 calendar days from the date the promotion is gazetted.

The promotion takes effect seven days after the appeal period closes unless an appeal is made. If an appeal is made, the promotion will take effect on the latest of the following: three weeks after the day the promotion is notified or the day the appeal is dismissed or lapses.

Process Review

Section K also provides for Process Reviews, where the position advertised is with a pay less than that of a Senior Officer Grade C (or equivalent classification), and some other recruitment decisions. In these circumstances, an application may be made by an ACTPS employee, their union or other employee representative for a process review of the selection process only – the selection decision is not appealable. Further information about process reviews can be found at Section K of the Enterprise Agreements.

It is important that the Selection Committee Report documents all necessary evidence that appropriate processes have been applied in the assessment of applicants. Following sound selection techniques will mitigate against people feeling like they need to appeal or seek a process review into the process. Further information about appeals and process reviews can be found at Section K of the Enterprise Agreements or you can seek advice by contacting your Directorate HR area.

STAGE 6: ENGAGING/ADVISING THE SUCCESSFUL APPLICANT/S

Informing the Successful Applicant/s

When the delegate has made the final decision and signed off on the Selection Committee Report, the chairperson, with approval from the delegate, can contact the successful applicant and inform them of the outcome of the recruitment process.

If the successful applicant is an existing ACTPS employee, the chairperson, with the approval from the delegate, can make the verbal offer and if it is accepted, arrange for the appropriate documentation to be completed and provided to Shared Services Recruitment. Relevant documents can be accessed [here](#).

Where the successful applicant is a new ACTPS employee, the chairperson can make a verbal offer of employment, and discuss details like commencement date and pre-employment requirements. The applicant can also be informed as to when they should expect a formal offer in writing, and ask if the new employee has any other questions. The chairperson should advise the applicant that the offer of employment is dependent upon satisfactory completion of the relevant pre-employment checks and that caution should be exercised where the applicant is resigning from another position prior to the completion of those pre-employment checks.

Pre-employment checks and pre-offers

Prior to commencing employment, all new ACTPS employees must complete a [New Employee Acceptance Pack](#) to confirm that they are eligible for employment. An offer of employment is made to the successful applicant/s on the basis that they satisfy all pre-employment checks relevant to the ACTPS and other identified position specific requirements. Should the successful applicant not pass any of the required pre-employment checks their offer may be repealed.

Under Section 68 of the PSM Act, appointment of officers, the relevant pre-employment checks must be satisfied **prior to appointment** and **should not** be conducted during the probationary period. Directorates should not employ persons in a permanent capacity whilst awaiting these checks to be completed. The only checks that can be conducted during the probationary period are medical checks or checks for non-mandatory qualifications.

Criminal or qualification checks for temporary/casual employees are not legislated, however it is strongly recommended that Directorates confirm the identity of employees and conduct criminal and qualifications checks where appropriate, to manage the ACTPS's risk.

For further information relating to pre-employment checks, please refer to:

Tool 9 – Understanding Pre-Employment Checks

Shared Services Recruitment will make a pre-offer to successful applicants who are not yet an existing ACTPS staff member, which will explain that they may be offered the position subject to satisfactory completion of pre-employment checks. All new starters must complete a police clearance and provide 100 points of identity as part of this check. Pre-employment checks may be required for some existing ACTPS staff if they are moving between Directorates where there are increased requirements, however generally this is not the case and existing staff will only be sent a letter of offer or notification.

Formal Letter of Offer and Notifications

A written letter of offer will be sent by Shared Services Recruitment to any new ACTPS employee following confirmation of the pre-employment checks being completed. The letter of offer will also indicate any applicable period of probation. Existing staff who are being promoted or permanently transferred will receive a Notification.

Salary on Commencement

Under Section C5 of the Enterprise Agreement, a new ACTPS employee, or an employee who is promoted or is approved to perform higher duties, will be employed at the first pay point of the relevant classification level. Exceptions to this may be recommended for approval to the delegate, who may authorise payment of salary at a higher salary point within the classification, particularly if the employee was previously paid at a higher salary point. Recommendations for consideration of payment above base salary may include:

- the qualifications, skills and experience of the applicant, particularly whether the applicant holds specialised skills and experience that are necessary, or would be beneficial, to the position
- the length and nature of the applicant's work experience, and how relevant that experience is to the position
- what sort of immediate contribution the applicant will make to the position, and to the team
- the applicant's present salary and the lowest salary they are prepared to accept
- the competitiveness and availability of the skills in the labour market.

A higher salary of commencement can be recommended as part of the Selection Committee Report or can be completed at a later date separately. If completed later, a higher salary on commencement

can be negotiated on approval by the delegate, and administered by completing the online “Accelerated Incremental Advancement” form located [here](#).

Notification in the ACT Government Gazette

Under Section 29 of the PSM Act, all appointments, transfers and promotions must be notified in the ACT Government Gazette. Where a promotion is non-appealable this information must be included in the notification. Notification in the ACT Government Gazette is arranged by Shared Services Recruitment.

Some recruitment actions, such as temporary transfers (or higher duties) for a period less than six months are not required to be notified in the Gazette. However, where a temporary transfer is appealable (higher duties of six months or more, with a salary at or below an Administrative Service Officer Class 6 or equivalent classification) notification must be placed in the ACT Government Gazette.

Where there is a significant error in a gazette notification, a correct notice must be published in the gazette as soon as practicable.

FREQUENTLY ASKED QUESTIONS ABOUT RECRUITMENT AND SELECTION

The purpose of this section is to provide some quick answers to commonly asked Recruitment and Selection questions in the ACTPS.

Topic	Question	Answer
Filling a vacancy	Do I always have to run a merit-based selection process to fill a vacancy?	In addition to advertising a vacancy and conducting a merit-based selection process, there are other options as detailed in Tool 1: Recruitment Options . Some common alternatives to filling a vacancy include: <ol style="list-style-type: none">1. Place an excess ACTPS employee2. Arrange Permanent or Temporary Transfers (at level)3. Appoint or promote from an existing order of merit within 12 months from the date signed by the Delegate4. Using a temporary employment register5. Utilisation of a recruitment agency via Contractor Central
Excess Employees	Do I have to consider available excess employees?	Yes. Under the Enterprise Agreements, excess and potentially excess employees have absolute preference for transfer to a vacancy at their substantive level (and in exceptional circumstances, below level) and must be considered in isolation from and prior to other applicants for any vacancy within the ACTPS, regardless of how the vacancy was

Topic	Question	Answer
		advertised and whether the excess officer was referred, or subsequently applied for the position.
Advertising	How do I advertise for an identified position?	<p>You may decide, for workforce strategy reasons, it is beneficial to classify a particular position as identified. This means the position will be reserved for a particular group of people.</p> <p>An applicant of a certain background may add depth or value to the position or workplace. For example, you may decide to recruit to an identified position for a specific group such as People with Disability or Aboriginal and Torres Strait Islander People.</p>
Advertising	Do I have to advertise all positions on the JobsACT website?	<p>It is a legislative requirement that all permanent ACTPS vacancies and temporary vacancies 6 months or longer are advertised in the ACTPS Gazette, which is the JobsACT website.</p> <p>It is recruitment best practice to advertise your vacancy on other employment websites, such as SEEK. This ensures that you are also attracting the talent in the external labour market. It may also be beneficial to do more targeted advertising - seek advice from Shared Services Recruitment. They will assist you in determining the most effective and appropriate means of advertising for your specific vacancy.</p>
Selection committee	What are the guidelines regarding choosing a selection committee?	<p>It depends on the temporary vs permanent nature of the position. For a prescribed selection process (see Tool 1: Recruitment Options), there is a requirement that a selection committee must consist of at least three public servants, a chairperson who should be at least one substantial classification above the classification of the vacancy and two other selection committee members either at or above the classification level of the vacancy.</p> <p>Labour Hire staff or staff below the classification level of the vacancy who possess specialist skills, experience or qualifications that are relevant to the position can be selection committee members if prior approval is provided by the relevant Delegate.</p> <p>To ensure diversity of thought in the decision-making process, it is good practice to include gender diversity on a selection committee where possible.</p>
Short-listing	Can I shortlist or select applicants who have no relevant experience?	All selection processes should focus on the specific skills, knowledge and behavioural capabilities which are genuinely required to perform the duties of the position.

Topic	Question	Answer
		<p>For example, a senior ACTPS Project Manager role may require proven skills and knowledge in project management, but may not require specific experience in Government.</p> <p>In certain circumstances, it may be appropriate to consider an applicant's potential to meet the job requirements, and develop with the right kind of support and training. The same consideration must fairly be given to all applicants.</p>
Interviews	To fulfill the merit principle, must I always include interviews as part of the selection process?	<p>Although structured, Evidence-based interviews are still the most commonly used assessment method, there is no legislative requirement to include interviews in a recruitment process.</p> <p>The suitability and value of conducting interviews is contextual and depends on the type of vacancy being filled.</p> <p>Evidence-based interviews are a good way to assess behavioural capabilities, such as communication skills as well as technical knowledge. It provides the selection committee with an opportunity to meet applicants; and provides the applicants with an opportunity to present their capabilities and suitability for the role in their own words. They also provide a consistent, standardised manner by which to assess applicants.</p> <p>There are several assessment methods that may be used by a selection committee to assess applicants, including online assessments, practical tests or assessment centres. Selection committees should consider which method will most adequately identify the most suitable applicant for the position.</p>
Interviews	Are interviews always the most effective way of assessing the suitability of applicants?	<p>No selection technique or method on its own is 100% accurate in identifying whether or not an applicant will perform well in a particular role.</p> <p>For example, an applicant's written application may be of a high standard because they have received assistance writing it, or their interview performance may be negatively affected by anxiety, which may not provide an accurate picture of their job performance potential.</p> <p>To increase the likelihood of selecting an applicant who possesses the right skills, knowledge and behavioral capabilities to be successful in the position, it is important to choose a selection</p>

Topic	Question	Answer
		<p>option/s that are relevant to the requirements of the role.</p> <p>It is important not to over-emphasise the value of a particular selection method. Merit is more properly assessed by a fair and balanced consideration of all evidence supporting the applicant's capabilities against the selection criteria.</p>
Interview questions	During interviews, do I need to ask all applicants exactly the same questions?	<p>If you are conducting Evidence-based interviews as part of your merit-selection process, ensure that all applicants are presented with the same set of core questions.</p> <p>This provides each applicant with an equal opportunity to present evidence from their past experience.</p> <p>However, it may be necessary to ask additional or prompt questions of some applicants to clarify their responses, or seek further information. You may need to ask different applicants different prompt questions. If you don't, it may be difficult to properly assess an applicant, thus disregarding the merit principle.</p>
Referee Checks	When are referee checks required?	<p>If the Selection Committee has ascertained that an applicant may be in contention for the position, a Referee Check should be obtained.</p> <p>At a minimum, referee comments should at least be obtained for the highest ranked applicant. If there are several applicants that are highly ranked after interview/assessment, Referee comments should be sought from at least one referee for each applicant. This additional information may assist the panel with their decision.</p>
Referee Checks	Do verbal referee comments need to be documented?	<p>If verbal referee comments are sought, the comments should be recorded and read back to the referee for their agreement and signature.</p>
Referee Checks	Should Referee Checks include ratings?	<p>In most recruitment circumstances, if ratings are provided by a referee, they should not be added to the overall scores to determine suitability. Doing so can give an unreliable result when determining an applicant's suitability, as Referee Checks are subjective assessments.</p> <p>Referee comments should confirm an applicant's work history and can include examples to corroborate the evidence provided by the applicant during their application or at interview.</p>

Topic	Question	Answer
Referee Checks	Can an applicant's manager or supervisor be a referee if they are on the selection committee?	<p>Any selection committee member that is listed as a referee for an applicant should declare this as soon as they are made aware of the fact.</p> <p>Where a member of the selection committee is providing a reference for an applicant, this reference must be in written form and be finalised and signed prior to the commencement of the short-listing stage.</p>
Selection	Are Selection Committee members obliged to declare any potential or perceived relationships they have with any of the applicants?	<p>There is an inherent requirement in the Public Sector Conduct, Section 9 of the PSM Act for public servants to take all reasonable steps to avoid a conflict of interest and to declare or manage a conflict of interest that cannot reasonably be avoided.</p> <p>To ensure transparency and fairness, all selection committee members must declare any relationships they may have with applicants.</p> <p>Some Directorates have included a formal requirement, such as a Declaration of Impartiality, in their recruitment processes. Please consult with your Directorate HR team.</p>
Reasonable Adjustments	What reasonable adjustments do I need to make if I employ a person with disability?	<p>The ACTPS has legislative obligations to ensure that all employees and potential employees can participate fully in all aspects of employment.</p> <p>The principles and application of reasonable adjustment applies to all stages of employment including recruitment, selection, induction, training and career development, participation in projects and committees and return to work following an injury.</p> <p>What is considered 'reasonable' will depend on the facts and circumstances of each particular situation. Some examples of reasonable adjustment for an individual with disability or injury may include:</p> <ul style="list-style-type: none"> • job redesign; • job sharing; and/or • workplace modifications (such as providing voice activated software for someone who has a physical impairment or injury or providing increased font size in documents for an individual with vision impairment). <p>There is Australian Government funding available for reasonable adjustments. For further information about funding for reasonable adjustments you should speak with your Directorate HR area.</p>

Consultation

This policy was consulted with the Human Resources Council (HRC), Unions, Workforce Capability and Governance, Shared Services Recruitment, and the Head of Service.

References

The relevant legislation, policy and employment arrangements underlying this operational guidance are:

- *Public Sector Management Act 1994 (PSM Act)*
- *Public Sector Management Standards 2016 (PSM Standards 2016)*
- Enterprise Agreements
- *Fair Work Act 2009 (Cwlth)*
- *Human Rights Act 2004 (ACT)*
- *Working with Vulnerable People (Background Checking) Act 2011*
- *Discrimination Act 1991 (ACT)*
- *Disability Discrimination Act 1992 (Cth)*
- *Human Rights Commission Act 2005 (ACT)*

Review

This policy will be reviewed 3 years from the last issued or reviewed date, or earlier where there are changes that affect the operation of the policy.

Document name: ACTPS Recruitment Policy and Guidelines	Prepared by: Assistant Director, Industrial Relations and Public Sector Employment, Workforce Capability and Governance, CMTEDD
Policy Number: 3/2020	Feedback to: eba@act.gov.au
Issue Date: 24 March 2022	Review Date: 13 May 2024

Approval Authority

Dr Damian West
Deputy Director-General
Workforce Capability and Governance Division
Chief Minister, Treasury and Economic Development Directorate
On behalf of the Head of Service
May 2021



WORKFORCE CAPABILITY AND GOVERNANCE,
CMTEDD

May 2021