

DIRECTIVE

(refer Section 34 of the *Public Service Act 1996*)

No: 1 / 0 3

**Supersedes:
5/97, 8/98, 10/98, 30/99**

1. TITLE: Recruitment and Selection

2. PURPOSE:

To specify the requirements applying to the recruitment and selection of public service employees.

3. LEGISLATIVE PROVISION:

Public Service Act 1996 - Sections 24, 33, 34, 51, 77, 78

4. APPLICATION:

(a) This Directive applies to -

- (i) public service officers, including Senior Executive and Senior Officers¹, unless otherwise stated;
- (ii) temporary employees engaged under section 113 of the *Public Service Act 1996*, unless otherwise stated; and
- (iii) general employees engaged under section 112 of the *Public Service Act 1996*, unless otherwise stated.

(b) This Directive does not apply to the recruitment and selection of chief executive officers.

5. EFFECTIVE DATE: 2 June 2003

6. DIRECTIVE:

6.1 Selection to be based on merit

(a) The selection of an eligible person for appointment or secondment as a public service employee must be based on merit alone, as defined in section 78 of the *Public Service Act 1996*, unless otherwise specified in the *Public Service Act*, this Directive, or any other Directive.

(b) Exemptions to appointment on merit are contained in sections 6.12 to 6.16 of this Directive.

6.2 Job descriptions

(a) A job description must be used for each vacancy detailing as a minimum –

- purpose of the role;
- duties/outcomes; and
- responsibilities of the role and the basis against which the relative merits of applicants are to be assessed.

¹ In addition to this Directive, the recruitment and selection of Senior Executive Officers and Senior Officers is also subject to rulings issued by the Public Service Commissioner.

- (b) In addition, the job description must include where applicable, a statement about -
- (i) any pre-employment history checking requirements that may be undertaken; and
 - (ii) any probationary period to which the appointment may be subject.
- (c) "Mandatory" qualifications can be included in a job description only when it is essential for the occupant of that role to hold such qualifications in order to comply with an Award provision, or to satisfy legal, accreditation or registration requirements.

6.3 Job evaluation

- (a) Where relevant to the award structure, each job must be evaluated utilising a job evaluation methodology approved by the Public Service Commissioner to determine the relative worth of each job.
- (b) Unless otherwise approved, the job evaluation methodology to be utilised as "approved by the Public Service Commissioner" is the Queensland Public Sector Job Evaluation Management System (JEMS).

6.4 Job vacancies to be advertised in the *Gazette*

- (a) Subject to the provisions of section 77 of the *Public Service Act*, this Directive and other Directives, job vacancies must be advertised as widely as practicable to ensure a competitive pool of applicants for consideration.
- (b) Vacancies for public service officer roles must be advertised in the *Gazette* and on the *Queensland Government Jobs Online* website. As a minimum, vacancies must be advertised for a period of two calendar weeks exclusive of public holidays.
- (c) The notification is to include:
- a vacancy reference number;
 - a job title;
 - the name of the agency;
 - the centre at which the appointee is to be located;
 - the remuneration applicable;
 - the applicable classification level;
 - the closing date and time for receipt of applications;
 - the address to which applications should be forwarded;
 - the type of vacancy - tenured, temporary, full-time, part-time or contract; and
 - any other relevant information.
- (d) There is no need to advertise the following vacancies in the *Gazette* and *Queensland Government Jobs Online*:
- (i) designated to be in a Ministerial office;
 - (ii) subject to an industrial determination by which the salaries, duties and designation of the job are modified;
 - (iii) at a base-grade level²;
 - (iv) to be filled in compliance with a progressional scheme contained within an industrial determination;
 - (v) to be filled under a progressional scheme or other scheme subject to an agreement between the relevant industrial organisation of employees and the chief executive and approved by the Public Service Commissioner;

² Base grade level means – AO1/2; TO1/2; PO1/2, OO1/2 and OO3 only

- (vi) to be filled on a temporary basis where the period will not exceed 12 months;
- (vii) to be filled on secondment or transfer at level only;
- (viii) to be filled on secondment to a higher level where the period will not exceed 12 months;
- (ix) to be filled by the promotion of an officer who has been redeployed within 1 year before the promotion and the promotion is to a classification level that is not higher than the officer's substantive classification level immediately before their redeployment;
- (x) to the office of a Chief Executive under Part 5, Division 2 of the *Public Service Act*;
- (xi) a vacancy which has been previously advertised and an appointment made but has subsequently become vacant within a period of three (3) months from the initial date of notification of appointment in the *Gazette*;
- (xii) to be filled in accordance with sections 6.13 to 6.16 of this Directive.

6.5 Recurring and identical vacancies

- (a) A job advertisement for a vacancy (other than a senior officer or senior executive), may include a note that applications remain current for up to 12 months after initial advertisement where identical or recurring vacancies are expected to become available in this time and re-advertising is determined to be unlikely to vary the quality of the existing applicant pool.
- (b) As a minimum, recurring and identical vacancies must share the same job description, including classification level and geographic location.
- (c) Applications received during the period but after the initial closing date must be assessed for consideration of future vacancies.

6.6 Selection tools

- (a) Selection tools are to be clearly relevant to the responsibilities and requirements of the role and the skills required to competently perform it.
- (b) Selection tools must be reliable, valid and culturally appropriate, fair, unbiased and cost-effective to the filling of the vacancy concerned.
- (c) Over reliance on information obtained from any one selection tool is to be avoided. As a minimum, a combination of two selection techniques must be used in determining the merit of an applicant.
- (d) Selection tools include, but are not restricted to: short listing based on information provided in applications, curricula vitae, resumes and written statements from applicants; structured interviews; standardised achievement, aptitude and ability tests; role plays; job simulations; work samples; work performance and job knowledge tests; in-tray exercises; group assessment exercises and activities; and case study presentations.
- (e) Referee checks are to be used for confirmation and verification of an applicant's claims. In this regard they may be used as a moderation assessment tool by a selection panel, however referee checks must not be scored separately as a selection tool.

6.7 Referee checking

- (a) Referee checking must be undertaken for at least the preferred applicant.
- (b) Referee checking includes seeking employment related information about an applicant from present or past supervisors and other people with a direct knowledge of the applicant's work behaviour or performance. Referee checks are also used to explore, clarify and verify information provided by the applicant in their application or at an interview.
- (c) Referees are obliged to disclose all information known to them that is relevant to the responsibilities and duties of the advertised vacancy.
- (d) Applicants must be given an opportunity to respond to any unfavourable or adverse referee comments and any such response must be taken into consideration when evaluating the merit of the applicant.
- (e) Referees must be advised of the panel's duty to disclose unfavourable or adverse comments to applicants.

6.8 Selection committees

- (a) A selection committee for job vacancies at the ACO³ level and below must contain a minimum of two people and is collectively responsible for:
 - (i) understanding the requirements of the vacancy;
 - (ii) understanding the principles of employment equity, anti-discrimination and natural justice and the relevant legislative requirements including this Directive;
 - (iii) having the skills necessary to conduct an objective, valid and fair assessment of each applicant's merit using an appropriate combination of selection tools;
 - (iv) using selection methods that provide for transparent, effective, and bias free decision making;
 - (v) conducting an objective, valid and fair assessment of suitability where a registered deployee³ or a surplus Departmental employee has applied for an advertised vacancy at their substantive classification level or below, prior to considering other applicants;
 - (vi) conducting assessments of suitability of registered deployees and surplus Departmental employees in accordance with the provisions of relevant Directives and/or guidelines;
 - (vii) making a selection recommendation to the chief executive or delegate that is capable of withstanding independent scrutiny and assessment; and
 - (viii) ensuring there is no conflict of interest, real or apparent arising from the selection decision.

6.9 Pre-employment checks

- (a) Pre-employment checks of preferred applicants may include checking of criminal history, identity or previous discipline history.
- (b) Pre-employment checks of preferred applicants may be done only in accordance with legislative provisions or Directives issued by the Public Service Commissioner.

³ A "registered deployee" is a surplus employee who has been registered with the Office of the Public Service Commissioner.

6.10 Post selection feedback

- (a) All applicants are to be offered a timely opportunity to receive factual, constructive and sensitively conveyed feedback about the selection process from a member of the selection committee.
- (b) Feedback can be provided either verbally or in writing at the discretion of the selection committee member.
- (c) The feedback given is to be based on an accurate and unbiased summary of the reasons for selection or non-selection in terms of the applicant's strengths and areas for improvement against the role-related assessment criteria and gaps identified in comparison with the selected applicant.

6.11 Documentation of decisions

- (a) Documentation of a selection decision must clearly explain the decision making process and be in a form that allows it to be reviewed.
- (b) Selection documents must be maintained for a minimum period of twelve (12) months from the date of gazettal of the appointment.
- (c) Confidentiality of selection documentation is to be maintained.

6.12 Exemptions to appointment on merit

- (a) It is not mandatory that appointments to the following jobs be based on merit:
 - (i) a job that is designated to be in a Ministerial office;
 - (ii) a secondment or transfer at the same classification level;
 - (iii) a job to be filled by the promotion of a registered deployee or a surplus Departmental employee within one year of the deployee being redeployed to a lower classification level, and the promotion is to a classification level that is not higher than the employee's substantive classification level immediately before their redeployment;
 - (iv) a job that has had its salary, duties and designation modified by an award, certified agreement or industrial agreement;
 - (v) a job under a progressional scheme contained in an award, certified agreement, industrial agreement or determination made under section 149 of the *Industrial Relations Act 1999*;
 - (vi) a secondment to a higher classification level where the period is not to exceed 12 months;
 - (vii) a temporary engagement where the period is not to exceed 12 months; and
 - (viii) a job, promotion, appointment or circumstance as defined in sections 6.13, 6.14, 6.15 and 6.16 of this Directive.
- (b) Paragraph (a) (iii) does not apply to senior executive or senior officer roles.
- (c) The application of an "exemption to appointment on merit" scheme for a group of jobs under a *proposed progressional scheme* is subject to an agreement between the relevant industrial organisation of employees and the chief executive and the Public Service Commissioner or the chief executive of the Department of Industrial Relations.

6.13 Promotion following job evaluation resulting in a higher classification level.

- (a) This section does not apply to senior officer or senior executive roles.
- (b) A chief executive may decide to apply “exemption to appointment on open merit” to the promotion of a substantive occupant of a job that is evaluated at a higher classification level where all of the following conditions are met:
 - (i) the substantive occupant is a public service officer who was selected for appointment on open merit to the job in accordance with sections 77 and 78 of the *Public Service Act*, and the provisions of this Directive or any Directive that applied to appointments at the time the appointment was made; and
 - (ii) the substantive occupant has undertaken the job in question for a continuous period⁴ of two years or more, during which time the cumulative effect of incremental changes is such that the duties, functions and responsibilities of the job are now assessed as having changed substantially and the employee concerned has been objectively assessed as meeting the agreed performance objectives of the higher classification level that now applies to the job in question; and
 - (iii) the promotion supports and facilitates the development of necessary organisational capabilities and achievement of agency business outcomes.
- (c) The date of effect of the promotion shall be no earlier than the date of approval of the reclassification.
- (d) An officer who is promoted to a higher classification level in accordance with this section is not eligible for a further promotion under the provisions of this section in the event that the job in question is again evaluated at a higher classification level.
- (e) Notice of any appointment made in accordance with this section is to be published in the *Gazette*.
- (f) Chief executives are to keep a record of the number, type and classification level of appointments that are made in accordance with this section each financial year. For audit and reporting purposes, these records are to be retained for at least twelve (12) months from the date of approval of promotion.

6.14 Promotion following secondment to a higher classification level.

- (a) This section does not apply to senior officer or senior executive roles.
- (b) A chief executive may decide to apply “exemption to appointment on open merit” to promote a public service officer following secondment to a higher classification level, where all of the following conditions are met:
 - (i) the current occupant is a public service officer who was selected for the secondment on open merit to the job in accordance with sections 77 and 78 of the *Public Service Act*, and the provisions of this Directive or any Directive that applied to appointments at the time the appointment was made; and
 - (ii) the officer has assumed the full duties and responsibilities of the job in question for a continuous period of two years⁵ or more and has been objectively assessed as meeting the agreed performance objectives of the higher classification level; and

⁴ A continuous period includes paid or unpaid leave. However, unpaid leave periods greater than three (3) months do not form part of the continuous period of two years.

⁵ See previous footnote specifying two year period.

- (iii) the promotion supports and facilitates the development of necessary organisational capabilities and achievement of agency business outcomes; and
 - (iv) ongoing budgetary provision is available.
- (c) Notice of any appointment made in accordance with this section is to be published in the *Gazette*.
- (d) Chief executives are to keep a record of the number, type and classification level of appointments that are made in accordance with this section each financial year. For audit and reporting purposes, these records are to be retained for at least twelve (12) months from the date of approval of promotion.

6.15 Appointment of a temporary employee to tenured status at level and appointment of a trainee to tenured base-grade employee status.

- (a) A chief executive may appoint a temporary employee⁶ to tenured status at level, or a trainee⁷ to base-grade in the following circumstances:
- (i) the employee was selected for appointment on open merit⁸ to the job in accordance with sections 77 and 78 of the *Public Service Act*, and the provisions of this Directive or any Directive that applied to appointments at the time the appointment was made; and
 - (ii) the employee concerned has been engaged in the job in question for a continuous period of two years⁹ (this period of time does not apply to base-grade employees or trainees); and
 - (iii) the employee concerned has been objectively assessed as satisfactorily meeting all of the agreed performance objectives of the role; and
 - (iv) existing registered employees and surplus Departmental employees have been provided with an opportunity to express an interest in positions (other than base grade positions) in accordance with provisions contained in Directives and guidelines about deployment and redeployment; and
 - (v) the appointment supports and facilitates the development of necessary organisational capabilities and achievement of agency business outcomes; and
 - (vi) there is the likelihood of continuing work being available for the temporary employee or trainee; and
 - (vii) ongoing budgetary provision is available.
- (b) The appointment of a trainee may occur immediately following successful completion of the traineeship to ensure continuity of service.
- (c) Where it is considered that more than one person may meet the requirements of a position to which a permanent appointment is intended, the chief executive officer may give consideration to a closed merit selection process.
- (d) Chief executives are to keep a record of the number, type and classification level of appointments that are made in accordance with this section each financial year. For audit and reporting purposes, these records are to be retained for at least twelve (12) months from the date of approval of promotion.

⁶ Requirements concerning the employment of temporary employees are detailed in other Directives and guidelines and are to be referred to in conjunction with the application of this Directive.

⁷ 'Trainee' means a person defined as such in the *Training and Employment Act 2000* or any successor legislation.

⁸ 'Open merit' includes base grade administrative employees engaged under the provisions of SOA 200 or any successor SOA and trainees engaged in accordance with trainee provisions.

⁹ See previous footnote specifying two year period.

6.16 A group of jobs that are subject to an agreed closed merit scheme

- (a) A closed merit scheme refers to a merit selection exercise where the applicant pool for a group of vacancies is restricted through limited advertising or notification to a certain group or groups of existing staff in an agency or from within a number of agencies.
- (b) A chief executive may consider implementing a closed merit scheme under this section to minimise potential displacement of existing tenured public service employees and/or to minimise, as far as is possible, any disruption to the workforce that may result from:
 - an approved organisational restructure; or
 - machinery of government changes
- (c) All proposals for closed merit schemes must be agreed to by the chief executive and the relevant industrial organisation of employees and have the approval of the Public Service Commissioner or the chief executive of the Department of Industrial Relations.
- (d) Documentation of closed merit schemes agreed to must clearly explain the decision making process, and be in a form that is capable of withstanding independent scrutiny and assessment.
- (e) For audit and reporting purposes, documentation is to be retained for at least twelve (12) months from the expiry date of the relevant appeal period applying to the last appointment made under the scheme.
- (f) There is no requirement to consider existing registered deployees or surplus departmental employees as part of a closed merit scheme where such consideration would result in the displacement of other tenured employees.
- (g) Closed merit schemes that concern temporary employees will not be approved unless an opportunity has been given for surplus departmental employees and registered deployees to be considered on suitability grounds in the first instance.

6.17 Exemption

The Public Service Commissioner may exempt specific jobs or categories of jobs or agencies from specific parts of this Directive.

6.18 Transition

If a position had been advertised, but recruitment and selection action had not been finished, under the Directives superseded by this Directive, namely –:

- 5/97 Recruitment and Selection
- 8/98 Notification of proposed appointments (advertising vacancies)
- 10/98 Exceptions to appointment on merit
- 30/99 Conversion of temporary base-grade public service employees and trainees to tenured status

the action may be finished under those Directives as if they had not been repealed.