

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 2008* – sections 27, 28, 29, 30, 53, 98, 119, 120, 126, 147 and 148.

4. Application:

(a) This directive applies to:

- (i) public service officers, including senior executive and senior officers, unless otherwise stated
- (ii) temporary employees engaged under section 148 of the *Public Service Act 2008*, unless otherwise stated, and
- (iii) general employees engaged under section 147 of the *Public Service Act 2008*, unless otherwise stated.

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

(c) This directive does not apply to the recruitment and selection of casual employees.

5. Effective date: 12 February 2010

6. Definitions:

For the purpose of this directive the following definitions apply:

“Agency”

- a department or public service office as defined in the *Public Service Act 2008*.

“Appoint”

- appoint an officer or employ a tenured general employee.

“Entry-level roles”

- in relation to the *Queensland Public Service Award – State 2003* are those roles at classification levels 1 and 2 of the administrative, technical, professional and operational streams. A role at classification level 3 of the operational stream may also be considered entry-level where the role does not represent a career path for staff of the agency and the role has no supervisory responsibility.
- in relation to other industrial instruments, are the lowermost classification level of a specific stream or classification structure, provided that the base superannuable salary

of that classification level (not including loading or allowances) does not exceed the equivalent of AO5(4) of the *Queensland Public Service Award – State 2003*.

- for roles that exceed the salary equivalent of AO5(4) of the *Queensland Public Service Award – State 2003*, entry-level roles are the base classification level or levels determined by the chief executive and approved by the Director-General of the department administering the *Industrial Relations Act 1999*.

“Gazette”

- is the *Queensland Government Gazette*.

“Identified position”

- is a position in relation to which it is lawful to discriminate in favour of a person possessing one of the attributes set out in section 7 of the *Anti-Discrimination Act 1991* for any of the purposes contained in sections 25, 104 or 105 of that Act.

“Promotion”

- is defined according to Schedule 4 of the *Public Service Act 2008* as the employment of a public service officer at a higher level other than temporarily.

“Public service employee”

- is defined according to section 9 of the *Public Service Act 2008* as a public service officer, or a general or temporary employee.

“Vacancy”

- is a role for which an incumbent is being sought.

7. Provisions:

7.1 Role evaluation

- (a) Where relevant to the award structure, role evaluation for the purpose of determining the work value and applicable classification level will be undertaken according to a role evaluation methodology approved by the Director-General of the department administering the *Industrial Relations Act 1999*. This also applies to levels 1 and 2 of the administrative and operational streams of the *Queensland Public Service Award – State 2003*. However, levels 1 and 2 of the professional and technical streams are not required to be evaluated because, by definition, these levels exist for the purpose of fulfilling prerequisite education and training prior to appointment to the level of practising professional or technical officer at level 2.
- (b) Unless otherwise approved, the role evaluation methodology to be utilised is the Queensland Public Sector Job Evaluation Management System (JEMS).

7.2 Role description

- (a) A role description used for recruitment and selection purposes need not contain the same level of detail as a role description used for role analysis, role evaluation or performance planning purposes.
- (b) A role description for the purpose of recruitment and selection must be applicant friendly and outline, clearly and simply:
 - (i) the current context in which the role exists

- (ii) the key duties of the role
 - (iii) the key attributes against which applicants will be assessed. These will include the abilities, aptitude, skills, knowledge, experience and personal qualities required for performance in the role and must reflect the core capabilities of the Queensland Public Service Capability and Leadership Framework, or equivalent framework; and
 - (iv) any mandatory qualifications.
- (c) Mandatory qualifications can be specified only when it is essential for the occupant of a role to hold such qualifications in order to comply with an industrial instrument or to satisfy legal, accreditation or registration requirements.
 - (d) Applicants must be informed of mandatory qualifications, as well as any mandatory conditions and requirements, for employment in a role. Mandatory conditions and requirements can include, but are not limited to, mandatory attributes required for appointment to an identified position, certain classes of drivers' licence, statutory restrictions, any requirement for the appointee to undertake regular travel, and transfer to other Queensland locations.
 - (e) Applicants must be informed of any type of pre-employment checking, including discipline history, that will be undertaken and any probationary period which may apply.
 - (f) Applicants must be informed that newly-appointed public service employees are obliged to provide their chief executive, within one month of starting duty, a disclosure of employment as a lobbyist in the previous two years, as per the *Disclosure of Previous Employment as a Lobbyist Policy*.

7.3 Vacancy advertising - general

- (a) Subject to the provisions of sections 7.4 and 7.5, vacancies for public service officer and temporary officer roles above entry level, including senior executive and senior officer roles, must be advertised on the Queensland Government *Smart jobs and careers* website for no less than two calendar weeks exclusive of public holidays and the Christmas-New Year closure period.
- (b) The vacancy advertisement under 7.3 (a) is to include:
 - (i) a vacancy identifier
 - (ii) a role title
 - (iii) the name of the employing agency or potential range of employing agencies
 - (iv) the centre/location or potential range of centres/locations at which a role is to be employed
 - (v) the remuneration applicable
 - (vi) the applicable classification level
 - (vii) notification if the position is an identified position and any mandatory attributes required for employment
 - (viii) the closing date and time for receipt of applications unless vacancies are to be filled from a continuous applicant pool
 - (ix) how applicants are to lodge their application; and
 - (x) the basis of employment of the vacancy: permanent, temporary or contract; full-time or part-time.

- (c) For general employee vacancies chief executives may determine the type and extent of advertising required to attract a sufficient pool of applicants.
- (d) A permanent vacancy is deemed to have lapsed if a permanent appointment has not been made within 12 months of the closing date of the vacancy. Outside this timeframe the vacancy may continue to be filled on a temporary basis or the vacancy may be filled through direct appointment according to the provisions of sections 7.15 and 7.16 of this directive. Otherwise the role is required to be re-advertised in order to make a permanent appointment.

7.4 Vacancy advertising – targeted

- (a) Targeted advertising limits the invitation to apply for a vacancy to, at minimum, public service employees who are currently employed by the agency. Current employees include employees seconded from other agencies as at the closing date of the vacancy, and employees of the agency who are on secondment to other agencies. The invitation may also be extended to employees of other agencies or selected external candidates, for example members of a particular community targeted under a regional employment initiative.
- (b) Agencies are bound by codes of conduct to uphold respect for persons and economy and efficiency principles. A chief executive may approve targeted advertising in circumstances where wider advertising of a role below senior officer level would be unlikely to yield a superior candidate, and would therefore not justify the expenditure of agency resources or applicant effort.
- (c) A priority placement employee from any agency is entitled to apply and receive priority consideration for a vacancy advertised under section 7.4.
- (d) Advertising which targets employees of agencies covered by this directive must, at minimum, comply with the advertising requirements under 7.3 (a) and (b). The vacancy advertisement must be posted under “Targeted vacancies” on the *Smart jobs and careers website* and must clearly state the agencies whose employees are invited to apply and that the invitation is extended to priority placement employees.
- (e) Chief executives may determine the means by which an invitation to apply will be extended to external candidates.
- (f) The directive relating to promotion appeals applies only to employees eligible to appeal who are covered by the invitation to apply.

7.5 Vacancy advertising - specified

- (a) Specified advertising is an invitation for specific employees or groups of employees to apply for particular vacancies. The aim of specified advertising is to minimise the potential displacement of existing tenured public service employees or disruption to the provision of the agency’s services resulting from organisational change.
- (b) Specified advertising requires written agreement between an agency chief executive and the relevant industrial organisation of employees. A specified advertising process which does not have the written agreement of the relevant industrial organisation of employees is a breach of this directive and all promotions made under such a process are invalid.
- (c) A copy of the written agreement of the relevant industrial organisation of employees for the use of specified advertising must be made available to staff who are invited to apply.

7.6 Exemptions from advertising

- (a) Vacancies for public service officer and temporary officer roles are not required to be advertised as required under sections 7.3 (a) or 7.4 where they are:
 - (i) designated to be in a Ministerial office
 - (ii) subject to an industrial determination by which the salary, duties and designation of the role are modified
 - (iii) to be filled in compliance with a progressional scheme or other scheme contained in an award, certified agreement, Ministerial directive or determination made under section 149 of the *Industrial Relations Act 1999*
 - (iv) 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 Commission Chief Executive
 - (v) to be filled temporarily for a period not exceeding 12 months
 - (vi) to be filled by transfer or secondment at or below level, including the application of priority placement provisions specified in a current directive
 - (vii) to be filled by the promotion of a registered redeployee where the promotion is to a classification level that is not higher than the redeployee's substantive classification level immediately before their redeployment
 - (viii) to the office of a chief executive under Chapter 4 of the *Public Service Act 2008*; or
 - (ix) to be filled in accordance with sections 7.15 and 7.16 of this directive.
- (b) Chief executives may exempt a vacancy from the advertising requirements of sections 7.3 and 7.4 where advertising would demonstrably result in significant detriment to the achievement of service delivery outcomes¹, or unfair treatment of an employee².

7.7 Recurring vacancies

- (a) Applications for roles of senior officer and below may be used to make appointments to subsequent vacancies provided that the subsequent vacancies are identical to the original vacancy in terms of title, remuneration, classification level and role description. The role advertisement must include a note that applications may remain current for a specified period up to 12 months after the closing date of the original vacancy.
- (b) Applications may also be used to make appointments to similar vacancies provided that the classification level, remuneration and merit criteria are the same as the original vacancy and role requirements are similar. The vacancy advertisement must specify the similar roles to which the recurring vacancy may be applied. Promotion to a similar role not specified in the vacancy advertisement is invalid under this directive.

¹ An example of detriment to service delivery outcomes is a project role which was initially temporary for 12 months has become business-critical and the ongoing employment of the incumbent is required to preserve fragile stakeholder relationships. See Guideline for further discussion.

² An example of unfair treatment is an employee, who would otherwise be eligible for direct employment under section 7.16, is ineligible because the agency has erroneously employed them on a casual rather than a temporary basis. See Guideline for further discussion.

- (c) Where a subsequent vacancy could vary from the advertised role in terms of centre/location or employment basis (full-time or part-time) the advertised role description must include a note to this effect.
- (d) The way that selection is conducted for subsequent vacancies may vary from vacancy to vacancy.
- (e) Decisions under 7.7 (a) and (b) must be made within 12 months of the closing date of the original vacancy.
- (f) A permanent role may not be filled from a vacancy which is advertised as temporary.
- (g) Applications received during the period specified in section 7.7 (e), but after the initial closing date, may be considered.

7.8 Continuous applicant pools

- (a) A continuous applicant pool is an applicant pool created by one or more agencies to recruit applicants on an ongoing basis to a class or type of role below the level of senior officer or equivalent.
- (b) A continuous applicant pool must provide for new or updated applications to be submitted on an ongoing basis. An agency or agencies filling a vacancy through a continuous applicant pool must ensure that advertising requirements under section 7.3 are met each week the pool remains open.
- (c) Where a continuous applicant pool is shared by more than one employing agency, applicants must be able to specify for which agency or agencies they wish to be considered.
- (d) Applicants must be informed of how appointments will be notified and whether they can expect individual notification that they have been unsuccessful in obtaining a given role.
- (e) An applicant who is considered unsuitable because they do not meet mandatory qualifications or requirements is to be notified of the reason that their application will not be further considered.
- (f) Each selection for an appealable position must document the date on which applications were distributed to the panel following approval being given to fill a vacancy. Applicants who are otherwise eligible to appeal may do so if their application is received prior to the date of distribution of applications to the panel.
- (g) The way that selection is conducted beyond initial application may vary from vacancy to vacancy.
- (h) Agencies must inform applicants of the time for which their applications will remain current.
- (i) Agencies must provide applicants with two weeks' notice of the end of a continuous applicant pool and advise of any alternative application arrangements.
- (j) Vacancies can continue to be filled from a continuous applicant pool for up to six months after notification that the pool will be discontinued.
- (k) A standing offer arrangement is not a continuous applicant pool.

7.9 Assessment of applicants

- (a) Assessment processes must:
 - (i) be appropriate to the key attributes against which applicants will be assessed as outlined in the role description under section 7.2 (b) (iii) within the current context and duties of the role
 - (ii) consider the way applicants have carried out any previous employment or duties and, where relevant, the extent to which the applicants have potential for development
 - (iii) be robust and comprehensive in order to assess the merit of applicants as opposed to the performance of applicants in the assessment process
 - (iv) be procedurally fair and evidence-based; and
 - (v) be consistent with the principles of employment equity and anti-discrimination.
- (b) Selection decisions and notification of selection outcomes to applicants must be expedited in the interests of applicant care.
- (c) Selection decisions must be able to be reviewed. At minimum, there must be a statement which is sufficient to enable a reviewer to understand the basis on which the panel has concluded that the recommended appointee has superior merit overall against the key attributes of the role in relation to shortlisted applicants. If there is an order of merit, there must be a comparative statement explaining the reason for the order of merit against the key attributes of the role. It is not sufficient for the explanatory statement to consist of scores alone.
- (d) Applications received after the closing date of the vacancy *may* be considered.

7.10 Referee checking

- (a) Referee checking relating to an applicant's work behaviour and performance must be conducted. The timing of the referee checking is at the discretion of the panel and can be undertaken at any time in the assessment process.
- (b) At least one referee must, unless there are extenuating circumstances, have a thorough knowledge of the applicant's conduct and performance within the previous two years.
- (c) For applicants who either are, or were formerly, a Queensland Government employee, the chairperson of the panel must ensure that referee checking is conducted in relation to all relevant employment in the Queensland Government.
- (d) A referee who is a Queensland Public Service employee or an employee in an agency covered by this directive must disclose all information known to them that is relevant to the applicant's ability to undertake the responsibilities and duties of the advertised vacancy and to the work behaviour of the applicant. Information which is relevant to the merit criteria or potentially indicative of the applicant's future performance or work behaviour must be provided, clearly and transparently, even if not directly requested by the panel. The omission of relevant information or the provision of untruthful information by a referee to the referee's own agency or to another agency is a breach of this directive and agency codes of conduct and constitutes grounds for discipline.

- (e) Applicants must seek approval from an employee, including their supervisor, to nominate that person as a referee. An employee who is asked to be a referee is not bound to accept. Where a potential referee has adverse information that they know they would be obliged to disclose, they should advise the applicant and allow the applicant to choose whether they wish to continue with the nomination.
- (f) Where adverse comments made by a referee have the potential to affect the selection outcome, the applicant must be given an opportunity to respond. Any such response must be documented and taken into consideration by the panel when evaluating the merits of the applicant.
- (g) A referee must be advised of the panel's duty to disclose adverse comments to applicants in the circumstances outlined in 7.10 (c).
- (h) In circumstances where a panel believes that there are referees other than those nominated by the applicant that hold information relevant to the selection decision, a panel may contact the applicant for additional referees.

7.11 Pre-employment checks

- (a) Pre-employment checks of preferred applicants may include checking of criminal history, identity or previous discipline history.
- (b) Criminal history and discipline history checking must be undertaken only in accordance with legislation applying to the employees of an agency and, where relevant, directives issued by the Commission Chief Executive.

7.12 Post selection feedback

- (a) All applicants are to be advised that they may request feedback.
- (b) Feedback is to be provided to any applicant who seeks it.
- (c) Applicants who request feedback should receive timely, specific and constructive feedback from a member of the selection panel sufficient to explain why they were not successful.

7.13 Additional requirements for senior executive and senior officer roles

- (a) A selection committee is to be established for all senior executive and senior officer vacancies.
- (b) Selection committees for senior executive vacancies are to include at least one member who has been nominated by, and who will act as the representative of, the Commission Chief Executive.
- (c) Selection committees for senior officer and equivalent tenured vacancies must include one member from outside the Ministerial portfolio.

7.14 Gazette notification

- (a) Where promotion of a tenured public service officer role results from a vacancy advertised under section 7.3 or 7.4, including through a recurring vacancy (section 7.7) or continuous applicant pool (section 7.8) process, the appointment must be published in the *Gazette*.
- (b) All senior executive and senior officer appointments arising from an advertised vacancy must be published in the *Gazette*.
- (c) Notification under (a) and (b) above must occur within one month of the date that the selection recommendation is approved by the chief executive or delegate.

7.15 Direct appointment to roles at a higher level

- (a) This section does not apply to senior executive or senior officer roles.
- (b) Subject to the provisions of this section a chief executive may, without advertising, appoint an employee to a role at a higher classification level where:
 - (i) the occupant has been seconded to, or temporarily employed in, the role, or
 - (ii) the role has been reclassified.
- (c) In both cases outlined under 7.15 (b) above the employee:
 - (i) must have undertaken the role in question for a total of not less than one of the preceding two years, and
 - (ii) must be assessed as having demonstrated performance of a sufficiently high standard that advertising the role would be unlikely to yield a superior candidate.
- (d) In relation to direct appointment following secondment to, or temporary employment in, a role at a higher classification level, the temporary role must have been advertised according to the provisions of sections 7.3 or 7.4 of this directive to enable other suitable applicants to be considered. The requirement for the occupant of the role to have demonstrated their merit in a competitive process applies irrespective of whether the role was originally filled temporarily for no more than 12 months.
- (e) In relation to direct appointment to roles which have been reclassified:
 - (i) the employee must be the substantive occupant, and
 - (ii) reclassification must not be higher than one classification level above the employee's substantive classification level, and
 - (iii) an employee who has been appointed to a higher classification level in accordance with section 7.15 (b) (ii), or a similar provision in an earlier directive relating to recruitment and selection, is not eligible for further appointment under the provisions of that section in the event that the role in question is again evaluated at a higher classification level.

7.16 Appointment of a temporary employee to tenured status at level

A chief executive may convert a temporary employee or temporary general employee to tenured status at level in the following circumstances:

- (a) the temporary role must have been advertised according to the provisions of sections 7.3 or 7.4 of this directive to enable other suitable applicants to be considered. The requirement for the temporary employee or temporary general employee to have demonstrated their merit in a competitive process applies irrespective of whether the role was originally filled temporarily for no more than 12 months, and
- (b) the temporary employee or temporary general employee must have undertaken the duties of the role for a continuous period of not less than one year, and
- (c) the temporary employee or temporary general employee must be assessed as having demonstrated performance of a sufficiently high standard that advertising the role would be unlikely to yield a superior candidate, and

- (d) the suitability of the agency's own registered and unregistered deployees has first been considered in accordance with provisions contained in the directive relating to priority placement.

7.17 Confidentiality, documentation and reporting

- (a) Selection documents must be maintained in strict confidence and security for the periods specified under the *Queensland State Archives General Retention and Disposal Schedule for Administrative Records* in the case of roles at senior officer level and below, and indefinitely in the case of senior executive officers.
- (b) Chief executives are required to report to the Commission Chief Executive the number, type and classification level of appointments that are made in accordance with sections 7.4, 7.5, 7.6 (b), 7.15 and 7.16 each financial year. For audit and reporting purposes, these records are to be retained for at least three years. In relation to section 7.6 (b) the record is also to include the detriment to business outcomes or unfair treatment which formed the basis for the decision to exempt the vacancy from advertising.

7.18 Transition

- (a) Selection and appointment processes for positions advertised according to directive 03/09 are to be finalised in accordance with the provisions of that directive.
- (b) For the purpose of section 7.1 role evaluation methodologies approved by the Commission Chief Executive under previous directives relating to recruitment and selection will be deemed to have been approved by the Director-General of the department responsible for administering the *Industrial Relations Act 1999*.
- (c) For a period of 12 months from the effective date of this directive the provisions of section 7.15 and 7.16 may be applied to employees who have been selected to undertake higher duties or temporary employment through an agency expression of interest process.