

# POLICY



## Recruitment Policy

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### 1 Purpose

The purpose of this Policy is:

- to ensure effective human resource management;
- promote equal opportunity;
- ensure that recruitment decisions are based on merit; and
- support transparency in recruitment processes and the public advertising of positions; and
- ensure that recruitment decisions give regard to the gender equity, diversity and inclusiveness.

### 2 Scope

This Policy applies to all paid positions at Council. This Policy does not apply to work opportunities for work placements, volunteers or internships.

### 3 Definitions

**Act** means Local Government Act (Vic) 2020

**Business Unit** means various units within Hindmarsh Shire including infrastructure services, corporate and community services.

**Council** means Hindmarsh Shire Council

**CEO** means Chief Executive Officer of Hindmarsh Shire Council

**Internal applicant** means applicants working at Council who are on Council's current payroll (not labour hire and agency employees).

**PD** means Position Description.

### 4 Responsibility

#### 4.1 CEO

The CEO has statutory authority for all staffing matters, including:

- appointment and dismissal of all permanent and casual staff;

- classification of permanent and casual staff in terms of the industrial instruments to which Council is subject;
- determination and re-determination of conditions of employment; and
- appointment to acting positions.

CEO may exercise discretion in the implementation of this policy in exceptional circumstances.

#### 4.2 Manager Governance and Human Services (MGHS)

The MGHS is responsible for the implementation and review of this Policy.

#### 4.3 Managers

Managers are responsible for ensuring they comply with the recruitment process as set out in this Policy.

### 5 Recruitment process

#### 5.1 Vacant Position Authorisation form

For all positions it is necessary to obtain the required approval prior to initiating the recruitment process. A **Vacant Position Authorisation** form must be filled out by the positions direct supervisor. The form must be approved and signed off on by the positions manager, director, the HR Coordinator and the CEO, in the following order:



#### 5.2 Specialist skills position

Managers can seek approval from the CEO to recruit for specialist skills positions without advertising providing the following criteria is met:

- specialised skills required to meet a business need or project that do not exist within the organisation;
- employment is less than six months.

All specialist skills positions **must** follow the **Vacant Position Authorisation** form approval process and the Selection Process criteria.

If the specialist skills position has the option to become permanent, the position must follow the internal advertising requirements at a minimum.

### 5.3 Secondment

Secondment opportunities are encouraged to provide opportunities for employees to experience and gain new skills. The term of a secondment is for 12 months or less and the employee must have their substantive position to return to. The **Vacant Position Authorisation** form process will need to be followed for approval.

In consultation with HR and management, a shortened selection process may be implemented:

- Check employee's performance reviews within the Business Unit to see if anyone has identified an interest in developing new skills in the particular area.
- If only one employee is identified, follow the Request for Changes to Terms & Conditions of Employment form.
- If more than one employee is identified, either through their performance review or a number of employees throughout Council have expressed an interest or been identified as suitable for the position, follow the internal recruitment process.
- For positions with a duration that would exceed 6 months, the internal process must be followed, unless otherwise approved by HR and the CEO.

There may be circumstances where an employee is absent or on leave for an extended period of time and their position needs to be filled. In such circumstances, a secondment would be appropriate.

Where an employee has been seconded to a position and the position subsequently becomes vacant and they apply for the permanent position, their time spent backfilling the position will **not be** taken into account when setting the increment increase date.

The increment increase date will be the date that the employee is appointed to the permanent position as per their letter of offer.

### 5.4 Position descriptions

For all new positions, a PD must be prepared, providing an outline of the main roles and responsibilities of the position. The **PD Template** is available on MagiQ and must be used for all PDs. The PD must not include qualifications, experience or other pre-requirements that are unnecessary or higher than those required to perform the functions of the position.

Where the vacancy is an existing position, it is important that the manager reviews (and amend if necessary) the current PD to determine the following:

- whether the job has changed
- how accurately the PD reflects the job to date, and
- the current requirements of the organisation.

If there are changes made to the PD, the PD must be assessed by HR for banding purposes, prior to the recruitment process commencing.

The CEO and relevant Director must approve all PDs.

## 5.5 Key selection criteria

The key selection criteria is an important part of the selection process, facilitating a systematic, objective approach to interviewing and selecting applicants. Between 5 and 7 key selection criteria are required in each PD, one of which must include OH&S relevant to the position.

The key selection criteria will be used as the basis for the questions to be asked during the interview.

## 5.6 Use of recruitment agencies

It is Council's aim to conduct the recruitment process internally, however there are times when there is a need to engage the resources of an external recruitment agency. For example:

- Where there is an immediate/urgent need to replace or fill a position;
- To meet short term increased workloads;
- To temporarily replace a permanent employee who is absent for a short term or in lieu of employing a maximum term employee;
- During a skills shortage, an agency may be used to access a wider network of suitable applicants.

The use of recruitment agencies for all positions will require the approval of HR and the CEO.

## 5.7 Advertising

The purpose of advertising is to attract a wide field of suitable applicants. Advertisements are to be kept simple with the focus on applicants connecting with our website to obtain detailed information.

All vacant positions will be advertised internally and externally unless the CEO, in conjunction with HR, believes there is evidence of the likelihood of a competitive field of appropriately skilled and experienced employees within the organisation to perform the role. In such circumstances, it would be appropriate to only advertise the position internally.

Where the position is newly created or an existing position has been reviewed, it should be submitted to HR a minimum of 10 working days prior to the internal/external lodging deadlines. This provides sufficient time for HR to evaluate and determine the appropriate banding classification if required.

All advertising will be in accordance with Council's advertising standards, the Act, Equal Employment Opportunity legislation and Council's Equal Opportunity Policy.

### 5.7.1 Internal advertising

All employment vacancies will be advertised internally through various forms which may include emailing all staff or distributing a memo.

For an advertisement to be placed internally, the **Vacant Position Authorisation** form and an electronic version of the PD must be lodged with HR as soon as approved.

All advertisements will remain open for a minimum period of 10 working days, unless there are exceptional circumstances.

For positions **only** advertised internally, employees will only be required to submit a 1 page concise application addressing the key selection criteria.

### 5.7.2 External advertising

For an advertisement to be placed externally, the **Vacant Position Authorisation** form, an electronic copy of the PD and advertisement must be lodged with HR by 5.00pm on a Friday 1 week prior to the lodgment cut off.

All external job advertisements may be placed in local and regional newspapers. Any other forms of advertising should be discussed with HR.

All advertising is to be done in line with Council's **Advertising Process**.

## 6 Interview Process

To assist with the interview process, the **Vacant Position Authorisation** form will be sent to the Manager/ Supervisor of the recruiting business unit with all applications.

### 6.1 Recruitment panel

Recruitment panels must be appropriately gender balanced and are required to have completed Act@Work training, and notified of the requirements of Equal Opportunity legislation.

All selection panels must be at least three people, and gender balanced (at least one person of each gender) and must include:

- A nominee from the Business Unit where the vacancy exists, usually this will be either the manager or supervisor and they will normally be the panel chairperson.
- A member of the Human Resource team.

**The CEO may alter this if necessary.**

All recruitment panel members are required to complete a **Personal Interest Declaration** prior to the interview process. Where panel members know applicants for positions personally, they must declare this knowledge. Where such knowledge is likely to inhibit the objectivity of a panel member, or be seen as a conflict of interest by others, they must not participate in the selection panel.

People must excuse themselves from the panel where a family member has applied for a position.

### 6.2 Shortlisting

After the nominated closing date, HR will acknowledge all applications. HR will also collate the cover letter, addressed key selection criteria and resume into one PDF document for each applicant. These will be provided to the recruitment panel for shortlisting consideration within 2 working days of close of applications.

The panel chairperson, in consultation with other members of the selection panel, will need to complete the **Shortlisting Tool**.

Factors to consider when shortlisting:

- Where possible, where an applicant meets all of the selection criteria they will be interviewed.
- Local Government experience will be a consideration when shortlisting candidates for interviews.
- If there is only one suitable applicant that meets the key selection criteria, the manager, in consultation with HR, may undertake an appropriate evaluation exercise.
- Diversity guaranteed interview commitment for one person that closely meets the key selection criteria.

HR will write to all external applicants who do not get granted an interview.

Where no applicants meet the key selection criteria, the recruitment process must be suspended or terminated, and advice sought from HR before proceeding.

### **6.2.1 Preliminary background investigations and assessment**

For some criteria, it may be more appropriate to determine merit by means other than questions at interview. Where appropriate, preliminary investigations or assessments may be used to verify relevant information contained in the written application such as academic qualifications, training and employment history.

The data collected will assist in the decision-making process and will not replace the interview process.

The use of any assessment will be determined prior to the commencement of the selection process. Information on the nature of the assessments and any preparation requirements to be made available to prospective applicants prior to conducting the assessments. No preliminary assessments or investigations are to be carried out without prior approval from HR.

### **6.2.2 Screening applicants prior to interview**

Telephoning screening prior to interview provides a good opportunity to ask the applicants some basic questions and decide if they are suitable for interview. It can also be used where there is a large quantity of strong applicants to shortlist the applicants to interview down to a workable size of 3-5.

When conducting this process, the person conducting the telephone screening must ensure a consistent process is conducted and each applicant is asked the same series of questions.

### **6.2.3 Late applicants**

Generally, late applicants will not be included in the selection process. However, there may be instances where the late applicant meets a substantial percentage of the key selection criteria and the recruitment panel wish for them to be included in the recruitment process. If this is the case, the recruitment panel must submit in writing to the CEO a request for the person to be considered in the recruitment process.

## **6.3 Preparing questions**

Interview questions are to be developed by HR in consultation with the recruitment panel to relate to the key selection criteria and position requirements. It is important that all questions meet Equal Employment opportunity legislation and Council policies, and do not discriminate in

any way. As a guide, the **Interview Questions Template** is available from HR to assist with developing the questions.

There are a number of questioning techniques that can be used:

- Open ended questions are often effective as they allow the applicant to demonstrate their knowledge.
- Behavioral questioning can reveal how applicants have handled situations in the past that are similar to those they might encounter in the position. Past performance is a key indicator of future performance.

There must be questions which will help to ascertain whether the applicant would have difficulty performing any part of the role. For example, “*do you believe that there are any reasons why you would not be able to perform the physical duties of the role as described*”. If the applicant responds “yes”, the recruitment panel should read through the list of duties and ask for clarification against each selection criteria.

Advice on formulating questions is available from HR. The recruitment panel must be able to demonstrate that the interview questions relate to the specific job. Questions about the applicants age, disability or impairment, industrial activity, sexual preference, marital status, physical features, political or religious beliefs, pregnancy or potential pregnancy, race, sex, parental status, or personal associations with a person is identified by reference to any of the aforementioned attributes are unlawful and impermissible.

#### **6.4 Conducting interviews**

The interview provides the opportunity to gain an understanding of an applicant’s communication style, behavioral characteristics, confirm their technical qualifications and expand on their previous experience.

Face to face interviews are strongly preferred. Where this is not possible, a Skype / Zoom / Microsoft Teams interview may be undertaken.

The panel chairperson is responsible for ensuring interviews are kept to the time allocated. If it appears the interview will run overtime, a member of the recruitment panel should let customer service know so the message can be passed on to the waiting applicants.

During the interview, applicants should not be given assurances of early promotion, any type of loading, allowance, salary increase or continuing appointment beyond any fixed term period except where explicitly stated in the advertisement and relevant award provisions.

#### **Key points on conducting interviews:**

- Put the applicant at ease;
- Build a rapport with the applicant;
- Consider whether they would fit in with the culture of the team;
- Ensure all applicants are asked the same of questions by the same recruitment panel member;
- Where appropriate ask further questions to allow the applicant to clarify or expand on their answers.

#### **6.4.1 Options for interviewing**

It may be appropriate in some cases to change the standard interview process. To do this, the recruitment panel chairperson must ensure the process is consistent with all applicants and approval is obtained from HR.

Some options are:

- Provide all applicants with the key selection criteria questions at the time of their application or prior to the interview. This will enable applicants to further explain their answers at the interview.
- Ask applicants to prepare a short presentation or undertake other tasks, such as a practical task-based demonstration of the inherent requirements of the role, in order to demonstrate their skills or aptitude. No practical task-based demonstrations are to be conducted without prior discussion and approval from the HR, Governance and Compliance Coordinator.
- Group interviews may be appropriate for first round interviews for a large number of applicants for the same position. Group interviews must be approved and monitored by HR.
- Conduct some Skills Assessments.

#### **6.4.2 Second round interviews**

In some instances, there will be a requirement to do a second round of interviews. This may be due to some applicants scoring very closely, a need to ask different, more detailed questions, or a need to do a practical assessment or skills based test with the applicant.

The recruitment panel for the second interview may be the same as the first interview or could be varied depending on the purpose of the second interview.

The decision to do a second round of interviews must be made by the CEO.

#### **6.5 Feedback to applicants**

HR will contact all unsuccessful applicants interviewed, via telephone, as soon as possible following the interview. HR will then notify the unsuccessful applicants in writing.

### **7 Freedom of Information**

The *Freedom of Information Act 1982 (FOI Act)* impacts on the entire recruitment process. Applicants are able to request copies of all documents relating to their application and the selection process. (Referee reports are exempt from release under the FOI Act as they are classified as confidential information.)

Accurate and professional records relating to the recruitment process need to be maintained. All records from the recruitment process are to be forwarded to HR to be kept for the appropriate length of time as stipulated by the *Victorian Public Records Act 1973*.

The personal information of applicants will be made available outside the Freedom of Information process for viewing by that person for 6 months by arrangement with HR. An applicant can only view their own personal information and not the personal information of all other applicants.

## 8 Selection process

**At no point during the recruitment process and pre-employment checks should an offer of employment be made.**

### 8.1 Previous employees of Council

Where the preferred applicant has previously worked for Council, no offer of employment shall be made without approval in writing from HR and the CEO.

If the preferred applicant has been made redundant from a position with Council, they cannot be employed until the end of their severance period.

### 8.2 Pre-employment evaluation

Where a specific qualification is required to undertake the role and is listed in the position description in “Key Selection Criteria”, the recruitment panel chairperson must request that the applicant produce the original or legally certified copy of the qualification prior to any offer of employment.

### 8.3 Reference checks

Applicants should be asked for the referees such as a current supervisor or manager.

Reference checking aims to provide the recruitment panel with more information on applicants and must be completed by a recruitment panel member using the relevant **Reference check form** available from HR.

No external appointment can be offered without at least 2 verbal reference checks (written references will not be accepted) and the checks should be with current and former people that the applicant has reported to in the last 3 years. If the applicant has been unemployed for over 3 years, then a check from their most recent manager. It is preferred that the referee’s phone number provided is the landline of their workplace to ensure it is easily confirmed that they are who they say they are.

In some cases, where it is not appropriate for the current employer to be contacted, the contract of employment may need to mention that the offer of employment is conditional upon a satisfactory reference check from the current manager.

References for internal appointment are to be conducted on a case by case basis.

When speaking with the referees you are required to ask if they have any concerns about the applicant working with children as part Council’s commitment to the *Child Safe Standards*.

#### 8.3.1 Risk of collusion

In the event that an applicant is considered for a position in a unit where a relative or close friend is already employed, the recruitment panel chairperson should consult with HR to ensure a transparent process.

### 8.4 Visas

Applicants are asked to declare whether or not they are an Australian citizen. If the applicant indicates they are not an Australia citizen, but hold a visa to work in Australia, then the

recruitment panel chairperson is required to ask the applicant to provide a copy of their visa. It is an offence under the *Migration Act 1958*, to knowingly or recklessly allow a worker to work in Australia without a valid visa.

All permanent employees of Council are required to be either an Australian citizen or permanent resident. If the applicant has a visa which gives them unlimited rights to work in Australia, they can be appointed to a permanent position. It is the applicant's responsibility to advise HR if their visa status changes.

Casual positions can be offered to applicants with working visas as long as the terms of the visa are strictly adhered to. It is the responsibility of the manager to ensure the employee does not work outside these parameters. HR will assist with checking the visas are current.

#### **8.4.1 New Zealand citizens**

There may be exceptions to working Visa requirements for New Zealand citizens. This should be assessed on a case by case basis.

### **8.5 Medical checks**

Upon receiving **CEO Approval**, HR will coordinate the Medical checks (where required) with the preferred applicant. HR will inform them that they have progressed to the next stage of the recruitment and selection process and that they need to complete a Pre-Employment Medical Examination.

#### **8.5.1 Medical examination**

All preferred applicants must satisfy the prescribed Pre-employment medical examination, as specified by Council's **Pre-Employment Medical form**.

All medical examination details are strictly confidential and are viewed only by HR. The medical report provided to Council indicates whether the preferred applicant is capable of performing the work described in the position description.

If a medical check comes back detailing an applicant is unfit to perform the duties, Council will not enter into any discussion with the candidate. The candidate will be referred to the medical practitioner for any clarification.

Where an existing employee is appointed to a position with duties requiring different physical demands to those they are currently employed to do, they will be required to undergo the prescribed medical examination.

Where any disability is disclosed, Council will make every effort for reasonable adjustments to be made.

### **8.6 Police checks**

A police check is required for all positions with Council. Some positions also require police checks to be renewed every 3 years.

Employment should not commence with Council until a satisfactory result for a police check has been received.

Existing employees applying to another position within the Council will be required to undergo a police check and/or a working with children check (if this requirement has been specified in the position description), and a previous security check has not been undertaken within the past 6 months. If the employee refuses, the recruitment will not proceed.

If the position requires a working with children check, the applicant cannot commence work in the position until the check has been reviewed.

### **8.7 Working with children checks**

A working with children check is required for all positions with Council.

### **8.8 COVID-19 Vaccination**

Council is obliged to follow all state mandated COVID-19 Vaccination requirements and as a result requires at all Council employees to be fully vaccinated.

Council has also implemented a COVID-19 Vaccination Policy that requires all employees of Council to be vaccinated.

## **9 Offer of employment**

An offer of employment can only be made where, at a minimum:

- An assessment to do the role has been made.
- Reference checks have been completed.
- A certified copy of a qualification has been provided.
- A security check has been satisfactory.
- The required medical checks have been completed, and
- The CEO has approved the recommendation.

If a past employee is seeking re-employment, this must be clearly spelt out in the recommendation provided to the CEO.

HR requires a minimum of five working days' notice prior to the proposed Monday commencement of the prospective employee to ensure a period of time is allowed for the issuing of a letter of offer, consideration of the offer by the prospective employee, the receipt of written acceptance and coordination of internal systems.

HR will invite the prospective employee to receive the letter of offer detailing the terms and conditions of employment at a meeting with HR or via email. The manager may also attend this meeting.

### **9.1 Probationary period**

Probationary periods of six months applies to all external appointments. Ongoing employment is subject to satisfactory performance of the employee during the probationary period as well as completed Induction paperwork.

## **9.2 Unsuccessful but suitable candidates**

Where more than one potentially suitable candidate is identified, and the position becomes vacant within 6 months of advertisement, the CEO has the discretion to direct HR to return to the identified applicants for further consideration. At this point any pre-employment checks and referee checks should be carried out prior to any offer being made.

## **10 Induction**

### **10.1 Induction Form**

A comprehensive induction program has been designed and it is the aim of Council that all new employees are provided with key information as soon as possible upon their commencement. Employees will learn about Council's directions and operations, core employer legislative requirements, for example Discrimination, Harassment and Bullying, and local information that is essential to enable new employees to familiarise themselves with the organisation and perform their role effectively.

Completing the induction forms part of successfully completing the employment qualifying period for permanent appointments. It is also intended that casual, temporary and ongoing internal contractors participate.

## **11 Records**

Unsuccessful applications, interview guides and selection assessment documentation of all applications will remain the property of Council and managed by HR.

## **12 Use of labour hire agencies/ contractors**

Where labour hire agencies/contractors are required, approval must be sought from the relevant director and the CEO.

## **13 Recruitment legislation**

### **13.1 Sex Discrimination Act**

Prohibits discrimination against a person on the grounds of sex, marital status, pregnancy or family responsibilities.

### **13.2 Racial Discrimination Act**

Prohibits discrimination against a person based on race, colour, descent or national/ethnic origin.

### **13.3 Commonwealth Disability Discrimination Act & Victorian Disability Act**

Prohibit discrimination based on disability.

Both are designed to enable people with disability to actively participate in the life, including work life, of the community. S 38 of the *Disability Act 2006* requires each public sector body to reduce barriers to obtaining employment, promote inclusion and participation, and achieve tangible changes in attitudes and practices which discriminate persons with a disability.

### **13.4 Equal Opportunity Act**

Prohibits discrimination based on age, impairment, industrial activity, lawful sexual activity, marital status, employment activity, physical features, political belief or activity, pregnancy, race, religious belief or activity, sex, status as a parent or carer and personal association.

### **13.5 Privacy Act**

The *Information Privacy Act 2000* and the *Privacy Act 1988* cover the handing of personal and sensitive information to ensure that organisation's adhere to policies that protect people's privacy and rights. Personal information is recorded for recruitment process and it is therefore essential that all employees adhere to the principles of these acts throughout all stages of the recruitment process.

### **13.6 Local Government Act s48**

A Chief Executive Officer may, having regard to the workforce plan, appoint as many members of Council staff as are required to enable the functions of the Council under this Act or any other Act to be performed.

## **14 Providing references**

As an employee of Council, if you are asked to give a reference check, no written references are to be provided. As a manager, if you are asked to provide a verbal reference, always assume that the details of the check will be made available to the applicant.

## **15 Compliance responsibilities**

### **15.1 Supervisors/ Managers**

All Supervisors and Managers are responsible for ensuring the recruitment and selection procedure contained in this document is complied with.

### **15.2 Manager Governance and Human Services**

Responsible for:

- providing advice about this Policy;
- circulating this Policy;
- evaluate the Policy and its implementation; and
- review and update this Policy annually or as otherwise required.

## 16 Charter of Human Rights Compliance

It is considered that this Policy is compatible with the relevant human rights identified in the *Charter of Human Rights and Responsibilities Act 2006* (VIC).

## 17 Related documents

Internal documents	Legislation
Hindmarsh Shire Council Enterprise Bargaining Agreement Hindmarsh Shire Council Induction Form Hindmarsh Shire Council Vacant Position Authorisation form Hindmarsh Shire Council Personal Interest Declaration form Hindmarsh Shire Council Conflict of Interest Policy Hindmarsh Shire Council COVID-19 Vaccination Policy	<b>Victorian Legislation</b> <i>Disability Act 2006</i> <i>Local Government Act 1989</i> <i>Local Government Act 2020</i> <i>Privacy and Data Protection Act 2014</i> <i>Charter of Human Rights and Responsibilities Act 2006</i>  <b>Commonwealth legislation</b> <i>Sex Discrimination Act 1984</i> <i>Racial Discrimination Act 1975</i> <i>Disability Discrimination Act 1992</i> <i>Fair Work Act 2009</i> <i>Privacy Act 1988</i>

## 18 Document Control

Recruitment Policy		<b>Policy Category</b>	Human Resources
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<b>Approved/Adopted By</b>	CEO	<b>Approved/Adopted on:</b>	17/12/2021
<b>Responsible Officer</b>	MGHS		
<b>Version History</b>	<b>Date</b>	<b>Version</b>	<b>Description</b>
	14/06/2018	1.0	Initial Policy
	23/09/2019	1.1	Reviewed.
		1.2	Reviewed – inclusion of reference to backfilling positions
	17/12/2021	1.3	Reviewed – per Local Government Act 2020