

**OFFICIAL**  
**PARLIAMENTARY COUNSEL**

## Policy No. 5.2 Recruitment

Document release 3.0

Reissued September 2022

Next review: September 2025

### Contents

<b>Introduction</b> .....	<b>1</b>
<b>Policy</b> .....	<b>2</b>
<b>In practice</b> .....	<b>3</b>
Approach to market .....	3
Advertising.....	3
Applicant information .....	5
Selection decisions.....	6
Salary negotiations.....	8
Announcement of recruitment outcomes .....	8
Conditions of engagement .....	9
Onboarding and induction .....	11
Record keeping .....	12
Evaluation and reporting.....	12
<b>Related documents</b> .....	<b>12</b>
<b>Review</b> .....	<b>13</b>

### Introduction

1 In this policy, recruitment refers to the process of attracting and selecting the right person or people to fill roles at OPC.

2 Recruitment must be undertaken within the legislative framework which supports the effective management of the Australian Public Service, including the *Public Service Act 1999 (PS Act)*; the *Public Service Regulations 1999 (PS Regulations)*, the *Australian Public Service Commissioner's Directions 2022 (Directions)* and the *Public Service Classification Rules 2000 (Classification Rules)*. In addition, it must be undertaken within the framework of anti-discrimination legislation, including the *Age Discrimination Act 2004*, the *Disability Discrimination Act 1992*, the *Racial Discrimination Act 1975*, and the *Sex Discrimination Act 1984*. It is unlawful to discriminate on the basis of a number of protected attributes including age, disability, race, sex, intersex status, gender identity, sexual orientation, marital or relationship status, pregnancy or potential pregnancy, and breastfeeding or family responsibilities in certain areas of public life, including employment.

3 Subsection 10A of the PS Act sets out the Employment Principles.

**Employment Principles**

The APS is a career-based service that:

- makes fair employment decisions with a fair system of review; and

- recognises that the usual basis for engagement is as an ongoing APS employee; and
- makes decisions relating to engagement and promotion that are based on merit; and
- requires effective performance from each employee; and
- provides flexible, safe and rewarding workplaces where communication, consultation, cooperation and input from employees on matters that affect their workplaces are valued; and
- provides workplaces that are free from discrimination, patronage and favouritism; and
- recognises the diversity of the Australian community and fosters diversity in the workplace.

4 The application of merit in APS engagement and promotion decisions is explained in Part 4 of the Directions.

### **Merit principle**

In summary, a decision to engage or promote a person is based on merit if:

- all eligible members of the community are given a reasonable opportunity to apply
- an assessment is made of the relative suitability of candidates, using a competitive selection process
- the assessment is based on the relationship between the candidates' work-related qualities and the qualities genuinely required to perform the relevant duties
- the assessment focuses on the relative capacity of candidates to achieve outcomes related to the relevant duties
- the assessment is the primary consideration in making the employment decision.

5 OPC's effectiveness in achieving its objectives relies on the effectiveness and capability of our people. Contemporary and strategic recruitment practices are an essential element in mitigating the risk that OPC does not have the right people with right skills and capabilities at the right time.

## **Policy**

6 OPC will use recruitment as a mechanism to shape our workforce to ensure we have the capability and diversity needed to meet current and future challenges.

7 OPC will use contemporary, fit for purpose recruitment practices that comply with legislative requirements and APS policy requirements.

8 The merit principle will underpin a flexible, risk management approach to filling vacant positions.

## In practice

### ***Approach to market***

9 In order to ensure that suitable candidates are aware of the benefits of working at OPC, OPC will develop and maintain an effective Employee Value Proposition (EVP). All employees will be encouraged to communicate the EVP to suitable candidates.

10 In order to ensure the best outcome for a recruitment process, hiring managers will be responsible for carefully planning and leading each aspect of the process, determining the aim and purpose of the selection process in advance of its commencement<sup>1</sup>. The recruitment plan will be approved by the General Manager/FPC. For SES vacancies, the APS Commissioner's approval of their representative must be obtained prior to the commencement of the selection process<sup>2</sup>. Hiring managers should use the support and expertise available from People Services team.

11 In order to promote efficiency, OPC will review merit lists and merit pools of similar vacancies from other agencies for all SES vacancies, and advise the APS Commissioner that this action has been undertaken<sup>3</sup>.

12 In order to promote efficiency, OPC will review merit lists and merit pools of similar vacancies from other agencies on a case by case basis for non-SES vacancies.

13 In order to ensure that suitable candidates give preference to an offer of employment from OPC rather than an alternative employer, hiring managers will ensure that selection processes are skilfully managed, give a positive impression of OPC as desirable place to work and take the minimum time required to finalise a recruitment process.

### ***Advertising***

#### **Broadband advancement**

14 In order to ensure that suitable candidates are aware that an opportunity for broadband advancement is available, and to ensure that our workplace is free from discrimination, patronage and favouritism, expressions of interest will be sought for at least 7 days, notified by an all staff email.

#### **Ongoing roles (other than broadband advancement) and non-ongoing roles that are or could be of greater than 18 months duration**

15 In order to ensure that our workforce is diverse, reflecting the Australian community that we serve, hiring managers:

- (a) Must use RecruitAbility. RecruitAbility<sup>4</sup> is a scheme which aims to attract and develop applicants with disability and also facilitate cultural changes in

---

<sup>1</sup> Directions, paragraph 24(1)(a)

<sup>2</sup> Circular 2018/5, SES recruitment

<sup>3</sup> Circular 2018/5, SES recruitment

<sup>4</sup> Directions, section 32

selection panels and agency recruitment. RecruitAbility can be applied to all vacancies across the APS, including Senior Executive Service roles.

Job applicants with disability who opt into the scheme declare they have disability. If they meet the minimum requirements of a vacancy advertised under the scheme, they are advanced to the interview stage in the selection process. Merit remains the basis of engagement and promotion at the interview stage. Feedback must be provided to those who have opted in to the scheme (whether they are successful or not).

- (b) Must consider whether the role is an opportunity to use the disability affirmative measure<sup>5</sup>, which enables OPC to identify a vacancy as open only to people with disability, or a particular type of disability.

The aim is to improve representation of people with disability in the Australian Public Service, helping agencies meet the objectives of the [APS Disability Employment Strategy 2020-25](#).

- (c) May use the Aboriginal and Torres Strait Islander affirmative measure.
  - The Aboriginal and Torres Strait Islander affirmative measure<sup>6</sup> allows a particular job in the Australian Public Service (APS) to be open only to Aboriginal or Torres Strait Islander persons.

The measure is designed to address the under-representation of Aboriginal and Torres Strait Islander Australians in the APS, helping agencies to meet the objectives of the [Commonwealth Aboriginal and Torres Strait Islander Employment Strategy](#).

16 In order to ensure that suitable candidates are aware that an interesting role is available, and to ensure that our workplace is free from discrimination, patronage and favouritism, OPC will usually widely advertise positions as being open to all eligible members of the community<sup>7</sup>, and for at least 7 days<sup>8</sup>, using APSJobs<sup>9</sup> as a minimum. Additional channels of advertisement, such as online recruitment sites<sup>10</sup>, may also be used.

17 For SES roles, the intention to advertise a vacant position must be provided to the APS Commissioner prior to advertisement<sup>11</sup>.

18 For areas of labour market shortage, targeted advertising may be used. For example:

- (a) In addition to advertising in APSJobs for roles that may lead to engagement or promotion, targeted advertising to particular sections of the labour market may be used, for example, through universities or professional peak bodies.

---

<sup>5</sup> Directions, section 33, [APS Disability Employment Strategy 2020-25](#)

<sup>6</sup> Directions, section 31

<sup>7</sup> PS Act, paragraph 10A(2)(a); Directions, paragraph 25(2)(a)

<sup>8</sup> Directions, paragraph 25(2)(b)

<sup>9</sup> Directions, paragraph 25(1)(a)

<sup>10</sup> Directions, subsection 25(7)

<sup>11</sup> Circular 2018/5, SES recruitment

- (b) For recruitment processes that have not or are not likely to result in suitable applicants, hiring managers may seek to attract existing APS employees at the same classification to transfer to OPC<sup>12</sup>. This can replace broad advertising, including using APSJobs.
- (c) Hiring managers may seek to use merit lists or merit pools from other APS agencies who have recruited to a similar vacancy<sup>13</sup>. This can replace broad advertising, including using APSJobs.
- (d) In addition to advertising in APSJobs for roles that may lead to engagement or promotion, in order to extend the number of eligible people, hiring managers may seek a waiver from FPC to hire a non-citizen, enabling broad or targeted advertising to non-citizens.

19 Where consideration is being given to advertising in major newspapers, the Department of Finance's [Recruitment Advertising Policy](#) should be reviewed.

### **Non-ongoing roles available for 18 months or less**

20 In order to ensure that our workplace is free from discrimination, patronage and favouritism, hiring managers may use APSJobs (but are not required to), and for areas of labour market shortage, targeted advertising may be used. For roles that lead to the engagement of an employee, OPC must bring the employment opportunity to the attention of the community in a manner that provides a reasonable opportunity to apply<sup>14</sup>. For example, vacancies can be advertised on the OPC website, on job seeker sites or on social media.

21 As a minimum requirement, FPC must be satisfied that the person has the work-related qualities required to perform the duties<sup>15</sup>.

### **Internal temporary re-assignment of duties**

22 For an opportunity to fill a position by 'acting' an existing OPC employee in a role for 4 weeks or more, in order to ensure that suitable candidates are aware that an opportunity is available, and to ensure that our workplace is free from discrimination, patronage and favouritism, expressions of interest will be sought notified by an email to eligible staff (unless there are exceptional circumstances). The period for which opportunities are open will be a minimum of 7 days, and the opportunity will be open for longer if that is practical in the circumstances.

### ***Applicant information***

23 In order to ensure that suitable applicants are attracted to apply for OPC roles, hiring managers will make information about the selection process readily available to applicants<sup>16</sup>.

24 Applicant information:

---

<sup>12</sup> PS Act, subsection 26(1)

<sup>13</sup> Directions, subsection 25(1), see also APSC site [Creating, Using and Sharing Merit lists](#)

<sup>14</sup> Directions, subsection 27(3)

<sup>15</sup> Directions, subsection 27(4)

<sup>16</sup> Directions, paragraph 24(1)(b)

- (a) must include a description of the role that is accurate and current. Hiring managers should review role descriptions each time a role is advertised;
- (b) must include information which defines the work-related qualities necessary to undertake the role. This is usually called ‘selection criteria’;
- (c) should include clear and comprehensive information which presents an attractive description of the benefits of working at OPC (not required for broad-band advancement);
- (d) must include a statement that identifies how the provisions of the *Privacy Act 1988* are met in relation to personal information collected as part of the recruitment process; and
- (e) may include information about the WHS risks relevant to the role.

25 Support and expertise for evaluations of the correct classification of a role and in preparing role descriptions and applicant packs is available in People Services team.

## **Selection decisions**

26 In order to ensure that selection decisions are free from discrimination, patronage and favouritism, selection decisions will be made by FPC primarily<sup>17</sup> based on the recommendation of a selection advisory committee (*SAC*), which assesses the relative merits of applicants<sup>18</sup>.

27 For all roles, SAC members must:

- (a) declare and manage any conflicts of interest, real or apparent<sup>19</sup>; and
- (b) use effective methods to assess the relationship between the applicant’s work-related qualities and the work-related qualities—as defined—necessary to undertake the role<sup>20</sup>.
  - This must include either reviewing the claims made by applicants and their resumes/curriculum vitae or reviewing an applicant’s score on an aptitude test.
  - For applicants who are to be offered a position or placed on a merit list<sup>21</sup>, this must include confirming these claims by contacting referees. Hiring managers are not limited to contacting the referees provided by an applicant, but should provide the applicant the opportunity to respond to any information provided by a referee not provided by the applicant that results in an adverse outcome for the applicant (procedural fairness). Referee reports are subject to the *Privacy Act 1988* and the *Freedom of Information Act 1982*.

---

<sup>17</sup> See Directions, subsection 24(2)

<sup>18</sup> PS Act, paragraph 10A(2)(e)

<sup>19</sup> Refer to Policy No. 2.11 Conflicts of interest and proper use of Commonwealth resources and information

<sup>20</sup> Directions, subsection 27(4)

<sup>21</sup> Refer to APSC site [Creating, Using and Sharing Merit lists](#)

- This may include undertaking structured or unstructured interviews (undertaken in person or by video or audio conferencing), written or oral testing, undertaking work sample tests or reviewing examples of past work, psychological testing, aptitude testing etc.
- (c) Ensure the process is applied fairly to each applicant and is appropriately documented<sup>22</sup>.

28 For ongoing roles and non-ongoing roles that are or could be of greater than 18 months duration, a SAC:

- (a) must include a member of SMT;
- (b) for SES roles, must include an eligible representative of the APS Commissioner<sup>23</sup>;
- (c) should include a diverse membership, including gender diversity, which can most easily be achieved by having at least three members;
- (d) may include members who have participated in training in relation to recruitment;
- (e) must compare the relative suitability of the applicants, using a competitive selection process<sup>24</sup>. The documentation prepared by the SAC will include an assessment of the relationship between the applicant's work-related qualities and the work-related qualities—as defined—necessary to undertake the role, relative to other applicants<sup>25</sup>; and
- (f) must provide feedback to Recruitability applicants, whether they are successful or not.

29 For non-ongoing roles less than or equal to 18 months duration<sup>26</sup>, a SAC:

- (a) must include a member of SMT;
- (b) should include a diverse membership, which can most easily be achieved by having at least three members;
- (c) may include members who have participated in training in relation to recruitment;
- (d) must document an assessment of applicants against the work-related qualities—as defined—necessary to undertake the role<sup>27</sup>;

---

<sup>22</sup> Directions, paragraphs 24(1)(c) and 24(1)(d)

<sup>23</sup> Directions, section 26

<sup>24</sup> PS Act, paragraph 10A(2)(b)

<sup>25</sup> PS Act, paragraphs 10A(2)(c) and 10A(2)(d)

<sup>26</sup> Regulations, subsection 3.5(4)

<sup>27</sup> Directions, subsection 27(4)

- (e) may compare the relative suitability of applicants, using a competitive selection process; and
- (f) must provide feedback to Recruitability applicants, whether they are successful or not.

## **Salary negotiations**

30 In order to ensure that OPC's offers of employment are attractive and that high quality candidates accept our offers of employment, SAC members are authorised to discuss starting salaries with applicants, without making any commitments regarding a formal offer of employment, or any particular salary. This can be done at interview or when compiling the SAC report. Consideration must be given to the relevant clauses outlined in the Enterprise Agreement 2016-2019 or the Policy No. 7.3 OPC SES Remuneration Framework relating to initial, advancement and promotion salaries.

## **Announcement of recruitment outcomes**

31 In order to ensure that the announcement of selection decisions demonstrates the value OPC places on respecting individuals, and on the rigour of recruitment processes, selection announcements:

- (a) must be made after a successful applicant has accepted a role, and unsuccessful internal applicants have been informed of the outcome; and
- (b) should include a brief explanation of the rationale for key features of the recruitment plan (eg, the approach to market and selection process).

32 OPC is required to notify the APSC of the outcome of all SES selection processes, including the establishment of merit lists<sup>28</sup>.

33 Unsuccessful applicants should be advised of the outcome in a timely manner. The opportunity to request feedback may be included in this advice. Individuals have a right to request access to their personal information in selection documents under the *Freedom of Information Act 1982*. Individuals may also seek access to personal information under the *Privacy Act 1988*.

34 In order to ensure that selection decisions are free from discrimination, patronage and favouritism, unsuccessful APS applicants seeking promotion to APS 2-6 roles will be given information of their right to request a review of a selection decision that resulted in promotion. Unsuccessful internal applicants for broadband advancement, or for Executive Level 1 or Executive Level 2 roles will be given information about their right of review through the Review of Actions scheme<sup>29</sup>.

---

<sup>28</sup> Circular 2018/5, SES recruitment

<sup>29</sup> Most decisions relating to recruitment and selection are not reviewable, as set out in items 7 to 10 of Schedule 1 to the Regulations.

## **Conditions of engagement**

### **Citizenship**

35 A person who is not an Australian citizen cannot be engaged in the APS unless an Agency Head considers it appropriate to do so<sup>30</sup> and specifically waives the citizenship requirement.

36 A waiver may be appropriate for areas of labour market shortage. The achievement of citizenship should be included as a condition of engagement.

### **Qualifications<sup>31</sup>**

37 In order to maintain OPC's professional workforce, positions may be advertised as requiring specific qualifications as mandatory or desirable.

38 Where a specific qualification is advertised as mandatory, the successful applicant must hold the qualification, and the onboarding process must include verification of the qualification.

39 Where a specific qualification is advertised as desirable, and a successful applicant holds the qualification, the onboarding process must include verification of the qualification.

### **Character clearances<sup>32</sup>**

40 In order to mitigate the risk that an selection decision results in the employment of a person who is not suitable, all positions must be advertised as requiring the successful completion of a character clearance in the form of a police check.

### **Security clearances<sup>33</sup>**

41 In order to maintain the security of OPC's work and information, and to mitigate the risk that an selection decision results in the employment of a person who is not suitable, all positions should be advertised as requiring a 'baseline' security clearance as a minimum.

42 Certain positions require a higher security classification based on their role access to sensitive material. These positions may include roles requiring access to sensitive material for security, ICT sensitive material and system access, as well requirements to complete the drafting and publications of sensitive material. The security classification of all positions must be contained in the role's position description, and should be revised periodically by the General Manager / FPC.

### **Health clearances<sup>34</sup>**

43 In order to mitigate the risk that a successful applicant is unable to carry out the inherent requirements of a position due to a health issue, applicants should be advised that

---

<sup>30</sup> PS Act, paragraph 22(6)(b), subsection 22(8)

<sup>31</sup> PS Act, paragraph 22(6)(c)

<sup>32</sup> PS Act, paragraph 22(6)(d)

<sup>33</sup> PS Act, paragraph 22(6)(d)

<sup>34</sup> PS Act, paragraph 22(6)(e); Regulations, section 3.1

people who are engaged to the APS will be required to successfully complete a health check as a condition of engagement.

## **Probation<sup>35</sup>**

44 In order to mitigate the risk that a selection decision results in the employment of a person who is not suited to the role, to OPC or to the APS, all employees who are engaged to the APS (including those who are moving from a non-ongoing role in another APS agency) will be subject to a probation period of up to six months. The requirement for a period of probation and the duration of the probation will be notified in their letter of offer of employment.

45 The probation period may be waived, for example, if the person has significant satisfactory employment at OPC as a non-ongoing employee; or the person is a former OPC employee who had a good record of work performance, conduct, attitude, organisational fit and attendance. A recommendation to waive a probation period should be included in the selection recommendation to FPC. If agreed, the waiver of probation will be reflected in the letter of offer of employment provided to the employee.

46 A probation period will not be extended. However, circumstances may arise where the taking of long-term leave is unavoidable, e.g. the need for maternity leave, or personal leave for significant injuries or illness. In these circumstances, the employee should be advised in writing at the commencement of the leave that their probation will be suspended for the duration of the leave and will be resumed on their return to duty. This will allow for the full period of assessment.

47 During the probationary period, the employee's supervisor must provide regular feedback to the employee.

48 The employee's supervisor must, in consultation with the employee, undertake continual assessment of an employee's work performance, conduct, attitude, organisational fit and attendance and submit reports at 5, 13 and 22 weeks.

- (a) Work performance is to be assessed against the requirements identified in the employee's performance agreement, their role description, and OPC's core capabilities.
- (b) Conduct is to be assessed against the APS Code of Conduct.
- (c) Attitude is to be assessed against OPC's Values.
- (d) Organisational fit is to be assessed against the match between the goals and values of an individual and OPC's mission and values, as well as the APS Values.
- (e) Attendance is to be assessed against OPC's leave and flexible work policies.

49 Where an employee is on a graduated return to work, or in exceptional circumstances, the timing of the probation reports may be adjusted. However, where the employee is

---

<sup>35</sup> PS Act, paragraph 22(6)(a); Refer to the Enterprise Agreement 2016-2019, paragraph 19 and Circular 2022/3 - Probation

working during the majority of the probation period, the probation period will not be suspended.

50 Where a supervisor identifies concerns about a probationer's performance and/or conduct, the supervisor must:

- (a) raise and document the concerns with the employee as soon as they are evident, and advise the probationer that improvement is required to avoid termination of their employment;
- (b) provide the employee in writing with information about where the demonstrated work performance, conduct, attitude, organisational fit or attendance does not meet the expectation; and with a clear timeframe within which improvement is required;
- (c) provide access to relevant and appropriate support or development; and
- (d) continue to provide, and document, early, regular and appropriate feedback.

51 The supervisor should contact People Services for advice and support as soon as concerns about a probationer's performance are identified.

52 Where an employee's performance, conduct, attitude, organisational fit or attendance is rated as unsatisfactory at the week 22 probation report, the employee will be advised that their probation is finalised, and that a recommendation will be made that their employment be terminated.

53 Attendance of an employee at Legal Workshop will not be supported until the employee has completed the probation requirements.

## ***Onboarding and induction***

54 In order to support effective performance and ensure that new hires (successful applicants who are not internal to OPC) enjoy a smooth and helpful introduction to OPC, which supports retention, OPC will:

- (a) have an onboarding process that is efficient and supports the employee to transition smoothly to OPC. Where there is a period of more than two months between accepting a position and starting at OPC, efforts will be made to keep in touch with the employee as a 'keep warm' strategy. This may include 'check in' emails or phone calls between the employee and their supervisor or with a member of People Services team. This is to ensure that the employee feels supported in the lead up to their start date with OPC;
- (b) provide an induction program that allows all new employees, and employees returning after a period of three or more months of leave, to receive the information and training they need to assist them as they settle into their role, their team and OPC quickly, and supports the employee to work to their highest potential as they commence their careers with OPC. The induction program may be tailored to suit the needs of the individual employee and their workgroup;

- (c) have a streamlined onboarding process and provide an appropriate induction program for contracted workers who have been engaged by a hiring manager through a procurement process.

## **Record keeping**

55 Records relating to recruitment processes must be retained for at least 18 months from the advertisement of the process.

56 Recruitment records will be retained on an electronic file marked Sensitive: Personal.

57 Recruitment records are subject to the *Privacy Act 1988* and the *Freedom of Information Act 1982*.

## **Evaluation and reporting**

58 An evaluation of the effectiveness of a selection process may be undertaken.

59 Reports may be prepared for SMT on the effectiveness of recruitment activities.

## **Related documents**

60 The following documents are related to this policy:

- (a) *Public Service Act 1999*;
- (b) *Public Service Regulations 1999*;
- (c) *Australian Public Service Commissioner's Directions 2022*;
- (d) *Public Service Classification Rules 2000*;
- (e) *Privacy Act 1988*;
- (f) *Freedom of Information Act 1982*;
- (g) OPC Enterprise Agreement 2016-2019
- (h) Policy No. 2.11 Conflicts of interest and proper use of Commonwealth resources and information
- (i) Circular 2018/5, SES recruitment
- (j) Circular 2022/3, Probation
- (k) Commonwealth Aboriginal and Torres Strait Islander Workforce Strategy 2020-2024
- (l) Australian Public Service Disability Employment Strategy 2020-25
- (m) Australian Public Service Gender Equality Strategy 2021-26

- (n) APSC site [Creating, Using and Sharing Merit lists](#)
- (o) Department of Finance’s [Recruitment Advertising Policy](#)

## Review

61 This document will be reviewed at least every three years.

Bronwyn Livermore  
 A/g First Parliamentary Counsel  
 September 2022

<b>Document History</b>		
<b>Release number</b>	<b>Release date</b>	<b>Document number</b>
1.0	May 2002	s01dc236.v01.docx
1.1	March 2005	s01dc236.v11.docx
1.2	December 2005	s01dc236.v22.docx
1.3	July 2007	s01dc236.v27.docx
2.0	17 October 2012	s01dc236.v36.docx
2.1 - renumbering only	August 2017	s01dc236.v39.docx
3.0	September 2022	S22TP270.v09.docx

Note: Before September 2022, this policy was called Office Procedural Circular No. 5.2 Selection and recruitment policies, practices and procedures. This policy also incorporates information from Office Procedural Circular No. 5.3 Induction of new employees and return to work of existing employees; Office Procedural Circular No. 5.4 Recruitment and training of drafters; and Office Procedural Circular No. 5.6 Workplace diversity and recruitment matters. Before May 2017, this OPC was called Office Procedural Circular No. 83.