



Directive Name:	EMP27 Recruitment, Selection, & Promotion
File No:	PE.EM (superseded)
Directive Purpose:	To establish and maintain best practice in the recruitment and selection process to ensure the proper implementation of procedures relating to staff recruitment, selection, and promotion, and that all aspects of these processes are carried out efficiently, fairly, equitably and in accordance with sections 5.36(3) and 5.40 of the Local Government Act 1995 and the associated Local Government (Administration) Regulations 1996.
Principles / Framework:	Shire of Ashburton 10 Year Community Strategic Plan 2012-2022 Goal 5 – Inspiring Governance Objective 03 – Exemplary Team and Work Environment
Application:	All paid staff - <i>This Directive does not apply to external consultants (i.e. contracts for service) or Volunteers or other unpaid-staff.</i>
Statutory Environment:	Local Government Act 1995 Fair Work Act 2009 Equal Opportunity Act 1984 Age Discrimination Act 2004 Human Rights and Equal Opportunity Commission Act 1986 Workplace Gender Equality Act 2012
Minute Number:	10.12.31
Approval Date:	Accepted Ordinary Meeting of Council 15 December 2009 Reviewed at the Executive Management Meeting held on 17 April 2015

1. Objectives:

- To provide clear direction, consistency, and legislative compliance in the recruitment, selection, and promotion of employees of the Shire of Ashburton;
- To ensure the organisation is staffed by multi-dimensionally competent employees who share the same vision and values as the organisation and the community it serves;
- To provide career development opportunities where possible and appropriate;
- Ensuring that all employees involved in the recruitment process are properly trained in order that the objectives of the policy are met;
- To ensure compliance with the Local Government Act 1995 s5.40, which states that:
 - a) employees are to be selected and promoted in accordance with the principles of merit and equity
 - b) no power with regard to matters affecting employees is to be exercised on the basis of nepotism or patronage
 - c) employees are to be treated fairly and consistently
 - d) there is to be no unlawful discrimination against employees or persons seeking employment by a local government on a ground referred to in the [Equal Opportunity Act 1984](#) or on any other ground.

For the selection of a CEO or other senior employee (as defined by the Local Government Act 1995), this policy must be read in conjunction with the Local Government Act and Regulations, particularly section 5.36.

2. Definitions:

In the context of this Directive the following definitions are provided:

Merit - is a criterion which refers to the extent to which a person's job-related competencies and characteristics lawfully match those genuinely required for optimum performance in a particular job. It is a relevant judgment only when like can be compared with like.

Merit Selection - is selection of the best person for the job, purely on the basis of job-relevant criteria and characteristics. The focus of a merit selection process is on:

- open competition within the eligible pool of applicants (except in where otherwise exempted by this Directive);
- the applicant's demonstrated skills, knowledge, qualifications, and abilities;
- best fit for the organisation, or;
- the potential to develop these to the level required to achieve outcomes expected from effective job performance.

Equity - means that, in any given recruitment, selection, or promotion process or decision, no eligible candidate is *provided* with any advantage over another, other than his/her own distinct competencies and characteristics as lawfully relevant to the position.

Natural Justice - a term used to describe the process by which:

- decision makers must act fairly and without bias;
- a person should not be judged in his or her own cause (eg can't dismiss based on foreign name);
- all parties to the matter should be given the opportunity to put their case and all relevant arguments are considered before a decision is made, and;
- all persons are informed of the basis of a decision where that decision affects them.

Patronage - is the appointing of persons to positions on the basis of reward for favours or political support rather than on merit measured against objective criteria.

Nepotism - refers to patronage bestowed in consideration of family relationship and not on merit. It usually refers to appointments and preferential treatment. This will not be tolerated in the recruitment process.

3. General Appointment Principles:

The following general principles will be applied in the recruitment, selection, and promotion of employees at the Shire:

- 3.1 The Shire reserves the right to review the need for, and classification of, any position within the Shire's organisational structure.
- 3.2 The Chief Executive Officer has the power to recruit/appoint and terminate Executive Managers who are not designated "senior employees" under s5.37 of the Local Government Act 1995.
- 3.3 The Chief Executive Officer or delegated Officers will be responsible for the selection of all other Shire employees, including promotions within the scope of the organisational structure. The panel for this selection will comprise of the direct Supervisor for the position, a member of the Organisational Development team and additional delegated officers if practical
- 3.4 All requests for additional permanent staffing shall be made through the Chief Executive Officer and in consultation with the Manager Organisational Development. Short-term requirements to meet random peak needs (i.e. up to three months maximum appointment) will be the responsibility of the Executive Manager in consultation with the Manager Organisational Development and shall be in accordance with the annual budgetary constraints for that Team.
NB: For appointments of up to three months, it is impractical to run a full recruitment and selection process, so the Executive Manager may appoint such temporary staff (with agreement from the Human Resources Coordinator regarding pre-employment checks) without having to make the vacancy openly available to the public or other potentially interested parties.
- 3.5 All appointments will be confirmed upon the candidate satisfactorily addressing pre-employment requirements, as listed in the respective Position Description. The cost of the

medical examinations will be the Shire's responsibility, however other pre-requisites such as (but not limited to) police checks, validation of licences and qualifications will be at the candidate's cost unless otherwise specifically agreed in writing by the Manager, Organisational Development. Candidates and employees must comply with any request from the Shire, at any time, for proof of qualifications, certifications, or any other credentials claimed by the candidate during, or following the recruitment, selection, or appointment processes.

4. Recruitment:

Where a vacancy is created, either by the departure of the previous incumbent, or the creation of a new position through expansion/growth or restructure, and the position is not to be filled in accordance with other areas of this Directive, the following shall apply to recruitment of employees at the Shire of Ashburton:

- *A corporate approach will be taken to employee recruitment and selection and the process will be conducted in accordance with this directive and the Human Resources procedures.*
- *The recruitment and promotion of employees will always be on the basis of relative merit. The recruitment process will only occur after consideration has been given to the present and future corporate need and all other possible alternative staffing actions have been investigated i.e. structural change and/or redistribution of duties to other positions etc.*
- *All appointments, promotions and transfers will be based on relative ability, knowledge, skills, and fit with the organisation's Core Values, which ensures a uniform approach to, and standard of, recruitment throughout the organisation.*

4.1 Authority to Commence Recruitment and Appointment of Employees

The recruitment process may not commence for any budgeted position unless the appropriate requisition authority has been completed in accordance with the procedures prescribed by Organisational Development. For any unbudgeted positions, written authority to commence the recruitment and appointment process must be received by Organisational Development from the CEO.

The Organisational Development Team must be advised *in advance* of any person commencing paid employment or exiting the organisation and managers are reminded that *temporary* vacancies due to maternity leave arrangements, workers' compensation, suspension during investigations, long service leave and similar absences can only be relieved by temporary workers, until such time that the existing permanent incumbent's employment formally ends, and is also not the subject of a pending appeal (eg. unfair dismissal claims etc).

4.2 Vacancy Notifications

The Shire has an online vacancy notification subscription service and staff who wish to be advised of opportunities as they arise should subscribe to this *as well as* monitor announcements on the Shire's Intranet "AIMS". Staff may also confidentially advise Organisational Development of their career/employment aspirations by submitting a general expression of interest via the Shire's online recruitment portal every 12 months.

4.3 Confidentiality of Information

All employees involved in the recruitment and selection process shall be bound by strict standards of confidentiality, and disclosure outside of those bounds is only acceptable where such disclosure is required by law.

4.4 Achieving Equal Employment in the Workplace

The Shire recognises its legal, moral, social and ethical obligations to actively promote and practice the principles of equal opportunity in all aspects of employee recruitment, selection, and promotion.

5. Selection, Appointment & Promotion

In filling vacant positions, the selection process shall follow the appropriate Procedures in effect at the time. Officers participating in the selection decision must declare any associations they may have with applicants before shortlisting (or appointment, in the case of a single suitable applicant) commences. Selection panels will consist of at least:

- one member from the Human Resources Team, and;
- one supervisory position who could reasonably be expected to be familiar with the technical requirements of the role.

5.1. Restricted Selection / Internal Recruitment

Where there is good reason to believe there is sufficient existing talent to fill a given role, the Shire may choose to restrict the opportunity to internal applicants only.

5.2. Closed Promotions

Where:

- the CEO, relevant Executive Manager, and Manager Organisational Development agree, and;
- an employee has performed exceptionally well and is showing aptitude for a higher position, OR otherwise meets the selection criteria for the higher position, and;
- no other employee who could reasonably be expected to be competitive for the role and whose interest *is known* to the above three officers;

...that employee may be appointed to the higher position without further recruitment activity, provided a probation period of six months is applied to the appointment. Where the employee has already acted in the role immediately prior to (leading up to the) date the promotion takes effect, the period of acting already completed may be deducted from the probation period, at the CEO's discretion.

Where another potentially competitive employee has made his/her interest in such opportunities known to the Human Resources Coordinator in advance, that employee must be informed of the opportunity and considered for the promotion on the basis of merit. An exception to this rule may be made where an employee has already been acting in the higher position for at least three months.

Where an employee has been acting in a higher position for more than 12 months, and that position is otherwise vacant of a substantive incumbent, that employee may be permanently appointed to that position if it is an ongoing position, provided the Manager Organisational Development, the relevant Executive Manager, and the CEO have been consulted and have not expressed any objections to the appointment.

5.3. Promotion by Restructure

Positions may also be restructured or reclassified from time to time, and in some cases this may represent a promotion for an existing incumbent. In such cases, the promotion may occur provided the incumbent shows the necessary aptitude for the higher level of duties, and must be agreed to by the CEO, the Executive Manager, and the Manager Organisational Development. In the case where restructure involves either an Executive Manager or the Manager Organisational Development, there must also be consensus among Executive Team. The Shire may choose to apply a probation period to the restructure, but this will only apply to the extent that the position has *changed* and not to the actual employment of the employee.

5.4. Exceptional Skills Waiver

Where:

- the organisation has a distinct need for a particular level of expertise in an area where the employment market is particularly sparse for that particular skills set (as evident from a previous lack of recruitment success in that technical field via the usual recruitment approaches), and;
- thorough research has confirmed that the employment market for that field has not changed from the Local Government's perspective (including an assessment of existing talent within the organisation), and;
- thorough background checks have identified an external individual who will fit the organisation's needs in the desired area, and;
- the CEO, relevant Executive Manager, and Manager Organisational Development agree,

... a vacant position may be restructured in order that the identified candidate will be attracted to meet the organisation's staffing need. Under these circumstances, there will not be any further requirement for the Shire to advertise or re-advertise the vacancy.

5.5. Proximity Selection

Where a formal external/competitive recruitment process has been conducted for a particular skills/competency set, and another vacancy requiring those same skills/competencies becomes available within six months, a suitable (i.e. merit-based) candidate may be appointed from either a) the applicant pool from the original recruitment process, or b) subsequent internal expressions of interest.

5.6 Transfers and Extensions (eg. Maternity)

New families arrangements

Where an employee is returning from parental leave and requests transfer to temporary or permanent part time work, the Shire may elect to accommodate such a request by filling an existing vacancy. Under this arrangement, the normal recruitment process will not be necessary.

Transfer from temporary (or casual) to permanent employment

Where a temporary employee:

- has been in the same role for 3 months (either continuously or cumulatively over a number of successive temporary appointments), and;
- the CEO, relevant Executive Manager, and Manager Organisational Development agree the employee has performed well or is showing an exceptional level of aptitude for the role and should be retained;

...that employee may be appointed permanently to an existing vacancy of the same role-type, without a requirement for further recruitment activity, provided the normal necessary pre-employment checks for permanent appointment have been satisfied and a probation assessment form has been completed (this allows a skills audit and development plan to be implemented). Appointment under these arrangements can only occur where the CEO has approved the budget expenditure to cover the salary cost.

For the purpose of this section of the Directive, “same role” includes the situation where a temporary employee has performed the same duties continuously in a variety of temporary appointments across the organisation.

5.7 Engagement Mode (eg. FIFO; Remote; Residential etc.)

The type of engagement that may be applied to a given position depends on a number of factors. For example (but not limited to), whether:

- the role has necessary physical face-to-face contact with customers;
- the role can accommodate flexible hours of work;
- a particular mode is financially viable;
- the difficulty of attracting particular highly-specialised skills sets dictates candidate negotiation power;
- housing is available;
- office space is available;
- retention is a challenge for the role;
- the incumbent requesting a particular engagement option has provided adequate service and performance;
- a particular mode is operationally viable.

It is also preferable (where practical) to employee staff with local knowledge and commitment – that is, local residents or those who are prepared to become part of the local community by making it their primary place of residence. However, it is acknowledged that it may sometimes be impractical, and resources and budgets available for each type/mode of engagement may also limit options.

For these reasons, each Position Description will be assessed and determined which options might be applied to that particular role. Those positions which allow only one type of engagement (eg. residential) will be allocated priority for the resources available to that engagement option (eg. housing, vehicles, mobile computing etc). Further, where more than one engagement option is available *and* adequate resources permit, preference will be given to candidates who:

- have higher skill levels and/or experience;
- have performed well in previous years of service with the Shire;
- will be particularly difficult to retain or replace.

Documents associated with this Directive

- EMP27 Recruitment, Selection, & Promotion Procedures

This Management Directive is to remain in force until otherwise determined by the CEO or superseded.