

Recruitment and selection

Directive: 12/20

Effective date: 25/09/20

Supersedes: 15/13

1. Purpose

- 1.1 To specify the requirements applying to the recruitment and selection of public service employees.
- 1.2 The *Public Service Act 2008* (PS Act) establishes employment on tenure is the default basis of employment in the public service, excluding non-industrial instrument employees, and sets out the circumstances where employment on tenure is not viable or appropriate.

2. Authorising provisions

This directive is made pursuant to sections 29 and 53 of the PS Act.

3. Application

- 3.1 Unless otherwise stated, this directive applies to public service employees as defined in section 9 of the PS Act.
- 3.2 This directive applies to the following entities (each entity being an 'agency' for this directive) and their employees:
 - (a) departments
 - (b) public service offices listed in schedule 1 of the PS Act
 - (c) an entity declared to be a public service office under a regulation and where the regulation applies this directive to the entity (sections 22-23 PS Act).
- 3.2 This directive does not apply to the recruitment and selection of chief executive officers.
- 3.3 This directive does not apply to the appointment of an employee to a higher classification level or conversion of fixed term temporary or casual employees made under the relevant directive. However, if an agency is seeking to permanently appoint an employee prior to the employee becoming eligible under the relevant directive, the appointment must comply with this directive.
- 3.4 Section 52 of the PS Act outlines the relationship between a directive and industrial instrument including how to deal with inconsistencies.

Directive

4. Principles

- 4.1 The recruitment and selection of public service employees must be in accordance with the merit principle and criteria prescribed in sections 27 and 28 of the PS Act and directed towards attracting and retaining a diverse and skilled workforce, drawn from government and non-government sectors (see sections 25 and 99 of the PS Act).
- 4.2 Recruitment and selection occurs within the context of broader workforce planning, with chief executives responsible for determining what staffing resources and capabilities are required to achieve their service delivery goals. This may include reviewing current and future capability requirements and funding availability ahead of advertising.
- 4.3 Recruitment and selection occurs within the context of the Queensland Government's commitment to employment security and maximising permanent employment of existing employees.
- 4.4 Under the *Human Rights Act 2019*, decision makers have an obligation to act and make decisions in a way that is compatible with human rights, and when making a decision under this directive, to give proper consideration to human rights.

5. Role evaluation

- 5.1 Unless an alternative is approved by the Commission Chief Executive (CCE), a role evaluation for the purpose of determining the work value and applicable classification level must be undertaken in accordance with the Queensland public sector job evaluation management system.
- 5.2 A role evaluation is not required to be undertaken for levels 1 and 2 of the professional and technical streams as these levels exist for the purpose of fulfilling education and training requirements prior to appointment to the level of practising professional or technical officer.

6. Vacancy advertisement and exemptions from advertising

- 6.1 The filling of a vacancy must first comply with the directive relating to supporting employees affected by workplace change.
- 6.2 Prior to filling a senior executive service (SES) vacancy or s122 vacancy to be remunerated equivalent to an SES classification, for a period greater than six months, a chief executive must consult with the Public Service Commission about the proposed recruitment and selection strategy.
- 6.3 Attracting and retaining a diverse and skilled workforce is generally best supported by advertising vacancies to the open market. As such, subject to clauses 6.6 to 6.8, vacancies must be advertised in a way that maximises quality applicant pools. The minimum requirement is that positions are advertised for a period of 10 working days (exclusive of the Christmas to new year closure period) on the [Smart jobs and careers website](#), or in the case of vacancies for graduate roles or graduate development programs, on the Queensland Government graduate portal. Acceptance of applications submitted after advertising closes is at the discretion of the panel.



- 
- 6.4 The following information must be provided when a vacancy is advertised¹:
- (a) a description of the duties to be undertaken and the key capabilities² against which applicants' merit will be assessed³
 - (b) any mandatory qualifications or conditions including, if a chief executive has designated a role as an identified role, the mandatory attribute(s) applicants must possess to be eligible for appointment
 - (c) the location and duration of the vacancy or vacancies (e.g. permanent, fixed term temporary)
 - (d) any pre-employment checks including disciplinary history and criminal history that may be undertaken
 - (e) any probationary period which may apply
 - (f) information regarding the obligations of newly appointed public service employees to disclose employment as a lobbyist and any previous serious disciplinary history.
- 6.5 Information on classification and/or salary range may also be included, however agencies may elect to seek applicants' expressions of desired salary range, particularly where a range of roles are vacant. Salary payable remains tied to the relevant classification level and applicable industrial instrument.
- 6.6 Vacancies are not required to be advertised where they are:
- (a) for entry level roles
 - (b) to be filled for a period of up to six months, subject to clauses 6.7 and 6.8
 - (c) to be filled via transfer, redeployment³ or secondment at or below level
 - (d) to be filled using an order of merit for a recurring vacancy
 - (e) for a casual role.
- 6.7 A vacancy filled under clause 6.6(b) may only be filled without advertising for a further period where it had been expected that the initial vacancy would only be required to be filled for a period of up to six months.
- 6.8 The duration of a further period in clause 6.7 is up to six months, with the combined total duration that the vacancy may be filled without advertising being up to 12 months. The filling of the vacancy for any additional period must be advertised.
- 6.9 A chief executive may exempt a vacancy from advertising or elect to limit the advertising only where they consider there is justification for doing so. In determining whether to exercise their discretion under this clause, the chief executive must consider:
- (a) their obligations under the PS Act, including the effective and efficient use of resources (s98), adherence to the management and employment principles (s99), the attraction of a diverse workforce (s25) and the provision of equality of employment opportunity (s30)
 - (b) how merit will be assessed should an exemption be approved
 - (c) whether an advertised vacancy process occurred previously⁴

¹ Chief executives are responsible for determining whether this information is included on the ad itself or in provided material, such as a role description.

² For executive roles, capabilities should align with the [Leadership competencies for Queensland](#).

³ Job requirements must not disadvantage external applicants unless they are inherent requirements of a role.

⁴ E.g. if a role becomes vacant again within a few months of a previous process.



- (d) whether the role classification or nature (e.g. fixed term temporary to permanent) has changed, including as part of a progressional scheme
- (e) whether exemption from or limited advertising will prevent the displacement of existing permanent public service employees
- (f) what impact, if any, would there be on the achievement of the department's service delivery outcomes.

7. Merit assessment and decisions

- 7.1 Merit assessment must occur irrespective of whether a vacancy is advertised or not. Subject to clause 7.2, chief executives are responsible for determining the activities required to assess merit.
- 7.2 Assessment processes for advertised vacancies must:
- (a) incorporate selection techniques that enable a sufficiently comprehensive assessment of the applicants' merit within the current context and duties of the role
 - (b) take into consideration all merit information before the selection panel, rather than focusing on one aspect of the assessment process (e.g. interview performance)
 - (c) incorporate pre-employment checks including referee checking as per clause 8
 - (d) measure the relative merit of each applicant, and
 - (e) be consistent with the principles of employment equity and anti-discrimination.
- 7.3 Selection decisions for advertised vacancies must be clearly documented and able to be independently reviewed, including a statement explaining the basis on which the panel has concluded that the recommended appointee is the most meritorious (i.e. has demonstrated superior merit against the key attributes of the role as compared to the other applicants).
- 7.4 Chief executives must determine the documentation required for selection decisions for non-advertised vacancies, having regard to the nature and duration of the vacancy.
- 7.5 If the selection panel recommends an order of merit, a comparative statement clearly describing the specific reasons why each recommended applicant is considered to be more meritorious than the next in the order of merit, must be provided.
- 7.6 In approving an appointment, the decision maker must be satisfied the proposed appointee is the most meritorious and, where applicable the selection process complies with the PS Act and this directive.
- 7.7 Selection decisions and notification of outcomes must take place in a timely manner. To facilitate this, panels should be formed and selection strategies determined prior or concurrent to advertising. A vacancy advertisement will lapse if no appointment is made within six months of the closing date of the vacancy.
- 7.8 To promote integrity in recruitment, selection panel documentation must include a declaration from each panel member and the decision maker that identifies:
- (a) any actual, potential, or reasonably perceived conflicts of interest between the panel member or decision maker and applicants for the role, or
 - (b) the absence of a conflict of interest between the panel member or decision maker and applicants for the role.



8. Pre-employment checking (including referee checks)

- 8.1 Pre-employment checking offers the opportunity to gain further information to assist in the panel's assessment of applicants and/or to validate the panel's assessment.
- 8.2 Referee checking relating to an applicant's work behaviour and performance, including seeking the referee's knowledge about past performance assessments and past serious disciplinary action must be conducted. The panel is responsible for determining when, during the selection process, referee checking is to be conducted.
- 8.3 At a minimum, referee checking must be conducted in relation to the applicant or applicants recommended for appointment and where applicable on an order of merit. Referee checking for other applicants is at the discretion of the panel.
- 8.4 Unless there are extenuating circumstances, at least one referee must have thorough knowledge of the applicant's conduct and performance within the previous two years. Where an applicant is a current or previous public service employee, the panel should give particular consideration to requesting the applicant nominate a referee who can report on their public service employment.
- 8.5 Referees must provide an honest account of an applicant's performance and workplace conduct relevant to the role. For referees who are existing public service employees, the omission of relevant information or the provision of untruthful information by a referee to the referee's own agency or to another agency may result in a discipline process being commenced.
- 8.6 Where a selection panel believes there are referees other than those nominated by the applicant who hold information relevant to the selection decision, a selection panel may contact the applicant for additional referees. Where an applicant declines, the panel must make its recommendation on the information before it.
- 8.7 The timing and extent of any other pre-employment checks, such as serious discipline history disclosure by the applicant (s179A of the PS Act), exchanges of information between departments (s188B of the PS Act) or eligibility to work in Australia, is at the discretion of the panel. The nature, seriousness and timeframe of the disciplinary history, including whether it shows a pattern of behaviour, and any impact on the duties and responsibilities of the role applied for, must be considered when determining what impact, if any, there is on the applicant's suitability for the role, with such considerations reflected in the selection report.
- 8.8 Criminal history checks must be conducted in accordance with the PS Act (Chapter 5, Part 6) and any relevant directive.

9. Dealing with adverse information that may affect the selection outcome

- 9.1 The selection panel is responsible for assessing the relative merit of applicants based on the information available to them. In some instances, this may include adverse information, as a result of a pre-employment check or through panel members' pre-existing knowledge of an applicant. Where adverse information is taken into account by the panel and it adversely affects the proposed selection outcome i.e. recommendation for appointment, the information must be put to the applicant for response. Any response from the applicant must be documented and considered by the panel ahead of making their final recommendation.



10. Post selection feedback

- 10.1 Subject to clause 10.2 all applicants are to be advised that they may request feedback.
- 10.2 Graduate applicants who are interviewed are to be advised they are entitled to request feedback.
- 10.3 Applicants who request feedback must receive timely, specific and constructive feedback from a member of the selection panel sufficient to explain the panel's recommendation and the decision maker's decision.

11. Gazette notification

- 11.1 The following appointments must be notified in the gazette within one month of the appointment decision:
- (a) all senior executive and senior officer appointments from an advertised vacancy
 - (b) promotions of tenured public service officers from an advertised vacancy
 - (c) promotions of tenured public service officers arising from the use of the recurring vacancy provision.

12. Reporting

- 12.1 Chief executives are required to report on the implementation of this directive as requested by the CCE.

13. Transitional arrangements (where applicable)

- 13.1 At the commencement of this directive, a vacancy that has been filled following an exemption of advertising under clause 9.6 of directive 15/13, may be filled for a further period of up to six months, without the vacancy first being advertised.

14. Definitions

Agency—see application clause of this directive.

Appoint means to employ a public service officer, general employee or fixed term temporary employee covered by this directive.

Decision maker includes a delegate.

Entry level roles, in relation to the *Queensland Public Service Officers and Other Employees Award – State 2015 (QPSOOEA)* 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, entry level roles 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 *QPSOOEA*.





For roles that exceed the salary equivalent of AO5(4) of the QPSOOEA, entry-level roles are the base classification level or levels determined by the chief executive and approved by the CCE.

Gazette is the Queensland Government Gazette.

Graduate is a person who has recently been recognised by a university as having completed the requirements of a bachelor degree or higher degree.

Graduate development program is a formal program designed for the recruitment, selection and development of graduates. The program is operational for a minimum of 12 months and is considered a workforce planning strategy to attract and retain specialist graduate skills.

Graduate role is a role up to and including the AO3 classification level (or equivalent) designated by a chief executive officer to be filled by a graduate.

Identified role 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 the purpose contained in section 25 of that Act.

Mandatory conditions are inherent requirements of the role and can include certain classes of drivers' license, statutory restrictions, any requirement for the appointee to undertake regular travel etc.

Mandatory qualification means a qualification that is essential for the occupant of a role to hold in order to comply with an industrial instrument or to satisfy legal, accreditation or registration requirements or where a chief executive determination has been made. A chief executive may make a determination in relation to any role within their agency, provided that before making a determination (and where applicable) the chief executive consults with any agencies that have roles identical or substantially similar to that proposed to have mandatory qualifications attached and with the CCE.

Recurring vacancy means a vacancy that is identical to the original vacancy in terms of title, remuneration, classification level and role description, provided the appointment is made within 12 months of the closing date of the original vacancy.

A recurring vacancy also means a similar vacancy provided that the classification level, remuneration and key capabilities are the same as the original vacancy and the role requirements are similar and the advertisement included a note that applications may be used to appoint to similar vacancies for a specified period up to 12 months after the closing date of the initial vacancy.

In applying the recurring vacancy provision, a fixed term temporary appointment may be made from a vacancy advertised as permanent however a permanent appointment cannot be made from a vacancy advertised as fixed term.

Selection panel means the person or persons responsible for conducting the assessment of applicants and making a recommendation about appointment to the decision maker. For SES vacancies, the panel must include one member from outside the Ministerial portfolio. While it is not prohibited, the decision maker should generally not be a member of the selection panel.

Serious disciplinary action has the meaning set out in s179A of the PS Act.



15. Related resources and reference materials

This material does not form part of the directive but may assist in the interpretation and application of the directive and should be considered by decision makers:

- [Directives relating to:](#)
 - supporting employees affected by workplace change
 - fixed term temporary employment
 - casual employment
 - appointing a public service employee to a higher classification level
- [Find resources about managing employees](#) in the Queensland Government:
 - PSC recruitment and selection templates
 - PSC best practice guide for senior executive service recruitment and selection
 - Guideline on appointment to senior executive service positions
 - Policy on disclosure of previous employment as a lobbyist
 - Code of Conduct for the Queensland public service
- *Public Sector Ethics Act 1994*

