

Office of the Commonwealth Ombudsman Enterprise Agreement 2017-2020

Office of the Commonwealth Ombudsman Enterprise Agreement 2017-2020				List of Delegates						
No.	Subject	Reference/ Instrument, Clause/ Section	Power or Function	DO	COO	SAO	Director HR	Director, Manager	EL1s	APS6s
1	<i>Hours of work</i>	EA CI 10.6	Agree to commencement and cessation times for an employee outside standard hours	X	X	L	X	L	L	
2		EA CI 10.9	Determine the manner in which employees are required to record their hours worked each day	X	X					
3	<i>Flexible working arrangements</i>	EA CI 11.3	Approve flexible working arrangements (excluding flextime) for employees	X	X	L	L	L	L	
4		EA CI 11.3 EA CI 11.4	Approve flextime for employees (APS 1 to APS6 employees)	X	X	L	L	L	L	L
5		EA CI 11.7	Revert an employee to working standard hours where it is reasonable to do so because an employee has failed to comply with the flextime provisions	X	X	L	X	L		
6		EA CI 11.8	Restore an employee's access to flextime	X	X	L	X	L		
7		EA CI 11.10	Agree to an employee's request to work outside bandwidth hours	X	X	L	L	L		
8	<i>Overtime</i>	EA CI 12.2	Direct employee to perform work in addition to their ordinary hours of work and approve payment of overtime, or time off in lieu (TOIL) subject to mutual agreement (APS 1 to APS6 employees)	X	X	L	X	L	L	
9	<i>10 hour break</i>	EA CI 12.4	Approve payment at double time for the next period of work, where a 10 hour break is not possible due to operational requirements	X	X	L	L	L		
10	<i>Travelling time</i>	EA CI 13.3	Approve non-same day travel for employee where a flight would otherwise be available for the employee to travel on the day of business.	X	X	L	L	L		
11	<i>Part-time work</i>	EA CI 15.1 EA CI 15.5	Approve part-time work for an employee, including an extension of a part-time work arrangement	X	X	L	L	L		

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12		EA CI 15.3	Determine that exceptional circumstances exist and approve an employee to work part-time for less than three consecutive hours on any one day	X	X	L	L	L		
13		EA CI 15.9	Agree to an employee engaged or assigned duties in a management initiated part-time position converting to full-time employment	X	X	L	X	L		
14	<i>Job sharing</i>	EA CI 16.1	Approve job sharing arrangements between two or more employees wishing to share the one full-time job	X	X	L	X	L		
15	<i>IFAs</i>	EA CI 17.1	Agree to make an individual flexibility arrangement with an employee to vary the effect of terms of the agreement	X	X					
16		EA CI 17.5	Terminate an employee's individual flexibility arrangement	X	X					
17	<i>HBW</i>	EA CI 18.1 EA CI 18.3	Approve formal home based work for an employee and vary and terminate home based arrangements	X	X		X			
18			Approve home based work for an employee on an informal/ad hoc basis as per clause 18.2	X	X	L	X	L		
19	<i>Substitute Public Holiday</i>	EA CI 20.3	Agree to an employee substituting a day or part day that would otherwise be a public holiday, having regard to operational requirements	X	X	L	L	L		
20	<i>Study Assistance</i>	EA CI 24.2	Approve an employee's proposed course of study	X	X		X			
21		EA CI 24.3	Approve up to 60 hours of paid study leave per semester for an employee to attend formal lectures, seminars, presentations, tutorials, including on-line, residential or other events scheduled as part of an approved course of study	X	X	L	X	L		
22		EA CI 24.4	Approve miscellaneous leave per semester (paid or unpaid), including full time study, for research, exam preparation and to sit exams	X	X	L1	L0	L0		

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				DO	COO	SAO	Director HR	Director, Manager	EL1s	APS6s
23		EA CI 24.5	Approve financial assistance for an employee to undertake an approved course of study	X	X		L			
24		EA CI 24.7	Approve the cost of a training course of study in a tertiary institution where the course is approved as part of the employee's Professional Development Plan, and approve reasonable time off to travel to and from the training	X	X					
25	<i>Child and dependant care</i>	EA CI 25.1	Approve reimbursement of reasonable expenses (on receipt of satisfactory evidence) arising from additional family arrangements in accordance with clause 25.1	X	X	L	X	L		
26	<i>Excess employees</i>	EA CI 32.1.c	Determine an employee is excess where the duties usually performed by the employee are to be performed at a different locality and the employee is not willing to perform duties at that locality	X	X					
27		EA CI 33.1	Advise an employee, in writing, he/she is likely to become an excess employee	X	X					
28		EA CI 34.1	Advise, in writing, the employee who has been identified as potentially excess that they are excess to the Office's requirements and make an offer of voluntary redundancy	X	X					
29		EA CI 34.6	Terminate the employee's employment where an excess employee agrees to voluntary redundancy	X	X					
30		EA CI 35.4	Deem an extension to the excess employee's retention period is reasonable as a result of a period of personal leave with a medical certificate	X	X		X			
31		EA CI 35.6b.	Reassign duties at a lower APS classification to an excess employee with salary maintenance for the balance of the retention period	X	X		X			
32		EA CI 35.9	Approve reasonable expenses where these expenses are not met by the prospective employer where an excess employee is required to move the employee's household to a new locality as a result of a reduction in classification	X	X					

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33		EA CI 35.10	Terminate, involuntarily, the employee's employment, with his/her agreement, where satisfied that there is insufficient productive work available for the employee within the Office during the remainder of the retention period and that there is no reasonable redeployment prospects in the APS	X	X					
34		EA CI 35.11	Terminate the employment of an excess employee at the end of the retention period	X	X					
35	<i>Office's Training Broadband</i>	EA CI 38.3	Assign other classifications to the Office's Training Broadband relevant to the training and/or development programme	X	X					
36		EA CI 38.4	Approve payment, on engagement, above the base point of the APS3 level having regard to the Graduates' experience, qualifications, skills and previous salary of the employee	X	X		X			
37		EA CI 38.5	Advance the employee to the APS 4 classification level within the Training Broadband, on successful completion of the Graduate Programme	X	X		X			
38		EA CI 38.6	Assign the employee (Graduate) duties within the APS 4/5 broadband (Ombudsman Band 4) and determine salary	X	X		X			
39		EA CI 38.7	Determine the course of training and/or development to be undertaken by Trainee employees on engagement	X	X		L			
40		EA CI 38.8	Advance the employee (Trainee) to a classification that will be not less than the APS 3 classification level and determine salary, when satisfied that the course of training and/or development has been successfully completed	X	X		X			
41	<i>Salary on engagement, promotion and assignment of duties</i>	EA CI 41.1	Approve payment of an employee's salary on engagement, promotion and assignment of duties (including movement from another APS Agency) at a higher salary point within the classification range based on experience, qualifications and skills	X	X	L	X			

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42		EA CI 41.2	Approve continued payment of previous APS agency salary where employee moving to the Office is receiving a salary in his or her previous APS agency that exceeds the current maximum pay point in the Office for that classification	X	X	L	X			
43		EA CI 41.4	Determine salary payable to an employee where his/her classification is reduced, on either a temporary or ongoing basis, having regard to their experience, qualifications and skills	X	X	L	X			
44		EA CI 41.5	Determine, in writing, that the employee will be paid salary at the more correct salary point where, at the time of engagement, the employee's salary is set at an incorrect salary point (in error)	X	X		X			
45	<i>Complying Super funds</i>	EA CI 44.4	Limit superannuation choice to complying superannuation funds that allow employee and/or employer contributions to be paid through fortnightly electronic funds transfer	X	X		X			
46	<i>Payment on Death</i>	EA CI 45.1	Direct that the employee will be presumed to have died on a particular date, and/or approve the payment of the amount, which the former employee would have been entitled had he or she ceased employment on resignation or retirement	X	X		X			
47	<i>HDA</i>	EA CI 47.1	Approve payment of HDA	X	X	L	L6	L6		
48		EA CI 47.2	Approve payment of HDA at a higher salary having regard to the employee's experience, skills and qualifications	X	X	L	L6	L6		
49	<i>FAO</i>	EA CI 48.1	Approve payment of First Aid Allowance	X	X		X			
50	<i>HSR, WHCO, ECW</i>	EA CI 49.1 EA CI 49.2	Approve payment of an allowance to employees who fulfil the role of Health and Safety Representative, Workplace Harassment Contact Officer and Emergency Control Warden	X	X		X			
51	<i>CLA</i>	EA CI 50.1	Determine there is a continuing need to utilise an employee's particular language skills for communication in languages other than English, for an employee to be paid Community Language Allowance	X	X	L	X			

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				DO	COO	SAO	Director HR	Director, Manager	EL1s	APS6s
52	<i>Professional fees</i>	EA CI 51.1	Approve payment for professional practice, memberships or other fees for employees in accordance with clause 51.1	X	X	L	X			
53	<i>Restriction</i>	EA CI 52.1	Place an employee (APS1 to APS6) who needs to be contactable and available to work outside their ordinary hours of work under a restriction direction	X	X	L	L	L		
54	<i>Remote localities payment</i>	EA CI 53.1	Approve a remote localities payment to an employee who is required to perform field work in a remote geographic location for a period of three weeks or less and the employee does not have access to accommodation, but instead is required to 'camp'	X	X	L	X	L		
55	<i>MVA</i>	EA CI 54.1	Approve an employee's request to use a private vehicle at his or her own expense for work related travel	X	X	L	X	L		
56		EA CI 54.2	Set conditions under which Motor Vehicle Allowance is payable	X	X					
57	<i>Clothing an Personal Effects</i>	EA CI 56.1	Approve reimbursement for loss or damage to an employee's clothing or personal effects	X	X	L	X			
58	<i>Eyewear reimbursement</i>	EA CI 57.1	Approve eyewear reimbursement where an approved examiner has certified that eyewear is required to perform screen based work	X	X	L	X	L		
59	<i>Healthy lifestyle</i>	EA CI 58.1	Approve payment of lifestyle contribution of up to \$299 per annum	X	X	L	X	L		
60	<i>Adjustment to TA payments</i>	EA CI 59.7	Adjust the amount of travel allowance where there is sufficient proof that a different travel allowance is needed to meet reasonable accommodation, meal and incidental costs incurred	X	X	L				
61		EA CI 59.8	Reimburse reasonable travel related expenses where costs have been incurred above the travel allowance rate	X	X	L				

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				DO	COO	SAO	Director HR	Director, Manager	EL1s	APS6s
62	<i>Temporary Relocation Assistance</i>	EA CI 60.1	Approve an agreed package of temporary relocation assistance where an employee is required to work in a different geographic location for more than three weeks	X	X					
63		EA CI 60.2	Agree to further temporary relocation assistance where an employee is required to work in a different geographic location in excess of 13 weeks	X	X					
64	<i>Permanent relocation Assistance</i>	EA CI 61.1	Approve reasonable costs associated with a move where an employee is compulsorily assigned duties on an ongoing basis to another location and as a result is required to relocate his or her domicile	X	X					
		EA CI 61.2								
65	<i>Overseas Travel</i>	EA CI 62.2	Approve provision of a corporate credit card, payment of overseas travelling allowance and cash advance for employee travelling overseas	X	X					
66		EA CI 62.3	Adjust the amount of Overseas Travel Allowance where there is sufficient proof that the amount paid was insufficient to meet reasonable costs incurred	X	X					
67		EA CI 62.4	Agree to meet the reasonable costs of medical or dental attention required by an employee as a result of an injury or disease that requires immediate attention while the employee is travelling overseas	X	X					
68	<i>Recording leave</i>	EA CI 63.2	Determine the manner in which approved leave should be recorded	X	X		X			
69	<i>Portability of leave</i>	EA CI 64.3	Recognise any accrued annual leave and personal/carers leave (however described), provided there is no break in continuity of service – where an employee is engaged as an ongoing employee, and immediately prior to the engagement the person was employed as a non-ongoing APS employee	X	X		X			
70	<i>Annual leave</i>	EA CI 65.2	Approve annual leave for an employee	X	X	L	L	L	L	

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71		EA CI 65.7	Approve other types of leave during a period of annual leave if satisfactory evidence is provided	X	X	L	X	L		
72	<i>Cash out of annual leave</i>	EA CI 65.10	Agree to an employee's request to 'cash out' up to two weeks of their accrued annual leave entitlement	X	X	L	L	L		
73	<i>Personal leave</i>	EA CI 66.5	Approve, subject to available credits, personal leave with pay for an employee	X	X	L	L	L	L	
74		EA CI 66.8	Request that an employee provide a satisfactory medical certificate or other documentary evidence for any period of personal leave	X	X	L	X	L	L	
75		EA CI 66.15	Grant annual leave or long service leave to an employee on personal leave who has exhausted their paid personal leave credits	X	X	L	X	L		
76	<i>Compassionate leave</i>	EA CI 67.1	Approve compassionate leave for an employee	X	X	L	L	L	L	
77		EA CI 67.2	Approve additional leave to employees, who were entitled to compassionate leave under clause 67.1, from his or her personal leave entitlement	X	X	L	LO	LO	LO	
78	<i>LSL</i>	EA CI 68.2	Approve long service leave for an employee	X	X	L	L	L		
79	<i>Purchased leave</i>	EA CI 69.1	Approve purchased leave for an employee	X	X	L	L	L		
80	<i>Maternity leave</i>	EA CI 70.1	Grant eligible employees paid and/or unpaid maternity leave	X	X	L	X	L		
81		EA CI 70.4	Grant eligible employees an additional two weeks paid leave, to be taken in conjunction with the paid maternity leave	X	X	L	X	L		
82	<i>Adoption and foster parents leave</i>	EA CI 71.1	Approve paid adoption or foster parent leave of 14 weeks at full pay or 28 weeks at half pay, where the employee has 12 months or more continuous service in the APS as at the date of placement of the child	X	X	L	L	L		



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83		EA CI 71.2	Approve 2 weeks paid adoption or foster parent leave of 2 weeks at full pay or 4 weeks at half pay, where the employee has less than 12 months of continuous service in the APS as at the date of placement of the child	X	X	L	L	L		
84		EA CI 72.1	Grant supporting partner leave to an ongoing employee	X	X	L	L	L		
85	<i>Unpaid parental leave</i>	EA CI 74.1	Approve unpaid parental leave for an employee	X	X	L	X			
86	<i>Jury leave</i>	EA CI 75.1	Grant an employee leave to attend jury service	X	X	L	X	L		
87	<i>Religious, cultural and ceremonial leave</i>	EA CI 76.1	Grant employees reasonable paid and unpaid miscellaneous leave to take part in activities associated with their culture or ethnicity, including participation in NAIDOC week activities	X	X	L	L0	L0		
88		EA CI 76.2	Grant miscellaneous leave without pay to Indigenous Australian employees for ceremonial purposes arising under Aboriginal or Torres Strait Islander law	X	X	L	L0	L0		
89	<i>War Service sick leave</i>	EA CI 77.1	Grant war service sick leave to an employee	X	X	L	L	L		
90	<i>Defence Reservists leave</i>	EA CI 78.1	Grant an employee leave (with or without pay) to enable the employee to fulfil ADF Reserve and Continuous Full Time Service (CFTS) or Cadet Force obligations	X	X	L	L	L		
91	<i>Community service leave</i>	EA CI 79.1	Approve reasonable periods of paid community service leave for: <ul style="list-style-type: none"> <li>• emergency services responses; and</li> <li>• reasonable travel and recovery time</li> </ul>	X	X	L	L0	L0		
92		EA CI 79.2	Approve reasonable periods of non-paid leave for: <ul style="list-style-type: none"> <li>• regular training; and</li> <li>• ceremonial duties</li> </ul>	X	X	L	L0	L0		

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				DO	COO	SAO	Director HR	Director, Manager	EL1s	APS6s
93	<i>Miscellaneous leave</i>	EA CI 80.1	Approve miscellaneous leave with pay	X	X	L1	L0	L0		
94		EA CI 80.1	Approve miscellaneous leave without pay – to count as service	X	X	L1	L0	L0		
95		EA CI 80.1	Approve miscellaneous leave without pay – not to count as service	X	X	L12	L1	L1		
96		EA CI 81.1	Deem an employee to be on unauthorised absence	X	X	L	X	L		

Public Service Act 1999

No.	Reference/ Instrument, Clause/ Section	Power or Function	List of Delegates				
			DO	COO	SAO	Director HR	Director, Manager
97	PSA 15(1)	Impose relevant sanctions on an APS employee who is found to have breached the Code of Conduct	X	X			
98	15(3)	Establish written procedures for determining breaches of the Code of Conduct and sanctions to be imposed where a breach is found	X	X			
99	15 (7)	Ensure that the procedures established under subsection 15 (3) are made publicly available	X	X		X	
100	18	Establish a workplace diversity program to assist in giving effect to the APS Employment Principles	X	X		X	
101 (a)	22(1) 22(8)	Engage persons as employees and determine whether ongoing or non-ongoing for a specified period or specified task or as irregular or intermittent, taking into account any conditions imposed under section 22(6)	X	X		X	

Public Service Act 1999

No.	Reference/ Instrument, Clause/ Section	Power or Function	List of Delegates				
			DO	COO	SAO	Director HR	Director, Manager
101 (b)	22(1) 22(8)	Where the vacancy has not been advertised in the gazette, engage persons as a non-ongoing employee for a specified period or specified task or as irregular or intermittent, taking into account any conditions imposed under section 22(6).	X	X	L12	X	
102	23(4)	Reduce the classification of an APS employee, without the employee's consent, in the circumstances prescribed in subsection 23(4)	X	X		X	
103	24(1)	Determine in writing the remuneration and other terms and conditions of employment applying to an APS employee or APS employees in the Office	X	X			
104	25	Determine duties of an APS employee in the Office, and place or places at which duties are to be performed	X	X	L	X	L3
105	26(1)	Enter into an agreement, in writing, with an APS employee for the employee to move to the Office from another agency	X	X		X	
106	27(2)	Notify the APS Commissioner in writing that an employee is excess to the Office's requirements	X	X		X	
107	29(1)	Terminate by notice in writing, the employment of an APS employee in the Office. (Note: this delegation must be exercised in accordance with the provisions of s38 for SES employees)	X	X		X	
108	30(1)	Receive a notice of retirement from an APS employee who has reached the minimum retiring age	X	X	L	X	L
109	31(1)	Give notice to an APS employee in relation to additional non-Commonwealth remuneration, where the employee receives any non-Commonwealth remuneration for performing duties as an APS employee	X	X			
110	37(1)	Give a notice to an SES employee concerning payment of a specified amount if the employee retires	X	X			
111	41B(1)	Request the Commissioner to inquire into and determine whether an APS employee, or a former APS employee, in the Office has breached the Code of Conduct	X	X		X	
112	41B(9)	Request the Commissioner to recommend sanctions where the Commissioner is also requested to conduct an inquiry under subsection 41B(1)	X	X		X	
113	44(3)	Provide the APS Commissioner with whatever information is required for the Commissioner's report on the state of the Public Service	X	X		X	

**Public Service Act 1999**

No.	Reference/ Instrument, Clause/ Section	Power or Function	List of Delegates				
			DO	COO	SAO	Director HR	Director, Manager
114	50A(1)	Request the Merit Protection Commissioner to inquire into and determine whether an APS employee, or a former APS employee, has breached the Code of Conduct	X	X		X	
115	74(1)	Engage persons overseas to perform duties overseas as employees	X	X		X	
116	77(1) 77(2)	Create positions and nominate an APS employee/s in the Office to occupy such positions	X	X	L	X	

**Public Service Regulations 1999**

No.	Reference/ Instrument, Clause/ Section	Power or Function	List of Delegates				
			DO	COO	SAO	Director HR	Director, Manager
117	PS Reg 3.1(2)	Direct an APS employee to undergo an examination (on engagement) by a nominated medical practitioner for an assessment of the employee's fitness for duty and provide a report of the examination	X	X		X	
118	PS Reg 3.2(2)	Direct an APS employee to undergo an examination (in a range of circumstances) by a nominated medical practitioner for an assessment of the employee's fitness for duty and provide a report of the examination	X	X		X	
119	PS Reg 3.3	Approve a scheme for persons engaged for a specified term or for the duration of a specified task (non-ongoing employees) in the Office to gain skills and experience for the purpose of assisting them to participate in the workforce	X	X		X	
120	PS Reg 3.5(6)(a)(ii)	Enter into an agreement with a State or Territory, or an authority of a State or Territory, to engage a person as a non-ongoing employee for a specified term	X	X			
121	PS Reg 3.10(1)	Suspend, in certain circumstances, an APS employee employed in the Office from duties	X	X		X	
122	PS Reg 4.2(1)	Request the Merit Protection Commissioner to establish an Independent Selection Advisory Committee	X	X		X	

Public Service Regulations 1999

No.	Reference/ Instrument, Clause/ Section	Power or Function	List of Delegates				
			DO	COO	SAO	Director HR	Director, Manager
123	PS Reg 4.3	Nominate a person to an Independent Selection Advisory Committee when requested to do so	X	X		X	
124	PS Reg 5.11(1)(b)	Nominate an APS employee to a Promotion Review Committee	X	X		X	
125	PS Reg 5.17(2)	Provide to a Promotion Review Committee information or documents relevant to a review in the way, and at or within the time, stated in the written notice of request	X	X		X	
126	PS Reg 5.24(1)	Receive a written request for a primary review of a reviewable action	X	X	L	X	
127	PS Reg 5.25	Refer an application for review of a reviewable action to the Merit Protection Commissioner (with the Merit Protection Commissioner's agreement). Advise the employee of this decision in writing	X	X		X	
128	PS Reg 5.26	Advise, in writing, an employee who has made an application for review of an APS action that the action is not reviewable, the reasons why and if the if the application was not made or referred to the Merit Protection Commissioner—of the employee's right to apply to the Merit Protection Commissioner under regulation 5.29 for secondary review of the action	X	X			
129	PS Reg 5.27	Review the action and attempt to resolve the employee's concerns about the action unless the delegate referred the application to the MPC or considers that the employee is not entitled to review. In reviewing the application the delegate may: <ul style="list-style-type: none"> <li>• confirm the action; or</li> <li>• vary the action; or</li> <li>• set the action aside and substitute a new action.</li> </ul> The delegate must tell the employee in writing of: <ol style="list-style-type: none"> <li>1. any decision made on the application; and</li> <li>2. the reasons for the decision; and</li> <li>3. any action to be taken as result of the review; and</li> <li>4. applicant's right to apply to the Merit Protection Commissioner under Reg 5.29 for secondary review of the action</li> </ol>	X	X		X	

Public Service Regulations 1999

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			DO	COO	SAO	Director HR	Director, Manager
130	PS Reg 5.30	Give the application and any relevant documents relating to the primary review of action to the Merit Protection Commissioner within 14 days after receiving an application for a secondary review, and give the affected employee a copy	X	X		X	
131	PS Reg 5.32(1) and (2)	Consider and make decisions, as soon as possible, about recommendations received from the Merit Protection Commissioner regarding review of actions	X	X		X	
132	PS Reg 5.32(4)	Advise the employee and the Merit Protection Commissioner in writing of the decision and the reasons for the decision	X	X		X	
133	5.35(1) and (2)	Provide information or documents relevant to a review to a person or Committee carrying out a review in the way, and at or within the time, stated in the written notice of request.	X	X		X	
134	PS Reg 7.2F(1) and (2)	Give the Merit protection Commissioner stated information in relation to the conduct of a review requested by a former employee	X	X		X	
135	PS Reg 8.1(3)	Consult with certain APS employees either before or after the move, prior to varying certain conditions of employment - in relation to administrative arrangements and re-organisations	X	X		X	
136	PS Reg 8.2	Consult with certain non-APS employees before or after engagement, before varying remuneration and certain conditions of employment - in relation to Administrative arrangements and re-organisations	X	X		X	
137	PS Reg 8A.4(1)	Appoint, for the purpose of making judgement debt deductions from a debtor's salary, one or more persons as paying officers	X	X		X	
138	PS Reg 9.2	Disclose, in certain circumstances, personal information that is in their possession or under their control	X	X		X	

Australian Public Service Commissioners Directions

No.	Reference/ Instrument, Clause/ Section	Power or Function	List of Delegates				
			DO	COO	SAO	Director HR	Director, Manager
139	APSCD 9(a)(iv)	Agree, in writing, with another Agency Head and a candidate who applied for the vacancy that a vacancy is a similar vacancy in relation to the candidate	X	X	L	X	
140	APSCD 20(1)(c)	Notify vacancy in the Public Service Gazette with closing date for applications of less than 7 days after notification	X	X	L	X	
141	APSCD 20(1)(d)	Obtain approval from Commissioner before a vacancy, or a class of vacancies are notified in accordance with subsection 20(2)	X	X		X	
142	APSCD 20(3)	Decide that, for reasons of cost or operational efficiency, a vacancy at a non SES classification may be notified in the Public Service Gazette as open only to persons who are APS employees at the time of the notification	X	X		X	
143	APSCD 22(2)	Approve an extension or further extension of an employee's engagement for a specified term or the duration of a specified task for a period in excess of 18 months	X	X		X	
144	APSCD 23	Engage a person from state or territory jurisdiction as a non-ongoing APS employee for a specified term	X	X		X	
145	APSCD 24	Engage a person who is an ongoing APS employee to perform duties as a non-ongoing APS employee subject to conditions	X	X		X	
146	APSCD 25	Request, in writing, that the Commissioner authorise the engagement of a non-ongoing APS employee as an ongoing APS employee in exceptional circumstances	X	X		X	
147	APSCD 26	Identify a vacancy as open only to Aboriginal and/or Torres Strait Islander persons	X	X	L	X	
148	APSCD 27	Identify a vacancy as open only to persons who have a disability or a particular type of disability	X	X	L	X	
149	APSCD 28	Specify that the RecruitAbility Scheme applies to the selection process for a vacancy notified under section 20	X	X	L	X	L
150	APSCD 29	Request the Commissioner to authorise the promotion of an ongoing APS employee after appointment to a statutory office	X	X		X	

**Australian Public Service Commissioners Directions**

			List of Delegates				
			DO	COO	SAO	Director HR	Director, Manager
No.	Reference/ Instrument, Clause/ Section	Power or Function					
151	APSCD 31	Engage a person who is an ongoing Parliamentary Service employee as an ongoing APS employee if the person is to be employed at a comparable classification or lower	X	X		X	
152	APSCD 32	Re-engage a person as an APS employee where the employee resigned to contest a prescribed election subject to various requirements	X	X		X	
153	APSCD 33	Re-engage a person as an APS employee where satisfied that the employee's former employment should not have ended, or to settle a dispute, or on the recommendation of an appropriate authority	X	X		X	
154	APSCD 37(2)(a)(i)	Agree date of effect other than four weeks from notification for move at level (or below) with losing agency and employee for ongoing move to the Office	X	X	L	X	L
155	APSCD 37(2)(a)(i)	Agree date of effect other than four weeks from notification for move at level (or below) with employee and gaining agency for ongoing move from the Office to another agency	X	X	L	X	L
156	APSCD 37(2)(b)(i)	Approve in writing date of effect for temporary move from the Office to another agency	X	X	L12	X	
157	APSCD 37(3)(a)	Approve in writing to a variation to the period of a temporary move from Office to another agency	X	X	L12	X	
158	APSCD 37(4)	Agree with gaining or losing agency that a move at level or below may proceed despite unresolved Code of Conduct matters	X	X		X	
159	APSCD 38(1)	Agree with gaining or losing agency that a promotion may proceed despite unresolved Code of Conduct matters	X	X		X	



**Public Service Classification Rules 2000**

			List of Delegates				
			DO	COO	SAO	Director HR	Director, Manager
No.	Reference/ Instrument, Clause/ Section	Power or Function					
160	Rule 6	Allocate an approved classification to each APS employee in the Office and, subject to Rule 7, that classification must be based on the group of duties that are determined by the delegate to be the duties to be performed by the employee in the Office	X	X	L	X	
161	Rule 7(3)	Allocate to the employee: (a) the approved classification that was allocated to the employee immediately before moving to the Office; or (b) another approved classification that is in the same group as the classification mentioned in paragraph (a) where an ongoing employee moves to the Office in accordance with an agreement entered into under section 26 of the Act and the move is not an ongoing move	X	X	L	X	
162	Rule 9(1)	Allocate an approved classification to each group of duties to be performed in the Office	X	X	L	X	
163	Rule 11(1)	Allocate to the employee a classification mentioned in column 3 of Schedule 2 that relates to the employee's training classification - if an APS employee who is engaged at a training classification satisfactorily finishes each training requirement for the training classification	X	X		X	

**Long Service Leave (Commonwealth Employees) Act 1976 and Maternity Leave (Commonwealth Employees) Act 1973**

No.	Reference/ Instrument, Clause/ Section	Power or Function	List of Delegates				
			DO	COO	SAO	Director HR	Director, Manager
164	LSL 12(3)(a) and (b)	LSL - as chief executive or as approving authority determine that a period of leave without pay be included as a period of service	X	X			
165	LSL 12(7), (8) and 13(8), (9)	LSL - deem periods of service to be continuous where termination was due to ill health and recommencement is within 12 months of a specified occurrence	X	X			
166	LSL 16(2) and (3)	LSL - grant long service leave on full or half pay after 10 years' service	X	X	L	L	L
167	LSL 16(4), (7), 17(1), (2) and (5)	LSL - authorise payment in lieu upon cessation or death after 10 years' service and grant long service leave to person about to retire on the basis of age or retrenchment or authorise payment to a dependent on death of a person, where employed between 1 and 10 years	X	X		X	
168	LSL 19(2)(b) and (d)	LSL - determine the period of full pay long service leave deemed to have been granted where previous long service leave was not granted on full or half pay or where a previous payment in lieu of long service leave has been made	X	X		X	
169	LSL 23(1) and (3)	LSL - direct death has occurred on a specified date and authorise payment to legal personal representative of deceased employee	X	X		X	
170	LSL 23(4)	LSL - appoint and authorise payment to trustees where employee or dependents have a legal disability	X	X		X	
171	LSL Reg 4B(2)	LSL - certify periods in respect of which higher duties would have been performed	X	X		X	
172	MLA 6(1)	Maternity leave - grant leave not exceeding 52 weeks from specified date	X	X	L	X	
173	MLA 6(4C)	Maternity Leave - determine unauthorised absence prior to maternity leave is in extenuating circumstances	X	X		X	
174	MLA 6(4F)	Maternity Leave - determine person on leave without pay can be granted maternity leave	X	X		X	
175	MLA 7	Maternity leave - permit an employee to continue/resume duty based on medical certificate	X	X	L	X	L
176	MLA 7a(1), (2), (4) and (6)	Maternity leave - grant or refuse an application to resume duty and furnish reasons for refusal	X	X	L	X	

**Safety, Rehabilitation and Compensation Act 1988**

No.	Reference/ Instrument, Clause/ Section	Power or Function	List of Delegates					
			DO	COO	SAO	Director HR	Director, Manager	Case Mgrs
177	SRC 36(1)	Arrange for assessment of employee's capability to undertake a rehabilitation program	X	X		X		X
178	SRC 36(2)	Nominate legally qualified medical practitioner or suitably qualified person/panel to undertake an assessment	X	X		X		X
179	SRC 36(3)	Direct an employee to undergo an examination	X	X		X		
180	SRC 36(4)	Make a determination about suspension of incapacity payments where an employee refuses or fails, without reasonable excuse, to undergo a rehabilitation assessment, or in any way obstructs such an assessment	X	X		X		
181	SRC 36(5) & (6)	Approve payment of costs of conducting rehabilitation assessment of an employee's capability to undertake a rehabilitation program, and reimbursement of employee's expenditure reasonably incurred in attending the assessment	X	X		X		
182	SRC 37(1)	Determine that an employee is to undertake a rehabilitation program	X	X		X		X
183	SRC 37(4)	Approve payment of costs of a rehabilitation program	X	X		X		
184	SRC 37(7)	Where an employee refuses or fails to undertake a rehabilitation program without reasonable excuse, suspend the right to compensation under this Act and suspend any proceedings under this Act	X	X		X		
185	SRC 40(1)	Take all reasonable steps to assist an employee to find suitable employment	X	X		X	X	X



Office of the Commonwealth Ombudsman

# **Recruitment and Selection Guidelines**

November 2018

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## INTRODUCTION

### Purpose

These Guidelines provide information and advice to supervisors/managers and employees in relation to conducting recruitment and selection processes within the Office of the Commonwealth Ombudsman (the office) and the broader Australian Public Service (APS).

### Authority

Recruitment processes in the APS are governed by provisions contained in the *Public Service Act 1999* (the Act), the *Public Service Regulations 1999* (the Regulations), the *Australian Public Service Commissioner's Directions 2016* (the Directions) and the *Public Service Classification Rules 2000* (the Classification Rules).

### Coverage

The policy relates to recruitment and selection to non-SES vacancies.

### Delegations

In the current environment, all ongoing and non-ongoing recruitment actions require the recommendation of the SAO and approval of the Chief Operating Officer or Deputy Ombudsman (where the COO is unavailable).

Note: The full list of Forms and Templates available to support recruitment and selection action is at **Appendix 1**.

### Merit based selection for engagement and promotion

Employment Principle 10A(1)(c) states that decisions relating to engagement and promotion are based on merit.

An Agency Head upholds the Merit Employment Principle when deciding whether to engage or promote a person in the Agency if the Agency Head ensures that the decision is based on a selection process:

- where all of the following apply:
  - the aim and purpose of the selection process is determined in advance;
  - information about the selection process is readily available to applicants;
  - the selection process is applied fairly in relation to each eligible applicant;
  - the selection process is appropriately documented.

Note: When making a decision using such a selection process:

- merit is the primary consideration; and
- if any eligible applicants are otherwise equal on merit—secondary considerations may be taken into account if they relate to matters within the control of the applicant.

OR

- that meets the requirements of the Directions (Part 3 –Subdivision C) which sets out circumstances in which merit based selection processes are modified or do not apply.

Note: These circumstances include engagement on a short-term, irregular or intermittent basis, and when using the Indigenous Employment and Disability affirmative measures.



## OPTIONS FOR FILLING VACANCIES

### Identify the employment opportunity, category and classification

When a vacancy arises, steps should be taken to determine:

- where the duties have been previously performed by another employee, whether there is a continuing need for the duties to be performed;
- whether funding is available to fill the vacancy and/or whether filling the vacancy will fall within the allocated FTE for the Branch/office;
- where the duties are new or have changed, the scope of the duties;
- the appropriate classification for the new, changed or existing duties and where necessary take action under the Classification Rules (a group of duties must be allocated an approved classification) having regard to the Work Level Standards;
- the appropriate security clearance requirement for the position and if this has changed;
- whether the vacancy needs to be filled on an ongoing or temporary basis;
- whether to assign the duties to an existing APS employee on an ongoing or temporary basis or to fill the vacancy through the engagement of a non-ongoing employee; and
- whether to restrict the vacancy as only being open to Aboriginal and Torres Strait Islander persons or persons who have a disability (through the relevant affirmative measures contained in the Directions). Further detail included below.

Note: The full list of Forms and Templates available to support recruitment and selection action is at **Appendix 1**.

### Decide how the vacancy is to be filled

The following options are available to areas when deciding how a vacancy is to be filled:

#### *Ongoing vacancy*

- Identify suitable employee within the office to transfer to the vacancy at level – no gazettal or competitive merit selection process is required for permanent transfers at level.
- Redeploy internal or external excess staff in accordance with the requirements of the APS Redeployment Policy.
- Advertise the vacancy in the Gazette and undertake a competitive merit selection process or recruit the next available candidate from an existing order of merit list (must be within 12 months of the original Gazette notice);
  - From the selection process the successful candidate may be promoted or transferred (at level or on reduction) to the vacancy, or engaged as an ongoing employee.
- Identify a suitable APS employee from outside the office to transfer to the vacancy at level (or on reduction) – no gazettal or a competitive merit selection process is required for permanent transfers at level.

### *Non-ongoing/temporary vacancy*

- Undertake an Expression of Interest (EOI) exercise within the office. Generally, before a vacancy is filled on a temporary basis with an employee from another agency or through the engagement of a non-ongoing employee the vacancy should be made available to internal office employees through a call for an EOI – exceptions will apply (refer to Section titled Expression of Interest (EOI) Processes).
- Assign duties on a temporary basis to an employee within or outside the office – this may be at level or to a higher classification (i.e. HDA).
- Engage a person from outside the APS in one of the following categories of employment:
  - as a non-ongoing employee for a specified term (if engagement is to be for an initial period of greater than 18 months gazettal of vacancy and a competitive merit selection required);
  - as a non-ongoing employee for a specified task (if engagement is to be for an initial period of greater than 18 months gazettal of vacancy and a competitive merit selection required); or
  - for duties that are irregular or intermittent (as a casual employee).

### **Affirmative measures – Indigenous Employment and Disability**

Agencies may identify ongoing or non-ongoing vacancies as open only to:

- Aboriginal and Torres Strait Islander people; or
- persons who have a disability or a particular type of disability.

This includes opportunities filled from temporary employment registers, or other non-ongoing vacancies of less than 18 months that not advertised in the gazette.

### *Identified Positions*

Vacancies can be advertised in the gazette as identified positions or those where special measure provisions apply.

Identified positions are jobs open to Indigenous and non-Indigenous applicants who meet selection criteria requiring:

- an understanding of the issues affecting Indigenous peoples; and
- the ability to communicate sensitively and effectively with Indigenous peoples.

Typically, these roles will involve the development of policies or programmes targeted at Aboriginal and/or Torres Strait Islander clients, or which involve direct interaction with Aboriginal and/or Torres Strait Islander communities.

### *Supported Wage System - People with Disabilities*

The office is also able to engage on a non-ongoing or ongoing basis, a person who:

- has a disability, and
- has been assessed by a disability employment service provider as being unable, or likely to be unable, to compete successfully on merit in a competitive merit selection process due to the person's disability.

The Ombudsman may engage the person in a position that is designed and created, or identified as suitable, for the person in consultation with the disability employment service provider.

#### **Employment or a person who has received a redundancy benefit**

There are arrangements in place in the APS which limit the subsequent employment of APS employees who have received a redundancy benefit (a 'redundancy benefit recipient').

The arrangements apply to persons who have received a redundancy benefit from an APS agency or the Australian Parliamentary Service, and their 'redundancy benefit period' has not expired.

#### *Engagement as an ongoing APS employee or as a non-ongoing SES employee*

The Ombudsman is required to seek the **approval** of the Australian Public Service Commissioner before engaging a redundancy benefit recipient as an ongoing employee. The Ombudsman also needs to be satisfied that the engagement is essential to the office's operations having regard to the nature of the duties to be performed and the skills, experience and/or qualifications of the person.

#### *Engagement as a non-ongoing (non-SES) employee*

The Ombudsman is able to engage a redundancy benefit recipient as a non-ongoing (non-SES) employee for a specified term or a specified task without consulting or seeking approval from the Australian Public Service Commissioner.

## SUMMARY OF THE REQUIREMENTS AGAINST THE DIFFERENT OPTIONS AVAILABLE FOR FILLING A VACANCY

### Overview

Under the legislation there are different requirements to be met or actioned depending on the type of employment decision being made in relation to filling a vacancy; e.g. whether the vacancy is being filled by promotion, ongoing engagement, non-ongoing employment or temporary/permanent transfer at level. In certain circumstances the duration of the vacancy will also influence what requirements are to be met or actioned.

### Summary table

The table below provides a brief summary of the:

- relevant requirements against the different types of employment decisions for filling vacancies; and
- Section/s within these guidelines that provide further information in respect of that employment decision.

The table does not provide detailed information and supervisors/employees should refer to the other relevant sections of these Guidelines for further information.

Employment decision	Requirement	Relevant Section/s
Promotion of an APS employee	<ul style="list-style-type: none"> <li>• Vacancy must be advertised in the gazette and a competitive merit selection process undertaken.</li> <li>• An assessment of candidates on the APS Redeployment Register must be undertaken in the first instance – liaise with HR.</li> </ul>	<ul style="list-style-type: none"> <li>• Action requiring Advertisement in the Gazette and a Competitive Merit Selection Process</li> <li>• Recruitment and Selection Process for Vacancies Advertised in the Gazette</li> </ul>
Ongoing engagement of a non-APS employee		
Engagement of a non-ongoing employee for an initial period <u>in excess of 18 months</u>		
Engagement of a non-ongoing employee for an initial period of <u>18 months or less</u> (initial engagement can then be extended up to a maximum of 3 years)	<ul style="list-style-type: none"> <li>• Vacancy does not need to be advertised in the Gazette or a competitive merit selection process undertaken.</li> <li>• An internal EOI process may need to be undertaken.</li> <li>• HR maintains a temporary employment register.</li> <li>• The area must be satisfied that the person to be engaged has the work-related qualities genuinely required to perform the relevant duties.</li> </ul>	<ul style="list-style-type: none"> <li>• Action not Requiring Advertisement in the Gazette and a Competitive Merit Selection Process</li> <li>• Expression of Interest (EOI) Processes</li> </ul>
Engagement of a non-ongoing employee for duties that are <u>irregular or intermittent</u> (casual employment)		

Employment decision	Requirement	Relevant Section/s
Ongoing assignment of duties (permanent transfer), at level or on reduction, of an employee from within the office	<ul style="list-style-type: none"> <li>• Vacancy does not need to be advertised in the Gazette or a competitive merit selection process undertaken.</li> <li>• An internal EOI process may need to be undertaken.</li> <li>• Before an Ongoing assignment of duties/movement of an employee from another agency occurs, an assessment of candidates on the APS Redeployment Register should be undertaken – liaise with HR.</li> </ul>	<ul style="list-style-type: none"> <li>• Action not Requiring Advertisement in the Gazette and a Competitive Merit Selection Process</li> <li>• Expression of Interest (EOI) Processes</li> </ul>
Ongoing assignment of duties/movement (permanent transfer), at level or on reduction, of an employee from another agency		
Temporary assignment of duties (temporary transfer), of an employee from within the office – includes at or below level and to a higher classification (i.e. HDA)		
Temporary assignment of duties/movement (temporary transfer), of an employee from another agency – includes at or below level and to a higher classification (i.e. HDA)		

## ACTION NOT REQUIRING ADVERTISEMENT IN THE GAZETTE AND A COMPETITIVE MERIT SELECTION PROCESS

### Minimum requirements in relation to ongoing or temporary assignment of duties at or below level, and temporary assignment to a higher level (i.e. HDA)

As stated in the 'Introduction' Section, a competitive selection process and merit only applies to engagement (ongoing and non-ongoing for an initial period in excess of 18 months) and promotion decisions, rather than all employment decisions. Other employment decisions are required to be 'fair' in accordance with APS Employment Principle - s10A(1)(a) of the Act.

### Temporary assignment of duties within the office

The Ombudsman (or his delegate) can temporarily assign duties to an employee within the office at or below level under section 25 of the Act.

This can be done without an open competitive selection process and without notifying the employment opportunity in the *Gazette*.

Depending on the length of the vacancy, temporary vacancies within the office may be filled through Expression of Interest (EOI) processes. Please refer to the Section titled Expression of Interest (EOI) Processes for further information.

The date of effect for these types of moves is usually a date agreed between the losing and gaining areas.

These moves are actioned by completing the Higher Duties Allowance (HDA) Form or Temporary/Permanent Assignment of Duties at Level Form – Within the office (**Attachment H or Attachment I**).

### Temporary movement of an ongoing APS employee from another APS agency

The Ombudsman (or his delegate) can enter into a written agreement with an ongoing employee from another APS agency to move to the office on a temporary basis under section 26 of the Act.

This can be done without an open competitive selection process and without notifying the employment opportunity in the *Gazette*.

Before considering this action areas should consider whether the action is likely to adversely impact existing office employees who would benefit from either performing the duties on a temporary basis at level or through HDA. Please refer to the Section of these guidelines titled Expression of Interest (EOI) Processes for further information. The temporary movement of an employee from another agency is a generally the preferred option when no suitable employees are available within the office.

Written approval for a temporary move needs to be sought by the employee from the pre-move agency head before any agreement is finalised with the office. If the pre-move agency head does not approve the temporary movement, the office and the employee may decide not to proceed with the agreement.

Alternatively, it is open for the Ombudsman (or his delegate) and the employee to proceed with the movement which will be treated as an agreement for an ongoing move. In this situation the office will be the new employer on an ongoing basis and there is no right of return to the pre-move agency.

If an employee moves to another agency on a temporary basis, the move takes effect 4 weeks after the employee tells the pre-move agency head (or their delegate) of the agreement, or at a specified date agreed between the pre-move agency and the Ombudsman (or his delegate) and the employee.

These moves are actioned by completing the Permanent/Temporary Movements and Assignment of Duties from Another Agency Form at **Attachment J**.

#### **Ongoing (permanent) assignment of duties within the office (i.e. transfer at level or on reduction)**

The Ombudsman (or his delegate) can assign duties on an ongoing basis at a similar or lower classification to an ongoing employee within the office.

This can be done without an open competitive selection process and without notifying the employment opportunity in the *Gazette*.

The date of effect for these types of moves is usually a date agreed between the losing and gaining areas but it is good management practice for the employee concerned to also be consulted.

An employee's classification cannot be reduced without written consent except in the circumstances specified in section 23(4) of the Act. These circumstances include a breach by the employee of the Code of Conduct, where an employee is excess or loses an essential qualification, or where the employee is underperforming and unable to perform duties at the higher classification.

When an assignment of duties involves a relocation to another location, is a reduction in classification, or is to duties which the employee could not reasonably be expected to perform, it is a reviewable action.

These moves are actioned by completing the Temporary/Permanent Assignment of Duties at Level Form – Within the office - **Attachment I**.

#### **Ongoing (permanent) assignment of duties and movement between agencies**

The Ombudsman (or his delegate) can enter into a written agreement with an employee in another agency, to move to the office under section 26 of the Act on an ongoing basis at a similar or lower classification.

This can be done without an open competitive selection process and without notifying the employment opportunity in the *Gazette*.

Before considering this action areas should consider whether the action is likely to adversely impact existing office employees who would benefit from either transfer at level or the opportunity to compete on merit for promotion to the vacancy. The movement of an employee from another agency without a merit selection process is generally a preferred option when no suitable employees are available within the office. An assessment of candidates on the APS Redeployment Register must also be undertaken in the first instance – liaise with HR.

If an employee moves to the office on an ongoing basis (excluding promotion), the move takes effect 4 weeks after the employee tells the pre-move agency head (or their delegate) of the move, or at a specified date agreed between the pre-move agency and the Ombudsman (or his delegate) and the employee.

These moves are actioned by completing the Permanent/Temporary Movements and Assignment of Duties from Another Agency Form at **Attachment J**.

#### **Engagement of non-ongoing employees on a short term, irregular or intermittent basis**

The Ombudsman can engage a non-ongoing employee for:

- a specified period or for the duration of a specified task for an initial period of 18 months or less. Such engagements may be extended to a maximum of three years where the Ombudsman is satisfied that:
  - there is a continuing need for the duties to be performed;

- the employee is performing the duties satisfactorily; and
- it is still appropriate for the duties to be non-ongoing and the extension will contribute to efficient and effective organisational performance.

or

- for duties that are irregular or intermittent (casual employment);

without an open competitive selection process and without notifying the employment opportunity in the *Gazette*. The Ombudsman must be satisfied that the person to be engaged has the work-related qualities genuinely required to perform the relevant duties.

The additional requirement is that the office must ensure that as far as practicable the vacancy should be brought to the notice of the community in a way that gives eligible members of the community a reasonable opportunity to apply for it, for example by advertising and providing access to non-ongoing employment registers. The Human Resource Team maintains a temporary employment register

Before considering this action areas should consider whether the action is likely to adversely impact existing office employees who would benefit from either performing the duties on a temporary basis at level or through HDA. An expression of interest within the office should normally be conducted in the first instance prior to the recruitment of a non-ongoing employee. Please refer to the section of these guidelines titled Expression of Interest (EOI) Processes for further information.

The engagement of non-ongoing employees is actioned by completing the Request for Approval to Engage a Non-ongoing Employee for a Period of 18 Months or Less Form at **Attachment G**.



## EXPRESSION OF INTEREST (EOI) PROCESSES

### Using EOI processes

An EOI process may be used to fill ongoing or temporary vacancies that become available within the office.

Generally, prior to filling:

- an ongoing vacancy by assigning duties to an employee from another agency (i.e. a permanent transfer at or below level), or
- a temporary vacancy:
  - with an employee from another agency (assignment of duties at or below level or on HDA), or
  - through the engagement of a non-ongoing employee;

The vacancy should be made available, in the first instance, to office employees through a call for an expressions of interest (EOIs). For ongoing vacancies this may include only calling for EOIs from existing office employees who are nominally at the level of the vacancy (i.e. for transfer at level).

Whether or not the EOI process is used, may depend on the length of the vacancy, the type of role to be filled, the availability of suitable candidates within the office and any critical business/operational requirements that need to be taken into consideration.

If the EOI process does not result in a suitable applicant, the office may fill:

- an ongoing vacancy by assigning duties to an employee from another agency (i.e. a permanent transfer at or below level), or
- a temporary vacancy:
  - with an employee from another agency (assignment of duties at or below level or on HDA), or
- through the engagement of a non-ongoing employee;

### Protocols for filling temporary vacancies

#### *Vacancies of 3 months or less*

1. The vacancy will be used as a development opportunity for an employee within the Section where the vacancy occurs.
  - Where there are several suitable candidates for the development opportunity, within the Section, the acting opportunities will be shared between those employees on a rotational basis taking into account operational and business continuity considerations.
  - The Director/SAO may decide that, in certain circumstances, the strongest candidate available is to fill the vacancy taking into account operational and business continuity considerations.
2. Where no employee within the Section where the vacancy occurs expresses an interest or is deemed suitable for the role/vacancy, the SAO and Director will either:
  - call for expressions of interest across the Branch/the office or directly nominate another employee from within the Branch/the office; or
  - fill the vacancy with a candidate external to the office.

#### *Vacancies of more than 3 months*

1. Expressions of interest from across the office should be sought. Approval to conduct an EOI should be sought by completing the Request for Approval to Undertake an Expression of Interest Process Form at **Attachment D**.
2. Where no employee within the office expresses an interest or is deemed suitable for the role/vacancy, the vacancy may be filled from candidates external to the office.

### Exceptions

In certain circumstances, for business continuity/operational reasons, a decision may be made to not utilise an EOI process (refer to Topic above titled Using EOI processes) and instead fill the vacancy through other recruitment action. Examples of when this may occur include where:

- the vacancy is at a level which would not attract interest through an EOI process (e.g. APS3 or lower);
- the skills required to perform the role are not readily available within the office;
- it is clear that the only employee/s within the office that would be suitable/have strong claims for the role would be only those employees from within the Section where the vacancy is located; e.g. the role of Assistant Director Finance; or
- the vacancy is ongoing and will be advertised in the gazette and a competitive merit selection process undertaken; or
- SLG have identified a high performing candidate external to the office and for business/operational reasons make the decision to directly source the candidate without an EOI process being undertaken.

### Calling for EOIs

The Section with the vacant position will be responsible for co-ordinating and actioning the EOI request.

Where an EOI is being sought from employees at the Section or Branch level in line with the protocols for vacancies of 3 months or less, the call for EOIs may be made via email to the impacted group of employees. It is important to ensure that the required security clearance level specified in the email. Selection documentation is not required to be completed in these cases; however, unsuccessful applicants should be provided with feedback in relation to any assessment/decision.

#### *Expressions of interest at the whole of office level*

Where an EOI is being sought at the whole of office level, the EOI will be placed on the intranet. A template for advertising an EOI on the intranet is provided at **Attachment E**.

The EOI notification should outline the key requirements of the vacancy.

Generally vacancies should be offered on a whole of office basis. Where the vacancy is to be notified as being based in a particular location the vacancy notification will provide the reasons (with an appropriate explanation) for this decision. Reasons why a vacancy may need to be based in a particular location could include:

- the vacancy needs to be located where the appropriate level of supervision and support can be provided to the occupant and the nature of the role means that remote supervision will not be sufficient;
- the duties require close and/or regular interaction with other team members and/or management who are based at a particular location;

- the duties require close and/or regular interaction/consultation with stakeholders and it would only be practical for a staff member at a particular location to carry out these duties; and/or
- locating the role at particular location will be cost effective compared to the cost of locating the role at other offices.

The information required for an expression of interest is a brief summary of work experience (no more than one page) and a Curriculum Vitae (CV). An applicant will need a current work performance rating of 'fully effective' or higher to be considered.

The selection process for EOIs will be informal. The selection will generally be based on the papers provided by candidates and referee comments where required. Merit will be the primary basis of assessment. Wherever possible, the selection committee should consist of at least two people.

For EOI processes involving a vacancy of more than 3 months the EOI selection report at **Attachment F** should be completed and referred to the Chief Operating Officer for approval.

The outcome of EOI processes at the whole of office level will be notified on the intranet. Employees who lodged an EOI for the vacancy should also be advised by a member of the selection committee of the outcome of the process and offered the opportunity to be provided with any feedback in relation to their application prior to notification on the intranet.

## ACTION REQUIRING ADVERTISEMENT IN THE GAZETTE AND A COMPETITIVE MERIT SELECTION PROCESS

### Advertising vacancies in the APS Employment Gazette

Particular employment decisions are required by the legislation to have been preceded by certain processes. A person can only be promoted or engaged from outside the APS as an ongoing employee, or a non-ongoing employee for a specified term or specified task for an initial period of more than 18 months, if the opportunity was notified in the Gazette.

Note: Prior to advertising a vacancy in the gazette the requirements of the APS Redeployment Policy must be adhered to.

The *Gazette* is published weekly. The site at [www.apsjobs.gov.au](http://www.apsjobs.gov.au) enables people to search for employment opportunities, movements and other notices and is also the electronic lodgement system for agencies to place notices in the *Gazette*.

### Decisions relating to promotion and engagement (ongoing and non-ongoing for an initial period of more than 18 months) must be based on a competitive selection process and merit

Decisions relating to promotion and engagement (ongoing and non-ongoing for an initial period in excess of 18 months) must be based on the definition of merit. Subsection 10A(2) of the Act states that a decision relating to engagement or promotion is based on merit if:

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

The Forms that need to be completed to seek approval for these recruitment actions to proceed are at **Attachments A to C**.

### Promotion of existing APS employee

A promotion is the ongoing movement of an ongoing APS employee to a job at a higher classification level in their existing agency or in another agency.

A competitive merit selection process following gazettal of the vacancy is required before an existing APS employee can be promoted.

The Directions require that the employment opportunity (or similar employment opportunity in the agency) must have been notified in the Gazette during the period of 12 months before the decision to promote the person is made.

### *Promotion using an existing order of merit*

A promotion may be made from an existing order of merit that is the result of an open competitive selection process. The decision to promote a person to a similar employment opportunity must be made within 12 months of the date of the Gazette notification of the original employment opportunity.

### **Engagement of ongoing employees and non-ongoing employees for a specified term or specified task for an initial period of more than 18 months**

A competitive merit selection process (following gazettal of the vacancy) must be conducted before a vacancy can be filled by the:

- engagement of an ongoing employee; or
- engagement of a non-ongoing employee for a specified term for an initial period of more than 18 months or for the duration of a specified task that is reasonably estimated to take more than 18 months.

### *Limits on use of non-ongoing employment – Direction 22*

Employment for a specified term:

- is limited to an initial period of eighteen months (periods of more than 18 months must be advertised in the Gazette); or
  - may be extended up to three years in special circumstances.
- can be for a maximum period of three years where a person was offered, in writing, an ongoing engagement but prefers to be engaged for a specified term.

Employment for a specified task:

- no specific time limits apply provided the duration of the task can be reasonably estimated and that the person will not be required on completion of the task.

### **Non-ongoing opportunities that may become ongoing**

If there is a possibility that a non-ongoing employment opportunity may become ongoing within 12 months, it is sensible to notify the employment opportunity in the Gazette at the outset as one that may be filled on either an ongoing or non-ongoing basis. Care must be taken not to mislead potential candidates and to be clear that the opportunity is not an ongoing employment opportunity at the time it is filled.

If the employment opportunity subsequently becomes ongoing (or a similar ongoing vacancy arises), the Ombudsman can decide to engage a person as an ongoing employee from an order of merit generated from such a notification. However, the decision to do so must be made within 12 months of the original notification in the Gazette. The first offer of employment must be made to the person on the top of the order of merit, even where that person is already employed as a non-ongoing employee (as a result of this or another selection exercise).

### **Ongoing (permanent) assignment of duties (i.e. transfer at level or on reduction)**

Where the office decides to advertise an ongoing vacancy in the Gazette and undertake a competitive merit selection process, one of the possible outcomes may be that the successful candidate is an employee with a similar or higher classification to the classification of the vacancy (i.e. the employee has applied for transfer at the level or on reduction).

In these circumstances the selection outcome will be an assignment of duties. If the employee is from another agency, the employee will also need to enter into a written agreement to move to the office.

The Ombudsman (or his delegate) will determine the date of effect of the decision to assign duties to an employee within the office. However, when an employee moves from another agency, the move takes effect 4 weeks after the employee tells the pre-move agency head of the agreement to move, or at a specified date agreed between the pre-move agency and the Ombudsman (or his delegate) and the employee.

Note: As decisions relating to assignment of duties at level or on reduction do not have to be subject to Gazette advertisement or merit selection, a decision can be made to stop a selection process at any stage and to assign duties at a similar or lower classification to an ongoing employee. For example: an employee applies for a vacancy, at their existing classification, that was notified in the Gazette and as part of the short-listing process the delegate is able to assess that the employee is suitable. The delegate can then choose to end the selection process and assign the duties to that employee without the selection process being finalised.

## RECRUITMENT AND SELECTION PROCESS – GAZETTED VACANCIES

### Job profiles

The job profile is to be reviewed each time an ongoing vacancy occurs. This is to ensure that the job profile continues to accurately reflect the classification, role, responsibilities, requirements, and required security clearance level for the job.

The job profile should provide a clear understanding of the type of work to be undertaken in the job, the skills and abilities needed to do the work, where it fits in within the organisational structure, classification level and selection criteria.

The selection criteria set the standard against which all applicants are to be assessed. There should be no more than six criteria.

When drawing up the selection criteria the following key considerations are to be applied.

- Criteria must outline the skills, abilities, knowledge, qualifications and achievements, personal qualities and standard of work performance considered important for effective performance in the job.
- Criteria should be consistent with the Australian Public Service Commission's Work Level Standards (located at <http://www.apsc.gov.au/about-the-apsc/the-commission/apsc-work-level-standards>) for the classification level of the job.
- Criteria should not be too narrow or prescriptive. They should be expressed in terms of capacity to perform a task rather than requiring experience in a particular type of work (although relevant achievements may be an indicator of ability).
- Criteria may be weighted differently where emphasis is to be placed on particular skills and attributes. This must be clearly shown on the criteria, otherwise all criteria are considered to carry equal weight.
- Where qualifications are required, the advertisement and selection criteria must include a requirement for the relevant qualification.
- Where a security clearance is required, the advertisement and selection criteria must state that the successful candidate must be able to obtain and maintain the relevant level security clearance.

### Advertising a job

Requests for advertising a job in the Gazette need to be approved by the relevant the delegate (the Chief Operating Officer). Forms at **Attachments A and B** need to be completed as part of the approval process. Applications normally close two weeks from the date of gazettal.

Generally vacant positions will only be advertised in the Gazette.

Human Resources will arrange:

- Gazettal;
- placement of the ad on the office's website; and
- notification of the vacancy to all employees via the intranet.

Corporate will meet the cost of advertising in the Gazette.

Branches are responsible for nominating a contact person to handle specific enquiries about the job, noting that details of the job are available on the website. The contact officer can direct all enquiries in relation to employment and conditions of service to HR.

### Once the vacancy closes

#### *Extensions of Time*

Vacancies will open for applications on the date that they appear in the Gazette, and will generally remain open for a period of two weeks, closing at 5:00pm (AEST). The two week opening may be extended or reduced, but it cannot be less than one week. If a request is received from a candidate for an extension of time to submit their application, it is at the discretion of the Convenor for the vacancy to grant or deny this request. The decision may be based on the reason the candidate requires an extension and/or the number of applications already received. It should be noted however that if an extension of time is granted to one candidate, the Convenor is obliged to grant the same extension to any other candidates who request it.

If possible, applicants should, before the closing date, provide written notice of their intention to apply and quickly follow this up with a detailed application.

#### *Receiving Applications*

Advertisements will stipulate that all job applications should be forwarded to the recruitment mailbox. The selection advisory committee will be given access to the mailbox and the relevant recruitment folder in objective in order to receive applications and co-ordinate the recruitment activity.

All applications received electronically are sent an automated generated acknowledgement notice.

### Selection Advisory Committee

It is usual practice for a Selection Advisory Committee (SAC) to consist of two or three members. It is recommended that each panel member is of a substantive classification higher than that of the vacancy, though one member may be of equal or lower classification if they have particularly relevant technical skills or knowledge. The SAC should be gender neutral, and include a member from outside the Branch where the vacancy exists. The SAC should be established as early in the selection process as possible.

When forming the SAC, it is important that any potential favouritism, conflict of interest or perceived bias on the part of SAC members towards an applicant is avoided.

The SAC Checklist (see **Attachment K**) outlines the SAC responsibilities during the recruitment process.

Note: The office policy for completing selection processes is six weeks from the closing date of the advertised job.

To ensure that discrimination does not occur, it may also be appropriate to make special arrangements for some applicants, for example people with disabilities or from different cultural backgrounds.

The SAC members should consult Human Resources on any issue that is of concern. To maintain the integrity of the selection process, they should not discuss the selection outcome with any other person prior to the Chief Operating Officer approving the selection.

### Shortlisting applicants

Shortlisting would normally be based on the documentation provided by the applicant and, in the first instance, be completed independently by each member of the SAC. The SAC should then finalise the list of applicants that will progress to the next assessment process, however they may wish to seek the views of referees at this stage to resolve any doubts about whether an applicant should be considered further. The SAC has no obligation to interview internal applicants if they do not meet the requirements of the job.



Note: Internal applicants who have not been short-listed should be notified by the chair or nominated SAC member that they are not being considered further at this stage.

A brief comment should be made, based on assessment against the selection criteria, of the reasons for not shortlisting applicants. The shortlisting template is attached to the Selection Advisory Committee Report template at **Attachment M**.

### Selection options

It is important to note that there is no specific or particular selection process required for non-SES selections. Generally, a mix of different methods will provide the most comprehensive picture of the candidates' skills, personal qualities and knowledge. The recommendation for selection should provide enough information and evidence for the delegate to make an informed decision and demonstrate that the process used has been open, transparent and free from patronage and favouritism.

There are a number of selection techniques available. These include:

- assessment on the basis of written applications;
- written or verbal referee reports;
- interviews;
- selection tests;
- assessment centres;
- peer assessments;
- work sample tests;
- behavioural style questionnaires;
- ability tests; and
- psychological testing.

The SAC may use any one or more of these methods. However, in deciding which method or methods to use, the SAC must bear in mind any financial commitments.

When assessing applications it is important to remember that not all candidates are current APS employees. When crafting position specific selection criteria and/or interview questions, line areas should avoid doing so in such a way that would disadvantage private sector candidates.

Applicants may present the SAC with copies of their performance assessments if they wish, however the SAC cannot ask an applicant or the applicant's supervisor to provide a copy, and must not penalise an applicant who chooses not to provide a copy.

The applicants should be made aware of what information is being considered by the SAC in making their selection.

### *Referees*

The SAC may contact referees for proposed applicants. Candidates should be required to provide at least one, but preferably two, referees when submitting their application. It is recommended that candidates provide details of their current and most recent previous supervisors. Where this is not possible the SAC needs to consider whether the reference provided is appropriate. Personal references are of limited value, as the referee may not be able to address the required criteria. The SAC is not limited to the referee(s)

nominated by the applicant but may seek a report from anyone that they consider to have a recent knowledge of the work performance of the applicant.

A Referee Report template is at Attachment L.

### *Interviews*

Please note that it is not mandatory to hold interviews. In some circumstances, for example when applicants are well known to the SAC and one applicant far outranks the other applicants, a selection can be made without conducting interviews.

Where interviews are held, it is important that:

- questions are open, clear and unambiguous and relevant to the selection criteria;
- undue emphasis on local knowledge or experience, which may result in a bias against applicants from outside the work area, is avoided; and
- the office workplace diversity objectives are not compromised.

Applicants should be given an opportunity to provide any additional information to support their claims and to ask questions.

### **Recommendation of the Selection Advisory Committee**

In assessing candidates against the selection criteria, the SAC must take into account all the available evidence, including details of qualifications and skills set out in the application, information supplied in the referee's report and information gained through any other assessment method used, such as interviews.

In writing and submitting the SAC Report (see Attachment L) to the delegate, the SAC must:

- provide a comparative assessment that clearly establishes the reasons why one applicant was selected over another including a summary of comparative comments on the relative merits of any other shortlisted or ranked applicant/s
- establish an order of merit – the number of applicants ranked will depend on the quality of the field and the number of jobs being filled. It is not necessary to rank in order of merit all those applicants considered suitable. The committee should keep in mind that the rankings could be used to fill similar employment opportunities up to 12 months after the initial advertisement of the employment opportunity
- ensure that details of the job advertisement, the schedule of applicants (stating reasons for non-selection for further assessment), selection documentation, interview questions, referee reports and applications are attached, as applicable
- send the SAC report to the delegate.

In the event that the SAC does not reach agreement on the outcome, the members may submit separate reports. These reports should clearly document any differences of opinion and include reasons and supporting evidence where possible.

### **Broadband selection recommendations**

Broadband selection recommendations are made by the manager/supervisor of the area. Eligible APS Level 4 candidates are to be assessed against the APS Level 5 work level standard in a written report at (see Attachment N) to the delegate.

### **Delegate consideration and decision**

On receipt of the selection report and associated documentation, if the delegate has any concerns about the process that has been followed, the SAC report or their recommendation, they will discuss the matter with the SAC and may require that further information is sought and/or parts of the report are rewritten. The SAC should not, however, make any changes to the selection report that they do not agree with. The delegate is not required to accept the recommendation of a SAC, and has the final decision.

### **Notification of the decision**

Once the delegate has made the decision the SAC members will inform the successful and unsuccessful applicant(s) that were interviewed, of the outcome of the selection.

Promotions should be notified in the Gazette within three weeks after the decision is made, and are usually notified in the next available Gazette. If the promotion is not subject to review, the promotee will be expected to take up duty 4 weeks after notification in the Gazette, unless an alternative commencement date is negotiated.

If the promotion is subject to review, the promotee will be expected to take up duty no later than 4 weeks after notification in the Gazette, provided there have been no appeals.

If the successful candidate is transferring at level from another APS agency, the move takes effect 4 weeks after the APS employee has told their agency head of their intention to move to the Ombudsman's office, unless an earlier date is negotiated.

Where the successful candidate is from outside the APS or a non-ongoing employee, they will be offered the job subject to meeting any stipulated employment conditions. The employment conditions will depend on type of engagement, and will include probation, citizenship, security, and character clearances.

The usual period of probation is for a maximum period of six months. Employees employed under the Act who are transferred or promoted from another Commonwealth APS agency are not subject to probation.

Members of the SAC should contact unsuccessful applicants who were interviewed directly by phone and provide feedback. The SAC is also responsible for emailing all unsuccessful candidates of the outcome of the recruitment process (HR can provide an email template). Human Resources will formally advise the successful candidate/s in writing. The SAC may wish to consider notifying internal applicants who were not shortlisted before interviews are held, to avoid "office gossip".

### **Review provisions**

There are a number of review mechanisms open to employees in relation to recruitment and selection decisions.

Under the Act an unsuccessful candidate can apply to the Merit Protection Commissioner to have a promotion decision, APS Levels 1 to 6, reviewed by a Promotion Review Committee (PRC). The only ground for a promotion decision to be reviewed is on merit. The unsuccessful candidate can only apply for review if both they and the person who was selected would take the job on promotion.

A candidate cannot apply for review if the promotion decision has been made in accordance with the recommendation of an Independent Selection Advisory Committee or a previous PRC decision.

Unsuccessful applicants for non-reviewable promotions (Executive Level 1 and above) are unable to request a review of the promotion decision from the Merit Protection Commissioner. However, under s.33(1) of the Act, they are entitled to a review of actions of any APS action that relates to their APS employment.

More information about the review of promotion decisions can be found on the APSC website.

### Notification of successful applicant

Once the delegate has made a decision, Human Resources will be provided with the SAC report, job profile and schedule of applicants with comments, list of questions used and the folder of applications. Human Resources will arrange for formal advice to be sent to the successful applicant, any other required notifications such as gazettal, and notice to another APS agency if required.

The Convenor should confirm the following with Human Resources for inclusion in the formal offer of engagement:

- employee's name;
- position number;
- salary level (if above the base salary point and approved by the relevant SAO);
- hours per week; and
- date of commencement.

The date of effect of an ongoing employee moving between agencies is four weeks after the employee's Agency Head is notified of the move unless an earlier date has been agreed. If the new employee is joining the office on a temporary basis from another APS agency, the manager will need to negotiate a release date with them and their current work area.

The manager should prepare for the arrival of the new employee and liaise with the relevant corporate area/s in relation to seating and computers – as appropriate.

The outcome of all externally advertised selection processes must also be notified in APS Jobs. The notice is prepared and posted by Human Resources once necessary information is received. The date of effect for many outcomes is dependent on when the Gazette Notice appears.

### Gazetting selection process outcomes

Below is a table outlining the basic rules of gazetting selection process outcomes.

Promotions (APS Level 2-6)	The promotion of an ongoing employee to the APS Level 2 to 6 is subject to a 2 week review period, beginning when the promotion is notified in the Gazette. The employee's promotion will not take effect until that review period has lapsed. If an application for review is lodged during the review period, the promotion will not take effect until the review is complete and a determination has been made. <i>Note: An earlier commencement date, not before the review period has lapsed, may be negotiated between the employee's current Agency and the office.</i>
Promotions (Executive Level 1-2)	The promotion of an employee to the Executive Level 1 or 2 is not subject to a review period, but must be notified in the Gazette. The employee's promotion may take effect on or after the date of gazettal,

	<p>but no later than four weeks after gazettal.</p> <p><i>Note: An earlier commencement date, not before the date of gazettal, may be negotiated between the employee's current Agency and the office.</i></p>
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## **RESPONSIBILITIES – RECRUITMENT AND SELECTION PROCESS FOR GAZETTED VACANCIES**

### **Convenor of the selection advisory committee (usually the supervisor/manager of the vacant role)**

- Define the position profile (job description and selection criteria).
- Complete the Recruitment Action Form.
- Seek approval for recruitment action.
- Identify Selection Advisory Committee.
- Identify if recruitment agency/scribing service is required.
- Propose dates for Interviews.
- Schedule interviews once shortlist is confirmed by Selection Advisory Committee.
- Advise interviewed and internal applicants verbally of outcome of recruitment process.
- Email all unsuccessful candidates in writing of the outcome of the recruitment process (templates are available from HR).

### **Senior Assistant Ombudsman/Chief Operating Officer**

- Approve selection committee.
- Approve advertising methods.
- Approve engagement of scribe (if required).
- Approve the position profile (job description and selection criteria).

### **Human Resources**

- Assist in preparation of the relevant Form/s.
- Confirm the required security clearance level for the position.
- Develop and maintain tools to support Branches in recruitment activities.
- Obtain and provide to the panel, any details of APS staff listed on the APSC redeployment register.
- Notify the approved advertising in *APSJobs*.
- Assist in identifying suitable scribing services for Selection Advisory Committees.
- Provide Selection Advisory Committees with access to electronic copies of applications.
- Advise successful applicant/s in writing of outcome of process.

### **Chief Operating Officer/Deputy Ombudsman**

- Exercise delegations.

## LIST OF FORMS AND TEMPLATES

NB: The relevant area undertaking the recruitment action is responsible for completing the recruitment forms and templates listed below. The HR Team can provide assistance to areas.

Attachment	Description
<p><b>Attachment A:</b> (Gazettal of Vacancy)</p>	<p><b>Request for Approval to Recruit to an Ongoing or Non-Ongoing Vacancy – Via Notification in the Gazette</b></p> <ul style="list-style-type: none"> <li>• This form is to be completed where an area is seeking approval from the Chief Operating Officer to recruit to an ongoing or non-ongoing vacancy via advertisement in the Gazette. <ul style="list-style-type: none"> <li>- Once the recruitment action is approved, the area must liaise with HR to arrange for the APS redeployment register to be consulted to determine whether any suitable ‘displaced’ candidates are available.</li> </ul> </li> </ul>
<p><b>Attachment B</b></p>	<p><b>Assessment of Employees from the APS Redeployment Register - Template</b></p> <ul style="list-style-type: none"> <li>• This template is to be completed when assessing employees from the Redeployment Register. <ul style="list-style-type: none"> <li>- If the area is recommending an employee from the APS Redeployment Register be recruited also refer to Attachment C; or</li> <li>- If no employees are found suitable from the register, and the area is now seeking to advertise the vacancy in the Gazette, please email the completed Form to HR and request to now commence gazettal action. The previously approved Attachment A should also be attached.</li> </ul> </li> </ul>
<p><b>Attachment C:</b></p>	<p><b>Recommendation to fill an ongoing vacancy with an employee from the APS Redeployment Register</b></p> <ul style="list-style-type: none"> <li>• This form is to be completed where the area has received approval from the Chief Operating Officer to recruit to an ongoing vacancy and they have consulted the APS redeployment Register (refer to Form at <b>Attachment A</b>), and they are now seeking approval to recruit an employee from the APS Redeployment Register.</li> </ul>
<p><b>Attachment D</b> (EOI)</p>	<p><b>Request for Approval to Undertake an Expression of Interest Process - Form</b></p> <ul style="list-style-type: none"> <li>• This form is to be completed when seeking approval to undertake an EOI process to fill a temporary/non-ongoing or ongoing vacancy.</li> </ul>
<p><b>Attachment E</b> (EOI)</p>	<p><b>Expression of Interest Intranet Notification – Template</b></p> <ul style="list-style-type: none"> <li>• This template is to be completed and attached to the Request for Approval to Undertake an Expression of Interest Process (<b>Attachment D</b>).</li> </ul>

Attachment	Description
<b>Attachment F</b> (EOI)	<b>Expression of Interest Process Selection Report – Template</b> <ul style="list-style-type: none"> <li>• This template is to be completed in respect of EOI processes of greater than 3 months.</li> <li>• Once the report is completed and signed by the Selection Committee it should be attached to the:               <ul style="list-style-type: none"> <li>- Higher Duties Allowance (HDA) Form (Attachment H); or</li> <li>- Temporary/Permanent Assignment of Duties at Level Form - Within the office Form (Attachment I);</li> </ul> </li> </ul> <p>and sent to the DO/COO for approval.</p>
<b>Attachment G</b> (non-ongoing employee)	<b>Request for Approval to Engage a Non-ongoing Employee for a Period of 18 Months or Less</b> <ul style="list-style-type: none"> <li>• This form is to be completed when seeking approval to engage a non-ongoing employee for a period of 18 months or less</li> </ul>
<b>Attachment H</b> (HDA – internal move)	<b>Higher Duties Allowance (HDA) Form</b> <ul style="list-style-type: none"> <li>• This form is to be completed for all temporary assignment of duties within the office that involve payment of Higher Duties</li> </ul>
<b>Attachment I</b> (internal moves at level)	<b>Temporary/Permanent Assignment of Duties at Level Form</b> - Within the office <ul style="list-style-type: none"> <li>• This form is to be completed for all permanent or temporary (where HDA is not payable) assignment of duties within the office</li> </ul>
<b>Attachment J</b> (external movements from another agency)	<b>Permanent/Temporary Movements and Assignment of Duties from Another Agency</b> <p>This form is to be completed for all permanent/temporary movements and assignment of duties for employees moving to the office from another agency.</p>
<b>Attachment K</b>	<b>Selection Advisory Committee Checklist – Gazetted Vacancies</b>
<b>Attachment L</b>	<b>Referee Report - Template</b>
<b>Attachment M</b>	<b>Selection Advisory Committee Report - Template</b>
<b>Attachment N</b>	<b>Selection Advisory Committee Report – Broadband Positions Only - Template</b>



**This form is to be completed where** an area is seeking approval from the Chief Operating Officer to recruit to an ongoing vacancy via advertisement in the Gazette.

- Once the recruitment action is approved by the COO, the area must liaise with HR to arrange for the APS redeployment register to be consulted to determine whether any suitable 'displaced' candidates are available.

**Chief Operating Officer**

**REQUEST FOR APPROVAL TO RECRUIT TO ONGOING VACANCY OR  
NON-ONGOING VACANCY– VIA NOTIFICATION IN THE GAZETTE**

I am seeking your approval to commence recruitment action, in accordance with the new arrangements, to fill the following critical role. The details of the vacancy and justification for needing to fill the vacancy are outlined below.

- I am aware that, in the first instance, an assessment of any suitable displaced employees on the APS Redeployment register needs to occur.

**Details of vacancy**

<b>Position Title</b>	
<b>Classification</b>	
<b>Branch/Section</b>	
<b>Number of vacancies</b>	
<b>Location of vacancy</b>	
<b>Position Number/s</b>	
<b>Reason for vacancy</b>	
<b>Job profile</b>	Refer attached
<b>Required security clearance</b>	

<b>Reasons for filling the vacancy</b>	
<b>Impact if the vacancy is not filled</b>	
<b>Have other recruitment options been considered and is it essential for the position to be filled at the current classification level?</b>	
<b>Is the vacancy a funded position and within the Section's allocated ASL/FTE? (Check with the Finance Team if unsure)</b>	

<b>REQUESTING OFFICER</b>	
Name:	Title:
Signed	Date

<b>SENIOR ASSISTANT OMBUDSMAN</b>	
Supported / Not Supported	
Name:	
Signed	Date

<b>CHIEF OPERATING OFFICER</b>	
Approved / Not Approved	
Name:	
Signed	Date

**This template is to be completed** to record the assessment of employees from the APS Redeployment Register. Once the Form has been completed:

- If the area is recommending an employee from the APS Redeployment Register be recruited complete **Attachment C**; or
- If no employees are found suitable from the register, and the area is now seeking to advertise the vacancy in the Gazette, please email the completed Form to HR and request to now commence gazettal action. The previously approved Attachment A should also be attached.

**ASSESSMENT OF EMPLOYEES FROM THE APS REDEPLOYMENT REGISTER  
TEMPLATE**

**1. DETAILS OF VACANCY**

<b>Branch/Section</b>	
<b>Position Title</b>	
<b>Classification</b>	
<b>Number of vacancies</b>	
<b>Location/s</b>	
<b>Position Number/s (if known)</b>	
<b>Required security clearance</b>	
<b>Date vacancy/ies advertised in Gazette or New Vacancy</b>	

**2. DETAILS OF CANDIDATES CONSIDERED FOR VACANCY/IES**

<b>Date redeployment register was consulted</b>	
<b>Number of candidates referred to selection panel that matched the search criteria</b>	
<b>Number of candidates shortlisted out on initial screening of application/s</b>	
<b>Names of candidates considered for further assessment</b>	
<b>Names of candidates found suitable for vacancy/ies</b>	
<b>Recommended candidate/s details. [Name, Agency, Classification, security clearance – where applicable]</b>	If applicable.

**3. ASSESSMENT OF CANDIDATES SHORTLISTED OUT ON INITIAL SCREENING OF APPLICATIONS**

Name	Reasons for shortlisting out (Please justify against which selection criteria were not met and reasons why the employee/s could not transition into the role with reasonable support/training?)

**4. ASSESSMENT OF CANDIDATES WHO WARRANTED FURTHER CONSIDERATION**

Name	Method of assessment and details of contacts made [e.g. application, interview referee reports, other – please provide full details]	Rating [e.g. Highly suitable, suitable, unsuitable, etc)
	<p>Application reviewed.</p> <p>Discussions held with employee on xx.</p> <p>Details of Referee/s contacted – Panels may use normal referee assessment form and attach. Summary of comments should be attached to this form.</p> <p>Interviews conducted on xx. Type of interview – phone, face to face.</p>	

**Comparative assessment of leading candidates**

(to be provided where more than one candidate is found suitable)

**Brief comment in relation to candidates that were found unsuitable following further assessment.**

(Please justify against which selection criteria were not met and why)

Name	Reasons for rating the candidate/s as unsuitable (Please justify against which selection criteria were not met and reasons why the employee/s could not transition into the role with reasonable support/training?)

**This form is to be completed** where the area has received approval to recruit to an ongoing vacancy (refer to Form at **Attachment A**) and they have consulted the APS redeployment Register, and they are now seeking approval to recruit an employee from the APS Redeployment Register.

The template at **Attachment B** must be completed and attached to this Form.

The approval to recruit (the completed **Attachment A** must also be attached).

### Chief Operating Officer

#### RECOMMENDATION TO FILL AN ONGOING VACANCY WITH AN EMPLOYEE FROM THE APS REDEPLOYMENT REGISTER

You previously approved recruitment action to recruit to the following ongoing vacancy via advertisement in the Gazette (your approval is attached). As is required, suitable candidates on the APS Redeployment Register were assessed to the vacancy/ies being advertised in the Gazette and a suitable candidate/s have being identified.

Please find attached an assessment report in respect of candidates from the APS redeployment register for the following vacancy/ies:

<b>Position Title</b>	
<b>Classification</b>	
<b>Branch/Section</b>	
<b>Number of vacancies</b>	
<b>Position Number/s (if known)</b>	
<b>Location of vacancies</b>	
<b>Reason for vacancy</b>	

### Recommendation

As you can see from the attached report Mr/Ms [name] from [the agency] was found *suitable/the most suitable* for the position and it is therefore recommended that he/she be permanently transferred to in the role on an ongoing basis.

REQUESTING OFFICER	
Name:	Title:
Signed	Date

<b>SENIOR ASSISTANT OMBUDSMAN</b>	
Supported / Not Supported	
Name:	
Signed	Date

<b>CHIEF OPERATING OFFICER</b>	
Approved / Not Approved	
Name:	
Signed	Date

**This form is to be completed:**

- When seeking approval to undertake an EOI process to fill a temporary/non-ongoing or ongoing vacancy.
  - Areas may complete this Form as a word document or copy the table containing the vacancy details into an email and forward the email through the appropriate channels to obtain SAO endorsement and Chief Operating Officer approval.
  - A copy of the signed Form should be sent to HR for their records.

**Chief Operating Officer**

**REQUEST FOR APPROVAL TO UNDERTAKE AN EXPRESSION OF INTEREST PROCESS - FORM**

**Details of vacancy**

<b>Temporary/non-ongoing or Ongoing Vacancy</b> (if an ongoing vacancy, only employees at or above the level of the vacancy will be able to lodge an EOI)	
<b>Period of vacancy (if temporary)</b>	
<b>Reasons for the vacancy</b>	
<b>Impact if the vacancy is not filled</b>	
<b>Branch/Section</b>	
<b>Position Title</b>	
<b>Classification</b>	
<b>Required security classification</b>	
<b>Number of vacancies</b>	
<b>Location of vacancy</b>	
<b>Position Number/s</b>	
<b>Is the vacancy a funded position and within the Section's allocated ASL/FTE? (Check with the Finance Team if unsure)</b>	
<b>Job profile/Duties</b>	Refer attached
<b>Proposed EOI notification for intranet</b>	Draft EOI intranet notification is attached for your information. ( <a href="#">refer to EOI Notification template</a> )

<b>REQUESTING OFFICER</b>	
Name:	Title:
Signed	Date

<b>SENIOR ASSISTANT OMBUDSMAN</b>	
Supported / Not supported	
Name:	
Signed	Date

<b>CHIEF OPERATING OFFICER</b>	
Approved / Not Approved	
Name:	
Signed	Date



**This template is to be completed** and attached to the Request for Approval to Undertake an Expression of Interest Process (**Attachment D**).

Once the request to undertake the EOI is approved, the area should forward the EOI notification to the IT Helpdesk for placement on the intranet.

## EXPRESSION OF INTEREST INTRANET NOTIFICATION TEMPLATE

The [insert Branch/Section/Team name] is seeking expressions of interest (EOI) to fill the position of [insert classification/role title] for a period of/the period [insert period].

As the [insert role title] you will:

- [insert key duties]

Other requirements of the role include:

- [insert other key requirements of role]  
e.g. ability to undertake overnight travel, after hours work, drivers licence, security clearance, psychological assessment or other testing to be undertaken, etc

### Location of role/vacancy

(this section is mandatory where the role/vacancy is to be based in a particular location/s)

For example:

- the vacancy needs to be located where the appropriate level of supervision and support can be provided to the occupant;
- the duties require close and/or regular interaction with other team members and/or management who are based at a particular location;
- the duties require close and/or regular interaction/consultation with stakeholders that is more readily undertaken at a particular location; and/or
- locating the role at particular location will be cost effective.

If you are interested, please provide an EOI (no longer than one page) and CV by email to [insert name and email address of person] by close of business [insert date]. If you have any questions about this position please contact [insert contact name/s and phone number/s].

**This template is to be completed** in respect of EOI processes of greater than 3 months.

- Once the report is completed and signed by the Selection Committee it should be attached to the:
  - Higher Duties Allowance (HDA) Form (Attachment H); or
  - Temporary/Permanent Assignment of Duties at Level Form (Attachment I);and sent to the Chief Operating Officer for approval.

**EXPRESSION OF INTEREST PROCESS SELECTION REPORT - TEMPLATE**

**Details of vacancy**

<b>Position Title</b>	
<b>Classification</b>	
<b>Branch/Section</b>	
<b>Number of vacancies</b>	
<b>Required security clearance</b>	
<b>Location of vacancy</b>	
<b>Position Number/s</b>	
<b>Type of vacancy</b>	
<b>Duration of vacancy</b> (if temporary/non-ongoing)	
<b>Reason for vacancy</b>	
<b>Date notified on intranet</b>	
<b>Number of EOIs received</b>	
<b>Attachments</b>	<ul style="list-style-type: none"><li>• List of applicants (refer Attachment A)</li><li>• Job profile and/or Vacancy Notification</li><li>• Applications</li><li>• Referee reports (where required)</li></ul>

**Recommendation**

[insert name/s] is the successful candidate and it is recommended that you approve *his/her* temporary reassignment assignment of duties *at level/on HDA* for the period [insert period].

The *Higher Duties Allowance (HDA) and/or Temporary Assignment of Duties/Movement Form or Permanent Assignment of Duties/Movement Form* has been completed and also attached for signature.

**Reason for selection**

[insert name/s] demonstrated stronger *experience/skills/knowledge* in the areas of *xyz*.  
[Also provide a brief comparative assessment of the successful candidate and the other candidates with strong claims]

**Panel endorsement**

\_\_\_\_\_  
*Name*

\_\_\_\_\_  
*Name*

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Signature*

Date:

Date:

**Chief Operating Officer Approval**

\_\_\_\_\_  
*Delegate name*

\_\_\_\_\_  
*Signature*

Date:

**Schedule of Applicants**

<b>Name</b>	<b>Considered for further assessment Yes/No</b>	
	<b>If Yes Include rating of suitable/unsuitable</b>	<b>If No Include reasons (e.g. no relevant experience, etc</b>

**This form is to be completed:**

- When seeking approval to engage a non-ongoing employee for a period of 18 months or less.
  - Areas may complete this Form as a word document or copy the table containing the vacancy details into an email and forward the email through the appropriate channels to obtain SAO endorsement and Chief Operating Officer approval.
- Once approved, the area should consult with HR in relation to the process and requirements that need to be completed before the person can be engaged.
- NB: A minimum of 5 working days from date HR receives this signed Form to the date of commencement of the employee is required.

**Chief Operating Officer**

**REQUEST FOR APPROVAL TO ENGAGE A NON-ONGOING EMPLOYEE FOR A PERIOD OF 18 MONTHS OR LESS**

**Details of vacancy**

<b>Branch/Section</b>	
<b>Position Title</b>	
<b>Classification</b>	
<b>Period of vacancy</b>	
<b>Location of vacancy</b>	
<b>Reasons for the vacancy</b>	
<b>Impact if the vacancy is not filled</b>	
<b>Position Number</b>	
<b>Required security clearance</b>	
<b>Job profile/Duties</b>	Refer attached
<b>Is the vacancy a funded position and within the Section's allocated ASL/FTE? (Check with the Finance Team if unsure)</b>	
<b>If an internal EOI was not conducted in the first instance – provide justification</b>	
<b>List any special requirements/attributes required for the role</b>	

<b>REQUESTING OFFICER</b>	
Name:	Title:
Signed	Date

<b>SENIOR ASSISTANT OMBUDSMAN</b>	
Supported / Not supported	
Name:	
Signed	Date

<b>CHIEF OPERATING OFFICER</b>	
Approved / Not Approved	
Name:	
Signed	Date



## HIGHER DUTIES ALLOWANCE (HDA) FORM - INTERNAL

COMPLETE, SCAN AND FORWARD TO [human.resources@ombudsman.gov.au](mailto:human.resources@ombudsman.gov.au)

This form is to be completed for all temporary assignment of duties within the office that involve payment of HDA.

**N.B.** Under clause 47.1 of the EA HDA is payable where the duties (**please mark which circumstance applies**):

- involve management responsibilities and are to be performed for a continuous period of at least one week, or
- do not involve management responsibilities and are to be performed for a continuous period of at least one month (i.e. any period of four consecutive weeks).

**FORMS MUST BE RETURNED TO HR 2 WEEKS PRIOR TO DATE OF COMMENCEMENT**

<b>Surname</b>						<b>Date continuous HDA commenced</b>				
<b>Given Name</b>						<b>Period of HDA</b>		to		
				<b>Reason for HDA</b>						
				<b>FROM</b>				<b>TO</b>		
<b>Classification</b>										
<b>Title</b>										
<b>Team</b>										
<b>Branch</b>										
<b>Position No</b>										
<b>Required security clearance</b>										
<b>Status</b>				<input type="checkbox"/> Full Time		<input type="checkbox"/> Part Time		<input type="checkbox"/> Full Time		<input type="checkbox"/> Part Time
<b>Salary</b>				\$				\$		
<p><b>Note:</b> Where higher duties allowance is to be paid, an employee's salary will be the lowest pay point on the next level that exceeds their existing salary.</p>										
<b>RECOMMENDED BY</b>										
<b>Name:</b>					<b>Classification:</b>					
<b>Signature:</b>					<b>Date:</b>					
<b>APPROVED BY:</b> <input type="checkbox"/> Deputy Ombudsman/Chief Operating Officer – all periods <input type="checkbox"/> SAO -for periods of 6 months or less <input type="checkbox"/> Director/EL1 Manager – for period of 3 months or less after discussing HDA staffing arrangement with relevant SAO										
<b>Name:</b>					<b>Title:</b>					
<b>Signature:</b>					<b>Date:</b>					



## TEMPORARY/PERMANENT ASSIGNMENT OF DUTIES AT LEVEL FORM – WITHIN THE OFFICE

COMPLETE, SCAN AND FORWARD TO [human.resources@ombudsman.gov.au](mailto:human.resources@ombudsman.gov.au)

This form is to be completed for all temporary/permanent assignment of duties **at level** within the office.

**FORMS MUST BE RETURNED TO HR 2 WEEKS PRIOR TO DATE OF COMMENCEMENT**

DETAILS OF MOVEMENT			
Surname		Date of commencement	
Given Name		End date (where temporary move)	
Reason for assignment of duties			
	FROM	TO	
Classification			
Title			
Team			
Branch			
Position No			
Required security clearance			
Status	<input type="checkbox"/> Full Time <input type="checkbox"/> Part Time	<input type="checkbox"/> Full Time <input type="checkbox"/> Part Time	
Salary	\$	\$	
RECOMMENDED BY			
Name:	Classification/Title:		
Signature:	Date:		
APPROVED BY: <input type="checkbox"/> Deputy Ombudsman/Chief Operating Officer – all periods <input type="checkbox"/> SAO - for temporary periods of 6 months or less			
Name:	Title:		
Signature:	Date:		





**PERMANENT/TEMPORARY MOVEMENTS AND ASSIGNMENT OF DUTIES FROM ANOTHER AGENCY FORM**

COMPLETE, SCAN AND FORWARD TO [human.resources@ombudsman.gov.au](mailto:human.resources@ombudsman.gov.au)

This form is to be completed for all permanent/temporary movements and assignment of duties for employees moving to the Office from another agency.

**FORMS MUST BE RETURNED TO HR 2 WEEKS PRIOR TO DATE OF COMMENCEMENT**

DETAILS OF MOVEMENT			
Full Name		AGS No	
Address			
Date of commencement (either 4 weeks from when losing agency advised of move or other agreed date agreed between gaining and losing agencies)		End date (where temporary movement)	
	AGENCY FROM		TO
Agency			
Classification			
Team			
Branch			
Location			
Position No			
Security clearance level (where applicable)			
Salary:	\$		\$
Status	<input type="checkbox"/> Full Time	<input type="checkbox"/> Part Time	<input type="checkbox"/> Full Time <input type="checkbox"/> Part Time
RECOMMENDED BY RELEVANT DIRECTOR/SAO			
Name:			
Signature:		Date:	
Employee declaration			
<p><b>Employee Declaration</b> I agree to an ongoing/temporary movement, as outlined above. I acknowledge that I will be employed under the terms and conditions specified in the current Commonwealth Ombudsman Enterprise Agreement.</p>			
Signature:		Date:	
Endorsement of move from Losing Agency (to be signed by an authorised person from the losing Agency)			
I agree to the ongoing/temporary movement of the above employee to the Office of the Commonwealth Ombudsman.			
Signature:		Date:	
Name:		Phone:	
APPROVED under section 25 and 26 of the <i>Public Service Act 1999</i> by: <input type="checkbox"/> Deputy Ombudsman/Chief Operating Officer			
Name:		Title:	
Signature:		Date:	

### SELECTION ADVISORY COMMITTEE CHECKLIST

TASK	Responsibility	Schedule Date
<p><b>Selection Advisory Committee</b> The relevant SAO/COO must approve the SAC. The selection process is to be completed within <b>6 weeks</b> from the closing date of the advertised job.</p>	Convenor	
<p><b>Applicant Information</b> The selection advisory committee will be given access to the recruitment mailbox and the relevant recruitment folder in Objective in order to receive applications and co-ordinate the recruitment activity.</p>	HR	
<p><b>Shortlisting Applications</b> Complete the 'shortlisting of applicants schedule' (provided via email) including reasons for not shortlisting an applicant. Internal applicants may be advised at this stage if they have not been shortlisted.</p>	SAC	
<p><b>Assessment Process</b> Determine the next step in the assessment process. If the next step in the selection process will not be an interview please consult HR to discuss other options.</p>	Convenor/SAC	
<p><b>Pre Interview</b> Organise interview date, times and venue. Prepare questions against relevant selection criteria. Contact short listed applicants to arrange interviews.</p>	Convenor	
<p><b>Scribes</b> If using an external scribe, prior approval is required (section 23).</p>	Convenor	
<p><b>Referee reports</b> The SAC is responsible for obtaining at least one referee report for suitable interviewees with strong claims and will be ranked on the order of merit. <b>Note:</b> Referee reports do not need to be sought for interviewees who do not have strong claims and/or will not be ranked on the order of merit.</p>	SAC	
<p><b>Post Interview</b> SAC report completed (see below) and signed by all committee members and forwarded to the delegate for approval.</p>	Convenor	
<p><b>Approval</b> Following approval by the Delegate the Convenor contacts the successful and unsuccessful interviewed applicants.</p>	Convenor	
<p><b>Documentation</b> SAC Report, Job profile, schedule of applicants with comments, list of questions and referee reports should be forwarded to HR.</p>	Convenor	

**REFEREE'S REPORT**

The selection committee on reaching the final decision of a selection process will use the information provided by a referee.

<b>Applicant Details</b>	
Surname:	
Given names:	
<b>Position(s) Applied for</b>	
Designation/Classification:	
Office/Branch:	
<b>Referee Details</b>	
Name:	
Position:	
Department/Employer:	
Office/Branch/Section:	
Phone number:	Work:  Home:

Working relationship to applicant/relevant dates, periods:

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**Assessment against the selection criteria – please refer to the suggested rating scale attached**

**Note: SACs may prefer to obtain more general referee comments (e.g. strengths and weaknesses/character or confirmation of claims within the candidate's CV/application, etc.) Obtaining referee comments against the selection criteria is not mandatory.**

**Criterion 1**

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Rating: .....

**Criterion 2**

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Rating: .....

**Criterion 3**

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Rating: .....

**Criterion 4**

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Rating: .....

**Criterion 5**

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Rating: .....

**Criterion 6**

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Rating: .....

**Referee's signature**

.....

Date: .../...../...

**EMPLOYEE IN CONFIDENCE**

**OFFICE OF THE COMMONWEALTH OMBUDSMAN**

**ADVICE TO REFEREES**

Would you please comment on the applicant in terms of the attached selection criteria, and rate the applicant against each criterion using the scale provided below. Your comments and rating should be based on the applicant's likely capability for the position in question, having regard to their work experience while under your supervision.

Comments must be objective, and also include specific examples to emphasise and illustrate the applicant's abilities, knowledge, experience and personal qualities in relation to the criteria. Additional comments can be used to emphasis any strengths and weaknesses. In some cases the Committee may contact you for further discussion and clarification of your comments.

**RATING SCALE USED FOR INDIVIDUAL ASSESSMENTS**

Rating / Description	Indicators of Performance
<p><u>Excellent</u> The applicant possesses exceptionally well developed and relevant skills and abilities, and the appropriate personal qualities in relation to this criterion, and their performance is outstanding.</p> <p>(To be used only in cases where exceptional skills have been demonstrated against this criterion).</p>	<p>Is able to perform at high level without direct supervision for one or more of the following reasons:</p> <ul style="list-style-type: none"> <li>* excellent job knowledge;</li> <li>* exceptionally reliable;</li> <li>* considerable demonstrated ability in problem solving and the application of change;</li> <li>* appears to instinctively and effectively deal with all matters relating to the position.</li> </ul>
<p><u>Fully Competent</u> The applicant possesses highly developed and relevant skills and abilities, and would perform consistently well against this criterion.</p>	<p>Would require little supervision to achieve good results, for one or more of the following reasons:</p> <ul style="list-style-type: none"> <li>* well developed (sound) job knowledge;</li> <li>* would be reliable and responsible;</li> <li>* would be able to suggest and initiate improvements relevant to the work area;</li> <li>* would be well able to deal with all of the routine and most of the complex matters relating to the position.</li> </ul>
<p><u>Competent</u> The applicant possesses relevant skills, abilities and personal qualities and would be generally effective against this criterion.</p>	<p>Would require routine supervision to perform at an acceptable level for one or more of the following reasons:</p> <ul style="list-style-type: none"> <li>* reasonable/good job knowledge;</li> <li>* makes few errors;</li> <li>* generally reliable;</li> <li>* would use initiative in more complex situations;</li> <li>* would accept responsibility;</li> <li>* would deal with all routine matters involving the position.</li> </ul>
<p><u>Unsatisfactory (Below Standard)</u> The applicant is unable to demonstrate that they possess the adequate skills, abilities and personal qualities in relation to the criterion. They would not be suitable to perform the duties of the position relevant to this criterion, even on a temporary basis.</p>	<p>Would be unable to perform the duties for one or more of the following reasons:</p> <ul style="list-style-type: none"> <li>* limited job knowledge which would result in frequent errors;</li> <li>* poor work output;</li> <li>* would have difficulty carrying responsibility or solving problems;</li> <li>* would have difficulty dealing with routine matters involving the position.</li> </ul>



## SELECTION ADVISORY COMMITTEE REPORT - TEMPLATE

### Delegate - Chief Operating Officer

Through  
Senior Assistant Ombudsman

**Job Title:**

**Classification:**

**Job Number:**

**Branch:**

**Location:**

The above vacancy was advertised in the Gazette on (date) and on the Office of the Commonwealth Ombudsman website.

A selection advisory committee comprising:

- 1.
- 2.
- 3.

(List names, classification levels and Branch)

convened to assess the applications against the approved Job Profile. The Job Profile is at **Attachment A**.

A total of (number) applications were received for the vacancy/ies. **XXX** applicants were shortlisted for interview.

All shortlisted candidates were invited to complete the psychometric testing. **xxx** candidates, *(insert names)* declined to undergo testing and were therefore not considered for the interview stage of the recruitment process.

The results of the psychometric testing were not a weighted component of the selection process, but instead were used to inform an overall picture of the candidate.

Interviews were conducted on **(date)**.

Reasons for non-selection for interview are at **Attachment B**.

**Option 1 – if one outstanding applicant**

At the conclusion of the selection process, the Committee considered that (name) is the preferred candidate.

**Option 2 – if more than one outstanding applicant**

At the conclusion of the selection process, **xxx** applicants demonstrated stronger claims against the selection criteria and based on relevant skills and experience the Committee established the following order of merit:

1. x
2. x
3. x
4. x
5. x

**Comparative assessment** (or assessment of outstanding applicant if option 1 applies)

Overall, the Committee agreed that (name) demonstrated stronger claims to the position based on (his/her) knowledge, skills and experience in xxxxxxxxxxxxxxxx, and their proven track record in xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx. (His/Her) answers to questions demonstrated (his/her) understanding of xxxxxxxxxxxxxxxxxxxxxxxx and reflected xxxxxxxxxxxxxxxxxxxxxxxx. They also demonstrated (his/her) extensive experience and ability in developing/leading/managing xxx and they were able to cite several examples of (his/her) ability to develop/lead/manage through xxxxxxx while delivering and maintaining a high level of xxxxxxxxxxxxxxxxxxxx.

Referee/s comments confirmed (his/her) knowledge, skills and experience in xxxxxxxxxxxx, They also attested to (his/her) excellent communication skills with xxxxxxxxxxxx and that he/she possesses leadership strengths and personal attributes of a very high order.

(name) was ranked second to (name). Although the Committee were impressed with (his/her) very strong interview performance and demonstrated claims against all the selection criteria (his/her) skills and experience in xxxxxxxxxxxxxxxxxxxxxxxx and xxxxxxxxxxxx were considered not as strong as (name).

Continue with other ranked applicants.

The remaining candidates interviewed were not ranked for the following reasons:

Provide a brief summary against the selection criteria/job requirements (not individual summaries) on all other applicants that were not ranked.

**Recommendation**

The Committee recommends the *promotion/transfer/ongoing/non-ongoing engagement* of: (name) to the position of (position title), Position Number (no.) in the (branch), salary on engagement \$..... (Note: If the salary is above the bottom increment then you will need to provide details to support this in your recommendation)

Should (name) decline the *promotion/transfer/offer of engagement* the Committee recommends the job be offered to the second ranked applicant, (name) and so on. Should he/she decline the Committee would reconvene to further assess the claims of the remaining xxxxx applicants.

.....  
(panel members names for signature)

**Has the report been cleared by HR: *Yes/No***

**Chief Operating Officer Approval**

Rodney Lee Walsh  
Chief Operation Officer

\_\_\_\_\_  
*Signature*

Date:     /     /

**Include Attachments:**

- A. Job Profile
- B. Complete list of all applicants, with a brief comment as to why unsuccessful applicants were not shortlisted for interview. (*Comments should be based on claims against the selection criteria/job requirements*)
- C. Copies of written referee reports or a brief summary of verbal comments obtained
- D. The list of questions asked at interview.
- E. Applications of successful candidates





**SCHEDULE OF APPLICANTS**

<b>Branch:</b>		<b>Classification:</b>	
<b>Section:</b>		<b>Position Title:</b>	
<b>Gazette date:</b>		<b>Position No:</b>	
<b>No. of applicants:</b>		<b>No. of applicants shortlisted:</b>	

<b>Name, Classification, Agency</b>	<b>Email</b>	<b>Phone</b>	<b>RecruitAbility</b>	<b>Interview</b>	<b>Reasons for Non-Interview</b>
John Siddle, APS6, DHS	<a href="mailto:example.applicant@optus.com.au">example.applicant@optus.com.au</a>	0400 000 001	Yes	Yes	N/a
			Yes / No	Yes / No	
			Yes / No	Yes / No	
			Yes / No	Yes / No	



**Selection advisory committee report - Broadband Positions Only**

**Delegate (Chief Operating Officer)**

Through:  
Senior Assistant Ombudsman

**Job Title:**  
**Classification: Australian Public Service Level 5**  
**Job Number:**  
**Location:**  
**Branch:**

The above job vacancy has been identified for filling by means of the Ombudsman’s APS 4/5 broadband process.

..... is a fully effective substantive APS 4 at the top pay point in the  
..... who is eligible for promotion to the APS 5 Level.

I have assessed.....against the APS5 work level standards (copy at Appendix A) as follows:

.....  
.....  
.....  
.....

In conclusion..... possess the characteristics and has demonstrated the level of knowledge, skills and attributes to be promoted to the APS Level 5 vacancy.

**Recommendation**

That you approve the promotion of ..... to the vacant job.

**Manager/Supervisor Name:** \_\_\_\_\_

\_\_/\_\_/\_\_

Date

**Approval**

Manager's/Supervisor's assessment, I understand that the recommendation has been made consistent with the merit selection requirements of the relevant employment legislation.

I approve the recommendation.

**Delegate Name:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

\_\_\_/\_\_\_/\_\_\_

Date

## **APS LEVEL 5**

Staff at this level generally work under the broad supervision and guidance of staff at an APS 6 or EL1 level. Staff undertake a broad range of job functions or roles in the office. As an APS Level 5 (APS 5), staff may have responsibility for on-the-job coaching or management of more junior staff. Staff may also be required to undertake specialist or technical research and analysis and provide professional and policy advice within an area of specialisation. The role may involve limited structured decision-making and longer-term planning, as well as liaison with other sections on policy issues. Staff may liaise with a range of both internal and external stakeholders. Staff may also be required to undertake procedural, clerical, administrative support or operational tasks. Staff will be responsible for delivering results in accordance with their work goals. Staff will demonstrate a high level of productivity, which will be assessed in the context of their role within the office.

Staff will possess a sound level of capability. They will be able to demonstrate a sound understanding of the role and responsibilities of the office, as well as the legislative, regulatory and compliance frameworks[2] that inform its activities. All staff are expected to display behaviours consistent with the APS Values and Code of Conduct.

### **Characteristics of the work:**

Generally, the work of an APS 5 is characterised by one or more of the following:

- the ability to work as an effective team member;
- the capacity to work under supervision and guidance from more senior staff;
- the provision of specialist advice and administrative support that is informed and directed by sound knowledge in specific areas and that is supported by only limited supervision from other experts;
- involvement in business planning and performance monitoring;
- the management of roles and responsibilities that involve both routine and complex activities in relation to own work;
- a sound knowledge of legislation, rules, regulations and procedures
- specialist knowledge and technical expertise, including an understanding of relevant commercial contexts;
- the capacity to work towards specific deadlines with a high level of precision, accuracy and attention to detail;
- an ability to respond well and quickly to clients, with an emphasis on the ability to communicate effectively with staff and members of the public;
- responsibility for planning and achieving own and team work goals;
- the capacity to represent the immediate work area in a range of forums;
- making contributions to changes in workplace practices and to business improvement strategies within an operational context;
- application of accepted methodologies and approaches;
- an ability for innovation within defined parameters including the ability to contribute to business opportunity identification; and
- the ability to manage and organise work in the context of competing priorities.

### **Primary responsibilities:**

Within an area of responsibility, the work of an APS 5 may comprise some or all of the following:

### ***General***

- Conducting research and analysis on less complex matters
- Assisting in contract management and administration
- Liaising with areas across, and external to, the office
- Providing administrative support where required
- Participating in cross-office committees or focus groups
- Managing day-to-day budget matters for work area including monitoring and reviewing expenditure and authorising payments
- Preparing daily correspondence including emails and letters on routine and non-routine matters
- Assisting and coaching less experienced staff

### ***Operational***

- Identifying and implementing systems improvement initiatives
- Assisting with the establishment and implementation of new services and systems within the office
- Contributing to the effective delivery and enhancement of ongoing services and systems that support the office's core business

### ***Policy***

- Preparing reports, briefing papers, drafts of speeches and discussion papers for review by more senior staff
- Providing technical advice in specific areas of policy
- Assisting in the development of policy documents for review and publication

### ***Project and Program Management***

- Assisting in project management and coordination activities
- Undertaking less complex specific projects under the direction of more senior staff
- Providing advice and technical expertise in specific areas of project work
- Organising events, including identifying themes and speakers, booking venues and other scoping and administrative tasks
- Drafting information packages

## **Required capabilities**

### ***Supports strategic direction***

- Supports shared purpose and direction
- Thinks strategically
- Harnesses information and opportunities
- Shows judgement, intelligence and common sense

### ***Achieves results***

- Identifies and uses resources wisely
- Applies and builds professional expertise
- Responds positively to change
- Takes responsibility for managing work projects to achieve results

***Supports productive working relationships***

- Shares learning and supports others

***Displays personal drive and integrity***

- Nurtures internal and external relationships
- Listens to, understands and recognises the needs of others
- Values individual differences and diversity
- Demonstrates public service professionalism and probity
- Engages with risk and shows personal courage
- Commits to action
- Promotes and adopts a positive and balanced approach to work
- Communicates clearly
- Listens, understands and adapts to audience
- Demonstrates self-awareness and a commitment to personal development

***Communicates with influence***

- Negotiates confidently