

# Recruitment Procedure

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## **Part 1 OBJECTIVES**

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This procedure aims to provide guidance and assistance to all stakeholders who are involved in recruitment, selection, and promotion of employees at Kempsey Shire Council ('the Council'). This procedure is informed by and subject to the provisions of the Local Government Act 1993 that relate to recruitment of employees. It outlines the principles and procedures that are to be followed in the recruitment and selection process. This procedure is designed to ensure that recruitment standards are consistent, appropriate, and free from discrimination or bias.

## **Part 2 MERIT PRINCIPLE APPLIES**

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- 2.1 When recruiting and promoting employees the Council aims to ensure that the best person for the job is chosen in each case.
- 2.2 The Council is committed to ensuring that recruitment and selection decisions are based on the principle of merit. This means that persons will be selected based on whether they have the right skills, qualifications, experience and standard of work performance that is required to do the job.
- 2.3 Each member of the selection panel and/or manager that has a role in the recruitment of employees or in selection for promotion should do their utmost to ensure that the merit principle is applied in every case.
- 2.4 The Council does not have to make appointments based on merit in the case where it is a lateral transfer or in the case of a demotion. However, the Council may decide to make such appointments based on merit.

## **Part 3 EQUAL EMPLOYMENT OPPORTUNITY**

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- 3.1 The Council is an equal employment opportunity employer and is committed to ensuring that all applicants for selection or promotion are not discriminated against on any of the grounds of discrimination contained in equal employment opportunity laws and are consistent with the organisation's Equal Employment Opportunity Management Plan.
- 3.2 This means that no unlawful discrimination should take place in job advertisements, job interviews or the selection process.

## **Part 4 COMPLIANCE**

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- 4.1 When a vacancy arises as a result of an employee leaving council's service, the director must re-examine the departmental structure to determine whether job redesign will be more efficient and whether the position needs to be filled. The Director is to provide a brief to the Executive Leadership Team for authorising the filling of the position.
- 4.2 Where a position changes as a result of job redesign, the employees who may be affected by the proposed changes and the unions to which they belong will be notified. The process taken must follow the Local Government (State) Award 2023. The Executive Leadership Team will make the final decision to proceed to



the recruitment stage. It will then be referred to the Consultative Committee for information.

- 4.3 Any newly created positions which involve an increase in approved staffing levels must be approved by the Executive Leadership Team and noted by the Consultative Committee prior to advertising.

## **Part 5 WORKING WITH CHILDREN CHECKS**

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- 5.1 Child-related workers employed by Council are required to have a Working With Children Check (WWCC). Child related work is defined as face-to-face contact with children in a child-related sector (e.g. early education and childcare) or work in a child-related role (e.g. library). Where a position is a child-related role, then the Council must advertise the position informing any potential candidates that they will be subject to a working with children check.
- 5.2 The prospective employee in a child-related role must apply for a WWCC before they commence their new role, and the WWCC must be verified by Council before they start work.
- 5.3 Where applicable, the Council will ensure that candidates being considered for the position undertake the WWCC prior to any offer of employment being made.

## **Part 6 THE PROCESS OF RECRUITMENT AND SELECTION**

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- 6.1 When it is proposed to make an appointment to a position within the organisation structure of the Council, the position must be advertised in a manner sufficient to enable suitably qualified persons to apply for the position. However, the Council may decide not to advertise a vacant position in limited circumstances which are provided in the Local Government Act 1993. For example, the Council is not required to advertise an appointment that is a demotion, a lateral transfer, the reappointment under a new contract of a senior staff member (as defined by the Local Government Act 1993) or where the appointment is for a fixed term of not more than 12 months or two or more periods that together are not more than 12 months in any period of 2 years.
- 6.2 The Council may decide to advertise positions that become vacant either internally, externally, or both internally and externally.

### ***Internal advertising***

- 6.3 Where the Council advertises internally it shall be undertaken via the Council's intranet. Current employees are encouraged to apply for positions for which they believe they are suitably qualified.
- 6.4 Each application will be assessed on its merits, based on the essential and desirable criteria required for the position. This may mean that internal applicants do not qualify for job interviews.

### ***External advertising***

- 6.5 When determining the method of external advertising, consideration should at least be given to the anticipated labour market for the position (i.e. demand and supply of labour), the level of seniority of the position, the audience and extent of distribution of the advertisement, and the cost of the advertising.



- 6.6 The use of employment consultants for the filling of vacancies is discouraged. A brief will need to be prepared with all costs/reasons and presented to ELT for consideration.
- 6.7 The use of labour hire/group training to fill vacancies not on the approved establishment is discouraged. A brief will need to be prepared with all costs/reasons and presented to ELT for consideration.
- 6.8 Approvals will only be given by ELT in exceptional circumstances.

## Part 7 THE JOB ADVERTISEMENT

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- 7.1 The advertisement must contain the title of the job and a list of key duties and/or result areas. The advertisement should outline the essential criteria of the job and should indicate that applicants must be able to address all these criteria. Desirable criteria can also be included (these are criteria which would allow the further culling of applicants who meet all the essential criteria).
- 7.2 The job advertisement may specify what information the applicant should provide with their application, (eg: resume, academic record, licences, certificates, etc), and whether application forms are required to be completed.
- 7.3 The name of a contact person should be provided, as well as a closing date for applications.
- 7.4 The advertisement will state that the Council is an equal opportunity employer.
- 7.5 Where the position being advertised is that of a senior staff position (as defined by the Local Government Act 1993), it shall be advertised for at least 4 weeks through an external source such as SEEK, LGAssist or similar.

## Part 8 JOB DEFINITIONS

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- 8.1 At Council, the importance of having a diverse and flexible workforce to meet the varying needs of our operations is recognised. To ensure clarity and consistency in our recruitment and employment practices, we categorise our employees into distinct types, each with specific terms and conditions. Understanding these categories will help both managers and employees navigate employment relationships effectively and align expectations with organisational goals.
  - i) **Casual Employment:** Casual employees will be engaged on an as-needed basis, with no guaranteed hours. They will be compensated at a higher hourly rate (as per the Local Government (State) Award 2023) in lieu of benefits and can be called in at short notice. They may be sourced from the Expression of Interest listing on the Councils website.
  - ii) **Temporary Employment:** Temporary employees will be hired for fixed terms to meet short-term project needs. Their contracts will specify the duration of employment and any applicable benefits. Temporary positions will be bound as per the Local Government (State) Award 2023.
  - iii) **Part-Time Employment:** Part-time employees will work a set number of hours each week, less than the standard full-time hours, and will receive benefits on a pro-rata basis according to their hours worked.



- iv) **Secondment:** Employees may be seconded to different roles within the organisation for a specified period as per the Local Government (State) Award 2023. They will return to their original positions upon the completion of the secondment.
- vi) **Permanent Employment:** Permanent employees will have ongoing employment without a predetermined end date and will be entitled to the full range of benefits offered by the organisation and as per the Local Government (State) Award 2023.

## Part 9 THE ESSENTIAL AND DESIRABLE CRITERIA

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- 9.1 The Manager and/or Supervisor of the position will review the job description of the vacant position prior to advertising and make sure that it is up to date and accurate.
- 9.2 The relevant Manager will determine the essential and desirable criteria for the position. Where there are changes to the job description, the position shall be reviewed by the Council's People and Culture team in line with the Local Government (State) Award 2023 skill descriptors to ensure that the position is appropriately graded within the Council's salary system.
- 9.3 The essential criteria are those which are necessary for the performance of the job. The desirable criteria are those that will help the applicant perform the job at a higher than entry level and will give the applicant a competitive advantage. By determining the essential and desirable criteria of the job, the panel will have a standard for comparison of each applicant. It is important that each candidate is assessed according to criteria that are objective and applied in a consistent manner.

## Part 10 THE SHORT LIST

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- 10.1 The selection panel is to consist of a minimum of:
  - i) two subject matter experts(one of whom has completed the interview panel training); and,
  - ii) one panel member from outside of the hiring directorate who has completed the interview panel training; and,
  - iii) representation of more than one gender.to ensure equal employment opportunity workplace management is practiced.
- 10.2 Each member of the selection panel is to review the applications and form their own opinion prior to the panel meeting. This may include a scoring.
- 10.3 The Hiring Manager is to schedule the selection panel to review the job applications and make a short list of the applicants who best meet the essential (and potentially the desirable) criteria for the position prior to interviewing. This may be in person, or via media.
- 10.4 Arrangements should be made for interviewing those applicants who are short listed.



## Part 11 JOB INTERVIEWS

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- 11.1 The Hiring Manager will prepare the questions to be asked at the interview. These should be restricted to questions that are relevant and specific to the job. Questions which may indicate an intention to determine the applications on any unlawful grounds of discrimination must not be asked (for more information, refer to the Equal Employment Opportunity Management Plan and the Code of Conduct). However, it is generally acceptable to ask questions about whether a person is fit for employment and whether they have the physical and/or mental capacity to perform the role without there being an unreasonable risk of injury.
- 11.2 Where the person has a disability, it is also acceptable to ask questions clarifying how the person foresees they will be able to fulfil the inherent requirements of the particular position, and to ascertain what, if any adjustments may be required. If it is identified that adjustments will be required, the selection panel may need to consider whether the provision of such additional services or facilities will impose an unjustifiable hardship on the Council. If the person indicates that they do require services or facilities that are not required by persons without that disability the selection panel may need to consider whether the provision of such additional services or facilities will impose an unjustifiable hardship on the Council (see the additional information below in relation to reasonable adjustment).
- 11.3 Panel members should ask the same questions of all applicants, otherwise biases and unfair assumptions can affect recruitment and selection decision making.
- 11.4 Panel members should document each applicant's responses and the reasons for short listing and selecting the applicants.
- 11.5 The Hiring Manager is responsible for saving all documentation on the People and Culture recruitment platform.

### ***General comments in the interview***

- 11.6 During the interview the candidate should be notified of the following matters (where applicable):
- i) That employment would be subject to a probationary period of 3 months; or
  - ii) If relevant, that employment is offered on a fixed term basis and the reason(s) for the fixed term employment – for further information in respect of award covered employees refer to the Term Contract provisions of the Local Government (State) Award 2023; and
  - iii) Pre-employment medical assessments, if required.

### ***Supplementary Selection Tools***

- 11.7 It may be appropriate, at Council's absolute discretion, to use other selection tools to assist in recruiting for a position. These tools must relate to the selection criteria.
- 11.8 Supplementary selection tools may include, but are not limited to:
- i) Psychological tests;
  - ii) Report writing, problem solving and other 'in-tray exercises';
  - iii) Keyboard tests;
  - iv) Computer skills assessments; and/or,





- v) Literacy and numeracy tests.

## **Part 12 FOLLOWING THE JOB INTERVIEW**

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- 12.1 The panel should meet and agree on which of the applicants has the most merit and is best suited for the position (the “preferred applicant”) with 48 hours of the interviews being completed. The Hiring Manager will then conduct reference checks for the preferred applicant and document the responses (see Part 14).
- 12.2 If the panel, following the interviews, forms the view that none of the applicants are suited for the position, then consideration should be given to re-advertising.
- 12.3 The Hiring Manager is responsible for contacting all interviewed candidates, including those that have been unsuccessful. This will include providing feedback if the candidate requests this information.
- 12.4 The Hiring Manager is responsible for saving all documentation on the People and Culture recruitment platform.

## **Part 13 REASONABLE ADJUSTMENT**

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- 13.1 Where the preferred applicant has a disability, the Council will endeavour to make reasonable adjustments to the position to enable that person to undertake the duties. This may require adjustments to the workstation or how a task is undertaken, for example.
- 13.2 There are certain circumstances where discrimination is not unlawful under the Disability Discrimination Act 1992 (Cth). These include:
  - i) where an unjustifiable hardship would be imposed by the provision of special services or facilities which are necessary for the person with the disability to do the work;
  - ii) where the person, because of their disability, would be unable to carry out the inherent requirements of the role, even with the provision of workplace adjustments by an employer; or
  - iii) general exceptions such as if the discrimination is necessary to protect the health or safety of any person or property, or where the discrimination is authorised by another piece of legislation.

## **Part 14 REFERENCE CHECKING**

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- a) Reference checking will be conducted:
  - i) One check via the People and Culture recruitment platform; and
  - ii) At least one check via personal contact by the Hiring Manager.
- 14.2 Any person that carries out a reference check in relation to a prospective or existing employee should note the following:
  - i) The referee should be informed that the information they convey, due to privacy laws, will be accessible to the prospective employee/existing employee and also may be discussed with the candidate. As a general rule, a referee’s opinions should not be directly relayed to the candidate.



The purpose of obtaining a referee's opinion is to substantiate opinions already formed.

- ii) Only disseminate material/information to those involved in recruitment.
- iii) The questions asked of the referee should be written down before the referee is called and should only be questions going to the genuine occupational requirements of the job.
- iv) The questions should include the following query – 'Given the opportunity, would you re-employ [candidate's name]?'

## **Part 15 OTHER CHECKS**

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- 15.1 An offer of employment should not be made until the following checks have been completed:
- i) Police/Criminal Record Check (where applicable – e.g. child related employment)
  - ii) Working with Children Check (where applicable – e.g. for child-related role)
  - iii) Pre-Employment Medical examination (where applicable).

## **Part 16 MAKING AN OFFER OF EMPLOYMENT**

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- 16.1 The Hiring Manager will make the decision on whether to proceed with an offer of employment post reference checking.
- 16.2 If an offer of employment is to be made, the successful applicant should be notified via phone by the Hiring Manager in the first instance and include the following information:
- i) Position title
  - ii) Salary/wage rate;
  - iii) Type of employment – part-time/full-time/ temporary;
  - iv) Start date;
  - v) Hours of work and work arrangements;
  - vi) Any special offers eg leaseback car, relocation assistance, etc;
  - vii) Special conditions of employment such as study commitments; and/or,
  - viii) Probationary period and review mechanisms;
- 16.3 Unsuccessful applicants will be notified of the result via phone by the Hiring Manager after the position has been accepted by the successful applicant.
- 16.4 A written letter of offer being processed through the KSC People and Culture team will then confirm this offer. The written offer of employment should include relevant employment details. Where the position is covered by an award, such information should at least include:
- i) Position title and duties together with a copy of the position description;
  - ii) Employee's classification, wage rate and payment arrangements;





- iii) Duration of employment;
  - iv) Supervisor/line authority;
  - v) Hours of work, work arrangements and additional leave;
  - vi) Superannuation details;
  - vii) Probationary period and review mechanisms;
  - viii) Responsibilities;
  - ix) References to the applicable award, industrial agreement, legislation and Council policies and procedures; and
  - x) Over and above award employment conditions or special terms of reference, performance measures, training.
- 16.4 Where the successful applicant does not accept appointment to the position, an offer of employment can be made to the next most suitable candidate.
- 16.5 If the successful applicant leaves the position within 6 months of appointment, the next most successful candidate may be offered appointment to the position.

## Part 17 PRIVACY

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- 17.1 As set out in the Privacy Policy, the Council respects and complies with its obligations under privacy legislation.
- 17.2 Consequently, any personal information gathered about applicants that does not become an employee record relating to the successful candidates will be archived on the People and Culture recruitment platform at the conclusion of the selection process, unless the permission or consent of the candidate has been obtained to keep any such information.

## Part 18 VARIATION

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The General Manager reserves the right to renew, vary or revoke this procedure which will be reviewed periodically to ensure it is relevant and appropriate.

### Document Control

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