

1 Title: Placement of employees following machinery-of-government changes or service delivery reform

2 Purpose:

This directive is to be read in conjunction with Directive no.12/09 – *Employment arrangements following workplace change*, which specifies action to be taken to support the employment security of all tenured employees requiring placement.

This directive specifies additional action that agencies must take to place tenured staff displaced by machinery of government changes or service delivery reform.

3 Application:

This directive does not apply to the filling of vacancies under a graduate recruitment program.

4 Legislative Provision: *legislation* – sections

Public Service Act 2008 – sections 46, 53, 138

5 Effective date: 25 September 2009

6 Definitions:

For the purpose of this directive the following definitions apply:

“Agency”

- means a department or public service office as defined under sections 14 and 21 respectively of the Public Service Act 2008.

“Redeploy”

- means to employ a priority placement employee, with their consent, to an alternative permanent role at a lower classification level.

“Priority placement employee”

- is a tenured employee registered by their agency under this directive as requiring alternative placement due to machinery-of-government changes or service delivery reform.

“Priority placement vacancy”

- is a vacancy for a permanent corporate service or business support role in the following areas and in other areas as determined by the agency:
 - o finance, procurement and internal audit
 - o human resources and employee relations
 - o document and records management
 - o information management/information technology
 - o communications, marketing and public affairs
 - o asset and facilities management
 - o freedom of information/right to information
 - o strategic policy and legal services
 - o corporate and performance planning, management and reporting
 - o evaluation and review
 - o executive and administrative support.

“Registered deployee”

- is an employee registered with the Public Service Commission for service-wide deployment under the transitional arrangements of the directive relating to employment arrangements following workplace change.

“Suitable”

- a priority placement employee is suitable for a role at the same classification level or a lower classification level if they demonstrate the minimum skills necessary to meet the requirements of the role to a satisfactory level, given a reasonable period of training and on-the-job experience, and are fit to undertake the role with reasonable adjustment if necessary.

“Transfer”

- means employ a priority placement employee in a permanent alternative role at level.

“Work trial”

- is the placement of a priority placement employee in a vacant permanent role for the purpose of determining their suitability.

7 Directive:

Senior Executive and Senior Officer classifications

7.1 *Placement process for Senior Executives and Senior Officers*

- (a) Senior Executives and Senior Officers who have been identified as priority placement employees are required to complete an *SES and SO Placement Application* and submit the completed form to the Public Service Commission.
- (b) Prior to advertising SES and Senior Officer vacancies agency chief executives must notify the Commission Chief Executive of the vacancy and the capability requirements of the role and provide a copy of the role description.
- (c) The Public Service Commission will notify the agency if there are no potentially suitable matches to the vacancy.
- (d) Where there are one or more potentially suitable matches to the vacancy the Public Service Commission will consult with the relevant priority placement employee(s) and nominate one or more candidates to the agency.
- (e) The agency will undertake a suitability assessment process to consider the suggested candidate(s).
- (f) If the Public Service Commission has nominated more than one candidate, the agency will select a preferred candidate for appointment to the vacancy.
- (g) If there are no potentially suitable matches, or the Public Service Commission has nominated only one candidate and the agency considers that the candidate is not suitable, the agency chief executive will require the agreement of the Commission Chief Executive before further recruitment action is undertaken.
- (h) The Commission Chief Executive may require an agency chief executive to take recruitment action according to sections 7.5 to 7.7 of this directive.
- (i) The Public Service Commission may provide other advice to an agency on alternative strategies to assist in the placement of Senior Executive and Senior Officer priority placement employees.

Classifications up to and including AO8 and equivalent

7.2 Identification and registration of priority placement employees

Agencies affected by machinery of government changes or service delivery reform must:

- (a) Identify and maintain a specific register of priority placement employees.
- (b) Provide priority placement employees with a copy of this directive and related information.
- (c) Nominate a point of contact for enquiries to confirm whether a given job applicant is registered as a priority placement employee.

7.3 Internal placement of priority placement employees

All agencies must take action as required under the directive relating to employment arrangements following workplace change to match staff requiring placement, including priority placement employees, to agency vacancies before proceeding to fill the vacancy by any other means.

7.4 Advertising non-priority placement vacancies

If there is no suitable match to a vacancy which is *not* a priority placement vacancy, the agency may proceed to fill the vacancy under the directive relating to recruitment and selection.

7.5 Advertising priority placement vacancies – the first phase

- (a) If there is no suitable match to a *priority placement vacancy* under section 7.3 above, the agency must first advertise the vacancy on the Priority Placement Vacancy page of the *Smart Jobs and Careers* website for a period of five working days. The five day period will commence with the day that the advertisement is posted and end with the closing date for receipt of applications.
- (b) Application processes for filling a vacancy advertised as a Priority Placement Vacancy are as follows:
 - (i) The vacancy advertisement must provide applicants with a role description as required under the directive relating to recruitment and selection.
 - (ii) Only priority placement employees and registered deployees are eligible to apply for a vacancy advertised on the Priority Placement Vacancy page of the *Smart jobs and careers website*. Eligible applicants must be at or above the classification level of the vacancy.
 - (iii) The Priority Placement Vacancy advertisement is to include the name, telephone number and email address of the nominated contact for the vacancy.
 - (iv) The application process will consist of a direct email to the vacancy contact, attaching the applicant's resume. The applicant must include contact information for the position authorised to verify that the

applicant is a registered deployee or priority placement employee. The applicant must also provide contact details of two referees. Unless there are extenuating circumstances, at least one referee must have a thorough knowledge of the applicant's conduct and performance within the previous two years.

- (v) Priority placement employees and registered deployees should apply for priority placement vacancies only if they self-assess that they are suitable.
- (c) If an agency receives an application from one or more priority placement employees or registered deployees, the agency must assess the suitability of the applicant(s) as follows:
- (i) Agencies may process applications as they are received.
 - (ii) Agencies may screen out an applicant where it is clear that the applicant is not suitable.
 - (iii) Where an applicant is potentially suitable, suitability assessment must consist of a conversation with the applicant, supplemented by other information as necessary, aimed at determining whether the applicant has the minimum skills to undertake the requirements of the role to a satisfactory level if provided with reasonable retraining, induction and, if necessary, reasonable adjustment. The applicant's ability to participate in the various aspects of assessment (e.g. their written or communication skills) should be considered only to the extent that these skills are required to perform the role.
 - (iv) If more than one applicant is considered suitable, the agency must decide which of the applicants is most meritorious.
 - (v) Referee checking must be conducted prior to a final decision that an applicant is suitable. Referee checking must be conducted in accordance with the process requirements of the directive related to recruitment and selection.
 - (vi) If an applicant may be suitable, but suitability cannot clearly be established, the agency may negotiate a work trial with the applicant's agency for a maximum period of three months. Unless otherwise agreed, the work trial will be funded by the applicant's releasing agency.
 - (vii) Applicants must be provided with emailed notification of the outcome of the assessment process within seven calendar days of the decision on their suitability.
 - (viii) If an applicant is assessed as unsuitable, the panel must prepare a statement summarising the reasons for concluding that the applicant does not have the minimum skills to undertake the requirements of the role to a satisfactory level given retraining, induction and, if necessary, reasonable adjustment. A statement of unsuitability must also be prepared for applicants who were screened out under 7.5(c)(ii) above.

- (d) An agency cannot consider an applicant for a vacancy who is not a priority placement employee or registered deployee. An applicant who is not eligible to apply should receive standard correspondence informing them that their application was unsuccessful.
- (e) The requirements of section 7.5 apply to entry-level priority placement vacancies. If there is no suitability match to an entry-level priority placement vacancy, the agency may proceed to fill the vacancy under the directive relating to recruitment and selection.

7.6 Advertising priority placement vacancies – the second phase

- (a) The second phase of advertising is designed to protect the employment security of priority placement employees by creating vacancies into which they might be placed. This purpose is not met by the appointment of external applicants. Where the priority placement vacancy is not filled under section 7.5 the agency must next choose the 'Govnet only' option to limit access to the vacancy advertisement on the *Smart jobs and careers* website to existing public service employees.
- (b) Only individuals who are public service employees as at the closing date of applications can be considered for vacancies advertised under section 7.6. An applicant who is not eligible to apply should receive standard correspondence informing them that their application was unsuccessful.
- (c) Suitability assessment of priority placement employees and registered deployees applies only to vacancies advertised under section 7.5 above. The vacancy advertisement under section 7.6 of the directive must inform applicants that priority placement employees and registered deployees will be assessed on the basis of merit relative to other job applicants.

7.7 Advertising priority placement vacancies – the final phase

- (a) Where the priority placement vacancy is not filled under section 7.6, the agency may advertise the vacancy as per the directive relating to recruitment and selection.
- (b) Suitability assessment of priority placement employees and registered deployees applies only to vacancies advertised under section 7.5 above. The vacancy advertisement under section 7.7 of the directive must inform applicants that priority placement employees and registered deployees will be assessed on the basis of merit relative to other job applicants.

7.8 Vacancy management

- (a) Each agency must establish a single point of accountability to ensure that priority placement vacancies are identified and advertised according to the requirements of this directive.
- (b) Priority placement vacancies must carry the same vacancy reference number for all phases of advertising to allow applicants to identify if a vacancy is one for which they have previously applied and to provide for compliance monitoring.

7.9 Grievance procedures

- (a) A priority placement employee or registered deployee may lodge an appeal directly with the Commission Chief Executive where the ground for appeal is a decision that the applicant is unsuitable under section 7.5.
- (b) Prior to lodging an appeal the applicant must seek feedback from the agency. Feedback should be directed at assisting the applicant to more effectively target their future job search.
- (c) The agency must also provide the applicant with the statement of unsuitability under section 7.5(c)(viii) within seven calendar days of request.

7.10 Reporting requirements

Chief Executives will be required to provide reports relating to priority placement employees as required by the Commission Chief Executive.

7.11 Transition

The advertising provisions contained under sections 7.5 to 7.7 of this directive become effective for vacancies advertised on and from 23 October 2009.