

1.16 RECRUITMENT AND PROBATION

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INTRODUCTION

This policy is aimed towards establishing and maintaining best practice in the recruitment and probation process for Coomalie Community Government Council vacancies.

OBJECTIVE

To provide a uniform recruiting process in order to attract suitable applicants to Coomalie Community Government Council vacancies and to create an ethical foundation on which consistent recruiting decisions are made while considering relevant legislative provisions. This includes:

- ensuring all recruitment procedures comply with Council's Equal Opportunity Policy;
- attracting applicants of the right quality in the right number;
- ensuring that recruitment procedures are clear, valid and consistently applied by those involved in recruitment and that they provide for fair and equitable treatment for those who apply for employment;
- ensuring that all employees involved in the recruitment process are properly trained in order that the objectives of the policy are met; and
- observing any legal requirements which apply to the recruitment and probation process.

POLICY STATEMENT

Ethical Considerations for the Recruitment Process

The outcomes from a recruitment process, as with any system, can only be as good as the environment and the culture in which they operate.

The staff who are delegated with the responsibility of making decisions for recruitment, selection, promotions, transfers, acting arrangements should consider the ethical issues surrounding their decision making process.

The ethical considerations involved relate to:

- the principles of merit (choosing the best person for the job);
- avoiding discrimination;
- providing natural justice and fair treatment.

Using the recruitment process to unfairly advantage one applicant over another can have a detrimental effect on people's careers, morale and motivation, and ultimately on the level of confidence that employees at large have in the recruitment and selection processes.

It is worth noting that any person who uses the system to achieve a predetermined result is engaging in improper and unethical conduct. It is an abuse of trust that is no different from other forms of fraud or dishonesty and therefore subject to disciplinary procedures.

Legislation

Council needs to be aware of the legislative provisions which impact on the recruiting process. The Local Government is subject to a combination of Commonwealth and State laws which are outlined below:

The relevant Commonwealth legislation impacting on the recruiting process is the:

- *Fair Work Act 2009*
- *Age Discrimination Act 2004*
- *Human Rights and Equal Opportunity Commission Act 1986*
- *Equal Opportunity for Women in the Workplace Act 1999*

The relevant Northern Territory legislation is the:

- *Work Health and Safety (National Uniform Legislation) ACT*
- *Workers Rehabilitation and Compensation Act, 2015*

It is important to be aware of the requirements of Section 101(h) in the Local Government Act in relation to principles of recruitment of Local Government employees.

101 Role and functions of CEO

The CEO is responsible to the council:

- (h) to appoint, manage and, where necessary, terminate the appointment of council staff (other than the CEO).

The Need to Recruit

Generally, the need to recruit arises from either:

- a vacancy due to the departure of the incumbent; or
- the creation of a new position through Coomalie Community Government Council (Council) expansion or restructure.

Reviewing the position validity and Council requirements when examining the need to recruit is a sound human resource practice in order to determine that the position is necessary to the Council.

Recruitment

Recruitment is searching for and attracting applicants – external or internal – for position vacancies.

A recruitment process involves communicating with actual or potential position seekers, motivating them to apply and persuading applicants that they really want to come and work for the Council.

To achieve the policy's aims and objectives requires:-

- clear, relevant and current recruitment information which assists potential applicants in their decisions whether or not to submit applications;
- current job specifications detailing the post title, its purpose, scope, reporting relationships, duties and responsibilities (these must not contain unnecessary or unjustifiable conditions or requirements);
- current non-discriminatory person specifications detailing the essential skills, education and training, attitude, knowledge and experience directly related to the job specification, and competencies needed for effective performance (these will be used as the basis for the short listing of candidates for interview);
- application forms which are appropriate to the level of the post under consideration;
- internal and/or external advertisement of posts to stimulate satisfactory numbers of suitable candidates at reasonable cost, and which clearly reflects the competencies required for the job, rewards, and ensure equality of opportunity;
- the use of external assistance in the recruitment process where this is essential given the level and/or nature of the post; information on applicants being treated in confidence and restricted to those involved directly in the recruitment process and its administration; and
- the accurate documentation of the recruitment process in a fair and consistent way.

Advertising

A small advertisement is generally placed in the NT News Saturday edition – classifieds stating the positions available and closing date directing potential applicants to Council's web site for the Application Package. For relieving positions of a temporary or short term basis first advertise on recognised public notice boards within the Council Shire.

Equal Opportunity

To conform with the Equal Opportunity principles, advertisements must not request information about the applicant which is not relevant to requirements of the position.

For example:

- Applicant gender and gender history;
- Marital status (or other status, or plans);
- Children (or plans to have them);
- Other dependents;
- Childcare arrangements;
- Birthplace, racial or ethnic origin;
- Length of residency in Australia;
- Health/medical status or disability;
- Spouse, or spouse's employment and/or salary;
- Sexual preference;
- Religious beliefs;
- Political beliefs/affiliations;
- A photograph.

Application Package

An Application Package includes:

- Position Description
- Selection Criteria
- Clear details of how and where the application should be submitted to Council.

Processing Applications

Receiving Applications

The person within the Council responsible for HR duties will be allocated the responsibility for receiving applications, acknowledging and maintaining a system to deal with the applications. All information relating to applicants must be kept strictly confidential. Council's Equal Opportunity policy must be adhered to at all times during the process.

Short Listing

Short listing is the process of comparing all applicants against the selection criteria.

The outcomes are:

- Unsuitable applicants are excluded
- Applicants warranting interview are identified

The next step following short listing is to select the best qualified person to meet the requirements of the position.

Selection Process

Objective: To provide a uniform selection process for applicants to vacancies and to create an ethical foundation to which consistent selection decisions are made.

This includes:

- ensuring all selection procedures comply with the Council's Equal Opportunity Policy;
- ensuring that all appointments are made on merit;
- developing and maintaining procedures to assist in ensuring the most suitable candidate is appointed;
- ensuring that selection procedures are clear, valid and consistently applied by those involved in selecting candidates and that they provide for fair and equitable treatment for those who apply for employment;
- basing selection decisions and criteria directly on the demands and requirements of the job and the competencies identified as necessary for satisfactory performance;
- ensuring that all employees involved in the selection process are properly trained in order that the objectives of the policy are met; and
- observing any legal requirements which apply to the selection process.

Ethical Considerations for the Selection Process

Staff who are responsible for selecting applicants to fill Council positions should be familiar with the ethical considerations behind their decision making process.

The ethical considerations involved in the selection process relate to:

- the principles of merit (choosing the best person for the job);
- avoiding discrimination; and
- natural justice and fair treatment.

Using the selection process to unfairly advantage one applicant over another can have a detrimental effect on people's careers, morale and motivation, and ultimately on the level of confidence that employees at large have in the recruitment and selection processes.

The list below outlines the ethical components of the candidate selection process:

<i>'Principle'</i>	Fundamental motives or reasons for action
<i>'Standard'</i>	Measures by which the accuracy or quality of others are judged. Standards are measurable, auditable and mandatory
<i>'Merit'</i>	Merit is a criterion which refers to the extent to which a person's job related competencies match those genuinely required for performance in a particular job. It is a relevant judgment only when like can be compared with like.
<i>'Merit Selection'</i>	Merit selection is selection of the best person for the job, purely on the basis of job related criteria. The focus of a merit selection process is on: <ul style="list-style-type: none"> • open competition with access for a wide pool of applicants; • what the job applicant possesses by way of demonstrated skills, knowledge, qualifications, abilities; the potential to develop these to the level required to achieve outcomes expected from effective job performance.
<i>'Natural Justice'</i>	Natural Justice is a term used to describe the process by which: <ul style="list-style-type: none"> • decision makers must act fairly and without bias; • a person should not be judged in his or her own cause; • all parties to the matter should be the opportunity to put their case and all relevant arguments considered before a decision is made. • all persons need to be informed of the basis of a decision where that decision affects them.
<i>'Patronage'</i>	Patronage is the bestowing of special favours in human resource management decision. It is commonly related to control of appointments and often made on political grounds.
<i>'Nepotism'</i>	Nepotism refers to patronage bestowed in consideration of family relationship and not on merit. It usually refers to appointments and preferential treatment

Selection Panel

The panel should consist of 2-3 persons (3 is ideal) and the members should be trained in interviewing techniques.

A well balanced panel will include:

- a staff member trained in both in selection techniques and equal opportunity principles.
- the person responsible for Human Resources in the Council.
- the immediate manager/supervisor of the vacant position (or at least someone with a good knowledge of the position and its requirements).

Where appropriate, a gender balance and appropriate representatives from special interest areas (e.g. non-English speaking backgrounds) should be considered.

Once the interview panel has been set, they should individually read each application and prepare their own short list against the selection criteria.

Broad Objectives

The following broad objectives should be taken into consideration when interviewing applicants:

- Assessing the Applicant - this is an obvious objective, but not necessarily the only outcome that has to be achieved.
- Explaining the Job - The selection interview must be a two-way process.
- Applicants must be able to judge whether they fit the job and whether the job suits them.
- They cannot do that if they do not understand what the job comprises.
- Selling the Coomalie Community Government Council - Often the job interview is the first face-to-face contact applicants will have had with a Local Government. It is important to promote the Council as well as the position.

It is beneficial for Panel members to meet prior to the interviews to agree on the questions, the format for the interviews and the nomination of a chairperson.

Interview Phases

The interview process provides the panel with an opportunity to obtain information not included in the candidate's written application and to confirm the information that was provided.

Interviews can be broken down into three distinct phases: -

- Opening
- Questioning
- Close

Opening

- Go out and greet the interviewee by name.
- Try to put him/her at ease.
- Show him/her where to sit.
- Introduce the interview panel and explain why they are there. *Example 'Bill Brown, our Engineer', 'Mary Cook, our Corporate Services Manager', et*
- Explain how the interview will proceed, and its aim.
- Discuss position outline.

Questioning

Ensure that interview questions have been prepared prior to the interview and each panel member is aware of the questions each is to ask. An agreed structure among selection panel members will promote a more productive interview for all parties.

- Discuss applicant's education background and work history.
- Explore applicant's behaviour in work situations.
- Provide the applicant with an overview of terms and conditions associated with the position.
- Field questions from the applicant on job activities, Local Government, etc.
- Allow the interviewee the opportunity to make a short presentation on their application if desirable.
- Allow sufficient time for full answers.
- Don't do all the talking.
- Don't interrupt, but seek clarification if necessary.
- Ask the same question of all interviewees – it makes comparison easier.
- Make sure the questions are relevant to the selection criteria.

Close

- Summarise.
- Answer any other questions.
- Ask if the applicant wishes to add any further information, or ask any questions.
- Discuss employment conditions.
- Credentials validated.
- Advise of pre employment medical requirement of Council.
- Advise of criminal history check requirement of Council.
- Explain what will happen next, including timeframes for decision making.
- Thank the applicant for their time and attendance.
- Show the applicant out, and part amicably.

Making the selection and offering the appointment

After the interview the selection panel needs to determine the most suitable person for appointment to the position and the panel must:

- Complete the selection process
- Reference checking
- Pre-employment medical
- Criminal history check – refer to Policy 3.14 Police Clearance for Staff
- Prepare a Selection Report/Recommendation, documenting details of all applicants interviewed
- Offer the position to the preferred applicant. This is ideally undertaken verbally to ensure that the person intends to accept the position, then confirming in writing
- Prepare a Standard letter of appointment and/or Employment Contract
- Advise all other applicants that their application has been unsuccessful
- Organise induction and computer password where required.

Selection Report

A selection report should be prepared following the interviews that provide quantifiable reasons for the decisions made. The report will make a recommendation and be signed off by the chairperson.

A selection report should contain:

- contain a comparative analysis of each of the applicants and any areas of concern;
- A description of the position and selection criteria;
- How many applications received;
- Make up of panel;
- Time and place of interviews; and
- How many applicants were interviewed.

Reference Checking

Has the applicant provided the names and contact details of at least two referees?	✓
Has the consent of the applicant been obtained to contact their nominated referees?	✓
Is the referee in a position to advise from firsthand knowledge the applicant's previous position?	✓
Have appropriate questions been prepared to be asked of all referees which addresses the selection criteria?	✓

Probation

A period of probation is the initial period of a person's employment in which both parties can assess whether they wish to continue the relationship at the end of that trial period.

Coomalie Community Government Council generally have a 3-month period of probation which allows either party to easily terminate the relationship during that period should it prove to be unsatisfactory.

The length of the probationary period may range from 2 weeks to six months depending on the complexity of the role and background of the employee. It is possible for the period to be extended up to a total period of 6 months if the initial period is less than 6 months if performance was not satisfactory to warrant permanency.

Probationary employment must be determined in advance, prior to appointment and in writing to the successful applicant.

Performance Management during Probation

Council must afford the employee procedural fairness in managing the employee's probationary period.

The staff member's Manager or the CEO must have warned a probationary employee about the shortcomings in their ability to perform the inherent requirements of the position prior to deciding to terminate the employment relationship.

The employee must be given an adequate opportunity to discuss the failings and be given an opportunity to address those areas.

The Manager and/or CEO is responsible for discussing the deficiencies with the employee on a personal level to establish key performance indicators to monitor the employee's performance.

Where key performance indicators have been established and explained to the employee upon commencement, the manager shall attempt to measure the employee against but not limited to these guidelines. If the key performance indicators are used to measure performance, the employee shall be supplied a copy of the complete assessment against this criterion used.

Where the employee has deficiencies in the performance of their work, it is necessary to assess whether or not any of these deficiencies have been attributed to any mitigating factors.

These may include a:

- lack of supervision;
- lack of training;
- failure to provide copies of appropriate policies;
- poor communication; or

- lack of established procedures and guidelines having regard to the nature and responsibility of the position.

Any termination of a probationary employee must be given in writing and detailing the reasons why permanency was not offered and allow the employee an opportunity to respond to the issue.

An employee may be dismissed during a probationary period instantly, without consultation or without reference to the guidelines contained within this policy if the circumstance warrants such actions including situations such as serious or gross misconduct.

Permanent Appointment to Position

Where it has been decided that an employee has performed satisfactorily in order to be granted ongoing employment, the following procedures shall be followed:

- The employee's permanent status shall be confirmed in writing;
- The Manager and employee shall meet to discuss any performance issues, areas of improvement and areas of positive performance, and then later confirmed in writing;
- Any training needs shall be identified and confirmed in writing;
- The employee shall be given the opportunity to provide feedback regarding management performance, procedural deficiencies and potential career development aspirations.
- Identify and explain areas within the Key Performance Indicators which require improvement.

