

Human Resources

Recruitment in Schools



RECRUITMENT IN SCHOOLS

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Contemporary workplaces and careers and a culture of leadership, learning and renewal across the entire learning and development system is supported and the quality of the workforce is the major factor driving quality in schools. Excellent service provision can only happen when the right people are attracted, recruited, and supported to do their jobs as effectively as possible.

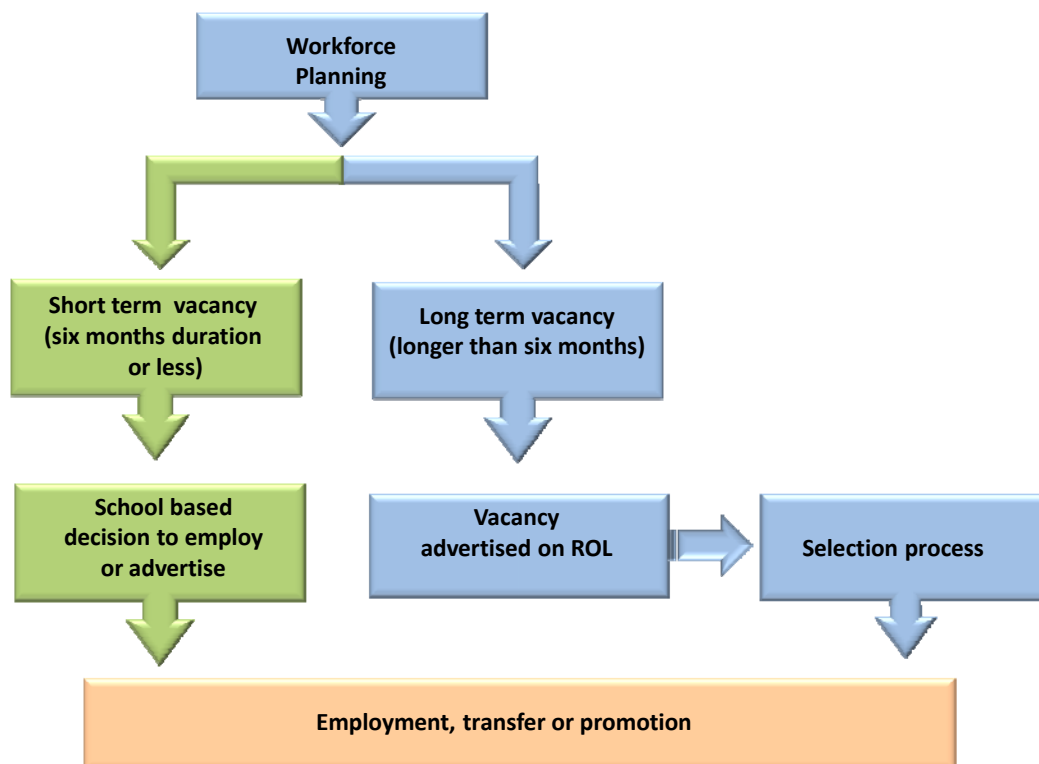
In this context schools are able to build progressively, or maintain, a staff team that can provide the best possible teaching and learning in the school. The Department is committed to the standard mode of employment in schools being ongoing. Schools have the capacity to select the best available staff to meet the educational needs of students and to maximise ongoing employment opportunities in Victorian Government schools. Local selection arrangements provide the most effective way of matching the talents and career aspirations of staff with the specific needs of individual schools.

Principals have the delegated authority and responsibility within the context of a legislative framework to manage the recruitment of staff as vacancies arise. In exercising this authority and responsibility principals are reminded of the [consultative requirements](#) under both the [Victorian Government Schools Agreement 2008](#) and the *Education Support Class Agreement* in relation to matters involving the long-term planning and operation of the school including the development of workforce plans and the composition of selection panels.

This document brings together the key aspects of recruitment policy and other Human Resources policies to assist principals in the recruitment, transfer and promotion of staff to meet both the short and long term needs of their school and the professional learning needs and career aspirations of staff. Unless specifically indicated, the policy and procedures outlined apply to all Teaching Service positions (which include education support class positions) other than principal positions.

While principals may exercise a significant degree of discretion in implementing many of these policies and procedures, a number of mandatory requirements are also described. Legislation, orders made under that legislation, and industrial instruments are cross referenced where relevant.

The recruitment process can be illustrated as follows:



PREFERRED STAFFING PROFILE

Effective [workforce planning](#) produces a simple and meaningful tool to assist decision-making and to implement good staff management practices. A key element of a school's workforce plan is its preferred staffing profile which underpins all recruitment, transfer and promotion decisions made within the school. The preferred staffing profile is determined taking into account the school strategic plan, legislative requirements, state-wide curriculum or other guidelines, and funding available in the Student Resource Package.

The profile should reflect goals and priorities as described in the school strategic plan and may change as goals and priorities alter. The staffing profile must be able to be fully funded within the Student Resource Package and will outline the:

- leadership profile
- mix of full and part-time positions having regard to the needs of staff and students

- mix of ongoing and fixed term employment
- mix of teaching and other staff

As vacancies arise staffing decisions should be made in the context of the school's preferred staffing profile. The duties of a position may be redesigned on vacancy or by agreement with the incumbent or when establishing new positions or working arrangements within the school. When doing so, a principal must ensure that the classification level (and range where relevant) of a position is fixed at a level appropriate to the roles and responsibilities of the position.

Where it is proposed to vary the duties of existing staff, local consultation will need to occur within the context of the terms and conditions of employment of the staff affected by the proposed variation.

Leading teacher profile

The importance of the leading teacher classification in terms of the leadership required in schools to deliver the school improvement agenda is recognised. To ensure that sufficient leading teachers are available to meet the succession planning requirements of the Victorian Government school system, a state-wide leading teacher profile of 10% to 15% is desirable.

The Department has undertaken to monitor leading teacher numbers on a state-wide basis. Where the state-wide profile of leading teachers falls below the desired level the Department will endeavour to identify the causes underlying the reduction in leading teacher numbers and develop strategies to increase the number of leading teacher positions. This may include intervening in schools where there has been a significant shift in the leading teacher profile after the date the agreement commenced to operate. Consistent with this undertaking principals are asked to have regard to their leading teacher profile when undertaking workforce planning.

VACANCY MANAGEMENT

School based vacancies are managed through the [Recruitment Online](#) system.

Principals should initially determine whether the vacancy is within the school's workforce plan and that funding is available and will continue to be available for the duration of the vacancy. In addition consideration should also be given to:

- projected student enrolments
- the duties, classification, range and time fraction of the position
- the expected duration of the position.

Principals may also consider the assignment of higher duties or the use of available funds for other purposes, such as special payments, as an effective method of ensuring the duties of a vacant position are performed and, at the same time, provide opportunities for the continued development of staff.

All employment decisions must be able to be funded by the Student Resource Package. Supplementary funds are not available to schools to employ staff outside the Student Resource Package. Where the principal is unable to achieve curriculum balance due to factors outside her or his control (e.g. the unexpected resignation of a teacher), short-term funding may be available in exceptional circumstances. This funding will be provided only for short-term curriculum needs until the end of the semester/year or until a suitable replacement can be found.

Requests for this short-term funding assistance are to be made to the Regional Director and generally will be considered under the workforce bridging finance processes. Approval will only be granted following a thorough investigation of the circumstances in each case.

The long-term management of a curriculum imbalance situation must be addressed and included in the school's workforce plan.

Classification and work value

Positions must be classified within the appropriate career structure (assistant principal, leading teacher, classroom teacher or education support class). When classifying a position it is important to identify the tasks, the skill levels required and accountability requirements of the position to fulfil effectively the requirements of the position. This is known as determining the work value of a position. The work value of a position arises from an assessment of the total worth of a position in comparison to other positions within the class.

When determining the classification level (and range where relevant) of positions the following should be considered:

- The volume of work does not determine the classification level of a position. Job complexity and levels of responsibility are the main areas for consideration.
- The position should be classified, not the person. Classification decisions are based on the work requirements of a position not the qualities of current occupants or potential applicants.
- The work requirements of a position must have changed to justify the reclassification of a position. A position should not be classified at a higher level simply because the current occupant has the skills and ability to work at a higher level.
- Classifying a position should involve a comparison of all levels that encompass the range of work.
- All classification levels can be expected to undertake duties applicable to that of a lower classification.
- Where employment in a regulated profession requires a mandatory qualification (such as psychology, nursing, physiotherapy etc) the classification of such positions must be at least education support class level 2 range 3.

Duration of a vacancy

The Department is committed to the standard mode of employment in schools being ongoing.

It is recognised that for some classroom teacher and education support class positions fixed term or casual employment is necessary. Vacant classroom teacher and education support class positions should be filled on an ongoing basis other than in the following circumstances:

- (1) when a person is employed for a fixed period of time to replace an employee who is absent on leave of twelve months or less.
- (2) when a teacher is employed for a fixed period of time to replace a teacher on a parental absence (family leave) provided that the teacher will be employed until the teacher she or he is replacing returns to duty. Where the teacher on parental absence (family leave) does not return to duty at the school, the teacher employed to replace the teacher on parental absence (family leave) will be offered ongoing employment subject to a probationary period of up to twelve months;
- (3) when the employer has good reason to believe that, should a person not be employed fixed term, an excess staff situation will arise. This may include predicted enrolment decline determined by the enrolment predictions of the employer using a methodology agreed between the Department and the relevant unions. The enrolment data contained on the EMIS system will be used for this purpose.
- (4) when a person is employed for a fixed period of time to undertake a specific project for which funding has been made available for a specified period of time provided that the vacancy is to be advertised for the duration of that funding.
- (5) where the funding for an education support class position is specifically linked to the continuing enrolment of a student(s). In this case, provided that full consideration is first given to ongoing employment, the education support class employee may be employed on a fixed term basis, up to seven years, for the period during which the student(s) continues to be enrolled in the school and that funding remains at a comparable or higher level. The education support class employee will continue in employment if similar funding is allocated to the school at a comparable or higher level.
- (6) where a fully qualified teacher is not available and a less than fully qualified teacher is employed for a fixed period of time not exceeding five years;
- (7) when a person is employed for a fixed period of time to replace an ongoing employee who is on temporary transfer or secondment.

The [Victorian Government Schools Agreement 2008](#) and the Education Support Class [Agreement](#) require the Department to implement proactive processes to ensure fixed term vacancies satisfy the fixed term criteria set out above. To meet this requirement the Department will actively monitor fixed term vacancy trends and identify those schools that appear to have a larger number of fixed term vacancies than the school's circumstances would indicate.

Principals are required to identify which of the above reason(s) apply in relation to each fixed term position that is to be filled. Where the principal considers a classroom teacher or education support class position should be filled on a fixed term basis in circumstances other than those identified in paragraphs (1) to (7) above, the principal must contact the Schools Recruitment Unit for advice.

Fixed term classroom teacher and education support class positions can be offered for periods of more than thirty working days up to five years other than in circumstances set out in (2) and (5) above which may be up to seven years. Principals should offer fixed term positions for the expected period of the vacancy rather than for artificially created shorter periods of time. Constant re-advertisement of short-term positions for the same vacancy does not contribute to stability and continuity either within the school, or for fixed term employees.

In relation to fixed term classroom teacher vacancies the duration of the vacancy must include relevant school vacation periods as follows:

Employment for a complete school year

The end date of employment for a teacher or paraprofessional employed on a fixed term basis in one or more fixed periods for a complete school year (i.e. the first day of the school year to the last day of the school year) will be the day before the commencement of the next school year. This ensures that a teacher or paraprofessional employed for a complete school year is paid during all school vacation periods.

Employment for less than a complete school year (other than term 4)

The end date of employment for a teacher or paraprofessional employed on a fixed term basis for 1, 2 or 3 complete terms (other than term 4) will be the day before the commencement of the next school term (e.g. the employment of a teacher or paraprofessional employed for terms 1 and 2 would conclude on the day before term 3 commences). This ensures that a teacher or paraprofessional employed for one or more complete school terms is paid during the relevant school vacation periods.

Employment for less than a complete school year (concluding at the end of term 4)

The end date of employment for a teacher or paraprofessional employed on a fixed term basis for less than a complete school year that concludes at the end of term 4 will be determined based on the number of complete school terms that period of employment spans. On this basis the end date of employment will be as follows:

- for a teacher or paraprofessional employed for all of term 4 - one quarter of the Christmas school vacation period,
- for a teacher or paraprofessional employed for all of terms 3 and 4 - one half of the Christmas school vacation period,
- for a teacher or paraprofessional employed for all of terms 2, 3 and 4 - three quarters of the Christmas school vacation period,

This ensures that a teacher or paraprofessional employed for one or more complete school terms concluding at the end of term 4, is paid during the appropriate component of the Christmas school vacation period.

Employment for less than a complete term

The end date of employment for a teacher or paraprofessional employed on a fixed term basis for less than a complete school term is extended by the amount of accrued annual leave (1½ days for each complete month of employment).

Ready reckoner

A fixed term [ready reckoner](#) has been developed to assist schools in establishing the appropriate end date of employment.

Translation to ongoing employment

The [Victorian Government Schools Agreement 2008](#) and the Education Support Class [Agreement](#) provide that an eligible fixed term employee (see below) should be offered ongoing employment where a suitable ongoing position becomes available in the school.

Where an ongoing position becomes available in a school, the principal should determine if the position is a suitable position for any eligible fixed term employee(s) in the school. Where the position is suitable the eligible fixed term employee should be offered ongoing employment. Where the position is not suitable the principal is to inform all eligible fixed term employees of that decision before proceeding to advertise the position.

In circumstances where the number of eligible fixed term employees exceeds the number of suitable positions, a merit process, including the establishment of a panel, should be used to determine which eligible fixed term employee(s) is to be offered ongoing employment. In this case the principal is to inform all eligible fixed term employees of the outcome of the merit process and inform the unsuccessful employees of their right to lodge a personal grievance with the Merit Protection Boards in respect of the principal's decision within fourteen calendar days.

An offer of ongoing employment to the successful eligible fixed term employee(s) may be made after the time period for lodging grievances has elapsed (fourteen days) or any grievance has been resolved (whichever is the later).

An offer of ongoing employment to eligible fixed term employee is subject to a [probationary](#) period of up to twelve months for teachers and three months for education support class employees.

Eligibility

To be eligible to be offered ongoing employment a fixed term employee must have been employed continuously for longer than 12 months (and in the case of a teacher must be fully qualified (four-year trained)) in response to:

- a vacancy advertised for longer than 12 months,
- vacancies advertised for 12 months or less resulting in two or more fixed periods of employment; or
- an advertised parental absence (family leave) vacancy in the second or subsequent year of that replacement.

In addition, to be eligible to be offered ongoing employment in a special setting (or as a visiting teacher) a fixed term teacher must either:

- hold an approved special education qualification; or
- have completed three or more years of continuous employment as a teacher in the Teaching Service in a special setting and be assessed by the principal (in respect of positions in special settings) or the Regional Director (in respect of visiting teacher positions) as suitable for ongoing employment in a special setting or as a visiting teacher.

A break in employment spanning a school vacation period does not break continuity of eligibility to be offered ongoing employment. To confirm a person's eligibility for ongoing employment a principal may contact the Schools Recruitment Unit via email at Schools.Recruitment@edumail.vic.gov.au.

ADVERTISING VACANCIES

Vacant positions in the Teaching Service are advertised to promote fair and open competition and provide the best opportunity to attract a wide field of applicants. To satisfy the requirements of Part 2.4 of the *Education and Training Reform Act 2006* all vacancies of more than six months must at least be advertised using the Department's Recruitment Online system.

Periodically the Department will advertise in the daily state-wide press to inform potential applicants of the availability of vacancies. The advertisement will be on behalf of all schools indicating that vacancies are open to all qualified applicants and refer interested applicants to vacancy information through Recruitment Online. In addition to the Departmental advertisement a principal may choose to advertise a specific position in the daily state-wide press.

To maximise employment opportunities, advertised vacancies are open to all qualified applicants both within and external to the Teaching Service. All advertised vacancies are required to remain open for not less than fourteen days to allow sufficient time for applicants to prepare and lodge an application.

Assistant principal and leading teacher vacancies

Principals may advertise an assistant principal vacancy at either classification level (i.e. Level 1 or 2) or classification and range (i.e. Level 1 Range 1, Level 1 Range 2, Level 2 Range 3 or Level 2 Range 4).

Assistant principal and leading teacher positions are tenured for periods of up to five years. Successful applicants will be employed on an ongoing basis with tenure in the position for the period as advertised.

At the completion of the period of tenure, the principal will determine whether any assistant principal/leading teacher tenure is to be renewed or the position abolished or advertised in accordance with Departmental policy. Where tenure is not renewed the employee will continue to be an ongoing employee at the school.

Classroom teacher vacancies

Principals may advertise a teacher vacancy as *classroom teacher*, *classroom teacher (expert)* or *classroom teacher (accomplished)* and may specify particular subjects areas (subject tags). *Classroom teacher (graduate)* positions are not able to be advertised except as part of the teacher graduate recruitment program (see below).

All primary school vacancies are regarded as generalist teacher vacancies. Subject tags are indications of preferred additional areas of expertise but cannot be the basis for non-consideration of referred excess teachers or teachers eligible for compassionate transfer except in the case of a LOTE tag.

At the secondary level subject tags should reflect the actual timetabled allotment of the position but should not be so restrictive as to breach merit-based selection requirements. A teacher who does not satisfy the qualification requirement of a particular subject tag may be selected for a position provided the principal is satisfied that the teacher can demonstrate experience in the subject area.

Where a teaching position is advertised and a suitable qualified person who has current provisional or full registration status approved by the Victorian Institute of Teaching is not available, a lesser qualified person (i.e. less than four year trained) who is teacher trained and who has permission to teach approved by the Victorian Institute of Teaching may be employed on a fixed term basis for the period of the vacancy or a maximum period not exceeding five years subject to any restrictions imposed by the Victorian Institute of Teaching.

When filling parental absence (family leave) vacancies the position will be advertised for seven years and the replacement teacher will be employed until the teacher being replaced returns to duty.

Where the teacher on parental absence (family leave) does not return to duty, the replacement teacher will be offered ongoing employment (subject to a probationary period of up to twelve months) except where the replacement teacher is less than fully qualified.

Where an ongoing teacher is temporarily transferred into a parental absence (family leave) vacancy and remains in that vacancy for more than twelve months the teacher will be permanently transferred to that school.

Teacher graduate recruitment program

The [Teacher Graduate Recruitment Program](#) assists recent teaching graduates to find a position in a Victorian government school. The program actively supports the employment of teacher graduates in government schools by identifying vacancies for teachers who have completed their course requirements and graduated in the last four years.

The Teacher Graduate Recruitment program enables principals to advertise a defined number of *classroom teacher (graduate)* vacancies each year. In primary, P-12, specialist schools and secondary colleges, funded vacancies of up to 2.0 EFT per year may be designated as *classroom teacher (graduate)* vacancies. An additional 2.0 EFT funded vacancies per year may be designated as *classroom teacher (graduate)* in all primary, P-12 or specialist schools where the Student Resource Package exceeds \$2 million and in all secondary colleges where the Student Resource Package exceeds \$5 million.

To be eligible to apply for a position advertised through the Teacher Graduate Recruitment program, a teacher must:

- have completed their course requirements and graduated in the last four years; and
- not be employed as a teacher by the Department at the time the advertised position is to commence.

The successful applicant for a position advertised through the Teacher Graduate Recruitment program will be employed as either a *classroom teacher (graduate)* or *classroom teacher (accomplished)* depending on the applicant's years of approved teaching experience.

Special settings and visiting teachers

Where the view is formed that a teacher vacancy in a special setting (or a visiting teacher position), which requires an approved special education qualification, may not attract applications from teachers with that qualification then the following advice may be included in the job opening when the teacher vacancy is created on Recruitment Online:

"Teachers who do not have an approved special education qualification but do have current provisional or full registration from the Victorian Institute of Teaching may apply. Preference will be given to applicants who have an approved special education qualification."

Where the vacancy was advertised as an ongoing position and an external applicant who does not have an approved special education qualification is selected that person can only be offered fixed term employment for a period not exceeding five years.

Paraprofessional class

Paraprofessional vacancies cannot be advertised. The employment of a paraprofessional can only occur when it has been established that there is no suitable registered teacher available to fill the teaching vacancy and the Victorian Institute of Teaching has granted that person permission to teach.

However, where the principal forms a view that a vacancy, which requires particular expertise, may not attract applications from registered teachers then the following advice may be included in the job opening when the teacher vacancy is created on Recruitment Online:

"People who have professional expertise in the area but do not have current provisional or full registration from the Victorian Institute of Teaching may apply. Preference will be given to applicants with teacher training. Applicants who are not eligible for provisional or full registration will be required to obtain permission to teach from the Victorian Institute of Teaching prior to commencing employment."

Where the vacancy was advertised as an ongoing position and an external applicant who only has permission to teach is selected that person can only be offered fixed term employment as a paraprofessional for a period not exceeding five years.

Education support class vacancies

Principals may advertise an education support class vacancy at either classification level (i.e. Level 1 or 2) or classification and range (i.e. Level 1 Range 1, Level 1 Range 2, Level 2 Range 3 or Level 2 Range 4, Level 2 Range 5).

When filling an education support class position, the funding of which is specifically linked to the continuing enrolment of a student(s), the education support class employee may be employed on a fixed term basis up to a maximum of seven years. The education support class employee will be employed until the student(s) ceases to be enrolled in the school or the funding is reduced. Provided that the education support class employee shall continue in employment if similar funding is allocated to the school at a comparable or higher level.

'*Similar funding*' means that where funding is provided to employ a person to support a student in the first instance, the education support class employee would continue to be employed if the student leaves the school provided the overall funds to employ persons to support a student(s) remain at the same level or higher.

Long-term vacancies

Teaching Service vacancies (including education support class vacancies) of more than six months duration must be advertised using Recruitment Online. Alternatively a principal may fill the vacancy without advertisement through the administrative transfer of an ongoing employee with priority status. Principals may seek the assistance of principals of neighbouring schools or the Schools Recruitment Unit to identify a suitable ongoing employee with priority status.

Where a position is advertised in anticipation of a staff member's resignation and the staff member applies for the position before his or her resignation has taken effect (for example a resignation at age 54 and 11 months), the vacancy must be withdrawn and can only be re-advertised after the effective date of the staff member's resignation. Where the staff member is an applicant for another position the selection process may continue for that position. If the staff member is the preferred applicant for the other position the offer of employment should be delayed until after his or her resignation has taken effect.

Short-term vacancies

A Teaching Service vacancy (including an education support class vacancy) of up to six months' duration is a short-term vacancy. **A person must not be employed or re-employed fixed term in the same school for a period beyond six months without the position being advertised.**

A principal can determine that a short-term vacancy be filled by:

- (1) the temporary administrative transfer of an ongoing employee from another school with the agreement of the principal of that school; or
- (2) advertising the position through Recruitment Online and identifying, through the merit selection process, a suitable applicant; or
- (3) employing a person on a fixed term basis. In this case a vacancy must be created on Recruitment Online even though the person to be offered employment has been identified; or
- (4) employing a person on a casual basis for positions of thirty consecutive working days or less.

Temporary administrative transfers to short-term vacancies will be voluntary and arranged between individual principals and staff. Staff who accept a temporary administrative transfer to a short-term vacancy in another school will return to their original school at the expiration of the short-term vacancy. The principal should ensure that the terms of any temporary administrative transfer to a short-term vacancy are communicated to the employee and his or her principal prior to the employee commencing in the position.

Sponsoring of overseas applicants

In circumstances where there are difficulties recruiting suitable qualified staff, schools may consider [sponsoring](#) a suitable person from overseas in support of applications for residence status or work permits. Any action to fill a vacancy through a skilled migrant sponsorship arrangement can only be considered within the context of the Department's normal staffing procedures.

Withdrawing vacancies

In circumstances where a school does not wish to proceed with a vacancy for any reason including a change in enrolment predictions, a reassessment of the school's budget position or the unanticipated return of a staff member from leave the principal may withdraw the vacancy except where a person with priority status has applied or been referred to the vacancy. Where a person with priority status has applied or been referred to a vacancy permission to withdraw that vacancy must be obtained from the Manager, Schools Recruitment Unit. In seeking permission to withdraw a vacancy the principal is to provide the reason(s) for withdrawing the vacancy, information in support of the reason(s) and any other relevant information.

STAFF WITH PRIORITY STATUS

School staffing policy seeks to balance the obligation to select staff through open merit-based processes with the legitimate expectations of staff with priority status (those who are [excess to workplace requirements](#), have [compassionate transfer](#) status or are [disability](#) retirement benefits pensioners found fit for employment) to be placed into a suitable position.

An employee with priority status who is an applicant for an advertised vacancy at or below her or his current classification level and salary range must be considered in isolation from, and not in competition with, other applicants in accordance with the selection procedures set out in this guide. Except for exempt vacancies as set out below, excess employees will be considered ahead of other employees with priority status.

Where an employee with priority status is considered suitable for the position the employee should be transferred to the position and other applicants notified of the selection outcome. No further selection action is required. Where an employee with priority status is considered unsuitable and has been notified of this decision, the selection process may continue but the position must not be offered to another individual until the time period for lodging grievances has elapsed (fourteen days) or any grievance has been resolved.

Exempt vacancies

Where a school selects an ongoing employee with priority status from another school for **temporary** placement to an advertised vacancy, that school is eligible to exempt one vacancy from the requirement to consider employees with priority status ahead of other applicants. Where a school selects an ongoing employee with priority status from another school for **permanent** placement to an advertised vacancy, that school is eligible to exempt two vacancies from the requirement to consider employees with priority status ahead of other applicants.

For a vacancy to be given exempt status principals must notify the Schools Recruitment Unit and provide the following information:

- The details of the employee with priority status who has been placed/transferred into the school including the date of commencement in the school and the Job Opening number of the vacancy in which the employee was placed/transferred;

- The details of the vacancy for which exempt status is sought and the intended date of advertisement of that vacancy.

Subject to meeting the eligibility criteria, Schools Recruitment Unit will advise the principal that the vacancy has exempt status and may be advertised on Recruitment Online where it will be identified as exempt. The Schools Recruitment Unit will maintain a register of vacancies with exempt status and may be contacted to verify the exempt status of any vacancy.

Exempt vacancies can be advertised at any time prior to the end of the school term that occurs 12 months from the date the employee with priority status commenced in the position. Exempt status will expire at the end of this period.

Employees with priority status who apply for, or are referred to, exempt vacancies will be considered in the merit-based selection process in competition with all other applicants.

Redeployment entitlement– fixed term education support class employees

Under the terms of the Education Support Class [agreement](#) an education support class employee employed in a fixed term position following a previous period of fixed term employment is entitled to be considered for redeployment to vacancies at or below the employee's classification level and salary range for a minimum period of 12 weeks, commencing at least 12 weeks prior to the expiration of the fixed period of employment, provided that:

- the break between ceasing a fixed term period of employment and commencing another fixed term period of employment is not greater than three weeks, excluding school holiday periods; and
- the fixed term periods of employment result in continuous employment greater than 12 months in two or more fixed periods.

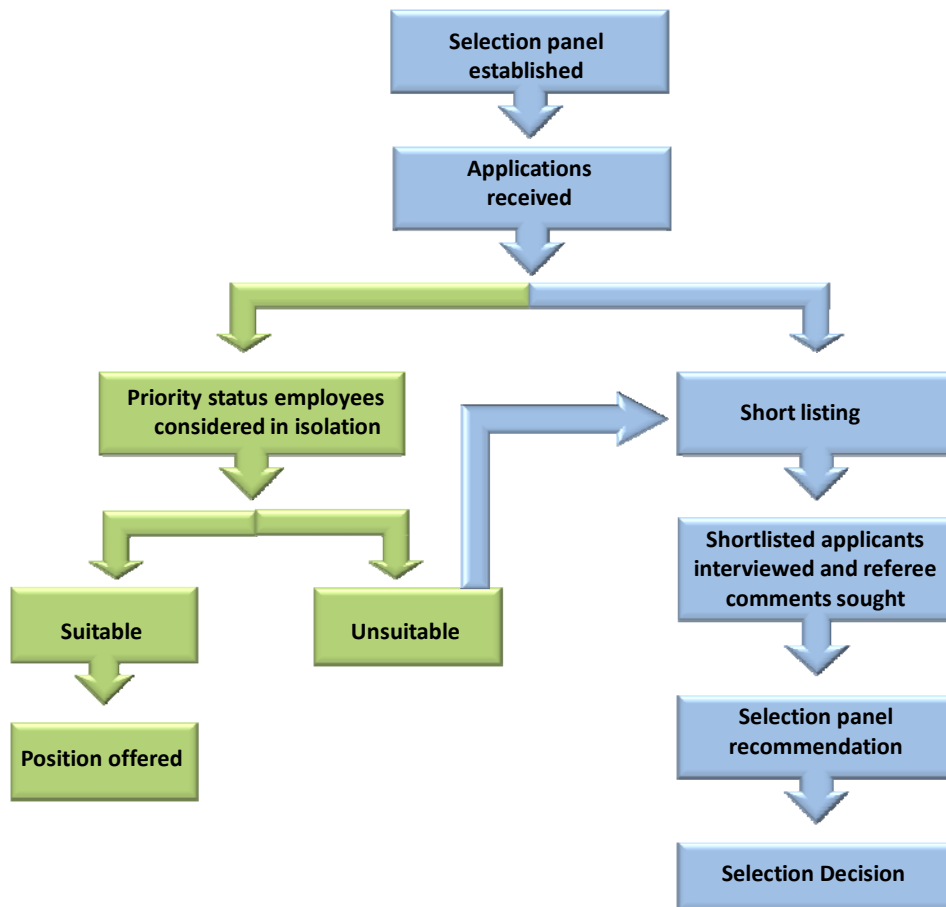
The redeployment entitlement ceases at the end of the employee's fixed period of employment or any further period of employment to satisfy the redeployment entitlement.

It should be noted that fixed term education support class employees are not identified as excess as they are not ongoing employees. However eligible fixed term education support class employees do have a redeployment entitlement, subject to the above criteria, comparable to an excess ongoing employee.

An eligible fixed term education support class employee who is an applicant for an advertised vacancy at or below her or his current classification level and salary range must be considered in isolation from, and not in competition with, other applicants in accordance with the selection procedures set out in this guide.

SELECTION

The purpose of a selection process is to choose the applicant who will perform successfully in the advertised position and do so better than all other applicants. The selection panel can use a range of instruments or selection tools designed to predict successful performance on the job. The selection panel should be able to demonstrate the rationale for the selection tools used to identify and assess the required competencies. The selection process can be illustrated as follows:



All vacancies must be filled in accordance with the Department's selection procedures set out in this guide and comply with the relevant Ministerial [Orders](#).

Selection to advertised positions is determined solely on the basis of merit assessed in relation to the selection criteria of the position to be filled. Employees with priority status must be considered in isolation from, and not in competition with, other applicants for the position. It should be noted that excess employees and fixed term education support class employees with priority status are considered ahead of employees with compassionate transfer status.

The following principles should be applied in the selection process.

- Selection criteria are relevant to the work to be performed, free from bias, documented and made available to all applicants.
- The applicant's skills, knowledge and abilities, relevant to the work to be performed, are fairly assessed.
- Selection methods are relevant to the work to be performed.
- Decisions and processes provide procedural fairness.
- Decisions are documented and capable of review.
- Appropriate confidentiality is maintained.
- All applicants receive fair and equitable treatment without regard to age, breastfeeding, gender identity, impairment, industrial activity, lawful sexual activity, marital status, parental status or status as a carer, physical features, political belief or activity, pregnancy, race, religious belief or activity, sex, sexual orientation, personal association (whether as a relative or otherwise) with a person who is identified by reference to any of the above attributes.

When assessing applicants, selection panel members must ensure that they do not directly or indirectly discriminate. Panel members should be aware of individual bias, assumptions and stereotyping which may impede the selection of the best applicant for the position. Panel members should be aware of the diverse pathways of experience and approaches which women, people of different cultural and racial backgrounds and people with a disability bring to the interview and to the workplace. This diversity should be viewed as an attribute and should in no way diminish the assessment of the applicant's suitability for the position.

Panel members should focus on abilities, skills, knowledge, potential and qualifications required for the position and not seniority, length of experience or familiarity with the position. This is important as to focus too much on length and continuity of experience may impact negatively on women and 'carers' who take career breaks for family reasons and on those who have not had an opportunity to 'act' in the position.

Position description

A position description should be prepared for any vacant position.

To assist applicants it is recommended that principals provide information specific to the school such as the school strategic plan and the school's special characteristics, features and programs.

All applicants must receive the same information in relation to a particular position. Additional material may be provided at the request of the applicant.

Selection criteria

Selection criteria should specify the relevant skills, personal qualities and abilities required for the efficient performance of a particular position. Selection criteria must be clear, objective and relevant and must not contravene the requirements of any ministerial instructions, regulations or relevant legislation such as the *Equal Opportunity Act 1995* and the *Public Administration Act 2004*.

In developing selection criteria:

- criteria must be consistent with the work requirements and classification and, where applicable, range of the position
- criteria should be set at a level which enables the selection of applicants of the highest quality
- for assistant principals, leading teachers and classroom teachers criteria must be consistent with the key areas from the relevant Ministerial [Order](#)
- for education support class employees the criteria must be consistent with the role description of the position
- criteria should be listed in order of importance
- criteria that require previous work experience must not be so narrowly specified that only someone who has actually performed that particular job can satisfy the criteria.

Applications

All applications received by the closing date are to be considered by the selection panel. Applications should be lodged electronically through Recruitment Online by the advertised closing date. Applicants who are unable to access or use Recruitment Online may submit a written application (hard copy) which must reach the school no later than the advertised closing date.

Late applications may be accepted at the discretion of the principal during the selection process. Factors that may be considered include the reasons as to why the application is late and the number of applications already received. A late application cannot be accepted after applicants have been advised of the selection decision.

Where a late application is accepted, the principal must keep a record of the reasons for acceptance. When an application is received after the closing date and rejected, the applicant is to be advised in writing that, as the application was received after the closing date, it will not be considered.

Acknowledgement of the receipt of applications will be sent automatically to applicants who apply through Recruitment Online. Where applicants provide hard-copy applications only, the principal is responsible for ensuring that a letter acknowledging receipt of the application is sent promptly. The application and accompanying materials become the property of the selection panel and are not returnable to candidates.

Selection panels

The principal is responsible for the selection decision at each school and must ensure that, as part of the selection process, a selection panel of at least three persons is established for each advertised vacancy. Where possible the panel should include an employee from the same employment class as the position being advertised.

Principals should ensure that members of the selection panel comprise people who between them possess the following qualities:

- detailed knowledge of the position requirements
- an understanding of the position and its relationship with other organisational functions within the school
- selection skills and an understanding of the selection process

In determining the composition of selection panels, principals must ensure that:

- at least one member of the panel is a person trained by the Merit Protection Boards in the principles of merit and equity
- provision is made for gender representation

The purpose of the selection panel is to recommend to the principal the best applicant on the basis of the evidence available. The role of the selection panel is to objectively assess each applicant's skills, knowledge and capacity against the selection criteria and to rank in priority order the applicants who best meet the criteria. The selection panel may use other appropriate selection tools determined by the panel provided that they are applied consistently to all applicants.

Selection panel members should:

- ensure familiarity with any relevant Ministerial [Order](#)
- observe procedures required to be followed by the panel
- complete the required selection documentation.

Short listing

Short listing may be used to identify those applicants who, on the basis of the information available, best meet the selection criteria and show evidence that their qualifications and experience are competitive with other suitable applicants.

Any experience and available evidence relevant to the selection criteria should be taken into account by the panel. Account may also be taken of an applicant's potential to acquire new skills. Specific job knowledge necessary to carry out the duties of a position can be less important where this knowledge can be acquired in a reasonable time.

Only nominated referees may be contacted at the short listing stage of the selection process.

A panel may decide that an applicant does not meet one or more of the selection criteria and not shortlist that person.

A record should be made of the qualifications (where relevant) and experience of applicants and the reasons, in relation to the selection criteria, for not short listing applicants for interview.

Interview

The selection panel should develop a set of questions based on the selection criteria and assess, at interview, each short listed applicant's ability to demonstrate the knowledge, skills and behaviours that best matches the competencies necessary to perform the role. The panel may develop a consistent and fair scoring mechanism to focus attention on the selection criteria and differentiate between applicants' responses.

The interview complements the written application and detailed referee checks. The interview assists the panel in the assessment of the relative merits of each shortlisted applicant. The performance of an applicant in an interview should be integrated with information provided by the application, referee reports and any other assessment tools used in the selection process.

Short listed applicants should be given adequate notice of interview time and location. Where an applicant is unable to attend for interview other arrangements such as teleconferencing may be used. If such arrangements are not possible the panel should judge the applicant on the best available information. A teacher is entitled to reasonable release with full pay to attend an interview for an advertised position in a government school which may reasonably be expected to result in his or her transfer or employment without an increase in salary (excluding allowances). Selection panels should, wherever possible, schedule interviews at times that take into account the short listed applicant's teaching commitments.

To ensure that all applicants are fairly considered interviews should have a similar structure with each applicant being given the opportunity to respond to similar areas of questioning. Questions are to relate specifically to the selection criteria in the context of the role to be performed and should not be ambiguous or unnecessarily complicated. Before closing the interview, the selection panel is advised to provide an opportunity for the applicant to seek or give any relevant additional information that may not have been covered.

Referee reports

Referee reports are a critical part of the assessment of the relative merits of each short listed applicant. Such reports allow for a rigorous checking of claims made by applicants and the gathering of evidence on work performance.

Referees are nominated by the applicants to clarify, verify and add information to what is learned in the interview and from other parts of the selection process. The use of non-nominated referees may assist the process by confirming particular perspectives or providing more balanced information. The main purpose of using referees is to elicit information from past employers/employees about the applicant's ability to perform the essential functions of the role and to verify an applicant's claims.

Referees should be invited to comment on the applicant in relation to all of the selection criteria. The selection panel may seek referee reports either verbally (by telephone, teleconferencing), in person or in written form. The selection panel should accurately record both written and verbal referee comments. Where referee comments are provided verbally, the comments should be noted and read back to the referee to confirm the comments.

Where an applicant nominates a panel member as a referee, any referee comments made by that panel member should be documented in the same way as other referee comments.

Selection panels may wish to contact persons other than nominated referees to assist in assessing an applicant's ability, capacity and suitability for a position provided that the applicant is advised of these extended inquiries prior to a selection panel taking any action to contact a person(s) not nominated as a referee. In such instances the applicant is to be informed at or after interview of the name of any person whom the panel intends to contact and provided with an opportunity to comment. The applicant is advised that in such situations information may be disclosed to unlisted referees relating to the applicant's application.

Members of the selection panel may know or have knowledge of one or more of the applicants. Rather than only disclosing this knowledge as fact in a statement to the panel, members contribute their perspective in order that the panel develops a richer understanding of a particular applicant's knowledge, skills and behaviours. Prior knowledge statements should be treated on the same basis as referee reports.

Referee reports must remain confidential.

Assessing and ranking short listed applicants

The selection panel must assess all short listed applicants against the selection criteria and rank them on the basis of their written application, interview, reports provided by referees and any other selection tool used by the panel. It is important that the selection panel does not make its assessment solely on the basis of interview performance. A panel may decide that a short listed applicant does not meet all selection criteria and not rank that person.

Selection panel documentation

Selection documentation must include the following items:

Position description

The position description will include the classification, range where applicable, and tenure of the position, any particular qualification requirements, the role and responsibilities of the position and the selection criteria that were used as part of the selection process.

Selection panel report

On completion of the selection panel's assessment and ranking of applicants, the panel must prepare a [selection panel report](#) to the principal. The selection panel report should include:

- details of the position to be filled
- details of the selection panel
- name and gender of applicants not short listed and reasons for not short listing

- name and gender of applicants short listed for interview and reasons why any shortlisted applicant could not be interviewed
- a comparative assessment of each short listed applicant
- the individual selection report for each short listed applicant that includes the names of persons contacted for referee comment.
- the names of the preferred applicants ranked in order of merit
- the signatures of panel members and the date

Short listed applicants may request a copy of their individual selection report from the principal once the selection decision has been announced.

Retention of selection documentation

All selection documentation, including copies of applications, interview notes, referee comments and selection reports, must be retained by the school for two years after confirmation of the selection decision. This material remains the confidential property of the school and may be destroyed two years after the confirmation date.

Selection decision

Under the *Education and Training Reform Act 2006*, the power to employ, transfer or promote has been delegated to principals. Principals have a professional responsibility for ensuring that all parts of the selection process have been undertaken correctly. In considering the recommendation of the selection panel, principals should ensure that the applicant who best demonstrates that he/she meets the selection criteria and is capable of performing the duties of the position is selected.

Where the principal's decision does not concur with the panel's recommendation, reasons for this decision must be recorded.

Notification to applicants

At the completion of the selection process the successful and unsuccessful applicants are to be advised of the outcome of their application.

All applicants for a position may seek feedback on their application and/or interview performance from the principal or principal's nominee on the selection panel. Detailed feedback on the application and or interview performance should not be provided until the conclusion of the review process.

However, short listed applicants may request a copy of their individual selection report following the notification of the outcome of their application.

QUALIFICATIONS

Assistant principals, leading teachers and teachers

To be eligible for employment, transfer or promotion as an ongoing employee in the principal or teacher class a person must have provisional or full registration from the Victorian Institute of Teaching. In addition, to be eligible for employment, transfer or promotion in the principal class a person must be four year trained. To be eligible for employment as a fixed term employee a person must be teacher trained and have provisional or full registration, or have permission to teach, approved by the Victorian Institute of Teaching. Applicants who are not eligible for provisional or full registration must obtain permission to teach from the Victorian Institute of Teaching prior to commencing employment.

Principals are to ensure that prospective employees provide evidence of registration with the Institute. The [Victorian Institute of Teaching](#) has provided a Principals' Hotline on 1300 650 375 to assist principals with registration issues. If urgent consideration of a registration application is required, principals should contact the [Institute](#) to expedite processing. Please note however, that the [Institute](#) will need to have received a complete application including all required documents from the teacher before registration can be granted.

In addition, the Secretary (or delegate) may require particular qualifications and/or training for a specific position or class of positions.

When assessing the level of competence that a teacher could be expected to display, principals should give consideration to appropriate specialist studies and relevant professional development and training courses that a teacher has undertaken. As a general guide for interpreting appropriate studies, it would be expected that a teacher has either completed sequential studies at tertiary level spanning two or three years or, alternatively, a course that is domain or specialist specific (for example, a degree in history or postgraduate studies in special education). Academic studies should be combined with appropriate teaching methods and practicum in the teacher training course.

Primary teachers

Generally, primary teachers are expected to be able to teach in the discipline-based domains of English, Mathematics, Science, The Arts and Humanities (History, Geography, and Economics). Teachers are also expected to incorporate domains from the Physical, Personal and Social Learning and Interdisciplinary Learning Strands for example Information Communications Technology and Interpersonal Development.

Some primary teachers will be able to demonstrate that they have the appropriate knowledge and skills to teach in the other learning domains such as Languages other than English (LOTE).

It is preferable that ESL teachers have an ESL methodology and practicum as part of their teacher training or post-graduate studies.

Some secondary teachers have appropriate knowledge and skills to teach in primary schools, particularly at Years 5 and 6. However, in order to maintain staffing flexibility in primary schools and provide these teachers with a career path in primary schools, the principal should

encourage secondary-trained teachers to undertake appropriate studies and/or professional development to broaden their expertise in the primary sector.

Such studies/professional learning should be directed at providing the teacher with:

- A knowledge and understanding of the cognitive development for children in the age range of four to twelve years.
- An awareness of the issues associated with primary schools.
- The skills to teach the wide range of disciplined based domains delivered by the generalist class teacher.

Secondary teachers

Generally, secondary teachers will have completed two or three years of sequential study in a number of subject areas post-Year 12. Such in-depth studies, combined with teaching methodology and supervised practice teaching, should provide the knowledge and skills to teach the particular disciplines. A teacher who does not satisfy the qualification requirement of a particular subject tag may be selected for a position provided the principal is satisfied that the teacher can demonstrate experience in the subject area.

Some primary teachers may have appropriate skills and knowledge for teaching in a secondary school, particularly at Years 7 and 8. However, to maintain staffing flexibility in secondary schools and to provide these teachers with a career path in secondary schools, the principal should encourage primary trained teachers to undertake appropriate studies and/or professional development to broaden their expertise so that they may teach students in the more senior classes.

Such studies/professional learning should be directed at providing the teacher with:

- A knowledge and understanding of the cognitive development relating to adolescence.
- An awareness of the issues associated with secondary schools.
- The skills and depth of curriculum knowledge to teach disciplined based domains to a wider range of year levels.

Special settings

In addition to the registration requirements set out above, principal and teacher class employees in special settings and visiting teachers are required to have completed an approved year of study in an appropriate special education discipline for ongoing employment in special settings or as a visiting teacher.

Where an ongoing teaching position in a special school (or a visiting teacher position) is advertised:

- An ongoing teacher who does not hold an approved special education qualification may be offered permanent transfer to the school if he or she has completed three or more years continuous employment in the Teaching Service in a special setting and is assessed by the principal (in respect of positions in special settings) or Regional Director (in

respect of visiting teacher positions) as suitable for ongoing employment in a special setting.

- An external applicant, including an existing fixed term employee, who does not hold an approved special education qualification, but who holds provisional or full registration with the Victorian Institute of Teaching, may be offered ongoing employment if he or she has completed three or more years of continuous employment as a teacher in the Teaching Service in a special setting and is assessed by the principal (in respect of positions in special settings) or Regional Director (in respect of visiting teacher positions) as suitable for ongoing employment in a special setting.

Other than set out above, a teacher who does not have an approved special education qualification can only be offered:

- temporary transfer for a period not exceeding three years where the successful applicant is an ongoing employee; or
- fixed term employment for a period not exceeding five years where the successful applicant is not an ongoing employee.

Teachers who do not have an approved special education qualification should continue to be encouraged to undertake and complete a further one year of study in an appropriate special education discipline.

Teachers of LOTE

All teachers employed to teach languages are, in addition to general teaching qualifications, required to hold a three-year post-Year 12 or four-year beginners stream tertiary study in the language and an approved LOTE teaching method, both the theory and practicum.

Secondary teachers who were employed in government schools before the beginning of the 1996 school year are considered qualified to teach a language if they had completed a post-year 12 language sub major.

Some LOTE teachers may hold a P-12 LOTE teaching qualification enabling them to teach in either primary or secondary schools and P-12 Colleges.

Education support class

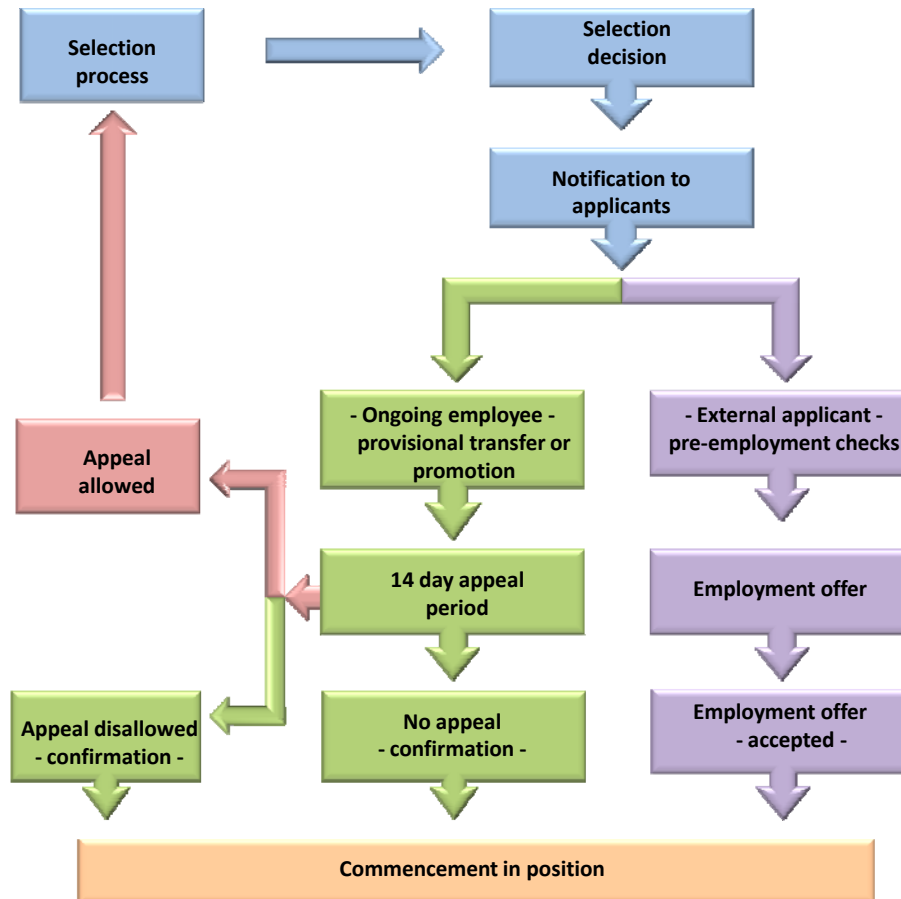
The qualification requirements for education support class positions will depend on the nature of the position. Generally education support class positions do not have mandatory qualification requirements but may require knowledge in specific functional areas depending on the nature of the role and responsibilities of the position. However some professions (for example psychology, nursing, physiotherapy) are regulated and have mandatory registration and/or qualification requirements for employment in that profession.

The Secretary (or delegate) may require particular qualifications and/or training for a specific position or class of positions. To date the Secretary has not mandated qualifications for education support class positions other than those required in the regulated professions and required by law.

Where a principal wishes to include a qualification requirement for an education support class position this may be done but must be expressed as desirable unless the position falls into one of the regulated professions in which case the qualification requirement is mandatory.

EMPLOYMENT PROMOTION OR TRANSFER

The processes following the selection decision can be illustrated as follows:



Transfer or promotion of an ongoing employee

Where an ongoing employee is the successful applicant for an ongoing vacancy the employee will be [transferred](#) or [promoted](#) to that position subject to satisfying the relevant qualification and other eligibility requirements. A transfer or promotion of an ongoing employee (other than the transfer of an employee with priority status) is provisional and is subject to review and does not have effect pending confirmation. The details of a provisional transfer or promotion, including the closing date for lodging a review, will be available from the day after applicants have been notified through the Recruitment Online system of the selection outcome. The details will be accessible through the [provisional transfer or promotion](#) site for fourteen (14) calendar days for all applicants to view and determine their eligibility to seek a review.

A transfer or promotion is confirmed when the Merit Protection Boards advises either that no review has been lodged or that any review has been resolved.

Generally an offer of employment is not required in respect of the transfer or promotion of an existing ongoing employee other than in respect of an assistant principal position. HR Services Branch will prepare a contract of employment offer in respect of assistant principal positions.

As a matter of good practice principals should provide ongoing employees who are selected for promotion or transfer (other than assistant principal positions) with a letter setting out the details of the promotion or transfer including:

- classification level and range (where applicable)
- tenure (in the case of leading teacher positions)
- time fraction
- commencement salary
- commencement date.

Temporary transfer of an ongoing employee

Where an ongoing employee is the successful applicant for a fixed term vacancy the employee will be temporarily transferred for the period of the vacancy as advertised, subject to satisfying the relevant qualification and other eligibility requirements, as follows:

Vacancies of more than twelve months

Where an ongoing employee is the successful applicant for a school based fixed term vacancy greater than twelve months (or in the case of a parental absence (family leave) replacement where the replacement continues beyond twelve months) the employee will be permanently transferred to that school. If the school based fixed term vacancy is at a higher classification or salary range the employee will be permanently transferred at his or her substantive classification and salary range and paid higher duties for the duration of the fixed term position.

The arrangements for an ongoing employee who is the successful applicant for a non school based fixed term vacancy greater than twelve months are set out in the [Release to non-school locations](#) policy.

For vacancies of more than twelve months, the successful applicant will take up the position from the beginning of the next school year or earlier if an agreed start date is negotiated with the employee and his or her current principal. An employee with priority status who is assessed as suitable for a vacancy is expected to commence in the position as early as possible unless otherwise agreed by the employee and the principal of the school with the vacancy.

Vacancies of twelve months or less

Where an ongoing employee is the successful applicant for a school based fixed term vacancy of twelve months or less the employee will be temporarily transferred to that school. At the expiration of the fixed period the employee will return to his or her original school.

If an ongoing employee is selected for a further fixed term position of twelve months or less at the same school:

- the temporary transfer will be extended and the employee (other than where that employee has priority status) will return to his or her original school at the expiration of the subsequent fixed period; or
- the employee must be offered permanent transfer to the position if that employee has priority status and the initial and subsequent fixed periods exceed twelve months in total at the same school.

For vacancies of twelve months or less, the actual commencement date will need to be negotiated between the respective principals and the recommended applicant taking into account the fourteen day period for the lodging of a review. The release date should be negotiated to reflect the needs of both schools and the employee and release should not be unreasonably refused.

An employee with priority status who is assessed as suitable for a vacancy is expected to commence in the position as early as possible unless otherwise agreed by the employee and the principal of the school with the vacancy.

The arrangements for an ongoing employee who is the successful applicant for a non school based fixed term vacancy of twelve months or less are set out in the [Release to non-school locations](#) policy.

Employment of an external applicant

A person who is not an ongoing employee in the Teaching Service who is the successful applicant for a fixed term vacancy will be offered employment for the period of the vacancy as advertised. A person employed for a fixed period ceases employment at the conclusion of the fixed period (inclusive of any pro rata school vacation period in respect of a teacher vacancy) unless that person is employed for a further period in the same or another position.

Principals are required to make offers of employment in respect of the employment of any person not currently employed by the Department or the employment of a fixed term employee for a further period of employment. HR Services Branch will prepare a contract of employment offer in respect of assistant principal positions.

A person employed in response to an advertised fixed term vacancy may be offered one further period of fixed term employment, without advertisement of the position, provided the position continues to satisfy the fixed term criteria set out above. The further period of fixed term employment:

- is a separate period of employment, not an extension of the initial period of employment;
- can be for the same duration as the initial period of employment or for any shorter period but not less than thirty working days; and
- is subject to normal pre-employment processes including the determination of commencement salary.

Prior to a person commencing employment the principal, as the delegate of the Secretary, must be satisfied that the person:

- is a fit and proper person;
- where employed as an assistant principal, teacher or paraprofessional, has gained registration or permission to teach with the Victorian Institute of Teaching;
- meets the qualification requirements (where relevant);
- meets the medical requirements;
- has not been the recipient of a Voluntary Departure Package in the past three years;
- has no employment or re-employment restrictions placed on them; and
- is an Australian citizen or a permanent resident in Australia under any law of the Commonwealth or entitled to permanent residency in Australia under any law of the Commonwealth; or will be resident in Victoria for sufficient periods to enable the person to undertake the duties of the ongoing position.

Successful applicants who are not employed by the Department will need to provide the following information prior to commencing employment:

- the original or certified copy of qualifications;
- original or certified copy of birth certificate, extract of birth entry, passport, certificate of naturalisation or certificate of citizenship;
- evidence of current registration from the Victorian Institute of Teaching;
- a health declaration;
- evidence of permanent residence status or work permit; and
- proof of identity and name change, such as marriage certificate or deed poll, where an applicant's name has changed since birth.

Documents can only be certified by a person authorised to witness a statutory declaration and must be sighted prior to confirming employment.

If the applicant is not an Australian or New Zealand citizen, a copy of the relevant pages from the applicant's passport showing the stamp which confirms the right to permanent residence is required. The applicant's name must appear on the copy. If the applicant is a British subject who migrated to Australia prior to 1974, evidence of residence in Australia prior to 1974 is required. New Zealand citizens are regarded as Australian citizens for employment purposes, but evidence of New Zealand citizenship is required.

The principal must be satisfied that the selected applicant satisfies the qualification requirements for the position. The Victorian Institute of Teaching's assessment for teacher registration approval process includes the assessment of an applicant's qualifications. The Schools Recruitment Unit can provide assistance in checking a teacher's qualifications to teach a particular subject.

In relation to any prospective employee it is essential that a suitability check be undertaken.

Information relating to a person's suitability may be accessed on eduPay using the 'Suitability for Employment' panel. When the proposed employee's name is submitted, if there is an 'N' in the suitability field the proposed employee has an employment restriction. Employment should not proceed at this point and contact should be made with the Conduct and Ethics Branch or the Schools Recruitment Unit.

Interstate applicants can be checked through the National Check of Employment Status procedures. Principals should contact the Department's Conduct and Ethics Branch for assistance in relation to this process. The Conduct and Ethics Branch can provide advice in relation to the person's suitability to be employed in the position for which they have applied.

Where a prospective employee is in receipt of ill-health benefits, the service provider will be notified of the offer of employment.

Employment, promotion and transfer are subject to the recommended applicant receiving a satisfactory [criminal records check](#).

[Employment offers](#) should be made in writing clearly setting out the terms of the offer. Principals must be satisfied that the person meets the requirements set out above.

Offers of employment should include:

- period of employment
- where a position is fixed term the reason why the position is fixed term
- time fraction
- commencement salary
- any [probationary](#) period
- terms and conditions of employment*

**Note: It is sufficient to incorporate by reference relevant legislation, Ministerial Orders and industrial instruments, relevant policy or a statement of duties that attach to the position. Where this is done the offer should advise the employee where these documents can be accessed.*

To avoid uncertainty regarding the terms of employment, a person should not commence in the position until the offer of employment has been formally accepted.

Pre-employment medical requirements

Health declaration

The *Accident Compensation Act 1985* (WorkSafe) requires that when employing new staff, principals must:

- provide the person with a written description of their proposed duties
- ask the person, in writing, to disclose any pre-existing injury or illness that could be affected by the nature of the proposed duties

- explain, in writing, to the person that a failure to disclose, or a misleading disclosure concerning pre-existing injuries or illnesses may result in a loss of entitlement to compensation, should the injury recur

To meet this requirement new employees (which include a person commencing a second or subsequent fixed term period of employment) are required to complete a pre-employment [health declaration](#) form prior to commencing employment. This form requires a statutory declaration that the information is correct.

When the person has completed the form, the principal will need to decide whether or not there is a need to seek professional advice.

If the principal wishes to obtain professional advice, the options for doing so include:

- with the person's consent, approaching the person's treating doctor
- asking the person to undergo a medical assessment by a doctor nominated by the principal (see below)
- using the [Medical Advisory Service](#) which is a free telephone advisory service for principals

Pre-employment medical assessment

In addition to completing a pre-employment [health declaration](#) a principal may require that a person who is the successful applicant for a position in the Teaching Service (including a position in the education support class) undergo a pre-employment medical assessment. This would normally only occur in, but is not limited to, circumstances where the principal considers it prudent to independently confirm a person's medical fitness for employment.

Any registered medical practitioner may conduct the pre-employment medical assessment.

The person should be provided with a package that includes:

- a letter of request to the medical practitioner which has attached to it a copy of the pre-employment health declaration form;
- a duty statement; and
- a self-addressed envelope for the return of the completed medical assessment to the principal

If a doctor is unable to unconditionally recommend the person for employment, the principal will need to confirm or withdraw the offer of employment, taking into account the medical advice in the context of the duties to be performed.

Generally a medical assessment is valid for three years.

Retention of documents

The completed pre-employment [health declaration form](#), or statement of fitness must be retained on the employee's personnel file.

REVIEW/GRIEVANCE

Where an employee considers they have been treated unfairly or unreasonably in any matter related to their employment, the *Education and Training Reform Act 2006*, the regulations and orders made under that Act and the various industrial instruments provide for access to appeal, review, grievance or dispute resolution processes depending of the nature of the matter.

Further information in relation to [appeals or grievances](#) is available on HRWeb.

FURTHER ASSISTANCE

For advice or assistance on any matters related to recruitment principals may contact the Schools Recruitment Unit on 1800 641 943.