

## Recruitment and Selection of Staff to the NSW Health Service

**Summary** The Policy Directive outlines the mandatory standards to be applied when recruiting and selecting staff for employment in the NSW Health Service.

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**Audience** All Staff of NSW Health

## Recruitment and Selection of Staff to the NSW Health Service

### POLICY STATEMENT

NSW Health is committed to attracting and recruiting a talented, high performing and diverse workforce that will contribute to meeting NSW Health's vision and strategic goals to deliver excellence in health care.

NSW Health aims to ensure that candidates are identified and selected through a merit-based, fair, equitable and systematic recruitment and selection process.

### SUMMARY OF POLICY REQUIREMENTS

The mandatory requirements outlined in this Policy Directive are built on the principles of:

- merit selection, selecting the best possible person for the job
- identification, assessment and management of any employment-related risks
- fairness, impartiality, accountability, efficiency and effectiveness.

By meeting the mandatory requirements in this Policy Directive:

- all appointees will have the required knowledge, skills, qualifications, competence, and professional registration
- each appointee will be a fit and proper person to work in NSW Health
- service delivery needs can be met in a timely manner.

The Human Capital Management Recruitment and Onboarding system (referred to as ROB) supports line managers, selection panel members, human resource and recruitment units and any other staff involved in recruitment and selection processes in meeting the policy requirements.

### REVISION HISTORY

Version	Approved By	Amendment Notes
PD2023_024 September-2023	Deputy Secretary, People, Culture and Governance	<p>Reviewed policy and rescinded PD2017_040. The revised policy:</p> <ul style="list-style-type: none"> <li>• Inclusion of Junior Medical Officer Recruitment Module following a move to ROB.</li> <li>• Extension of eligibility list validity to 18-months</li> <li>• Inclusion of Child Safe Standard information in response to the Royal Commission into Institutional Responses to Child Sexual Abuse.</li> <li>• Removal of essential criteria and replaced with essential requirements in line with Public Service Commission guidance.</li> <li>• Allows online reference checks through the NSW Health vendor.</li> <li>• Allows for a conditional job offer. The offer is conditional upon the candidate passing all employment checks and verifications.</li> <li>• Period of probation extended to periods of up to 6-months for new staff to the NSW Health Service.</li> <li>• Updated secondment requirements in line with central government.</li> <li>• Allows for conversion of temporary employment to ongoing employment at-level.</li> <li>• Inclusion of pre-employment health assessments information.</li> </ul>
November 2017 (PD2017_040)	Deputy Secretary, People, Culture and Governance	<p>Reviewed policy and rescinded PD2015_026. The revised policy:</p> <ul style="list-style-type: none"> <li>- Allows for staged collection of information from applicants.</li> <li>- Provides for multiple assessment and culling stages throughout the selection process.</li> <li>- Allows culled applicants to be advised of their status without delay.</li> <li>- Allows the convenor and selection panel to focus on merit selection with checks and verifications done separately by HR/Recruitment Units.</li> <li>- Allows the convenor to operate on behalf of the selection panel online, be responsible for the initial cull and make an overriding recommendation (where the panel disagrees on the selection recommendation).</li> <li>- Removes the requirement to undertake referee checks on applicants before placing them on an eligibility list.</li> <li>- Provides for probation periods of up to 3 months for new staff to the NSW Health Service.</li> </ul>

		<ul style="list-style-type: none"> <li>- Provides for state-wide Recruitment Pools, facilitated through StaffLink Recruitment.</li> <li>- More clearly reflects the NSW Government's diversity focus.</li> </ul>
July 2015 (PD2015_026)	Deputy Secretary, Governance, Workforce and Corporate	Updated policy and rescinded PD2012_028.
May 2012 (PD2012_028)	Deputy Director- General, Governance, Workforce and Corporate	<p>Updated policy and rescinded PD2011_032.</p> <ul style="list-style-type: none"> <li>- Provided clearer advice on walk-in applicants (Mod 1)</li> <li>- Updated advice on approval to engage recruitment companies (Mod 1)</li> <li>- Clarified information about Australian citizenship/residency considerations (Mod 2)</li> <li>- Amended the term 'scope of practice' in Module two to read 'scope of clinical practice' (Mod 2)</li> <li>- Included need to nominate Delegated Authorising Officer for the Junior Medical Officer annual recruitment (Mod 4)</li> <li>- Included approved governance arrangements - centralised recruitment panels (Mod 4)</li> <li>- Included approved allocation process for NSW Health Trainees not in networked positions (Mod 4)</li> </ul>
June 2011 (PD2011_032)	Deputy Director- General, Health System Support	<p>Updated policy and rescinded PD2011_012 and PD2010_041.</p> <ul style="list-style-type: none"> <li>- Added Module 4 for Junior Medical Officer annual recruitment</li> <li>- Removed requirement to copy 100 points of identification</li> <li>- Prohibited 3rd party applications</li> <li>- Clarified the employment of temporary visa holders</li> <li>- Amended convenor's checklist (M1) and compliance declaration (M2) to include confirmation that service check advised at interview and that Pharmaceutical Services Branch are contacted to confirm conditions re drugs of addiction.</li> </ul>
February 2011 (PD2011_012)	Deputy Director- General, Health System Support	Updated policy and rescinded PD2008_045, PD2006_059, PD2005_500 and PD2005_326.
July 2006 (PD2006_059)	Deputy Director- General, Health System Support	Updated policy.

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## **1. BACKGROUND**

NSW Health is committed to the selection of applicants on merit and to building organisational capability and excellence through its employees. Merit-based recruitment and selection principles allow for competitiveness, fairness and transparency. Merit-based recruitment and selection draws from a wide pool of applicants and assesses applicants on the basis of their knowledge, skills, attributes and experiences as these relate to the requirements of the position, the operational unit and NSW Health. The recruitment and selection process:

- targets applicants who can clearly demonstrate that they meet the requirements of the position
- supports decision-making practices that will withstand public scrutiny.

### **1.1. About this document**

This Policy Directive sets out mandatory requirements by way of Modules.

Module 1 sets out the minimum mandatory requirements when recruiting and selecting staff to the NSW Health Service. When recruiting and selecting staff specialists, clinical academics and other professional appointments, NSW Health organisations must follow the requirements set out in both Module 1 (Minimum requirements) and Module 2 (Staff specialist requirements).

Module 3 sets out additional requirements for the recruitment of junior medical officers (JMOs).

### **1.2. Key definitions**

<b>Affected staff</b>	Staff who are still working in their job before the position has been deleted.
<b>Area of need</b>	<p>A medical position (not a geographical location) so designated by the NSW Ministry of Health, where the position meets certain criteria indicating a major difficulty in recruiting medical practitioners to it from within Australia.</p> <p>An Area of Need status allows NSW Health organisations to recruit suitably qualified overseas trained medical practitioners to a position.</p>
<b>Australian Health Practitioner Regulation Agency (Ahpra)</b>	<p>The organisation responsible for the implementation of the National Registration and Accreditation Scheme across Australia.</p> <p>Ahpra also manages the complaints process about registered health practitioners.</p>

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<b>By-laws</b>	Provisions made under Sections 39, 60 and 63 of the <i>Health Services Act 1997</i> (NSW) allow a NSW public health organisation, with the approval of the Secretary of NSW Health, to make by-laws. Such by-laws must not be inconsistent with the Act or the <i>Health Services Regulation 2018</i> (NSW).
<b>Casual employment</b>	Refers to a person who may be engaged on an hourly basis, for a period which does not extend beyond one week, to provide services related to unexpected staff absences or unanticipated peak demands, with no expectation of continued employment beyond the provision of the services required at the time
<b>Clinical privileges</b>	<p>The kind of work (subject to any restrictions) that a NSW Health organisation determines an individual medical practitioner or dentist is allowed to perform at one or more of its facilities.</p> <p>Clinical privileges and scope of clinical practice are determined through a credentialing process and are specific to an individual and the role delineation, resources, equipment and staff available in a single facility or group of facilities.</p>
<b>Credentials</b>	Documented evidence of an individual's formal qualifications, training, experience and clinical competence.
<b>Credentials (Clinical Privileges) Subcommittee</b>	A subcommittee of the Medical and Dental Appointments Advisory Committee which is responsible for advising on the delineation of a practitioner's clinical privileges.
<b>Excess staff</b>	Staff who are no longer working in their job as the job has been deleted.
<b>Identified position (Aboriginal people)</b>	A position where Aboriginal identity, cultural knowledge or connections are genuine occupational qualifications for the roles, and only Aboriginal people are eligible for appointment to them.
<b>Health Education and Training Institute (HETI)</b>	Provider of training and education to support clinical and non-clinical staff, trainers, managers and leaders across the NSW Health system.
<b>Interview Subcommittee</b>	A committee commonly established by the Medical and Dental Appointments Advisory Committee to review all applications, select applicants for interview, interview suitable applicants, undertake referee checks, verify credentials and make recommendations regarding appointments.

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<b>Medical and Dental Appointments Advisory Committee (MDAAC)</b>	A committee of a Primary Health Organisation Board that provides advice and, where appropriate, recommendations to the Chief Executive on the appointment of practitioners and the clinical privileges that should be granted to those people.
<b>Medical practitioner</b>	An individual registered as such under the <a href="#">Health Practitioner Regulation National Law 2009</a> (NSW).
<b>Staff specialist</b>	A medical practitioner employed as staff of the NSW Health Service under the <a href="#">Staff Specialists (State) Award</a> .
<b>NSW Government sector</b>	Comprises the Public Service, the Teaching Service, the NSW Police Force, the NSW Health Service, the Transport Service of NSW, any other service of the Crown (including the service of any NSW government agency), and the service of any other person or body constituted by or under an Act or exercising public functions (such as a State owned corporation) prescribed by the <i>Government Sector Employment Regulation 2014</i> (NSW) for the purposes of any relevant parts of the Government Sector Employment legislation.
<b>NSW Health organisation</b>	Any public health organisation as defined under the <a href="#">Health Services Act 1997</a> (NSW), NSW Ambulance Service, Health Infrastructure, HealthShare NSW, NSW Health Pathology, any other administrative unit of the Health Administration Corporation, and Albury-Wodonga Health, in respect of staff who are employed in the NSW Health Service.
<b>NSW Health Service employee</b>	Anyone employed under Chapter 9, Part 1 of the <a href="#">Health Services Act 1997</a> (NSW).
<b>Position description (also known as role description)</b>	A statement that outlines the purpose and core requirements of the role, as well as key accountabilities and relationships.
<b>Recommendation Report</b>	A document that summarises the findings of the recruitment and selection process. It is compiled by the recruitment panel and includes information on the candidate's suitability for the role, their strengths and weaknesses, and any other relevant information.
<b>Recruitment and Onboarding System (ROB)</b>	The NSW Health Service's online recruitment and onboarding system. It provides tools and templates for anyone responsible for recruiting and selecting staff to the NSW Health Service, other than specialist staff.

<b>Rolling advertisement</b>	An advertisement that does not have a closing date, typically used to assess applicants for positions in high demand. The relevant workforce manager is responsible for regularly reviewing and updating essential requirements.
<b>Scope of clinical practice</b>	Defines the type of clinical work that a practitioner may undertake at a particular facility. Clinical privileges and scope of clinical practice are determined through a credentialing process. They are specific to an individual and the role delineation, resources, equipment and staff available in a single facility or group of facilities.
<b>Targeted position</b>	A targeted role is designed to help people from specific diversity groups who experience disadvantage to access employment opportunities. Public Service agencies can use <i>Government Sector Employment (General) Rules 2014 (NSW) (GSE) Rule 26</i> to nominate a role as a targeted role for eligible persons from a designated diversity group. This means that the role is targeted to be filled by a person from that diversity group.

### **1.3. Legal and legislative framework**

#### **1.3.1. Relationship to legislation**

Relevant legislation for recruiting and selecting staff to the NSW Health Service is:

- [Health Services Act 1997](#) (NSW)
- [Anti-Discrimination Act 1977](#) (NSW)
- [Government Sector Employment \(General\) Rules 2014 \(NSW\) Rule 26](#) Employment of eligible persons
- [Government Sector Employment \(General\) Rules 2014](#) (NSW) 28–31 and 34 Transfers and secondments

*Government Sector Employment Act 2013* (NSW) provisions generally do not apply to the NSW Health Service other than the rules listed above.

Under the *Anti-Discrimination Act 1977* (NSW), it is against the law to discriminate against people because of certain characteristics. These are:

- sex (includes pregnancy and breastfeeding)
- race (includes ethnic or ethno-religious background)
- marital or domestic status
- disability (includes diseases and illnesses)
- age
- homosexuality

- being transgender
- carers' responsibilities.

Under the *Anti-Discrimination Act 1977* (NSW), this includes decisions about who will be offered employment, how this is determined, and on what terms employment is offered.

### 1.3.2. Relationship to industrial awards

When filling vacancies, you must also consider the applicable industrial award or determination. All NSW Health awards and determinations are available on the NSW Health [Remuneration and conditions, NSW public health system awards](#) website.

Particularly important is Clause 53 (Reasonable Workloads for Nurses) of the Public Health System Nurses' and Midwives' (State) Award. All NSW Health organisations must ensure their recruitment processes allocate reasonable workloads to nurses.

NSW Health awards take precedence over this Policy Directive, including procedures set out in Modules 1 (see [Section 2.1.](#)) and 2 (see [Section 3.1.](#)). If the requirements in this Policy Directive and procedures differ from the conditions set out in the relevant award or determination, the conditions stipulated in the award must be followed.

For casual and short-term temporary employment, you must still assess the suitability of a candidate and carry out any mandatory checks and verifications required by the position before making any offer of employment (see [Section 4.1.](#)).

### 1.3.3. Relationship to other policies

Concurrently with this Policy Directive, you will need to consider other relevant policies.

To search for a NSW Health policy directive, [visit the NSW Health Policy Distribution System](#).

For a list of all recruitment related policies for the NSW Health Service and the broader government sector go to the NSW Health [Human resources e-compendium](#).

### 1.3.4. Child Safe Standards

NSW Health is committed to implementing the [Child Safe Standards](#) [the Standards]. The Standards are a key recommendation of the Royal Commission into Institutional Responses to Child Sexual Abuse. The Standards are a best practice, evidence-based, quality improvement framework. They provide tangible guidance for organisations to create cultures, adopt strategies and act to put the interests of children first, to keep them safe from harm. The *Children's Guardian Amendment (Child Safe Scheme) Act 2021* (NSW) requires NSW Health to implement the Standards.

Standard 5: *People working with children are suitable and supported* sets out considerations for child focused human resource management including in the recruitment and selection of staff. The Office of the Children's Guardian's provides guidance resources for implementing this Standard.

## 1.4. Workforce targets

### 1.4.1. Service agreements and key performance indicators

In March 2022 NSW Health, along with all Australian jurisdictions, adopted the [National Aboriginal and Torres Strait Islander Health Workforce Strategic Framework and Implementation Plan 2021-2031](#) which includes a national target of 3.43% Aboriginal workforce by 2031. These refreshed targets are embedded in NSW Health's ongoing strategies and service agreements. The NSW Health Policy Directive NSW Health Good Health – Great Jobs: Aboriginal Workforce Strategic Framework 2016 – 2020 ([PD2016 053](#)) and NSW Health Policy Directive Aboriginal Cultural Training – Respecting the Difference ([PD2022 028](#)) support these targets.

#### Service agreement requirements

Under NSW Health service agreements, Chief Executives must achieve an average of 10 business days for the time taken to approve, decline or defer standard requests to fill a vacancy.

### 1.4.2. Diversity targets

The NSW Premier has a continuing commitment for improving the diversity of the broader workforce and senior leadership for the NSW government sector.

The NSW Public Service Commission:

- has set the target to increase the proportion of women in senior leadership roles to 50% in the government sector by 2025
- is committed to increasing Aboriginal and Torres Strait Islander workforce and the number of Aboriginal (and Torres Strait Islander) senior leaders in the government sector
- is committed to improving the diversity and inclusion outcomes across the government sector.

As appropriate, each NSW Health organisation will have their agency level senior leader targets articulated to support the achievement of the sector wide targets.

The government priority to improve the diversity and inclusion outcomes includes people with disability, or are lesbian, gay, bisexual, trans, intersex, queer plus (LGBTIQ+) and refugees resettling to NSW.

### 1.4.3. Affiliated health organisations

All affiliated health organisations (refer to Schedule 3 of the [Health Services Act 1997](#) (NSW)) must comply with this Policy Directive to the extent permitted by law. For example, if there are any inconsistencies with the [Fair Work Act 2009](#) (Commonwealth), the Health Services Act takes precedence. However, affiliated health organisations are not obliged to use any NSW Health recruitment systems in order to comply with the Policy Directive. The same principles apply to Albury-Wodonga Health which manages a workforce in both NSW and VIC.

## 2. MINIMUM REQUIREMENTS – GENERAL (MODULE 1)

### 2.1. About Module 1

Module 1 sets out the minimum mandatory requirements when recruiting and selecting staff to the NSW Health Service. When recruiting and selecting staff specialists, clinical academics and other professional appointments, NSW Health organisations must follow the requirements set out in both Module 1 (Minimum requirements) and Module 2 (Staff specialist requirements [see [Section 3.](#)]).

These procedures apply to any vacancy **except** for:

- casual employment
- temporary employment for a period not exceeding 13-weeks
- NSW Health Service Senior Executive appointments
- annual recruitment drives or ad hoc appointments.

When recruiting Junior Medical Officers, please refer to Module 3 (see [Section 4.](#)).

### 2.2. Identify vacancy

A position may be vacant due to:

- staff leave
- an impending transfer
- resignation or termination
- routine staff rotation.

A position may also be vacant because someone who has been appointed to the position has not yet begun duties.

Managers are responsible for continually monitoring staffing needs within their workforce team. As soon as they identify a vacancy, they must immediately:

- assess the need for the position
- begin the process of recruiting for the position.

The recruitment process must generally be completed within 40 business days.

For guidance on timeframes see [Appendix 2.](#)

For guidance on Aboriginal employment see [Appendix 4.](#)

For guidance on employing people with a disability see [Appendix 5.](#)

### 2.3. Review and update position description

A position description, also known as a role description, outlines the purpose and core requirements of the role, as well as key accountabilities and relationships.

The position description is used to:

- recruit staff
- plan the workforce
- develop staff performance agreements.

Before advertising a position, the manager must evaluate the position and ensure it is appropriately graded and classified.

For guidance grading and classifying a position, refer to the relevant award.

For guidance writing position descriptions, and to download the NSW Health template, go to the Recruitment and Onboarding System ([ROB](#)).

The following information about the position must be kept up-to-date:

- position title (to be used when referring to the vacancy)
- classification, grade and remuneration under the relevant health award/ determination
- core functions, responsibilities and accountabilities of the position, including work health and safety responsibilities specific to the role being undertaken
- any mandatory physical, psychological or sensory requirements necessary to perform the inherent requirements of the job, and how they will be assessed
- skills, knowledge and experience needed in the position
- professional registration, licensing or authority to practice requirements
- trade or professional qualifications that are a legal, award or determination requirements for the position, or any educational requirements of the position (such as acceptance into a recognised training program)
- length of previous work experience or training program required for the position (only if a legal or award/ determination requirement)
- if required by the position, reference to an understanding of a particular community or cultural capability
- whether the position is 'targeted' to eligible persons under the *Government Sector Employment (General) Rules 2014* (NSW) Rule 26 or is an identified or targeted position under the *Anti-Discrimination Act 1977* (NSW), and reference to relevant legislation
- essential requirements, listing the minimum skills, knowledge and experience required to perform the inherent requirements of the position only
- employment status, such as permanent, temporary, casual
- work location(s)
- information about the facility and department

- key internal and external relationships (organisational chart to be made available upon request)
- vaccination category of the position, and mandatory vaccination requirements
- information about the classification of the position in relation to mandatory National Police Checks and Working with Children Checks
- information on the NSW Health CORE values (collaboration, openness, respect and empowerment) and NSW Health Code of Conduct.

Consultation with Aboriginal Employment Coordinators, Managers of Aboriginal Workforce Development or similarly responsible position holders are to determine:

- suitability for a targeted Aboriginal recruitment process
- ways to source Aboriginal and Torres Strait Islander applicants for recruitment assessment, such as an Aboriginal Traineeship pathway.

Aboriginal Employment Coordinators and Managers of Aboriginal Workforce can support the review of position descriptions, guidance on the use of targeting and identifying positions to enhance the recruitment outcomes of Aboriginal people.

When considering targeting positions to eligible refugees under the *Government Sector Employment (General) Rules 2014* (NSW) Rule 26 (GSE Rule 26), consult the NSW Health organisation's Refugee Champion.

## 2.4. Essential requirements

The essential requirements outline the required qualifications, skills, knowledge, experience, and other attributes required to perform the inherent requirements of the position. Any essential requirements developed must be clear and concise, directly relate to the position, and reflect any relevant Award requirements.

NSW Health organisations must review any existing essential requirements each time they wish to fill a vacancy to ensure the criteria accurately reflect the requirements of the current fill event.

Essential requirements are:

- any relevant mandatory professional registration, licence requirements, membership of state or national associations and/ or authority to practice requirements
- any relevant legislative and/ or award/ determination requirements
- any other skills, knowledge, experience, educational requirements (such as acceptance into a recognised training program) or any other attributes required to perform the inherent requirements of the job (excluding skills that can be learned in a reasonable time on the job).
- Only include minimum length of previous work in the profession where it is a legal or award/ determination requirement in relation to the position)

- relevant characteristics for positions either identified under [Section 14\(d\) of the Anti-Discrimination Act 1977](#) (NSW), or targeted under the GSE Rule 26.

Where a professional qualification would enhance the capacity of the applicant to undertake the duties of the position, but is not a legal or award/ determination requirement, include the following:

*A degree in a relevant field, or equivalent work experience, or a combination of study and work experience.*

Some additional pre-screening criteria may be set where appropriate. For example, for an identified or targeted position, membership of a particular Equal Employment Opportunity group could be a pre-screening criterion. Such criteria may help shortlist candidates for further assessment more effectively.

## 2.5. Determine the appropriate option to fill the vacancy

There are several recruitment options in the NSW Health Service; however, Health organisations must explore the possibility of redeploying any injured or excess / affected staff to the vacancy before considering any other full option.

For nursing positions, NSW Health organisations may also need to consider:

- increasing the hours for an existing permanent part-time incumbent (including conversion to full-time status)
- converting casual employment of an existing casual incumbent to a permanent appointment in line with the [Public Health System Nurses' and Midwives' \(State\) Award](#).

NSW Health organisations should consider any workforce diversity needs/ targets to address fill options which facilitate the employment of people according to various diversity targets. See [Appendix 4](#), for more detailed information on the legislative supports. For practical support, refer to the Aboriginal and/ or diversity workforce team.

For a list of recruitment options in the NSW Health Service see [Section 4.3](#).

For further guidance on recruiting excess staff see NSW Health Policy Directive *Managing Excess Staff of the NSW Health Service* ([PD2012\\_021](#)).

## 2.6. Advertise the position

All vacancies must be advertised **except** for positions to be filled through redeployment or where advertising is not required. For guidance on positions that may not need advertising, see [Appendix 3](#).

The advertising scope and media used must be appropriate to the position and field of potential candidates.

For permanent or temporary positions (12-months or more) with a salary equivalent to or higher than Health Manager Level 4, the position must be advertised across NSW Health via the NSW Health Career Portal at a minimum.

NSW Health organisations may also consider sharing the information with:

- professional or other talent communities
- online professional or social networks
- tertiary institutions (such as universities).

Regardless of the advertising medium or platform, NSW Health organisations must ensure that the same information about the vacancy is sent via the same advertising channels and supplied to each candidate.

To attract and appropriately inform applicants, advertisements must include:

- key information about the position or role
- a link to the full position description
- email address to contact for further information
- reference to any legislative requirements (such as [GSE Rule 26](#) or [Anti-Discrimination Act 1977](#) (NSW))
- closing date (unless a rolling advertisement).

When advertising a permanent position, NSW Health organisations may indicate that applicants holding visas with working rights may be considered for temporary appointment up to the expiry date of their visa. However, this option is available only when there is no other suitable applicant for permanent appointment identified. For example, a position may have been difficult to fill or has had few applicants in the past. In circumstances where a conditional offer of employment is required for an employer-sponsored visa, a temporary conditional offer may be issued

Advertising should reference NSW Health's commitment to child safety. See [Section 1.3.4.](#) for further information.

To efficiently assess applicants for positions in high demand, such as nursing staff, consider a rolling or ongoing advertisement. Rolling advertisements do not require a closing date. However, the essential requirements must be up to date.

**For additional requirements for staff specialist positions see Module 2 ([Section 3.](#)).**

## 2.7. Provide information to applicants

In addition to information contained in the advertisement, potential applicants must have access to:

- the full position description and essential requirements (See [Section 2.3.](#) and [Section 2.4.](#))
- the steps in the selection process
- a link to the NSW Health Policy Directive *NSW Health Code of Conduct* ([PD2015\\_049](#))
- the need to address essential requirements and any targeted questions about key essential requirements

- the need to include an up-to-date curriculum vitae of employment history (for health care and other professional positions this must cover the last 10-years)
- other required supporting information and documentation (including referee details)
- details of checks and verifications the NSW Health organisation is required to conduct (such as referee checks, a NSW Health Service Check Register check, a National Police Check, a pre-employment health assessment)
- guidance on obtaining a [Working with Children Check](#) from the NSW Office of the Children's Guardian, where required
- for overseas applicants, information about additional criminal record check requirements and how they can apply for a Working with Children Check, where required.
- for identified or targeted positions (advertised under GSE Rule 26 or *Anti-Discrimination Act 1977* (NSW)), information about providing evidence of eligibility.

This information must be made available to applicants on the NSW Health Career Portal.

For additional requirements for staff specialist positions see Module 2 ([Section 3.](#)).

## 2.8. Establishing the selection panel

### 2.8.1. Understanding the roles of selection panel members

The role of the selection panel is to:

- compare all applicants for a position on merit
- recommend the preferred applicant(s)
- select applicants to be placed on an eligibility list.

The size and membership of the panel varies depending on the scope and nature of the position to be filled.

As a minimum, the panel must:

- have two members, one of whom is designated as the convenor and one an independent
- have one member with enough knowledge of the position requirements to be able to effectively assess applications
- wherever possible, a mix of genders
- wherever possible, include persons reflective of the wider community with representation from diversity groups

**The convenor** is responsible for managing the selection process including:

- collating input from panel members

- recording on ROB all agreed outcomes, or delegating this task to the central recruitment unit
- making the final recommendation for the position, including noting all alternative views expressed by panel members in the recommendation report (see [Section 2.13.](#))
- ensuring that the selection process meets all relevant legislative, industrial and NSW Health policy requirements (see [Section 1.3.](#))
- ensuring that the panel considers all relevant material in making a recommendation
- resolving any conflicts of interest (see [Section 2.8.2.](#)).

The convenor must have completed recruitment and selection training or refresher training, including all diversity recruitment elements in the last three years.

**The independent** panel member is responsible for ensuring that the selection process is fair, and that decisions are based solely on the available material. The independent panel member must:

- have no direct interest in the outcome of the selection process
- be from a different administrative branch or business unit (such as different reporting line), a different NSW Health organisation, or an organisation external to NSW Health
- be unlikely to be unduly influenced by other panel members.

The convenor and the independent should, as far as practicable, hold positions senior to the position being filled. Any additional panel members must be at least at the same level as the position being filled.

All panel members who are staff of the NSW Health Service must also have completed the full Respecting the Difference training [see NSW Health Policy Directive *Aboriginal Cultural Training – Respecting the Difference* ([PD2022\\_028](#))]. Any external panel members should be supported to undertake the online component of this training, at a minimum.

Panels for positions identified or targeted towards a specific group must include a representative from that group. For example, a panel for a position targeted to Aboriginal people must include at least one Aboriginal person.

Panel members with additional expertise may be required on panels for:

- positions that manage areas of significant risk
- positions that require a high degree of technical or professional competence
- appointments that have proved contentious in the past.

Additional expertise may also be needed if the selection process is a result of a complaint about the original selection process.

Any position-specific NSW Health, legal or industrial requirements must be met (such as a selection panel for Heads of Internal Audit must include a NSW Ministry of Health representative). Where, as a predetermined structured program, the successful applicant could be placed in, or rotate between, a number of facilities or NSW Health organisations, the panel must include:

- a representatives from each of those organisations, or
- a delegated representative of other facilities (such as where the panel would otherwise become too large).

### 2.8.2. Managing conflicts of interest

All panel members must declare any real or potential conflict of interest as soon as they become aware of it. For example, the panel member may have a close personal relationship or previous workplace conflict with an applicant.

The convenor is responsible for managing any conflict of interest and documenting this as part of the recommendation report on ROB.

If there is a conflict of interest, the convenor may:

- add a panel member as a safeguard (such that there would be two independent panel members rather than one)
- limit the contribution of the panel member with the conflict of interest (such that they would contribute to discussion only as a subject expert, but not take part in decision making)
- replace the panel member.

If a panel member arranges for someone else to participate on the panel on their behalf, the original panel member is considered to have withdrawn from the panel. The newly delegated panel member takes over all the responsibilities and authority of the departing panel member. Once the new panel member takes over, the departing panel member must not take part in any subsequent proceedings.

If a candidate has nominated a panel member as a referee, the panel member must immediately declare the relationship (such that the panel member may be the candidate's supervisor). Where possible, the panel must seek an alternative referee. All other referee checks must be done by more than one panel member.

For further guidance see the NSW Health Policy Directive *Conflicts of Interest and Gifts and Benefits* ([PD2015 045](#)).

For additional requirements for staff specialist positions see Module 2 ([Section 3](#)).

## 2.9. Shortlist applicants (culling)

Shortlisting, also known as culling, involves exclusion of any candidates that do not meet the essential criteria for the role. Subsequently, a review is undertaken of each candidate's application against the requirements of the role.

Where a large number of applicants appear to meet the requirements of the role, further comparative assessment of their applications against the criteria may take place.

To ensure each panel member has a common understanding of the required standard, they must have access to the:

- position description

- advertisement
- essential requirements
- assessment information
- written applications from all applicants.

Residency status may be a consideration when shortlisting applicants.

With recruitment to Aboriginal identified and targeted vacancies, convenors may seek support from Aboriginal Employment in their agency during shortlisting, to support due diligence in the implementation of the relevant legislation.

Where applicants include affected or excess staff with priority status, these applicants are entitled to priority assessment before any other applicants. Refer to the NSW Health Policy Directive *Managing Excess Staff of the NSW Health Service* ([PD2012\\_021](#)).

All panel members must agree on the applicants to be shortlisted. If an agreement can't be reached, the convenor may make the final decision, but must note any alternative view(s) in the recommendation report. The reasons for culling an applicant must be documented in ROB.

For additional requirements for staff specialist positions see Module 2 ([Section 3](#)).

## **2.10. Assess applicants**

### **2.10.1. Determining the appropriate method**

The assessment methods used will depend on the nature and level of the position and must be specifically targeted to the vacant position's essential requirements and position description. However, different methods may target specific essential requirements. Possible assessment methods include:

- formal in-person or online interview
- short pre-screening telephone interview
- work samples, tests or other skills assessment
- applicant presentations
- group exercises or role plays
- online assessments
- third party assessments (such as cognitive or personality assessments).

### **2.10.2. Formal interview**

All selection panel members must attend the interview. Interview questions must be clear, unambiguous and directly relate to the position description. The panel must ask a common set of questions of all applicants. They may also need to ask follow-up questions exploring issues raised by the applicant or eliciting further information.

The same method must be used to assess each applicant for the vacancy and applied in a flexible way without affecting the validity of the method. The panel determines the sequence of assessments and the convenor records assessment details in ROB.

It is essential that any assessment method does not unfairly disadvantage applicants who have a disability or are from a particular cultural or community group.

For further information about employing people with a disability see [Appendix 5](#).

For child related roles, interviews should include specific questions about the applicant's suitability to work with children, see Section [1.3.4](#) for further information.

The full panel must consider the outcomes of all assessments before making any selection decisions, including any assessments that were not executed by the full panel (such as third-party assessments).

Throughout the selection process, the hiring manager or their delegate must inform applicants of requirements and provide support information or documentation. If the selection process is delayed or does not go ahead, all applicants must be advised of this.

### **2.10.3. Considering late applications**

The convenor has the discretion to accept late applications where a reasonable explanation has been provided (for example the job website was unavailable) and/ or an extension requested prior to the closing date. A grace period of 24-hours would normally be allowed.

However, once interviews have started, the selection panel must not accept late applications unless in exceptional circumstances. If the panel accepts a late application, they must also accept any other applications that are late for the same reason.

The convenor must document the reason for accepting any late applications in the recommendation report.

**For additional requirements for staff specialist positions see Module 2 ([Section 3](#)).**

### **2.10.4. Checking applicants' identity**

At the in-person interview or assessment, the interview panel or assessor must sight and confirm the applicant's identity. The applicant must supply identification which must include photo ID (such as a passport or driver's licence).

If the applicant's identity cannot be confirmed at the time of assessment or interview, the NSW Health organisation must confirm their identity before they start work with NSW Health.

**For additional requirements for staff specialist positions see Module 2 ([Section 3](#)).**

## **2.11. Identify preferred applicants**

### **2.11.1. Determining the preferred applicant**

The preferred applicant is the applicant who is considered the most suitable person for the job, based on a comparative assessment of all applicants' abilities, knowledge, skills, experience and qualifications (where required) against the essential requirements.

Once the assessments and interviews have been completed, each panel member must:

- analyse all resulting information
- identify the preferred applicant(s) for the position
- compile an eligibility list, if applicable.

Before recommending the preferred applicant, a nominated panel member must conduct referee checks for that applicant or preferred applicant(s).

To help with decision making, the panel may make other enquiries about the preferred applicant (such as contact a NSW Health organisation where the applicant currently holds or previously held employment). All enquiries must be documented in the recommendation report in ROB.

### **2.11.2. Compiling the eligibility list**

If the panel identifies more than one highly suitable applicant for the position, they may create an eligibility list. The eligibility list must include only those the panel considers of high merit, it must not list all unsuccessful applicants.

An eligibility list is particularly useful if:

- a position has been difficult to fill
- there is a high turnover or high demand for a particular occupational group.

The panel must rank applicants on the eligibility list in order of merit and submit the list with their recommendation for the preferred applicant. Once approved, applicants on the eligibility list become part of the NSW Health Service's recruitment pool for a period of up to 18-months, unless otherwise provided by the relevant award.

Referee checks are not required for applicants placed on the eligibility list. However, if the eligibility list is activated either in the same or a different recruitment process, referee checks and all other mandatory checks and verifications but be completed on the next ranked candidate before making an offer of employment.

## **2.12. Complete referee checks**

### **2.12.1. Understanding referee checking requirements**

Before offering the position to the preferred applicant, a panel member must complete all referee checks. This applies to all positions including permanent, casual and temporary short-term positions, as well as those that do not require to be advertised.

The purpose of a referee check is to:

- seek specific information about the current knowledge, skills, competence and experience of the preferred applicant as they relate to the essential requirements and position
- confirm any significant claims made by the preferred applicant in relation to the position

- seek information about recent past performance, professional conduct and attendance record of the preferred applicant
- explore any issues or concerns related to the skills, competence and experience identified during the application or assessment and interview process.

If the selection panel is unable to confirm relevant information via referee checks, they must not consider the applicant any further.

At times, referee checks cross-over with confirming Aboriginality. Refer to [Section 5.4.5](#). Citing Aboriginality and speak with Aboriginal Employment in the local agency for support.

Referee checks do not need to be completed for applicants placed on the eligibility list. However, contacting shortlisted applicants may be helpful to determine which applicant is the best person for the job.

### **2.12.2. Conducting the referee check**

Referee checks may be conducted orally or through NSW Health's online reference checking vendor. The panel member must record the responses. Responses together with the full name of the referee, contact details, position and relationship to the applicant must be recorded.

Written (not including online) references may only be accepted where:

- due to time differences and/ or work commitments, detailed phone referee checks are difficult to arrange, or where it is difficult to understand referee responses because English is not their first language, and
- direct, verbal contact has been made with the referee, and their identity and relationship to the applicant have been confirmed.

For written references, the selection panel must forward the mandatory questions to the referee with responses returned within the agreed time.

### **2.12.3. Preparing questions for referees**

The panel member selected to complete the referee checks must be competent in exploring issues further, including clinical issues where relevant, and interpreting responses.

The referee checker must:

- prepare a set of questions before contacting the referee
- record on ROB the outcome of discussions with referees.

The mandatory questions for the referee are:

1. How would you describe the applicant's skills, experience and competence (as appropriate) in relation to the position and the essential requirements?
2. Would you re-employ the applicant if the opportunity arose? Why or why not?
3. Are you aware of any professional conduct or past performance issues that may be relevant and appropriate for us to consider?

4. In light of the information provided about the position, is there anything else you think would be relevant for us to consider?

For child related roles, referee checks are to ask specifically about the applicant's suitability to work with children. See section [1.3.4.](#) for further information.

The referee checker must also confirm any significant claims by the applicant in their application and interview, and explore any gaps in their resume.

Referees must be advised that information obtained from them will be incorporated into the recommendation report. The referee's comments will therefore form part of the feedback provided to unsuccessful applicants.

The referee checker must receive responses from at least two referees and record the outcomes of each response, except where:

- the selection panel has been able to satisfy itself through a single referee check that the preferred applicant is the most appropriate candidate for the position **and**
- the position is unskilled **and**
- the position has a low risk potential **and**
- all other verifications take place.

For graduate nurse and midwife positions, a minimum of one referee check is required with a person who is able to provide employment related information about the applicant.

One of the referees must be a current supervisor/ manager of the preferred applicant.

Further referee checks on some applicants may be necessary if the selection panel:

- is not fully satisfied with the results of the minimum required referee checks
- wishes to explore additional issues.

If this is the case, a panel member must ask the applicant to provide details of additional referees.

#### **2.12.4. Contacting current supervisors**

If it's not possible for an applicant to provide a current supervisor as a referee, the panel must be flexible. For example, it may be the applicant's first entry to the workforce, they are currently unemployed, or they are returning to the workforce after a break.

If an applicant refuses to nominate their current supervisor or manager (for example there is a history of grievance or complaint history between the applicant and their supervisor/ manager) or a supervisor or manager is uncontactable, the selection panel must make their assessment based on the information available. Depending on the circumstances, the selection panel may ask the applicant to provide alternative referee(s) such as a past supervisor or manager.

**For additional requirements for staff specialist positions see Module 2 ([Section 3.](#)).**

## 2.13. Make a recommendation

**This section does not apply to recruiting staff specialists. For recommending staff specialists see Module 2 ([Section 3.](#)).**

On completion of all referee and other mandatory checks, the convenor of the selection panel or the recruitment unit must prepare a recommendation report in ROB. All panel members must have an opportunity to review the recommendation report and add any comments before it is submitted for approval by the decision maker.

The panel member responsible for preparing the report must have access to:

- full application of the preferred applicant
- referee reports
- other applications, if requested.

The recommendation report must include:

- confirmation that the selection process was undertaken in line with this Policy Directive or clearly provide information on exceptions
- a declaration of any conflicts of interest and how they were managed
- information about any differing views
- a comment about residency status, if applicable.

If a selection panel is unable to reach a unanimous decision, the convenor is responsible for determining the final recommendation. If the selection panel has assessed that none of the applicants is suitable, the panel must still submit a report noting there is no recommended applicant.

The selection records must be written clearly in a way that can be understood by a third party. For example, the panel's decision may be disputed and a third-party may be required to scrutinise the selection process.

The person delegated to approve an appointment (the decision maker) must be someone at the lowest possible operational level, provided they meet the following criteria:

- they hold a position higher than the position being filled
- there is no conflict of interest in their role as the decision maker.

In some cases, the decision maker will be the convenor.

A decision may need to be escalated to a higher level. For example, appointments to the position may have proved contentious in the past, the position is high profile, or the selection process has recommenced as a result of a complaint about the original process.

Before approving the appointment, the decision maker must be satisfied that:

- the selection process has followed this Policy Directive, and
- the recommended applicant is the most meritorious for the position.

If the decision maker overturns the selection panel's recommendation, this must be documented in a way that clearly explains why the panel's decision was overturned. If there is a complaint, this report may need to be reviewed and defended.

For further guidance see NSW Health Policy Directive *Conflicts of Interest and Gifts and Benefits* ([PD2015\\_045](#)).

## 2.14. Complete mandatory checks

### 2.14.1. Completing general checks

Before offering employment, the NSW Health organisation must complete all mandatory checks and risk assessments and record them as complete or current. Any significant findings must be recorded in ROB.

During the checking process, the selection panel may advise the preferred applicant they have proceeded to the final stage of the selection process.

For a complete list of mandatory checks see [Appendix 6](#).

If the recommended applicant is going to rotate across facilities upon appointment, the panel must:

- be aware of conditions or restrictions relevant to the applicant (such as registration conditions or other risk management action)
- consider each facility's capacity to accommodate those conditions and document these in the recommendation report
- ensure the facility monitors these conditions.

For guidance on medical practitioner registration, see also the NSW Health Policy Directive *Monitoring and Managing Health Practitioners' Compliance with Conditions on Registration* ([PD2022\\_003](#)).

If it is not relevant to the job, it is against the law to:

- check on an applicant's health status or
- exclude them on the basis of their current, past or presumed health, illness or disability not relevant to the demands of the job (see the [Anti-Discrimination Act 1977](#) (NSW)).

Under the *Anti-Discrimination Act 1977* (NSW), employers must consider if they can make reasonable adjustment to the position or the work environment to allow an applicant with a disability or impairment to carry out the inherent requirements of the position. However, if making the necessary adjustments would cause the employer unjustifiable hardship they are not required to proceed.

An appropriately trained staff member must assess the applicant's immunisation status for the position.

For further guidance see NSW Health Policy Directive *Occupational Assessment, Screening and Vaccination Against Specified Infectious Diseases* ([PD2022\\_030](#)).

### 2.14.2. Checking residency status

To be eligible for permanent appointment to a position with the NSW Health Service, applicants must be an Australian citizen or Australian resident and provide proof of this before the offer of employment is made.

For temporary nursing positions this also applies for conversion to a permanent appointment for nursing positions (refer to [Appendix 6.](#)). A person who is not an Australian citizen or permanent resident is only eligible for temporary employment for a period not longer than the duration of their current visa.

New Zealand citizens are automatically considered to have permanent resident status for the purposes of employment with the NSW Health Service. New Zealand citizens are generally granted a Special Category Visa (SCV) on arrival in Australia, which allows them to remain and work in Australia for as long as they remain New Zealand citizens. It does not necessarily follow that New Zealanders will continue to hold a SCV after they arrive. Any subsequent breaches and/or health developments may mean that a SCV has been cancelled after arrival.

Additional verification on working rights, visa details and conditions may be conducted using the [Visa Entitlement Verification Online \(VEVO\)](#) service provided by the Department of Home Affairs.

All other people entering Australia require a visa and entry permits.

In some cases, sponsorship by an Australian organisation is a requirement for a visa. The NSW Health Service may consider sponsorship of a permanent or temporary applicant if all reasonable steps have been taken to establish there is no suitable Australian citizen or permanent resident for the vacancy.

Applicants must also meet any specific immigration requirements.

Any visa related questions should be directed to the [Department of Home Affairs](#).

**For additional requirements for staff specialist positions see Module 2 ([Section 3.](#)).**

### 2.15. Complete preference mapping

For bulk recruitment campaigns that allow candidates to nominate their preferred role, preference matching must occur only after the selection process has been completed. Candidate preferences do not relate to the applicants' ability to do the job, but to their preferred job location. The selection panel must not consider preferences when culling or selecting applicants.

**For additional requirements for staff specialist positions see Module 2 ([Section 3.](#)).**

### 2.16. Conditional job offer

A conditional offer may be made through ROB to the recommended applicant prior to the completion of mandatory checks and verifications. The conditional offer includes a clear statement that the offer is conditional upon the candidate passing all employment checks and verifications. The hiring manager has discretion to decide whether a conditional offer is to be made or whether an offer is not to be made unless and until the mandatory checks

and verifications have been completed.

An applicant has 5-days from the date of the email offer to accept or decline a conditional offer. If needed, the applicant may ask for an extension, which may be granted at the discretion of the hiring manager.

The hiring manager must make reasonable attempts to contact the applicant if they have not responded to a conditional offer within 5-days. If the applicant cannot be contacted after reasonable attempts have been made, the offer may be withdrawn.

The applicant may only accept offers of employment up to the equivalent of one full-time position across NSW Health.

## 2.17. Make the formal job offer

### 2.17.1. Confirming checks and verifications

Before the formal offer of employment, it must be confirmed that all required actions, including all checks and verifications, have been completed.

If the selection panel has recommended an emergency appointment and there is an incomplete National Police Check or Working with Children Check, the position may be offered before the checks are complete, in line with the NSW Health Policy Directive *Working with Children Checks and Other Police Checks* ([PD2019 003](#)).

If an offer of employment is made to an applicant who is not an Australian citizen or permanent resident, the NSW Health organisation must make it clear that the offer is on a temporary basis until the date specified on the applicant's current visa.

Although the successful candidate may later have their visa extended, the offer of employment is not guaranteed beyond the end date of the visa at the time the job offer is made.

During recruitment for clinical staff, the NSW Health organisation may conditionally offer permanent or temporary employment to a suitable overseas applicant before they secure permanent or temporary residency where:

- an offer of employment is required before the applicant can apply for residency **and**
- it has already been established that there is no suitable local applicant **and**
- there is an urgent need to fill a frontline position.

The local People and Culture team (or equivalent) must check and confirm residency status before the person begins employment within NSW Health. Where the person has not been granted residency, the offer of employment must be withdrawn in line with the provisions of the conditional offer.

### 2.17.2. Writing the offer letter

The formal offer of employment, including terms of conditions of employment, must be made in writing using ROB. The applicant must be advised that the offer is subject to their agreement to abide by these terms and conditions, including the requirement to comply with the NSW Health Policy Directive *NSW Health Code of Conduct* ([PD2015 049](#)).

The offer letter must include the following content:

**Introduction:** I am pleased to offer you employment in the [Name of NSW Health organisation], a Division in the NSW Health Service.

**Position:** You will be employed on a [full-time/ part-time] basis as [position title, classification]. You will be based at [location, any rotations]. Your employment will be governed by [award/ industrial instrument].

**Start date:** and finish date (if applicable).

**Hours of work:** You will generally be required to work [insert number of days] days per week between the hours of [insert times]. [Include any requirements for roster or on-call availability]. It may be necessary to change the hours of work, any shift times and any on-call availability from time to time as required by the demands of the position.

**Duties:** Your position will involve the duties set out in the attached position/ role description. You will also be expected to have a flexible approach to your duties and perform such other suitable duties as may otherwise be allocated from time to time. You will be consulted about any significant changes to your position or duties before they take effect.

**Remuneration:** Your remuneration will be determined in accordance with the [award/ industrial instrument]. Your commencing rate of pay will be [insert rate from award/ industrial instrument].

**Reporting requirements:** You will be reporting directly to [position/ name of person] or otherwise as required by the employer.

**Compliance with NSW Health policies:** In accepting this position, you agree to support the NSW Health CORE values of collaboration, openness, respect and empowerment. In accepting this position, you agree to be bound by and comply with NSW Health Policy Directives, and any relevant local workplace procedures, as are in place, or issued, or amended from time to time, including but not limited to the NSW Health Code of Conduct.

**Confidentiality:** You will be bound by privacy legislation and ethical practice to maintain confidentiality.

**Intellectual property:** All intellectual property rights in any inventions, designs, works and subject matter created or discovered in the course of employment must be disclosed to the NSW Health organisation and will belong to and be the absolute property of the NSW Health organisation, or as may be nominated by the NSW Health organisation for that purpose, subject to and in accordance with NSW Health Policy Directives regarding intellectual property as may be issued and as may be amended from time to time.

**Secondary employment:** You will need to seek approval to undertake any secondary employment in line with the NSW Health Code of Conduct.

**Confirmation of acceptance and contact person:** Please confirm your acceptance online. Any questions may be directed to [insert details].

**Acceptance of offer:** I declare that the information I have provided as part of my application is genuine and acknowledge that any false claims or statements made in applying for this position may lead to my dismissal. I accept the conditions applicable to my appointment and the duties and responsibilities set out in the accompanying position description.

You may also need to include in the offer letter:

- arrangements which do not form part of the ongoing terms and conditions of employment (such as provision of a private use motor vehicle or managerial allowances)
- a statement about any identified visa requirements
- any specific conditions or Policy Directives that apply to the employment (such as conditions arising from a risk assessment)
- the requirement to maintain current registration, licences and checks (such as Working with Children Checks) that are required for the position
- a statement relating to private practice arrangements for staff specialist appointments
- a statement relating to conditional appointment pending satisfactory National Police Check clearance or Working with Children Check clearance, where relevant or pending confirmation of the NSW Health organisation's ability to provide reasonable adjustment
- details of any probation period, including probation review during and at the end of the period.

### 2.17.3. Setting probation periods

Unless specified by the award, a probation period of up to six months applies for new staff as well as to those re-entering the NSW Health Service after an absence of two or more years.

Probation periods **do not** apply to:

- existing NSW Health Service staff regardless of whether their new role is in the same NSW Health organisation or elsewhere in the NSW Health Service.
- trainee programs that already contain their own progress assessment processes (eg Junior Medical Officers).

A period of probation may be extended for such further period that the Chief Executive directs. However, the probation period cannot exceed 12-months.

People and Culture must advise the successful applicant that they will be subject to probation review during and at the end of the probation period.

For further guidance, see the Public Service Commission's [Performance Development Framework](#).

### 2.17.4. Accepting or declining an offer

**This section does not apply to staff specialist positions, see Module 2 ([Section 3](#)).**

Before they begin duty, the successful applicant must accept the offer and the related conditions online. No changes may be made to the conditions of employment.

If the successful applicant declines the offer and the panel has created an eligibility list, the highest-ranking person on the list may be offered the position once all mandatory outstanding referee checks and other validations are complete.

#### **2.17.5. Salary**

The salary on appointment will be based on previous service in the same classification in the NSW Health Service, and/ or may recognise such previous service in the health industry outside the NSW Health Service where deemed relevant by the employing NSW Health organisation.

### **2.18. Advise unsuccessful applicants**

#### **2.18.1. Notifying unsuccessful applicants**

**This section does not apply to staff specialists, see Module 2 ([Section 3](#)).**

Unsuccessful applicants must be advised in writing as soon as possible that their application was not successful. This can occur either:

1. as soon as the selection panel determines that an applicant will not proceed to the next stage of the process, **or**
2. at the end of the entire recruitment process.

The NSW Health Service encourages applicants to seek feedback on their application. The advice must include contact details (usually the convenor's) in case an applicant wishes to seek feedback on why their application was unsuccessful. The letter may also include brief written feedback to applicants, particularly if a large volume of requests is likely and it is not practical to provide direct feedback to individual applicants.

Other than for bulk recruitment, unsuccessful applicants are entitled to seek and receive information about the identity of the successful applicant once the offer of employment has been accepted and the appointment can be made public.

If the unsuccessful applicant has been placed on an eligibility list, notify the applicant:

- that they have been placed on an eligibility list
- the period of time the eligibility list will remain current (usually 18-months from date of approval of the list, unless otherwise provided by the relevant award)
- the option to be placed into a NSW Health recruitment pool, if they wish to be considered for other similar positions across the NSW Health Service at the same level and same occupational stream.

#### **2.18.2. Providing feedback**

If an unsuccessful applicant seeks feedback, a panel member (usually the convenor) must provide this feedback and record the feedback in ROB.

Feedback must:

- address information the panel used to make a decision about the applicant

- take account of all applicable stages of the process including the written application, further assessments, interview performance and referee feedback
- be provided in a constructive and useful way.

Constructive and useful feedback is important to establish a good relationship with potentially successful future applicants. It also minimises the likelihood of complaints or requests for selection records under the [Government Information \(Public Access\) Act 2009](#) (NSW) [GIPA Act].

## 2.19. Manage records

**This section does not apply to recruiting staff specialists, see Module 2 ([Section 3](#)).**

Information must be retained in line with the requirements for government records (see [Appendix 9](#)).

Certain information and documentation must also be placed on the successful applicant's ROB record. Recruitment and selection records collected in ROB are retained in the system indefinitely to allow for a broad range of reporting over different periods. Existing applicant information may also be used in subsequent recruitment processes.

In accordance with the [Privacy and Personal Information Protection Act 1998](#) (NSW) selection panels and all other staff involved in managing the recruitment and selection process must treat all personal information confidentially. All personal records must be securely stored.

## 2.20. Manage complaints (internal review)

An applicant may make a complaint during the selection process. Complaints are to be assessed promptly to determine whether a detailed review is required before the process can continue.

Unsuccessful applicants also have the right to seek an internal review of the process used to make a recruitment decision. For all recruitment, other than bulk recruitment, the applicant must lodge their complaint about the selection process in writing within 14-days of the date they were advised they were unsuccessful. However, if the applicant submits a request outside this timeframe, and the request seems fair and justified, the NSW Health organisation may accept it at their discretion.

The applicant should clearly articulate in writing, their specific concerns in relation to the process and specify where they believe it has departed from the requirements outlined in the relevant NSW Health policy.

Someone independent from the selection process must initially assess the complaint. If they believe there could be a breach of NSW Health policy, a more detailed review may be conducted.

If the review finds that the substantive validity of the recommendation is flawed, the panel's recommendation may be overturned and a new process instigated.

If there is a change in the recommended applicant, all procedures must be followed in line with this Policy Directive before offering employment.

## 2.21. Set commencement date

As soon as the successful applicant has accepted their appointment, People and Culture must begin the onboarding process in ROB. This will help ensure salary payment, access to facilities and induction activities occur on time.

Onboarding must proceed for frontline positions even if there are no current vacancies in the relevant orientation program, onboarding can still proceed unless attendance at the orientation is absolutely necessary.

In certain emergency situations, the applicant may start work provisionally before the criminal record checking process is finalised, provided the relevant provisions in the NSW Health Policy Directive *Working with Children Checks and Police Checks* ([PD2019\\_003](#)) have been met.

If the NSW Health organisation has made a conditional offer before an applicant has secured permanent or temporary Australian residency, (such as in an overseas recruitment campaigns), People and Culture must check the applicant's residency status before they start employment.

As part of the general induction, the manager of the new staff member must begin initial performance discussions and develop a performance agreement in line with NSW Health Policy Directive *Managing for Performance* ([PD2016\\_040](#)).

## 3. STAFF SPECIALIST REQUIREMENTS (MODULE 2)

### 3.1. About Module 2

Module 2 outlines the additional, modified or differing requirements that apply to:

- recruiting and selecting staff specialists and clinical academics (excluding Post Graduate Fellows) and
- determining their clinical privileges and scope of clinical practice.

For minimum mandatory requirements that apply to all recruitment and selection for employment in the NSW Health Service, including staff specialists and Post Graduate Fellows, refer to Module 1 ([Section 2.](#)).

### 3.2. Recruiting and selecting staff specialists (additional requirements)

#### 3.2.1. Identify vacancy

Refer to Module 1 ([Section 2.](#)) for minimum mandatory requirements.

#### 3.2.2. Review and update position description

Refer to Module 1 ([Section 2.](#)) for minimum mandatory requirements.

### **3.2.3. Determine essential requirements**

Refer to Module 1 ([Section 2.](#)) for minimum mandatory requirements.

### **3.2.4. Determine the appropriate option to fill the position**

Refer to Module 1 ([Section 2.](#)) for minimum mandatory requirements.

### **3.2.5. Advertise the position**

Refer to Module 1 ([Section 2.](#)) for mandatory minimum requirements.

#### ***Additional advertising requirements***

NSW Health organisations may employ temporary staff specialists without advertising if:

- employment does not exceed 3-months **and**
- the qualifications and experience of the staff specialist are determined to be suitable to the circumstances **and**
- appropriate clinical privileges and scope of clinical practice are determined **and**
- mandatory employment checking and verification occurs.

The exercising of the delegation to employ temporarily is subject to the advice of the Medical and Dental Appointments Advisory Committee (MDAAC) if the advice or recommendation of MDAAC is required (refer to the relevant model or local by-laws).

Applications for permanent staff specialist positions, or for temporary positions over 3-months, must be submitted in writing then referred to the MDAAC, and in turn to a Credentials (Clinical Privileges) Subcommittee.

### **3.2.6. Provide information to applicants**

Refer to Module 1 ([Section 2.](#)) for mandatory minimum requirements.

#### ***Additional information requirements***

To ensure applicants are aware of the conditions which relate to their employment, NSW Health organisations must also provide participants with information on the facility's role delineation.

Information provided to staff specialist and clinical academic positions must include the requirement for the applicant to provide:

- a statement setting out what employment and clinical privileges and scope of clinical practice they hold at any NSW Health organisation or other health service provider
- a statement setting out the clinical privileges and scope of clinical practice they now seek
- an authority to allow the MDAAC to obtain information about the applicant's past performance as a medical practitioner

- a statement regarding any current disciplinary proceedings.

### **3.2.7. Establish the selection panel**

Refer to Module 1 ([Section 2.](#)) for mandatory minimum requirements.

#### ***Additional requirements***

The MDAAC usually establishes an interview subcommittee to manage the selection process for staff specialists. The composition of the interview subcommittee will vary depending on the scope and nature of the position to be filled.

The interview subcommittee must include people with enough knowledge and understanding of the needs of the facility or facilities to which the proposed appointment relates. The interview subcommittee could include:

- a manager from the NSW Health organisation or facility
- an independent from another NSW Health organisation (or, if unable to identify a suitable person, a person independent of the facility or the reporting structure within which the position is placed)
- a representative from the relevant clinical department
- a representative from the speciality or sub-specialty in which the clinical privileges and scope of clinical practice is sought
- a representative from the Medical Staff Council.

When recruiting staff specialists, the convenor is responsible for ensuring that:

- the selection process meets all relevant requirements as outlined in this Policy Directive
- the required sign-off occurs, confirming all critical actions have taken place, before the successful applicant begins work.

### **3.2.8. Shortlist applicants**

Refer to Module 1 ([Section 2.](#)) for mandatory minimum requirements.

#### ***Additional requirements – clinical privileges and scope of clinical practice***

When recruiting staff specialists, the recruitment and selection process must include:

- establishment of a subcommittee to consider written applications and shortlist applicants for further assessment
- further assessment of an applicant's suitability, usually via an interview process
- completion of all mandatory checks and verifications
- confirmation of the clinical privileges and scope of clinical practice

- a recommendation to the chairperson of the MDAAC who then makes a recommendation to the decision maker.

The selection panel must:

- determine clinical privileges and scope of clinical practice of a staff specialist
- assess the staff specialist's ability to provide defined clinical services
- match the assessed ability with the role delineation of the relevant facility as well as the staffing, facilities, equipment and support services available at that facility.

The panel must submit the applicant's determined clinical privileges and scope of clinical practice to the Australian Health Practitioner Regulation Agency (Aphra) for assessment.

The relevant by-laws of the NSW Health organisation set out the functions and composition of the subcommittee. Its membership must include a medical practitioner from the relevant speciality or sub-speciality.

The clinical privileges and scope of clinical practice of a staff specialist must be determined as part of the recruitment and selection process. The staff specialist's ability to provide defined clinical services must be assessed and matched with the role delineation of the relevant facility, and the staffing, facilities, equipment and support services available at that facility.

The Credentials (Clinical Privileges) Subcommittee must therefore consider:

- the delineated role of the facility or facilities
- the clinical privileges and scope of clinical practice currently granted for the applicant in any other facility or facilities, and
- the position description, application, curriculum vitae and all other information submitted in support of the application.

The chairperson of the Credentials (Clinical Privileges) Subcommittee must sign off critical action items 2.1 and 2.2 of [Appendix 8](#).

For temporary appointments, interim clinical privileges and scope of clinical practice must be:

- determined by the Credentials (Clinical Privileges) Subcommittee in consultation with a medical practitioner from the relevant specialty or sub-specialty, and
- approved by the Chief Executive or authorised decision maker.

For further information, see the NSW Health Policy Directive *Credentialing & Delineating Clinical Privileges for Senior Medical Practitioners & Senior Dentists* ([PD2019 056](#)).

### ***Additional requirements – Area of Need applicants***

The process for determining the clinical privileges and scope of clinical practice for Area of Need positions is the same as for permanent appointments. However, there is a difference in the registration of such applicants.

For Area of Need positions, the applicant's clinical competence and/ or medical knowledge must be assessed. If there is a restriction on practitioners working in Area of Need positions, these must be regularly assessed and monitored by the NSW Health organisation.

The revised recommendation report template will also not be available for Area of Need appointments. The selection panel must document any disagreement in a minority report provided to the decision maker before continuing with the selection process.

### 3.2.9. Assess applicants

Refer to Module 1 ([Section 2.](#)) for minimum mandatory requirements.

#### *Additional ID and documentation requirements for specialist positions*

In addition to sighting of identification, the selection panel must:

- sight evidence of current professional registration and licence status, or eligibility for membership of the relevant state or national professional association, where applicable
- confirm current professional registration, licence and membership status directly with the registering or licensing authority
- sight original documents confirming any educational, trade or professional qualifications or any educational requirements for the position (such as acceptance into a recognised training program) listed as essential requirements
- copy original educational documents and have them certified by the person who sighted them, then retain the documents.

It is not necessary to sight qualifications used to gain registration, as this role is undertaken by the registering authority. If original tertiary qualifications (such as professional, academic or vocational) are unavailable, academic transcripts certified by the educational institution and including a statement that all requirements of the relevant course have been met are acceptable.

For overseas qualifications in a language other than English, where the original qualification is not available, the applicant must provide a transcript translated into English. The translation must be by an officially accepted state or commonwealth body, and certified as such (see [Multicultural NSW](#) or [Department of Home Affairs](#)).

The selection panel must confirm:

- evidence of length of experience, if experience is listed as an essential criterion (usually verified through referee checking)
- for child related work, the applicant's Working with Children Check number (if not already provided and if not subject to any exemptions, refer to the NSW Health Policy Directive *Working with Children Checks and Other Police Checks* ([PD2019 003](#)))
- evidence of relevant characteristics for identified or targeted positions ([Anti-Discrimination Act 1977](#) (NSW)) or eligible persons [*Government Sector Employment*

(*General Rules 2014* (NSW) Rule 26 (*GSE Rule 26*)), such as citing of Aboriginality (see [Section 5.4.5.](#))

- evidence of the required immunisation status (such as sighting and copying the NSW Health Vaccination Record Card, or collecting a New Recruit Undertaking/ Declaration Form and Tuberculosis (TB) Assessment Tool.

At the interview, the selection panel must also obtain:

- signed NSW Health National Police Check consent form (with details checked against the applicant's identification)
- for positions in aged care, the signed Commonwealth Aged Care Statutory Declaration
- signed Health Declaration Form (collected at interview but considered only if the panel decides to offer the applicant a position)
- signed standard consent for employment related checks, where required
- signed Authority to Prescribe, Supply, Dispense or Administer Prescribed Restricted Substances/ Drugs of Addiction Form, where required.

In addition, the convenor must:

- confirm details of 2 referees, one of whom is a current supervisor or manager
- sight and check medical indemnity cover, where required
- confirm eligibility to practice as a specialist or general practitioner, as relevant.

### **3.2.10. Identify preferred applicant**

See Module 1 ([Section 2.](#)) for minimum mandatory requirements.

### **3.2.11. Complete mandatory checks**

See Module 1 ([Section 2.](#)) for minimum mandatory requirements.

In staff specialist recruitment, any outstanding checks and verifications are usually completed before the panel makes a recommendation. All mandatory checks and verifications must be completed before offering employment.

#### ***Additional verification requirements***

#### ***Critical Actions Compliance Declaration***

The convenor (or delegated authority for temporary employment), the Chair of the Credentials Subcommittee, the Chair of MDAAC and the authorised decision maker must complete the relevant sections of the Critical Actions Compliance Declaration (see [Appendix 8.](#)).

If the selection panel is concerned about a complaint that has recently been made, they must contact the Health Care Complaints Commission (HCCC) at a minimum.

The panel must assess any conditions on registration status imposed under the Health Practitioner Regulation National Law, and also any restrictions on authority imposed under the NSW Poisons and Therapeutic Goods legislation to possess, supply, administer or prescribe Schedule 8, or Schedule 4 Appendix D medicines.

The assessment of registration status is important to:

- determine the ability of the applicant to undertake the duties of the position, and
- the ability of the NSW Health organisation to accommodate the conditions (such as provide the necessary supervision).

If an applicant has declared a restriction on their authority to prescribe, supply, dispense or administer substances listed in Schedule 4(D) and/ or Schedule 8 of the Poisons List proclaimed under the *Poisons and Therapeutic Goods Act 1966* (NSW), but these are not reflected in their registration conditions, the selection panel must clarify the nature of the restrictions. To clarify any restrictions, contact the NSW Ministry of Health's [Pharmaceutical Regulatory Unit](#).

If the successful applicant is going to rotate across facilities, each individual facility must be made aware of the conditions and the facility's ability to accommodate them assessed.

See also the NSW Health policy on medical practitioners' compliance with registration conditions, NSW Health Policy Directive *Monitoring and Managing Health Practitioners' Compliance with Conditions on Registration* ([PD2022\\_003](#)).

When making checks with the HCCC or the registration authority, the selection panel must also seek information about:

- whether there is any pending disciplinary action involving the applicant, and
- the outcomes of any formal disciplinary investigations.

The panel must complete a risk assessment if the applicant has previous substantiated allegations, or disciplinary action is pending. If the risk assessment determines that the risk posed to the NSW Health organisation is significant, this information must be used as part of the decision making process and the risk assessment provided to the decision maker.

### ***Temporary employment under one week***

For temporary appointments not exceeding one week, the Chief Executive or authorised decision maker must verify before the successful applicant begins duties that:

- the 100-point Identification Check has been completed and citizen, residency or visa status is confirmed
- a National Police Check has been undertaken, and where required, a risk assessment completed
- a Working with Children Check clearance has been verified with the Office of the Children's Guardian (unless an exemption applies)
- registration status has been confirmed directly with the Australian Health Practitioners Regulation Agency (Ahpra), and any practice conditions identified
- evidence of medical indemnity cover has been sighted, where required

- at least one referee check has been conducted
- a check against the NSW Health Service Check Register has been carried out, and where necessary a risk assessment has been completed
- a specialist in the relevant specialty was involved in determining the scope of practice.

For further guidance refer to the NSW Health Policy Directive *Working with Children Checks and Other Police Checks* ([PD2019 003](#)).

Section 1.1 to 1.9 of the Critical Actions Compliance Declaration (see [Appendix 8.](#)) must be completed and signed by the Chief Executive or authorised decision maker.

Where an appointment originally planned for one week only is subsequently extended beyond one week, Section 1.1 to 1.14 of the Critical Actions Compliance Declaration must be completed by the authorised decision maker.

Other than criminal record checks, initial checks do not need to be repeated for further temporary employment (beyond one week) of someone who has already undergone the mandatory checks as part of the previous temporary employment, **unless** there is:

- a gap of more than 3-months between the two temporary periods
- reason to suggest that any relevant circumstances of the individual have changed.

### ***Emergency situations***

In a genuine emergency it may be possible for a suitable applicant to begin work before all the mandatory checks have been completed.

If the NSW Health organisation has verified the applicant's identity and registration status, but it is not possible to check the referee of a current employer, the matter must be escalated to the Chief Executive. The Chief Executive has the authority to approve the appointment at their discretion.

The referee check must then be completed as soon as possible, and the appropriateness of the appointment confirmed and documented.

For further guidance refer to the NSW Health Policy Directive *Working with Children Checks and Other Police Checks* ([PD2019 003](#)).

### **3.2.12. Preparing the Recommendation Report**

Once all necessary verification activities and referee checks have been undertaken and assessed, the clinical privileges and scope of clinical practice determined, and the preferred applicant(s) confirmed, the Interview Subcommittee and the Credentials (Clinical Privileges) Subcommittee must provide a report to the Chairperson of MDAAC identifying:

- those involved in making the recommendations
- material available to those making the recommendations
- the final recommendations and the basis on which they were made.

As part of this process the panel must provide on request by MDAAC:

- the number of positions advertised

- the number of applicants for each position
- the position description, advertisement and essential requirements
- all applications
- outcomes of the verification activities for the recommended applicants (such as referee reports)
- the proposed clinical privileges and scope of clinical practice.

The Chairperson of MDAAC must:

- make a recommendation to the Chief Executive or the delegated decision maker on the preferred applicant(s) and on any eligibility list created
- complete the relevant sections of Critical Actions Compliance Declaration (see [Appendix 8.](#)).
- confirm that the required critical actions have been undertaken.

If the selection panel is unable to reach a unanimous decision, the convenor is responsible for determining the final recommendation and document any differing views in the recommendation report in the Recruitment and Onboarding System (ROB). This information may include alternative recommendations, where appropriate.

### 3.3. Employment

#### 3.3.1. Appointment of staff specialists

##### *Determining employment terms and conditions*

Staff specialists are employed as staff of the NSW Health Service. Their employment terms and conditions must be consistent with the provisions of the [Staff Specialists \(State\) Award](#) and the [Staff Specialists Determination](#). Any non-standard terms and conditions must be approved by the NSW Ministry of Health. Any variation to remuneration or conditions, must be approved by the Secretary.

##### *Providing employment documentation*

Refer to Module 1 ([Section 2.](#)) for minimum requirements.

##### *Additional requirements*

The formal offer of employment must make it clear that:

- Any arrangements which do not form part of the ongoing terms and conditions of employment are not ongoing entitlements.
- Employment is conditional on satisfactory national criminal record and/or working with children checks.
- They must be available and readily contactable for reasonable on call and recall outside their normal duties, and be able and prepared to attend the facility within a reasonable time.

The letter must also include a condition that staff specialists inform their employer if they receive:

- a notification of a matter with the NSW Health Care Complaints Commission or the Medical Board of Australia
- the imposition of orders or conditions affecting their registration
- any restrictions on clinical privileges or practice imposed by another health care organisation.

All offers of staff specialist employment must exclude any collateral agreements or undertakings that have not been set in writing.

The successful applicant must sign the letter of employment as evidence of their acceptance of the terms of employment.

### **3.3.2. Employment arrangements**

Staff specialists may be employed in a part-time or full-time capacity. Part-time staff specialists must complete a written part-time arrangement as provided for in the award.

A staff specialist is required to elect a private practice level arrangement, consistent with the provisions of the Staff Specialist Determination (as amended from time to time).

Remuneration arrangements will be affected by which level is chosen.

Staff specialists are usually appointed at the year 1 grade and progress to the next incremental step on the anniversary date of their appointment.

Part-time staff specialists progress to the next incremental step at the completion of the equivalent of a full-time year. The exception to this is if they provide evidence of outside practice that is acceptable to the NSW Health organisation for progression to a higher grade.

If the staff specialist has the skills, experience and performance required, the NSW Health organisation may make an initial appointment at a higher level or the staff specialist may accelerate progression through the steps.

#### ***Professional indemnity insurance for staff specialists***

A person is not entitled to practice in NSW as a medical practitioner unless covered by approved professional indemnity insurance. While this requirement does not apply to a medical practitioner who is an employee of a NSW Health organisation it does have application in relation to the exercising by staff specialists of their rights of private practice, as follows:

**Level 1** staff specialists (such as those who have elected to assign the proceeds of their private practice to the employer) are indemnified through the Treasury Managed Fund against liability for acts or omissions committed in the course of treating private patients subject to certain conditions (such as that serious and wilful misconduct is not involved).

**Level 2 to 5** staff specialists must arrange for their own indemnity cover in respect of private patients who are treated pursuant to the rights of private practice arrangements. However, the costs of obtaining medical indemnity insurance cover, relating to the exercise of rights of private practice only, are able to be reimbursed from the No 1 Account.

In addition, Level 2 to 5 staff specialists who treat private patients in rural public hospitals or who treat private paediatric patients in public hospitals are entitled to sign a contract of liability coverage with the NSW Health organisation to provide indemnity coverage in respect of services provided to such patients.

See the NSW Health Policy Directive *Staff Specialist Rights of Private Practice Arrangements* ([PD2017\\_002](#)).

### 3.3.3. Appointment of clinical academics

A medical practitioner who is employed as a member of staff of a university's school of medicine and provides clinical and associated administrative services for public patients in public hospitals for more than 8-hours a week on average (except where on approved leave) may be offered secondary employment as a clinical academic within the NSW Health Service, in addition to their primary employment with a university.

The NSW Health organisation should approve any proposal to create an academic position where appointment as a clinical academic working in the NSW Health is contemplated. The NSW Health organisation should discuss with the university how the clinical skills and the non-clinical responsibilities of a proposed clinical academic appointment relate to the clinical needs and priorities of the NSW Health organisation.

The clinical role envisaged for a proposed university position must be agreed in writing between the NSW Health organisation and the university.

Any offer of employment as a clinical academic within a NSW Health organisation is at the discretion of the Chief Executive or delegate.

For further information refer to the NSW Health Policy Directive *Clinical Academics Employed in the NSW Health Service* ([PD2019\\_055](#)).

## 4. JUNIOR MEDICAL OFFICER RECRUITMENT (MODULE 3)

### 4.1. About Module 3

This module sets out the additional or differing requirements for recruiting junior medical officers (JMOs) to positions in the NSW Health Service.

This section is to be read in conjunction with Module 1 ([Section 2.](#)) and the *HealthShare JMO Recruitment Business Process* (the Business Process).

### 4.2. Recruitment Standards

#### 4.2.1. Role of the Delegated Authorising Officer

Local health districts (districts) and specialty health networks (networks) are to nominate a Delegated Authorising Officer (DAO) and Associate DAO(s) who will be responsible for:

- approving JMO positions to be advertised
- approving appointments before preliminary offers are sent to the successful applicant

- communicating recruitment updates to relevant staff in their districts and networks
- working with recruitment staff to ensure they are adequately resourced
- ensuring all relevant policies are followed, and
- ensuring recruitment staff attend relevant training.

The Associate DAO(s) will perform these tasks if the DAO is not able to for any reason.

For state-wide centralised recruitment and network positions, one delegate is to approve the recruitment action on behalf of all organisations involved.

### **4.3. Identifying and managing vacancies**

For campaign recruitment timeframes refer to the Business Process.

#### **4.3.1. College appointments**

JMOs in some vocational training programs are recommended to facilities/ positions by the relevant medical specialty college. However, the final decision to appoint the recommended trainee remains with the employer. The recommended college trainee must provide the documentation required [in Appendix 6](#).

Special provisions outside this Policy Directive apply to this group of appointees. Refer to the Business Process for further information on the appointments to which this section applies and the applicable processes.

#### **4.3.2. Appoint from the eligibility list**

Candidates may be appointed from an eligibility list for the same or a similar position. Such offers of employment must be made to candidates in the order they appear on the list (for example, from highest ranked to lowest ranked candidates).

The candidate offered a position from the eligibility list must meet the mandatory verifications required under this Policy Directive.

### **4.4. Information sessions for candidates**

Districts and networks and/ or medical specialties are encouraged to hold formal information sessions for prospective applicants. This may be done in person or remotely via video conference/ weblink. The information provided at these sessions must be made available for access to prospective applicants who were unable to attend.

Refer to the Business Process for further information.

Prospective applicants are not to be invited to one-on-one meetings with convenors, panel members or senior clinicians to determine their eligibility for a role. An applicant's capabilities and suitability for a position are to be determined through the formal recruitment processes set out in this Policy Directive.

### **4.5. Advertising requirements**

Positions that require advertising must be submitted via the Recruitment and Onboarding

System (ROB).

For campaign recruitment, the NSW Ministry of Health will publish the dates for advertising and when preliminary offers may be sent out.

During the campaign, advertising for ad hoc recruitment may take place only for roles with a contract end date the same as the end of the current [clinical year](#).

Ad hoc roles shall have a contract end date to the end of the current clinical year. If the vacancy is considered a 'hard to fill' position, the district/ network Director of Medical Services may approve a contract to the end of the next clinical year.

If appointing a skilled overseas worker to a position, evidence of additional advertising or labour market testing may need to be provided to the [Department of Home Affairs](#) to satisfy visa eligibility requirements.

#### **4.6. Information to be provided to applicants**

The information to be provided to applicants is detailed in [Section 2.7](#).

#### **4.7. Contract lengths**

For campaign recruitment, the NSW Ministry of Health will advise districts and networks of the agreed position titles and contract lengths prior to the start of the campaign.

##### **4.7.1. Contract extensions**

The district/ network Chief Executive/ delegate may approve a contract extension for a JMO returning from a period of unavoidable leave, after considering the individual circumstances of the case. The contract may be extended by no more than the duration of the leave (or the pro-rata equivalent for those returning part-time) and a contract may only be extended once. Contract extensions may not include any re-grading or change to the role but may include reduced hours.

For JMOs returning to a full-time position, the contract may be extended for no more than 12-months. The new contract end date must not extend past the current clinical year.

Extensions for JMOs returning at part-time hours may be longer than 12-months.

Contract extensions are not to be granted as a way of avoiding advertising the position, even if the position is hard to fill. JMOs in a training program who do not complete the training requirements during their existing contract are not eligible for a contract extension solely to complete these requirements and must reapply for a position.

For information on how to progress contract extensions refer to the Business Process.

##### **4.7.2. College recommended trainees**

A college will advise the employer of approved training extensions to ensure trainees meet their training requirements.

For information on how to progress college contract extensions refer to the Business Process.

## 4.8. Selection Standards

### 4.8.1. Application management

Refer to Module 1 ([Section 2.](#)) for minimum mandatory requirements.

### 4.8.2. Selection Panels

Refer to Module 1 ([Section 2.](#)) for minimum mandatory requirements.

#### *Selection panel composition*

Refer to Module 1 ([Section 2.](#)) for minimum mandatory requirements.

For networked positions, one or more delegated panel member(s) will undertake the responsibility for panel composition on behalf of the network.

#### *State-wide centralised recruitment panels*

A specialty representative may liaise with the NSW Ministry of Health to establish a centralised panel. If approved, the Ministry of Health will confirm the specialty details, position type and contract length.

The centralised panel must meet the requirements in Section 2.7. For information on how to manage a state-wide centralised panel and the eligibility checklist, refer to the Business Process.

#### *Role of the convenor/ independent*

Refer to Module 1 ([Section 2.](#)) for minimum mandatory requirements.

### 4.8.3. Selection process

The selection process for JMOs to the NSW Health Service is consistent with the selection processes outlined in Module 1 ([Section 2.](#)).

#### *The initial cull*

The initial cull must involve the review of the applicant's curriculum vitae and their online application against the essential requirements and/ or targeted questions for the position.

Where many applicants meet the essential requirements, panel members may conduct a further comparative assessment on relevant factors including:

- identifying the candidates who best meet the essential requirements
- workforce needs, such as an applicant's ability to commence work
- training requirements, including the need for supervision.

The panel members should agree on the applicants to be culled but if a consensus cannot be reached, the convenor may make the final decision.

#### *Further assessment of shortlisted applicants*

Refer to Module 1 ([Section 2.](#)) for minimum mandatory requirements.

### *Formal interviews*

Refer to Module 1 ([Section 2.](#)) for minimum mandatory requirements.

For campaign positions, offers for the position (verbal or written) may not be made at interview. Applicants may not be asked to accept a position at interview or whether they intend to accept a position if it is offered in the future.

The following should not be discussed with a prospective applicant, or form part of any decision on employment:

- marital status, plans for children, child/ carer responsibilities, sexuality, age or religion
- plans for maternity/ adoption /parental leave or flexible work practices
- the applicant and/ or employer's order of preferences for facilities/ networks within the specialty
- other applicants who have applied to the specialty/ network.

#### **4.8.4. Eligibility lists**

Information on eligibility lists and how to create them is covered in Module 1 ([Section 2.](#)).

Reference checks must be undertaken before an applicant is added to the eligibility list.

Eligibility lists are current for up to 18-months from date of approval, unless otherwise provided by the relevant award.

#### **4.8.5. Reference checks**

Prior to finalising a recommendation and eligibility list, at least two reference checks must be conducted on preferred applicant(s). The convenor/ panel member may contact a referee to ask follow up questions, if needed.

The reference will remain valid until the start of the next campaign period.

For campaign recruitment, reference checks must be completed and reviewed prior to the recommendation being made. For ad hoc recruitment, reference checks may only commence once the interviews are complete.

Refer to the Business Process for more information on reference checks, including college reference checks.

#### **4.8.6. Make recommendations**

##### *Recommendation report*

After completing referee checks, the panel must complete the recommendation report. All panel members must be able to review the recommendation report and add comments and documentation, if required. Any conflicts of interest and how they were managed must also be included in the comments. The recommendation may then be submitted to the DAO for approval.

Residency status may be used to determine who can be recommended (refer to Module 1 ([Section 2.](#)) for minimum mandatory requirements).

### *Minority reports*

If a selection panel is not able to reach a unanimous decision, the dissenting panel member(s) should prepare a minority report. The report will detail areas of disagreement, conflicts of interest and provide an alternative recommendation, where appropriate. The minority report is to be submitted to the DAO along with the selection panel's final report.

### *Approving the recommendation*

Refer to Module 1 ([Section 2.](#)) for minimum mandatory requirements.

### *Approving the recommendation*

Refer to Module 1 ([Section 2.](#)) for minimum mandatory requirements.

For campaign recruitment, the employer must conduct a health assessment before the applicant can be onboarded to StaffLink.

## **4.8.7. Australian citizenship/ residency considerations**

Refer to Module 1 ([Section 2.](#)) for minimum mandatory requirements.

## **4.8.8. Preference matching**

Preference matching involves the applicant ranking the facilities or networks in order of preference.

After interviews are completed, the selection panel of each participating facility or network ranks the eligible applicants. The applicants are then matched against a facility or network. Applicants are to only receive one offer of employment for each of their preference match groups.

Unmatched applicants on a facility or network eligibility list can receive subsequent offers for positions not filled.

ROB will not disclose the preferences of either the applicant or selection panel to the other party. An applicant must not be asked to reveal how they have directed their preferences. Preferences must not be used for culling or selecting applicants.

Further information on preference matching can be found in the Business Process.

## **4.9. Appointment standards**

### **4.9.1. Make the job offer**

For ad hoc positions, an offer of employment may be made once it is approved by the DAO and the employment checks are completed. If the emergency appointment provisions in the NSW Health Policy Directive *Working with Children Checks and Other Police Checks* ([PD2019 003](#)) need to be activated due to an incomplete National Police Check (NPC) consent form and/ or the Working with Children Check (WWCC), a provisional offer can be made subject to meeting the requirements of that Policy Directive.

### *Preliminary email offers*

For campaign recruitment, verbal offers must not be made to applicants. After all applicants have been interviewed and the panel has agreed to the outcomes, a system generated email will be sent to applicants from ROB notifying them of a preliminary offer of a position, or if they have been placed on an eligibility list.

The DAO must approve the recommended and eligibility listed applicants before any such notifications are made.

The preliminary offer includes a clear statement that the offer is conditional upon the candidate passing all employment checks. Once accepted, this forms part of the employment contract.

An applicant has 48-hours from the date of the email offer to accept or decline a position. If needed, the applicant may ask for an extension, which may be granted at the discretion of the employer.

The employer must make reasonable attempts to contact the applicant if they have not responded to a preliminary offer within 48-hours. If the applicant cannot be contacted after reasonable attempts have been made, the offer may be withdrawn. This process is detailed in the Business Process.

The applicant may only accept offers of employment up to the equivalent of one full-time position.

### *Employment documentation*

Refer to Module 1 ([Section 2.](#)) for minimum mandatory requirements.

### *Where an offer is declined*

Refer to Module 1 ([Section 2.](#)) for minimum mandatory requirements.

### *Advise unsuccessful applicants*

Refer to Module 1 ([Section 2.](#)) for minimum mandatory requirements.

### *Post selection feedback*

Refer to Module 1 ([Section 2.](#)) for minimum mandatory requirements.

### *Retention of records*

Refer to Module 1 ([Section 2.](#)) for minimum mandatory requirements.

## **4.10. Complaint Management**

### **4.10.1. Internal review**

Unsuccessful applicants may request an internal review of the recruitment process and decision once convenor feedback has been provided, in line with Module 1 ([Section 2.](#)).

Complaints are to be lodged in writing to the DAO within 14-days of the date the applicant was notified of the outcome, but this may be extended at the discretion of the DAO. The

complaint should detail where the process has not followed the correct policy or procedure.

The initial review is to be conducted as soon as reasonably practicable by a person not involved in the recruitment process.

If the initial review finds evidence that a relevant policy or procedure was not followed, a more detailed review is to take place by a person not involved in the recruitment process. If the detailed review finds that the relevant policy or procedure was not sufficiently followed, a recommendation may be made to the DAO to consider a different outcome for the applicant.

The DAO will review the recommendation and notify the convenor and the applicant of their decision as soon as reasonably practicable.

The convenor will implement the amended outcome accordingly.

The review and decision-making process must be clearly documented.

#### **4.10.2. Commencing work**

Refer to Module 1 ([Section 2.](#)) for minimum mandatory requirements.

For campaign recruitment, onboarding via ROB can begin when the offer has been accepted and the employment checks are complete.

## **5. APPENDICES**

1. Filling casual or temporary positions under 13 weeks
2. Timeframe for standard recruitment and selection processes
3. Options for filling vacancies in the NSW Health Service
4. Recruiting Aboriginal people into the NSW Health Service
5. Recruiting people with a disability into the NSW Health Service
6. Mandatory checks and verifications
7. Pre-employment health assessments
8. Critical Actions Compliance Declaration
9. Retention of recruitment and selection records

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## 5.1. **Appendix 1: Filling casual or temporary positions under 13-weeks**

If a manager identifies a vacancy in their area, they must first assess the need for filling the position. Once the need is identified, the manager must:

1. Review position information to ensure it is still current and can be used as an accurate basis to assess suitability of potential candidates.
2. Review options for filling the vacancy (see [Appendix 3.](#))
3. Request and assess information from potential candidate(s) against position information to ensure their ability to undertake the duties of the position.
4. Undertake reference checking, including with a current supervisor.
5. Undertake or confirm as current all mandatory checks and verifications required for the position (see [Appendix 6.](#))
6. Assess outcomes of verifications and employment checks and initiate risk management action as appropriate.
7. Seek appropriate approval for appointment.
8. Make the job offer.
9. If accepted, ensure all recruitment and selection documentation is retained (see [Appendix 9.](#)).

When engaging locum medical officers through a locum agency, refer to the NSW Health Policy *Directive Employment and Management of Locum Medical Officers by NSW Public Health Organisations* ([PD2019 006](#)).

For guidance on recruitment and selection of casual or temporary staff specialist positions see Module 2 ([Section 3.](#)).

## 5.2. Appendix 2: Timeframe for standard recruitment and selection processes

This process must commence as soon as the manager becomes aware of pending vacancy.

Timeline may vary for recruitment campaigns, walk-in applications or where formal job evaluation is required. For established positions, especially front-line positions, time from when approval is sought to fill the vacancy to the offer of employment should be a maximum of 40 business days. Medical positions where delineation of the scope of practice is required may necessarily take longer.

	Approval to fill	Position information – Fill options	Advertising – Panel	Cull	Assessments – Recommendations	Checks	Off-boarding
	⇒	⇒	⇒	⇒	⇒	⇒	⇒
	5-days	5-days	10-days	5-days	5-days	5-days	5-days
<b>Action</b>	Review ongoing need for the position and the appropriateness of its classification and grading.  Seek approval to fill the position.  Approval to be granted in no longer than 10-days.	Review position/ role description and essential requirements, identify any minor variations needed and update as necessary.  Explore redeployment, eligibility lists, and other options for filling the vacancy (see <a href="#">Appendix 3</a> ).  Prepare advertisement and any additional job	Advertisement appears/ closes.  Confirm selection panel membership.  Provide panel members (including externals) with appropriate temporary access to the recruitment system.	Provide panel members with access to all applications.  Conduct cull and agree on shortlist.  Schedule assessments, including interviews.	Conduct further assessments including interviews.  Determine preferred applicant(s) and eligibility list (e-list)  Conduct referee checks on the preferred applicant(s).  Prepare and sign off Recommendation Report.	Conduct all mandatory checks and verifications required for the position.  Assess outcomes of checks and verifications and take any required appropriate risk management action.	Make the job offer(s).  Advise unsuccessful applicants, if not already done.  Finalise record keeping.  Commence onboarding activities online.

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		information, and place on the NSW Health Career Portal.					
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	Approval to fill	Position information – Fill options	Advertising – Panel	Cull	Assessments – Recommendations	Checks	Off-boarding
	⇒	⇒	⇒	⇒	⇒	⇒	⇒
<b>Strategies to speed up action</b>	<p>Use standard state-wide position/ role descriptions in the PD library.</p> <p>If a standard state-wide PD does not exist, use an existing PD from your organisation (PDs are anchored to groups of jobs), copy and edit as appropriate.</p> <p>Plan for enough time for new PD approvals, or use a generic PD.</p> <p>Use online approval process to seek budget approval of</p>	<p>Establish a central point for a list of injured workers in your organisation.</p> <p>Utilise the recruitment system to identify displaced employees, current eligibility lists and Recruitment Pools.</p> <p>Use the standard advertisement template in the recruitment system, tailor attraction messages, provide links to any additional information (such as information for applicants on the</p>	<p>Establish selection panel as soon as advertisement has been placed, book cull date and further assessment dates.</p> <p>Ensure all panel members have access to all information relevant to the position either online or offline, and to any information necessary for them to fulfil their role on the panel.</p> <p>Convenors may enter selection outcomes into the recruitment system on behalf of the whole panel, panel</p>	<p>Panel agree on shortlist benchmark (over the phone).</p> <p>Utilise quantifiable questions set up in the application to review candidates against benchmark.</p> <p>Convenor prepares the proposed shortlist and agrees outcomes with panel members.</p> <p>Where practical, book all further assessments for the same day, leaving time for the panel to deliberate afterwards.</p>	<p>Confirm candidates have completed referee and other required information online before interview.</p> <p>Remind them to bring original ID documents.</p> <p>Delegate authority to approve recommendations as far down the management line as practicable.</p>	<p>Have checks and verifications conducted centrally by HR/ Recruitment Unit.</p> <p>Utilise any known information. Do not spend money/ time on external validations where valid information is already available.</p>	<p>Advise unsuccessful applicants as soon as they become unsuccessful throughout the process.</p>

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	<p>position and associated PD.</p> <p>Add any relevant position notations online for approvers.</p> <p>Delegate authority to approve to lowest level practicable and avoid multiple approvals.</p>	<p>NSW Health Career Portal).</p> <p>Set up application form using a mix of quantifiable and text questions to expedite faster culling. Not all essential requirements need to be assessed at application.</p>	<p>still signs off Recommendation Report.</p> <p>Prepare and agree interview/ assessments content, ensuring all essential requirements are assessed in some form.</p>				
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**5.3. Appendix 3: Options for filling vacancies in the NSW Health Service**

Fill option	Type of vacancy allowed		Source of applicants			External	Summary of requirements	Relevant legislation/ industrial instrument/ policy	Processing system
	Perm	Temp	Internal						
			Health org	NSW Health Service	NSW Govt Sector				
<i>Priority assessment</i> <b>Redeployment of injured staff</b>	✓	✓	✓				<ul style="list-style-type: none"><li>• Must be explored before any other fill option.</li><li>• Priority assessment applies to permanent staff of the NSW Health organisation with a work-related illness/ injury that prevents them from returning to the duties of their existing position.</li><li>• NSW Health organisations must have a process in place to identify injured staff members suitable for redeployment.</li><li>• The position must be, so far as reasonably practicable, the same as, or equivalent to, the one in which the staff member was at the time of the injury.</li><li>• The position duties must be consistent with medical opinion on suitable duties and the staff member's injury management plan.</li></ul>	<ul style="list-style-type: none"><li>• NSW Health Policy Directive <i>Rehabilitation, Recovery and Return to Work</i> (<a href="#">PD2022_002</a>)</li><li>• <a href="#">Workers Compensation Act 1987</a> (NSW)</li></ul>	ROB
<i>Priority assessment</i>	✓		✓	✓	✓		<ul style="list-style-type: none"><li>• Must be explored before any other fill option.</li></ul>	NSW Health Policy Directive <i>Managing Excess Staff of the</i>	ROB

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Redeployment of excess/ affected staff							<ul style="list-style-type: none"> <li>• Priority assessment applies to permanent excess staff of the NSW Health Service (check Redeployment Register on the recruitment system), and to any identified affected staff</li> <li>• The staff member must meet the essential requirements of the position, or be likely to perform adequately in it in a reasonable period of time, supported by training if necessary.</li> <li>• The position must be of equivalent salary to the staff member's former substantive position, such as within 5% of it (or lower, if the staff member consents).</li> </ul>	NSW Health Service ( <a href="#">PD2012_021</a> )	
<i>Priority assessment</i> <b>Government sector employees affected by transfer of services</b>	✓		✓	✓	✓		<ul style="list-style-type: none"> <li>• If applicable, must be explored before other fill options.</li> <li>• Priority candidates may be identified where government sector services/ functions transfer to the non-government sector.</li> <li>• A whole-of-government placement strategy may be implemented if such transfers are planned. It aims to facilitate continued employment in the public sector for staff who will not be offered comparable employment with the new provider.</li> <li>• Home agencies that expect not to be able to place such staff within their own agency may, assisted by NSW Industrial Relations and the Public Service Commission, contact other</li> </ul>	Premier's Memorandum <i>Transfer of Government Sector services or functions to the Non-Government Sector</i> ( <a href="#">M2016-02</a> )	ROB

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							government sector agencies to assess their potential for placing staff in line with Premier's Memorandum M2016-02.		
<b>Conversion to permanent appointment or increase in hours – nursing positions</b>	✓		✓				<ul style="list-style-type: none"> <li>NSW Health organisations must review without delay any request by:               <ul style="list-style-type: none"> <li>a casual nurse to convert to permanent employment. In such instances, the phrase 'regular and systematic basis for a sequence of periods of employment' means work that has occurred within a NSW Health organisation.</li> <li>a permanent part-time nurse to increase their contracted hours or convert to full-time status.</li> </ul> </li> <li>Such requests must not be unreasonably refused.</li> <li>Either situation is managed as a contract change only.</li> </ul>	<a href="#">Clause 29 of the Public Health System Nurses and Midwives (State) Award</a>	eForms
<b>Eligibility list</b>	✓	✓	✓	✓	✓	✓	<ul style="list-style-type: none"> <li>NSW Health organisations may use an e-list for the position for which it was created, or other positions (including at other locations) that are of the same grade and have substantially the same essential requirements.</li> <li>E-lists do not have to be used where it seems fairer or more appropriate to take other action.</li> <li>E-lists are valid for 18-months (unless otherwise provided by the relevant award)</li> </ul>	Any relevant NSW Health Industrial Award takes precedence over this Policy Directive (see NSW Health <a href="#">Remuneration and conditions, NSW public health system awards</a> website)	ROB

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							<ul style="list-style-type: none"> <li>When using an e-list, NSW Health organisations must make employment offers in the order in which the names appear on the list (such as merit order).</li> <li>The hiring manager must be satisfied that the candidate can still meet the inherent requirements of the position.</li> <li>2 referee checks and any other remaining checks and verifications (as required by this Policy Directive) must be completed and checked for currency before offer. For graduate nurse and midwife positions, a minimum of one referee check is required.</li> </ul>		
<b>Recruitment pool</b>	✓	✓	✓	✓	✓	✓	<ul style="list-style-type: none"> <li>NSW Health organisations may consider candidates in a recruitment pool who are in the same occupational stream and at the same level/ grade as the vacancy.</li> <li>A pool candidate may be assessed for suitability as a single candidate or invited to be considered alongside other applicants.</li> <li>Further assessment of the candidate against the position must involve, at a minimum, an interview by the manager.</li> <li>2 referee checks and any other remaining checks and verifications (as required by this Policy Directive) must be completed/ checked for currency before offer.</li> </ul>		

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							<ul style="list-style-type: none"> <li>Candidates stay in the pool for 18-months, including where employed within that period.</li> <li>Recruitment pools are not yet available for staff specialists.</li> </ul>		
<b>Eligible persons under Government Sector Employment Rule 26</b> (Streamlined recruitment of certain groups disadvantaged in employment)	✓	✓	✓	✓	✓	✓	<ul style="list-style-type: none"> <li>'Eligible person' means any of the following:             <ul style="list-style-type: none"> <li>an Aboriginal person or Torres Strait Islander</li> <li>a person with a disability</li> <li>a person under the age of 25-years</li> <li>a person who, on or after 1 December 2015, enters or has entered Australia on a Refugee and Humanitarian (Migrant) (Class XB) visa issued by the Commonwealth</li> <li>a person who belongs to a group designated by the Public Service Commissioner as disadvantaged in employment.</li> </ul> </li> <li>NSW Health organisations may modify the recruitment process (other than any legal or award requirements) as necessary to take into account particular barriers to employment for 'eligible persons' (such as a recent refugee may not be able to provide a current supervisor as a referee, the panel may accept alternative referees)</li> <li>NSW Health organisations may also source/ identify 'eligible persons'</li> </ul>	<ul style="list-style-type: none"> <li><a href="#">Government Sector Employment (General) Rules 2014 (NSW) Rule 26</a> (GSE Rule 26)</li> <li><a href="#">Appendix 4</a>, on recruiting Aboriginal people</li> <li>NSW Health online resource for recruiting Aboriginal workforce <a href="#">Stepping Up</a></li> <li><a href="#">NSW Health Disability Inclusion Action Plan 2016-2019</a></li> <li>NSW Public Service Commission <a href="#">Disability Employment</a></li> </ul>	ROB

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							<p>through a number of means as necessary, such as:</p> <ul style="list-style-type: none"> <li>○ targeted advertising</li> <li>○ approaching an employment support service/ agency for resumes of potential candidates</li> <li>○ approaching an eligible candidate directly and inviting them for assessment.</li> </ul> <ul style="list-style-type: none"> <li>• Generally, if there is likely to be a healthy pool of suitable eligible applicants, the vacancy should be advertised.</li> </ul>	<ul style="list-style-type: none"> <li>• <a href="#">Appendix 5.</a> on recruiting people with a disability</li> <li>• Multicultural NSW <a href="#">Settlement in NSW</a></li> </ul>	
Transfer (such as permanent transfer of an existing staff member)	✓		✓	✓	✓		<ul style="list-style-type: none"> <li>• GSE Rules 29, 30 and 34 apply to transfers from another Government Sector agency (including another NSW Health organisation). Transfers within a NSW Health organisation must also be consistent with the relevant conditions under GSE Rules 29,30 and 34.</li> <li>• A staff member may be permanently transferred to another Government Sector agency by agreement between the agency heads, or to another position within a NSW Health organisation with the approval of the Chief Executive or delegate.</li> <li>• The transfer must be <u>at level</u>, unless the staff member consents to a transfer below level.</li> <li>• The suitability of the candidate must be assessed and all mandatory checks and verifications (as required by this</li> </ul>	<a href="#">Part 6 of the Government Sector Employment (General) Rules 2014</a> (NSW)	<p>eForm (if candidate is from within NSW Health)</p> <p>ROB (if candidate is from another Government Sector agency or a recruitment process needed).</p>

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							Policy Directive) completed/ checked for currency before offer.		
<b>Permanent direct appointment (including walk-in applicants)</b>	✓		✓	✓	✓	✓	<ul style="list-style-type: none"> <li>NSW Health organisations can make a permanent direct appointment without advertising with the approval of the Chief Executive or delegate if:               <ul style="list-style-type: none"> <li>the position was advertised as permanent in the preceding 6-months (either through a one-off or an ongoing/ rolling advertisement) and no suitable candidate was identified</li> <li>the position requirements (including essential requirements) are substantially unchanged</li> <li>the job market has not changed in the last 6-months</li> <li>there is a state or local shortage in the occupation</li> <li>urgent filling is required to meet service delivery needs, and</li> <li>all relevant legislative and award provisions are met.</li> </ul> </li> <li>In addition, where a formal, approved graduate/ training program or cadetship provides for ongoing employment upon successful completion of the program, the Chief Executive or delegate may directly appoint a successful participant permanently into an available relevant and suitable vacancy in their NSW Health organisation (such as NSW</li> </ul>		ROB

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							Aboriginal Nursing and Midwifery Cadetship Program). <ul style="list-style-type: none"> <li>In all cases, the suitability of the candidate must be assessed and all mandatory checks and verifications (as required by this Policy Directive) completed/ checked for currency before offer.</li> </ul>		
<b>Secondment (such as temporary transfer of existing staff)</b> <ul style="list-style-type: none"> <li>At level</li> <li>Above level</li> </ul>		✓	✓	✓	✓		<ul style="list-style-type: none"> <li>NSW Health organisations may fill temporary vacancies by seconding existing staff with or without advertising.</li> <li>GSE Rules 31 and 34 apply to secondments from another government sector agency (including another NSW Health organisation). Secondments within a NSW Health organisation must also be consistent with the relevant conditions under GSE Rules 31 and 34.</li> <li>Secondments can be at level or above level (developmental opportunity).</li> <li>Other than the circumstances below, a staff member may be seconded to a position for up to 2-years only. A need to extend beyond 2-years should trigger a review of whether the position should be permanent.</li> <li>The Chief Executive or delegate may approve an intra-agency secondment to a temporary position for a period longer than 2-years where:               <ul style="list-style-type: none"> <li>The position is funded externally to the NSW Health organisation for a period longer than 2-years</li> </ul> </li> </ul>	<a href="#">Part 6 of the Government Sector Employment (General) Rules 2014</a> (NSW)	eForms ROB

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							<p>(or is the substantive position of the secondee, which needs to be back-filled for the same period), and</p> <ul style="list-style-type: none"> <li>○ Continuity and consistency are considered essential for the role.</li> </ul> <ul style="list-style-type: none"> <li>• In all secondments, the suitability of the candidate must be assessed and all mandatory checks and verifications (as required by this Policy Directive) completed/ checked for currency before offer.</li> <li>• Where a staff member has been seconded above level, they cannot continue in the position for longer than 18-months unless they do so on the basis of a merit selection after advertising across the NSW Health Service at a minimum.</li> <li>• Where a staff member has been seconded above level for at least 18-months, a NSW Health organisation may, with the approval of the Chief Executive or delegate, and the consent of the staff member, offer the staff member permanent employment in the organisation in the secondment position, or another position in the same occupational stream, with the same grade, and substantially the same essential requirements, provided that: <ul style="list-style-type: none"> <li>○ the secondment was a result of a competitive merit selection after advertising across the NSW</li> </ul> </li> </ul>		
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							Health Service at a minimum <ul style="list-style-type: none"> <li>○ the outcome of the staff member's most recent performance review was satisfactory, and</li> <li>○ the conduct of the staff member has been satisfactory.</li> </ul> <ul style="list-style-type: none"> <li>• Where a staff member has been seconded at level, they may be offered permanent appointment in the position as a transfer under GSE Rule 29.</li> </ul>		
<b>Conversion of temporary or term employment to ongoing employment at-level</b>	✓		✓	✓	✓		<ul style="list-style-type: none"> <li>• NSW Health organisations may convert the temporary or term employment of a person to ongoing employment if:               <ul style="list-style-type: none"> <li>○ the ongoing employment is at-level</li> <li>○ the person has been employed in that temporary or term employment for a period of at least 12-months, and</li> <li>○ the advertisement for temporary employment referred to the availability of ongoing employment, the 12-month minimum employment is not required.</li> </ul> </li> </ul> <p>The conversion to ongoing employment must be based on the results of a comparative assessment after external advertising. This may be a previous comparative assessment for the role or a new comparative assessment. External advertisements must be placed on the NSW Health Career Portal as a minimum.</p> <p>The conversion must also be based on the employee's most recent performance under</p>		eForms ROB

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							the NSW Health performance management system.		
<b>Higher grade duty (internal acting arrangements)</b>		✓	✓				<ul style="list-style-type: none"> <li>NSW Health organisations may call upon a staff member to relieve or act in a position of a higher classification within the same NSW Health organisation where their substantive position is located.</li> <li>NSW Health organisations must pay the staff member the minimum payment for the higher classification for any continuous period of at least 5-working days of such relief or acting.</li> </ul>	Relevant NSW Health award	eForms
<b>Temporary direct appointment (over 13-weeks, including walk-in applicants)</b>		✓	✓	✓	✓	✓	<ul style="list-style-type: none"> <li>NSW Health organisations can make a temporary direct appointment with the approval of the Chief Executive or delegate if:               <ul style="list-style-type: none"> <li>the period of employment does not exceed 12-months</li> <li>the position requires urgent filling to meet patient service delivery needs</li> <li>funds are used efficiently, and</li> <li>all relevant legislative and award provisions are met.</li> </ul> </li> <li>In addition, where a formal, approved graduate/ training program or cadetship provides for temporary employment upon successful completion of the program, the Chief Executive or delegate may directly appoint a successful participant temporarily into an available relevant and suitable</li> </ul>		ROB

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							<p>vacancy in the NSW Health organisation (such as the Graduate Health Management Program). The purpose of such a placement is to consolidate the learnings from the program.</p> <ul style="list-style-type: none"> <li>In all cases, the suitability of the candidate must be assessed and all mandatory checks and verifications (as required by this Policy Directive) completed/ checked for currency before offer.</li> </ul>		
<b>Walk-in applicants</b>	✓	✓	✓	✓	✓	✓	<ul style="list-style-type: none"> <li>NSW Health organisations may consider employing an applicant who contacts them outside a current recruitment process, if the applicant has skills and qualifications in urgent demand in that organisation.</li> <li>The conditions for permanent/ temporary direct appointments (see above) apply.</li> <li>Walk-in nurse applicants must be advised of the outcome within 5-working days from the start of the assessment.</li> </ul>		ROB
<b>Casual and temporary employment under 13 weeks</b>		✓	✓	✓	✓	✓	<ul style="list-style-type: none"> <li>Locum medical officers must be sourced in line with the NSW Health Policy Directive <i>Employment and Management of Locum Medical Officers by NSW Public Health Organisations</i> (<a href="#">PD2019_006</a>).</li> <li>For short-term temporary employment of staff specialist positions, refer to</li> </ul>	<ul style="list-style-type: none"> <li>NSW Health Policy Directive <i>Employment and Management of Locum Medical Officers by NSW Public Health</i></li> </ul>	ROB

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							<a href="#">section 3.2.5</a> of Module Two of this Policy Directive <ul style="list-style-type: none"> <li>A mandatory NSW Government prequalification scheme exists for contingent workforce sourced through employment agencies. In areas of frequent demand, NSW Health organisations may consider establishing casual pools to facilitate the speedy management of ad hoc short-term vacancies (such as staff sick leave)</li> <li>The suitability of any candidate must be assessed in line with <a href="#">Appendix 1</a>, and all relevant mandatory checks and verifications must take place.</li> </ul>	<i>Organisations</i> <a href="#">(PD2019_006)</a> <ul style="list-style-type: none"> <li>Buy NSW Contingent Workforce Scheme  <a href="#">(SCM0007)</a></li> </ul>	
<b>Competitive merit-based recruitment</b>	✓	✓	✓	✓	✓	✓	Unless other fill options outlined in this Appendix are more appropriate, Health organisations must advertise their vacant positions and follow a comparative merit selection process in line with this policy directive.		ROB
<b>Using executive search and recruitment consultants</b>	✓	✓				✓	<ul style="list-style-type: none"> <li>Chief Executives must determine local processes for any use of executive search/ recruitment consultants, including as a minimum that:               <ul style="list-style-type: none"> <li>The NSW Health organisation makes every effort to fill positions through the usual avenues first.</li> <li>The NSW Health organisation follows any relevant NSW Health policies, including the</li> </ul> </li> </ul>		ROB Fieldglass

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							<p>mandatory requirements of this Policy Directive.</p> <ul style="list-style-type: none"> <li>• NSW Health organisations must use any current statewide arrangements (such as Panel of Overseas Recruitment Agencies) which the NSW Ministry of Health has approved and formally communicated to the NSW Health system.</li> <li>• For advice on any such arrangements contact the NSW Ministry of Health's Workforce Planning and Development branch.</li> </ul>		
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## 5.4. Appendix 4: Recruiting Aboriginal people into the NSW Health Service

### 5.4.1. Recruitment and selection training

Convenors and panel members must have completed Respecting the Difference Aboriginal Cultural Training Program and have a functional knowledge of:

- culturally safe workspaces
- culturally safe client care
- social and cultural determinants of Health
- culturally safe service delivery
- local Aboriginal community engagement
- cultural competence
- NSW Health Code of Conduct
- NSW Health CORE values
- Closing the Gap and patient care outcomes
- Closing the Gap and Aboriginal employment and economic development outcomes.

The [Stepping Up](#) online recruitment and retention resource provides additional support for hiring managers.

### 5.4.2. Legislative provisions that support Aboriginal employment

The following legislative provisions support employment of Aboriginal people and Torres Strait Islanders:

Instrument	Reason	Source of potential candidates	Who can apply	Suggested advertisement wording
<i>Government Sector Employment (General) Rules 2014</i> (NSW) Rule 26 (GSE Rule 26)	Disadvantage in employment of 'eligible persons', including Aboriginal persons and Torres Strait Islanders	Advertise (restricting to Aboriginal people); approach an eligible candidate directly; or source from an employment support service	Vacancy restricted to Aboriginal and Torres Strait Islander people only	No
<i>Anti-Discrimination Act 1977</i> (NSW) – Identified position	Aboriginality is a genuine occupational qualification – Aboriginality is essential to do the	Advertise (restricting to Aboriginal people)	Vacancy restricted to Aboriginal and Torres Strait Islander people only	No

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	job)			
<i>Anti-Discrimination Act 1977 (NSW) – Targeted position</i>	Redressing past or present discrimination in employment – Aboriginality is not essential to do the job	Advertise (either restricting or indicating preference for Aboriginal people)	Vacancy restricted to Aboriginal and Torres Strait Islander people <b>or</b> Vacancy open to anyone but any suitable Aboriginal or Torres Strait Islander person will be given preference	Yes – refer to <a href="#">Anti-Discrimination NSW</a>

For further guidance, contact your organisation's Aboriginal Employment Coordinator or Manager of Aboriginal Workforce Development.

The appropriate legislative provisions should be included within the job advertisement. The below table provides suggested wording to use within advertisements:

Legislation	Suggested wording	Where to cite
<i>Government Sector Employment (General) Rules 2014 (NSW) Rule 26 (GSE Rule 26)</i>	"This is a targeted recruitment under Rule 26 of the Government Sector Employment (General) Rules 2014 where only Aboriginal or Torres Strait Islander people are considered eligible to apply for this role."	Advertisement and essential criteria
Identified positions <i>Anti-Discrimination Act 1977 (NSW)</i>	"This is a position identified for Aboriginal or Torres Strait Islander people on the basis of a genuine occupational qualification under section 14(d) of the Anti-Discrimination Act 1977."	Advertisement and essential criteria
Targeted positions <i>Anti-Discrimination Act 1977 (NSW)</i>	"Whilst this position is open to all individuals, it is targeted to Aboriginal or Torres Strait Islander people under section 21 of the Anti-Discrimination Act 1977,. Aboriginal or Torres Strait Islander people are encouraged to apply and consideration will be given to suitable Aboriginal or Torres Strait Islander applicants to promote equal or improved access. Aboriginal or Torres Strait Islander applicants must demonstrate Aboriginal or Torres Strait Islander status in addition to addressing the selection criterion."	Advertisement

### 5.4.3. ***Government Sector Employment (General) Rules 2014 (NSW) Rule 26***

The *Government Sector Employment (General) Rules 2014 (NSW) Rule 26* (GSE Rule 26), Employment of Eligible Persons, provides government sector agencies (including NSW Health organisations) with the flexibility to employ 'eligible persons' who belong to one of the groups deemed to be disadvantaged in employment. These include Aboriginal people and Torres Strait Islanders.

There is no need to seek a separate exemption to use GSE Rule 26. You may use the GSE Rule 26 for both identified and targeted positions.

Under GSE Rule 26, NSW Health organisations may modify the recruitment process (other than any legal or award requirements) as necessary to take into account particular barriers to employment for 'eligible persons'. For example, Aboriginal candidates applying for identified or targeted positions may find it challenging to provide evidence of Aboriginality within the usual recruitment timeframes. You must take this into account throughout the recruitment processes (for further guidance see [Appendix 5.4.5.](#)).

Where there is likely to be a healthy pool of suitable eligible applicants, NSW Health organisations must advertise the vacancy broadly. However, it is possible to use other means to source or identify 'eligible persons' on a case-by-case basis, such as:

- using targeted advertising, noting on the advertisement that applications are limited to Aboriginal people and Torres Strait Islanders, who are deemed 'eligible persons' under GSE Rule 26
- approaching an employment support service or agency for resumes of potential candidates
- approaching a potential candidate directly and inviting them for an assessment.

### 5.4.4. ***Identified and targeted positions under the Anti-Discrimination Act 1977 (NSW)***

The *Anti-Discrimination Act 1977 (NSW)* continues to provide avenues to favour a particular group of people in situations where that would otherwise be unlawful. However, it is recommended that NSW Health organisations apply the GSE Rule 26 in the first instance. This is because the GSE Rule 26 is more flexible and can be used for both Aboriginal identified and targeted positions.

Aboriginal identified positions are those positions where only Aboriginal people are eligible for appointment and where Aboriginal identity, cultural knowledge or connections are genuine occupational qualifications for the roles.

Under the *Anti-Discrimination Act 1977 (NSW)*, applicants for Aboriginal identified positions must meet the following criteria:

- they are of Aboriginal and/ or Torres Strait Islander descent
- they identify as an Aboriginal and/ or Torres Strait Islander person, and
- they are accepted as such by the Aboriginal and/ or Torres Strait Islander community.

Identified positions require specific reference to Aboriginality and relevant experience which must be outlined in the requirements, advertising and recruitment materials for the position.

Aboriginal targeted positions are those positions where Aboriginality is not essential to do the job. Instead, the position is targeted to Aboriginal people to improve their general employment opportunities and outcomes.

#### 5.4.5. Citing Aboriginality

Applicants for identified and targeted positions will be required to cite and corroborate their Aboriginality (also known as confirming Aboriginality) which they may cite and corroborate as they choose. However, the statutory requirements for Aboriginality are based upon descent.

Obtaining information that corroborates Aboriginality may be an extremely difficult and lengthy process. It is important that such difficulties are not a barrier for recruitment and that support is provided to applicants to explore their options for corroborating Aboriginality.

If an applicant is unable to access documentation from their [Local Aboriginal Land Council](#) or other incorporated Aboriginal organisation, NSW Health organisations must provide them with more flexible arrangements for corroborating their Aboriginality. Such options may include:

- community advice
- statutory declaration
- referee checks
- family histories and contacts.

In addition, the applicant may demonstrate their Aboriginality and ties or connection to the Aboriginal community in which they live, or have lived or worked in, during the interview process.

An Aboriginal person who has previously held an identified position in a NSW Government department is not required to re-cite their Aboriginality. However, the panel may, for the purpose of selecting the appropriate candidate for the position, seek additional information to ensure elements of the position relevant to local communities/ position purpose are achieved through the recruitment process.

The Aboriginal panel member is best placed at the interview to ask the question about Aboriginality of the candidates. The responses must reflect all three criteria as outlined in the definitions of the [Aboriginal Land Rights Act 1983](#) (NSW):

Aboriginal person means a person who—

- (a) is a member of the Aboriginal race of Australia, and
- (b) identifies as an Aboriginal person, and
- (c) is accepted by the Aboriginal community as an Aboriginal person.

NSW Health has developed a range of resources for both Aboriginal job seekers and hiring managers on the [Stepping Up](#) website, and all related policy and program documents are referenced from the NSW Health Aboriginal Workforce Unit's [webpage](#), including:

- the *Good Health – Great Jobs* Aboriginal Workforce strategy
- Aboriginal Health Worker workforce resources and guidelines
- information about career pathways, training programs, and cadetships & scholarships
- Aboriginal workforce contacts.

#### 5.4.6. Referees

Referees play a crucial role in determining the most appropriate candidate for the position through the process assessment stage. For example, they may be able to advocate for a candidate's cultural knowledge and understanding, local community knowledge, connection to community and citation of Aboriginality. Aboriginal Employment Coordinators or Managers of Aboriginal Workforce can also assist with managing local communication and connection to local matters that may arise.

It is important that training and support for external panel members should be considered and provided prior to the formation of the panel if possible.

#### 5.4.7. Orientation for Aboriginal staff

When appointing an Aboriginal person to a job, consider their specific needs when welcoming them to the organisation. Depending on their experience, they may need a more personal orientation to the site, the unit and the team as well as the expectations of the position. The orientation is also an opportunity to introduce the person to other Aboriginal personnel and networks.

#### 5.4.8. Further guidance

- [Aboriginal Health Worker Guidelines for NSW Health](#)
- [Decision Making Framework for Aboriginal Health Practitioners](#)
- [Stepping Up](#) online resource
- NSW Health Information Bulletin *Definition of an Aboriginal Health* ([IB2018 018](#))
- NSW Health Policy Directive *NSW Health Good Health - Great Jobs: Aboriginal Workforce Strategic Framework 2016 – 2020* ([PD2016 053](#)).

## 5.5. Appendix 5: Recruiting people with disability to the NSW Health Service

### 5.5.1. Recruitment and selection training

Convenors and panel members must have knowledge of:

- Disability etiquette techniques applicable to the interview process
- Recruitment process adjustments
- NSW Health Policy Directive *NSW Health Code of Conduct* ([PD2015\\_049](#))
- NSW Health CORE values
- Requirements under the [Disability Discrimination Act 1992](#) (Commonwealth)
- How to make mainstream recruitment inclusive for all.

### 5.5.2. Government Sector Employment (General) Rules 2014 (NSW) Rule 26 (GSE Rule 26)

The GSE Rule 26, Employment of eligible persons provides government sector agencies the flexibility to employ 'eligible persons' who belong to one of the groups deemed to be disadvantaged in employment. These include people with a disability. There is no need to seek a separate exemption to use GSE Rule 26.

Under the GSE Rule 26, NSW Health organisations may modify the recruitment process (other than any legal or award requirements) as necessary to take into account particular barriers to employment for 'eligible persons'.

If there is likely to be a good pool of suitable eligible applicants with disability, NSW Health organisations must advertise the position broadly. On a case-by-case basis, NSW Health organisations may also source or identify 'eligible persons' in other ways, including:

- using targeted advertising, noting in the advertisement that applications are limited to persons with a disability, who are deemed 'eligible persons' under GSE Rule 26; or that such applicants will be considered first
- approaching disability employment services for resumes of potential candidates
- approaching a potential candidate directly and inviting them for an assessment.

### 5.5.3. Citing disability

Applicants for a targeted position will be required to provide verification that they are a person with a disability if their disability is not apparent. The evidence could include:

- Disability Support Pension Card
- letter from a medical practitioner or health professional
- support letter from Disability Employment Provider.

It is illegal to seek specific details about a candidate's disability under the [Disability](#)

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[Discrimination Act 1992](#) (Commonwealth).

#### **5.5.4. Adjustments to the recruitment process**

Most applicants with disability will not require adjustments during the interview process. However, when they do, the convenor must identify the required adjustments before the interview. Examples could include:

- providing an Auslan interpreter
- allowing a support person during the assessment
- allowing an assistance animal (such as a guide dog) during the assessment
- providing extra time to complete assessments
- providing interview documents in an electronic format that can be read by screen reading software
- providing work related assessment tasks in place of an interview for candidates on the autism spectrum.

[Disability Employment Services](#) can provide assistance in managing the recruitment process.

#### **5.5.5. Adjustments to the workplace**

Under the [Disability Discrimination Act 1992](#) (Commonwealth) employers are required to make, where necessary, workplace adjustments for a person with disability to perform the inherent requirements of their role. Adjustments could include changes to a process, practice, procedure or environment and can be raised at the time of job offer.

Where possible, complete all work health and safety (WHS) assessments before the successful applicant starts working in the position.

The cost of recruitment and employment related adjustments may be met by the Australian Government Employment Assistance Fund (see JobAccess).

#### **5.5.6. Further guidance**

- [JobAccess](#)
- [Disability Discrimination Act 1992](#) (Commonwealth)
- [Disability Inclusion Act 2014](#) (NSW)
- [NSW Health Disability Inclusion Action Plan 2016-2019](#)
- [Public Service Commission Disability and Accessibility](#)
- [Public Service Commission Recruitment and Selection Approach](#)
- [Public Service Commission Workplace Adjustments](#)

## 5.6. Appendix 6: Mandatory checks and verifications (minimum requirements)

Before making an offer of employment, People and Culture must complete all mandatory checks or confirm them as current. In exceptional circumstances, such as an emergency appointment, the preferred applicant may be able to begin work pending the outcome of mandatory checks, in line with NSW Health Policy Directive *Working with Children Checks and Other Police Checks* ([PD2019 003](#)).

For additional staff specialist requirements see Module 2 ([Section 3](#)).

Check or verification	Action required	Further information
<input type="checkbox"/> <b>Educational, trade or professional qualifications</b> , or proof of meeting <b>any educational requirements</b> (such as acceptance into a recognised training program), if listed as essential requirements	Unless previously verified, sight original certificates and verify against copies uploaded online by applicant (if not already uploaded, scan in).	Qualifications used to gain registration have already been verified by the registering authority and do not need to be re-verified.  If original tertiary qualifications (professional, academic or vocational) are unavailable, academic transcripts certified by the educational institution and a statement that all requirements of the relevant course have been met is acceptable.  For overseas qualifications in a language other than English, where the original qualification is not available, the applicant must provide a transcript translated into English by an officially accepted state or commonwealth body, and certified as such (see the <a href="#">Department of Home Affairs</a> or <a href="#">Multicultural NSW</a> ).
<input type="checkbox"/> <b>Evidence of length of experience</b> , if listed as a selection criterion	Sight relevant documentation OR verify through referee checks.	
<input type="checkbox"/> <b>Current professional registration or licence, including any conditions</b> , if relevant to the position	Confirm directly with the registering/ licensing authority and complete any related risk assessment activities.	

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<input type="checkbox"/> <b>Authority to prescribe, supply, dispense or administer prescribed restricted drugs or drugs of addiction</b> , if relevant to the position	<p>Review applicant's online declaration and check registration conditions. If a declared restriction is not reflected in the registration conditions, check the details with the NSW Ministry of Health's Pharmaceutical Regulatory Unit to allow for adequate assessment, <a href="#">Withdrawn Schedule 8 drug authorities under the Poisons and Therapeutic Goods Regulation</a>.</p> <p>Complete any related risk assessment activities.</p>	<p>Relates to substances listed in Schedule 4 and/ or Schedule 8 of the Poisons List (proclaimed under the Poisons and Therapeutic Goods legislation).</p>
<input type="checkbox"/> <b>Membership or eligibility for membership of relevant professional boards, colleges or state/ national associations</b> , if relevant to the position	<p>Confirm directly with the relevant body.</p>	
<input type="checkbox"/> <b>Evidence of relevant characteristics for identified or targeted positions/ eligible persons</b>	<p>Such as citing of Aboriginality or sight a relevant Refugee or Humanitarian (Migrant) Class visa and verify against details provided by applicant online.</p>	
<input type="checkbox"/> <b>Additional checks and enquiries</b> , where deemed necessary. This may include the Health Care Complaints Commission (HCCC) or the relevant registration authority, where the panel has concerns that a complaint about the applicant has recently been made.	<p>Conduct and complete any related risk assessment activities.</p>	<p>When checking for any history of complaints or any professional performance issues with the HCCC or the registration authority, seek information on any pending disciplinary action involving the applicant, and the outcomes of any formal disciplinary investigations.</p>
<input type="checkbox"/> <b>Internal service check</b> via the NSW Health Service Check Register (SCR)	<p>Conduct the SCR check against all names provided by the recommended applicant to identify if they are subject to current enquiries into alleged misconduct or have been found to have engaged in misconduct.</p> <p>Any related risk assessment activities must be completed by staff with experience in recruitment risk assessments.</p>	<p>See the NSW Health Policy Directive <i>Service Check Register for NSW Health</i> (<a href="#">PD2021_017</a>).</p>

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<input type="checkbox"/> <b>Working with Children Check (WWCC)</b> , for child related work only	<p>Verify WWCC clearance number provided by the applicant, with the Office of the Children's Guardian and record details, including date of verification and expiry date.</p>	<p>See the NSW Health Policy Directive <i>Working with Children Checks and Other Police Checks</i> (<a href="#">PD2019_003</a>).</p> <p>Where a probity flag stating 'no records' appears with the WWCC clearance result, and the applicant has completed a NSW Health Criminal History Declaration stating 'no records', no separate National Police Check (NPC) is required unless the applicant is applying for an aged care position.</p>
<input type="checkbox"/> <b>ID Check</b>	<p>Sight original documents and verify against the NPC ID Checklist.</p> <p>Check form completed by the applicant online.</p> <p>Where no NPC is required (such as internal applicant with a relevant valid check recorded against them), a photo ID must still be sighted.</p>	<p>Required for a National Police Check.</p> <p>Internal applicants will no longer routinely be required to complete the NPC Consent form and provide the associated ID, refer to the NSW Health Policy Directive <i>Working with Children Checks and Other Police Checks</i> (<a href="#">PD2019_003</a>).</p>
<input type="checkbox"/> <b>Citizenship/ residency or working visa status – work right check</b>	<p>Sight originals and verify against completed by the applicant online.</p> <p>Where no NPC is required for an internal applicant, and they are currently employed in a permanent position, no further work right check is required.</p> <p>Where no NPC is required for an internal applicant, and they are currently employed in a temporary position, verify working rights separately by sighting proof and verifying through <a href="#">Visa Entitlement Verification Online</a> (VEVO).</p>	<p>May affect shortlisting/ recommendation.</p> <p>In some limited circumstances, where an applicant is from overseas, they may not be able to seek a visa without a conditional job offer. See <a href="#">Section 2.17.1</a>, for further information.</p>

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<p><input type="checkbox"/> <b>National Police Check/ Aged Care Check</b> (all new and existing staff where required)</p> <p><u>OR</u></p> <p><input type="checkbox"/> <b>WWCC clearance probity flag and completed NSW Health Criminal History Declaration</b> (new child related workers only)</p>	<p>NPC consent form collected online. Check consent form details against details of the 100 Point ID Check.</p> <p>For positions in Aged Care only, collect the signed Commonwealth Aged Care Statutory Declaration.</p> <p>For overseas applicants only: review police check, or where not available, statutory declaration by applicant.</p> <p>Lodge NPC (if not already done and if not subject to any exemptions).</p> <p>Any related risk assessment activities must be completed by staff with experience in recruitment risk assessments.</p> <p>No further action required where probity flag and criminal history declaration used.</p>	<p>Note that NPCs are not required for internal applicants with a relevant valid check recorded against them. See the NSW Health Policy Directive <i>Working with Children Checks and Other Police Checks</i> (<a href="#">PD2019_003</a>).</p> <p>NSW Health organisations must not lodge an NPC until they have completed all other checks and enquiries about the suitability of the preferred applicant, including checking the Service Check Register.</p> <p>If the applicant has declared online that they have no criminal history and they have a WWCC clearance probity flag, no separate NPC is required, unless the applicant is applying for an aged care position.</p>
<p><input type="checkbox"/> <b>Immunisation status</b>, where required</p>	<p><u>Existing and new staff</u>: Sight original NSW Health Vaccination Record Card and/or other acceptable evidence, and verify against copies loaded online by applicant (if not uploaded, also scan in).</p> <p><u>Additional for new staff</u>: Confirm that the applicant has submitted a New Recruit Undertaking/ Declaration and TB Assessment online.</p> <p>Appropriately trained clinical staff must assess the applicant's immunisation status, as evidenced by the documentation provided.</p>	<p>See NSW Health Policy Directive <i>Occupational Assessment, Screening and Vaccination Against Specified Infectious Diseases</i> (<a href="#">PD2022_030</a>).</p>
<p><input type="checkbox"/> <b>Employment health assessment</b></p>	<p>The applicant provides a Health Declaration online.</p> <p>Appropriately trained WHS staff must assess the Health Declaration and any additional health assessment required.</p>	<p>See <a href="#">Appendix 7</a>.</p>

## 5.7. Appendix 7: Pre-employment health assessments

### *Summary of requirements*

A person may only be employed in the NSW Health Service (permanently or temporarily) when their fitness to perform the duties of a position have been confirmed by a health assessment.

Note: 'Fitness to perform the duties' refers to the ability of the person to carry out the inherent job requirements and job demands of the position without endangering the health and safety of the public, of other persons employed in the organisation, or of themselves.

To be effective and fair, health assessments must relate directly to tasks performed in the position, take into account the hazards to which employees may be exposed, and not unlawfully discriminate against people with disabilities.

Note: Health assessments are only one component of a risk management system and they are not a substitute for adequate risk control.

In order to carry out the inherent job requirements and job demands of a position, an applicant with a disability must be provided with services or facilities required, unless this would cause "unjustifiable hardship" to the employer. For further information refer to the [Anti-Discrimination Act 1977](#) (NSW) and the [Disability Discrimination Act 1992](#) (Commonwealth).

All recruitment and selection decisions must be based on merit in the first instance. Pre-employment health assessments must only be undertaken for the recommended applicant.

### *Setting up local processes – considerations*

NSW Health organisations must have local systems in place for processing pre-employment health assessments and their outcomes. Such systems need to consider the following:

#### **Discrimination issues**

Unlawful discrimination may occur if a person is refused employment because of their disability, or if health assessments are used to refuse employment to an applicant who is assumed, without proper basis, likely to lodge a workers' compensation claim or take sick leave. For further information, refer to the [Anti-Discrimination Act 1977](#) (NSW).

Where NSW Health organisations engage recruitment agencies or labour hire firms, they must also ensure that such agencies/ firms use non-discriminatory recruitment procedures.

#### **Privacy considerations**

All records and information must be managed in accordance with NSW privacy legislation. For further information, refer to the:

- [Privacy and Personal Information Protection Act 1998](#) (NSW)
- [Health Records and Information Privacy Act 2002](#) (NSW)
- NSW Health [Privacy Manual for Health Information](#)
- contact the Privacy Officer of your NSW Health organisation.

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Note: Unless the employee consents in writing to the release of additional clinical information, the information provided to the employer must be limited to advice on:

- the applicant's ability to perform the inherent job requirements and job demands of the position
- whether adjustments are required, and what the nature of those adjustments is.

***Training for staff who are responsible for tasks associated with health assessments.***

***Consultation with the relevant employee associations.***

***Trigger points for assessments***

- Before offer of employment to a recommended applicant for a permanent, temporary, or part-time vacancy.
- Promotions, transfers, higher duties or job redesign, where the new position requirements vary significantly from the employee's current position.
- At regular intervals after appointment where there is a residual risk to health even after the best possible control measures have been implemented.
- Where regular health assessments are required, all employees performing the same job should be assessed. Testing some employees and not others could be unlawful discrimination.

***Identifying inherent job requirements and job demands***

NSW Health organisations must identify any physical, psychological or sensory requirements necessary to perform the inherent requirements of the job before initiating a recruitment process. This will usually involve the following:

- identify the inherent job requirements of the position. This may include:
  - The ability to perform tasks which are essential to perform a job productively and to the required quality.
  - The ability to work effectively in a team or other organisation.
  - The ability to work safely.
- conduct and document a risk assessment for the position or groups of generic positions
- identify the job demands of the position (or groups of positions with the same inherent job requirements) in consultation with occupational health professionals, supervisors and other relevant employees using the NSW Health job demands checklist (built into StaffLink Recruitment)
- select the appropriate health assessment option
- advise applicants of inherent job requirements including job demands, the recruitment process and any avenues for appeal.

The job demands and the position/ role description must be made available to applicants to allow them to self-assess whether they meet the requirements of the position.

### ***Health assessment options***

The health assessment must be appropriate and relevant to the inherent job requirements and job demands of the position and identify any adjustment needs of prospective employees with disabilities.

The minimum requirement for a pre-employment health assessment in the NSW Health Service is a Health Declaration, which asks the recommended applicant to indicate whether they are aware of any illness, disability or condition that may affect their ability to meet the inherent requirements and job demands of the position. A standard Health Declaration has been built into the Recruitment and Onboarding System (ROB).

Recommended applicants must have access to the position/ role description and job demands checklist at the time they are required to make a Health Declaration.

Other health assessment options may include:

- questionnaires
- screening tests
- medical examinations (where a disability is disclosed in the Health Declaration, or as required by legislation).

### ***Adjustments***

Under NSW and Commonwealth anti-discrimination legislation, employers must provide services, facilities or working arrangements to enable a person with a disability (selected on the basis of merit) to carry out the inherent job requirements and job demands of a position. These adjustments can take many forms and need to be determined in consultation with the person concerned.

See [Section 49C of the Anti-Discrimination Act 1977](#) (NSW) for further information about when such adjustments may be deemed to cause 'unjustifiable hardship' to the employer.

### ***Review of the medical assessment***

An applicant may seek a review of a medical assessment where they can demonstrate that:

- relevant information about their medical condition was available and offered but not considered at the time of the assessment, and/ or
- reasons for the nominated medical assessor's recommendation were not consistent with the available information.

Any request for review must be submitted within 21 calendar days of the date of the final medical assessment report.

Applicants may also have other external avenues of redress available to them, such as the Anti-Discrimination Board of NSW.

## 5.8. Appendix 8: Critical Actions Compliance Declaration – staff specialists

Critical Actions Compliance Declaration		
Task Description		✓
1.	<b>Chair, Interview Subcommittee must confirm all critical actions, <u>or</u> Authorised Decision Maker, who is approving a short-term temporary appointment over one week but less than 3 months, must confirm critical actions 1.1 to 1.14, <u>or</u> Authorised Decision Maker, who is approving a short-term temporary appointment of less than one week, must confirm critical actions 1.1 to 1.8.</b>	
1.1	Identity of appointee was verified and details recorded on the 100-point Identification Checklist in accordance with the NSW Health Policy Directive <i>Working with Children Checks and Other Police Checks</i> ( <a href="#">PD2019_003</a> ).	
1.2	NSW Health National Police Check form has been collected in accordance with the NSW Health Policy Directive <i>Working with Children Checks and Other Police Checks</i> ( <a href="#">PD2019_003</a> ).	
1.3	Working with Children Checks clearance number has been provided and verified with the Office of the Children's Guardian (or the person has been appointed subject to the need to provide a valid Working with Children Check clearance number within 5-days of commencement of work) in accordance with the NSW Health Policy Directive <i>Working with Children Checks and Other Police Checks</i> ( <a href="#">PD2019_003</a> ).	
1.4	Registration, including existence of any conditions on registration, was verified independently through the Australian Health Practitioner Regulation Agency (AHPRA) website.	
1.5	Evidence of medical indemnity cover has been sighted and checked, where required.	
1.6	A check of the NSW Health internal Service Check Register has been undertaken and any risk assessment completed as required in accordance with the NSW Health Policy Directive <i>Service Check Register for NSW Health</i> ( <a href="#">PD2021_017</a> ).	
1.7	At least 2 reference checks were conducted (one reference check can be sufficient for appointments of less than 3-months).	
1.8	A specialist in the relevant specialty was involved in determining the clinical privileges/ scope of practice where appointment is no more than 3-months, with an extension for one further single 3-month period where required.	
1.9	Eligibility to practice as a medical specialist, within the meaning of the <i>Staff Specialists (State) Award</i> , has been verified.	
1.10	Written details of all other current medical appointments, and a signed standard consent form "Employment Related Checks" has been collected (if not completed in ROB).	
1.11	Original documentation, or if not practicable, original certified copy of any <b>additional</b> qualifications (such as additional to those used to gain registration and/ or shown on the AHPRA website), memberships, certificates etc. used to support claim for the position was sighted, copied and certified.	
1.12	Where verbal references were obtained, responses to the specified questions were recorded in writing.	
1.13	Where written references were obtained, identity and relationship to appointee was directly confirmed, and written responses addressed the specified questions.	

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1.14	Contact was made with the Health Care Complaints Commission and/or Australian Medical/Dental Board where further information was deemed necessary as part of the selection process.	
1.15	All members of the selection panel had access to the entire written application, CV and supporting documentation for each applicant under consideration.	
1.16	The selection panel included a medical practitioner from the specialty/ sub-specialty in which privileges were sought.	
1.17	The convenor of the selection panel has completed recruitment and selection training.	

I confirm that the above occurred prior to the commencement at work of (name of appointee) \_\_\_\_\_ to the position of \_\_\_\_\_ in (name of NSW Health Organisation) \_\_\_\_\_

Date of appointment: \_\_\_\_\_

(Name) \_\_\_\_\_ (Title) \_\_\_\_\_

(Signature) \_\_\_\_\_ (Date) \_\_\_\_\_

Critical Actions Compliance Declaration		
Task Description		✓
2.	<b>Chair, Credentials (Clinical Privileges) Subcommittee must confirm the following:</b>	
2.1	The Credentials (Clinical Privileges) Subcommittee membership included a medical practitioner from the specialty or sub-specialty in which privileges were determined.	
2.2	The Credentials (Clinical Privileges) Subcommittee considered all of the information provided, and was satisfied that the information was sufficient to recommend that the attached clinical privileges/scope of clinical practice be granted.	

I confirm that the above occurred in determining that the attached clinical privileges/scope of clinical practice be granted to the recommended applicant.

(Name) \_\_\_\_\_ (Title) \_\_\_\_\_

(Signature) \_\_\_\_\_ (Date) \_\_\_\_\_

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Critical Actions Compliance Declaration		
Task Description		✓
3.	<b>Chair, Medical and Dental Appointments Advisory Committee must confirm the following (required where appointment is for more than 6-months):</b>	
3.1	All members of Medical and Dental Appointments Advisory Committee (MDAAC) had access to the entire written application, CV and supporting documentation for each applicant under consideration.	
3.2	In recommending the attached appointment and associated clinical privileges/ scope of clinical practice, MDAAC considered the information and advice provided by its subcommittees, and is satisfied that the appointee underwent all necessary checks, and is a fit and proper person to be appointed to the position.	
3.3	Appropriate consideration has been given to any issues arising out of the check of the NSW Health Service Check Register.	
3.4	Appropriate consideration has been given to any issues identified in any risk assessment report arising out of a National Police Check.	

(Name) \_\_\_\_\_ (Title) \_\_\_\_\_

(Signature) \_\_\_\_\_ (Date) \_\_\_\_\_

### Critical Actions Compliance Declaration

**As the Decision maker (Chief Executive or Delegate) (required where appointment is for more than 6 months), I confirm that:**

- I have been able to access the entire written application and all supporting documentation for all applicants under consideration for the position.
- I was provided with written advice from the MDAAC that set out the grounds for the decision leading to the recommended appointment and determination of clinical privileges/ scope of clinical practice.

**In approving the appointment of the recommended applicant, I confirm that:**

- All employment related checks have been conducted.
- Indemnity coverage has been checked (if required).
- The recommended applicant and proposed clinical privileges/ scope of clinical practice were determined in line with the key requirements of Module Two of the NSW Health Policy Directive *Recruitment and Selection of Staff to the NSW Health Service*.

**Decision maker:**

Name) \_\_\_\_\_ (Title) \_\_\_\_\_

(Signature) \_\_\_\_\_ (Date) \_\_\_\_\_

All appropriate signature blocks must be completed before the staff specialist or clinical academic begins their appointment in the NSW Health organisation.

The completed document must be placed on the appointee's personnel file, and a copy kept with appointment papers if they are retained separately.

## 5.9. Appendix 9: Retention of recruitment and selection records

Requirements of the State Archives and Records: General Retention and Disposal Authority for Administrative Records (GA28) – Personnel records. Records may be hard copy or electronic.

1. Selection process information and documentation (including unsuccessful applications and any offers of employment not accepted)	✓	Minimum retention period
Advertisement and job information (including position description and essential requirements).		2-years after recruitment finalised, then destroy
Recommendation/ selection report or report of selection on other grounds (signed by approving officer), including a completed Critical Actions Compliance Declaration.		
Eligibility list.		
Records of any internal process reviews.		
Selection documentation related to each unsuccessful applicant or applicant who has not accepted an offer of employment.		<i>(But note differing retention period for any criminal history received in response to a NPC).</i>
Full application including resume, any written references and any other supporting information.		
Any supplementary information subsequently provided.		
Any declarations and consent forms signed by the applicant (including any Health Declarations by any recommended applicants subsequently not employed*).		
Record of any verification of information and any relevant employment checks (including referee checks, validation of a Working with Children Check number, and a Service Check Register check).		
Record of any National Police Check conducted on the applicant, or any signed criminal history declaration. Note: No details of an applicant's criminal history received as a response to a National Police Check should be recorded or maintained with selection documentation. Any criminal history record obtained as part of the selection process must be destroyed as soon as risk assessment is completed, or within 3-months at the latest.		
For overseas applicants, copy of any overseas police certificate or signed statutory declaration.		
For aged care applicants, copy of any signed statutory declaration.		
Record of any risk assessments arising from a Service Check Register check or a National Police Check, and associated records*.		
Any medical advice to the employer regarding an applicant's ability to carry out the inherent requirements of the position and any consequent decisions by the employer*.		
Copy of any advice provided to the applicant regarding the outcome of the selection process.		

\* Retain on a separate, confidential file kept in a secure location and accessible only to authorised staff.

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2. Successful applicants	✓	Minimum retention period
Job information (including position/ role description and essential requirements).		75-years after date of birth or 7-years after employment ceases, whichever is longer, then destroy.  <i>(But note differing retention period for any criminal history received in response to the NPC).</i>
Full application including resume and any written references.		
Completed confirmation of selection panel membership.		
Written record of information obtained via referee checks.		
Written record of past performance checks and any significant findings.		
Appropriately signed Critical Actions Compliance Declaration.		
Written advice by the Credentials (Clinical Privileges) Subcommittee/ selection panel regarding the determined clinical privileges/ scope of practice for staff specialists.		
Any medical advice to the employer regarding the applicant's ability to carry out the inherent requirements of the position*.		
Copy of offer letter and/ or other employment documentation (such as a contract).		
Copy of signed returned offer letter.		
Record of any documentation sighted or communication undertaken to verify claims by the applicant.		
Documentation confirming citizenship/ residency or working visa status (included in the 100-point ID checklist form – see under records relating to employment checks requirements in this table).		
Copy of registration/ licence documentation and record of verification of current professional registration/ licence status directly with the relevant registration/ licensing body.		
Record of any relevant information (such as conditions or restrictions) obtained from the relevant registration body.		
Record of verification of the status of the applicant with the Health Care Complaints Commission (HCCC).		
Record of any relevant information obtained from the HCCC and any risk assessment.		
Record of verification of any educational, trade or professional qualifications listed as essential requirements (only if not shown on the AHPRA website).		
Evidence of eligibility to practice as a medical specialist, within the meaning of the relevant NSW award or determination.		
Evidence of medical indemnity cover.		
For identified or targeted positions, evidence of relevant characteristics (such as Aboriginality).		
Evidence of length of experience where listed as a selection criterion.		
Evidence of appropriate immunisation status.		
Evidence that the applicant consented to:		
Information being obtained from HCCC and/ or relevant registration body.		
Other employment checks such as past performance checks being conducted.		

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Signed health declaration form or electronic declaration (if relevant)*.		
Date stamped print-out of the Service Check Register status search result.		
Records of any risk assessment and associated records arising out of a Service Check Register record*.		
Records relating to employment checks requirements:		
Completed and signed 100-point ID Checklist form.		
Signed consent form for National Police Check.		
Criminal history declaration (if applicable). <i>Note: If criminal history is indicated, the declaration must be maintained with the risk assessment documents*.</i>		
Overseas applicants – copy of overseas police certificate or signed statutory declaration. <i>Note: If criminal history is indicated, the declaration must be maintained with the risk assessment documents*.</i>		
Aged care positions – copy of signed statutory declaration.		
Record of a National Police Check clearance screening validation number obtained from the Employment Screening and Review Unit's (ESRU) lodgement database, including date undertaken.		
For Working with Children Check numbers obtained from the Office of Children's Guardian, records of the applicant's full name, the check number and date, outcome of the check validation, the clearance expiry date, and outcome of probity flag.		
Any records relating to a risk assessment arising from a National Police Check (including correspondence from ESRU, contact with applicant, recommendations and outcomes)*. <i>Note: No details of an applicant's criminal history received as a response to a National Police Check should be recorded or maintained with selection documentation. Any criminal history record obtained as part of the selection process must be destroyed as soon as a risk assessment is completed or within 3-months at the latest.</i>		

\* Retain on a separate, confidential file kept in a secure location and accessible only to authorised staff.

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3. Copies of documentation that, as a minimum, must be placed on the successful applicant's personnel file	✓	Minimum retention period
Position or role description.		75-years after date of birth or 7-years after employment ceases, whichever is longer, then destroy.
Essential requirements.		
Completed confirmation of selection committee membership.		
Completed and signed 100-point ID Checklist form.		
Documentation confirming citizenship/ residency or working visa status (such as the completed 100-point ID Checklist form).		
Copy of registration/ licence documentation and signed and dated record of verification of current professional registration/ licence status (including any conditions) directly with the relevant registration/licensing body.		
Evidence of eligibility to practice as a medical specialist within the meaning of the relevant NSW award or determination.		
Evidence of medical indemnity cover.		
Evidence of appropriate immunisation status.		
File reference to confidential file containing the signed health declaration form or electronic declaration (if applicable).		
Copy of offer letter and/ or other employment documentation (such as a contract).		
Evidence that the appointment was approved by the appropriately delegated authority (copy of offer letter is adequate if signed by the appropriately delegated authority).		
Signed consent form for National Police Check.		
Overseas applicants – copy of overseas police certificate or signed statutory declaration. <i>Note: Any criminal history obtained as part of the selection process must be shredded as soon as a risk assessment is completed, or within 3 months at the latest.</i>		
Aged care positions – copy of signed statutory declaration.		
Record of screening validation number obtained from the Employment Screening and Review Unit's lodgement database, and Working with Children Check number obtained from the Children's Guardian.		