

Recruitment Policy

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1. POLICY OBJECTIVE (OR PURPOSE)

The Greater Dandenong City Council (Council) is committed to ensuring a consistent and transparent approach to the selection of staff and will employ 'best practice' in human resource management for the recruitment of staff, so that the best candidate for the job is selected.

The objective of this Policy is to ensure fair and equitable treatment for all, on the basis of the following:

- Equal employment opportunity (including Council's policies around diversity, access and inclusion, workplace adjustments and the *Gender Equality Act 2020*);
- Recruitment and promotion on the basis of fair and open competition;
- Appointment of the best applicant as measured by the relative ability of the applicants to complete the inherent requirements of the position; and
- Efficient and effective engagement of employees by providing satisfactory work opportunities for personal growth and development, consistent with the needs of the organisation.

2. BACKGROUND

This Policy has been reviewed and amended over time to better further the above objectives and to comply with relevant legislative requirements.

3. SCOPE

This Policy covers the recruitment and selection of all employees up to and including employees at Band 8 under Council's Enterprise Agreement, who are to be paid through Council's payroll system, including permanent, maximum term and temporary employees, as well as employees in secondment roles.

Appointments to positions above Band 8 under Council's Enterprise Agreement will be managed in accordance with any relevant provisions and requirements under Council's Enterprise Agreement and the *Local Government Act 2020* (as both are amended from time to time).

The Policy may be applied as a guideline when appointing temporary staff hired through a third party such as an employment agency.

4. POLICY

4.1 PERMANENT RECRUITMENT – INTERNAL & EXTERNAL VACANCIES

4.1.1 When should a position be recruited?

The decision to recruit should be made in the context of the current and future workforce requirements of the unit; available financial resources and relevant workforce planning strategies within the relevant department.

Immediate recruitment may not always be the most appropriate method to fill a vacancy and alternatives should be considered prior to recruitment action commencing.

Alternatives to recruitment may include:

- Utilising existing resources, including job redesign;
- Relieving appointment;
- Providing secondment opportunities for existing employees;
- Using the vacant position as a developmental or training position (e.g. higher duties).

4.1.2 - How should it be advertised?

All permanent vacancies will be advertised internally on the Council's intranet site for a minimum of five (5) working days.

Prior to externally advertising positions classified Physical Services Band 4 or below, internal expressions of interest will be sought. The minimum five (5) working days advertising period will apply

External advertisements require a minimum 5-day advertising period and may appear simultaneously with internal advertisements, or after an internal selection process has been conducted and no suitable internal appointment made. Managers have the discretion to decide whether to seek external applications, taking into account the career development needs of existing employees and the likelihood of obtaining a suitable field of candidates internally.

All positions, internally and externally, should be advertised with the following statement:

'Council will consider flexible working arrangements for all positions. We embrace our diverse community and encourage applications from everyone including people of Aboriginal & Torres Strait Islander background, people of diverse sexual orientation and gender, people from culturally and linguistically diverse backgrounds, people with disabilities and people of varied age, and faith. Council will give due consideration to any workplace adjustments to accommodate the needs of any prospective or existing staff member. We are also committed to ensuring our organisation has a culture of child safety.'

4.1.3 - Gender balance for roles Band 7 and above

To promote gender balance in senior positions, we strive for a 50/50 gender distribution¹ at all stages of the recruitment process for roles at band 7 and above, including secondments and fixed-term positions.

4.1.4 - Can agencies be engaged?

Managers may approve the use of recruitment agencies to assist or carry out selection as deemed appropriate. Engagement of an agency should be in accordance with Council's relevant procurement policies and procedures. Details of agencies who meet the appropriate tender processes are available on The Source.

4.1.5 - How do redeployees fit into this process?

As a general rule, all applicants will be given equal opportunity for selection however it is acknowledged that occasionally, there may be situations such as redeployment, restructuring or specific training and development needs where selective recruitment may be warranted.

In these instances, the Director or Manager will present a justifiable case to the Manager People and Change or the Coordinator Organisational Development and CEO for their approval of the proposed action.

Council's Enterprise Agreement effectively requires Council to seek and consider acceptable redeployment opportunities that may be offered to an employee to whom the Enterprise Agreement applies and whose position Council has decided to make redundant (a 'redeployee').

Therefore, before advertising a vacancy, Council will endeavour to assess any current redeployees in relation to their suitability for the upcoming role.

Assistance, including retraining, will be available to a redeployee on request to help them demonstrate their ability to meet the requirements of the role.

4.1.6 – What arrangements apply to current or potential employees with a disability?

Council's Workplace Adjustments Guidelines will apply in this situation.

¹ The 50/50 gender balance is inclusive of people who identify as transgender, gender diverse, gender non-conforming, intersex and/or other.

4.1.7 - What is shortlisting?

Shortlisting is the process of determining which applicants are most likely to be able to perform the key selection criteria in the position description, either now or within a reasonable period of time, and any job or 'success in the role' requirements.

This assessment is made based on the information contained in each applicant's job application and should form the basis for deciding which applicants will proceed to the next stage in the selection process.

Applicants are responsible for demonstrating how they meet the key selection criteria. Should insufficient information be contained within an application, the hiring manager carrying out the shortlisting is not obliged to seek further information but may proceed to shortlist the person at their discretion. For internal staff, Organisational Development staff will be available to assist employees seeking guidance on how to prepare a job application. Employees may also contact Council's Career Assist service which is made available through Converge International. Information about how to access Career Assist can be found in the Employee Assistance pages on The Source.

4.1.8 - What about internal applicants?

If an internal applicant is not amongst the top assessed candidates after shortlisting, there is no obligation to progress that internal applicant further in the selection process. Prior to the next steps in the selection process commencing, Hiring Managers are encouraged to advise unsuccessful internal applicants they will not be proceeding further, especially where there is more than one internal candidate.

4.1.9 - How are selection panels composed?

Each selection panel will consist of two or more members, one of whom will be the immediate supervisor of the vacant position (who will ordinarily assume the role of Chairperson/Hiring Manager). At least one panel member must be of the same gender as the interviewee. If the gender of the interviewee is unknown the panel will consist of both genders.

At least one panel member must be from a department outside of the recruiting department. It is not a requirement that a representative from Organisational Development sit on the interview panel.

At least one or more of the panel members must have been trained in interviewing techniques and Equal Employment Opportunity principles. As a minimum, each panel member will have familiarised themselves with the Council's recruitment tools, which are available to the person recruiting for the position on Council's intranet Recruitment Process page.

Members of selection panels must consider the potential for conflicts of interest to impact upon the selection process (see Conflicts of Interest below).

4.1.10 - Conflicts of Interest

Prospective panel members must declare any conflicts of interest in relation to their relationship with any interviewees. This may include if the person is related to them or known to them in a capacity other than through usual work interactions including acquaintances, relatives and friends. If so, the person must inform their supervising manager and disqualify themselves from the panel.

4.1.11 - How are selection decisions made?

Position descriptions must reflect the inherent requirements or essential activities of the position and be non-discriminatory. For example, an essential activity or inherent requirement for a telephonist's job is the ability to communicate by telephone, but it is not an inherent requirement to hold the phone in the hand.

Every selection decision will require the selection panel to assess the relative merits of each applicant against the key job tasks and any specified job requirements. The person with the highest overall ranking after consideration of all assessment methods, which may include their perceived ability to perform the role after a reasonable period of time, will be recommended for appointment.

Methods used to assess the relative merits may include one or more interviews, identity checking, reference checks, psychometric testing, physical testing, skills testing, group interviews and any other assessments that Council deems relevant to the role. As interviews and reference checking are among the least reliable forms of assessing ability, attitude and capability, it is highly recommended a range of selection tools be utilised, regardless of the position being recruited for. Organisational Development can assist with the development of appropriate tests. Eligibility criteria may include the ability to hold the relevant or required licences to undertake the role along with current satisfactory Working with Children Checks or satisfactory Police Checks where applicable.

Any applicant who is assessed as not meeting the requirements of the role may be ruled ineligible from proceeding further in the selection process. Such applicants will be duly notified.

4.1.12 - When are employment offers made?

Employment offers are subject to the requirements of the role and the successful completion of satisfactory pre-employment vetting. The Recruitment Checklist details the steps that must be completed, and documentation provided by candidates and Hiring Managers prior to any offer being made.

No offer of employment is to be made until:

- The candidate's identity has been verified by sighting a birth certificate, driver's licence or passport and that the candidate matches the photo on the relevant documentation;
- Required qualifications provided and licences sighted (certified copies where necessary) and have been checked with the relevant institution to confirm their legitimacy, where possible;
- Satisfactory Police and Working with Children checks (if required based on the position description) are provided. Please note an offer will not be made should the results of the Police Check or Working with Children Check be unsatisfactory;
 - Police checks are required for positions where the occupant may pose a risk to Council or the community (refer Council's Police Check Policy on The Source). This may include roles which have responsibility for money or assets or contact with children or the aged, e.g. School Crossing Supervisor, Childcare employee, Community Carer Worker, library employee, etc;
 - A valid Working with Children Check Card (or correspondence from DJR advising that they have passed their WWC Check and stating the number of their forthcoming WWCC Card) may be required (where applicable) in accordance with Council's Working with Children Check Guidelines and must be recorded by Council;
- NB: In certain circumstances a conditional appointment may be made prior to qualifications and licences being verified and/or Police Checks and Working with Children Checks being completed with potential appointees. In these situations, the appointee cannot carry out any tasks upon which the qualification, check or licence rely on them having until such time as these are obtained, provided to and deemed to be satisfactory by Council. In the case that required qualifications, checks or licences later prove to be unsatisfactory, the appointee's employment may be terminated. The pre-employment screening has been completed (if applicable as per the position description). The purpose of the pre-employment screening is to assess a candidate's ability to perform the inherent requirements of the job. The pre-employment screening is not to be used as a basis for refusing employment should a disability / impairment become apparent which is unrelated to performance of the inherent requirements of the job (refer Workplace Adjustments Guidelines);
- the applicant's eligibility to work in Australia has been confirmed for an external hire, at least two referee checks have been carried out, preferably of current and/or past supervisors (for roles working directly with children, references must be obtained from the two most recent employers). This formal requirement may be waived for internal applicants, although it is recommended that the person's immediate supervisor (or manager other relevant person if the immediate supervisor is the hiring manager) should be asked to comment about their employment with Council;

All unsuccessful applicants will be notified in writing in a timely manner. Feedback as to why they were unsuccessful will be provided upon request.

4.1.13 - How does Council protect the confidentiality of candidates?

For identity documents there are specific collection, use, disclosure, and storage requirements. Please refer to Council's Privacy and Personal Information Policy.

4.1.14 - Can I appeal a decision?

Internal applicants who are unsuccessful may appeal the decision where they believe the selection processes outlined within this Policy were not correctly applied, and they were disadvantaged as a result.

Any person intending to appeal a selection decision must notify the Coordinator, Organisational Development or Chairperson of the selection panel within 48 hours of advice of non-selection. This initial verbal advice must be followed by a written submission by the appellant outlining the grounds for their appeal. This written submission is to be received by the Coordinator, Organisational Development within 5 working days of being advised of their non-appointment to the position.

The Coordinator, Organisational Development will constitute an Appeals Panel consisting of an independent Chairperson, an Organisational Development representative and Union representative. The panel will meet within 14 days of receipt of the appellant's submission.

The role of the Appeals Panel is to review the interview evidence, compare it to that of the appointee and determine whether the selection process was correctly applied.

The Appeals Panel may recommend the appeal be upheld, dismissed or that re-interviews take place.

4.1.15 - Can a subsequent appointment be made?

Should a subsequent vacancy arise for the same position, or an identical position within the same Team (the selection criteria must be identical), an appointment may be made from the original field of applicants. However, the vacancy must occur within 4 months from the closing date of the original advertisement. The person being considered for appointment must have been an applicant for the original position and short-listed during the initial selection process.

4.1.16 - What happens if there is only one applicant?

A formal selection process is recommended even if only one applicant proceeds past the shortlisting stage. As a minimum, an informal interview should be conducted, and notes must be taken from the discussion for auditing purposes. These notes should be saved in the relevant Recruitment Folder in Objective.

4.2 EXTERNAL FIXED TERM CONTRACT POSITIONS

Hiring managers need to be aware of the definition and parameters of a fixed term contract as defined by the Fair Work Act 2009 before commencing recruitment of this type of role/vacancy. Unless otherwise specified below, clause 4.1 will apply to externally recruited fixed term contract positions. Also refer to clause 15.4, Temporary Employment, of Part B of Council's Enterprise Agreement.

4.2.1 - What is a Fixed Term Contract?

A person is on a fixed term contract if they enter into a contract with Council that terminates at the end of an identifiable period. For example, the contract ends after:

- a set date or period of time, or
- a season

Employees engaged on fixed term contracts who are engaged on a full-time or part-time basis have similar conditions and entitlements as permanent (ongoing) employees. This includes leave entitlements.

4.2.2 - What are the limitations on Fixed Term Contracts?

Contracts before 6 December 2023

These rules apply to new contracts entered into **after** this date. However, fixed term contracts entered into before 6 December 2023 **do have to be considered** when considering applying the consecutive contracts limitation for a new fixed term contract entered into on or after 6 December 2023.

Time Limitations

A fixed term contract can't be for longer than 2 years. This includes any extensions or renewals.

Renewal Limitations

A fixed term contract can't have an option to:

- extend or renew the contract so that the period of employment lasts longer than 2 years, or
- extend or renew the contract more than once.

Consecutive Contract Limitations

If the first 3 points below all apply, and one or more of the scenarios in the 4th point applies, an employee can't be offered a new fixed term contract.

1. Their previous contract was also for a fixed term, and
2. their previous contract and the new contract are mainly for the same work, and
3. there is substantial continuity in the employment relationship between the previous and new contracts, and
4. any of the following apply:
 - a. the previous contract contained an option to extend that was used
 - b. the total period of employment for both the previous and new fixed term contract is more than 2 years
 - c. the new fixed term contract contains an option to renew or extend, or
 - d. there was an initial contract in place (before the previous contract):
 - i. that was for a fixed term
 - ii. that was for the same or similar work, and
 - iii. where there was substantial continuity in the employment relationship.

4.2.3 - Are there any exceptions to the above limitations?

Exception	Description
Specialised skills for a specific task	Work only on a specific task that requires a person's specialised skills.
Training Arrangements	A contract for a formal training arrangement made under State or Territory law. This is an arrangement that combines work with study for a qualification like an apprenticeship or traineeship.
Essential Work	Performing essential work during a peak demand period.
Emergency circumstances or temporary replacement of an employee	Working in emergency circumstances, or if the person is replacing someone who is temporarily away.
High-income employees	If the guaranteed salary is more than the high-income threshold in the year the contract is entered into (pro rata for part-time employees or employees that work for less than a year).
Positions subject to government funding	Where the employee's position is funded by government funding (completely or in part), the funding is for more than 2 years, and the funding is unlikely to be renewed afterwards. Note: This isn't the same as working for a government agency or department on a fixed term contract.
Governance positions	A contract for a governance position that is for a limited time (based on the rules of the corporation or association).
Award provisions	If an award covers the person's employment and it allows any of the circumstances limited by the new rules.

4.2.4 - What happens if a contract doesn't meet the limitations and exceptions rules?

If a person's fixed term contract doesn't meet the rules, the end date in the contract will no longer apply, which means the contract won't automatically come to an end at the end of that time. This will not affect the validity of any other terms of the contract. If the limitations are breached, civil penalties could apply to an individual or a company.

4.2.5 - How should it be advertised?

All external fixed term positions will be advertised internally and external simultaneously on the Council's intranet site and Council's external website for a minimum of five (5) working days.

All positions should be advertised with the following statement:

'Council will consider flexible working arrangements for all positions. We embrace our diverse community and encourage applications from everyone including people of Aboriginal & Torres Strait Islander background, people of diverse sexual orientation and gender, people from culturally and linguistically diverse backgrounds, people with disabilities and people of varied age, and faith. Council will give due consideration to any workplace adjustments to accommodate the needs of any prospective or existing staff member. We are also committed to ensuring our organisation has a culture of child safety.'

4.3 TEMPORARY INTERNAL OPPORTUNITIES

4.3.1 - When should a temporary internal opportunity be used?

The choice to utilise temporary internal opportunities (previously referred to as higher duties, secondments, maximum term, or temporary roles) should be made in the context of the current and future workforce requirements of the unit, job analysis, available financial resources, and relevant workforce planning strategies within the department.

If internal applicants are applying for temporary internal opportunities, they are requested to discuss this with their current supervisor/manager prior to accepting an offer. This will assist in ensuring any impact upon operational requirements can be considered.

It is important that interested employees approach their supervisor/manager at the earliest opportunity to discuss their intentions. This will allow supervisors/managers to consider what arrangements may need to be made to ensure minimal disruption to business operations whilst the temporary internal opportunity is being undertaken, as well as encouraging an internal growth opportunity.

The higher duties/mixed functions clause in Council's Enterprise Agreement may apply and if so, will be complied with.

4.3.2 - Can management decline to release an employee to undertake another temporary internal opportunity?

In certain circumstances an employee may not be released to take up the temporary internal opportunity. This may include:

- where there is urgent work which cannot be covered in the short term;
- the employee is responsible for completion of a critical project or assignment; and
- the difficulty in back filling the flow-on vacancy due to specific technical skills or specialist knowledge requirements of the role.

Should this be the case the Manager will outline their rationale in writing for not agreeing to release the employee.

An employee may access the grievance resolution process should they be aggrieved by a decision to refuse their release to take up an internal temporary opportunity.

4.3.3 - What are the advertisement requirements for temporary internal opportunities?

Up to and including 2 weeks

The vacancy can be appointed at the hiring managers discretion using any advertisement and selection process. These may include an EOI via email or The Source. An Existing Employee Temporary Movement form must be completed to confirm the appointment.

More than 2 weeks

The vacancy can be advertised via The Source or via PULSE. The advertising option can be decided by the hiring manager.

- The Source – vacancy must be approved by Department Manager and Organisational Development advised of pending recruitment. Then expressions of interest must be sought via a Source News article across all of Council (completed by the hiring manager). Applicants must submit applications via email directly to the hiring manager and applicants must be reviewed based on the role requirements.
- PULSE – position requisition form in PULSE must be completed and once approved Organisational Development will automatically create the job advertisement for a minimum of 5 business days if all job information is provided and correct.

Once you have a preferred internal applicant, an Existing Employee Temporary Movement form must be completed to confirm the appointment.

For both advertisement options above, hiring managers must ensure there is an equitable, transparent, and non-biased selection process undertaken to ensure the best candidate is chosen for the temporary internal opportunity.

The hiring manager is required to complete the below mandatory requirements for auditing purposes:

- File all required recruitment paperwork in the relevant position recruitment folder in Objective.
- Ensure the preferred applicant has applicable accreditations and this is updated in PULSE accordingly (as outlined in the position description)

4.3.4 - I am a permanent employee. Will my substantive position be held open if I am successful in obtaining a temporary internal opportunity with Council?

Yes, in the majority of circumstances your substantive position will be held open for you to return to after your temporary internal opportunity is completed.

This includes where you are replacing a person on parental leave for periods of up to two years, in accordance with the relevant legislation.

However, where any temporary internal opportunity is for a period of 12 months or greater you should first check with your supervisor/manager that your original substantive position is able to be held open, subject to operational requirements.

Accordingly, you should obtain confirmation from your supervisor/manager, in writing, that your substantive position can be held open prior to accepting an offer of a temporary internal opportunity where this would result in being absent from your substantive role for greater than 12 months in total.

4.3.5 - Will all applicants be interviewed?

There is no obligation on hiring managers to interview each internal applicant for temporary internal opportunities. The recruiting officer should assess each application on its merits. Further, temporary internal opportunities that require knowledge and skills specific to a team or department may limit the field of applicants that can be considered.

Assessment methods may include one or more interviews, reference checks, psychometric testing, physical testing, skills testing and any other assessments that Council deems relevant to the key job tasks. Eligibility criteria may include the ability to hold the relevant or required licences to undertake the role along with current Working with Children Checks or clear Police Checks for relevant offences where applicable.

5. RESPONSE TO THE OVERARCHING GOVERNANCE PRINCIPLES OF THE LOCAL GOVERNMENT ACT 2020

This Policy responds to the relevant overarching governance principals of the *Local Government Act 2020*, as it is intended to ensure that recruitment and selection decisions are:

- made in accordance with all relevant laws (referred to in 'References and Related Documents' below); and
- equitable and transparent, including publicly advertising positions where appropriate.

6. CHARTER OF HUMAN RIGHTS AND RESPONSIBILITIES ACT 2006 – COMPATIBILITY STATEMENT

The *Charter of Human Rights and Responsibilities Act 2006* has been considered in preparing and reviewing this Policy. The Policy is compatible with relevant rights enshrined in the Charter in that it is designed to:

- provide equal and effective protection against discrimination in the recruitment and selection of Council employees (including but not limited to on the bases of disability, race, religious belief, culture, gender or membership of a trade union);
- prevent any job applicants from being treated in a cruel, inhuman or degrading way;
- protect each person's right to privacy and to not have their reputation unlawfully attacked.

7. RESPONSE TO THE GENDER EQUALITY ACT 2020

The *Gender Equality Act 2020* has been considered in the preparation of this Policy. This Policy has been amended as a result of Council's first gender audit, with the following intentions:

- To improve gender equity, particularly in leadership roles and roles which are considered potential pipelines to leadership roles; and
- To give additional consideration to diversity and inclusion in recruitment and promotion.

8. CONSIDERATION OF CLIMATE CHANGE AND SUSTAINABILITY

This Policy has no impact on Council's Declaration on a Climate and Ecological Emergency, Council's Climate Change Emergency Strategy 2020-2030, or the requirements of the Local Government Act 2020 in relation to the overarching governance principle on climate change and sustainability, because the protective and administrative measures contained in this Policy do not touch on the natural environment and do not seek to change any built environment.

9. RESPONSIBILITIES

Chief Executive Officer (CEO), Directors, Managers, Supervisors, and the person recruiting for the position are responsible for implementing of this Policy.

- o Council's Recruitment Checklist, available on The Source (intranet) Recruitment Process page will assist the recruiter meet their obligations.
- o Organisational Development will provide relevant recruitment and selection advice and assistance to the person recruiting to ensure the objectives of this Policy are met.

All positions must be approved by the CEO and Executive Management Team prior to any recruitment action being undertaken.

- o The relevant Director and Manager approval is required to be able to implement the selection panel's recommendations for appointment.
- o The Manager People and Change and the Coordinator Organisational Development have the delegated authority to prepare and sign all letters of offer.

10. REPORTING, MONITORING AND REVIEW

This Policy will be monitored and reviewed as follows:

- During the life of this version of the Policy, Council will consider how it can collect statistics relevant to inclusion and diversity.;
- After each gender audit conducted by Council, Council will review this Policy.

Our recruitment process incorporates Child Safe measures, prioritising the well-being and protection of all Children and families involved.

11. REFERENCES AND RELATED DOCUMENTS

Legislation

- | | |
|--|--|
| Victorian
Legislation, Principles,
and other reference
sources (as amended
or replaced from time
to time) | <ul style="list-style-type: none">• <i>The Charter of Human Rights and Responsibilities Act 2006</i>• <i>Equal Opportunity Act 2010</i>• <i>Gender Equality Act 2020</i>• <i>Local Government Act 2020</i>• <i>Occupational Health and Safety Act 2004</i>• <i>Privacy and Data Protection Act 2014</i>• <i>Public Records Act 1973</i>• <i>Racial and Religious Tolerance Act</i>• <i>Worker Screening Act 2020</i> |
| Commonwealth
Legislation, schemes,
and guidelines (as
amended or replaced
from time to time) | <ul style="list-style-type: none">• <i>Age Discrimination Act 2004</i>• <i>Disability Discrimination Act 1992</i>• <i>Fair Work Act 2009</i>• <i>Human Rights and Equal Opportunity Commission Act 1986</i>• <i>Racial Discrimination Act 1975</i>• <i>Sex Discrimination Act 1984</i> |

Related Council and Other Policies, Procedures, Strategies, Protocols, Guidelines

- Appropriate Workplace Behaviours Policy
- Council Plan
- Child Safe Policy
- Disability Action Plan
- Diversity, Access and Equity Policy
- Greater Dandenong City Council Enterprise Agreement
- Position Descriptions
- Positive Aging Strategy
- Privacy and Personal Information Policy
- Higher Duties Policy
- Reconciliation Action Plan
- Record Management Policy
- Recruitment Tools (Recruitment Process page of The Source)
- Staff Grievance Resolution Policy
- Injury Management Occupational Rehabilitation & Return to Work Procedure
- Working with Children Check Guidelines
- Workplace Adjustment Guidelines