



**Victorian
Public Sector
Commission**

Recruitment and Appointment to the Board

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Overview

Sound corporate governance practice is essential to ensure good client service and accountability to stakeholders. This is particularly important in the Victorian public sector which relies heavily on separately incorporated public entities to deliver the bulk of the Victorian Government's services to citizens.

Victoria has approximately 4,000 public entities, of which around 1,800 employ 222,000 staff. By contrast, the public service employs around 40,000 people in approximately 30 departments, offices and authorities.

Many individuals who commit their time to these public entities as Directors do so on a voluntary basis. Providing support to both paid and unpaid public entity Board Directors is a key role for Victoria Government departments and the Victorian Public Sector Commission (VPSC).

The VPSC is committed to developing a comprehensive, accessible range of governance products for Victorian public sector Directors, departments and staff.

This document provides an overview of Ministerial, Departmental Secretary and Board Chair responsibility and involvement in the recruitment and appointment of public entity Board Directors.

More detailed information on the recruitment and appointment process can be found in Recruitment and Appointment to the Board – A Governance Officers' Toolkit. This Toolkit outlines in detail the processes that governance officers in departments should follow when recruiting and appointing public entity Directors.

It is acknowledged that not all vacant positions can be filled in exactly the same way. The recruitment and appointment process can depend on the legislative context, the politically sensitive nature of some appointments, the timing of the appointment and other Board specific requirements. Each appointment and recruitment process should be tailored specifically to the requirements of a particular Board and its Directors.



2. Planning Process

Recruiting and appointing public entity Board Directors can be a complex and time consuming task, in many cases taking between six to nine months. Given the timeframes involved, it is important to give due attention to progressively informing candidates as to their status as the process unfolds.

Outlined in Figure 1 is an overview of the indicative process and timelines for recruiting and appointing Directors to public entity Boards. These processes may be amended to fit the diverse circumstances and requirements of public entity Boards.

2.1 Planning and Role Analysis

To attract the best possible candidate(s), thorough planning processes should be undertaken by Boards and departments.

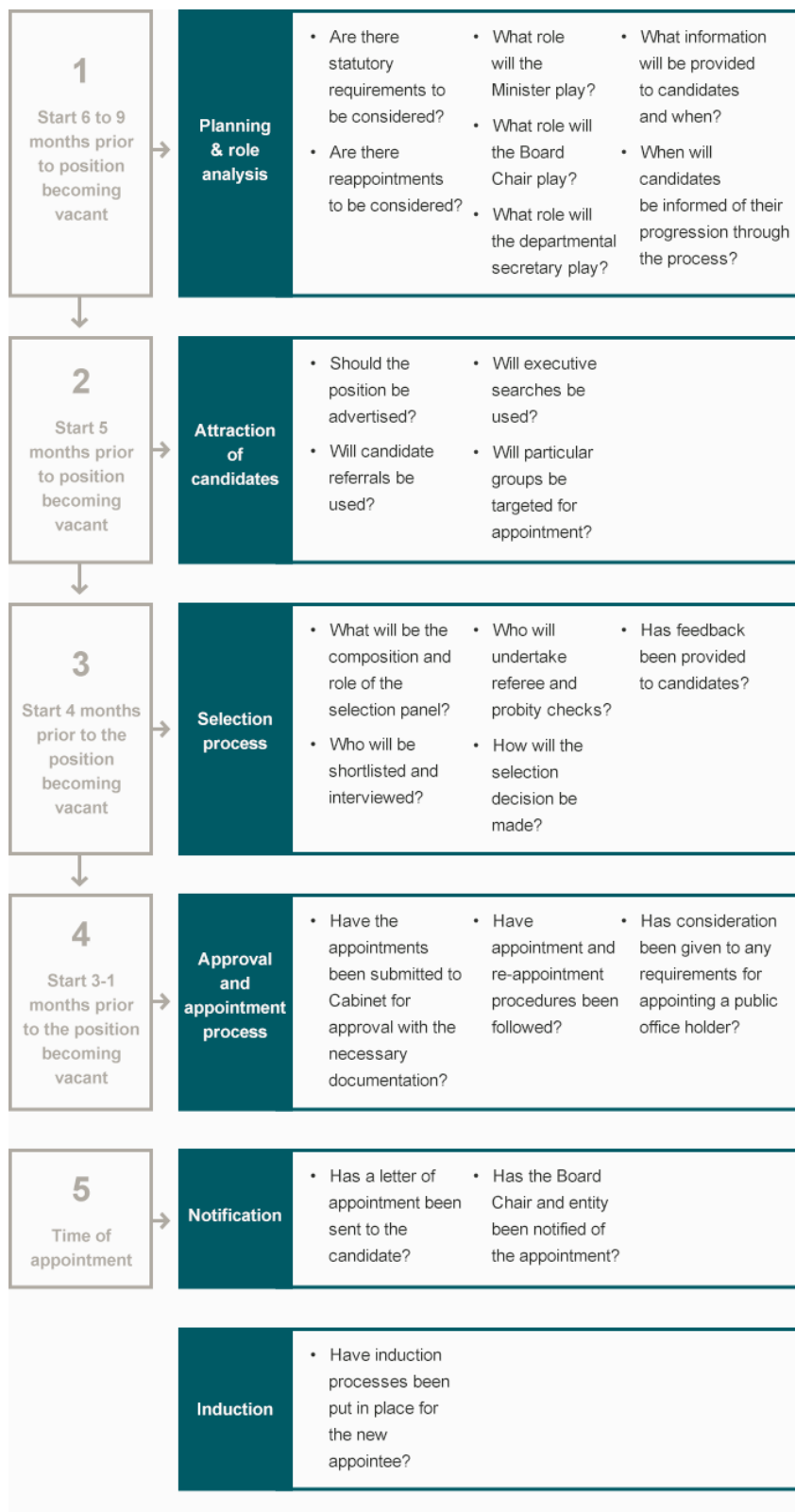
The planning process includes early consideration of the steps in recruitment and selection, scheduling the activity and confirming the involvement of the Minister, Departmental Secretary and Board Chair.

Responsible governance officers should consider developing a recruitment and appointment plan to be agreed by the Minister or the Minister's delegate and the Departmental Secretary.

Role analysis is critical to recruitment and selection, as it is the foundation of a high quality process. It helps to inform role descriptions and selection criteria.

It is also important for departmental officers to consider the information that should be provided to potential candidates. This enables the candidate to fully understand the role they are applying for, and the time involved in the recruitment and appointment process.

Figure 1: Recruitment and appointment process (with indicative timelines)



2.2 Attraction of Candidates

Advertising positions is a common way of attracting potential Board Directors and helps to ensure a wide audience is reached. It can also help to ensure transparency and accountability in the recruitment process. The use of referrals and executive searches is also considered a legitimate way of sourcing potential candidates. Good practice would suggest the default is advertising. However, there are instances where this is not appropriate, for example, where there are statutory requirements or re-appointments.

Consideration should also be given to how to attract target groups, for example: women, people from rural and regional Victoria, indigenous candidates and/or those from a background to whom the services are principally directed.

2.3 Statutory Requirements

Where an entity is established through legislation, it is important to be clear about any provisions that may affect the process by which a candidate is appointed or is eligible for appointment.

Where the legislation requires nomination from a particular group or organisation, the procedure in the legislation must be followed. In such cases, there is no requirement for advertising or interviewing other candidates and the approval and appointment process can begin.

The legislation may also require Directors to hold particular knowledge and skills; where this occurs the legislation must be followed. In the majority of cases, the Minister has the ability to choose a candidate without reference to any statutory requirements.

2.4 Re-appointments

Board Directors often re-apply and are re-appointed to their Board position after consideration has been given to:

- the Director's performance during their term on the Board
- whether the personal qualities, character and reputation, knowledge, skills and specialist expertise of the Director are still relevant to the Board
- regular turnover of the Board.



2.5 Selection Process

Due to the key role that public entities play in Victoria in the delivery of government services it is important to have a formalised and structured selection process in place. The selection process involves a number of complex and time consuming steps, including:

- determining the composition and role of the selection panel
- short-listing candidates
- interviewing candidates
- referee checking
- undertaking probity checks on shortlisted candidates
- making a selection decision
- providing feedback to candidates on how they are progressing during the recruitment process.

It is important that these steps are undertaken as expeditiously as possible to ensure candidates have confidence throughout the recruitment and appointment process.

2.6 Approval and Appointment Procedures

There are a number of steps required in seeking approval for the appointment of potential candidate(s), including:

- submitting appointments for approval by Cabinet
- appointment and re-appointment procedures.

Consideration needs to be given to any requirements that might be in place if appointing a public office holder or an individual to multiple Boards.

2.7 Notification and Onboarding

Once a candidate has been appointed it is important that a formal letter of appointment is sent to them advising them of their appointment to the Board.

Induction is often the first contact a Board Director has with their Board or public entity. Having induction procedures in place allows new Directors to participate fully and actively



in Board decision-making at the earliest opportunity.

Outlined below is an overview of responsibilities for Ministers, Departmental Secretaries and Board Chairs in the recruitment and appointment process.



3. Responsibility of the Minister

It is the Minister's responsibility and prerogative for appointments within their portfolio, subject to any legislative or Cabinet requirements. The Minister is responsible for:

- appointments to Boards within their portfolio
- approving potential candidates that are to be taken to Cabinet for approval
- taking these candidates to Cabinet.

The Minister may also be involved in the recruitment process by:

- approving the recruitment and appointment plan proposed by the responsible governance area
- approving selection criteria proposed by the responsible governance area
- approving the selection panel proposed by the responsible governance area
- nominating potential candidates
- meeting with the potential candidates.

The Minister may at any time assign parts of the recruitment process to a delegate. The Minister remains accountable for the appointment decision even if a delegate has been used. At the end of the recruitment process it is the responsibility of the Minister to decide whether a candidate is suitable for a Board position.



4. Responsibility of the Departmental Secretary

Departmental Secretary A Departmental Secretary is responsible for endorsing a recruitment and appointment plan prior to it being sent to the Minister for approval.

A Minister may require a Departmental Secretary to act as the Minister's delegate during the recruitment process. This can involve responsibility for:

- approving the recruitment process proposed by the responsible governance area
- approving selection criteria proposed by the responsible governance area
- approving the selection panel proposed by the responsible governance area
- nominating potential candidates
- meeting potential candidates.

A Departmental Secretary may be asked by the Minister to sit on the selection panel during the recruitment process.



5. Responsibility of the Chair

Subject to any statutory requirements and on invitation from the Minister or the Minister's delegate, a Board Chair may be involved in the recruitment and appointment process in the following ways:

- helping to keep track of upcoming vacancies
- giving consideration to the knowledge and skills, personal qualities and specialist expertise required by the Board going into the future and canvassing the Board's views on these issues. This information is to be provided to the area or individual within a department responsible for the recruitment and appointment process
- undertaking an analysis of the upcoming vacancy in order to provide input into producing a role description and selection criteria
- making Board Directors aware that re-appointment is not guaranteed
- nominating potential candidates
- potential involvement as a member of the selection panel.

