



**Victorian  
Public Sector  
Commission**



**VICTORIA**  
State  
Government

# **Governance toolkit for recruitment and appointment to the board**

This toolkit assists governance officers in departments who are responsible for supporting government to appoint Directors to public entity Boards.

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# 1. Introduction

This toolkit has been developed primarily to assist governance officers in departments who are responsible for supporting government to appoint Directors to public entity Boards.

## 1.1 Purpose of this Toolkit

This toolkit has been developed primarily to assist governance officers in departments who are responsible for supporting government to appoint Directors to public entity Boards.

The toolkit is designed to supplement the Government's Appointment and Remuneration Guidelines for Victorian Government Boards, Statutory Bodies and Advisory Committees.

Each year in Victoria, significant numbers of appointments are made to public entity Boards. Recruiting and appointing Directors to these Boards can be a time consuming, involved and often complicated process.

This toolkit aims to clarify the processes that should be undertaken when recruiting and appointing Directors to public entity Boards. It provides a minimum set of guidelines based on good practice recruitment and selection process models.

## 1.2 Project Context

The toolkit provides practical guidance on how to go about the recruitment and appointment process. It draws on:

- VPSC's 'Public Entity Directors: supply, selection and appointments'
- Department of Premier and Cabinet's '[Appointment and Remuneration Guidelines for Victorian Government Boards, Statutory Bodies and Advisory Committees](#)'

- VPSC's [Best Practice and Recruitment and Selection Toolkit](#)
- VPSC's 'Good practice guide on governance for Victorian public sector entities'
- a review of relevant literature.

The tips and techniques in this toolkit have been developed to assist in selecting the best person for a Board Directorship.

It is acknowledged that not all vacant positions can be filled in exactly the same way.

The recruitment and appointment processes used can depend on the legislative context, the politically sensitive nature of some appointments, the timing of the appointment and other Board specific issues.

Each appointment and recruitment process should be tailored specifically to the requirements of a particular Board and its Directors.

Having a structured, formalised and open approach to the selection of Board Directors is more likely to identify a broader range of candidates.

All appointments should be governed by the overriding principle of selection based on merit and professional dealing with all candidates, thus attracting the best possible candidates.



## 2. Planning

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

### 2.1 Planning Process

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

Planning includes:

- early consideration of the steps in recruitment and selection
- timely scheduling of the activity
- determining the involvement of the Minister and Board Chair
- the resources and time required to support the process.

A planned approach ensures time critical steps are identified and met. Planning supports effective recruitment and selection processes.

It helps to manage time constraints and step out the recruitment and selection process for both the public entity and applicants, allowing for adequate time to be assigned. It is also important to determine the processes and timings for approval and appointment procedures.

The responsible governance officer(s) should undertake a planning process even if a decision is made not to advertise a position and instead use referrals to identify candidates.

It is important to identify any succession planning that needs to take place as well as the personal qualities, character and reputation, knowledge, skills and specialist expertise required for the position so that the referred candidates can be appropriately assessed. Succession planning refers to the identification and development of potential

future Board candidates.

Good planning can positively affect an applicant's experience of the recruitment and selection process and their perception of the public entity. This in turn, influences their likelihood to complete the recruitment process and accept an offer.

### **Table 1: Planning for upcoming vacancies**



Action	Responsibility
Examine the range of personal qualities, character and reputation, knowledge, skills and specialist expertise required when considering a candidate for nomination or appointment. Taking into account any role analysis that has been undertaken.	Responsible governance officer(s).
Examine the current demand for the skills-set required.	Responsible governance officer(s).
Put in place succession planning plans that will maintain an appropriate balance of skills, experience and expertise on the Board.	Responsible governance officer(s).
Determine the involvement of the Minister and/or his or her delegate (for example, a Parliamentary Secretary) in the recruitment and appointment process.	Responsible governance officer(s).
Determine the involvement of the Board Chair in the recruitment and appointment process.	Responsible governance officer(s).
Determine the processes and timings for approval and appointment procedures.	Responsible governance officer(s).
Determine how and when unsuccessful candidates are to be notified.	Responsible governance officer(s).
Determine if electronic processes will be used for recruitment.	Responsible governance officer(s).
Advise key stakeholders (for example, industry groups, Office of Womens Policy) that the vacancy is arising and request that they advertise or advise people that a position is available.	Responsible governance officer(s).
Develop a recruitment and appointment plan to be signed-off and agreed upon by the Minister.	Responsible governance officer(s).



## 2.2 Recruitment and Appointment Plan

Responsible governance officer(s) should consider developing a documented recruitment and appointment plan. This plan should be agreed upon by the responsible governance officer(s) and the Minister or the Minister's delegate, for example, the Parliamentary Secretary.

**Table 2: Recruitment and appointment plan**

Theme	Key features of the recruitment and appointment plan would include:
<b>Recruitment and appointment plan</b>	<ul style="list-style-type: none"><li>• statutory requirements</li><li>• re-appointment information</li><li>• indicative timelines</li><li>• role of the Minister in the process and consultation points</li><li>• role of the Chair in the process</li><li>• role of the Secretary in the process</li><li>• provision of information to candidates</li><li>• advertising requirements, if applicable</li><li>• executive searches, if applicable</li><li>• composition and role of the selection panel</li><li>• short-listing procedures</li><li>• interviewing procedures</li><li>• process for referee checks</li><li>• probity requirements</li><li>• submitting appointments for approval by Cabinet</li><li>• appointment and re-appointment procedures</li><li>• stages of notification of candidates, including unsuccessful candidates<ul style="list-style-type: none"><li>- onboarding procedures</li><li>- induction procedures.</li></ul></li></ul>

## 2.3 Indicative Timelines for Recruitment and Appointment

This section provides a guide to indicative timeframes for recruiting and appointing Directors to public entity Boards. Note that these timings should be taken as indications only, and may be extended or reduced in practice to fit the diverse circumstances and requirements of public entity boards.

**Table 3: Indicative timelines for recruitment and appointment**



MONTH	WEEK	ACTION
Nine	36	
	35	Role Analysis
	34	
Eight	33	
	32	Planning
	31	
Seven	30	
	29	Advertising
	28	
Six	27	Advertising - application close
	26	
	25	Assess applications
Five	24	
	23	Prepare short-list
	22	Arrange interviews
Four	21	
	20	Interviewing
	19	
Three	18	Reference checking
	17	
	16	Recommend selected applicant to Minister
Two	15	Commence probity requirements for short-listed referred candidate(s)
	14	
	13	
One	12	Probity checks
	11	
	10	
Zero	9	Prepare Cabinet papers
	8	Refer draft Cabinet papers to Minister for signature
	7	
Negative One	6	Cabinet process
	5	
	4	Cabinet papers to Cabinet secretarial at least one week prior to the Cabinet meeting for which it has been scheduled
Negative Two	3	Cabinet considers nominations
	2	Confirmation of Cabinet endorsement either through Governor in Council or it necessary an extraordinary general meeting
	1	Instruments of Appointment and associated letters signed
Negative Three	0	Advise successful applicant verbally and through letter of appointment advise Chair and Board Directors of appointment verbally and through a letter of appointment Advise unsuccessful applicants for re-appointments verbally and through a letter
	-1	
	-2	Advise other unsuccessful applicants verbally and through a letter new appointees commence induction process



## 2.4 Role of the Minister

It is the Minister's responsibility and prerogative to make appointments within their portfolio, subject to any legislative or Cabinet requirements. They are ultimately accountable for the appointments that are made.

As such, Ministers have an important and legitimate interest in the conduct of these appointment processes. It is the role of the department to support the Minister during this process.

Ministers may assign parts of the recruitment process to a delegate, for example, a Parliamentary Secretary. 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 recommended by the selection panel will be appointed.

### 2.4.1 Upcoming Vacancies

Approximately six months prior to a position becoming vacant the responsible governance officer(s) should brief the Minister on upcoming vacancy information.

**Table 4: Upcoming vacancies**

Action	Responsibility
<b>Upcoming vacancy information</b>	<p>Information should be provided to the Minister on:</p> <ul style="list-style-type: none"><li>• the number of vacancies</li><li>• the objectives and functions of the public entity</li><li>• current Board membership</li><li>• suggestions for revised personal qualities, character and reputation, knowledge, skills and specialist expertise to fill the vacancy</li><li>• eligibility for re-appointment</li><li>• succession planning as required.</li></ul> <p>Responsible governance officer(s).</p>

## 2.4.2 Ministerial Agreement on the Recruitment and Appointment Process

The Minister should be provided by the responsible governance officer(s) with a proposed recruitment and appointment process for filling the vacancy. This process should be agreed upon by all parties. Outlined below are the key process steps that should be agreed on with the Minister.

### Table 5: Ministerial agreement on recruitment and appointment processes

Action	Responsibility
Provide the Minister with an outline of the proposed recruitment and appointment process.	Responsible governance officer(s).
Ensure that the recruitment and appointment process is agreed upon by the Minister and the responsible governance officer(s) within the department.	Minister and responsible governance officer(s).
Agree on the level of involvement the Minister or the Minister's delegate will have in the recruitment and appointment process.	Minister and responsible governance officer(s).
Provide the Minister with any role analysis that has been undertaken and the suggested selection criteria.	Responsible governance officer(s).
Ensure the Minister has approved the suggested selection criteria.	Responsible governance officer(s).
Provide the Minister with a list of the suggested make up of the selection panel.	Responsible governance officer(s).
Ensure the Minister has approved the make up of the selection panel.	Responsible governance officer(s).

### 2.4.3 Ministerial Involvement in the Recruitment and Appointment Process

This sub-section outlines the ways in which the Minister may be involved in the recruitment and appointment process.

**Table 6: Ministerial involvement**

Action	Responsibility
Provide the Minister with an opportunity to be involved in the recruitment process if they wish, for example, approving selection criteria and meeting with candidates.	Responsible governance officer(s).
Formally ask the Minister to suggest potential candidates to be considered in the process	Responsible governance officer(s).
Invite these candidates to participate in the agreed recruitment and appointment process.	Responsible governance officer(s).
Keep the Minister informed of the progress of candidates throughout the process.	Responsible governance officer(s).
Provide the Minister with a list of the short-listed or referred candidate(s), outlining their skills, experience and rating against key selection criteria.	Responsible governance officer(s).
Provide the Minister with an opportunity to meet the short-listed or referred candidate(s) to help inform his/her final decision.	Responsible governance officer(s).
Minister to approve the recommended candidate for Cabinet.	Responsible governance officer(s).



## 2.5 Role of the Departmental Secretary in the Recruitment and Appointment Process

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; and
- meeting potential candidates.

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

## 2.6 Role of the Chair in the Recruitment and Appointment Process

Involving Board Chairs in the recruitment and appointment process can be extremely helpful, as they have a detailed knowledge of the workings of the Board and public entity and of the skills and experience required to fill a vacancy.

### 2.6.1 Issues for a Chair to Consider when Planning for an Upcoming Vacancy

This sub-section outlines issues to be considered by a Board Chair when a vacancy is arising.

**Table 7: Issues for the Chair to consider when planning for vacancies**

Action	Responsibility
Keep track of upcoming vacancies.	Board Chair.
Give consideration to succession planning for the future needs of the Board. This succession strategy should be provided to the area responsible for the recruitment and appointment process.	Board Chair.
Consider the personal qualities, character and reputation, knowledge, skills and specialist expertise required by the Board going into the future.	Board Chair.
Make it clear to the Board Directors that re-appointment is not guaranteed, as outlined in the <i>Appointment and Remuneration Guidelines for Victorian Government Boards, Statutory Bodies and Advisory Committees</i> .	Board Chair.

## 2.6.2 Chair Involvement in the Recruitment and Appointment Process

This sub-section outlines the ways in which a responsible governance officer(s) should involve the Chair in the recruitment and appointment process.

**Table 8: Chair involvement**

Action	Responsibility
The Chair of the Board should be provided with an opportunity to be involved in the recruitment process.	Responsible governance officer(s).
Discuss with the Chair the personal qualities, character and reputation, knowledge, skills and specialist expertise he/she feels are required for the Board going into the future.	Responsible governance officer(s).
Invite the Chair to nominate candidates for the vacant position.	Responsible governance officer(s).
Invite the Chair to be a member of the selection panel if their involvement has been agreed to by the Minister.	Responsible governance officer(s).

## 2.7 Recruiting a Chair

The Chair has an important role to play on a public entity Board. They must have a sound understanding of the workings of the Board and of the public entity. The Chair provides leadership of the public entity and is responsible for maintaining effective and constructive working relationships with individuals internal and external to the entity.

Subject to any statutory or Cabinet requirements, a Chair can be recruited using the same process as the one that has been established to recruit a Board Director. A Chair can be recruited separately or the process can be undertaken at the same time as recruitment is taking place for Board Directors.

However, the unique responsibilities and skills required to be a Chair should be reflected

in the role description and selection criteria that are created to recruit for this position. The indicative process for recruiting a Chair is outlined below.

**Table 9: Chair recruitment process**

Theme	Process can include:
<b>Chair recruitment process</b>	<ul style="list-style-type: none"> <li>• role analysis</li> <li>• planning</li> <li>• advertising</li> <li>• assessing applications</li> <li>• short-listing</li> <li>• interviews</li> <li>• reference checking</li> <li>• probity checks</li> <li>• preparation of Cabinet papers</li> <li>• Cabinet process</li> <li>• notification and onboarding.</li> </ul>

## 2.8 Information

When planning to fill an upcoming vacancy the responsible governance officer(s) should consider the type of information that should be provided to potential candidates. To enable a potential candidate to fully understand the role they are applying for, the information outlined in Table 10 should be made available to a candidate during the application process, both electronically and in hard copy. Without such information it can be difficult for a candidate to make an informed judgement about the skills and commitment required of an effective Board Director, as well as potential areas of concern such as possible conflict of interest.

**Table 10: Information for potential candidates**

Theme	Action
<b>Information for potential candidates</b>	<p>The following information should be provided to all potential Board candidates:</p> <ul style="list-style-type: none"> <li>• functions and objectives of the public entity;</li> <li>• the role of the Board;</li> <li>• the term of appointment, including commencement date and compliance by a Director with any regulatory requirements;</li> <li>• the duties and responsibilities associated with the position and potential committee work;</li> <li>• remuneration and expenses;</li> <li>• the time commitment envisaged per month and minimum meeting attendance;</li> <li>• the expectations of the Board that the Director will comply with all statutory, constitutional, internal policies and regulatory requirements applicable to the public entity;</li> <li>• the relevant legislation that establishes the Board;</li> <li>• an overview of the selection process;</li> <li>• the time the recruitment process will take;</li> <li>• the requirement that short-listed or referred candidates must undertake probity checks; and</li> <li>• the requirement that short-listed or referred candidates must complete a Declaration of Private Interests form.</li> </ul>

### 3. Statutory requirements

Where an entity is established through legislation it is important to be clear about any provisions that may affect the way in which a candidate is appointed.

Where legislation requires nomination from a particular group or organisation, the procedure in the legislation must be followed. In cases where a nomination is desired but not prescribed by legislation, the Minister may select a nominee from a list provided by the organisation.

Nominating organisations should be encouraged to provide more than one nominee for each position so that the Minister can exercise choice.

In these cases, nominating organisations should be provided with any selection criteria that have been developed to ensure the nominated candidates have the necessary personal qualities, character and reputation, knowledge, skills and specialist expertise required to undertake the position.

If the legislation requires nomination from a particular group or organisation there is no requirement for advertising or interviewing other candidates for the position. It is recommended that referee checks be undertaken for these nominated candidates.

#### Table 11: Statutory requirements

Theme	Action	Responsibility
Statutory compliance	<p>Identify what if anything the legislation specifies about:</p> <ul style="list-style-type: none"> <li>• the number of Directors</li> <li>• skills requirements for Directors</li> <li>• qualifications for Directors</li> <li>• ex-officio Directors</li> <li>• appointment terms</li> <li>• eligibility for re-appointment</li> <li>• requirements for nominees from specific organisations.</li> </ul>	Responsible governance officer(s).
<b>Nominees from specific groups or organisations</b>	Check whether the legislation states that a Director from or nominated by a specific group or organisation is required or desirable.	Responsible governance officer(s).
<b>Nominees from specific groups or organisations</b>	If a nominee is required, the responsible governance officer(s) should provide the nominating group or organisation with current selection criteria to assist them in identifying nominees.	Responsible governance officer(s).
<b>Nominees from specific groups or organisations</b>	Advise nominees from specific groups or organisations that their potential membership on the Board would be independent of their duties related to the group or organisation they represent.	Responsible governance officer(s).

## 4. Role analysis

Role analysis is critical to recruitment and selection, as it is the foundation of a high quality process. It informs the role description and identifies the selection criteria.

A poor role analysis can adversely affect the quality of outcomes, irrespective of how well the rest of the selection process is executed.

Role analysis involves determining the personal qualities, knowledge, skills and specialist expertise required to perform in a particular position.

A role description should be produced for each vacancy by the responsible governance officer(s). These should be reviewed by that area each time a new position becomes vacant and not assumed to have remained unchanged since the previous appointment.

### Table 12: Role analysis



Action	Responsibility
Carry out an assessment of the personal qualities, skills and specialist expertise of the Board, both as a whole and as individual members of the Board. This should be considered in light of any objectives and functions of the entity as set out in establishing documents.	Responsible governance officer(s) in consultation with the Board.
Consider the current and emerging priorities of the Board and the operating environment to determine the personal qualities, knowledge, skills and specialist expertise required for effective oversight of the entity.	Responsible governance officer(s) in consultation with the Board.
Capture and consider the views of the Board Chair.	Responsible governance officer(s).
Consider if there is change taking place in the entity. If there is, what personal qualities, knowledge, skills and specialist expertise are required for effective oversight of the entity?	Responsible governance officer(s) in consultation with the Board.
Check whether there are legislative requirements in place mandating specific skills for Board members.	Responsible governance officer(s).
Develop selection criteria that reflect the personal qualities, knowledge, skills and specialist expertise required for the position.	Responsible governance officer(s).

## 5. Re-appointments

A vacancy arises when the appointment of a current Board Director expires. It is common practice for current Board Directors to re-apply.

Outlined below are the key issues that should be considered prior to an incumbent Board Director being re-appointed.<sup>1</sup>

If a decision is made by the Minister to automatically re-appoint an existing Board Director there is no requirement to advertise or interview other candidates.

**Table 13: Re-appointments**

Actions	Responsibility
Make it clear to Board Directors that re-appointment is not guaranteed, particularly if they have served two terms, as outlined in the <i>Appointment and Remuneration Guidelines for Victorian Government Boards, Statutory Bodies and Advisory Committees</i> .	Board Chair.
Consider the Director's performance during their term on the Board.	Responsible governance officer(s) in consultation with the Board.
Analyse the personal qualities, character and reputation, knowledge, skills and specialist expertise currently required by the Board to determine if the Director's skills set and expertise are still relevant to the Board. This analysis should take into account any role analysis that has been undertaken.	Responsible governance officer(s) in consultation with the Board Chair.
Consider whether or not regular turnover of the Board has been balanced against the need to retain a proportion of Directors with the necessary knowledge and understanding of the needs of the entity.	Responsible governance officer(s) in consultation with the Board Chair.

## Footnotes

1. Department of Premier and Cabinet, as updated, *Appointment and Remuneration Guidelines for Victorian Government Boards*, Statutory Bodies and Advisory Committees, Department of Premier and Cabinet, Victoria.



## 6. Attraction

Advertising a position can help departments and entities to reach a much wider audience than other methods and may attract nominations from unexpected sources.

### 6.1 Advertising

Advertising a position can help departments and entities to reach a much wider audience than other methods and may attract nominations from unexpected sources. Advertising also helps to ensure greater transparency and accountability in the recruitment process and is the preferred method for informing an individual that a Board vacancy has arisen. Advertisements should not be considered only as newspaper or web based advertising. An advertisement is a public notification of a vacancy and should be put in a broad range of mediums, such as those outlined in Section 6.1.2.

#### 6.1.1 Writing an Advertisement and Instructions for Advertisements

When starting to write an advertisement for a vacancy there are a range of things the responsible governance officer(s) should consider. These are outlined in Table 14.

**Table 14: Writing an advertisement**

### Questions

What is the role? Use the role description that has been developed as a guide.

What kind of person would you like to apply?

What are the elements of the role that will attract your target audience?

What information will they require?

Is the advertisement short and clear?

Advertising positions is the responsibility of Ministers and their departments or public entity. All advertisements must be booked through the Master Agency Media Service as outlined in the Appointment and Remuneration Guidelines for Victorian Government Boards, Statutory Bodies and Advisory Committees.<sup>1</sup>

### Table 15: Instructions for advertisements

Theme	Instructions
<b>Instructions for advertisements</b>	<p>The advertisements should:</p> <ul style="list-style-type: none"> <li>• encourage women and other target groups to apply by advertising in mediums they will access</li> <li>• specify the number of vacancies</li> <li>• outline the duties and responsibilities of the position</li> <li>• outline the criteria required for selection</li> <li>• outline the average number of meetings per year, the time commitment and locality of meetings</li> <li>• be published at least ten working days before the closing date for applications</li> <li>• be timed appropriately to receive maximum exposure. Advertisements should not be published during holiday periods, such as December to January, as this has been found to substantially reduce the number of candidates applying for a vacant position.</li> </ul>

## 6.1.2 Advertising Options

There are a range of options, besides using major metropolitan newspapers, for advertising a vacancy. Depending on the target audience, advertisements may be placed in a range of different mediums. Targeted advertising may be required to ensure appropriate candidates apply for the vacancy. This sub-section provides examples of the types of advertising options that can be used.

**Table 16: Advertising options**

### Advertising options

Advertising can be undertaken in the following mediums:

- major metropolitan newspapers
- regional newspapers
- community newspapers/newsletters
- community groups
- industry publications
- professional women's networks
- professional journals or websites
- professional associations
- multicultural organisations
- culturally and linguistically diverse media
- departmental websites.

## 6.2 Candidate Referrals

The use of referrals (by Chairs, departmental secretaries, Ministers, industry leaders and others) is a legitimate way of sourcing potential candidates. Individuals referred to a department or public entity should go through the same recruitment process (including interviewing) as all other candidates so they are assessed against the same criteria and to ensure that consistent recruitment processes are followed. This section outlines examples of the individuals and organisations that may refer candidates. These referrals should be requested by the responsible governance officer(s) or the selection panel.

**Table 17: Candidate referrals**

### Tips

Candidate referrals can be sought from:

- Ministers
- Board Chairs
- Board Directors
- Chief Executive Officers
- departmental secretaries and senior officers
- business bodies
- industry bodies
- professional bodies
- community groups
- many others.

## 6.3 Executive Searches

There are occasions where advertising, referrals from individuals or the use of databases do not produce suitable candidates. A Minister, department or public entity may decide that for some positions an executive search company may be used to develop a list of potential candidates. Outlined below are the key tasks an executive search company can undertake.

### Table 18: What can an executive recruitment consultant do?



Tasks
Create a role description and assist with identifying the right skills.
Source and attract candidates.
Compile evidence about each candidate's capacity to succeed in the role in line with the requirements of the role and the key selection criteria.
Communicate with candidates about the process and the progress and broker answers to questions candidates may have about the role or process.
Conduct initial screening interviews.
Compile a short-list of preferred candidates.
Assist with short-listing, interviews and referee checks.
Maintain records and document the process of decisions made.

There are a number of tasks an executive recruitment search company should not be asked to undertake, these are outlined below.

### **Table 19: What can an executive recruitment consultant not do?**

### Tasks

Identify the strategic direction of the public entity.

Conduct all the interviews with candidates or referees.

Make the decision about who to recruit.

Communicate the recruitment decision to the relevant Minister or department, to the successful candidate or other top-ranked candidates.

Outlined below are some tips on how to engage executive recruitment firms to ensure the best possible results.

### Table 20: Tips for engaging executive recruitment firms

### **Tips**

Put processes in place to effectively manage and actively engage and brief the executive search company throughout the recruitment process.

Ensure the executive search company has taken steps to understand the public entity and the role of the Board Directors/Chair.

Ensure the executive search company has a variety of strategies in place for seeking candidates who may not actively look for a Board Director position.

Determine if the executive search company has expertise in evaluating Board Director capabilities.

Give the executive search company clear instructions about the role, responsibilities and remuneration of the position. This may include information on the functions and objectives of the public entity as well as any role analysis that has been undertaken.

Ensure the executive search company has access to relevant stakeholders such as departmental staff or the Board Chair to ensure they have access the knowledge and information they require.

Give the executive search company a detailed checklist outlining the process and procedures to be followed to ensure consistency with government policies and practices.

Advise the executive search company that all applicants must complete a standard application form.

Advise the executive search company that the Department or public entity may be responsible for interviewing candidates, deciding who to recruit, communicate the decision to the relevant Minister, department and the successful candidate.

## 6.4 Target Groups

To attract target groups, for example, women, young people, candidates from a range of backgrounds, such as, indigenous people, people from multicultural backgrounds, people with disabilities and rural and regional Victoria, targeted advertising may be required. Outlined below is the government policy that may impact on the selection and appointment of public entity Directors.

**Table 21: Government policy**

<b>It is Government policy to:</b>
increase the representation of women on Government Boards and committees by setting a target of 50 per cent of new appointees will be women. In order to try and increase the number of women on Government Boards, the Office of Women's Policy (OWP) should be consulted on all full-time and part-time appointments. This consultation should take place at the start of the recruitment process, that is, once the role has been advertised or when potential candidates are being sought through referrals. The OWP should be provided with information relating to the knowledge and skills, personal qualities and specialist expertise required to perform in the role. This will ensure that the OWP is able to provide departments or entities the most appropriate list of candidates.
build the capacity for increasing the participation and direct representation of Indigenous Victorians across all levels of Government. Aboriginal Affairs Victoria may be consulted where specific advice on Indigenous nomination is considered desirable.
ensure that all Government and Government funded services are responsive to and reflect Victoria's culturally diverse community. The Victorian Multicultural Commission may be consulted on strategies to foster inclusive appointment processes.
give young Victorians a real voice in Government. The Office for Youth may be consulted where the appointment of youth representatives is under consideration.
encourage participation from regional Victoria.
encourage participation by people with a disability.

## Footnotes

1. Department of Premier and Cabinet, as updated, *Appointment and Remuneration Guidelines for Victorian Government Boards*, Statutory Bodies and Advisory Committees, Department of Premier and Cabinet, Victoria.



## 7. Selection process

The composition of the selection panel will depend on the type of public entity to which an appointment is being made.

### 7.1 Composition and Role of the Selection Panel

The composition of the selection panel will depend on the type of public entity to which an appointment is being made. Panels may include the Minister, a Minister's delegate, the departmental secretary, other senior departmental staff, Board Chairs and an independent expert. The composition of the selection panel should be agreed upon by the responsible governance officer(s) and the relevant Minister at the start of the appointment process.

The role of the selection panel is to short-list and interview candidates and to recommend a preferred candidate or candidates to the Minister for consideration.

**Table 22: Role of the selection panel**

Action	Responsibility
Ensure that appropriate short-listing of applicants, for example, reviewing of applications, has occurred and that the Office of Women's Policy has been consulted at the start of the recruitment process.	Selection panel.
Examine the balance of personal qualities, character and reputation, knowledge, skills and specialist expertise on the Board as well as any future Board requirements to help inform all decisions. Taking into account any role analysis that has been undertaken.	Selection panel.
Ensure that if a candidate is known to any members of the selection panel, that this is declared at the start of the recruitment process to whoever is responsible for the process, particularly if it could be perceived as a conflict of interest.	Responsible governance officer(s) AND Selection panel.

## 7.2 Short-listing

Short-listing is used to identify the strongest candidates for a vacant position. It requires determining which candidates best meet the selection criteria to perform the role satisfactorily. This section examines good practice short-listing techniques.

**Table 23: Short-listing**

Action	Responsibility
Consider using a standard application form to ensure consistent information is obtained from candidates.	Selection panel.
Each application should be assessed against the selection criteria.	Selection panel.
Rank the candidates who meet the selection criteria. Decide which is the short-listed candidate(s) on the basis of meeting and exceeding the selection criteria.	Selection panel.
Decide on a course of action where no candidate(s) are suitable.	Selection panel.
Advise the non short-listed candidates (as per earlier agreement on notification procedures).	Selection panel or responsible governance officer(s).
Where possible, a pool of suitable but unsuccessful candidates should be developed, that may be suitable for an alternative position in the future.	Responsible governance officer(s).

## 7.3 Interviewing

Interviewing is the most commonly used selection technique. Short-listed candidates should be interviewed irrespective of whether they have been referred by a Minister, departmental secretary or others or in cases where a position has not been advertised.

Strict confidentiality processes should be in place for all interviews being conducted. This section examines the processes that should be considered when interviewing potential candidates.

**Table 24: Interviewing**

Action	Responsibility
Develop an approach that allows for interviews to be conducted in an effective way with clear criteria to ensure fair comparisons can be made.	Responsible governance officer(s).
Give the selection panel clear instructions about their role and responsibilities during the interviewing process.	Responsible governance officer(s).
Assess the short-listed or referred candidates against an effective set of selection criteria (that are consistent with the role description) to ensure they have the appropriate personal qualities, character and reputation, knowledge, skills, specialist expertise, experience and qualifications for the position.	Selection panel.
Document decisions arising from interviews with potential candidates.	Selection panel.



## 7.4 Referee Checking

The selection panel should consult with a short-listed applicant's or referred candidate's nominated referees, regardless of whether an individual has been referred or a position advertised.

Referee reports should be obtained for short-listed or referred candidates to clarify, confirm and counterbalance information already obtained by the panel. Referee checks and reports should be undertaken in a confidential manner.

**Table 25: Reference checking**

Action	Responsibility
Develop an effective and structured approach for reference checking.	Responsible governance officer(s).
Ask each candidate to nominate two to three referees that can attest to their abilities.	Selection panel.
Information obtained from referees is to be shared with the selection panel to help inform their decision.	Selection panel.

## 7.5 Probity Checks

Short-listed or referred candidates for government appointments must have a history of integrity. Probity checks are undertaken to ensure this is the case.

Probity checks must be undertaken for all appointments to Boards, including re-appointments, co-opted members and proxies appointed by Government.

The candidate's completion of a Statutory Declaration attesting to their integrity does not negate the requirement for probity checks.

Probity checks can take a number of weeks to complete, particularly if a candidate has a common name. Candidates should be notified that probity checks can take time. They should also be notified if there is a hold up or delay with their checks.

Probity checks are not compulsory for every individual who applies for a Board position, only short-listed or referred candidates are required to undertake these checks.

On occasions Ministers may approve, on a case by case basis, the waiver of probity checks for appointments to any body that does not have formal decision-making responsibilities over policy, service delivery or public funds. In such instances, the Minister must be briefed on the reasons why the probity checks have not been undertaken.

Further information on probity checks and requirements can be found in the Appointment and Remuneration Guidelines for Victorian Government Boards Statutory Bodies and Advisory Committees.

### **7.5.1 Declaration of Private Interests**

This sub-section examines the declaration of private interests requirements. Once completed it must be submitted to Cabinet as part of the Cabinet Submission process.<sup>1</sup>

#### **Table 26: Declaration of private interests**

## Requirements

Appointments and re-appointments are contingent upon nominees completing a Declaration of Private Interests to the satisfaction of the relevant Minister.

The standard Declaration of Private Interests pro-forma should be used for this purpose. A Declaration of Private Interest is to be completed on initial appointment or re-appointment, annually during their term of appointment or if a Board Director has a relevant change in their interests. It can be found in the *Appointment and Remuneration Guidelines for Victorian Government Boards Statutory Bodies and Advisory Committees*.

## 7.5.2 Minimum Probity Requirements

This sub-section examines minimum probity requirements that a responsible governance officer(s) must obtain from short-listed or referred candidates as outlined in the Appointment and Remuneration Guidelines for Victorian Government Boards Statutory Bodies and Advisory Committees.

### Table 27: Minimum probity requirements

### Requirements

National Criminal Record check.

Check of the Australian Securities and Investment Commission (ASIC) Register of persons prohibited/disqualified by ASIC under the provisions of the [Corporations Act 2001 \(Cth\)](#).

Check of the Insolvency and Trustee Service Australia (ITSA) National Personal Insolvency Index which contains information about proceedings and administrations under the [Bankruptcy Act 1966 \(Cth\)](#).

Once completed, these documents must be submitted to Cabinet as part of the Cabinet submission process. There are circumstances where departmental secretaries may approve the waiver of police checks on any appointment/re-appointment to an unpaid Cemetery Trust or Committee of Management where the departmental secretary considers that the operation and assets of the public entity do not pose a significant financial or non-financial risk to the State.<sup>2</sup>

## 7.6 Making a Selection Decision

Appointment to a public entity Board should be based on merit and evidence to support claims about the ability to perform the role, using fair selection procedures. This section outlines the issues to consider when making a selection decision.

### Table 28: Making a selection decision

Action	Responsibility
Rate each candidate against a consistent set of selection criteria (that is also consistent with the role description), considering all evidence gathered from interviews, referee checks and written application.	Selection panel.
Provide the Minister with a briefing seeking approval for the appointment of recommended candidates.	Responsible governance officer(s).

## 7.7 Feedback to Candidates

To ensure potential candidates are kept well informed throughout the appointment process, feedback about how they are progressing should be provided to them throughout the cycle. Keeping them informed ensures that they do not become dissatisfied with the appointment process and therefore reluctant to nominate themselves for Board positions in the future. A well run process protects the reputation of the public entity and government.

**Table 29: Feedback to candidates**

Action	Responsibility
At the start of the process advise candidates how long the recruitment and appointment process is likely to take and if and when they will be notified during the process.	Selection panel OR Responsible governance officer(s).
Keep the candidates informed of their progression through the recruitment process.	Selection panel OR Responsible governance officer(s).
As soon as possible, notify candidates that they have not progressed to the next stage of the recruitment process.	Selection panel OR Responsible governance officer(s).
As soon as possible after the successful candidates have been notified and accepted, notify unsuccessful short-listed candidates not appointed by the Minister to a Directorship.	Selection panel OR Responsible governance officer(s).

## Footnotes

1. Department of Premier and Cabinet, as updated, Appointment and Remuneration Guidelines for Victorian Government Boards, Statutory Bodies and Advisory Committees, Department of Premier and Cabinet, Victoria.
2. Department of Premier and Cabinet, as updated, Appointment and Remuneration Guidelines for Victorian Government Boards, Statutory Bodies and Advisory Committees, Department of Premier and Cabinet, Victoria.

## 8. Approval and appointment procedures

The procedures for submitting these appointments to Cabinet are outlined in the Cabinet Handbook.

### 8.1 Submitting Appointments for Approval by Cabinet

The following appointments must be approved by Cabinet:

- all appointments to Group A (commercial boards of governance) and Group B (significant industry and key advisory bodies and significant boards of management) organisations
- non-elected chairpersons of Group C (advisory committees, registration boards and management boards of small organisations) organisations
- all band one and two appointments to Group D (inquiries/task forces and ad hoc expert panels) organisations
- appointment of a Deputy to a position that would usually be considered by Cabinet where the appointment is for more than three months, subject to legislative requirements and/or terms of reference.

The procedures for submitting these appointments to Cabinet are outlined in the Cabinet Handbook.

If a Minister considers that an appointment (for example, a Group C organisation or any unpaid position) is politically sensitive or significant, the appointment should also be submitted to Cabinet for approval.<sup>1</sup>

Additional information on submitting appointments for Cabinet approval can be found

in the Appointment and Remuneration Guidelines for Victorian Government Boards Statutory Bodies and Advisory Committees.

### 8.1.1 Ministerial

The Minister has responsibility for approving a range of appointments. These are outlined below.<sup>2</sup>

**Table 30: Ministerial responsibility**

Action
<p>The Minister has responsibility for approving:</p> <ul style="list-style-type: none"><li>• appointments other than Chairpersons to Group C organisations</li><li>• all band three appointments to Group D organisations.</li></ul> <p>Ministers may decide that the sensitive nature of some appointments requires the appointment to be approved by Cabinet.</p>

### 8.1.2 Short-term Statutory Appointments and Re-Appointments

Outlined below are the approval requirements for statutory appointments and re-appointments.<sup>3</sup>

**Table 31: Short-term statutory appointments and re-appointments**



Theme	Requirements
	Short-term appointments to statutory offices for periods of up to three months may be made on the recommendation of the Minister without prior Cabinet approval.
	Subsequent re-appointment of a person to a position to which that person had previously been appointed on a short term basis requires Cabinet approval.
	Some appointments of a sensitive nature may require Cabinet approval at the Minister's discretion.

### 8.1.3 Involvement of the Premier or Treasurer

Outlined below is the involvement of the Premier or Treasurer.<sup>4</sup>

**Table 32: involvement of the Premier and Treasurer**

Action
It is the responsibility of departments to ensure that the Premier is actively involved in key appointments, including all appointments in Groups A and B. The Treasurer should also be involved in these appointments where major financial obligations are concerned.
For appointments to Group A and Group B State-Owned Enterprises, the Treasurer and the portfolio Minister must determine the names to be recommended to Cabinet for appointment.

## 8.1.4 Submitting an Appointment for Approval by Cabinet

This sub-section outlines the requirements for submitting an appointment for approval by Cabinet.<sup>5</sup>

**Table 33: submitting an appointment for approval by Cabinet**

Action	Responsibility
On completion of the selection process, submit the proposed appointments to Cabinet.	The relevant Minister.
Ensure that appointment submissions comply with the requirements listed in the Cabinet Handbook.	Responsible governance officer(s).
Ensure that the appointment submissions are presented to Cabinet with an appointment cover sheet, draft copy of the Order in Council and curriculum vitae.	Responsible governance officer(s).
Provide the appointment submission to Cabinet Secretariat at least one week prior to the Cabinet meeting for which it has been scheduled.	Responsible governance officer(s).
Maintain a schedule of expiry dates of statutory appointments and review it regularly to identify forthcoming appointments within the relevant area of responsibility.	Responsible governance officer(s).
Obtain a Declaration of Private Interest from the candidate before Cabinet considers an appointment.	Responsible governance officer(s).

## 8.2 Appointment and Re-Appointment Procedures

The majority of positions in Group A organisations are appointments in accordance with the [Corporations Act 2001 \(Cth\)](#) or specific legislation establishing commercial statutory authorities.

The form and processes of these appointments will be set out in the constitution of the company or the relevant legislation. Appointments to Group B, C and D entities can be statutory, Ministerial or Departmental appointments.<sup>6</sup>

### 8.2.1 Statutory Appointments

Outlined below are the requirements of responsible governance officers for statutory appointments.

**Table 34: Statutory requirements**

#### Action

For statutory appointments the Order in Council (where Governor in Council approves the terms and conditions) should be accompanied by a schedule containing the:

- duties and responsibilities of the position;
- appointment arrangements;
- period of appointment;
- termination arrangements;
- payment provisions including rates and eligibility;
- superannuation obligations;
- arrangements for the reimbursement of travel and personal expenses; and
- leave arrangements.

## 8.2.2 Ministerial and Departmental Appointments

Appointments or terms and conditions not made by the Governor in Council, will require specific documentation to formalise the appointment and terms and conditions attached to the appointment. A pro forma document can be found in the Appointment and Remuneration Guidelines for Victorian Government Boards Statutory Bodies and Advisory Committees.

## 8.3 Appointment of Public Office Holders

### 8.3.1 Appointment and Remuneration of Members of Parliament

Members of Parliament appointed to and paid for being a Director of a government Board may be in breach of Sections 49 and 55 of the [Constitution Act 1975](#). Any appointment of Members of Parliament to government Boards must be authorised by Cabinet.<sup>7</sup>

### 8.3.2 Appointment of Public Sector Employees

Public sector employees may be eligible for appointment to a public entity Board. The establishing statute may require public sector employees to sit as a nominee of the Minister or departmental secretary.

Statutes or intergovernmental agreements may also require public sector employees to sit on government Boards of other jurisdictions.

In some circumstances outside of statutory requirements, an appointment of a public sector employee may be made where the Government decides it is necessary.<sup>8</sup>

### Table 35: Appointment of public sector employees

### Action

Where a public sector employee is appointed outside of statute, the following information must be presented in a submission to Cabinet:

- conflict of interest
- independence
- reason for appointment
- remuneration outside of statute
- function of the Board or other Body
- other legislative requirements.

More detailed information on the appointment of public office holders can be found in the Appointment and Remuneration Guidelines for Victorian Government Boards Statutory Bodies and Advisory Committees.

## 8.4 Individuals on Multiple Boards

It is common for Board Directors to hold more than one public entity Directorship position.

However, it is recommended in the Appointment and Remuneration Guidelines for Victorian Government Boards that an individual hold no more than two or three such positions at any one time.

This section outlines the issues that need to be considered if a potential Board candidate holds multiple positions on public entity Boards.<sup>9</sup>

### Table 36: Individuals on multiple boards

### Issues to consider

Limiting the number of positions an individual may hold at one time creates opportunities for a larger and more diverse section of the community to be represented on government Boards.

Where the number of suitable nominees from target groups are limited, multiple appointments may be desirable. In such cases, the Minister should outline the measures taken to secure additional nominees from such groups.

A candidate with more than two or three Directorships may have difficulty attending the required minimum number of meetings (75 per cent). In cases of multiple Board memberships, assurances should be sought from candidates that these obligations can realistically be met. Such assurances should also be considered by the selection panel during the recruitment process.

## Footnotes

1. Department of Premier and Cabinet, as updated, *Appointment and Remuneration Guidelines for Victorian Government Boards, Statutory Bodies and Advisory Committees*, Department of Premier and Cabinet, Victoria.
2. Department of Premier and Cabinet, as updated, *Appointment and Remuneration Guidelines for Victorian Government Boards, Statutory Bodies and Advisory Committees*, Department of Premier and Cabinet, Victoria.
3. Department of Premier and Cabinet, as updated, *Appointment and Remuneration Guidelines for Victorian Government Boards, Statutory Bodies and Advisory Committees*, Department of Premier and Cabinet, Victoria.
4. Department of Premier and Cabinet, as updated, *Appointment and Remuneration Guidelines for Victorian Government Boards, Statutory Bodies and Advisory Committees*, Department of Premier and Cabinet, Victoria.

5. Department of Premier and Cabinet, as updated, *Appointment and Remuneration Guidelines for Victorian Government Boards*, Statutory Bodies and Advisory Committees, Department of Premier and Cabinet, Victoria.
6. Department of Premier and Cabinet, as updated, *Appointment and Remuneration Guidelines for Victorian Government Boards*, Statutory Bodies and Advisory Committees, Department of Premier and Cabinet, Victoria.
7. Department of Premier and Cabinet, as updated, *Appointment and Remuneration Guidelines for Victorian Government Boards*, Statutory Bodies and Advisory Committees, Department of Premier and Cabinet, Victoria.
8. Department of Premier and Cabinet, as updated, *Appointment and Remuneration Guidelines for Victorian Government Boards*, Statutory Bodies and Advisory Committees, Department of Premier and Cabinet, Victoria.
9. Department of Premier and Cabinet, as updated, *Appointment and Remuneration Guidelines for Victorian Government Boards*, Statutory Bodies and Advisory Committees, Department of Premier and Cabinet, Victoria.



## 9. Notification and onboarding

Onboarding facilitates a new Director's adjustment onto a Board.

Onboarding should involve:

- notifying the candidate that they have been successful, both verbally and through a letter of appointment
- conducting a structured induction process
- partnering the new Board Director with a more experienced Board Director
- meeting with the Chair and Board Directors prior to the first Board meeting
- obtaining feedback from new Board Directors after a specified period of time.

As soon as the appointment decision has been made, the public entity and the Chair should be formally notified of the appointment decision. This ensures they are aware of the composition of the Board and can plan accordingly.

If a Director's term has expired and they have not re-applied or been re-appointed, a letter should be sent to the individual thanking them for their services.

### 9.1 Letter of Appointment

A formal letter of appointment should be sent to all successful candidates to notify them of their appointment to the Board. This letter can also be provided by the responsible governance officer(s) or the public entity as part of their induction process. The content of the letter will vary according to the type and size of the public entity but the following should be considered when developing the letter of appointment:

- existing Directors being re-appointed should be sent a similar letter though the level of detail required would be less
- letters sent regarding the appointment of a new Chair would be expected to contain additional and more specific information about that particular role.



**Table 37: Letter of appointment**

**Checklist**

A letter of appointment should include:

- the term of appointment, including commencement date and expiry date
- an outline of the time commitment envisaged per month and schedule of meetings for the year
- an outline of the powers and duties of the Director
- an outline of expectations regarding involvement with committee work
- an outline of the requirement to disclose Directors' interests and any matters which will affect the Director's independence
- an outline of the remuneration and expenses
- an outline of the indemnity and insurance arrangements
- an outline of the induction training (if applicable)
- an outline of the expectations of the Board, i.e. that the Director will comply with all statutory, constitutional, internal policies and regulatory requirements applicable to the public entity
- a copy of any establishing legislation
- a copy of the VPSC's Welcome to the Board and Director's Code of Conduct
- an organisational chart of the management structure
- an outline of any special duties attached to the position, specifically those that relate to the Director's qualifications and experience.

## 9.2 Induction

Induction is an initiating activity which occurs between the appointment of a new Board Director and their attendance at the first Board meeting or meetings. Induction is often the first contact a Board Director has with their Board, and in some cases, it is their first experience of public entity governance and of being a public entity Director.

Induction procedures should be in place to allow new Directors to participate fully and

actively in Board decision-making at the earliest opportunity. To be effective, new Directors need to have appropriate knowledge of the public entity and the industry within which it operates. Some new appointees will have extensive Board experience, however, induction is still required in order to familiarise the Director with the specific purpose and function of that particular Board.

Induction can be conducted by the department or the public entity.

### Table 38: Induction pack

#### Checklist

An induction pack should include:

- the relevant establishing legislation
- provide an understanding of the public entity's financial, strategic, operational and risk management position
- provide an understanding of the rights, duties and responsibilities of the Directors
- provide an understanding of the roles and responsibilities of senior executives
- provide an understanding of the role of Board committees
- provide an understanding of the role of the Minister and department in relation to the public entity.

# 10. Post recruitment and appointment

Undertaking a recruitment and appointment process can result in a significant amount of paperwork and files at the end of the process.

## 10.1 Records Management

Undertaking a recruitment and appointment process can result in a significant amount of paperwork and files at the end of the process. There are requirements in the [Public Records Act 1973](#), the [Freedom of Information Act 1982](#) and the Information Privacy Act 2001 that outline how these records should be created, maintained and disposed of.

To ensure that the Directors are carrying out their responsibilities under the Public Records Act, Public Record Office Standard (PROS) 97/001: Management of Public Records, the responsible governance officer(s) will need to implement a record management program which encompasses the creation and capture, maintenance and disposal of public records.

Creating and capturing public records involves making full and accurate records of the business of the office, and capturing records in record-keeping systems.

Records are created and captured into record-keeping systems that must be maintained in ways that ensure they are secure from tampering or inadvertent access while being easily identified, located and retrieved by those permitted to do so.

The destruction of records should be carefully managed. Approval is required from the Keeper of Public Records for the destruction of public records not worthy of preservation. It is important that these records are appropriately destroyed or permanently deleted.

Further information on the creation and capture, maintenance and disposal of public records can be found in *Public Records Act* Public Record Office Standard (PROS) 97/001: Management of Public Records.

The *Freedom of Information Act* outlines departments' and entities responsibilities regarding accessibility to government records and information. The Act describes a number of Information Privacy Principles which must be observed by Victorian departments and public entities when collecting and handling a range of personal information.

The *Information Privacy Act* outlines privacy principles relating to areas such as the responsible collection, use and access to private information.

The Victorian Auditor-General's Office has put out a Records Management Checklist that is designed to assist government agencies to fulfill their obligations under the Public Records Act and to improve the management of their records.

## 10.2 Evaluation

A key feature of an effective recruitment process is regular evaluation of the effectiveness of the selection process. Systematically collecting data can help with the evaluation of a range of practices. This in turn can help to improve practices.

**Table 39: Evaluation**

Action
<p>Collecting the following data can assist evaluation:</p> <ul style="list-style-type: none"><li>• time taken to fill the vacancy</li><li>• selection ratio (the ratio of applicants to vacant positions)</li><li>• number of positions refused</li><li>• number of unfilled vacancies.</li></ul>

# Appendices

A list of terms, myths and facts you're likely to find in this guide.

## Appendix A: Glossary



Term	Definition
<b>Board</b>	Body of appointed or elected members who oversee the activities of a company or organisation.
<b>Board Chair</b>	The leader of a Board, responsible both for effective and harmonious operations and for representing the Board to other organisations and to the public.
<b>Board Director</b>	An individual member of a Board.
<b>Cabinet</b>	The principal decision-making body of the government. It consists of all ministers of the Crown and the Parliamentary Secretary of the Cabinet (also known as the Cabinet Secretary). The Premier, as the leader of the government is the Chair of Cabinet. Cabinet is a formal meeting of ministers but has no legal powers or status.
<b>Candidates</b>	Individuals who are the target market for, and potentially may apply for, vacant roles.
<b>Candidate referrals</b>	Suggestion of a potential candidate to a selection panel by a Minister, departmental secretary, Board Chair or others.
<b>Character and reputation</b>	This reflects the characteristics of a person with high levels of personal influence. These capabilities may be individual or idiosyncratic and are integral to a Director of a public entity Board.
<b>Declaration of Private Interests</b>	Declaration made by a person in a position of responsibility of any significant private interests (such as other offices held, other sources of income, or shareholdings) which might improperly influence, or be seen to improperly influence, the individual in the exercise of their position.
<b>Department</b>	Departments are the central policy advisers and program administrators for ministers and government.
<b>Establishing Legislation</b>	An Act of Parliament, set of regulations, statutory instrument or other document setting out the powers, functions and organisational structure of a public entity.
<b>Executive Search</b>	Search undertaken by an Executive recruitment agency that specialises in sourcing and evaluating potential candidates for Board positions.
<b>Governance</b>	The processes by which organisations are directed, controlled and held to account.
<b>Governor in Council</b>	When the Governor acts on advice given by the Executive Council.
<b>Group A Board</b>	Classification of public entity Board consisting of commercial Boards of governance. Includes: <ul style="list-style-type: none"> <li>Government Business Enterprises including Statutory Authorities, bodies established under the State Owned Enterprises Act, commercial bodies established under the <a href="#">Corporations Act 2001 (Cth)</a> or specific legislation</li> <li>any other statutory authorities which are strictly commercial in nature.</li> </ul>
<b>Group B Board</b>	Classification of public entity Board consisting of significant industry bodies, key advisory bodies and significant Boards of management. Includes: <ul style="list-style-type: none"> <li>industry advisory Boards and other bodies advising government on key strategic matters and/or matters of State-wide significance</li> <li>quasi-judicial bodies/tribunals where there is no other framework governing remuneration and appointments</li> <li>government bodies undertaking significant statutory functions, providing specialist advice to a Minister and developing policies, strategies and guidelines in a broad and important area of operations</li> <li>management Boards of medium-size organisations undertaking one or more functions or providing a strategically important service.</li> </ul>
<b>Group C Board</b>	Classification of public entity Board consisting of advisory committees, registration Boards and management Boards of small organisations. Includes: <ul style="list-style-type: none"> <li>scientific, technical and legal advisory bodies</li> <li>disciplinary Boards and Boards of appeal</li> <li>qualifications, regulatory and licencing bodies</li> <li>management Boards and committees of small size organisations undertaking a specific function or providing a discrete service</li> <li>ministerial and departmental advisory Boards and consultative committees on issues confined to a portfolio or local concerns.</li> </ul>
<b>Group D Board</b>	Classification of public entity Board consisting of inquiries, task forces and ad hoc expert panels. Includes: <ul style="list-style-type: none"> <li>Boards of inquiry which are required to submit a comprehensive report within a specified time frame</li> <li>ad hoc expert panels established for limited time periods to undertake a specific (often technical) task.</li> </ul>
<b>Induction</b>	A part of onboarding. The first step in building a relationship between the organisation and the employee.
<b>Knowledge and Skills</b>	Generic capabilities important to the functioning of the Board. These are attained through a combination of formal study and professional experiences, and can be improved through learning and development opportunities.
<b>Minister</b>	A member of the government, appointed by the Governor on the Premier's recommendation to be responsible for a particular area of administration; he or she is also a member of Cabinet.
<b>Onboarding</b>	Process to assist newcomers to an organisation adjust to their new surroundings and learn the behaviours, attitudes and skills necessary to fulfill their new roles and function effectively.
<b>Personal qualities</b>	A range of innate personal characteristics which cover individual and professional qualities necessary to engender commitment to the organisation's strategic goals. They describe how a Director may create and promote a vision that engages and appeals to the people who will be involved with delivering the vision, or impacted by it.
<b>Probity checks</b>	Investigation into an applicant's background, typically covering the candidate's work history, academic and professional qualifications, eligibility to work in Australia, reference checking, criminal history, credit history and personal details such as current address. Probity checking may also include a search of the ASIC Register of Banned and Disqualified Persons and bankruptcy checks.
<b>Public Entity</b>	Entities that undertake a public function or are owned by the government. A public entity is established by an Act of Parliament, Governor in Council or a minister. In the case of a body corporate, at least one half of the directors are appointed by the Governor in Council or a minister.
<b>Role analysis</b>	The process of collecting, analysing and recording information about the requirements of a position in order to provide candidates and recruiters with a detailed role description.
<b>Selection Panel</b>	A temporary panel established to assess applicants for a position and decide on a preferred candidate.
<b>Short-listing</b>	Technique used to reduce a large applicant pool to a smaller more manageable size.
<b>Specialist/technical expertise</b>	A set of capabilities and expertise that are specific to a particular discipline. Generally, these capabilities are acquired through relevant qualifications.
<b>Statutory Appointment</b>	An appointment made under an Act of the Parliament which can outline how an appointment will take place and what position should be appointed.



## Appendix B: Board Recruitment and Appointment Myths and Facts

This appendix is a compilation of common Board recruitment and appointment myths and facts. Its purpose is to provide answers to some of the questions you may have about the recruitment and appointment process.

We all know that poor hiring decisions impact negatively on an organisation.

These decisions can cost organisations both in a dollar and productivity sense and they can also adversely influence an organisation's morale and culture. By following best practice recruitment and selection processes you can dramatically reduce or eliminate the likelihood of a poor hiring decision.

**Note:** The information contained within this table does not replace departmental or agency policy and is provided as a guide only.



Theme	Myth	Fact
<b>Planning and role analysis</b>	Role analysis prior to recruitment is only required for new roles.	It is best practice to undertake a job analysis for every role you plan to recruit to. This allows those undertaking the recruitment to consider a series of important questions regarding the position and how it contributes to the organisation's goals.
<b>Attraction</b>	We have to advertise externally.	No, this is not a mandatory requirement. How you advertise a role depends on two main factors: the talent pool available internally; and that a competitive recruitment and selection process can be adhered to.
	There are rules around where we can advertise.	There are no advertising requirements that apply across the public sector.
	Organisations cannot contact people and invite them to apply.	Yes, they can. An organisation can encourage individuals to apply for a particular role. However, there needs to be a genuine attempt to create a viable field of applicants and those individuals within that field will need to be advised that they will be competing in a merit based selection process.
	We cannot consider any applicants provided by a recruitment agency.	Yes you can, if this has been agreed upon. However, the general practice within the Victorian public sector is not to accept applications from recruitment agencies unless they have been engaged to provide such services for the recruitment exercise.
<b>Selection process</b>	A selection panel must have three members.	A three person panel is recommended for the purpose of balance and moderation.
	A selection panel must contain a mix of genders.	No. There is no rule on the gender mix of a selection panel. However, for the purposes of balance you should consider it as part of your planning process.
	We can't accept late applications.	Yes, you can. Again, this is at the discretion of your organisation.
	We cannot consider an applicant who hasn't included responses to all the key selection criteria in their application.	Yes, you can. This is at the discretion of your organisation. There needs to be sufficient evidence available to allow a fair and proper short-listing decision.
	An applicant pool has to contain more than three people.	No, it doesn't. As long as a merit based process has been followed in the recruitment process and there is at least one respondent who meets all the key selection criteria, the process is deemed to be satisfactory.
	We have to cover all key selection criteria in interview questions.	No, you don't. It may not be necessary to cover all key selection criteria at interview. However, they will need to be assessed at some stage of the recruitment process (application, resume, responses to key selection criteria at application stage, interviews and referee checks).
	There is a defined number of interview questions required.	No, there isn't. The person in charge of the recruitment process will need to ensure that the number and relevance of questions used will be enough to adequately assess whether the applicant fully meets the key selection criteria for the role.
	All interviewees need to be asked the same questions.	No, they don't. While it is considered good practice to ask the same questions, it is not a requirement. Additional questions might help gain further information or clarify an applicant's response.
	Applicants cannot be asked to provide additional information.	Yes, they can. The selection panel can ask an applicant to supply additional information, relevant to their application, at any stage of the recruitment and appointment process.
	Only nominated referees can be contacted.	No. If the selection panel believes that additional referees are required, they can ask the applicant to provide them.
	The selection panel can undertake informal reference checking with an applicant's known manager/s or colleagues without the applicant's consent.	No. This breaches privacy and if the applicant is compromised it could lead to possible legal action against the organisation. If you wish to speak to a referee who has not been nominated, you must seek the applicant's consent. If an applicant refuses to provide such consent, the panel would need to consider this in their deliberation.
	A referee report is required for every applicant.	Obtaining references for candidates in high contention for a role is highly recommended. However, there is no mandatory requirement to obtain referee reports for every applicant.
	Probity checks must be conducted on all applicants for the position.	No, they don't. Probity checks are only required for short-listed or referred candidates.
<b>Approval and appointment procedures</b>	An appointment must be made at the end of a recruitment and selection process.	If the process fails to deliver a field where a selection decision can be made, the role may be re-advertised. Positions can also be withdrawn for business reasons. Either way it's important to ensure all applicants are advised.
<b>Notification</b>	A unsuccessful candidate cannot be notified during recruitment process.	Candidates can be advised during the process on whether they have progressed to the next stage of the recruitment and appointment process or if they have been unsuccessful.



## Appendix C: Bibliography

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