

Circular 2019-13 | Update to pre-employment screening in the Victorian Public Service policy



**Victorian
Public Sector
Commission**

Circular Number	2019-13
Issue date:	23 December 2019
Application:	All Victorian Public Service bodies
Resources	Pre-employment screening of misconduct in the Victorian Public Service
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Key points

- The Victorian Public Sector Commission (VPSC) has developed the Victorian Public Service Pre-employment Screening Policy (the Policy) and associated Guide to Implementing the Victorian Public Service Pre-employment Screening Policy (the Guide) to assist departments and agencies.
- The Policy addresses integrity risks associated with inadequate pre-employment screening of candidates seeking employment in the Victorian Public Service (VPS), and sets a minimum standard of pre-employment screening for both executive and non-executive officer positions within the VPS.
- The Policy requires candidates to complete a Declaration and Consent Form (the Form) as part of the recruitment process, covering a number of questions relating to misconduct in employment. The Guide includes a model declaration for departments

that are using digital recruitment processes.

- Candidates with an adverse conduct history will not necessarily be precluded from employment within the VPS. The Policy includes specific features to support natural justice and protect candidates from unlawful discrimination. The Policy ensures that employers are better informed to determine a candidate's suitability for a position based on an understanding of their past employment conduct history.

Updates

- The VPSC has combined the pre-employment screening policies and guides for VPS executives and non-executives into a single set of accessible documents to cover all VPS appointments. This is the second version of the policy and guide for both executive and non-executive officer appointments.
- The VPSC has also updated the version of the Statutory Declaration and Consent Form released with the executive materials on 30 October 2019 to comply with the requirements under the [Oaths and Affirmations Act 2018 \(Vic\)](#), for organisations that are still using paper-based statutory declarations.

[See the policy, guide and statutory declarations for executives and non-executives](#)

Requirements

- The VPSC has a legislated responsibility to maintain and advocate for public sector professionalism and integrity. The [Public Administration Act 2004](#) (the PAA) provides a framework to ensure that employment decisions in the public sector are based on merit. Employees are required to conduct themselves in a manner that is consistent with the public sector values and employment principles set out in the PAA.
- The Policy requires completion of the required Form by candidates as part of the recruitment process either at the preferred candidate stage or at an earlier stage. Candidates must be advised of the requirement to undergo pre-employment screening at the interview stage.
- To ensure information provided by candidates is kept suitably confidential and considered impartially and with relevant expertise, completed declarations are to be reviewed by a 'Consideration Panel'; a decision-maker or group of decision-makers independent from the hiring panel. Information conveyed to the hiring panel should



be confined to a decision to rule out a candidate, or to continue with the hiring process as normal.

- Employers are strongly encouraged, as part of a robust integrity approach, to validate a completed Form for all roles assessed by the organisation as having a high or medium risk rating. The Guide includes some guidance on determining the risk rating of a role.

Background

Integrity vulnerabilities in Victorian public sector recruitment processes, particularly in pre-employment screening have been highlighted by several Independent Broad-based Anti-corruption Commission (IBAC) and Victorian Ombudsman (VO) investigations, such as IBAC's August 2018 research report Corruption and misconduct risks associated with employment practices in the Victorian public sector.

Investigations dating back to 2013 have included recommendations to strengthen the use of existing processes and consider adopting the use of statutory declarations of previous misconduct.

On 30 October 2018, the VPSC issued the VPS Executive Pre-employment Screening Policy as an initial step towards the development of a whole of Victorian public sector pre-employment screening policy. The VPSC subsequently released the VPS Pre-employment Screening Policy to cover all non-executive appointments on 13 September 2019.

The Policy framework has been developed with the agreement of the Victorian Secretaries Board.

Scope

This circular applies to all public service bodies for both executive and non-executive officer recruitment.

A public service body is a Department, an Administrative Office established under section 11 of the PAA and the Victorian Public Sector Commission.

Departments are obliged to notify Administrative Offices in their portfolio that this Policy now applies.



Date of application

The Policy came into effect on 30 October 2018 for executive officer recruitment and on 1 October 2019 for non-executive officer recruitment.

