

Circular 2019-12 | Pre-employment screening in the Victorian Public Service



**Victorian
Public Sector
Commission**

Circular Number	2019-12
Issue date:	13 September 2019
Application:	All Victorian Public Service staff
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 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

This is the first version of the Victorian Public Service Pre-employment Screening Policy for non-executive appointments and applies to all non-executive officer recruitment by public service bodies.

[Read the full policy](#)

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

Scope

This circular applies to all public service bodies for 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 comes into effect on 1 October 2019.

