

Circular 2018-05 | VPS executive pre-employment screening policy



**Victorian
Public Sector
Commission**

Circular Number	2018-05
Issue date:	30 October 2018
Application:	All Victorian public service bodies for executive officer recruitment.
Resources:	VPS executive pre-employment screening https://www.vpsc.vic.gov.au/resources/vps-executive-pre-employment-screening/
Enquiries:	Integrity and Advisory Victorian Public Sector Commission (03) 9651 1321 info@www.vpsc.vic.gov.au

Key Points

- VPSC, with the agreement of the Victorian Secretaries Board, issues the VPS Executive Pre-employment Screening Policy (the Policy) and associated guidance material.
- This Policy addresses integrity risks associated with inadequate pre-employment screening of people seeking executive employment in the Victorian Public Service, and sets a minimum standard of pre-employment screening for VPS executives.
- It requires that a Statutory Declaration and Consent Form (the Form) be completed by candidates prior to a formal offer of employment being finalised for all VPS executive positions in public service bodies.
- Candidates with a misconduct history are not necessarily precluded from employment. However, the Policy ensures that employers can access the information required in order for them to determine a preferred candidate's suitability for a position based on a further understanding of their past employment history.

Updates

This is the first version of the VPS Executive Employment Pre-employment Screening Policy and applies to all executive level recruitment by public service bodies.

The Policy and associated guidance material are now available on the VPSC website at <https://www.vpsc.vic.gov.au/resources/vps-executive-pre-employment-screening/>

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 addresses integrity vulnerabilities identified in recruitment processes and sets a minimum standard of pre-employment screening for VPS executives. The Policy seeks to prevent employees moving between employers without previous misconduct being known or appropriately assessed in the context of relevance to the inherent requirements of a position.

The Policy requires completion of the Form prior to any formal offer of employment to an executive role in the VPS. The purpose of the Form is to allow conduct history to be known and assessed prior to formalising an offer of employment. Preferred candidates make a declaration about their conduct history and provide consent for information to be provided by previous employers to verify this history.

In most cases the Form should be completed once a preferred candidate has been identified. However, declarations made at earlier stages in the recruitment process may be appropriate for some roles.

Background

The Independent Broad-based Anti-corruption Commission (IBAC) released the report [Corruption and misconduct risks associated with employment practices in the Victorian public sector](#) on Tuesday 14 August 2018. Inadequate pre-employment screening and the recycling of employees with problematic histories are key findings.



The report draws on case studies from past investigations and echoes key findings of previous reports identifying integrity vulnerabilities in Victorian public sector recruitment processes, particularly in pre-employment screening.

Misconduct is defined in the *Public Administration Act 2004* as:

contravention of a provision of this Act, the regulations or a binding code of conduct;

improper conduct in an official capacity;

a contravention, without reasonable excuse, of a lawful direction given to the employee as an employee by a person authorised (whether under this Act or otherwise) to give the direction;

a refusal by an employee to perform duties assigned under Part 3 (public service employment) or Part 7A (emergency situations);

an employee making improper use of his or her position for personal gain;

an employee making improper use of information acquired by him or her by virtue of his or her position to gain personally or for anyone else financial or other benefits or to cause detriment to the public service of the public sector.

Scope

This circular applies to all public service bodies for executive officer recruitment.

A public service body is a Department, an Administrative Office established under section 11 of the *Public Administration Act 2004* 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 30 October 2018.

