

PANELLIST HANDBOOK
for
**GOVERNING COUNCIL
REPRESENTATIVES**

2010 Edition



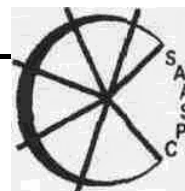
Government of South Australia

Department of Education and
Children's Services

INTRODUCTION

This handbook is designed for Governing Council nominees and other community members with an interest in selection procedures for principal and preschool director positions.

Further information about training is available from the Ethical Standards and Merit Protection Unit of DECS, telephone 8226 1342 or the SA Association of School Parents Clubs, (SAASPC) telephone 8272 4640.



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SECTION 1: LEGISLATION

RELEVANT ACTS AND AWARDS

The DECS Merit Selection policy and procedures are based on two key acts:

PUBLIC SECTOR ACT 2009

EQUAL OPPORTUNITY ACT 1984 (SA)

The policy and procedures are also consistent with:

- The Education Act (1972)
- The Children's Services Act (1985)
- Relevant Commonwealth legislation
 - Sex Discrimination Act 1984
 - Race Discrimination Act 1975
 - Disability Discrimination Act 1992
- The Code of Ethics - South Australian Public Sector
- Relevant Awards and Industrial Agreements
 - *South Australian Education Staff (Government Preschools, Schools and TAFE) Certified Agreement 2005*

PUBLIC SECTOR ACT 2009

Part 7, Division 3 - General employment processes and conditions,

Section 46 – Merit-based selection processes states:

(1) The following may only occur as a consequence of selection processes conducted on the basis of merit in accordance with the regulations:

- (a) engagement of a person as an employee of a public sector agency;
- (b) promotion of an employee of a public sector agency to a higher remuneration level;
- (c) changing the basis on which a person is engaged as an employee of a public sector agency to engagement as an ongoing employee.

CODE OF ETHICS - SOUTH AUSTRALIAN PUBLIC SECTOR

Public sector employees are employed to provide services for the South Australian community in line with the policies of the elected government and the respective organisation.

Public sector employees are required to observe the key principles of the Code of Ethics. Amongst other things, they are required to behave with integrity, show respect and be accountable. They can also expect to be treated in accordance with the requirements of the Code of Ethics.

Key principles of the Code of Ethics which underpin DECS merit selection processes include:

<i>Principles</i>	<i>Action</i>
<i>Integrity</i> – the intent or meaning behind your actions	<ul style="list-style-type: none"> • act honestly • prevent nepotism or patronage • ensure merit and equity
<i>Respect</i> - how you treat others	<ul style="list-style-type: none"> • treat others with respect • prevent unlawful discrimination • value diversity
<i>Accountability</i> -fulfilling responsibility to government, community & DECS	<ul style="list-style-type: none"> • ensure decisions are fair • maintain required confidentiality • ensure defensible decisions by appropriate documentation

EQUAL OPPORTUNITY ACT 1984 (SA)

Under the *Equal Opportunity Act 1984 (SA)* it is unlawful to discriminate on the basis of:

race	marital or domestic partnership status
physical disability	pregnancy
age	
sex, chosen gender or sexuality	intellectual/mental disability
caring responsibilities	association with a child
identity of a spouse/domestic partner	religious appearance or dress

within the following areas as determined within the Act:

- **employment**
- **education**
- **accommodation**
- **the sale of land**
- **clubs and associations**
- **advertising**
- **goods and services**
- **the conferral of qualifications**

Sexual harassment and victimisation is also unlawful under the provisions of the Equal Opportunity Act.

The Act applies to:

- applicants for positions
- current employees, whether full time, part time or casual
- volunteers and unpaid workers
- agents remunerated by commission
- contract workers

DISCRIMINATION

Direct Discrimination

Direct discrimination occurs when there is:

- less favourable treatment in comparison to another person of a different group
- less favourable treatment on the basis of a characteristic or presumed characteristic that is associated with the group the person comes from.

Indirect Discrimination

Discrimination can also take a more indirect form. Indirect discrimination occurs when:

- there is a requirement that has a different and unfavourable impact on one group in comparison to another group, and
- the requirement is not reasonable.

Examples of direct discrimination in employment

- Refusing to give pregnant women, or women deemed likely to become pregnant, equal consideration for employment and leadership positions based on a presumption of absence(s) from the role.
- Not recommending applicants for a position because they are either perceived to be too young or too old. This is unreasonable because age is not a determinant of ability or work performance.
- Refusing to negotiate an extension for a written application when a relevant medical certificate has been provided.

Examples of indirect discrimination in employment

- Assuming that to be suitable for positions applicants must have several years experience in a job at the same level. This can indirectly discriminate against younger people. Applicants who have worked in similar positions for a shorter period of time may have the skills, knowledge and capacity required to perform the job. They may well have gained highly transferable skills and knowledge in other contexts.
- Assuming that it would be better to appoint a full time employee to a promotion position rather than a part time employee. This indirectly discriminates against women, who form by far the largest contingent of part time staff. The only school based promotion position for which full time employment is required is that of principal. Part time employees are eligible to apply for principal positions but must be prepared to work full time for the period of that appointment.

- A person specification may require that applicants demonstrate extensive written communication skills, even though the job requires minimal written skills. By placing a higher than necessary requirement on this particular aspect of the person specification the employer could inadvertently discriminate against people from certain groups who may have difficulty demonstrating such skills.

Discrimination on the grounds of disability

Shortlisting Procedures

It is important for panellists to reject preconceived ideas about the type of work people with disabilities are able to do. The applicant should be viewed as someone who happens to have a disability, not as someone whose only characteristic is that disability.

The interview

Interview questions for all applicants should focus on their ability to achieve the outcomes of the position as described in Job and Person Specifications.

The chairperson has the responsibility to organise any special equipment or assistance requested by the applicant. This can be identified by seeking information from the applicant in the interview notification letter. Applicants with certain disabilities may require a slightly longer interview time. Panellists should be sensitive in relation to disability, neither ignoring nor emphasising a candidate's disability but addressing it only when it is relevant to the position. The critical issue is the relevance of the disability to the performance of the duties in question.

Referee reports

Questions asked of referees should focus on how well the applicant meets the person specification.

Evaluation of information

If an applicant believes the disability may interfere with the performance of any of the duties in question, but that this could be overcome with the provision of special equipment, assistance or rearrangement of duties, this should be indicated in the panel report but should not influence the ordering of recommendations. It is a management decision, not a matter for the selection panel, as to whether the relative equipment, assistance or rearrangement of duties can reasonably be provided in these circumstances.

DECS is responsible for any costs in modifications to the worksite needed to accommodate employees with disabilities. The panel does not take factors such as cost into account in making its recommendations.

VICTIMISATION

Victimisation means treating people unfairly in any way because they exercised their right to lodge a complaint, or because they supported someone else who acted on those rights.

Examples of victimisation:

- A contract teacher lodges a complaint of sexual harassment against her line manager. As a consequence she receives negative comments in her work report relating to her ability to work well with others.
- A staff member complains about offensive language at the Friday afternoon happy hour. As a consequence referee comments allude to his inability to relate to a broad range of people.

SECTION 2: THE SELECTION PROCESS

KEY DECS SELECTION PRINCIPLES

- Selection must be based on merit
- No discrimination
- No nepotism or patronage
- Open, public information, knowledge and criteria
- Matching skills, knowledge and experience to the person specification
- No assumptions or stereotyping
- Expediency should not override the process
- No discrimination against part time employees. Whilst currently all principal positions are full time, part time trials have been successfully conducted and it is likely that flexibility in working arrangements will be reflected in merit policy changes in the future.
- Consider access and availability to training and development for staff
- Acknowledging diversity in the workforce
- Staff involvement in decision making
- Parent representation on externally advertised principal, preschool director and other preschool selection panels
- All aspects of the panel process remain confidential.

MERIT IN RELATION TO THE SELECTION PROCESS

DECS is required to base all selection processes and decisions on merit as defined in Part 1 of the *Public Sector Act 2009*.

Merit in relation to selection processes for the filling of positions means:

- (a) the extent to which each of the applicants has abilities, aptitude, skills, qualifications, knowledge, experience (including community experience) and personal qualities relevant to the carrying out of the duties in question; and
- (b) if relevant:
 - (i) the manner in which each of the applicants carried out any previous employment or occupational duties or functions; and
 - (ii) the extent to which each of the applicants has potential for development.

Part (b) of the definition is to be used only when information about an applicants' relevant skills cannot be obtained using part (a) of the definition. This will be infrequent as there are many ways in which part (a) type information can be obtained.

However where no related work experience exists the person's potential to fulfil the duties is likely to be much less accurate and less easy to defend logically than information gathered under part (a) of the definition of merit.

A proper assessment of merit therefore needs to be based on the following:

- properly prepared job and person specifications which truly reflect the requirements of the job
- processes which fairly, accurately and validly measure the relevant skills, abilities, knowledge, experience and qualifications of applicants, so that proper judgements can be made about the comparable attributes of each candidate.

SELECTION PROCESS: PRELIMINARY WORK

- The vacancy is submitted for approval for external advertisements. A limited number of positions are not approved for advertisement because the rights of officers holding substantive leadership appointments who require placement must be considered prior to advertising any short or long term position.
- The job and person specifications for principal and preschool director positions are generic, but are inclusive of the context of the particular school or centre.
- The context statement is prepared in consultation with the school or preschool community. This should emphasise the local characteristics of the school or preschool community. Context statements for individual schools/preschools are available for download from the DECS website.
- Job and person specifications are made available to all applicants and faxed only in exceptional circumstances or to remote locations. The names, contact telephone numbers and addresses of people requesting job and person specifications are recorded.
- For principal positions, a panel of four persons is established by the trained chairperson (usually the Regional Director). The chairperson contacts the Ethical Standards and Merit Protection Unit for the appointment of the peer panellist, the Australian Education Union (SA Branch) for the appointment of the AEU nominee and the school/governing council for appointment of a parent/caregiver as the council nominee.
- For preschool director positions, a panel of three persons is established by the trained chairperson (usually the Regional Director or nominee). The panel comprises a chairperson, a peer panellist and a community representative nominated by the Governing Council. In the case of preschools with significant numbers of Aboriginal children, the community representative must be nominated by the Governing Council in consultation with Aboriginal parents and at least one panel member must be Aboriginal. The chairperson contacts the Ethical Standards and Merit Protection Unit for the appointment of the peer panellist.
- Any panel variation must be negotiated with the Executive Director, Human Resources and Workforce Development.
- Where schools/preschools are amalgamating a parent from each should be nominated by the respective governing councils.
- Gender representation is essential on panels for all externally advertised principal positions. Although recommended, gender representation is not a requirement for preschool positions. Gender representation is achieved through the peer panellist.
- The chairperson liaises with panellists to arrange mutually convenient meeting times.

PANEL COMPOSITION

	Principal	Pre School positions
Management Nominee	Regional Director/nominee	Regional Director/nominee
Staff Nominee	AEU rep. nominated by President, AEU	Not required
External Nominee	Peer Panellist nominated by ESMPU	Peer Panellist nominated by ESMPU
Governing Council Nominee	Yes Nominated by Gov Council	Yes Nominated by Gov Council
Gender Representation Requirements	Yes provided by Peer Panellist	No Recommended if male applicant
J&P	Generic	Generic
Application	Not to exceed 5 typed pages	Not to exceed 5 typed pages

ROLE OF THE CHAIRPERSON

Principal and preschool panels are chaired by the Regional Director or nominee in accordance with the Chief Executive's memo of 10 August 2004, *Variation to Selection Panels* (2004) (which is provided in the Appendix on page 61 of this handbook.)

The chairperson is responsible for managing the selection process and must:

- ensure that appropriate information for potential applicants is readily available
- manage the administration of all aspects of the selection process
- be thoroughly familiar with merit selection procedures
- ensure that all panellists are familiar with merit selection policies and processes, the need for confidentiality and the implications of any breach of confidentiality. This is particularly important for Governing Council and community representatives who are not required to undertake merit selection training. Training for community representatives is available through the South Australian Association of School Parents' Clubs (SAASPC) and the Ethical Standards and Merit Protection Unit of DECS, and is strongly encouraged
- establish and guide the panel in determining the panel process
- ensure eligibility requirements are met by each applicant
- ensure that each applicant has signed the declaration that the application is his/her own work
- keep all applicants informed about the process of selection through appropriate correspondence (see chairpersons checklist in Section 3: Resources on page 50 of this handbook.)
- notify all applicants promptly with respect to short listing, appeal rights (where applicable) and the approved nomination
- notify all applicants of the panel composition at the time of short listing.
- inform applicants clearly about procedures to be used in interview or in other parts of the selection process
- endeavour to establish an atmosphere at interview that is conducive to all interviewees' presentations and takes into account their special needs
- ensure at least one referee is contacted for each short listed applicant
- manage the process for contacting unnamed referees, if required
- consult with the Executive Director, Human Resource and Workforce Development, in order to resolve any disputes about procedures which may arise between panellists
- complete the panel report in consultation with the other panellists and forward recommendations to the Superintendent, Site HR
- ensure the inclusion of minority reports, where applicable

ROLE OF THE CHAIRPERSON (contd)

- collect and retain all documentation, including panellists' working notes, until the position has been approved
- retain and securely store the required documentation at the worksite for 1 year
- inform applicants about significant delays if they occur
- provide or delegate provision of feedback to applicants, on request, generally within eight weeks.

Chairpersons should endeavour to manage the selection process so unnecessary disruption to teaching programs is avoided. Panels are to be conducted in the local area and relocated only when necessary and where this is a cost effective option.

ROLE OF PANELLISTS

Panellists are expected to:

- be familiar with DECS merit selection policy and procedures
- ensure that the selection process is conducted in accordance with the principles of merit
- participate in and contribute equally to all stages of the selection process including the panel report
- treat all information obtained as confidential, including after the appointment has been made
- endeavour to establish an atmosphere at interview that is conducive to all interviewees' presentations
- request that the chairperson seek advice from the appropriate authority, that being the Ethical Standards and Merit Protection Unit, through the Executive Director, Human Resources and Workforce Development, or nominee, in order to resolve any disputes about procedures. Where the matter cannot be resolved, peer panellists, staff representatives and Governing Council nominees should consult with the Executive Director, Human Resources and Workforce Development. Where appropriate the AEU panellist should consult with the President, AEU (SA Branch) or nominee. Governing Councils or the nominee may also seek advice from the Ethical Standards and Merit Protection Unit.
- keep notes of information gathered during the selection process and give these to the chairperson at the conclusion of the selection process
- provide feedback to applicants only if this duty is specifically delegated by the chairperson.

PRIOR KNOWLEDGE

Prior knowledge is information which a panellist knows about an applicant which s/he believes might affect the applicant's capacity to meet the requirements of the position.

Prior knowledge should be used only where necessary and:

- it must be information directly related to the requirements of the person specification
- where necessary the area of concern should be clarified through appropriate questions either during the interview or with referees, without disclosure to the panel
- if necessary, the area of concern may be confidentially communicated initially to the chairperson only. If the Chairperson has the prior knowledge, s/he can communicate that to one other panellist. The applicants's identity should not be revealed. The other panellists must not be informed of the prior knowledge

Any panellist may contact an appropriate officer from the Ethical Standards and Merit Protection Unit to clarify the relevance of the prior knowledge to the requirements of the person specification, however Governing Council nominees should contact the ED, HR&WD in the first instance.

CONFLICT OF INTEREST

Before the selection process begins it is advisable for panellists to declare if they know the applicants personally and in what context, in order to keep the process as open and fair as possible.

To avoid nepotism and patronage or the appearance of unfair practice it is important there is no conflict of interest in selection processes due to the nature of the relationship between individual panellists and applicants.

Any perception of bias on the selection panel should also be avoided. Where it is likely that the relationship between a panellist and an applicant is such that it could be reasonably perceived to interfere with the panellist's ability to be objective in the selection process, the panellist should remove him/herself from the panel.

THE PANEL PROCESS

- The panel meets and the chairperson outlines the selection process, the role of the position and explains the need for confidentiality at all times.
- The panel reads the job and person specifications and the context statement.
- The panel establishes a common understanding of the requirements of the person specification and discusses ways in which applicants may demonstrate they meet the requirements. There are many ways in which applicants can show they have the relevant skills, knowledge and experience. The common understanding must be established before the panel reads any applications.
- Private reading of written application occurs after this.
- Applications are distributed and panellists declare if they know any applicants and in what context.
- Where necessary arrangements should be made to check applicants' eligibility and qualifications.
- Panellists read the applications privately and assess them against the person specification.
- The panel shortlists against the requirements of the person specification, taking into account evidence presented in the written application. Panels may choose to consult with referees as part of the shortlisting process.
- The responsibility rests with applicants to present the relevant information. However it may be necessary in some circumstances for the panel to seek additional information through referee comments as part of the shortlisting process.
- Applicants should not be required to demonstrate a detailed knowledge of the worksite in order to be short listed.
- Community activities and other responsibilities relevant to the person specification are given equal consideration to skills developed in the paid workforce.
- All candidates whose applications indicate they meet the essential requirements should initially be included on the shortlist.
- Incumbents who have held or acted in the position for a reasonable period of time and have had no significant performance issues raised should be shortlisted even if there are minor deficiencies in the written application.
- Applicants who have held or acted in the same or similar position to that of the vacancy and have had no significant performance issues raised should be initially shortlisted even if there are minor deficiencies in the written application. Where necessary these deficiencies can be followed up through referee checking by the panel.
- The initial shortlist can be reduced to a manageable size, if necessary, by determining the degree to which applicants meet the requirements.
- Panellists discuss their individual short list and reach agreement on the applicants to be shortlisted.
- All applicants are sent letters at this point, informing them of the composition of the panel, whether or not they have initially been short listed or if they are required for interview. Details such as date, time, venue, format and length of interview are included for shortlisted applicants if interviews are to be conducted.

THE PANEL PROCESS (cont.)

- It is advisable for the chairperson to also telephone shortlisted applicants to confirm interview details.
- Agents of applicants who are overseas or interstate will need to be contacted as appropriate.
- Panellists determine the areas to be addressed through referees, at interview or by other means and frame questions to be asked.
- Interviews and/or other selection procedures are conducted (where required). If interviews are to be held, they must be conducted for all shortlisted applicants. However, very thorough referee checks must be conducted for all shortlisted applicants irrespective of whether or not interviews are held.
- Referee checks are mandatory for all shortlisted applicants and can occur at any stage of the process. It is essential to validate information presented by applicants in their written applications and at other stages of the selection process.
- Panellists individually rank applicants using information obtained through all parts of the process. Individual rankings are discussed and agreement reached on the final ranking of applicants. Where consensus cannot be reached a minority report is prepared by the panellist(s) concerned and attached to the completed panel report.
- The panel report is developed, completed, read and signed by all panellists except where there is a minority report. Panellists who complete a minority report should not sign the panel report in the normal way but should indicate that a minority report is attached. Contact the ESMPU for advice prior to completing a minority report.
- Once the panel report has been written, all working notes are given to the chairperson who retains them until the recommendation has been approved at which time they should be destroyed.
- The panel report and other associated documentation are sent to the Senior HR Consultant or other relevant officer as a recommendation for approval.
- When a recommendation has been made a proforma letter is sent to all applicants advising them of their appeal rights, for positions advertised for greater than 12 months.
- Once the recommendation has been approved and the appeal period has expired, the successful applicant is offered the position. All other applicants are notified in writing of the outcome by the chairperson. Panellists are also informed.
- The chairperson provides feedback to all applicants where requested within 8 weeks of the appointment being announced. This may be specifically delegated to another panellist in certain circumstances.
- The Governing Council nominee notifies the chairperson of the Governing Council of the outcomes prior to informing the Governing Council.

**CONFIDENTIALITY IS ESSENTIAL BY ALL PANELLISTS
AT ALL TIMES AND FOR ALL ASPECTS OF THE PROCESS**

THE INTERVIEW PROCESS

- The panel decides whether interviews or any other selection procedures are required. All short listed applicants identified for interview are to be interviewed.
- The interview process is managed through the chairperson.
- Applicants should be given adequate notice relevant to the interview process prior to attendance at an interview. Usually the chairperson telephones applicants to inform them of interview details including format and timelines and confirms this in writing.
- Special requirements requested by applicants with disabilities must be accommodated. This should be clarified at the time of arranging the interviews.
- The venue should be appropriate and private. Ensure there is a clearly visible clock.
- The panel should endeavour to make the atmosphere as pleasant as possible.
- Provision should be made to comply with OHS&W requirements to sign into the venue on arrival. However, the need for confidentiality must also be maintained.
- The panel decides on the information required from the interview and develops questions based on the job and person specifications and information already gathered during the selection process.
- Interview questions for all applicants should focus on their ability to achieve the outcomes of the position.
- The length and number of questions should be realistic within the given timeframe.
- Seen and unseen questions may be used.
- In cases where applicants are requested to arrive early for interviews to prepare responses it is important that questions are given to them at the agreed time so that all candidates have equal preparation time.
- The same or similar lead questions should be asked of all applicants. Follow up questions should be related to the lead questions.
- The panel decides who will be responsible for asking particular questions. Panellists should endeavour to speak clearly. Questions should be printed for the applicants.
- It may be necessary to reschedule interviews in some circumstances such as family bereavement or other compassionate grounds. An alternative time must be negotiated in the case of illness. A relevant medical certificate is required.

Some possible strategies for interviews

- A 30-35 minute interview, 3-4 unseen questions related to the job and person specifications.
- One seen question provided at the time of informing the applicants they are to be interviewed, followed by 2 to 3 unseen questions. The seen question could be included in the letter to applicants short listed for interview confirming their interview details.
- The applicant arrives 20-30 minutes early, is presented with all or some questions and has time in a quiet place to make notes and prepare responses.

THE INTERVIEW PROCESS (cont.)

Other Selection Techniques

- Samples of work
- Written exercises (in this case make sure the time allowed is reasonable)
- Oral presentations
- Relevant tasks (such as word processing)

The format of the interview should be relevant to the position and realistic within the timeline allowed.

Formulating interview questions

The job and person specifications provide a good starting point for formulating interview questions including:

- Questions relating to an applicant's ability to meet the requirements of the person specification such as:

Give an example of a time when you worked with others to

- Questions based on the desired outcomes of the position as stated in the job specification such as:

What strategies would you put into place to ensure that parents from all backgrounds are well informed about their children's learning?

- A scenario based on the job and person specifications can be developed and applicants asked how they would respond to this situation.

Potential problem areas

A number of appeals and complaints are based on interview questions that are unrealistic for the level of the position or that inadvertently advantage incumbents and other staff at a particular location whilst disadvantaging applicants from other worksites.

One example of such questions is:

- *Describe the initiatives you would put in place to address the Chatswood Street Primary School Council's concerns relating to student reports.*

Questions worded in this fashion could well favour applicants with a detailed knowledge of the issues and idiosyncrasies of a specific worksite. More equitable ways of eliciting the relevant information would be questions such as these:

- *What strategies would you employ to review the school's reporting practice?*

The knowledge of a specific worksite required to successfully answer questions at interview should not exceed the information supplied through the context statement or other written materials supplied to all applicants.

INFORMATION FROM REFEREES

Every selection panel is required to seek information from a range of sources in relation to the criteria of the person specification for each position. Information from referees complements other sources of information available to the panel. It is essential to validate information presented by applicants in their written applications or at interview, particularly where the panel is unable to directly observe or assess a specific requirement of the person specification.

Process

Applicants are required to provide at least 3 referees for each position. One referee must be the applicant's current line manager, unless there are exceptional circumstances, in which case applicants may negotiate alternative referees with the Executive Director, Human Resources and Workforce Development prior to the selection process. Applicants may name peers, staff members, parents, community representatives, former line managers or any other suitable person as their other referees.

Applicants are advised to discuss their application with their referees to facilitate the capacity of the panel to verify the key outcomes described in the application.

Applicants may suggest aspects of the person specification that each referee could validate. However, the panel is obligated to seek to establish an accurate, validated and balanced view of the applicant and so may seek information related to any aspect of the person specification from named referees. In all cases, questions asked should be appropriate for the particular referee.

Referees may be contacted at any stage of the process, including short listing. This may be particularly useful in cases where there is a very small or very large pool of applicants.

The panel must contact at least one referee for each short listed applicant. Where applicants do not meet the essential minimum requirements, or are not short listed, the panel does not need to contact referees.

Referees can also be contacted more than once, if necessary. It is important to substantiate information provided in the written application or at interview, particularly where this information is significant in the final decision.

It is not necessary to go to all referees for any one applicant. However, referee checks should be managed in a manner that ensures the panel establishes an accurate, validated and balanced assessment of each applicant.

In seeking information from referees, the panel is advised to use a process that validates a number of the criteria of the person specification.

INFORMATION FROM REFEREES (cont.)

A phone link-up, where all panel members can hear the responses, is highly recommended as the most effective way of obtaining referee information. In circumstances where this is not possible, panels are advised to use procedures such that the same panel member does not seek reports from all the referees for a particular applicant.

When telephone contact is made or an oral report is received, the referee's key comments shall be noted in writing. In cases where only one panel member is recording the information or where the information is critically important or likely to be disputed, the notes shall be read back to check the accuracy of content and emphasis.

Prior to contacting referees, the panel should prepare a set of questions based on the person specification in the context of the job and the worksite, in the light of information gained from the written application and the outcomes of other selection procedures which have been used. This does not imply that the questions should be the same for all applicants. However, the questions must be fair and address a consistent level of complexity.

Rather than asking for one or two examples of an applicant's skills or experience in a particular area, it is often more useful to ask referees to provide a general comment in the nature of a summative assessment, together with a range of examples which illustrate the extent of the applicant's skills, abilities, knowledge or experience in the relevant area. This method will provide the panel with a better overall understanding of the degree to which applicants meet the criteria.

Follow-up questions may be necessary and can be very useful in obtaining information that describes more precisely the degree to which applicants meet the criteria. Follow-up questions must be relevant to the person specification but need not necessarily be the same for all applicants.

A member of the panel who is nominated as a referee is advised not to participate in setting the questions for that particular applicant. It is suggested that the panel member be the first referee to provide comments. If a panel member gives a referee report, it is obtained and treated in the same way as other referee reports. It is strongly recommended that in these circumstances a second referee report be obtained.

It is expected that information from referees will be provided orally. Written responses to referee questions may be provided only by mutual agreement between the panel and the referee. Particular care must be taken to protect the confidentiality of the process when questions or written responses are forwarded by email or facsimile.

INFORMATION FROM REFEREES (cont.)

Unnamed referees

At times it may be necessary for the panel to extend their inquiries to other referees not named by the applicant in order to ensure the information is comprehensive and accurate. These people are “unnamed” referees.

Unnamed referees may be contacted in instances where a named referee is unable to provide sufficient information or does not have a comprehensive knowledge of an applicant’s relevant work performance. Where an unnamed referee is identified by the panel, the applicant must be

informed of the name(s) of the person(s) to be contacted. The applicant must be given the opportunity to register any concerns and where appropriate to suggest further referees. The panel must consider the concerns of the applicant in determining whom they will contact.

In cases where the unnamed referee is a panel member, a further referee named by the applicant should be contacted.

In cases where conflicting information is provided by referees, such inconsistency should be explored by the panel. Additional referees should be contacted, when the applicant has objected to a referee accessed by the panel.

Referee responsibility

Information from referees is critical to the process of gaining an accurate, validated and balanced assessment of the applicant and should not be confused with advocacy.

The most useful information comes from a background of work observations and performance management, and includes areas identified for further development as well as strengths. A balanced and honest appraisal of the applicant’s work should be given.

Referees shall be given the opportunity to note the questions asked by the panel and negotiate the time to consider their responses so that the most appropriate information can be provided.

Referees shall be informed that the substance of the information they provide will be made available to applicants who request feedback as part of the panel report. However, this should not deter referees from providing an objective statement in relation to the applicant.

Under no circumstances should the referee provide information that is “off the record”.

EVALUATION OF INFORMATION

- The evaluation or decision making process depends on the panel's deliberate collection of information in a structured, systematic manner and then evaluation of this information against a predetermined set of criteria – the person specification.
- At all stages, panellists should focus on the extent to which applicants meet the criteria being evaluated. Panellists should attempt to suspend judgment on the relative merits of applicants until all information has been gathered. It is important that impressions gained at interview be confirmed by other sources such as referee comments or work samples.
- Following the interview the panel should decide which of the criteria require further exploration or confirmation. Information gained from referees should be considered and recorded with information from other sources.
- In the decision making process, each panellist should independently rank candidates in order of merit on the basis of all information collected. Panellists should discuss reasons for any differences in order of merit and make every effort to obtain a consensus decision, seeking independent advice from the ESMPU/AEU as appropriate. If this is not possible, a minority report may be submitted with the panel report, setting out clearly the reasons for disagreement.
- Panellists should provide clarification of their views as logically as possible, using evidence based on the information gathered. There should be no pressure on panellists to change their views in accordance with those of more vocal or forceful panellists. Any initial agreement should be viewed as open to change and discussed to ensure that people have arrived at similar conclusions for the same or complementary reasons.
- A written record of the decisions made by the panel and the reasons for these decisions is kept to provide the basis for the panel report and feedback to applicants.

THE PANEL REPORT

When writing panel reports the following points need to be considered:

Non-short listed applicants

Panel reports for applicants who are not short listed should be specific and relate directly to the person specification. For example: the applicant demonstrated s/he met the following criteria to a satisfactory/high degree..... However s/he did not demonstrate an understanding of.....

Shortlisted applicants

Panel reports for short listed applicants should indicate the reasons for short listing. For example: the applicant demonstrated high level skills in

The report must include the substance of referee comments. The report should indicate whether applicants have been recommended or not recommended.

Comparative assessment of candidates

At the end of the process it is necessary to write a descriptive comparison of short listed applicants that shows the reasons for the ranked order of the recommended candidates. This must be substantiated and well documented.

Where to send panel reports

Panel reports for all leadership positions are sent to the Senior HR Consultant for approval by the Superintendent, Site HR. The chairperson must retain the panel report for 1 year when it is returned after the recommendation has been approved. Panel reports should be stored in a secure place at the worksite selecting the position to ensure confidentiality.

Panel reports for Children's Services Act positions are forwarded to the relevant Senior Site HR Consultant. No applicant may be offered a position unless approval has been given by the Superintendent, Site HR.

THE PANEL REPORT (cont.)

Further issues regarding panel reports

A panel report for each selection process for promotion positions needs to be written on the appropriate pro forma. It is essential that all panellists have input into, read and agree with the content of the final report before signing it.

The report for each applicant consists of two parts. The first part describes the extent to which the applicant meets the skills, knowledge and experience requirements of the person specification. The second part provides a summary of referee comments.

Panellists should be aware that applicants may request a copy of the section of the panel report pertaining to them when the process is complete. It is important that the report is written in a manner which is constructive and not offensive.

Applicants sometimes express frustration at the brevity and very general nature of panel reports. Statements such as 'X did not meet all the essential requirements and was therefore not short listed' do little to help applicants understand why they were not interviewed and to assist them in future selection processes. It is preferable to at least identify the degree to which the applicant met or did not meet specific requirements of the person specification.

Statements such as 'the written application was very poor' or 'X performed badly at interview' should be avoided. They are not constructive and can be demoralising and offensive to applicants who have expended considerable time and energy on the process. It is preferable to give specific information such as 'the written application did not provide evidence of managing competing priorities within agreed timelines'. This type of comment identifies the reason for the panel's recommendation and is also helpful to the applicant in the preparation of future applications.

EXAMPLES OF PANEL REPORTS

Non-Shortlisted Applicant

Chris's written application provided evidence of ability to work effectively with staff, students and parents. It also described relevant examples of managing a variety of change processes, although the outcomes of these processes were not always clear. However the panel agreed that the application did not provide sufficient evidence for several essential requirements, in particular: an understanding of effective teaching practices, knowledge of current personnel management practices appropriate to the position and experience in implementing school and/or departmental policies.

Short listed Applicant

Alex's written application met all the requirements of the person specification to a high degree. At interview Alex demonstrated a comprehensive knowledge of relevant departmental policies and their implications for practice. Alex provided clear evidence of the ability to manage change through examples based on her experience as a student counsellor at numerous schools. These included leadership in curriculum review and working with others to foster increased parent participation across the school. Alex demonstrated high level communication and interpersonal skills as well as an understanding of the needs of diverse groups and individuals in the areas of personnel management and learning programs. Comments from referees verified Alex's skills in a range of areas.

N.B. A summary of referee comments should be recorded on a separate page as part of the panel report for Alex.

Comparative Report

The panel agrees unanimously to shortlist three of the nine candidates. Of the three short listed applicants, the panel recommended two for the position.

Two candidates met all the requirements for the position. Alex was recommended first, because of her high level skills in working with others to achieve agreed goals, her comprehensive understanding and leadership in curriculum and her demonstrated ability to manage change.

Dominic was recommended second. The panel agreed that his skills, knowledge and experience were clearly at a level required for the position but not at the same level as Alex's, particularly in the areas of curriculum leadership, the management of change and modelling effective teaching practice.

Kelly was not recommended because the panel agreed that at interview she was not able to demonstrate a sound understanding of processes for the successful management of change. In addition she provided insufficient evidence of her ability to work effectively with others to achieve agreed goals. Kelly's referees were unable to provide examples of Kelly's role in managing change and working with others to achieve clear outcomes.

MINORITY REPORTS

If consensus cannot be reached after frank and open discussion, panellists who disagree with what is written in the panel report should complete a minority report. Panellists should ask the chairperson to provide them with the appropriate form to complete and submit. A panellist completing a minority report should not sign the panel report. The minority report is forwarded with the panel report for consideration before the recommendation is approved.

COMPLAINTS AND APPEALS

Appeal provisions: Education Act and Children's Services Act positions

Applicants for Education Act and Children's Services Act positions with tenure of greater than 12 months may lodge an appeal against serious irregularities in the process which may have affected the outcome.

Notification of intent to appeal must be forwarded to the Executive Director, HR&WD, within 3 working days (including during vacation periods) of receiving notification from the chairperson that a nomination has been made.

Applicants have a total of 5 working days (inclusive of the 3 day notification period and school vacation periods) to submit their appeal in writing by post or fax to the Executive Director, HR&WD, for consideration.

Where no appeal is received, the name of the nominated applicant will be communicated to all applicants once the recommendation has been approved.

SELECTION PROCESS – OTHER ISSUES

Late Applications

- Late applications can be accepted only in extenuating circumstances, such as illness or family bereavement.
- Notification of a late application must be provided to the chairperson prior to the published closing date for applications.
- The panel decides whether a late application will be accepted prior to considering the actual application, on the basis of factors which caused the lateness.
- The period for extension is negotiated between the applicant and the chairperson. In the case of illness, a relevant medical certificate must be provided.
- Applications postmarked prior to the advertised closing date must be accepted. In cases where an application has been posted but is unlikely to arrive before the specified closing time, it is highly recommended that the applicant advise the chairperson of a possible delay so that appropriate arrangements can be made.
- Chairpersons and other panellists may wish to seek advice from the ESMPU or the AEU where appropriate, regarding the acceptance of late applications. Once a panel has decided to accept a late application, it is treated in the same way as other applications.

Length of Applications

- The length of applications for externally advertised leadership positions is 5 typed A4 pages including curriculum vitae and all attachments. This includes positions such as preschool director, deputy principal, assistant principal, co-ordinator etc.
- The number of requirements in the person specification to be addressed should be realistic to allow meaningful responses within the page limits
- The font size used in applications should allow for ease of communication. It is strongly recommended that applicants for positions use a minimum font size of Times New Roman 11 point or equivalent.

SELECTION PROCESS – OTHER ISSUES (cont.)

Managing Underperformance

- Employees in schools and preschools who are currently participating in Managing Underperformance are required to communicate this to the chairperson only for the information of the panel. This should be on a separate page enclosed with their application.
- The chairperson should ensure that factors which relate to the job and person specifications and therefore could impact on the applicant's ability to achieve the outcomes of the position are explored, where necessary, through appropriate questions at interview and to referees.
- It is essential that the strictest confidentiality is maintained by all panellists in relation to an applicant's participation in Managing Underperformance.

Feedback

- Applicants should be informed promptly and sensitively of the outcome of the process.
- All applicants have the right to request feedback from the chairperson within 8 weeks after receiving notification that the process is complete. If the chairperson is unavailable to provide prompt feedback, this responsibility should be specifically delegated to another panellist.
- Feedback should be clear and relate to the requirements of the position. Applicants requesting written feedback should be provided with the part of the panel report which refers to them. No comparative information should be provided to applicants.
- It is recommended that limited feedback is provided where the position is to be re-advertised. This feedback is confined to identifying the requirements of the person specification which were not met to a satisfactory degree.
- No feedback will be provided where the Executive Director, HR&WD, deems there has been a serious irregularity in the process.

Panel Members – advice or complaints regarding panel process

- The peer panellist or staff representative may seek advice from or lodge a complaint with the Executive Director, HR&WD, or nominee.
- The chairperson may seek advice from or lodge a complaint with the Executive Director, HR&WD, or nominee.
- Governing Council nominees (on principal and preschool director panels) may seek advice from the ESMPU or lodge a complaint with the Executive Director, HR&WD or delegate.
- The AEU panellist may seek advice from or lodge a complaint with the President, AEU (SA Branch) or the Executive Director, HR&WD or nominee.

GLOSSARY OF ACRONYMS

AET	Aboriginal education teacher
AEU	Australian Education Union
AEW	Aboriginal education worker / ACEO Aboriginal Community Education Officer
ARD	Assistant Regional Director
AST1/T2	Advanced Skills Teacher, level 1/level 2
CAP	country area program
COAG	Council of Australian Governments
CPC	child parent centre
ICT	Information communications technology
DECS	Department of Education and Children's Services
DSP	disadvantaged schools program
ECW	early childhood worker
EO	equal opportunity
ESL	English as a second language
ESMPU	Ethical Standards and Merit Protection Unit
FTE	full time equivalent
GSE	government services employee
HR	human resources
HR&WD	Human Resources and Workforce Development
LAP	learning assistance program
LOTE	languages other than English
OGEH	Office of Government Employee Housing
OHS&W	occupational health, safety & welfare
OHSC	out of school hours care
RD/ARD	Regional director/Assistant Regional Director
SAASPC	South Australian Association of School Parents' Clubs
SAASSO	South Australian Association of State School Organisations
SAPSASA	South Australian Primary School Amateur Sports Association
SASSSA	South Australian Secondary School Sports Association
SACSA	South Australian Curriculum Standards & Accountability
SRC	student representative council
SSO	school services officer
TAFE	Tertiary and Further Education
TRT	temporary relieving teacher

SHORTLISTING GUIDELINES FOR MERIT SELECTION PANELS FOR LEADERSHIP POSITIONS

The following advice on the shortlisting of applicants for leadership positions is offered by the Ethical Standards and Merit Protection Unit. In the interests of reducing the chance of a successful appeal against a panel recommendation it is strongly recommended that panels give appropriate consideration to these guidelines and that this consideration is reflected in the panel documentation.

The purpose of merit selection is to appoint the best person for the job. Ensuring that a panel has the widest possible pool of applicants from which to make a recommendation will facilitate the achievement of this and assist in ensuring effective leadership in sites.

Selection processes that use the written application as the sole decider of shortlisting, may disregard opportunities to clearly establish an applicant's true ability. Using the written application as the sole method of shortlisting applicants may result in some applicants being removed from a selection process without appropriate consideration being given to their current and or past experience.

DECS Merit Selection Policy and Procedures, School Sector, 1997 (the Policy) requires that all selection is based on merit as defined in Part 1 of the *Public Sector Act 2009* (PS Act).

Merit in relation to selection processes is defined as *the extent to which each of the applicants has abilities, aptitude, skills, qualifications, knowledge and experience (including community experience) and personal qualities relevant to achieving the outcomes of the position.* In addition the PS Act provides for a panel, where relevant, to *consider the manner in which each of the applicants carried out any previous employment, occupational duties or functions.*

DECS Policy requires that the initial shortlisting is based on relevant information contained in, and verified from, the written application and its relevance to the person specification. All applicants who demonstrate through their written applications that they meet the essential criteria should, in the first instance, be shortlisted. If necessary this list can be reduced to a more manageable size by determining the degree to which applicants met the essential criteria. In addition;

Shortlisting of Incumbents: If an applicant is the incumbent of the position being advertised and has held or acted in the position for a *reasonable period* of time* and where there are no negative performance issues, this relevant experience should be considered as evidence that the applicant meets the essential criteria for the position. It is suggested that the applicant is shortlisted for the position even where there are minor deficiencies in the written application.

Shortlisting of applicants who currently hold or have held/acted in the same or similar position to that of the position being advertised: If an applicant has held/acted in the same or similar position for a *reasonable period* of time* and where there are no negative performance issues, this relevant experience should be considered as evidence that the applicant meets the essential criteria for the position. It is suggested that the applicant is *initially* shortlisted for the position even where there are slight deficiencies in the written application.

For such applicants relatively minor deficiencies in applications should be explored through referee checks, work samples or other suitable means before decisions are made about whether to progress the application.

Where the applicant's experience is at a similar level or senior to the position being filled but the experience is of a different nature then that experience will have to be carefully assessed to identify transferable skills, knowledge etc. The applicant should not simply be rejected from the initial shortlist because other applicants have had more relevant experience.

Where there are a number of applicants with similar relevant experience for a position then it is recommended the selection panel seek referee comments for those applicants to determine the extent to which they meet the selection criteria, prior to shortlisting further for interview.

Where there is a large field of applicants, with experience in the same or similar positions, who all meet the essential requirements and it is not feasible to check all referee reports or other information, shortlisting based on application, but with due consideration of relevant experience, may be appropriate.

Ensuring that this consideration is appropriately reflected in the panel report is important in ensuring that all panel decisions are transparent and defensible.

Further advice on this or any other merit selection matter is available from the Ethical Standards and Merit Protection Unit on 8226 1342 or decsempu@sa.gov.au

**Stipulating a specified length of experience as being reasonable is problematic, as this should be decided on a case by case basis. The nature of the experience may be more relevant than the timeframe, however as a guide 6- 12 months in the same or equivalent position may be reasonable for the purposes of this assessment. Should a selection panel be unsure then it is recommended that advice be obtained at the time.*



CE Cite 09.005 – Aboriginal educational leadership positions

Education Centre
31 Flinders Street
Adelaide SA 5000
GPO Box 1152
Adelaide SA 5001

TO: ALL EMPLOYEES

RE: INITIAL SHORTLISTING OF ABORIGINAL APPLICANTS FOR ALL DECS POSITIONS AND ABORIGINAL EDUCATION LEADERSHIP REGISTER

The Department of Education and Children's Services (DECS) is committed to increasing the number of Aboriginal employees in leadership positions across the organisation.

Two new initiatives have been established to provide support and opportunities for Aboriginal employees seeking leadership roles across the organisation.

1. Initial Short-listing of Aboriginal Applicants.

From the start of the 2009 school year, all applicants identifying as Aboriginal or Torres Strait Islander, who submit an application for an advertised vacancy will be initially short-listed. Selection panels will be required to consider the information contained in the application and to contact at least one referee who can both confirm the applicant's skills, knowledge and experience and establish the capacity and potential of the applicant to achieve the desired outcomes of the position.

The decision about whether or not the applicant will proceed through to the next round of the selection process will be based on the degree to which the applicant meets the essential criteria and their potential to achieve the outcomes of the position.

Applicants will receive constructive, informative feedback either in writing or verbally for the purposes of professional development and to assist in the preparation of future applications.

Further information in relation to these changes can be obtained from the Ethical Standards and Merit Protection Unit on telephone 8226 1342.

2. DECS Schools and Preschools Aboriginal Leadership Register

Throughout 2009 applications will be accepted from Aboriginal employees who are interested in short term, school based leadership opportunities of a minimum of 3 months and up to 12 months. Applicants must complete an application form that indicates their experience suited to principal, preschool director, deputy or assistant principal roles.

A selection panel will consider applications and manage the matching of individuals to sites with short term vacancies during the 2009 trial period.

Regional Directors will be asked to indicate which sites within their Regions are able to make short term positions available as placement opportunities.

Any enquiries in relation to the register process, placement opportunities and/or to obtain a copy of the application form should be addressed to: papps.michael@saugov.sa.gov.au.

Normal eligibility requirements to work in an education leadership position in a DECS school apply.

A handwritten signature in black ink, appearing to read 'C. Robinson'.

Chris Robinson
CHIEF EXECUTIVE
4 February 2009

GUIDELINES FOR PANELLISTS FOR DOCUMENTING AND REPORTING ON SELECTION PROCESS

Purpose

The *DECS Merit Selection Policy and Procedures* requires a panel to prepare a selection process panel report for the purpose of providing detailed information to the delegate or chief executive for approval of its recommendation. The panel report is also used for the purposes of providing feedback to applicants and additionally, as a primary source of evidence in the conduct of merit appeals or complaint investigations.

The values detailed in the *Code of Ethics, South Australian Public Sector*, including integrity, respect and accountability, underpin the behaviour and practice of panellists participating in a DECS merit based selection process.

These guidelines must be read in conjunction with the *DECS Merit Selection Policy and Procedures*.

Importance of accurate recording

It is a requirement that all panellists are involved in determining the content of the panel report and the recommendations, including reasons behind these. The recommendation for appointment to the position is a decision made by the whole panel and is based on the assessment made of each applicant's experience, skills, knowledge and where relevant, previous employment and potential for development.

A valid assessment of each applicant in all stages of a selection process must be based on the degree to which the applicant has met the requirements of the person specification and demonstrated the ability to achieve the outcomes of the position and these should be fairly described in the report for each applicant.

Tips on notetaking

The following suggestions are made to assist panellists in the preparation of their individual panel notes, which contribute to, and are relied upon in the preparation and writing of the selection process panel report.

- The degree to which an applicant meets or does not meet the specific requirements of the person specification should be based on all of the relevant evidence available to the panel in the course of the selection process; this includes the written application, referee comments, responses to interview questions, tasks or presentations or any other evidence obtained eg. work samples.
- Keep notes or a record with sufficient specific or detailed information about each of the applicants at each stage of the process. These form the written record of your assessment process and this is relied upon in panel decisionmaking.

- You may consider developing an instrument for each stage of the selection process to assist you to document and record your assessment of each applicant. For example, in the shortlisting stage where applications are assessed against the essential minimum requirements, a 'shortlisting proforma' such as one of the examples attached, may be a useful instrument for this purpose.
- Similarly, for interviews and verbal referee statements, developing an appropriate instrument ensures that evidence is recorded fully and in detail eg. question (s) asked and responses given would be useful and assist in ensuring reliability of information and the validity of the assessment of each applicant.
- Each page of your record should clearly identify these as your notes and the applicant being assessed.
- Notes of referee comments should clearly state the questions asked of the referee and provide details of the responses eg, record specific examples given by the referee; confirm accuracy and understanding of the comments by reading them back to the referee.
- Referee questions should be included in the panel report for each applicant for whom referee comments were obtained to inform the applicant when providing feedback
- Notes of the interview (if conducted) need to clearly state the questions, including any follow up questions asked of the applicant. The applicant's responses should be recorded in sufficient detail and not contain any personal views or opinions.
- Your notes must reflect that the assessment of the applicant was made against the selection criteria and be written in reference to them.
- The panel report must be written in a manner which is objective and constructive; for each applicant, it should provide sufficient specific information which explains the decision of the panel and will be helpful to the applicant in preparing future applications. It is not appropriate to make comments about matters not related to the person specification eg. the font or style etc. or to make offensive comments about the applicant.
- Be mindful that panel documentation, including your notes may be called upon in an appeal investigation and potentially in legal proceedings.

