

# Recruitment and selection of teaching staff in schools procedure

This is a mandated policy under the operational policy framework. Any edits to this policy must follow the process outlined on the [creating, updating and deleting policy documents](#) page.

## Overview

This procedure identifies and describes the criteria and processes for the appointment of teaching staff in schools.

## Scope

This document outlines procedures to support the [recruitment and selection of teaching staff in schools policy](#), and applies to the appointment of teachers in the school sector.

In this document, teachers include those staff with the classifications of Special Senior, Senior, Substantive Key Teacher, Advanced Skills Teacher AST-2, Highly Accomplished Teacher (HAT) and Lead Teacher (LT).



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# Detail

## Describing vacancies

### Describing a new or vacant position

Following consultation with the Personnel Advisory Committee (PAC) as documented in the PAC minutes, and with reference to the site's Human Resource (HR) plan, the school Principal identifies and describes a new vacancy.

All described vacancies need to detail the level of schooling, broad teaching area, curriculum subject and skill codes and a descriptor that succinctly describes the context and requirements of the vacancy.

Schools are encouraged to declare part-time vacancies, where appropriate, to cater for the needs of the changing teacher workforce. It may be possible, in some instances, for schools to indicate in the vacancy descriptor that the fraction of time of the position may be negotiable. See [Levels of schooling, broad areas, curriculum subjects and skill codes](#).

The tenure of a vacancy will be either ongoing or temporary. Whenever possible, it is expected that an ongoing vacancy will be described.

When a vacancy is declared Principals are required to enter the applicable following vacancy reason and the name and ID number of the teacher being replaced (if applicable):

- change in time
- country incentive leave
- defined curriculum change
- deceased
- end of tenure
- enrolment variation (increase/decrease)
- exchange teacher
- higher duties
- leave without pay
- long service leave
- maternity leave
- other paid leave
- paid sick leave
- promotion
- resource allocation adjustment (RAAP funding)
- release time scholarship

- resignation
- retirement
- secondment
- teacher renewal program
- temporary relocation
- transfer
- universal access
- workers compensation

## Permanent (ongoing) vacancies

An ongoing vacancy does not have an end date. An ongoing vacancy can be described when:

- no permanent teacher holds right of return to the vacancy
- a new vacancy is created which can be funded on an ongoing basis from the school's resource budget.

For all vacancies resulting from teachers winning advertised teaching or leadership positions, or by teachers resigning, retiring, etc., it is expected that an ongoing position will be described by the school unless strong evidence can be provided to the senior human resource consultants as to why the resultant vacancy cannot be filled permanently.

## Temporary vacancies

A temporary vacancy is for a fixed period of time with a specified commencement and end date.

Temporary vacancies have a minimum tenure of 20 duty days. They can be up to 2 years if the vacancy is, for example, behind a teacher who holds right of return to the school.

A temporary position may only be declared when:

- it is behind a teacher who holds a right of return to the school
- the school is undergoing a major change
- the school is undergoing significant enrolment decline or temporary increase and an ongoing position cannot be sustained
- a teacher has an approved temporary change in time
- there are special short-term funding arrangements (e.g. universal access, RAAP funding,)
- a position needs to be maintained behind an acting leadership position of 12 months or less.

## Casual vacancies

A casual position is used to fill short term absences of another employee or an unforeseen event(s) which could not reasonably have been planned for.

Casual positions have a minimum tenure of half a day and a maximum tenure of 19.5 duty days. Examples for TRT usage include sickness, special leave, release to attend professional development etc.

## Filling vacancies

All appointments to a school are made through open selection processes, with the only exception being placements made through a centrally-managed process for teachers in the permanent teacher register (PTR).

In order to ensure that the overall needs of schools and individual teachers are met, and in special circumstances, the Assistant Director, Workforce Management (or delegate of the Chief Executive) may approve special arrangements for the filling of vacancies or the appointment of individual teachers.

## Appointment process

- Prior to the commencement of each annual recruitment and selection exercise, all permanent teachers who are in temporary positions or require placement will be appointed, where possible, to ongoing positions in schools and preschools, through a centrally managed process. This includes, for example, teachers who may have returned to the metropolitan area from the country (G, I and J transaction codes) as part of a guarantee and have been appointed to a temporary position in the first instance.
- Conversion to permanency will be considered for category 1, 2 and 3 schools, all country schools, special service sites and agreed specialist subject areas, prior to the first rounds of advertising, if specific criteria are met.
- Any unfilled ongoing vacancies submitted are then advertised, to an open field.
- Teachers in the PTR (other than 'T' transaction types) will then be considered for any consequential or unfilled vacancies or for any ongoing vacancies declared after the first rounds of advertising.
- Teachers with 'T' transaction types will then be considered for ongoing vacancies that are not filled through these processes.
- Conversion to permanency will be considered for any vacancies that remain unfilled after the above processes.
- Any positions that remain unfilled from the above processes may be advertised if timelines permit. If there is insufficient time to advertise at the end of the school year, as per published department timelines, the vacancy will be filled as a temporary position, and will become an ongoing vacancy in the following year.
- Teachers in Category 1 and 2 who are not successful in securing a permanent transfer through the PTR can elect to be considered for temporary one year positions in sites of preference and retain their right of return.

Teachers who have grievances that emerge from the placement or selection process are able to pursue these in writing to the Executive Director, People and Culture . The procedures for dealing with grievances are outlined in Clause 3.1 of the South Australian School and Preschool Education Staff Enterprise Agreement 2020.

## Ongoing vacancies

In the first instance Aboriginal, Anangu and SNAP schools country schools and category 1 and 2 schools will be advertised followed by advertised rounds for all other schools and preschools. All ongoing vacancies are advertised online through EDU jobs.

Advertised vacancies are open to all eligible teachers, both within and external to the department, who are able to meet all requirements for employment. Existing eligible permanent teachers and eligible employable teachers are able to apply and be considered equally for advertised vacancies.

Applications for advertised vacancies are lodged online and are managed by a local selection panel in each site, in accordance with agreed processes, as outlined in this document.

Consequential ongoing vacancies (or any unfilled vacancies) resulting from advertised positions, or any ongoing vacancies declared after the initial rounds of advertising, will be filled by teachers from the PTR (other than 'T' transaction types), provided they are a suitable match for the position and the appointment is within the placement conditions of the teacher. This exercise will be managed centrally.

If an appointment is not made from the PTR, as described above, applicants with a 'T' transaction type will be considered. If still unfilled, the vacancy may be considered for a conversion to permanency process, subject to specific criteria, as outlined in the procedures document.

If the position is not filled through any of these processes, the vacancy may be advertised, if timelines permit. If there is insufficient time to advertise at the end of the year, the vacancy will be filled as a temporary position, and will become an ongoing vacancy in the following year.

Late vacancies will be filled through a centrally managed process overseen by the Assistant Director, Workforce Management.

## Conversion to permanency

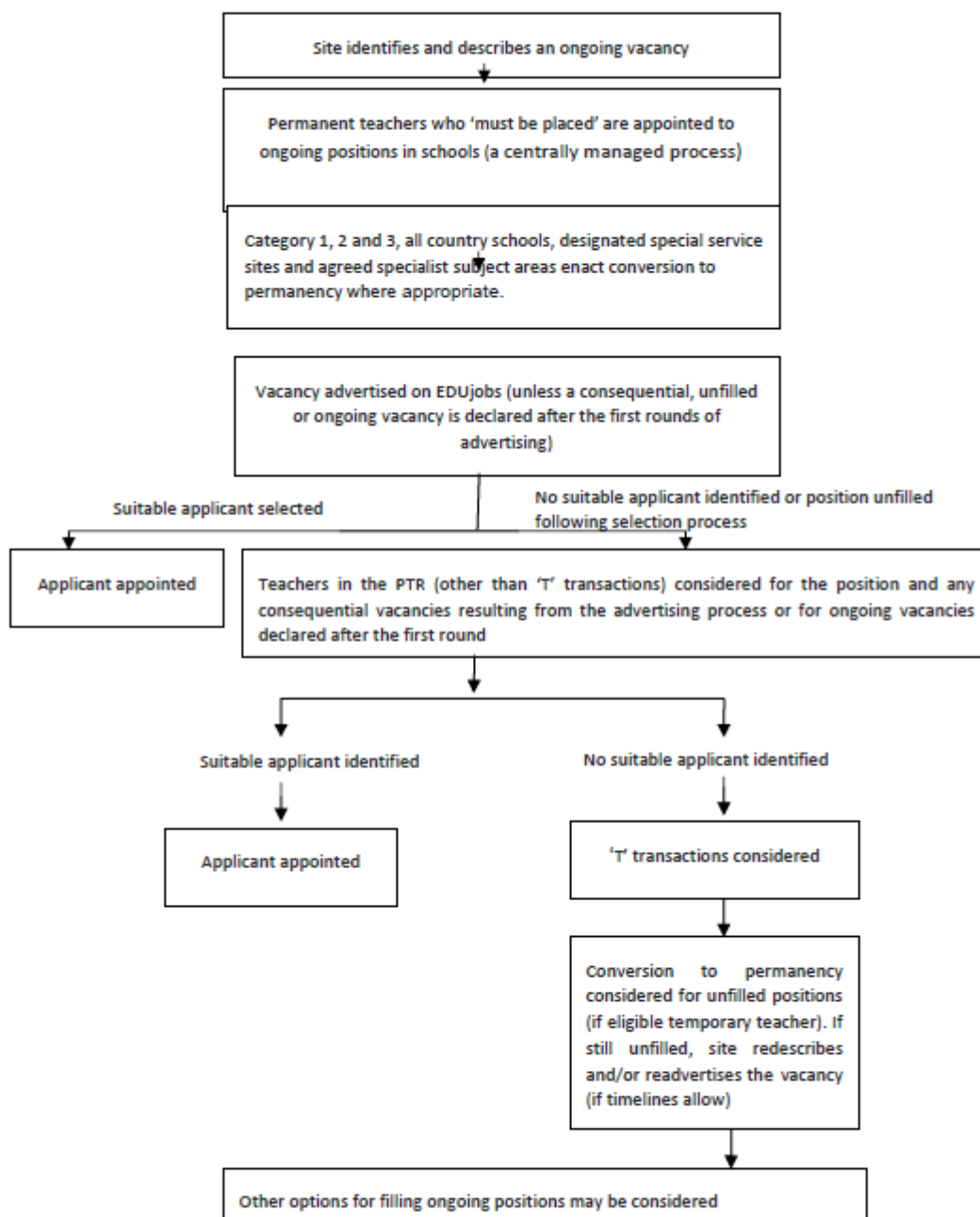
Principals, following consultation with the PAC, can make a recommendation to the Assistant Director, Workforce Management to convert a temporary teacher to permanency, subject to the following criteria being met:

- the position is identified as an ongoing position by the school
- the incumbent was appointed through established recruitment processes and has occupied the position for a period of at least two years
- there are no teachers available with specific placement rights through the permanent teacher register (PTR) to fill the vacancy
- the incumbent has demonstrated satisfactory to strong performance.

Grievances in relation to conversions to permanency should be raised in the first instance with the school's PAC. If the matter cannot be resolved at the local level, it may be referred to the Executive Director, People and Culture (or delegate) for resolution, as outlined in Clause 3.1 of the School and Preschool Education Staff Enterprise Agreement 2020.

In order to ensure that the overall needs of schools and individual teachers are met, and in extenuating circumstances, the Assistant Director, Workforce Management may approve special arrangements for the conversion of temporary teachers to permanency.

## Diagram 1 – Filling ongoing positions

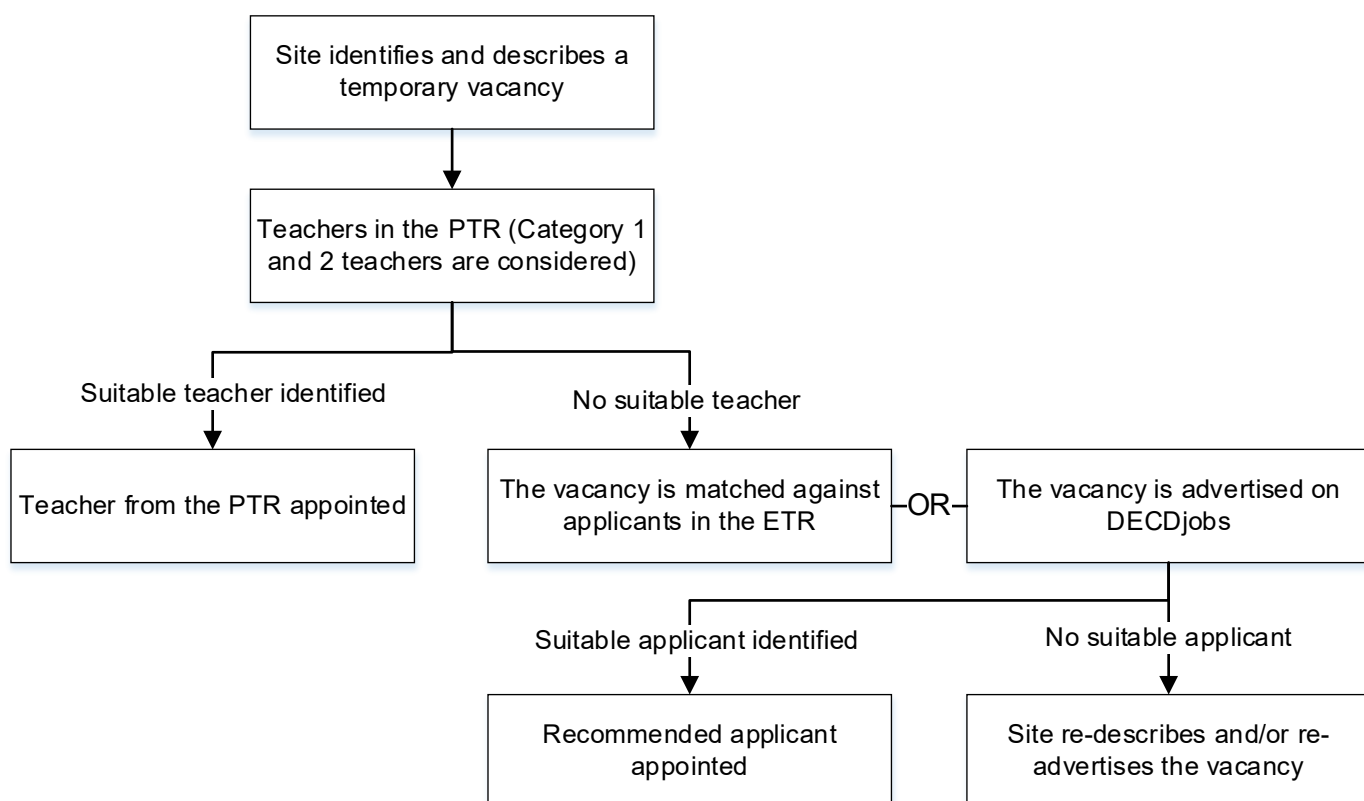




## Temporary vacancies

Teachers in the PTR who are eligible to be considered for temporary positions are considered in the first instance for temporary positions, through a centrally-managed process. If an appointment is not made, from the PTR, or teachers in Category 1 and 2 schools who have elected to be considered for temporary positions, the position can either be advertised by the preschool or school or filled from the employable teacher register (ETR), through the process outlined in this document.

### Diagram 2 – Filling temporary positions



### Eligibility for applying for an advertised ongoing vacancy

Teachers who are eligible to apply for an advertised ongoing vacancy include:

- permanent teachers who are not in their first year of permanency with the department
- teachers who are in tenured leadership roles

- employable teachers who are in the ETR and who meet minimum the department’s employment criteria
- employable teachers who are able to meet the department’s minimum employment criteria and who are not currently part of the ETR
- teachers who are included in the PTR.

Employable teachers who win and accept a permanent teaching position will not be considered for other permanent vacancies at that classification/level until they have met the appropriate eligibility criteria.

## Eligibility for inclusion in the permanent teacher register

The PTR will mainly comprise teachers returning from the country to the metropolitan schools and eligible teachers from category 1 and 2 schools. However, there may be a small number of other permanent teachers who will require consideration for placement through the PTR.

Teachers eligible for the PTR must lodge their applications online, in accordance with published department timelines. Once the application is lodged, it will remain active for the year of application.

Teachers who are eligible to be included in the PTR are:

### Teachers who must be placed

- Permanent teachers who hold a guaranteed right of return to the metropolitan area from the country (old transaction types “I”, “J” and “G”). See Appendix 3.
- Permanent teachers in country locations who qualify for the guaranteed right of return to the metropolitan area – see Appendix 3.
- Permanent teachers who do not hold right of return to a school, including those returning from leave or leadership positions of greater than 12 months.
- Permanent teachers who are actioning a remote country to nearer country guarantee (considered for country schools only) - see Appendix 2 for identified remote sites.
- Teachers identified through the required placement process.
- Country teacher scholarship students and graduates recruited through the targeted graduate scheme.
- Aboriginal teachers employed through the Aboriginal Employment Strategy will be appointed to schools through a centrally managed consultative process.

### Teachers who may be placed (if suitable vacancies exist)

- (If teachers in this category are not successful in gaining an alternative position, they will remain in their current teaching position).
- Permanent country teachers seeking an appointment in a metropolitan location to a nominated school who are:
  - in at least their 4th year of continuous country service\* in a zone 4 or 5 country school
  - in at least their 5th year of continuous country service\* in a zone 2 or 3 country school

- in at least their 6th year of continuous country service\* in a zone 1 country school
- Permanent teachers in index of educational disadvantage category 1 and 2 schools who are seeking an appointment in a nominated metropolitan school and who are:
  - in at least their 4th year of continuous service\* in a category 1 school
  - in at least their 5th year of continuous service\* in a category 2 school

At the employee's request any teacher who is not placed subject to this clause may seek case management support from a Senior HR consultant in the following year in order to maximise their success in gaining an alternative position in a nominated school

- Permanent teachers in a designated special service site who are eligible for transfer and are seeking an appointment in a nominated metropolitan school and who are:
  - in at least their 4th year of continuous service.
- Permanent teachers who seek a transfer to a country location on an ongoing basis.
- Permanent teachers in the metropolitan area who lodge a request to transfer following 10 years service in their current school ('T' transaction type). Teachers using this transaction type will be considered for permanent positions in nominated metropolitan schools only.
- Eligible permanent teachers in country schools who lodge a request to transfer to an alternative country location ('T' transaction type). Teachers using this transaction type will be considered for permanent positions in nominated country schools only. Eligible teachers are those who are:
  - in at least their 4th year of continuous country service\* in a zone 4 or 5 country school
  - in at least their 5th year of continuous country service\* in a zone 2 or 3 country school
  - in at least their 6th year of continuous country service\* in a zone 1 country school.

\* "country service" is defined as temporary (contract) employment or permanent employment, though teachers also need to be eligible to apply for an alternative position (ie not in their first year of permanency).

#### Teachers appointed through a centrally managed negotiated process

- Workers compensation: teachers with an approved workers compensation claim approved by the Assistant Director, Workforce Management.
- High level compassionate placement: permanent teachers who have an approved high level compassionate placement agreement approved by the Assistant Director, Workforce Management.

Special compassionate placement requests will normally be associated with a medical condition relating to the teacher or their family, and be supported by appropriate documentation.

A teacher in a category 1 or 2 school who has requested, or intends to request, a high level compassionate placement will be case managed by a senior HR consultant. The department will aim to appoint the teacher to a suitable position as agreed between the teacher and the department.

If a request has not been approved through normal processes, and it is deemed to be of urgent or high priority, it may be referred by the president of the AEU to the Executive Director, People and Culture for further consideration and determination.

## Selection process for placement from the permanent teacher register (for permanent and temporary positions)

All teachers in the PTR are considered for vacancies in line with their transaction type. Teachers who have lodged a 'T' transfer request will be considered for any suitable permanent vacancies after advertising. The appointment of teachers from the PTR to schools will be managed centrally by People and Culture Operations schools and preschools.

Senior HR Consultants manage the selection process and are able to:

- seek referee comments to verify any aspect of the teacher's application
- contact the teacher directly to seek further information
- contact the Site Leader to clarify issues relating to the position.

A teacher in the PTR will only be appointed to a vacancy within the range of time stated in their online application or at their substantive fraction of time. If appointed to a permanent position through this process, the teacher takes on the fraction of time described in the vacancy. This becomes the teacher's new substantive fraction of time.

Substantive seniors, and other leaders who may require placement, will be appointed to appropriate leadership positions wherever possible – otherwise they will be appointed as teachers with appropriate salary maintenance.

## Appointment restrictions

Permanent teachers have varied appointment restrictions according to a range of factors. They include:

- in a metropolitan permanent against temporary (PAT) appointment – an appointment in an ongoing or temporary position within 45 km of the residence from which they daily commuted to the tenured appointment
- in a country PAT appointment – an appointment in an ongoing or temporary position within a region listed on the application for employment from which they gained permanency
- if identified through required placement – an appointment in an ongoing or temporary position within 45 km of the residence from which they daily commuted to the tenured appointment
- actioning a "remote country to nearer country" guarantee – an appointment in a country school closer to Adelaide.

## Employable teacher register

The employable teacher register (ETR) contains teachers who are not currently permanent teachers of the department and who are seeking temporary or permanent employment as teachers with the department and who meet, or are able to meet, minimum department employment criteria. People in this group are referred to as 'employable teachers'.

## Right of return

These arrangements apply to teachers appointed to leadership positions:

- Substantive teachers who win a tenured leadership position or seconded teacher position of 12 months or less will hold right of return to their previous position, provided tenure in that position still remains.
- Substantive teachers who win a tenured leadership position or seconded teacher position of greater than 12 months, will lose right of return to their school, unless otherwise negotiated with the Assistant Director, Workforce Management. If these teachers require an appointment to a school at the end of the tenured leadership position or secondment, they enter the PTR for placement as a teacher. They would be appointed to an ongoing or temporary position within 45 km of the residence from which they daily commuted to the tenured appointment. If the leadership position was in the country, they may choose to be placed in the metropolitan area if the leadership position was won from a metropolitan school.

## Leave (with or without pay)

- Teachers who are in an ongoing teacher position in a school and have a period of leave with or without pay, will maintain right of return to their position.
- Substantive teachers, who are in a tenured leadership position in a school and have a period of leave with or without pay, will maintain right of return to their leadership position, provided tenure in that position still remains. If the tenure has been completed, then the teacher will be placed through the PTR at the completion of the leave, unless they win another position.

## Permanent relieving teachers

If a PRT requires placement as a teacher at the end of their PRT tenure, they will enter the PTR for placement as a teacher. They would be appointed to an ongoing or temporary position within 45 km of their residence from which they have daily commuted to work, wherever possible. Where this is not achievable, a suitable placement would be negotiated with the individual teacher. Alternatively, the PRT may choose to be placed in the metropolitan area if the PRT position was won from a permanent position in a metropolitan school. A PRT, if eligible, may choose to exercise other transfer rights, eg a G, I, J or T transfer.

## Local management

Schools are expected to manage their human resources within the site. Teachers can only be considered for 'required placement' or 'special placement agreements' in exceptional circumstances, as approved by the Assistant Director, Workforce Management. Refer to Appendix 4 for details of the required placement process.

## Tied appointment request (through the PTR)

A teacher may 'tie' an application for appointment with another teacher when seeking a:

- Non guaranteed relocation from a country school to a metropolitan school

- relocation from a metropolitan school to a country school
- relocation from one country school to another.

Tied placements will only be effected when both teachers seeking tied placements can be placed. When two teachers decide to tie their applications, they need to ensure they clearly indicate their tied partner on their application. If it is not possible to appoint both teachers, then neither teacher will be appointed.

Tied appointments cannot be used when actioning a guaranteed return to the metropolitan area, a guaranteed remote country to nearer country relocation or for relocation from one metropolitan appointment to another.

### Tandem teaching appointment request

Two teachers may jointly apply for one position, i.e. job share. Each request will be considered on an individual basis and success will depend on available vacant positions and the merit of their applications relative to other applications.

## Roles and responsibilities

### Principal

Identifying and describing a new vacancy with reference to the site's Human Resource plan.

Making a recommendation to Assistant Director, Workforce Management for conversion to permanency.

Approving leave up to and including 12 months.

### Assistant Director, Workforce Management

Approving special arrangements for the filling of vacancies or the appointment of individual employees.

Approving conversions to permanency.

Approving the classification levels of Principals.

Approving Alternative Placement Requests.

### Senior HR Consultant

Appointing permanent employees from the PRT.

### Monitoring, evaluation and review

Relevant data will be provided to the AEU on the implementation of the policy. This will include levels of permanency achieved in schools as a result of the implementation of the policy.

A joint review will be conducted of the policy for the recruitment and selection of teaching staff in schools and associated procedures in term 1 of each year, with a view to identifying changes and improvements that may be required and having regard to:

- the policy outcomes specified in recruitment and selection of teaching staff in schools policy section– policy detail
- changes to the demographics of the teaching workforce and characteristics of the labour market
- operational issues that are identified.

A review of this policy and implementation will be due at the end of June 2018.

## Definitions

### AEU

Australian Education Union (SA Branch)

### EDU jobs

Job board for advertising vacant positions and submitting applications

### PAC

Personal Advisory Committee

### PAT

Permanent Against Teacher – a permanent teacher of the department appointed into a temporary position

### ETR

Employable Teacher Register – A register of teachers who are seeking casual, temporary or permanent employment

### PTR

Permanent Teacher Register - A register of permanent teachers requiring placement or seeking an alternative location

## TRT

Temporary Relieving Teacher - A casual teacher appointed on a short term basis from a minimum tenure of half day up to a maximum of 19.5 duty days

## VSP

Vacancy, Selection and Placement

# Supporting information

## Related legislation

[Education and Children's Services Act 2019](#)

[Education and Children's Services Regulations 2020](#)

## Related awards and agreements

[South Australian School and Preschool Education Staff Enterprise Agreement 2020](#)

## Related policies

[Recruitment and selection of teaching staff in schools policy](#)

[Complaint resolution for employees policy](#)

[Complaint resolution for employees procedure](#)

## Appendix

1. Local selection process for advertised ongoing vacancies
2. Remote schools
3. Country to metropolitan guarantee
4. Required placement
5. Position tenure review panel

## Record History

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## Approvals



OP number: 203

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Policy officer: Senior Employee Relations Consultant, Employee Relations, Assistant Director, Workforce Management

Policy sponsor: Director, People and Culture Operations

Responsible Executive Director: Executive Director, People and Culture Operations

Approved by: A/Director, Employee Relations

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## Revision record

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Amendment(s): Updated South Australian School and Preschool Education Staff Enterprise Agreement 2020 and Education and Children's Services Act 2019 and Education and Children's Services Regulations 2020

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Approved by: Executive Director, People and Culture

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Amendment(s): convert to new procedure template and implementation of the Education and Children's Services Act

Version: 1.2

Approved by: Executive Director, People and Culture

Approved date: 13 April 2018

Amendment(s): update terminology and descriptions

Version: 1.1

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Version: 1.0

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Amendment(s): replaces teacher placement processes; policies and procedures

## Keywords

Teacher, recruitment and selection, teacher placement

## Contact

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## Appendix 1: Local selection process for advertised ongoing vacancies

### Establishing the panel

The local selection panel consists of the Principal (or nominee) and an AEU representative, elected by financial AEU members on the staff. The Principal (or nominee) will chair the panel. Wherever possible, gender balance will be maintained on the panel.

#### **Schools with significant enrolments of Aboriginal or Torres Strait Islander students, students from non English speaking backgrounds or students with disabilities**

For schools with significant enrolments of students who are Aboriginal or Torres Strait Islander, from non English speaking backgrounds or with disabilities, the selection panel will, wherever possible, contain at least one person with recognised expertise in relation to the educational needs of these students. When it is not possible to directly include this expertise on the panel, the panel may wish to seek expert advice and input during the selection process.

#### **Seeking advice during the selection process**

During panel considerations, either panel member can refer concerns or seek process clarification from the Assistant Director, Workforce Management (or delegate). The AEU representative may seek advice from the President, AEU (SA Branch) (or delegate). Information may also be sought from the Employee Relations Unit.

#### **Alternative panel composition**

Approval to vary the composition of any panel must be obtained in writing from the Director, Employee Relations. Approval to include an additional panellist would only be granted in exceptional circumstances and in consultation with the AEU President.

#### **Training**

The chairperson and AEU nominated panellist are required to undertake the designated training to participate on local selection panels. The merit training includes local selection panel policy and processes.

#### **Chairperson responsibilities**

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

- be thoroughly familiar with selection procedures
- act within the letter and spirit of the policy
- establish the panel
- ensure the panel process operates appropriately
- manage the administration of all aspects of the selection process
  - ensure that panellists are familiar with the need for confidentiality and the implications of any breach of confidentiality
  - complete the panel report with the other panellist in the Vacancies, Selection & Placement (VSP) online HR system.
- retain any panellists' working notes made during the selection process for 2 years.

- retain and ensure secure storage of required documentation at the school for a period of 1 year. This is generally recorded in VSP.

The chairperson must keep each applicant informed about the process of selection by:

- notifying all applicants promptly with respect to short listing, internal review rights and the approved nomination
- informing applicants about significant delays if they occur.

### **AEU nominated panellist responsibilities**

AEU nominated panellists are expected to:

- be thoroughly familiar with selection procedures
- act within the letter and spirit of the policy
  - participate in and contribute equally to all stages of the selection process, including consulting with referees and developing the panel report
  - treat all information obtained as confidential, including after the appointment has been made
  - keep notes of information gathered during the selection process and give these to the chairperson at the conclusion of the selection process.

### **Selection process**

Selection is made on the basis of information about an applicant. It is important to choose a selection process that will give useful and reliable information.

Sources of information are the written application and referee comments. Referee comments are a required part of the panel process for applicants on the final shortlist. Interviews may also be held but are not required. The evaluation or decision making process depends on the panel collecting information in a structured, systematic manner.

Teachers are not able to receive feedback on their applications.

The following selection criteria, considered in the context of the vacancy descriptor (subject/skill codes and position context statement), form the basis of the selection process.

#### **Student learning:**

- An understanding of how students learn and the ability to facilitate student learning through inclusive and effective methodologies.

#### **Relationships:**

- Ability to establish and maintain effective relationships.

#### **Curriculum:**

- Knowledge of current curriculum in the relevant area, including child protection.

### **Safe work practices:**

- A commitment to safe work practices and a safe work environment.

### **Late applications**

The local selection panel will determine if late applications will be accepted. This would usually occur only in extenuating circumstance, such as illness or family bereavement. A medical certificate or other form of evidence will be required in the case of illness of an employee or person in their care. The period for extension is negotiated between the applicant and the chairperson. The Senior HR Consultant will need to be notified of any late application to enable the job to be reopened for receipt of the late application.

Once a panel has decided to accept a late application, it is treated in the same way as other applications.

### **Shortlisting process**

Applicants are shortlisted according to the degree to which their application meets the position descriptor and selection criteria.

Prior to short-listing, the chairperson should ensure:

- agreement is reached by the panel on a common understanding of the vacancy descriptor and selection criteria
- panel members have been recorded and have access to the vacancy in Eduportal or a copy of each application is then made available to all panel members.

The basis for shortlisting:

- the initial basis for short-listing is the written application. The responsibility rests with the applicant to present the panel with the relevant information in their application
- all persons whose applications indicate that they meet the position descriptor and selection criteria should, in the first instance, be included on the shortlist. This list can be reduced to a manageable size, if necessary, by determining the degree to which candidates meet the requirements of the position
- in instances where an application alone does not provide enough information from which to shortlist, the panel may seek additional information through referee comments.

Preferential consideration is given for teachers from category 1 and 2 schools:

- local selection panels are required to initially shortlist and contact at least one referee for applicants who identify as teachers from category 1 and 2 schools and who meet the position descriptor and selection criteria and who are:
  - in at least their 4th year of continuous service in a category 1 school
  - in at least their 5th year of continuous service in a category 2 school.

### **Referees**

Information from referees complements other sources of evidence available to the panel. It is important to substantiate information provided by the applicant, especially when this information is significant in the final decision.

The applicant's current Principal and line manager will be referees and will be identified through the application process as well as applicant-nominated referee(s). In exceptional circumstances, an applicant may negotiate alternative referees to the Principal and line manager with the Director, Employee Relations. Referees may be contacted more than once, if appropriate, and at any stage of the process, including during shortlisting. Panel members must contact at least one referee for each applicant on the final shortlist. The panel is not required to seek information from all referees for any one applicant.

### **Unnamed referees**

- At times it may be necessary for panel members to extend their enquiries to other referees not named by the applicant, in order to ensure the information is comprehensive and accurate. These people are 'unnamed' referees.
- The applicant will be contacted by a member of the local selection panel. They will be informed of the broad areas, relevant to the position descriptor or selection criteria, about which the panel wishes to seek further information and given the opportunity to suggest further referees.

Where the panel wishes to contact an unnamed referee, they must obtain the consent of the applicant.

### **Guidelines for obtaining referee comments:**

- Prior to contacting referees, the panel prepares a set of questions based on the position descriptor and selection criteria in the light of information gained from the applicant's written application. Follow up questions may be necessary.
- When telephone contact is made, or an oral report is received, referees' comments must be noted and read back to check the accuracy of content and emphasis.
- In cases where conflicting information is provided by referees, this should be further explored by the panel.
- Panel documentation should clearly describe the name and position of each referee, the questions asked and the response provided.

### **Interviews**

Once short listing has been completed, the panel must determine whether or not to conduct interviews. Panels are not required to interview applicants.

Where shortlisted applicants are identified for interview, they should be given sufficient notice prior to the interview, and be not less than a minimum of two working days' notice. Factors such as distance, interview complexity and special needs should be taken into account by the panel when scheduling interviews for applicants.

The local selection panel will determine the method of interview. In consultation with final shortlisted applicants, a range of interview methods such as 'face to face' or telephone/video conferencing may be used.

If an applicant is unable to participate in the interview, every endeavour should be made by the panel to reschedule the interview on the basis of each individual case.

All costs associated with the interview will be met by the school which has advertised the position, in consultation with the applicant and the Principal of the applicant's school.

### **Guidelines for interviews**

Panels should ensure that:

- the interview is held in a location that is private
- special requirements for applicants with disabilities are accommodated
- the time-frame for the interview is made clear to the applicant
- notes are taken during the interview, to be used in the final evaluation of information obtained during the process.

### **Prior knowledge and conflict of interest**

Prior knowledge is information held by a panellist that is directly relevant to an applicant's ability to meet the requirements of the position. If a panellist believes this would impact adversely on the individual's ability to achieve the desired outcomes of the position, then this knowledge may be discussed confidentially with the chairperson. It is the chairperson's responsibility to determine whether action is required. Prior knowledge, which may impact on the selection process, should be clarified through appropriate questions either during the interview, with referees or by other selection methods being used by the panel.

To avoid nepotism and patronage or the appearance thereof, 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 potential conflict of interest should be declared at the commencement of the selection process (or as soon as the panellist becomes aware of a potential conflict of interest).

Panellists must disclose the nature of any relationship with applicants and other panellists eg, 'none', 'working', 'personal'. In situations where an actual or possible conflict of interest exists, a panellist must not be involved in the selection process. Advice may be sought from the Employee Relations Unit.

### **Determining recommendations**

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 the position descriptor and selection criteria.

During all stages of data collection, panellists should focus on the extent to which applicants meet the criteria being evaluated. Panellists should also consciously attempt to suspend relative judgement on applicants until all information has been gathered. Panellists will of course gain impressions of candidates during the selection process, and it is important that such impressions be confirmed by other sources such as referee comments or interview.

During the decision making process, panellists should provide clarification of their views as logically as possible, using evidence based on the information gathered. Panellists must not be pressured to change their views.

If agreement cannot be reached, both panellists should complete and forward a panel report to the Assistant Director, Workforce Management. The situation may then be reviewed by the Employee Relations Unit. Possible determinations may include, but not be restricted to:

- requesting that the panel seek further information on one or more applicants through further referee comments or interview
- establish a new panel to undertake the selection process
- approve the readvertisement of the position
- authorising an appointment.

The notification from the chairperson that a recommendation has been made will include the name of the nominated applicant.

### **Panel reports**

The panel is required to document the process in VSP. This documentation forms the panel report. All panellists are to be involved in determining the content of the panel report and the recommendations. The panel report must be based on the degree to which each applicant has met the requirements of the position and demonstrates the ability to achieve the outcomes of the position.

The panel report should include the following information:

- panellists
- reasons for not short listing specific applicants
- comments on all short listed applicants in terms of the position descriptor and selection criteria
- summaries of referee questions and comments for individual applicants (where applicable)
- recommendations in rank order and reasons.

### **Storage of panel records**

- Working notes must be stored confidentially at the worksite for two years. .

### **Life of recommendations**

Recommendations for externally advertised vacancies will remain active within the school year in which the initial nomination was approved.

Other recommended applicants may be accessed in priority order if the position becomes vacant during this period without the need for readvertisement and further selection process.

### **Request for internal review**

Applicants for externally advertised vacancies with tenure of greater than 12 months may lodge a request for an internal review against serious irregularities in the selection process which may have affected the outcome.

Within 7 calendar days after the day of receiving notification from the chair of the local selection panel that the panel has made a recommendation, the appellant must submit a written appeal with the Director, Employee Relations at Education:ECU <DECD.ECU@sa.gov.au>. The request must include the reason(s) as to why the appellant believes there has been a serious irregularity in the selection process which would affect the outcome.



The Director, Employee Relations, notifies the Assistant Director, People and Culture Operations that a request for review has been lodged and the position is placed on hold.

The Director, Employee Relations, initiates a review through the Manager, Employee Relations.

Once the review is completed, a recommendation is forwarded to the Assistant Director, People and Culture Operations, for determination. The Assistant Director, People and Culture Operations, informs the appellant of their decision in writing and gives reasons for the decision.

If the request cannot be upheld, the selection process will be finalised. If it is upheld, the Assistant Director, People and Culture Operations, determines the course of action to be taken which may include, but not be constrained to, the current local selection panel being reconvened to undertake further selection processes, the establishment of a new local selection panel or that the position be readvertised and a new selection process commenced.

Teachers who have complaints that emerge from the selection process are also able to pursue these through existing legislation and industrial agreements.

### **Appointment conditions**

If appointed to a permanent position through an advertised vacancy, the teacher takes on the fraction of time described in the position. This becomes the teacher's new substantive fraction of time.

A teacher who wishes to vary their fraction of time on a temporary or ongoing basis, may seek to do so in line with the part time teachers policy.

## Appendix 2: Remote schools

Permanent teachers who have completed 2 years' service in a designated remote country school are guaranteed a position in another country location which is closer to the metropolitan area.

Permanent teachers who have completed 2 years' service in a designated remote country school are able to apply for advertised ongoing positions.

Schools in the listed locations are classified as remote schools.

Amata

Andamooka

Cooper Pedy

Elliston

Ernabella

Fregon

Hawker

Indulkana

Karcultaby

Kenmore Park

Koonibba

Leigh Creek

Marree

Miltaburra

Mimili

Mintabie

Murputja

Oak Valley

Oodnadatta

Parndana

Penneshaw

Penong

Pipalyatjara

Port Kenny

Port Neill

Roxby Downs

Watarru

Woomera

Yalata

Yunta

## Appendix 3: Country to metropolitan guarantee

Permanent teachers appointed to a country school prior to 1996 (or those appointed to a country school in 1996 and whose letter of appointment states that they have a guarantee) who are entitled to exercise a guarantee and who have taught for four or more years consecutively in the country are guaranteed a placement in the metropolitan or extended metropolitan area.

Permanent teachers appointed prior to 1996 are entitled to exercise transaction type 'G' (less than 30 placement points) if they:

- have taught for four or more years consecutively in the country, at least the last three years of which have been in the same school as a permanent teacher

or

- are teachers currently covering temporary country vacancies (PAT) and have taught for four or more years consecutively in the country

or

- have taught for three or more years consecutively in a remote country location

or

- are teachers in the final year of a leadership or seconded teacher position in the metropolitan area and having previously held eligibility for a guarantee which has not yet been exercised.

A teacher returning from a country location using a 'G' transaction is guaranteed either:

- a permanent appointment anywhere in the extended metropolitan area. The 45 km rule does not apply in this case
- a one year position within 45 km of a designated suburb in the inner metropolitan area.

Permanent teachers appointed prior to 1996 who are entitled to exercise a guarantee and who have taught for four or more years consecutively in the country and who have accumulated 30 or more, but less than 50, placement points are entitled to use a 'J' transaction type. They are entitled to nominate two groups of extended metropolitan districts for a guaranteed ongoing placement, provided that they:

- have taught for four or more years consecutively in the country, at least the last three years of which have been in the same school as a permanent teacher

or

- are teachers currently covering temporary country vacancies (PAT) and have taught for four or more years consecutively in the country

or

- have taught for three or more years consecutively in a remote country location

or

- are teachers in the final year of a leadership or seconded teacher position in the metropolitan area and having previously held eligibility for a guarantee which has not yet been exercised.

Permanent teachers appointed prior to 1996 who are entitled and have taught for four or more years consecutively in the country, who have accumulated 50 or more placement points are entitled to use a 'I' transaction type, are entitled to a guaranteed ongoing placement to either a list of 25 metropolitan secondary schools or 75 metropolitan primary schools, provided that they:

- have taught for four or more years consecutively in the country, at least the last three years of which have been in the same school as a permanent teacher

or

- are teachers currently covering temporary country vacancies (PAT) and have taught for four or more years consecutively in the country

or

- have taught for three or more years consecutively in a remote country location

or

- are teachers in the final year of a leadership or seconded teacher position in the metropolitan area and have previously held eligibility for a guarantee which has not yet been exercised.

#### **Teachers exercising the “new” country to metro guarantee**

From 2011, permanent country teachers who meet the eligibility criteria will be able to exercise a guaranteed return to the metropolitan area ('G' or "I" transaction types).

Teachers who are eligible to exercise transaction type 'G' are permanent country teachers who are:

- in at least their 4th year of continuous country service\* in a zone 4 or 5 country school
- in at least their 5th year of continuous country service\* in a zone 2 or 3 country school
- in at least their 6th year of continuous country service\* in a zone 1 country school.

A teacher returning from a country location using a 'G' transaction is guaranteed either:

- a permanent appointment anywhere in the metropolitan area in a category 3-7 school (or category 1-2 school of choice). The 45 km rule does not apply in this case
- a temporary (one-year or short-term) position in a category 3-7 metropolitan school (or category 1-2 school of choice) within 45 km of their residence in the metropolitan area.

Teachers who are eligible to exercise transaction type 'I' are permanent country teachers who are:

- in at least their 8th year of continuous country service\* in a zone 4 or 5 country school
- in at least their 10th year of continuous country service\* in a zone 1, 2 or 3 country school

A teacher returning from a country location using an 'I' transaction is entitled to a guaranteed ongoing position in a list of 25 nominated metropolitan secondary schools or 75 nominated metropolitan primary schools.

Permanent country teachers who meet the eligibility, as described above, and who wish to return to the metropolitan area, can only lodge one type of placement form – ie:

- either a 'G' transaction – which guarantees return to the metropolitan area into either a permanent or temporary position (schools of choice will be considered but cannot be guaranteed)
- or an "I" transaction – which guarantees return to the metropolitan area into a permanent position in a nominated school of choice
- or consideration for nominated schools (transaction types M, N, X, Y) – if suitable vacancies exist. These transaction types do not guarantee a return to the metropolitan area. Teachers in this category who are not successful in gaining an alternative position will remain in their current school and teaching position (unless out of tenure – in which case they will be appointed to a school within 45 km of their current country residence).

\* "country service" is defined as temporary (contract) employment or permanent employment, though teachers also need to be eligible to apply for an alternative position (ie not in their first year of permanency).

## Appendix 4: Required placement

The term "required placement" refers to those situations when it is necessary to place a teacher in another school for reasons outside the control of that teacher. This may become necessary in circumstances such as:

- enrolments in the school have declined
- curriculum needs have changed
- the school is closing or amalgamating.

The Principal of the school manages the required placement process.

### 1. Required placement procedures

In order to minimise disruption to teachers, the required placement procedures will only occur after due consideration of other options, including teacher movement, retirements, resignations, leave without pay, requests for reduction in fraction of time in the same school, long service leave and secondments.

Where a teacher has been identified for required placement prior to the commencement of term 4 (and confirmed by Site HR), the teacher will become part of the PTR and will lose right of return to the school.

If a teacher is identified for required placement after the start of term 4 (including after the start of the following school year), the teacher will become part of the PTR and will be relocated to another school in a temporary vacancy, but will hold right of return to their original school in the following year.

When a required placement has been partially or completely finalised, if an event occurs (prior to the teacher taking up a new appointment) which achieves the necessary reduction in the identified faculty/level, for example an unexpected resignation, teachers identified for required placement will have the option of remaining in their original placement or accepting their new placement.

### 2. The process of required placement for teachers

Generally, it is possible to identify enrolment trends, curriculum needs and staff targets in a school. These factors will impact on the school's resource entitlement statement (RES). It is expected that the Principal and Personnel Advisory Committee (PAC) will keep staff informed of these trends and any implications they may have for the possibility of required placement.

### 3. Staff participation in the required placement process

The Principal will consult with the PAC to establish the process to be used.

The Principal will advise the whole staff, including those teachers on leave, secondment, or on overseas/interstate exchange who have a right of return to the school, of the extent of the reduction required.

Once the staff have been informed of the processes to be used, the PAC will be the group which represents the staff to assist the principal in carrying out the various stages of the process.

The Principal will consult with staff and ensure that they are kept informed at each stage of the process.

#### **4. Identifying the faculty or year level in which reduction will occur**

The Principal in consultation with the PAC identifies the area or part of the school's program in which the reduction can be effected. This should be done by using curriculum, professional and organisational criteria such as the spread of enrolments throughout the year levels, and associated classroom organisation.

Each curriculum area should be considered to determine whether a reduction in that area would seriously impair the school's capacity to implement its own approved curriculum priorities as reflected in the school's planning documentation.

#### **5. Identifying teachers for required placement**

Professional criteria should be considered in order to identify individual staff who are particularly significant to the implementation of the education program of the school. These staff will have immunity from required placement. Reference should be made to the various school plans to clarify the basis for each decision.

Teachers whose temporary placements carry from one year to the next, teachers on leave who hold right of return to a position at that school and teachers employed on a fractional basis are subject to the required placement procedures under exactly the same conditions as fulltime teachers including full consultation where possible.

Teachers on exchange are excluded from required placement for the year of their exchange. In normal circumstances, teachers in their first three years of permanent establishment placement in a school are exempt from required placement.

Teachers may wish to consider a change in fraction of time, in order to avoid the need for a required placement providing that the change in time meets the curriculum needs of students and removes the need for the required placement to proceed. Teachers are not required either to increase or decrease their fraction of time worked in order to facilitate an adjustment to the level of staffing in the school unless it is their wish to do so.

#### **6. Potential candidates for required placement**

When teachers have been identified as potential candidates for required placement in accordance with the procedures outlined above, they will be advised, in writing, of this by the Principal.

Identified candidates are all required to complete an online PTR application.

#### **7. Placement of teachers under required placement**

An appropriate placement is either an ongoing or temporary position within 45km of the teacher's residence from which they daily commuted to their current appointment.



## Appendix 5: Position tenure review panel

### Structure and terms of reference

#### Purpose

A joint department/AEU position tenure review panel will be established to consider concerns relating to the tenure of positions i.e. when a temporary position is described which appears to meet the criteria for an ongoing position. Either the department or the AEU can initiate a meeting of the panel.

#### Composition of the tenure review panel

The membership of the position tenure review panel will be:

- Two AEU representatives as nominated by the President AEU; and
- Two department representatives nominated by the Executive Director, People and Culture Operations.

#### Meeting arrangements

The panel can be called together by either the AEU or the department to consider concerns raised with specific positions.

The tenure review panel shall meet within 5 working days of a meeting being called by either party or within such longer or shorter period as may be agreed by the parties.

#### Procedures

1. Submissions to the panel may be given orally or in writing.
2. Members of the panel will be provided with information sufficient to make an informed decision about the tenure of the specific position.
3. It is expected that the decisions of the tenure review panel will be arrived at by consensus. If consensus cannot be reached a decision may be made by the majority agreement of the members of the panel.
4. In the event that the position tenure review panel does not reach a consensus or a majority decision then either party may refer the matter to the South Australian Employment Tribunal for conciliation or arbitration.
5. The position tenure review panel will communicate the outcome of issues raised to parties concerned within 48 hours of the panel meeting.

#### Terms of reference

1. In line with government policy, permanency of employment will continue to be the primary method of employment for teachers.
2. The panel will consider concerns raised by either the AEU or the department relating to the tenure of specific positions.

3. To ensure that wherever practicable, teachers will be appointed on a permanent basis.
4. To ensure that temporary contract employment is available only for genuine operational reasons, where permanent employment is unable to be offered.
5. To make determinations as to whether a position in dispute should be ongoing or temporary.

#### Annual review

The panel will conduct an annual review of the terms of reference and any recommendations, if agreed by the department and the AEU, will be implemented.

#### Dispute resolution

The formation of the tenure review panel does not preclude either industrial party from accessing the procedures for preventing and settling industrial disputes under clause 3.1 South Australian School and Preschool Education Staff Enterprise Agreement 2020 in relation to matters relating to the tenure of teachers.