

# Merit Instruction 3a

## Panel composition for Education and Children's Services Acts vacancies (including seconded teachers)

Selection panels must, at all times, act, and be seen to act, ethically and independently in exercising their duties. This is a requirement beyond the obligation to follow procedures accurately.

It is the responsibility of the Chairperson to establish and manage the panel. Please note this does not involve personally selecting members for the panel. All panel members have delegated representation and as such are established by the relevant stakeholders.

In a school the Chairperson is generally the Principal, however, the Principal may nominate an alternative Chairperson from the leadership team. The Chairperson is generally the line manager of the position being advertised and must be of a higher classification than the position being filled.

All DECD employees participating on selection panels require current merit selection training.

### Aboriginal representation

For any role with an Aboriginal focus there should be Aboriginal representation on the panel wherever possible.

### Gender representation

Gender representation on selection panels is an important principle and every reasonable effort must be made to ensure that this requirement is met.

It is required for externally advertised vacancies and is achieved through the appointment of the peer panellist. In exceptional circumstances, owing to the workforce profile of the organisation, and the geographic location of some selection panels, it may not be possible to achieve male representation.

In such circumstances the panel chairperson, after having made every reasonable effort to provide this representation, may need to establish a panel that does not meet the gender representation requirement. The Chairperson must discuss this situation with their line manager before proceeding with the panel, and the line manager must be satisfied that all reasonable effort has been made to achieve gender representation.

Particular effort must be made to ensure that the gender representation requirement is met if both genders are represented in the applicants for the vacancy.

For short-term vacancies (up to and including 12 months' duration) gender representation on selection panels is recommended wherever possible.

Further advice on this matter can be obtained from the Ethical Conduct Unit.

### Principal vacancies (more than 12 months' duration)

Panels for Principal vacancies of more than 12 months' duration should comprise:

- Chairperson—Regional Director or nominee of a higher classification than the vacancy to be filled;
- peer panellist—nominated on behalf of the Executive Director People and Culture, through the Ethical Conduct unit ;
- AEU representative nominated by the President, AEU;
- Governing Council representative, nominated by the Governing Council at the site;
- optional panel member, as described later in this Instruction.

### **Pre-School Director vacancies (more than 12 months' duration)**

Panels for Pre-School Director vacancies of more than 12 months' duration should comprise:

- Chairperson—Regional Director or nominee of a higher classification than the vacancy to be filled;
- peer panellist—nominated on behalf of the Executive Director People and Culture, through the Ethical Conduct unit ;
- AEU representative nominated by the President, AEU;
- Governing Council representative, nominated by the Governing Council at the site;
- optional panel member, as described later in this Instruction.

### **Other school-based teacher leadership and seconded teacher/non-school-based vacancies of more than 12 months' duration**

Panels for other school-based teacher leadership and seconded teacher/non-school-based vacancies of more than 12 months' duration should comprise:

- Chairperson—Principal/Director or nominee;
- peer panellist—nominated on behalf of the Executive Director People and Culture, through the Regional Office/State Office
- AEU representative nominated by the President, AEU;
- optional panel member, as described later in this Instruction.

### **Early Childhood Worker, School Services Officer and Government Services Employee vacancies of more than 12 months' duration**

Panels for Early Childhood Worker (ECW), School Services Officer (SSO) and Government Services Employee (GSE) vacancies of more than 12 months' duration should comprise:

- Chairperson—Preschool Director/Principal or nominee;
- non-teaching staff representative elected by non-teaching staff at the site;
- teaching staff representative elected by teaching staff at the site;
- optional panel member, as described later in this Instruction.

Where there are insufficient staff at the site to nominate the required representative to the panel, suitable nominations from within the region can be sought.

### **Aboriginal Community Education Manager vacancies of more than 12 months' duration**

Panels for Aboriginal Community Education Manager (ACEM) vacancies of more than 12 months' duration should comprise:

- Chairperson—Regional Director or nominee;
- peer panellist—nominated on behalf of the Executive Director People and Culture through the Ethical Conduct unit ;
- staff/community representative;
- optional panel member, as described later in this Instruction.

### **Aboriginal Community Education Officer vacancies of more than 12 months' duration**

Panels for Aboriginal Community Education Officers (ACEO) vacancies of more than 12 months' duration should comprise:

- Chairperson—Aboriginal Community Education Manager or Principal;

- peer panellist nominated on behalf of the Executive Director, People and Culture, through the Ethical Conduct Unit;
- staff/community representative;
- optional panel member, as described later in this Instruction.

### **Optional panel member for all vacancies of more than 12 months' duration**

In exceptional circumstances, it may be deemed necessary to include an additional employee representative or client/community representative to ensure appropriate expertise/representation on a selection panel. Where this is considered necessary, the Chairperson must be prepared to explain the inclusion based on the specific needs of the vacancy and/or panel, and to obtain written permission for the variation from the appropriate manager or delegate.

In the case of a Principal/Preschool Director vacancy, the appropriate delegate would be the Executive Director, HR&WD. For all other vacancies, permission must be sought from the relevant Regional Director or Assistant Regional Director. This permission, including the reasons for requesting the variation, should be included in the panel report.

In all instances, careful consideration should be given to ensuring that the panel size and composition are appropriate to the role and classification of the vacancy being filled.

It is important to avoid including additional panellists who have, or could be seen to have, a personal interest in the outcome of the selection process.

### **Reasons to include an additional/optional panel representative**

It is expected that most selection panels will conform to the structure outlined in this Merit Instruction. However, it is also recognised that there may be occasions when it is appropriate to vary panel composition. Care should be taken to ensure that additional panellists are not seen to be representing particular interests in participating in the panel. Any DECD employee serving as an additional panellist must be trained in merit selection.

Appropriate reasons for panel variations include to:

- provide specific expertise/contextual knowledge not represented through 'normal' panel composition, while acknowledging that this can usually be achieved through the peer panellist;
- address equity issues (e.g. Aboriginal representation);
- enable participation of significant stakeholders, where deemed appropriate and/or relevant.

To ensure that the panel is appropriate, it is important that consideration is given to the level and role of the vacancy when requesting additional panel members.

### **All short-term principal vacancies of more than two terms and up to and including 12 months' duration**

All selection panels for the aforementioned short-term vacancy should include:

- Chairperson—Regional Director or nominee of a higher classification than the vacancy to be filled;
- AEU representative nominated by the President, AEU;
- Governing Council representative, nominated by the Governing Council at the site.

### **All short-term principal vacancies of 2 terms or less**

All selection panels for the aforementioned short-term vacancy should include:

- Chairperson, as described previously;
- Staff representative elected by all staff at the site.

### **All other short-term vacancies of up to and including 12 months' duration**

All selection panels for any short-term vacancy of up to and including 12 months' duration should include:

- Chairperson, as described previously;
- Staff representative elected by all staff at the site.

#### **Other considerations**

Other considerations for short-term vacancies include the following:

- For short-term ancillary staff vacancies it is appropriate to have an ancillary staff representative on the panel wherever possible.
- Gender representation on panels for short-term vacancies is recommended but not mandatory. Panel composition should reflect the site profile.
- Where a register of interest is to be used to fill a short term vacancy for a principal, preschool director or regional office vacancy please refer to *Merit Instruction 11: Registers of Interest*.

## **Ethical Conduct Unit**

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