

# **Recruitment Guidelines: 6 Steps to Recruitment Success**

## **RECRUITMENT GUIDELINES:**

### **6 Steps to Recruitment Success**

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## Introduction

### **Recruitment – why it’s important to get it right**

We all know that employees are the lifeblood of any organisation. Without them, we would be unable to deliver the services required to fulfil the mission and purpose of our workplaces.

So how do we ensure we get the right person for the job and why is this so important?

Employing people who are the wrong fit for a position and your organisation can be very detrimental. It can impact your productivity as the person may not have the technical skills you need or the ability to integrate well into your culture.

It can also hurt other staff if they have to pick up the slack or deal with interpersonal conflict, particularly if the individual has a personal style that conflicts with your workplace values. This in turn has unavoidable flow on effects to your clients and the services you deliver.

But when you get it right and pick the best applicants for your workplace, it has the opposite effect. Your productivity increases, your culture thrives, interpersonal conflict decreases – all of which improves the wellbeing of your staff, which flows to the customers you serve.

This is why recruitment matters and the reason these guidelines have been created.

They provide you with a step by step guide on how you recruit the right person.

They also guide you through any compliance minefields while recruiting to ensure you are protected.

*This information is intended as a guide only. If you require further information or specific assistance, please contact CCER on (02) 9390 5255 or [enquiries@ccer.catholic.org.au](mailto:enquiries@ccer.catholic.org.au).*

## Step 1: Is recruiting the best option

You have been asked to advertise a position – either because a role has become vacant, or you have been advised of a need to recruit more staff. But before you fill the role, ask yourself if employing someone is the most effective option, as it can be easy to fall into a pattern of automatically filling a vacancy because that's what has always been done. And yet a vacancy is actually a great opportunity to consider whether recruiting is the best option.

So before you decide to advertise, consider the following:

### **Can these duties be absorbed into other roles?**

A vacancy or request for a new role can be a great opportunity to explore whether the duties of the position (or the structure of the unit where the role exists) are working effectively. You may find that the duties would be more appropriately performed by others within the organisation, and if so, it would make more sense to redistribute those duties. This also allows you to direct the savings from the role to other services that may provide a more tangible benefit.

### **Can you afford the role?**

Changes in funding or a reduced client base may mean that an organisation is simply unable to afford to replace a position, or create a new one. Always ensure you have the money available to fund the position before you advertise the role. Remember the funding you need to set aside is more than just the person's salary. You need to also factor in 'on costs' to cover superannuation, leave, workers compensation etc. These represent, on average, an additional 30% of the salary. You may also have ancillary costs such as a car, toll card, laptop, mobile phone which need to be taken into account.

If you find you don't have the budget to recruit, but you still need the work performed, you might consider short term contracts instead of permanent offers or part-time instead of full-time. You may even decide not to advertise the position at all but instead absorb the duties or outsource the work.

### **Do you need the role at all?**

If you find you don't have the budget, or you are reviewing your services more generally, you may realise the vacancy is for duties that aren't core to your business and/or its future direction. If so, now is a good time to consider whether you should continue to perform that work. You may decide to stop the work altogether or outsource it. Outsourcing can be a cheaper and more effective option, particularly if the work is ad hoc. Ceasing the work may allow you to focus more resources on your core business, rather than being distracted with peripheral work.

## Step 2: Before you go to Press

You've decided that recruitment is the right course of action – you need the role and have the budget. However before placing the ad, below are some key steps to finalise:

### **Ensure the position still meets your needs**

Organisations constantly evolve and recruitment is the best time to ensure the position you will be advertising meets your needs.

So before advertising an existing role, think about what parts of the role work well and whether any improvements could be made. You may find that the role has changed over time and the position previously recruited for no longer matches what you need now.

Ensure the manager requesting the role has also thought about what they need. This can avoid issues down the line if an applicant is hired and shortly after, you realise that the role is different to what the organisation really needs.

Also think about the skills you require of the person in the role. It can be commonplace for organisations to request applicants have tertiary qualifications without really examining why. Is industry experience an acceptable alternative which will widen your pool of applicants?

Some roles will require formal qualifications, such as teachers and nurses. In these cases, ensure this is included.

### **Determine who, as opposed to what, you are looking for**

Most people ensure the technical skills of a position are placed in the ad, but forget the importance of cultural fit.

While technical skills are important, ensuring applicants are the right fit for the culture of your organisation is paramount. Technical skills can be taught, but the right fit cannot.

This means it's important to take the time to work out what characteristics you are looking for, to ensure the chosen applicant will fit seamlessly within your culture.

For example, if your organisation values collaboration, ensure you mention this in your ad or selection criteria, by using words such as: *This organisation values constant collaboration between staff members and stakeholders. It is therefore important that applicants for this position thrive in highly collaborative environments, have excellent communication skills and emotional intelligence.*

The nature of a position will also assist you. If you have a managerial role, you want to ensure that person is able to effectively lead a team. One of the top reasons employees either stay or leave a job is whether or not they like their manager, so getting a great leader is essential not only for the role you want to fill, but to ensure unity and cohesion for those they will be managing.

You might therefore say: *The successful applicant for this role will be required to lead a team. It is therefore important that applicants can demonstrate they have the tools of a great leader, including how they have developed and mentored others, fostered unity and promoted autonomy among those they manage.*

### **Ensure you haven't been discriminatory**

It is unlawful to discriminate against an applicant so you need to ensure you keep this in mind when determining the role you want and your applicant pool.

Discrimination includes but is not limited to age, race, gender, religion or pregnancy. For more information, please see our discrimination guidelines. These guidelines also contain information on when you can and can't require an applicant to be a practising Catholic.

It is important to note that it is not discriminatory to require all employees working within Catholic organisations, whether or not they are Catholic, to respect the ethos and teachings of the Catholic Church as a term of their employment. This should be discussed with applicants at interview and outlined as an express term in their contract.

### **Work out what you'll pay and award / enterprise agreement coverage**

Most employees have their minimum pay (and conditions) set by either a modern award or an enterprise agreement. If so, this is your first point of reference when determining the minimum salary you must pay for the role.

CCER has award, agreement and the minimum wage pay schedules available on its website. We also have rates of pay for award free pastoral and ministry roles, developed by the CLRI(NSW) that you may want to use as a guide for those positions.

#### **[How do you know if your role is covered by an award or enterprise agreement?](#)**

All modern awards contain a coverage clause that outlines which employees and employers they cover.

An enterprise agreement is a document that was voted up by your staff, as a result of formal bargaining between your organisation and the union that represents your employees. If you have an enterprise agreement, it overrides any applicable modern award.

All modern awards and enterprise agreements are accessible on the Fair Work Commission's website.

CCER's website also contains links to the main awards and agreements that cover Catholic employers in NSW and the ACT.

If you need assistance determining whether or not an award or agreement applies, please contact CCER, as we can assist you in determining this.

#### [What if no award or enterprise agreement applies?](#)

This means your employees are considered 'award free'. The minimum rate of pay you need to pay for award free employees is the national minimum wage. You also need to apply the national employment standards that are contained in the *Fair Work Act 2009*. Other than those two requirements, you have more freedom regarding terms and conditions for award free employees. If you want to know more about award free employees and conditions, feel free to contact a CCER specialist.

#### [Can I pay more than an award, enterprise agreement or minimum wage?](#)

Yes you can, if you have the funds and believe it will help you attract the right candidates. If you do, we recommend you ensure the contract of employment reflects this – see us for assistance on how to do this. We can also assist you to include other benefits, in addition to salary, such as a car or laptop in the contract, or implement a guarantee of annualised earnings, which is a clause you can insert for high income earners covered by an award (which means the modern award will not apply).

#### **Update (or draft) the position description (PD)**

It's important you create a PD to clearly capture the duties and responsibilities of the role. It ensures all applicants understand the expectations of the position, and can be used to measure performance.

Here are some drafting tips for writing position descriptions:

- Start with a clear concise summary of the role
- Insert key accountabilities – focus on the broad areas of responsibility rather than creating an exhaustive task list



- Identify key reporting lines
- Include the selection criteria, which will also form part of your ad e.g. what skills, qualifications or experience you want from the applicant
- If required, include information about any unique job requirements e.g. for jobs that require a particular level of fitness you would include something like: *This job requires over head work, standing for more than two hours at a time and lifting weights more than 10 kilograms*
- Always insert at the end: *and other duties as required by the employer*
- Attach your organisational chart as it identifies where the position sits within the organisation

A template PD is attached at [Annexure A](#).

## Step 3: Placing the Ad

So you've worked out what kind of candidate you are after and finalised the PD.

The next step is to work out who you will target and where to place the ad. To do this, consider the following:

### **Are they already working for you?**

Sometimes your best candidate may already be working for you, which means you can save time and resources by not recruiting externally.

Sourcing applicants this way is not only quicker and cheaper, but more efficient, as they will already be set up in your system, you know first-hand how well they perform and they know your culture and systems.

It can also improve employee engagement more generally, as employees have more opportunities for career growth. It also allows for cross fertilisation of ideas and knowledge within the organisation as staff move around.

### **Casting your net wider**

If you believe it appropriate, you can cast your net wider to include external applicants. While external applicants are unknown in terms of performance and cultural fit, they can bring a new perspective and a wealth of experience.

#### **Where to place the ad?**

In the age of the internet, the majority of people now look online when searching for new jobs and it is significantly cheaper than the old newspaper broadsheets. Online sites such as LinkedIn, SEEK and more unconventional platforms like Facebook have a broad reach to a variety of potential applicants.

Other sites such as Catholic Jobs Online and Gradconnection can also be a great platform however they are narrower in their focus as they are designed for a specific audience. As a result, they tend to draw from a smaller pool of applicants. Given this, we recommend advertising on at least two sites if your budget allows.

The success of your advertising campaign will depend on many factors including the type of job (the more specific or tailored the role, the smaller the applicant pool); the time of year or the job market at the time. Sometimes you may be flooded with applications and other times, you may struggle to get the numbers of responses, or quality of applicants, you would hope. If the latter occurs, you may need to rethink your criteria – is it too

unique or daunting that no-one believes they would be able to meet it, or where you are advertising – do you need to widen your scope?

While you can still choose to place ads in newspapers, we recommend you do it in conjunction with online services. Print still has its place in community settings, for example a Parish may advertise for a part-time youth coordinator in their Parish bulletin and/or place the ad on their noticeboard.

### Recruitment agencies

Recruitment agencies can be a useful tool to have in your arsenal. Their services generally include advertising and screening applicants, which means you only need consider those people they think suitable for the job. This can save you time or be your next option if your own efforts to recruit have been unsuccessful. Many organisations use agencies for executive positions.

The down side of recruitment agencies is that they usually aren't cheap, so it is important you know the full cost of their services prior to engaging them. Furthermore, recruitment agencies usually draw from the pool of applicants on their database, so their own contacts may be limited.

In the end, when deciding which way to advertise, it ultimately comes down to how wide or narrow you wish your applicant pool to be, your own workload and what you can afford.

### What should you request from applicants?

On a practical note, regardless of where an advertisement is placed and who your target audience is, you should be clear on what information applicants need to provide you to be considered for the role. Some of this is information you would use to assess their suitability; other information may be required by legislation (see employment screening below).

#### Candidate information

Generally all applicants will provide you with a resume, which may be all you want for a junior or graduate role. However for a more senior role, you would probably also want them to specifically address each of the selection criteria of the position.

As a minimum, we recommend requesting all applicants provide their resume and a cover letter that outlines why they believe they would be a good candidate for the role.

## Employment screening

Some positions will require you to verify information as a condition of employment. An example of this is a role working with children. In NSW, a person engaging in child related work must hold a valid Working with Children Check (WWCC) clearance. In aged care facilities, employers are usually required to have conducted a national criminal history check on employees.

If you have roles that require manual labour, such as maintenance or groundskeeper, you may require a medical clearance to be obtained before you appoint a person, to ensure they are physically able to perform the inherent requirements.

When you do require some form of employment screening, you should indicate this in the ad so applicants are aware of the requirement. This will ensure you target only those applicants willing and able to meet these screening requirements.

To save time and expense, it is recommended you only perform this screening on your preferred applicant, toward the end of the recruitment process.

## Privacy reference and ability to work in Australia

You should refer and direct applicants to your privacy policy in the advertisement to ensure you are meeting your privacy obligations. For more information on this, see the Privacy Obligations section at the end of these guidelines.

In addition, you want to make sure the applicants who apply for the role are able to work in Australia. To help ensure this, you should insert a sentence into the advertisement that confirms only applicants who are legally able to work in Australia should apply. See the example advertisement for an example.

## Example advertisement

Below is an example of an ad that ticks the boxes we've discussed above:

### Parish Youth Coordinator

St Benedict's Parish, Red Hill is seeking an enthusiastic person to work as the Parish Youth Coordinator in an exciting role that aims to engage and connect young people in parish life. The successful candidate will be a practising Catholic and able to demonstrate their active support for the mission and teachings of the Catholic Church. The role involves coordinating and running a weekly youth group and working closely with the Parish Priest and members of the Diocesan Office. They will also have a passion for developing the faith of young people.

Applicants must be able to demonstrate:

- Exceptional interpersonal and communication skills
- Great organisational skills and the ability to liaise and connect with stakeholders
- A willingness and ability to work evenings and weekends
- A valid Working with Children Check clearance

This is a full-time role working 38 hours per week. Indicative salary range between \$55K to \$60K per annum. You must be legally able to work in Australia.

Please send your resume and a covering letter outlining your claims for the role to [redhillparish@catholic.org.au](mailto:redhillparish@catholic.org.au). If you have any questions about the role, please call Betty Green on 9222 0000.

Our Privacy Policy details how we comply with the requirements of the Privacy Act in the handling of your personal information. By submitting this application, you are consenting to the collection, use and disclosure of your information as set out in our Privacy Policy. To view this, click [here](#).

## Step 4: Assessing applicants

You have placed the ad and are now hopefully receiving a number of applications. How do you find the diamond among the rough?

### The initial cull

Sorting through applications can be very time consuming, particularly if you receive a large number. To help save you time, a good way to cull applications is to only review those that address your selection criteria. Some applicants will send their resume to a broad range of employers without turning their mind to the uniqueness or requirements of your role. This may indicate that they are not invested in your organisation and its values, as opposed to an applicant who has submitted an application personally addressed to you that directly talks about your organisation and why they believe they will be a good fit for the role.

Also use your selection criteria as a means to cull. For example, if you require strong written communication skills and you find a number of typographical errors or incoherent sentences in an application, you could cull on that basis.

In addition, only focus on those applications that address your mandatory criteria (if you have these), such as a WWCC clearance, requirement to hold a degree or license. Those that haven't addressed these can be easily culled from the process, as they would not be able to perform the role.

If you find yourself with few, or no applications, you may need to widen where you have advertised the role, re-consider the criteria of the role (is it too onerous) or its remuneration (is it too low compared to other comparable roles in the market and if so, can you increase it or offer other benefits that may entice jobseekers to apply).

### The interview

Once you've got a shortlist of candidates who look good on paper, the next step commonly used is the interview.

An interview is an important tool, as it is your opportunity to meet the candidate and assess both their technical capabilities for the role and whether they would be a good cultural fit for the organisation.

Preparing for the interview is the key to ensuring you get the most out of the allocated time. We therefore recommended that you do the following prior to the interviews:

- prepare the interview questions
- prepare any practical exercises you would like them to perform
- be familiar with the candidate's resume/cover letter and any questions you may have resulting from it (e.g. long breaks in service)
- organise a quiet and discreet room to conduct the interviews, so candidates aren't distracted by the office or other candidates

While you are not obligated to do so, we recommend you have another person conduct the interviews with you. That person can be a good sounding board and is a witness to all discussions (should an applicant later seek to make a claim against you). While it may be tempting to have large interview panels, there is no obligation to do so and it can slow down the recruitment process (trying to coordinate everyone's time, reach consensus etc).

### [The interview questions](#)

The type of interview questions you ask will vary depending on the role, although we recommend you ask a mix of both technical and behavioural questions.

**Technical questions** assess a person's ability to meet the technical aspects of your role.

Examples include:

- This job requires you to maintain the books for the Parish using MYOB. Can you please describe your experience with MYOB?
- In this role you are required to administer medication. Please outline your experience in doing this, and how do you mitigate against errors?
- This position involves preparing and cooking meals twice a day for the Presbytery. Outline how you would decide the menu and ensure nutritional needs are met.
- If you got this role you will also be responsible for ensuring children in your class with additional needs are integrated and have their learning needs met. Describe how you would implement this.

**Behavioural questions** assess how someone reacts in situations, and are best used to assess cultural fit. This is because they are based on the premise that past behaviour is the best predictor of future behaviour. Examples include:

- Tell me about how you have worked effectively under pressure
- When you have worked as part of a team, what do you think worked well?
- Have you ever made a mistake? How did you handle it?
- Describe a time you motivated your colleagues. How did you do it?
- What do you do if you disagree with someone at work?
- Describe a decision you made that wasn't popular. How did you handle implementing it?
- Think of a person who you have admired and seen as a mentor. What was it about them that made you look up to them?

#### What not to ask

The golden rule of all interview questions (and recruiting overall) is to ensure you do not **discriminate**. Examples of questions that could constitute unlawful discrimination include:

- Given your age, do you think you are able to use the latest technology (*age discrimination*)
- Have you ever lodged a worker's compensation claim in the past (*adverse action for exercising a workplace right*)
- Do you intend to have children soon (*sex discrimination*)

Please refer to our discrimination guidelines or call us for more information.

#### Other assessment tools

Interview questions are just one tool in your toolbox, and we recommend using several when assessing candidates. Some other methods of assessment are outlined below.

**Practical Tests:** the type of test you use will depend on the requirements of the role. For example if you need someone with good analytical and written skills, you could ask them to complete a written exercise after the interview (giving them a computer and half an hour to complete), that asks them a scenario based question and how they would respond. For example, if the role is a Communication Officer, you could ask them to complete the below:



*You have just been notified of a workplace incident at the school where an employee has been injured. Prepare a draft press release for the Principal and a script for how other employees should respond to queries from the press.*

If high level communication and interpersonal skills are important for your role, ask applicants to participate in a role play scenario, for example dealing with a dissatisfied client or member of the public. This will provide an insight into their customer service skills and how they respond under pressure.

**Psychometric testing** is another method of screening that generally consists of a series of online questions with multiple choice answers. There are a large number of different psychometric tests available that assess abilities, personality, behaviours, interests and aptitude.

## References

Reference checks are an essential part of the recruitment process. Just because an applicant has experience working for another Catholic organisation does not mean you don't need to contact referees. For example, you don't know if that prior relationship ended poorly or if the applicant was terminated for misconduct. Checking references helps you find this out now, rather than when it's too late.

Reference checking also gives you the ability to confirm, clarify or question comments the candidate has made during the process so far.

### Talk to a current manager

As a golden rule, always request a referee that is either the applicant's current or recent manager, and request referees the applicant has or (preferably) still does report to, rather than colleagues. If a candidate has not included their current or most recent manager as a referee, ask them why, as this may indicate a poor working relationship. This shouldn't mean you discount the applicant, as this may not always be their fault, however if they fail to list any prior managers, it may be a warning sign.

### Who you can't contact

For privacy reasons, you should only contact those referees the applicant provides you. When you contact the referee you should also advise them that the information they provide may be disclosed to the applicant if it is requested. For more information see the section below on privacy obligations.

### Read between the lines

While not entirely ethical, the reality is that most referees will avoid making negative comments about applicants, particularly as they are nominated by the applicant. Concern about recrimination, litigation or being saddled with a less than desirable employee often leads referees to err on the side of positivity, rather than giving a true *warts and all* account.

This shouldn't mean you avoid contacting them, it just means you may need to read between the lines when considering the feedback. Some tips for doing this include:

- Ask for examples of work, as this will help elicit more detailed information about the applicant rather than a yes or no response. For example, instead of asking "*does the applicant have great managerial skills*" ask "*can you give me an example where they have led a team successfully*". Or, instead of "*do they have the ability to multi-task*" ask "*can you give me examples where you've seen the applicant manage competing priorities and how they achieved this*".
- Consider what the referee does not say. For example, if a referee is focused on a candidate's strong technical skills and attention to detail, ask them about the candidate's capacity to think strategically and bring a more holistic approach to their work. Alternatively, if a referee is focused on the candidate's ability to generate new ideas and collaborate extensively, dig deeper into their willingness to do the more mundane work that inevitably makes up a part of any job.
- Look out for the 'damned with faint praise' comment by a referee. Comments such as '*they're ok at that*' or '*it's not their strongest area but they're fine*' or '*they work better alone*' can often be code for '*they're actually not very good at that at all*' or '*they don't get on with others*'. Where this occurs, we recommend you probe these areas further.

### Google it

A final way to find out information about a candidate is a simple Google search. This method can prove to be helpful in finding out public information about applicants, is easy and free. You could also view their LinkedIn profile next to their resume to ensure they match.

The golden rule is to not recruit if you have concerns. It is always better to wait until the right candidate comes along than to employ someone you have concerns about and just hope for the best. In most cases, your instincts were correct, and when the best doesn't eventuate, you'll find yourself having to deal with a problematic employee.

## Step 5: Appointing successful candidates

Good news. You have chosen a candidate who should be a great fit for the role.

One thing to be mindful of now is avoiding making representations (or promises) to the successful applicant that you are unsure or un-authorised to follow through on.

For example, promising someone a higher rate of pay when you haven't checked the budget is available places you at risk of a breach of contract claim, as the applicant could claim that they relied upon the representation and seek damages against you if you are unable to follow through.

Outlined below are the steps that should protect you and help you close the deal.

### **Making the offer**

Before calling the successful applicant to offer them the job, there are a couple of things you should have prepared for the discussion:

- Ensure you have the authority to do so (this avoids having to try and withdraw an offer that is given in error, which can be difficult if the candidate has already verbally accepted it and acted as a consequence e.g. resigned from their current workplace)
- The remuneration (salary) you will offer, including any wriggle room if the applicant tries to bargain up
- When you would like them to start (bearing in mind most applicants will have notice obligations with their current employer, so they may be unable to start immediately)
- Your deadline for acceptance of the offer (if they don't accept immediately)
- Confirm they are legally able to work in the role e.g. check their residency status (further information about working visas can be obtained from the Department of Immigration and Border Protection)
- When you will send the written (formal) offer i.e. the contract of employment

They may also have some questions for you that you should be prepared for, such as:

- I had two weeks' leave scheduled for November, is this OK?
- I have a long way to travel, is it OK if I start early so I can leave early to avoid peak traffic?
- Is it OK if I work from home?

You don't have to agree to additional requests if they don't suit your operational needs – for example you may have had a big event scheduled in November that requires all hands on deck, or need the new starter to cover the phones until 5pm, so leaving early is not something you can agree to. Remember the offer process is a negotiation and both sides need to be happy with the outcome, including you as the employer.

### The contract of employment

Once the verbal offer is accepted and you know the commencement date of the employee, you should send the written contract of employment. This document forms the basis of the legal obligations governing the employment relationship.

Without a written contract, the law will assume you have entered a *verbal* contract of employment. Such contracts are fraught with danger, as one party could argue the other party promised something, and without written proof, it's difficult to prove who is telling the truth. Putting all of the obligations in writing ensures both parties enter into the agreement with their eyes wide open and if it gets contentious, the courts will usually not look beyond the written contract.

#### Choosing the right type of contract

There are three types of contracts you can offer an employee, depending on the nature of the role:

- An ongoing contract

You may also know this as a permanent contract and means you are agreeing to employ the person for an indefinite period of time.

- A maximum term contract

These are temporary contracts where you employ someone for a specific period of time or project e.g. a one year contract to cover a period of maternity leave, the installation of an IT system or a role dependent on non recurrent funding.

Executive contracts are also commonly maximum term contracts, usually for periods of around five years, as some organisations want fluidity around their strategic leadership. It doesn't mean you can't re-engage someone for a longer period; you are just not obliged to.

- A casual contract

You should give a casual contract to people you need on an 'as needs' basis with no regular pattern of work. Casual employees receive a casual loading in lieu of annual and sick leave entitlements. You do need to be mindful that most modern awards now contain a casual conversion clause, which may require you to offer ongoing employment after a period of time. Call CCER for more information on this, if you think it may apply to you.

When drafting contracts, you need to know whether the position is covered by a modern award, enterprise agreement or is award free (as you may be required by those instruments to include certain terms in the contract), and whether the position is full-time or part-time. You also have to attach the Fair Work Information Statement to all contracts.

If you find this daunting, don't worry. CCER has done the legwork for you and developed template contracts of employment ready for you to use, including providing you with the Fair Work Information Statement. We can also talk you through the different clauses, why they are important and the best contract to suit your circumstances.

## Step 6: Getting them On Board

Congratulations. You've selected your best applicant and they have accepted your job offer. Now you just need to finalise a couple of steps for when the new employee starts:

### **New starter pack**

There are a few documents you will need the new employee to complete when they start so you can pay them and have their details. These are:

- tax file declaration
- employee details (contact details, emergency contacts etc)
- superannuation nomination
- bank account information
- copies of employment screening (e.g. police check or WWCC)

You should also confirm they are who they say they are by checking identification (usually known as 100 point ID). A copy of a passport or driver's licence and a Medicare card or bank statement are usually sufficient.

If the employee is not a citizen or permanent resident and therefore has a visa allowing them to work in Australia, you should request a copy of the visa and ensure all requirements under that visa category are met by you and the employee.

### **Induction**

You should induct your new starters so they become familiar with the workplace facilities, systems and colleagues. This would include showing them around and introducing them to staff, telling them who to apply to for leave, who to report to when sick, who can approve overtime (if applicable) etc.

There are also some legislative obligations – such as showing them where all the amenities are such as toilets and first aid room/kits, telling them who the first aid officers and fire wardens are, and your emergency evacuation procedures (including in cases of fire or bomb threats).

You should also let them know who to identify any hazards to, and show them where to find your policies and guidelines which they need to familiarise themselves with (such as your code of conduct, bullying discrimination and harassment, managing workplace complaints, child protection, electronic devices and social media, and performance and conduct policies).

You're now done with the recruitment process! But before you go, quickly scan the last two sections that cover off your documentation and privacy obligations.

## Document Management

During the recruitment process, you will have used a range of documents and resources to help you make your hiring decision. So what do you keep and what do you throw?

### Unsuccessful applicants

The main reason you keep documentation from unsuccessful applicants is to help you defend your decision if it is later challenged. For example, unsuccessful applicants can lodge discrimination or adverse action claims disputing your decision not to hire them.

There are time limits (depending on the cause of action) that require an applicant to lodge their claim within a certain time. These vary between 21 days and one year, which means we recommend you keep unsuccessful applicant documentation for 12 months.

In addition, candidates can request access to documents related to the recruitment process (see privacy obligations below).

You should therefore ensure that all notes are objective and do not expose you to risk (which is essentially ensuring you haven't been discriminatory in your reasoning or acting in an adverse way e.g. not hiring someone because they had a worker's compensation claim or are a union member).

### Successful applicants – creating a personal file

You should create a personal file for the new employee and keep the records in a secure location. This file would include:

- the application and supporting documentation (including copies of credentials, qualifications or licenses etc) submitted by the applicant
- all the returned documents referred to in the new starter pack at step 6

The Fair Work Regulations also require you to retain the following during the employment relationship:

- basic employment details (usually in the contract of employment) such as employer and employee name, whether they are part-time or full-time, permanent, temporary or casual
- pay (including gross and net amounts, bonuses, allowances, loadings and penalties)
- record of any overtime
- if hours are averaged, a signed agreement by the employer and employee to do this (this could also be in the contract of employment)



- all leave records
- superannuation contributions
- any agreed individual flexibility arrangement
- any agreed guarantee of annual earnings
- when the employment is terminated, how (i.e. consent, notice, summarily) and by who.

## Privacy Obligations

As part of the recruitment process, you necessarily will need to collect personal information from applicants, such as their name, career history and qualifications.

The Privacy Act 1988 (Cth) (the 'Privacy Act') outlines how your organisation should collect, disclose and store personal information<sup>1</sup>.

While the Privacy Act does not apply to the personal information held by your organisation about current and past employees – as these form part of the employee exemption, it does apply to the personal information supplied by unsuccessful applicants.

The Act states:

1. That you must have a clear and up to date privacy policy which contains the following:
  - the kind of personal information you are collecting;
  - how your organisation collects, holds, uses and discloses personal information;
  - how an individual may access or correct the personal information you hold;
  - how an individual may complain about a breach of the Australian Privacy Principles;
  - whether your organisation is likely to disclose personal information to overseas recipients; and if so, the countries in which those recipients are likely to be located.

Please find a template policy you can modify and use at Annexure B.

2. That you need to notify applicants either at, or before, the time you collect their personal information of the following (see the wording in the example advertisement under Step 3 on how you meet this obligation at the advertisement stage):
  - the identity and contact details of your organisation;
  - the purpose for which your organisation is collecting the information;
  - the consequences (if any) of not collecting all or some of the personal information (e.g. the applicant may not be offered an interview);
  - any other organisation that your organisation discloses personal information to;

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<sup>1</sup> If you are a small business you may be exempt from privacy laws, please call CCER for further information

- that your Privacy Policy contains information about how the individual may access the information about the individual held by your organisation;
  - whether your organisation is likely to disclose personal information to overseas recipients; and if so, the countries in which those recipients are likely to be located.
3. That an applicant can ask for information about why their personal information is being collected, how it will be used and who it will be disclosed to.
  4. That an applicant can write to your organisation requesting access to the personal information you hold about them, which includes access to notes of interview (if you have kept them) and the references provided by their nominated referees.
  5. That an applicant can ask for personal information that is incorrect to be corrected.
  6. That an applicant can make a complaint to the Office of the Australian Information Commissioner if they believe their personal information has been mishandled.

## Annexure A: Template Position Description

### POSITION DESCRIPTION

<b>Position Title:</b>	[Position title]
<b>Reports to:</b>	[Manager/supervisor]
<b>Location:</b>	[Organisation Address]
<b>Award/EA:</b>	[Insert if applicable Award/EA]
<b>Classification:</b>	[Insert if applicable level or grade under the Award/EA]

#### Position Objective

The [position title] provides [services in the form of...] to the [insert manager title]. [Insert high level summary of role].

#### Major accountabilities

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- 
- And any other duties as directed from time to time.

#### Key Communications

The [insert position title] works with the [insert team] and [leaders/managers] of [insert organisation] to provide [insert services].

The [position title] may be required to [insert communication responsibilities].

#### Knowledge, Skills and Experience

*Insert specific knowledge, skills and experience for the relevant position*

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The Employer reserves the right to vary this position description in response to its changing needs.

## Annexure B: Template Privacy Policy (Recruitment)

### Privacy Policy (Recruitment)

[Organisation] is committed to upholding the Australian Privacy Principles contained in the Privacy Act 1988 (Cth) (the 'Act'). Our Privacy Policy sets out how we manage personal information held by us.

#### What personal information do we collect?

As part of the recruitment process, we collect personal information from applicants to assess their suitability for a role with our organisation. If [Organisation] does not collect this information, an applicant will not be eligible to progress in the recruitment process.

The kind of personal information collected may include, but is not limited to:

- Contact details, including an applicant's name, postal and email addresses;
- Job history, including names of previous employers and positions held;
- References or statements of service.

We will only collect information about an applicant to the extent it is reasonably necessary or directly related to the recruitment process.

#### How do we collect personal information?

We collect information from applicants by lawful and fair means. Where practicable, we will collect personal information directly from the person to whom the information relates, either in person, by telephone or online, including through application forms, emails or social media messages. From time to time we may collect personal information from a third party such as a prior employer or a publicly accessible website.

#### How do we hold personal information?

##### *Storage*

The personal information we hold may be stored in many forms of media, including the following:

- written correspondence, reports, documents and records;
- audio and/or visual data.

We may keep copies of the above documents (in physical or electronic form, at our election) as is necessary to carry out our functions and activities.

## Security

[Organisation] takes the security of personal information seriously. Security measures we take include, but are not limited to, the following:

- securely storing all personal information on our premises or by an authorised external service provider;
- using virus scanning tools and firewalls;
- securing our databases by secure user IDs and passwords to help protect it from misuse, unauthorised access, modification or disclosure; and
- only authorised people who need to have access to personal information can access it.

As our Website is linked to the internet, and the internet is inherently insecure, we cannot provide any guarantee regarding the security of transmission of information communicated to us online – despite our best efforts. We also cannot guarantee that the information supplied to us will not be intercepted while being transmitted over the internet.

### How do we use and disclose personal information?

We use personal information for the primary purpose(s) that it was collected, for any secondary purposes directly related to that primary purpose(s), or to comply with our legal obligations.

#### *Disclosure to third parties*

In order to assess an applicant's suitability for a role with our organisation, we may need to provide your personal information to third parties.

#### *International disclosure*

**OPTION 1:** Generally [Organisation] does not transfer any personal information outside of Australia.

**OR**

**OPTION 2:** [Organisation] may disclose personal information to overseas recipients in [insert countries] where our [servers / subsidiaries / related entities] are based.

We will take reasonable steps to ensure that overseas recipients of any personal information are aware of and will uphold the privacy standards and principles set out in this Policy before we disclose any information to them.

#### *Legal Obligations*

We may also disclose personal information when we are legally required or permitted to do so.

## Access to personal information

You have a right to access your personal information held by us by contacting the [\[insert contact officer in organisation e.g. our Privacy Officer\]](#). You may be required to confirm your identity before access to the personal information is granted.

There are circumstances under Australian privacy laws where we may not give access to the personal information we hold. For example, we can't give access if it would unreasonably affect someone else's privacy or if giving access poses a serious threat to someone's life, health or safety. We will provide you with written notice of the reasons for refusal in those circumstances.

## Further information and contacts

If you need to contact us for any reason in relation to this Privacy Policy or personal information (whether it be if you need to update your information, access your information, ask a question about how we handle personal information, make a comment about this Privacy Policy or to make a privacy complaint), you can contact us via the methods set out below.

Address: [\[insert\]](#)

Email: [\[insert\]](#)

Phone: [\[insert\]](#)

If you make a complaint about privacy, we will acknowledge receipt of your complaint, and try to investigate and respond to you within 30 days. If you are unhappy with the outcome, you can lodge a complaint with the Office of the Australian Information Commissioner.