



Australian Government

Australian Public Service Commission

Senior Executive Service Recruitment in the Australian Public Service



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Overview

Purpose

The role of the Senior Executive Service (SES) is vital in shaping the Australian Public Service (APS). To reflect this, the legislation details the important function that the SES plays in providing APS wide ethical and strategic leadership of the highest quality that contributes to an effective and cohesive APS. A high performing public service requires recruitment of individuals from diverse backgrounds, including those who may bring valuable private sector experience.

The APS needs SES employees who exemplify leadership behaviours as set out in the APS Values and the Secretaries' Charter of Leadership Behaviours and with broad and readily transferable skills in order to deploy staff flexibly in response to government priorities.

It is essential for agencies to have clear guidance in managing effective end-to-end SES recruitment processes and to understand the key legislative and policy differences from running other APS recruitment processes.

The guide has been prepared for Human Resources (HR) practitioners undertaking SES recruitment activities. It is also relevant for hiring managers, selection panel members and others involved in SES recruitment and selection activities.

The document provides guidance on transparent merit-based recruitment processes to support the integrity of SES selection decisions and outlines the additional legislated requirements that must be undertaken when recruiting for SES vacancies.

Agencies may also have their own internal recruitment policies and procedures that outline how recruitment processes will be undertaken in their agency, in the context of their agency's operating environment and workforce strategy. The guide should be used in conjunction with an agency's internal recruitment and HR policies and must be considered in line with recruitment policy and relevant legislation.

Disclaimer

This guidance has been developed to support APS agencies in the application of best practice SES recruitment processes. This guide is intended to be read and accessed electronically. The Australian Public Service Commission (APSC) has endeavoured to ensure the accuracy of the material at the time of publication and will update the document periodically. Users should refer to the online version to ensure they are accessing the most up-to-date information. This information has been developed as general guidance and is not legal advice. Agencies may wish to consider obtaining legal advice before making a decision if they are uncertain of their obligations.

APS recruitment foundations

Legislative requirements for SES recruitment

The APS employment framework comprises the key legislation that underpins APS recruitment and employment. This includes requirements specific to SES recruitment processes, which are important given the seniority and influence of SES positions and their role in upholding the APS values and providing leadership across the APS. Agencies have legislative obligations to ensure that recruitment processes are conducted in a fair and transparent manner that are consistent with the APS Employment Principles, Values and Code of Conduct. Although SES engagement and promotion decisions are not reviewable under the [Public Service Act 1999](#) (PS Act), an agency's recruitment decisions may still be challenged through other mechanisms in the legal system. As such, it is essential that agencies have a clear understanding of their legislative obligations to undertake fair and transparent recruitment processes. This supports safeguarding the integrity of the SES function in the APS and strengthening confidence in SES appointments.

Agencies must conduct processes in accordance with the PS Act, which is supported by subordinate legislation and guidance including the [Public Service Regulations 2023](#) (the Regulations) and the [Australian Public Service Commissioner's Directions 2022](#) (the Directions), as follows:

Public Service Act 1999

The PS Act is the overarching legislation that regulates the employment of federal public servants in Australia. The PS Act outlines the Employment Principles and the Merit Principle which are critical elements in recruitment processes.

Public Service Regulations 2023

The PS Regulations provide further detail on the operation of the PS Act, including details on conditions of engagement, non-ongoing (temporary) employment arrangements, review of promotion decisions and the use and disclosure of personal information.

Australian Public Service Commissioner's Directions 2022

The Directions set standards that Agency Heads and APS employees must uphold to meet their obligations under the PS Act. The Directions provide detail on the application of the APS Values and APS Employment Principles, and provisions relating to recruitment and selection.

Public Service Classification Rules 2000

The [PS Classification Rules](#) provide an APS wide approach to the classification of duties (roles) and employees in the APS.

APS Employment Principles

The [Employment Principles](#) are set out in section 10A of the PS Act and outline the standards for the APS as an employer. All recruitment activity, including SES recruitment processes must adhere to these principles.

The Employment Principles provide that the APS is a career-based public service that:

- makes fair employment decisions with a fair system of review
- recognises that the usual basis for engagement is as an ongoing APS employee
- makes decisions relating to engagement and promotion that are based on merit
- requires effective performance from each employee
- provides flexible, safe and rewarding workplaces where communication, consultation, cooperation and input from employees on matters that affect their workplaces are valued
- provides workplaces that are free from discrimination, patronage and favouritism and
- recognises the diversity of the Australian community and fosters diversity in the workplace.

APS merit principle

Merit is a fundamental principle of APS employment. All employment decisions, including those related to SES employees, must comply with section 10A of the PS Act, which requires that all engagements and promotions are based on merit.

A decision to engage or promote a person is based on merit if:

- all eligible members of the community are given a reasonable opportunity to apply to perform the relevant duties
- an assessment is made of the relative suitability of the candidates to perform the relevant duties, using a competitive selection process
- the assessment is based on the relationship between the candidates' work-related qualities and the work-related qualities genuinely required to perform the relevant duties
- the assessment focuses on the relative capacity of the candidates to achieve outcomes related to the relevant duties and
- the assessment is the primary consideration in making the employment decision.

Merit-based selection process

Section 23 of the Directions outlines that an Agency Head upholds the APS Employment Principle 10A(1)(c) of the PS Act by making an engagement or promotion decision that is informed by a merit-based selection process. Section 24 of the Directions outlines that a merit-based selection process for engagement or promotion must include the following elements:

- the aim and purpose of the selection process is determined in advance
- information about the selection process is readily available to candidates
- the selection process is applied fairly in relation to each eligible candidate and
- the selection process is appropriately documented.

Subdivision B of the Directions sets out further requirements for merit-based recruitment, including:

- that the position is notified in the Public Service Gazette (PS Gazette) and
- for SES recruitment, that the Australian Public Service Commissioner (the APS Commissioner) or their representative is a full participant in the selection process.

Further information on upholding merit in recruitment is available on [The APS Merit Principle](#) page and the [Public Service Gazette Requirements](#) page.

Upholding integrity in SES recruitment

Upholding integrity in SES recruitment is essential as senior leaders and their behaviour set the cultural tone for their agency. Fair and transparent processes support confidence in the integrity of SES recruitment and the APS merit principle.

To support this, subdivision B of the Directions requires the APS Commissioner, or their representative, to be a full participant in the selection process for all SES recruitment processes. This is a key difference from other APS recruitment processes.

The purpose of the APS Commissioner's role on SES recruitment processes is to ensure that the process is consistent with the requirements of the PS Act and the Directions, including that employment decisions are consistent with merit. While all panel members have a responsibility to uphold merit, the APS Commissioner has additional responsibility to scrutinise and certify the process.

Where the APS Commissioner is unable to participate in an SES recruitment process, they will be represented by a Commissioner's Representative. The Commissioner's Representative is an independent and impartial selection committee member. The Commissioner's Representative must be approved by the APS Commissioner.

Further sections of this guide will provide detailed information on what the Commissioner's Representative requirements are, and how agencies can ensure their processes are aligned with the requirements.

Related policies and guidance material

Agencies must also ensure recruitment activities are conducted in accordance with relevant requirements contained in other [legislation](#) and policies, including but not limited to the:

- [Public Governance, Performance and Accountability Act 2013](#)
- [Privacy Act 1988](#)
- [Fair Work Act 2009](#)
- [Work Health and Safety Act 2011](#)
- [Disability Discrimination Act 1992](#)
- [Race Discrimination Act 1975](#)
- [Sex Discrimination Act 1984](#)
- [Workplace Gender Equality Act 2012](#)
- [Equal employment opportunity legislation](#)
- [Australian Public Service Enterprise Award 2015](#)
- [Australian Government Guidelines on Information and Advertising Campaigns](#)
- [Department of Finance Advertising Framework](#)
- [APS Location Framework](#)

- [Guidance on non-ongoing engagements](#)
- [Casual employment and the Fair Work Act 2009](#)
- [APSC recruitment factsheets, case studies and templates](#)
- [Handling Misconduct: A human resource manager's guide](#), and
- [APSC Circulars](#).

Summary

The APS employment framework plays an important role in the APS including SES recruitment by specifying:

- who has the power to employ
- the Employment Principles, which include the merit principle
- the elements of a merit-based recruitment process, and
- additional requirements for SES engagement or promotion decisions when establishing the selection panel.

The APS employment framework sets out the minimum requirements that agencies must meet when filling APS vacancies, including SES vacancies. Agencies are encouraged to build on the minimum requirements to design recruitment processes that are inclusive and aligned to their workforce goals, as well as broader APS diversity and inclusion workforce strategies.

Meeting requirements

How agencies choose to meet the requirements set out in the APS employment framework and other legislation and policy is at the discretion of the decision maker in the agency. Agencies have flexibility in choosing:

- additional platforms to use for advertising
- selection methods and composition of selection panels, including having policies on cultural capability and diversity on panels to meet workforce goals, and
- selection process timeframes.

Diversity and inclusion in the APS

One of the Employment Principles in the PS Act is that the APS recognises the diversity of the Australian community and fosters diversity in the workplace. This includes people of all ages, genders, cultural backgrounds, people with disability, First Nations peoples, LGBTIQ+ people, and people who are neurodivergent. Meeting the challenges of the future will require APS leaders to reflect the diversity of the Australian community.

Building diversity at the SES level is critical to fostering an inclusive workforce and ensuring that decision making reflects the diversity of the broader Australian community. Leadership teams that represent a range of backgrounds and experiences, and take an intersectional approach to recognising diversity, foster greater creativity, innovation and broader perspectives. This in turn supports high performance and enables the public service to better serve all Australians.

To uphold the APS's commitment to supporting greater diversity, agencies have a responsibility to implement any relevant APS inclusion strategies. These strategies contain important information that relate to recruitment practices and workforce representation targets. The objectives and priority actions should be integrated into an agency's workforce planning and strategic documents. Current APS diversity and inclusion strategies are available on the APSC's webpage [here](#).

Affirmative measures

Affirmative measure recruitment is a targeted measure designed to increase the diversity of the APS workforce to reflect the diversity of the Australian population. The Commissioner's Directions include provisions that enable Agency Heads to open vacancies to people from specific diversity groups only including:

- people with disability, or to people with a particular type of disability, and/or
- Aboriginal and/or Torres Strait Islander peoples.

An affirmative measure can be applied to both ongoing and non-ongoing vacancies.

For all affirmative measures processes, the selection panel must include a panel member or the Commissioner's Representative, who identifies as Aboriginal and/or Torres Strait Islander or with disability as relevant to the affirmative measures process.

Affirmative measure – disability employment

Section 33 of the Directions enables an agency to open a vacancy so that only people with disability, or a particular type of disability, are eligible to apply. Agencies can apply this measure to any ongoing, non-ongoing or casual APS vacancy, including SES positions. It can be used for individual vacancies as well as bulk recruitment rounds. Importantly, this measure is not restricted to jobs that require an understanding of issues affecting people with disability. Agencies must clearly articulate if a vacancy is being advertised as an affirmative measure – disability employment opportunity so that candidates wishing to apply can easily identify these vacancies.

Agencies wishing to use the affirmative measure – disability employment can find further guidance on the [Affirmative measure for recruiting people with disability: a guide for agencies](#) webpage, or request access to the [Affirmative measure – Disability Hub on GovTEAMS](#).

Eligibility

The Commissioner's Directions state that an Agency Head must be satisfied that candidates applying for an affirmative measure - disability vacancy meet the requirements for eligibility.

Agencies may request candidates provide evidence of their disability to demonstrate their eligibility to apply. Where an agency requests evidence be provided, they should consider what stage of the process is most appropriate. For example, at application stage, following shortlisting, or following interview. This is to avoid candidates providing such evidence unnecessarily.

Evidence of disability

Suitable evidence may include:

- a certificate or letter from a registered medical practitioner

- a letter from a Disability Employment Service or Workforce Australia provider or
- a letter from a secondary or tertiary institution disability services unit in relation to a recent student.

If these documents are not available, agencies may consider accepting a statutory declaration from the candidate.

Evidence of disability **does not require specific information** about the type of disability – unless the vacancy has been restricted to people with a particular type of disability.

Affirmative measure – Aboriginal and Torres Strait Islander employment

Section 31 of the Directions allows agencies to open a vacancy so that only Aboriginal and/or Torres Strait Islander people are eligible to apply. Agencies can apply this measure to any ongoing, non-ongoing or casual APS vacancy, including SES vacancies. Importantly, this measure is not restricted to jobs that require an understanding of issues affecting Aboriginal and/or Torres Strait Islander peoples.

Prior to commencing any affirmative measures – Aboriginal and Torres Strait Islander SES Band 1 and Band 2 recruitment processes, it is expected that agencies will review and consider candidates in the [SES100 merit pool](#).

Agencies wishing to use the affirmative measure - Aboriginal and Torres Strait Islander employment can find further guidance on the [Affirmative measure for recruiting Aboriginal and Torres Strait Islander Australians: A Guide for agencies](#) and the [Aboriginal and Torres Strait Islander Recruitment Guide webpage](#) or request to join the [Affirmative measure – Aboriginal and Torres Strait Islander Recruitment Hub](#) on [GovTEAMS](#).

Eligibility

The Commissioner's Directions state that an Agency Head must be satisfied that candidates applying for an affirmative measure – Aboriginal and Torres Strait Islander vacancy meet the requirements for eligibility.

Agencies must ensure that candidates for an affirmative measure - Aboriginal and Torres Strait Islander employment meet the requirements for applying:

- be of Aboriginal and/or Torres Strait Islander descent and
- identify as Aboriginal and/or Torres Strait Islander and
- be accepted by their community as being Aboriginal and/or Torres Strait Islander.

Agencies may request candidates provide evidence of their Aboriginal and/or Torres Strait Islander heritage to demonstrate their eligibility to apply. Where an agency requests evidence be provided, they should consider what stage of the process is most appropriate. For example, at application stage, following shortlisting, or following interview. This is to avoid candidates providing such evidence unnecessarily.

Evidence of Aboriginal and/or Torres Strait Islander heritage

Suitable evidence of Aboriginal and/or Torres Strait Islander heritage may include:

- a letter signed by the Chairperson of an incorporated Indigenous organisation confirming that the applicant is recognised as an Aboriginal and/or Torres Strait Islander person, or

- a confirmation of Aboriginal and/or Torres Strait Islander descent document executed by an Indigenous organisation.

If the above documents are not available, agencies may consider accepting a statutory declaration from the candidate.

Affirmative measure – RecruitAbility

The RecruitAbility Scheme is an affirmative measure provision under section 32 of the Directions and aims to attract and recruit people with disability to the APS.

RecruitAbility can be applied to all vacancies across the APS, including SES roles. It is important that when RecruitAbility is applied, it is clear to candidates and the panel what work-related qualities are genuinely required to perform the relevant duties of the role.

Eligibility

People with disability who apply to a vacancy advertised under the RecruitAbility Scheme are advanced to a further stage in the recruitment selection process if they meet all of the below criteria:

- opt into the scheme
- declare they have disability
- have the work-related qualities required to perform the relevant duties of the vacancy and
- meet eligibility requirements (e.g. qualifications), if any.

To avoid doubt, the RecruitAbility scheme does not:

- require candidate/s who apply under the RecruitAbility Scheme to be the successful candidate/s and/or
- limit the fairness of the selection process. Upholding the merit principle remains the key consideration for the selection process, and the basis for APS employee engagement and promotion.

Agencies should note that RecruitAbility cannot be applied to an Affirmative measure – Disability vacancy. This is because Affirmative measure – Disability roles are, by definition, only open to candidates with a disability and as such, applying the RecruitAbility scheme does not benefit these processes. Agencies wishing to use the RecruitAbility scheme can find further guidance on the [RecruitAbility scheme: A Guide for agencies](#) webpage.

Agencies requesting evidence for affirmative measures must do so respectfully and in a trauma-informed manner, recognising that some information may relate to personal or distressing experiences. For further assistance please contact diversity@apsc.gov.au.

Identified positions

An Identified position is different to an affirmative measure in that position vacancies are **open to everyone**. An Identified position is a role that includes developing policies or programs for Aboriginal and/or Torres Strait Islander peoples, or direct interaction with Aboriginal and/or Torres Strait Islander communities. Identified positions require candidates to have an understanding of the issues affecting Aboriginal and/or Torres Strait Islander peoples and demonstrated culturally appropriate engagement and communication skills.

Two key selection criteria are usually used to make sure candidates have the required capabilities for an Identified position. These criteria are not prescribed in legislation, however, are recommended as better practice, when considering candidates for these positions.

Agencies are encouraged to use criteria which includes:

- a knowledge and understanding of the issues affecting Aboriginal and/or Torres Strait Islander peoples and
- a demonstrated ability to communicate sensitively and effectively with Aboriginal and/or Torres Strait Islander peoples.

Identified positions are important in ensuring that the APS has the right people working on initiatives to improve the delivery of services to Aboriginal and/or Torres Strait Islander peoples.

Recruitment processes using an affirmative measure provision

Stand-alone recruitment process

Where agencies are applying an affirmative measure to a role, it is generally recommended that agencies use a stand-alone recruitment process. The benefits of advertising a vacancy only under an affirmative measure are:

- there is a single assessment process and a single merit list or pool¹
- it shows an ongoing commitment from the agency to improving employment opportunities for diverse candidates.

Agencies may also consider the risk that eligible affirmative measure candidates may not want to apply through the affirmative measure round. This may be due to concerns about being perceived as less competitive than their general round counterparts. However, if affirmative measure rounds are used effectively and are transparent, these candidate concerns may be alleviated.

Concurrent recruitment processes

A concurrent recruitment process is one where affirmative measures processes are run simultaneously with general processes. There may be circumstances, such as bulk recruitment rounds, where there are multiple vacancies and agencies choose to notify some vacancies as being open to all candidates and others as open only to Aboriginal and/or Torres Strait Islander candidates or only people with disability under an affirmative measure.

Before deciding to run a concurrent process, the hiring manager and delegate should agree on the number of vacancies that will be allocated to candidates applying under an affirmative measure process. Every effort should be made to fill these vacancies with suitable candidates from that merit list. An effective affirmative measure round can attract and identify great talent.

¹ For the purpose of this guide the term merit list is used to refer to the various types of merit lists created by agencies, including ranked merit lists, merit pools and ranked merit pools.

Where agencies decide to run a concurrent process, they are reminded that they will need to notify and seek approval for a Commissioner's Representative for all concurrent running SES processes.

Running concurrent recruitment processes can be complex. Agencies should be particularly mindful of ensuring all processes are advertised separately and that the cohort for each vacancy is assessed separately and not compared to other cohorts. Selection panels may need additional support and guidance to manage this requirement. It is recommended that agencies carefully manage this when drafting their vacancy notifications, including additional guidance in the information packs to help guide the candidates during the process. This will ensure that agencies are being seen as an employer of choice for diverse candidates and not adding barriers when applying for roles in the APS.

Where candidates apply for more than one cohort, the candidate should be assessed separately for each cohort (e.g. affirmative measure – Aboriginal and Torres Strait Islander / affirmative measure – disability / general round). This does not mean that a candidate needs to be interviewed, for example, three times however, the assessment process should allow for the candidate to be assessed discretely within each cohort for which they have applied and are eligible.

Using a concurrent recruitment process to fill an affirmative measure vacancy

Scenario: An agency has three SES positions available. The agency wants to fill one of the positions using the affirmative measure – disability, one using the affirmative measure – Aboriginal and Torres Strait Islander, and one using a general round. The agency is running three separately notified vacancies on APSJobs.

The agency must:

- ensure that candidates for each affirmative measure vacancy are assessed in isolation from the candidates of concurrent processes;
- recognise that eligible candidates are able to apply for all three vacancies (for example, a candidate may be a First Nations person with disability).

The agency should include additional guidance in the candidate information packs to assist candidates during the process.

Reasonable adjustments

Reasonable adjustments in a recruitment process are adjustments or changes made to the process to support a candidate to have a fair and equal opportunity to demonstrate their skills and experience relevant to the role they have applied for.

Selection assessments are undertaken to allow the selection panel to identify candidates' work-related qualities and capabilities. Agencies should focus on what needs to be assessed, rather than how it is to be assessed. This can help identify what adjustments can be reasonably made to enable candidates to demonstrate the work-related qualities required for the role and participate in the recruitment activity, while still applying the process fairly to all candidates. In considering what adjustments are necessary, agencies should be guided by the candidate's request.

While the selection process must be applied fairly to each eligible candidate, it does not mean they must be identical for each candidate. Supporting reasonable adjustments provides fairness by removing barriers and giving all candidates (such as those with disability), an equal opportunity to participate to their full ability. Fairness is achieved by recognising and accommodating individual needs, rather than applying the same approach for all candidates regardless of their circumstances.

Adjustments may be requested by any candidate, not just candidates who declare a disability. For example, adjustments may support someone with specific cultural obligations or who is a carer or parent.

Adjustments can take any form of assistance that is necessary, possible and reasonable to reduce or eliminate barriers throughout the recruitment process. Agencies are encouraged to take a proactive approach to advising candidates that adjustments can be provided.

When undertaking a recruitment activity, agencies should:

- ask all candidates, not just those who have declared a disability, whether they require any adjustments to participate in the recruitment process
- consider whether the requested adjustments can be accommodated
- consider that different adjustments might be required over different phases of the recruitment process, and that one candidate may require more than one adjustment
- ensure candidates are advised whether the requested adjustments can be accommodated
- if the requested adjustments can't be accommodated, consider available alternative adjustments that will eliminate or reduce barriers to participation, and
- document the decision making process in the selection report.

Agencies should assume that where an adjustment has been requested by a candidate, it is necessary to enable equitable participation. However, there may be times where a requested adjustment cannot be accommodated. This could be, for example, because making the adjustment would impose an unjustifiable hardship on the agency, or would be inconsistent with merit, for example, it would disproportionately impact on the agency's ability to assess the candidate.

Examples of adjustments include, but are not limited to:

- receiving a written copy of interview questions during the interview, in addition to being asked the questions verbally
- providing additional time to review and/or answer interview questions
- extra time to complete a written exercise
- conducting an interview virtually and
- facilitating interpreters or other assistance during an assessment process.

It is important that all requests for reasonable adjustments be considered on a case-by-case basis, with respect to the individual's needs and specific role requirements.

The best selection outcome will be achieved where reasonable adjustments are supported in circumstances that allow candidates the opportunity to demonstrate their work-related qualities and capabilities to their full ability.

The SES recruitment process

Outside of the legislative requirements, agencies have flexibility in how they conduct their recruitment process. This section of the guide provides guidance for each of the four key phases of an effective SES recruitment process, including:

- Plan and define
- Attract
- Select
- Engage.

Plan and define

Planning is a critical phase for SES recruitment, as it can help agencies to manage time constraints, legislative requirements and streamline the recruitment process for both the candidate and the agency.

Effective planning focuses on how to best attract, select and engage suitable candidates. Consideration should be given to:

- reviewing the requirements of the role (further information is outlined in the [role analysis](#) section of this guide)
- identifying clear recruitment objectives
- connecting recruitment activity to broader agency workforce planning, including developing an understanding of the current labour market
- understanding what makes the APS, your agency, team or the role appeal to prospective SES employees
- consider whether engaging a recruitment provider is required. Agencies engaging a recruitment provider should do so in the planning stage and ensure all stakeholders have a clear understanding of their role and responsibilities
- identifying which selection activities will identify the most suitable candidate/s
- managing any factors that may impact recruitment timelines (for example, determining the composition and availability of a selection panel, including proposal of a Commissioner's Representative), and
- developing a plan for effective candidate care during the recruitment and onboarding process.

Workforce planning and recruitment

To assist in identifying organisational business needs, and to gain insights regarding skills and capability gaps, agencies should consult their internal workforce plan or workforce planning team (where available). Agencies may also refer to the [APS Workforce Strategy](#) for further guidance.

Projecting future workforce demands based on agency strategic and operational business requirements is essential. It assists to ensure resourcing needs are met and will identify skills and capability gaps and provide key insights regarding the future direction of the workforce. A workforce plan may also provide insight into how a recruitment process aligns with

business needs, and whether consideration needs to be given to other strategic recruitment initiatives within an agency. Workforce planning may also provide labour market insights to support recruitment and attraction strategies.

If your agency has workforce planning practices in place, it is important for the recruitment team to stay connected to the planning processes of the agency. Workforce planning can inform relevant pieces of work and assist in understanding critical roles needed within the agency. Critical roles are typically identified as part of the agency's workforce planning processes and can assist with determining which critical capabilities would be required to ensure business continuity.

Where an agency does not have a workforce plan, they should consider the broader organisational capability requirements and the organisation's general approach to recruitment.

Agencies should familiarise themselves with:

- the [APS Workforce Planning Guide](#) which provides agencies with key principles of evidence-based, business linked, agile and flexible workforce planning guidance within the APS
- the [APS Strategic Commissioning Framework](#), which is part of the Government's commitment to reduce inappropriate outsourcing, strengthen the capability of the APS, and ensure core work is undertaken by APS employees
- [APS diversity and inclusion strategies](#), which represent comprehensive plans and targets to ensure the APS better represents the diversity of the Australian community. These strategies should be incorporated into an agency's broader workforce plan where possible, and
- [APS Location Framework](#), which equips agencies to use workforce location as a tool to attract and retain people who have the skills the APS needs, now and into the future. It connects Agency Heads and their corporate teams to tools that can support their decisions on appropriate workforce locations within Australia and shows what it looks like to manage a dispersed workforce well.

Agencies should consider streamlining management layers, ensuring appropriate spans of supervision, and adopting best practice ways of working to reduce hierarchy and improve decision making. Agencies can find further guidance on the [APS Framework for Optimal Management Structures](#).

SES cohort

Each agency has an approved SES cohort. The size of an agency's SES cohort is based on positions (not people) and forms part of its average staffing level (ASL).

The APS Commissioner supports the Government to monitor and manage the size of the SES cohort.

Agencies are expected to continually monitor SES cohort approved and actual numbers, including temporary positions.

The default approach to resourcing new SES positions is through reprioritisation of existing resources within agencies. Agencies should not create or fill an unapproved SES position if the agency is at or above its approved cohort.

Agencies seeking more information on SES cohort arrangements can contact the APS Commission at sescohort@apsc.gov.au.

Role analysis

Role analysis is the systematic examination of the purpose, responsibilities and scope of a role in supporting the agency's business and strategic objectives. A role analysis is the first step in determining the necessary and desirable skills, capabilities, knowledge and experience required for a role.

Agencies are encouraged to consider undertaking a role analysis for all new and existing roles prior to commencing the selection process. A role analysis provides an opportunity to consider the responsibilities of the role and the skills and experience required to undertake the duties. It is important that a role analysis focuses on the capabilities genuinely required for the role. This should reflect both current and future requirements, rather than relying on the skills and experience of previous incumbent/s.

When the requirements of the role are clearly defined, it is easier to identify what specific information agencies need from candidates and why it is needed. This is important to avoid seeking unnecessary and potentially unlawful discriminatory information from candidates during the application or interview stage.

All APS agencies must comply with the [Public Service Classification Rules 2000](#) to ensure roles are classified based on work value by considering the type and nature of the work to be performed using the SES [Work Level Standards](#) and the [SES Evaluation Methodology - Guidelines and Workbook](#).

For further information see the guidance on [APS Framework for Optimal Management Structures](#).

Conducting a role analysis

When conducting a role analysis, agencies should draw on a range of information about the role and how this role links in with the overarching strategic objectives of the agency. Each role analysis will be unique; however the following steps are a suggested best practice for a successful role analysis.

- a. Consider the agency's current and future operational needs
 - i. Consider the operational needs, the strategic workforce plan, existing leadership skills and capabilities and any gaps and how this role fits within the team (refer to the [Workforce Planning section](#) for further information).
 - ii. Consider if this role should be filled or whether it first needs a re-design to reflect future business requirements of the agency.
- b. Review existing role descriptions
 - i. Review any existing or similar role descriptions to gain an understanding of the work-related skills and capabilities needed to perform the role. Additionally, review to reflect any future skills that could be required to support future operational needs.
- c. Speak with key stakeholders
 - i. Speak to key stakeholders who understand the objectives of the position (such as the manager, other senior leaders, team members and/or other people in similar roles).

- d. Identify the key responsibilities and accountabilities of the role
 - i. Understand what the agency uses to define the work that needs to be performed in this role and the functions that the successful candidate will be accountable for.
 - ii. Consider any other key requirements for the role, for example based on need to access sensitive or classified information, the level of security clearance required.
- e. Identify the capabilities required to succeed in the role
 - i. Once agencies have their research, they need to develop a list of the capabilities
- f. Consider the classification of the role
 - i. Agencies should consider the roles work value, to help determine the appropriate classification.
 - ii. Agencies must use the [SES Work Level Standards](#), which have been developed to provide a consistent platform for classifying SES roles across the APS.
- g. Ensure behaviour expectations reflect the [Secretaries' Charter of Leadership Behaviours](#) (DRIVE).
- h. Define the work-related qualities required to be successful in the role.
 - i. Work related qualities can include (but are not limited to) skills and capabilities, qualifications, and cultural competency.

Role description

The main output of a role analysis is a role description. A role description clearly states the essential duties and responsibilities of the role. When defining the role description, agencies should focus on the capabilities and skills required to perform the role, rather than specific experiences that may have contributed to developing the required skills. This approach supports all candidates, particularly external candidates who may not have specific APS experience, however, may hold transferrable capabilities and skills required to perform the role.

As best practice, agencies should develop role descriptions that assist and inform candidates about the role.

A role description should:

- accurately reflect the duties and responsibilities of the role
- be clear, concise (avoid using jargon) and accessible (agencies might consider running the text through a readability tool and ensuring it is compatible with accessibility software, to ensure the document is accessible to the majority of candidates).
- align with the work level standards for the SES classification level and
- provide all relevant details about the role, including any essential requirements such as the requirement to obtain and maintain a security clearance, demonstrated experience in leading large complex teams, or a tertiary qualification.

Having a well-defined role description helps ensure:

- the agency can attract the right mix of skills and capabilities
- candidates understand the role requirements and can demonstrate their suitability throughout the recruitment process and
- the work-related qualities genuinely required to perform the role are clearly articulated.

Assessment criteria

The information obtained through workforce planning and role analysis should inform the development of assessment criteria and methods. This is an important step in the planning stage to support agencies identify appropriate assessment methods for the vacancy.

Assessment criteria should represent the key personal qualities, skills, abilities, knowledge and qualifications (if any) that are required to perform a role effectively and achieve outcomes related to the role.

Assessment criteria enables selection panels to evaluate and compare candidate suitability for a role. From the assessment criteria, agencies generally summarise what the candidate should demonstrate in their application (commonly referred to as 'selection criteria') to be competitive for the role. Agencies should limit assessment criteria to those essential for performing the duties of the role and apply appropriate weightings to reflect their relative importance. This supports the panel to undertake a fair and consistent assessment of all candidates and minimises the risk of unintentional discrimination.

Selection tools

Selection panels should consider what selection tools will best enable candidates to demonstrate their suitability against the assessment criteria. This should include identifying where tools may unintentionally disadvantage diverse or underrepresented candidates and taking appropriate action to mitigate these impacts.

For SES roles, panels must also consider appropriate selection tools that will assess leadership attributes and evaluate candidates' ability to provide high quality strategic leadership that fosters an inclusive and culturally safe workplace.

For example, there are many roles where there may be a number of selection tools available that would provide the selection panel a sense of the candidate's suitability for the role. How the criteria will be assessed should be considered early in the planning process, both for internal planning purposes, and also to ensure information about the selection process is readily available to candidates.

Agencies may consider the use of differentiated recruitment where they are open to potentially assessing candidates by using different assessment methods. Further information can be found in the [Differentiated recruitment factsheet](#).

Remember

The purpose of a selection process is to assist the selection panel to gather information to make an informed decision about who can perform the role. Approaching assessments as an opportunity for candidates to demonstrate their suitability, rather than as a test, may help the panel learn the most about a candidate's suitability for the job.

More information on commonly used selection tools can be found in the [Select](#) section of this guide.

Conditions of engagement

A condition of engagement is a requirement that a prospective employee must meet prior to being engaged, or within a specified timeframe following engagement. It is important to communicate any required conditions of engagement early in the recruitment process. For example, this could occur within the advertisement and/or candidate information pack to ensure candidates are clear on requirements and can factor this into their decision to apply. When considering a condition of engagement, agencies should assess the relevance to the role's duties and the operating environment of the agency.

The five conditions of engagement specified in the PS Act are discussed in more detail in the [Applying conditions of engagement](#) section of this guide.

Determining how to fill the SES vacancy

During the planning phase, agencies should determine how they wish to fill the vacancy to meet their operational needs. This includes considering the type of engagement, the number of current and future vacancies, and the type of recruitment process that will be used to fill the vacancy/ies.

Agencies are encouraged to consider drawing from existing merit lists prior to advertising a new vacancy, in particular the [SES100 merit pool](#).

To assist, agencies should ask the following questions:

- Is it an ongoing or non-ongoing role?
- Do existing employees have the capability, knowledge and experience to fill the role?
- Do existing employees have development potential to build their capability in the role?
- Can an existing employee be redeployed to the role?
- Are there gaps in the capability, knowledge or experience of the workforce for the role?
- Are we filling a number of vacancies or establishing a merit pool or list?
- Is there a need to fill a role quickly to meet a short-term need?
- Can we utilise an existing merit list, in particular consider the SES100 merit pool?
- Is this role within the agency's approved SES cohort number?

When conducting a merit-based recruitment process, the vacancy must be notified in the PS Gazette via the APS Jobs platform. Agencies may also consider additional advertising, as outlined within this guide (for example, advertising a vacancy publicly via their own website or another platform). Alternatively, agencies may consider other mobility options (for example, offering an opportunity to people already employed under the PS Act).

With a range of options available for agencies seeking to fill an SES role, the following section sets out the legal requirements and strategic considerations to assist agencies choose the most suitable recruitment approach.

Ongoing

Engagements:

Where an ongoing offer is to be made to someone that is not already employed in the APS, the outcome is an engagement under section 22 of the PS Act. Ongoing engagements require a merit-based selection process.

Promotions:

A promotion is actioned in accordance with section 25 of the PS Act for an internal candidate or section 26 and section 25 of the PS Act for a candidate from another APS agency. Promotions require a merit-based selection process.

The promotion of an SES employee takes effect on:

- the date agreed by the relevant parties (this date cannot be before the notification is published on the PS Gazette) or
- four weeks after the notification is published on the PS Gazette.

Movements at level:

In accordance with section 26 of the PS Act, an Agency Head may enter into an agreement in writing with an ongoing APS employee to move to the Agency Head's agency permanently from another APS agency. The movement does not require a merit-based selection process, but could be the result of a merit-based selection process.

The date of effect for an ongoing section 26 transfer is the date agreed between the two Agency Heads and the employee or, if no date is agreed, four weeks after the employee informs their current Agency Head in writing.

Under section 25 of the PS Act an employee can be assigned to a different set of duties at their substantive classification. This gives the agency the flexibility to fill an SES role with an existing SES employee from within the agency to meet operational needs if required. There is no requirement to advertise the vacancy or undertake a merit-based selection process in these circumstances, however the Agency Head may wish to utilise an internal expression of interest process.

Further information on transferring between agencies can be found on the [Employee movement between APS agencies](#) and the [Assignment of duties within an APS agency](#) pages.

Non-ongoing

Engagements:

Where a non-ongoing offer is to be made to someone who is not already employed in the APS, this is an engagement under section 22 of the PS Act.

Section 12 of the Regulations provides that an Agency Head may engage an SES employee for a specified term of up to five years following a merit-based selection process.

From the commencement of the fixed term provisions in the [Fair Work Act 2009](#) (FW Act), an Agency Head will need to be reasonably satisfied that the engagement would not contravene section 333E(1) of the FW Act, unless an exception set out in section 333F applies.

Further information on subsection 333E (1) of the FW Act can be found on the [Department of Employment and Workplace Relations](#) website.

An agency may engage a non-ongoing SES employee without undertaking a full merit-based selection process provided that:

- as far as practicable, the vacancy is brought to the attention of the community in a way that gives eligible members of the community a reasonable opportunity to apply and
- the Agency Head is satisfied that the person to be engaged has the work-related qualities genuinely required to perform the relevant duties. This includes consideration of how a candidate demonstrates the behaviours of the Secretaries Charter of Leadership Behaviours and the APS values.

The engagement of a non-ongoing SES employee without undertaking a merit-based process is limited to:

- prior to the introduction of the subsection 333E(1) of the FW Act – an initial period of 18 months or less, which may be extended up to a total period of 3 years and
- following the introduction of subsection 333E(1) of the FW Act – an initial period of 12 months or less, which may be extended up to a total period of 18 months.

The time limits on the length of a non-ongoing engagement where a full merit-based selection process was not undertaken will apply even where the engagement is covered by an exception in section 333F of the FW Act.

The limits on employment periods do not apply to irregular or intermittent engagements.

Limits on the period of engagement are set out in the following tables:

Table 1: Term limits prior to the commencement of subsection 333E(1) of the FW Act:

Term	
Merit based process	Modified merit process **
For up to 5 years *	For an initial period of 18 months or less, with the option to extend to a total period of 3 years.

Table 2: Term limits on commencement of subsection 333E(1) of the FW Act

Term	
Merit based process	Modified merit process **
For up to 5 years *	For an initial period of 12 months or less, with the option to extend to a total period of 18 months.

*Subject to the Agency Head being reasonably satisfied that entering into the contract would not contravene subsection 333E(1) of the FW Act which limits fixed term arrangements to 2 years or two contract terms, whichever is less.

**In accordance with subsection 23 of the Directions.

Agencies should ensure that non-ongoing employment contracts/determinations include suitable provision(s) covering compensation in the event of early termination.

Temporary transfer:

In accordance with section 46 of the Directions a temporary move requires the written agreement of the ongoing APS employee, the Agency Head of the original agency, and the Agency Head of the new agency. The date of effect of the move and duration must be agreed to by all parties in the written agreement. The Directions do not prescribe minimum or maximum terms for a temporary move.

At the end of the term of the temporary move, the employee will return to the original agency unless:

- an extension has been agreed in accordance with section 46(3) of the Directions
- an ongoing move to the agency or another agency, is agreed or
- the employee resigns.

Further information on temporary movements can be found on the [Movement between APS agencies](#) page.

Bulk recruitment

Bulk recruitment is a single recruitment process that is used to fill multiple vacancies. While SES bulk recruitment processes may be less common, they may be an efficient option where an agency has multiple similar vacancies.

When undertaking bulk recruitment, agencies should consider the similarity of the roles that are being advertised. Vacancies that meet the definition of 'similar vacancy' outlined in section 9 of the Directions can be assessed together and candidates placed in the same merit pool (for example, separate merit pools for ongoing and non-ongoing employment types, same classification or equivalent, similar work-related qualities).

When undertaking bulk recruitment, agencies must consider when advertising a vacancy:

- where the available vacancies will be located
- whether remote working options may be considered
- whether hybrid working arrangements may be considered, and
- the location/s of positions that may be filled using the merit list.

For bulk recruitment processes, agencies must ensure that where multiple roles are advertised using the same Gazettal notice, the comparative assessment of candidates is separate for any roles that are not similar (in accordance with the definition of similar vacancy in section 9 of the Directions). This means that separate merit lists need to be created for all roles that are not similar. This doesn't mean that candidates are required to complete different assessment tasks (for example, submit separate applications or undertake multiple interviews), but candidates can only be compared against other candidates for the same roles.

For example, roles may be advertised together but not be similar because:

- they are different classifications, e.g. SESB1 and SESB2
- they require different work-related qualities, this includes technical/job specific work-related qualities, e.g. Chief Finance Officer, General Counsel or Chief Operating Officer, all have some similar work-related qualities but require different role specific work-related qualities that mean the roles are not similar.

Where the same assessment process is used to assess different roles, agencies can structure the assessment to enable consideration of the different work-related qualities. For example, using different questions to assess different technical or job-specific work-related qualities, or developing questions to enable assessment at various classification levels. Further information is available on the [APSC Factsheet: Bulk recruitment](#)

Candidate care

Candidate care begins at the commencement of a recruitment process and continues throughout every stage, including selecting, engaging and onboarding. Candidate care involves keeping in touch with candidates throughout the recruitment process with the aim of keeping them informed and connected.

When planning an SES recruitment process, HR and hiring managers should discuss how candidate care will be managed. This includes who will lead the candidate care activities at all stages of the process. Some key considerations include:

- clearly articulating the role and how to apply
- advising candidates on what to expect in the recruitment process
- regularly keeping candidates informed of timeframes
- asking candidates if any adjustments are needed
- providing contact officer details for answers to questions about the role and the agency, and
- considering how any resulting merit lists will be managed by the agency, including considerations around where future vacancies are located.

Candidate care is always important, whether agencies offer candidates a role or not. Candidate care is important for SES roles due to the competitive market for senior talent and the reputational impact given their wide professional networks.

Interactions with candidates leave an impression and could impact future interest in the agency, or the APS. Agencies are encouraged to be transparent with candidates about what to expect during the recruitment process, and what it is like working in the agency.

Notifying intent to advertise an SES recruitment process

An important step in planning an SES recruitment process is the requirement for APS agencies to notify the APSC of their intent to advertise all SES vacancies. Where possible, **notice should be provided at least 14 days** before advertising.

When notifying the APSC of their intent to advertise, agencies will be asked to nominate an eligible Commissioner's representative, as well as the overall selection panel composition (details of the panel members). All notifications are considered on a weekly basis, with completed notifications received up until 4pm Thursday considered in the weekly process. Advance notice of an upcoming selection process provides an opportunity for consultation with Chairs of the Secretaries and Deputy Secretaries Talent Council.

Agencies should complete the [SES Recruitment form](#) and return the completed form to the Employment Policy team via employmentpolicy@apsc.gov.au. Incomplete forms should not be submitted.

SES selection panel

Establishment of an SES selection panel requires careful planning. A key difference in SES recruitment processes, is that section 26 of the Directions, requires the Commissioner, or representative of the Commissioner, to be a full participant in SES recruitment processes.

Where APS Commissioner approval has not yet been granted, panels should not commence shortlisting until the entire panel is confirmed. SES selection panels should comprise of:

- Chair
- Commissioner or Commissioner's Representative
- Panel members
- Specialist panel member (where applicable, see the [specialist selection panel member section](#) for further information).

The inclusion of the Commissioner or Commissioner's Representative on a selection panel, must be considered in the context of the panel's overall composition. While the Commissioner's Representative must meet all the requirements (outlined in further detail below), agencies must also give careful consideration to the overall composition of the panel, ensuring it supports a fair and balanced selection process.

SES selection panel members

Agencies have the discretion to determine their selection panel members within the following guidelines.

It is recommended that panels:

- include members at or above the level to ensure they have a good understanding of the requirements and capabilities to perform successfully at the relevant classification
- at a minimum, ensure that the chair of the selection panel is a substantive level above the vacancy being advertised
- have four members, however three may be sufficient.

Where possible, agencies should also consider the inclusion of panel members who are independent from current or previous incumbent/s. This assists to reduce the risk of the panel being unconsciously influenced by the incumbent's skills, capabilities or strengths in performing the role.

The following sections provide further information on the composition of SES selection panels.

Roles and responsibilities of selection panel

Agency Head (or Delegate)

Agency Heads are responsible for ensuring the requirements of the legislation are upheld, such as ensuring that merit is upheld.

An Agency Head can delegate this power if they wish. For the purpose of this guide, references to Agency Head include anyone to whom the relevant power has been delegated.

The Commissioner's participation

As outlined below, the Commissioner or Commissioner's Representative has a critical role in SES recruitment to ensure the integrity of the recruitment process and to provide a broad whole-of-APS perspective on recruitment panels. The Commissioner's role is to ensure that the process:

- is consistent with the requirements of the PS Act and the Directions, ensuring employment decisions are consistent with merit
- takes into account the wider skills and capabilities expected of SES employees across the whole of the APS including those that will be needed by the APS in the future, and
- are aligned to the SES Performance Leadership Framework that requires behaviours be considered equally with outcomes.

Selection panel chair

The chair of the selection panel sits on the selection panel and is usually responsible for preparing/overseeing the official recommendation to the Agency Head to hire a candidate.

Depending on the size of the agency, the chair will work with the agency's HR team, to oversee the recruitment process. Ultimately, the chair's role is to ensure that the panel recommends the most suitable candidate, and the recommendation is consistent with merit.

It is also the responsibility of the panel chair to ensure effective record keeping during the recruitment process. Effective record keeping is vital as it enables the Agency Head to be able to determine that the process was merit-based from the information provided, when making their final decision.

Selection panel member/s

Selection panel member/s support the panel chair in assessing candidates. Selection panel member/s also have a duty of care to raise any concerns that they have regarding merit or bias in the selection process.

Contact officer

Contact officers may provide additional information about the requirements of the role to potential candidates. They may or may not also be a panel member. Contact officers should be knowledgeable about the role and able to answer questions confidently to ensure the agency is well represented to prospective candidates.

Questions from candidates could relate to:

- salary/conditions
- information about the role
- flexible working arrangements
- agency and/or team culture
- timeframes for the process and
- clarification on any mandatory requirements or conditions of engagement.

Agencies are encouraged to include any additional details such as how to contact the contact officer in the job advertisement. The nominated contact officer should be available during the

advertising period. If this is not possible, consider including contact details for the HR or recruitment team.

Scribe

Some recruitment processes may require a scribe. The role of the scribe is to assist the recruitment panel by taking comprehensive notes during shortlisting and/or interviews and to capture the deliberations of the panel. A scribe does not contribute to the panel's deliberations but may provide support by drafting elements of the selection report and conducting referee checks. The selection panel must be comfortable that the scribe's materials accurately reflect their deliberations. Each agency may make arrangements in relation to scribes.

Administrative support

Agencies may also consider utilising additional administrative support from their agency or through an external recruitment agency. This may be for activities such as screening of candidates, scheduling of interviews, managing candidate communication and records and/or collating information for the selection report.

When deciding what support is required and appropriate for an SES recruitment process, agencies must consider how utilisation of administrative supports will support the process to create efficiencies. Agencies must ensure appropriate confidentiality in handling personal and potentially sensitive information. This includes only involving individuals who have a genuine need to be involved (and on a need-to-know basis), are appropriately trained, and hold a relevant role to provide such assistance.

Nominating a Commissioner's Representative

Where the Commissioner is unavailable to participate on an SES recruitment panel, they will be represented by a Commissioner's Representative.

Agencies must nominate a proposed Commissioner's Representative upon notifying the Commissioner of their intent to advertise an SES vacancy.

The criteria for a Commissioner's Representative are that they must:

Be either an APS employee, an APS Agency Head, or a Parliamentary Service Department employee.

The requirement to be an APS employee, APS Agency Head or Parliamentary Service Department employee ensures the Commissioner's Representative:

- has an understanding of the requirements of the APS legislation
- is bound by the APS Values and Employment Principles (or the *Parliamentary Service Act*, which is a consistent framework to the APS), and
- can uphold their important role in ensuring that the selection process meets the requirements of merit.

Be a substantive classification above the SES vacancy

This requirement ensures that there is an appropriate level of oversight of the process, ensure integrity and support a merit-based selection process.

Bring a broader APS perspective

This requirement reflects the importance of having diverse viewpoints on a panel, providing balance and a broader APS perspective.

For the purpose of the criteria for a Commissioner's representative, bring a broader APS perspective means:

- for a Department of State, the Commissioner's Representative is from a different portfolio to the recruiting agency.
- for all other agencies the Commissioner's Representative should be from the agency's portfolio Department of State or another Department of State.
- for a Parliamentary Department, the Commissioner's Representative is from a Department of State (outside of Parliamentary Departments).

Agencies are also strongly encouraged to ensure one panel member is from outside the portfolio.

Contribute to overall diversity on the panel

The Commissioner's Representative must support the overall diversity of the panel composition. This does not necessarily require the Commissioner's Representative to identify with any particular cohort below, however agencies may be requested to nominate a different representative if the overall panel composition is not diverse.

A diverse panel must include either:

- gender balance reflected in the selection panel or
- representation of cultural and linguistic diversity by at least one panel member or
- representation of First Nations peoples by at least one panel member or
- representation of persons with a disability by at least one panel member.

For all SES recruitment processes, agencies are encouraged to include a panel member from a diverse background (including cultural and linguistic diversity), particularly in bulk recruitment processes.

Panel compositions that meet diversity

Example 1:

Chair – Male, Cultural and linguistic diversity

Panel member 2 – Male, APS Professional representative

Panel member 3 – Male, Commissioner's Representative

Panel member 4 – Female

This panel supports diversity with the inclusion of a panel member from a cultural and linguistic diverse background. As good practice, the panel also ensures they have gender representation across panel members.

Example 2:

Chair – Female

Panel member 2 – Male

Panel member 3 – Female, Commissioner's Representative

Panel member 4 - Male

This panel meets diversity by representing gender balance, including two males and two females.

Affirmative measures recruitment processes

For Affirmative measures processes, a panel member or the Commissioner's Representative must be a person who identifies as Aboriginal and/or Torres Strait Islander or with disability as relevant to the affirmative measures process.

Unable to identify proposed Commissioner's Representative

Agencies have the responsibility to genuinely attempt to source an independent Commissioner's Representative. However, at times agencies may be unsuccessful in identifying a suitable and available person.

Where this occurs, the APSC may be able to assist in suggesting a suitable person to participate in the process. When making a request for assistance, an agency should provide the following information:

- which agencies or SES employees have already been contacted to avoid duplicate requests
- the intended panel composition, to assist with meeting the requirement for diversity on the panel, and
- any further information about the role, to assist in identifying a suitable representative for this process.

Requests should be sent to the Employment Policy team at employmentpolicy@apsc.gov.au.

Deviation from Commissioner's Representative criteria

The Commissioner's Representative plays a vital role in SES recruitment. The criteria set for a Commissioner's Representative ensures that their purpose is upheld and they provide a whole of APS perspective during the recruitment process.

Where an agency is unable to find a participant who meets all of the Commissioner's Representative criteria, they may seek approval for a deviation from the criteria from the Commissioner. Deviation proposals will only be considered in exceptional circumstances.

Deviations should be sought in circumstances where:

- no diversity is represented on the panel (e.g. no gender balance, cultural and linguistic diversity, First Nations peoples or persons with a disability represented on a panel).
- the Commissioner's Representative is not at a substantive classification level above the vacancy being recruited.
- the Commissioner's Representative is not from a Department of State (where the recruiting agency is not a Department of State).

The Commissioner will not approve any deviations where the nominated representative is not:

- an APS employee or
- an APS Agency Head or Parliamentary Service Departments employee.

Agencies seeking a deviation must complete the section 'Request for Deviation' in the [SES Recruitment form](#). Agencies must provide all relevant information including:

- what steps they have taken to find a Commissioner's Representative that would meet the criteria; and
- details outlining how the agency's proposed Commissioner's Representative has the necessary skills and experience to ensure the process is compliant with the APS legislative framework.

Approval of a nominated Commissioner's Representative

Upon receipt of an invitation to participate on a selection committee, the APS Commissioner will consider whether they or a Deputy Commissioner is available to participate. Where the Commissioner (or Deputy Commissioners) are unavailable, the Commission will consider the nomination provided by the Agency.

The APS Commissioner may:

- approve the nomination submitted by the agency, or
- recommend an alternative Commissioner's representative to undertake the role.

The APSC's Employment Policy team will advise the agency of the outcome.

It is important to note, that agencies may nominate a Commissioner's Representative who meets the criteria, however approval of the nominated Commissioner's Representative is subject to the discretion of the APS Commissioner.

Urgent requests

Early planning is critical to running a smooth SES recruitment process, including allowing sufficient time to plan a panel that is reflective of appropriate experiences and diverse perspectives. Early planning also supports balancing panel members' calendar availabilities.

Urgent requests for Commissioner's Representatives outside of the scheduled weekly process will only be considered in exceptional circumstances, arising where the situation is outside of an agency's control. For example, a late withdrawal of an approved Representative due to illness.

Urgent requests will be considered as quickly as possible; however, response timeframes will be dependent upon availability.

Where an SES vacancy is advertised prior to the Commissioner's Representative being approved, the shortlisting process cannot commence until the entire panel is finalised. This includes the Commissioner's Representative, as they must be a full participant in the entire selection process.

Specialist Selection Panel Member

Specialist selection panel members include both the APS Professions (listed below) and other relevant specialisations. The inclusion of a specialist selection panel member on SES recruitment processes is intended to support selecting individuals with the right skills and attributes to undertake roles with accountability for specialised functions.

Agencies recruiting for an SES role that requires experience aligned with any of the recognised [APS Professions](#), or other relevant specialisations (e.g. lawyers) must include a specialist panellist on the panel.

Where a Commissioner's Representative is required, and the nominated specialist selection committee member also meets the criteria for the Commissioner's Representative, they may undertake both roles on the selection committee. Alternatively, they may be an additional member of the selection panel.

For panels requiring an APS Professional, agencies must liaise with the relevant profession prior to submitting the panel for consideration so that it includes an appropriate specialist, where required.

APS Professions

Agencies recruiting for an SES role that requires experience aligned with any of the recognised APS professions can contact the specialist streams for further information or for panellist suggestions.

Approval from the relevant APS Professions or finance profession is required to confirm an agency's nominated specialist. Approval must be gained via email and attached when notifying the APS Commissioner of an intent to advertise an SES role.

To enable the APS Profession to source or approve a suitable specialist panellist, agencies must provide sufficient information about the role requirements (e.g. a position description).

Please see the following information on each APS Profession to assist in determining if a role requires a specialist panellist and their contact information.

Further information on the APS Professions model can be found on the APSC's [APS Professions](#) webpage.

APS HR Profession:

This profession relates to any SES position where HR expertise is critical to the function. For example, a Chief People Officer or SES positions with significant responsibilities in areas such as workforce planning, organisational development and workplace relations. A HR specialist supports the assessment of candidates and supports the development and succession of HR talent across the APS.

The APS HR Profession can be contacted via APSHRProfessionalStream@ato.gov.au.

APS Digital Profession:

This profession relates to any digital related SES position, such as roles with responsibility for design, implementation and maintenance of digital products and services, digital and technology strategy, and transformation and risk management relating to digital services and capability. It may also relate to roles with high-level administrative leadership in organisations with significant digital investments.

The APS Digital Profession can be contacted via digitalprofession@apsc.gov.au.

APS Data Profession:

This profession relates to any SES position where data plays a critical strategic or operational role. For example, a Chief Data Officer or SES positions with significant responsibilities in data governance, data analytics, data strategy, digital transformation or information management.

A data specialist supports the assessment of candidates' capabilities in areas such as data governance, advanced analytics, ethical data use and whole-of-government priorities; enabling evaluation of their technical proficiency, strategic leadership and ability to foster a data-mature culture.

The APS Data Profession can be contacted via data.profession@abs.gov.au.

APS Evaluation Profession:

Further general information on the APS Evaluation Profession can be found on the APSC's [APS Professions](#) webpage.

The APS Evaluation Profession can be contacted via evaluation@treasury.gov.au.

APS Complex Project Management (CPM) Profession:

Further general information on the APS CPM Profession can be found on the APSC's [APS Professions](#) webpage.

The CPM Profession can be contacted via CPM.APSPProfession@defence.gov.au.

APS Procurement and Contract Management (PCM) Profession:

Further general information on the APS PCM Profession can be found on the APSC's [APS Professions](#) webpage.

The PCM Profession can be contacted via procurementexcellence@finance.gov.au.

APS finance profession:

This profession relates to any SES accounting and finance position, such as in areas of strategic financial management, financial governance and budgeting and forecasting. For example, Chief Financial Officers, or equivalent roles.

A finance professional is usually a member of Chartered Accountants Australian and New Zealand (CA ANZ), CPA Australia or an APS employee with extensive finance experience (more than five years in an SES public sector financial management role).

The finance profession can be contacted via farmexec@finance.gov.au

For further information on the APS Professions please visit the [APS Professions webpage](#).

Other relevant specialists

Specialist SES roles play an important part in providing leadership in critical decision-making, nurturing APS capability in their field of expertise and delivering impact as an individual contributor.

To support the selection of a candidate with the required capability, it is critical that the panel includes a member with relevant expertise to enable an informed and robust assessment.

You can read further information on specialist roles in the APS on our website [Specialist arrangements](#).

Specialist selection panel members

Example 1:

A General Manager, Corporate Services role oversees functions of HR, Digital and Data. The role does not require specialist experience in all these areas, therefore does not require an APS Profession specialist to be on the panel.

Example 2:

A Chief Counsel role does not require experience that directly aligns with any of the APS Professions, however, it requires specialist legal expertise. The panel should include a practising lawyer to provide appropriate legal expertise to support the assessment of candidates.

Best practice recommendations for panels

Supporting diversity on panels

An important aspect of supporting diversity across APS leaders is ensuring that SES recruitment processes have selection panels that reflect a diversity of backgrounds and perspectives.

Agencies are strongly encouraged to include a panel member either from a culturally and linguistically diverse background, Aboriginal and Torres Islander persons or a person with disability, on all panels, particularly in bulk recruitment processes.

This will strengthen supporting diverse perspectives on SES recruitment panels, which will also assist in improving the recruitment experience for diverse candidates.

Agencies can seek assistance in identifying a suitable panel member by contacting the Indigenous SES Network Secretariat via ICNSecretariat@niaa.gov.au or the SES Disability Network Secretariat via diversity@apsc.gov.au.

Best practice panel composition examples

A planned and well-considered panel supports a fair, informed and robust recruitment process.

The following examples highlight how agencies can structure their panels to balance the right skills, experience and perspectives relevant to the role and broader APS, while also promoting diversity and integrity in the process.

Example 1: A vacancy in a small agency that is not a Department of State:

Panel chair – Female, hiring manager from within the recruiting agency

Panel member – Male, from within the recruiting agency

Panel member – Female, outside of agency's portfolio, who identifies as an Aboriginal and/or Torres Strait Islander person

Commissioner's Representative – Female, from the agency's Department of State

This panel includes a Commissioner's Representative from the agency's Department of State, a panellist who is outside of their portfolio and who is an Aboriginal and/or Torres Strait Islander person.

Example 2: A vacancy aligned with an APS Profession, in an agency that is a Department of State

Panel chair – Male, hiring manager from the recruiting agency

Panel member – Male, APS Professional representative

Panel member – Female, from the recruiting agency

Commissioner's Representative – Female, from a different Department of State

This panel includes a Commissioner's Representative from outside the agency's portfolio Department of State, a specialist supported by the relevant APS Professions and reflects gender balance.

Conflict of interest

To maintain the integrity of SES recruitment processes, agencies must embed steps in their processes for selection panel members to identify and declare any potential conflicts of interest and vulnerabilities.

In practice this means all members of an SES selection panel must complete a conflict of interest declaration, including the Commissioner or Commissioner's Representative, to identify any potential, perceived or real conflicts of interest, and record how these have been considered and mitigated with the agreement of the delegate. Panel members must complete a conflict of interest declaration before shortlisting commences, or any time a potential conflict is identified.

The Agency Head (or delegate), as the decision maker, completes a declaration confirming that they have (or have not) identified and considered any of their own conflicts of interest and those declared by the panel.

If a conflict of interest is identified, where possible it should be mitigated. If the conflict cannot be appropriately mitigated, an alternative panellist should be sourced. Any conflicts of interests identified should be managed and recorded in accordance with the agency's processes.

The Commissioner or Commissioner's Representative also has the additional responsibility to confirm that all panel members have completed a conflict of interest declaration. Where a potential conflict is identified, they must ensure it is brought to the attention of the chair and other committee members as early as possible.

Conflicts to consider include:

- family or friendship relationships with a candidate
- family or friendship relationships between panel members
- current or previous working relationship with a candidate, and
- financial interests (relating to either a candidate or the outcome).

Many (but not all) perceived or real conflicts of interest can be effectively managed through mitigation. Where it is determined that a conflict of interest can be managed through mitigation, potential mitigation options can include ensuring:

- written referee comments are provided before accessing any applications if a panel member is a candidate's referee
- a conflicted panel member does not assess a particular candidate
- candidates are placed with panel members they do not know if there is more than one interview panel
- all panel members and the delegate are aware of the conflict
- there are at least two other non-conflicted panel members who can assess the candidate and
- a conflicted delegate declares the conflict to a higher delegate and/or stands aside as a delegate to the process.

Further information can be found on the [Managing conflict of interest in recruitment factsheet](#) and [Conflict of Interest webpage](#).

Responding to unexpected panel member unavailability

Coordinating panel members' availability, particularly at the SES level, can be challenging. Even more so, when at short notice a panel member is unexpectedly unavailable.

Having consistency in panel members supports the panel to make fair and consistent comparative assessments of each candidate. However circumstances may arise where a member of a selection panel is unexpectedly unavailable and an interview/s may need to occur without the availability of a full panel.

How an agency responds will depend on which panel member is unavailable:

Panel member:

Where a panel member is unexpectedly unavailable for all interviews, an agency should consider:

- if the panel composition still reflects overall diversity without the panel member present

- if the panel composition still covers necessary skills and experience to assess candidates' suitability to perform the relevant duties
- whether it is appropriate to find a replacement panel member. For example, where it is a fourth panel member who is unavailable, will it be beneficial to find a replacement or proceed without a fourth panel member.

Specialist panel member:

Where a specialist panel member is unexpectedly unavailable at short notice, the agency must reach out to the relevant APS Profession as soon as possible to discuss if an alternative specialist panellist can be sourced.

APS Commissioner or approved Commissioner's Representative:

Interviews cannot proceed until an approved Commissioner's Representative is available. This may involve rescheduling the interviews to when the approved Commissioner's Representative becomes available or seeking approval of a new Commissioner's Representative. In some cases, an existing panel member may meet the criteria to be able to be considered as a replacement Commissioner's Representative. Such requests would be considered by the APS Commissioner as urgent. Please refer to the [Urgent requests](#) section for further information.

Attract

Attracting the right candidate

Attracting a talented candidate with the required skills and experience can be difficult in a competitive market.

Agencies are encouraged to take a strategic approach to attraction. Consideration should be given to:

- Labour market – is competition high in this job category? What are the employment trends?
- Employee Value Proposition (EVP) – what are the most appealing elements of the role and the agency? In promoting opportunities available, agencies are encouraged to include links to the [APS EVP](#) to support enterprise-wide efforts to raise the profile of the APS as an employer.
- Advertising platforms – which platforms will best connect you with your ideal candidates?
- Advertising accurately – how can you best reflect the role so it will attract the right candidates and where the available vacancy is located?
- Passive candidates – how can you best target candidates that are not actively seeking a new role?
- Diversity – how can you encourage applications from a diverse candidate pool? Consider collaborating with specific networks, targeting particular diversity cohorts, promoting your agency's diversity and inclusion principles, partnering with diversity and inclusion practitioners and/or service providers.

- Legislative and policy requirements – ensuring the approach to advertising meets the relevant requirements for the APS and the agency (that is, the merit principle).

In addition, agencies should be mindful of using inclusive language throughout the process, including in advertisements, job descriptions and candidate packs. Consideration should be given to:

- using plain English and avoiding bureaucratic jargon and acronyms
- ensuring documents would be understood by someone with no experience of the APS
- clearly outlining the recruitment processes, purposes and timeline
- providing examples of adjustments available throughout each stage of the process
- making it clear what work-related qualities are being sought for the role and how the candidate should respond in their application.

Using and sharing merit lists

Agencies are encouraged to consider drawing from existing merit lists prior to advertising a new vacancy.

Agencies may use a merit list created by an APS agency, or a Department of the Parliament (established under the *Parliamentary Service Act 1999*), or an Intelligence Agency (established under the *Australian Security Intelligence Organisation Act 1979* or the *Intelligence Service Act 2001*), to fill a similar vacancy as set out in section 9 of the Directions.

The meaning of ‘similar vacancy’ is important when planning to advertise a vacancy in the PS Gazette. This is because it can impact the utility of a merit list for filling future vacancies both within the agency and across the APS.

When selecting candidates from a merit list to fill an SES vacancy, the vacancy is considered similar to a vacancy that resulted in a merit list being created if it:

- is the same category of employment (ongoing or non-ongoing)
- requires similar work-related qualities to perform the duties, and
- is at the same classification, or an equivalent classification (if using a merit list or pool from the Parliamentary Service or an intelligence agency).

While filling roles using a merit list, the Agency Head must ensure that the vacancies are similar vacancies within the meaning of section 9 of the Directions. They must also consider that their use of a merit list is in accordance with the broader APS principle of merit as set out in section 10A of the PS Act. This includes whether all eligible members of the community were given a reasonable opportunity to apply. Therefore even where a role meets the requirements of a similar vacancy, agencies must also consider whether applicants had a reasonable opportunity to apply.

Sharing merit lists

To support efficient recruitment, merit lists provide flexibility to fill future vacancies quickly, reduce the need for multiple selection processes, and increase candidates’ opportunities for APS employment.

From 1 February 2026, APS agencies will be required to share their merit lists, when requested by another APS agency, in circumstances where:

- the use of the merit list is in accordance with the broader APS principle of merit as set out in section 10A of the *Public Service Act 1999*, including the requirement to ensure the vacancies are similar
- it has been more than 6 months since the date the merit list was created, unless the agency that created the merit list agrees to share earlier
- there are candidates remaining on the merit list, and
- the request is made within 18 months of the original vacancy being notified in the Public Service Gazette (as set out in section 25(1) of the Directions).

Hiring managers should contact their HR team to find out if there are existing merit lists that can be used before initiating any new recruitment activity.

For further information on the APSJobs merit list sharing function, agencies can contact the APSJobs team via contact@apsjobs.gov.au.

For further information on merit lists, please refer to the [Creating, using and sharing merit lists](#) webpage. For further information on similar vacancies, please refer to the [Advertising a location for vacancy factsheet](#).

Use of SES100 merit pools

The SES100 initiative supports the Government's commitment to boost First Nations employment across the APS by increasing representation at the SES levels. Representation is critical at senior levels to ensure First Nations voices, perspectives and participation are utilised in decision-making processes, bringing a flow-on effect of cultural capability and awareness from the top down.

Prior to advertising SES vacancies, agencies are strongly encouraged to consider the current SES100 merit pools. It is also an expectation that agencies will review the SES100 merit pools prior to commencing any affirmative measures – Aboriginal and Torres Strait Islander SES Band 1 and Band 2 recruitment processes.

For further information on SES100 and how to access available merit pools please contact SES100@apsc.gov.au.

Advertising

Once planning has taken place and the Commissioner or an APS Commissioner's Representative has been confirmed, agencies can proceed to advertising the vacancy. The requirement to notify vacancies (advertise) in the PS Gazette via the APSJobs platform is outlined in section 25 of the Directions and applies to SES recruitment.

Consistent with section 10A(2) of the PS Act which outlines the principle of merit, all eligible members of the community should be given a reasonable opportunity to apply for an APS vacancy that could result in an ongoing engagement or promotion.

In addition to notifying the vacancy on APSJobs, Agencies may also consider additional advertising, as outlined within this guide (for example, advertising a vacancy publicly via their own website or another platform). Alternatively, agencies may consider other mobility options (for example, offering an opportunity to people already employed under the PS Act).

Advertising considerations

Legislative requirements for advertising, as they relate to the merit principle, are outlined in the Directions. Requirements for advertising, as they relate to procurement arrangements, are outlined on the Department of Finance's website. Agencies should refer to both the Directions and the Department of Finance's [Advertising](#) webpage prior to developing recruitment advertising.

Minimum requirements for vacancy notification differ depending on whether a merit-based, or modified merit selection process is being conducted. These requirements are:

- A **merit-based selection process** will be required for promotions, ongoing engagements or non-ongoing engagements for an initial period of more than 12 months.

These vacancies must be advertised in the PS Gazette, in accordance with section 25 of the Directions. Agencies are encouraged to provide a closing date for applicants at least 14 days from the date the vacancy was advertised. Agencies may consider an advertising period of 7 days, and in exceptional circumstances an Agency Head may approve a shorter period. When considering a shorter period, the obligation to uphold merit continues, which includes that eligible members of the community are given a reasonable opportunity to apply for APS vacancies. However, agencies are encouraged to provide at least 14 days where possible.

- A **modified merit selection** process may be undertaken for non-ongoing vacancies for a specified term or the duration of a specified task that are expected to last 12 months or less (which may be extended up to a total period of 18 months) and irregular or intermittent (casual) vacancies. These vacancies do not need to be notified in the PS Gazette (although they can be).

Where a modified merit process is undertaken, section 27 of the Directions requires the Agency Head to ensure as far as practicable that such vacancies are brought to the notice of the community in a way that gives eligible members of the community a reasonable opportunity to apply. For example, a vacancy may be brought to the notice of the community by being advertised or access being provided to non-ongoing APS employment registers.

While agencies may conduct modified merit processes for short-term vacancies, if there is any possibility the vacancy will be extended or become ongoing, agencies may wish to consider conducting a merit-based selection process. Merit-based selection processes will result in the most flexibility to extend an engagement to the full 5 year term for SES, if the need arises.

External advertising

An agency can supplement a PS Gazette notice with external advertising in order to attract more candidates or to target candidates with particular skills or formal qualifications. For example, this may be on the agency's website, in trade or professional publications, on other jobs websites or in other media. Agencies wishing to also advertise a vacancy in major newspapers must comply with the Department of Finance's [Advertising Framework](#).

All advertising should be undertaken concurrently to avoid confusion. Where this is not possible, the external advertising must take place within 4 weeks before or after the PS Gazette notification and specify the same closing date for submission of applications as the

date specified in the PS Gazette notification, in accordance with section 25(7) of the Directions.

Recruitment providers (including executive search firms)

Where an external recruitment provider is used to manage the SES recruitment process including the attraction, advertising, shortlisting or aspects of the assessment for an SES role, the SES selection panel remains responsible for oversight of the process and adherence to the APS Employment Principles.

When engaging recruitment providers to support filling of SES vacancies, it is important that agencies ensure all stakeholders have a shared understanding of their responsibilities. This includes the recruitment providers having sufficient knowledge and understanding of the APS employment framework that applies to SES recruitment, including specific requirements such as:

- additional selection panel requirements for SES recruitment, and
- documentation such as an outcome notification to the APSC and certification from the Commissioner's Representative.

The decision maker should be confident that all aspects of the recruitment process have been conducted in accordance with the APS employment framework.

Agencies should be satisfied that the chosen recruitment provider has appropriate cultural capability to effectively liaise with diverse candidates, particularly for affirmative measure vacancies. It is important for agencies to be aware that recruitment companies cannot impose additional requirements or make changes to a process without obtaining prior approval from the agency, for example, requiring that candidates must have a security clearance.

Agencies may also consider the use of executive search firms to assist in the attraction and identification of senior talent. The use of executive search firms, when engaged with a clear and agreed purpose can be beneficial in supporting the sourcing of senior talent in highly competitive markets. As with the use of any recruitment providers, the agency and selection panel remains responsible for ensuring the recruitment process adheres to the APS Employment Principles.

Another key factor for agencies considering engaging an executive search firm, is to ensure that the recruitment process is consistent with section 10A of the PS Act and the merit principle. In particular ensuring that all eligible members of the community have had a reasonable opportunity to apply for the vacancy.

Agencies must ensure that any recruitment provider engaged complies with the [Commonwealth Procurement Rules](#) and the agency's relevant policies.

Select

Shortlisting

All panel members are required to participate in the shortlisting stage of a recruitment process.

Where a recruitment provider is used to assist with shortlisting, the selection committee, including the Commissioner's Representative, must consciously review and endorse the shortlisting. The reasons why candidates were not part of the shortlist must be recorded in the selection report.

Assessing candidates

Agencies have flexibility in determining the assessment methods used in a recruitment process. For SES recruitment, incorporating face-to-face (including virtual) interactions in the assessment of candidates, along with meaningful referee reports, is important to enable the canvassing of leadership and ethical behaviour.

The [Secretaries Charter of Leadership Behaviours](#) sets out the behaviours Secretaries expect of themselves, the SES cohort and across all levels of the APS. The Charter focuses on behaviours that support modern systems of leadership within the construct of the [APS Values and Code of Conduct](#).

These behaviours build on the [Integrated Leadership System](#) and [APS Leadership Capability Framework](#).

Assessments (including referee checks) must consider not only the candidates' qualifications, skills and experience, but also their demonstrated ability to create safe, high performing teams where performance and/or behavioural issues are effectively addressed.

Selection tools

Selection tools allow selection panels to evaluate candidates against the assessment criteria.

Agencies are encouraged to research what tools best align with their recruitment objectives. This should include considering approaches to incorporating face-to-face interactions at some stage/s of the process to enable a thorough assessment of candidates' suitability. The selection tools chosen should provide a potential candidate with the opportunity to demonstrate their relevant skills and experience, and be appropriate for the complexity and seniority of the role.

Choosing selection tools

Agencies can use any selection tools that suit their operating environment and the nature of the role. This could include having one or multiple tools to support the selection decision. However, it is important to consider how particular tools may contain inbuilt biases or favour candidates from certain backgrounds. In choosing an appropriate selection tool, agencies should consider whether the tool is inclusive and culturally safe. Agencies should select tools that are supported by research to reduce the potential for bias or invalidate assessment methods.

For example, artificial intelligence (AI) enabled recruitment tools have the potential to increase recruitment efficiency, streamline timeframes and reduce transactional and administrative work, when applied effectively. However, they also have the potential to result in discriminatory selection, owing to inbuilt bias stemming from limited data sets and have risks associated with data privacy.

Agencies have flexibility in choosing whether they wish to use panel interviews for the purpose of their recruitment process or whether another selection tool may be more

appropriate. The selection tools used during the recruitment process should be based on what work-related qualities are being assessed to fill the vacancy.

The selection process does not need to be identical for each candidate; however agencies, need to ensure the selection process is applied fairly in relation to each eligible candidate. Differences in the processes applied to specific candidates must not impair an agency's ability to make a comparative assessment of the work-related qualities for the role and candidates must have an equal opportunity to demonstrate their claims against the work-related qualities required for the role. It is necessary to show how different assessment methods have allowed the assessment panel to draw a comparison and assess the same criteria. The reasons for a decision must be clearly set out. It is important to document why the particular methods of assessment were used and how these methods provided an assessment of the work-related qualities for the role.

There are a number of different selection tools that agencies can consider when deciding the most effective way to assess candidates. These include, but are not limited to, the assessment tools listed in the following section.

Selection tool examples

Resume or CV

A resume or curriculum vitae (CV) provides a summary of a candidate's experience, skills and education. Agencies should consider providing guidance to candidates on the desired length and content of resumes, to enable the panel to elicit the desired information.

Written pitch

A written pitch outlines the candidate's claims against the selection criteria. Written pitches can be useful to assess a candidate's written communication and how their skills, knowledge and experience apply to the role. However, agencies should be mindful of the influence and accessibility of generative artificial intelligence applications, and factor this into their decision making about how a pitch may have limitations for demonstrating written communication skills.

Work sample assessment

A work sample test typically involves asking candidates to undertake an exercise that reflects the tasks or skills required for the advertised position. For example, preparing a short brief on a complex policy issue, reviewing a scenario to provide recommendations or delivering a short presentation on a leadership challenge.

It may also involve candidates submitting a portfolio of previous work for consideration.

Interviews

While not mandatory, interviews can provide valuable face-to-face interactions. Interviews are a commonly used recruitment tool and when designed and used appropriately, may be a valid predictor of future work performance.

Agencies should consider the type and structure of interviews questions most appropriate for assessing the work-related qualities of the SES vacancy. This may involve using behavioural

or scenario based interview questions, or a mix of question types. Agencies are encouraged to consider whether interviews should be combined with other selection methods, such as a work sample test, to support a comprehensive assessment of candidates.

Assessment platforms

Agencies may be assisted by electronic assessment tools such as aptitude tests or one-way video interviews. When deciding whether to use a tool, agencies should consider its inclusiveness, potential in-built biases, data handling and protection of candidate privacy.

Verbal presentation

Similar to a work sample test, candidates can be asked to prepare a short presentation on a particular theme or topic related to the role. This type of assessment can be effective for middle management and senior positions.

Psychometric testing

Psychometric testing can include cognitive, personality and behaviour based testing administered by a qualified professional. Agencies must ensure any psychometric testing used is inclusive, supports equitable assessment and avoids disadvantaging diverse or underrepresented candidates.

For support on developing in-house procedures for the use of psychometric and/ or personality tools, agencies can access the following APS Learn program:

- for APSC employees: [APS Mental Health Capability Hub \(APSC ONLY\)](#)
- for APS wide learners: [APS Mental Health Capability Hub](#)

For further information agencies can contact the APS Mental Health and Suicide Prevention Unit via MHSP@apsc.gov.au.

Past performance appraisals

From 1 July 2026, the [SES Performance Leadership Framework](#) will require the Chair of the selection panel to seek past performance assessments from the previous two years (subject to any circumstances that warrant reasonable flexibility). This is aimed to support selection decisions and transparency of individual SES performance and behaviour, as SES employees change roles and agencies.

Referee checks

Referee checks should always form part of a recruitment process. They support agencies to thoroughly assess candidates and ensure those candidates assessed as suitable demonstrate behaviour aligned with the APS values.

The [SES Performance Leadership Framework](#) sets the expectation for all SES employees that behaviours are as important as outcomes and therefore both must be considered as a part of referee reports. Excellence in delivering outcomes cannot be used to offset or minimise behavioural concerns.

Referee checks should focus on whether the candidate possesses the work-related qualities needed to perform the duties of the job. They should also include questions that focus on the

candidate's people leadership and ability to create safe, high performing teams where performance and/or behavioural issues are effectively addressed.

Referee checks provide a selection panel with the opportunity to seek clarification on matters discussed during assessment and validate claims put forward by the candidate, such as employment history, qualifications, experience and/or assessment of role suitability.

As a matter of procedural fairness, candidates should be given the opportunity to respond to any adverse comments received in referee reports.

Referee reports are subject to the [Privacy Act 1988](#) (Privacy Act) and the [Freedom of Information Act 1982](#). For more information on access to government-held information see the [Office of the Australian Information Commissioner](#) website.

Secondary considerations

Merit is the primary consideration in determining the suitability of a candidate. Where an agency has multiple candidates that are equal on merit, secondary considerations may be taken into account.

Secondary considerations are matters within the control of the candidate. For example:

- the candidate's ability to start by a particular date
- the candidate's willingness to relocate, if office attendance is an operational requirement
- the candidate's ability to meet other reasonable agency requirements.

Record keeping

It is important to create and keep documents in relation to selection processes and recruitment decisions. Proper record keeping ensures transparency and accountability of decision making. Further guidance on record-keeping and information management for agencies is available from the National Archives of Australia at [Information management | naa.gov.au](#). Agency record keeping practices should also comply with the Privacy Act. More information is available from the Office of the Australian Information Commissioner at [Government agencies | OAIC](#).

Examples of the types of records that agencies are encouraged to keep, but are not limited to, include:

- selection reports, which should include
 - dissenting opinions of the panel
 - all referee checks, including documenting any referee checks that have been made verbally and
 - all conflict of interest declaration forms completed by the selection panel and delegate.

By ensuring that these records are kept, the panel can demonstrate that the recruitment process was merit-based, should there be a review of the process.

Creating merit lists

A merit list can be established when an agency undertakes a competitive selection process, and is used to fill the original vacancy and similar vacancies.

Agencies can decide whether or not to create a merit list from a selection process. The availability of merit lists provides flexibility for the recruiting agency and other APS agencies to select candidates to fill future vacancies quickly. It can also reduce the need to undertake multiple recruitment processes. Candidates benefit as they have an increased opportunity to be offered employment in the APS (within the 18 month term of the merit list from the date the original vacancy was advertised in the PS Gazette) without having to undergo another recruitment process.

However, the creation of lists that reach expiry with a large number of candidates remaining is an inefficient use of resources and may result in a negative candidate perception of APS recruitment. When large numbers of candidates consistently remain on merit lists, agencies should work with business areas to ensure merit lists align with anticipated vacancies.

Merit list versus merit pool

For the purpose of this guide the term merit list refers to all types of merit lists, including ranked merit lists, merit pools and ranked merit pools. These are defined in section 5 of the *Public Service Regulations 2023*, as follows:

- A *merit pool* is a pool of candidates for a vacancy where each candidate included in the pool has been assessed as being suitable for the vacancy. That is, each candidate in the pool is equally suitable and therefore candidates can be offered roles in any order.
- A *ranked merit pool* is group of candidates where each candidate included in the pool has been assessed as suitable for the vacancy and has been assigned to a group of candidates with similar suitability for the vacancy. For example, highly suitable, suitable.

Where the candidates have been grouped, the offers of employment must be made to the candidates from the highest ranked group prior to offering to candidates from the subsequent groups.

- A *ranked merit list* is a list of candidates for a vacancy where each candidate included in the list has been assessed as suitable for the vacancy and has been ranked in order of suitability. Candidates can only be selected to fill a vacancy, or a similar vacancy, in the order they are ranked on the merit list.

There are a number of factors agencies may consider when deciding to create a merit list or a merit pool. Such as the number of current and future roles to be filled, or whether the skills sought are in high or frequent demand within the agency and across the APS. For example, creating a merit pool may be beneficial when undertaking a bulk recruitment process due to the large number of candidates and the possible range of roles.

In creating and managing merit lists an agency should consider:

- including information about the intent (if known) to develop a merit list within the vacancy notification and/or candidate pack
- asking candidates who are found suitable whether they wish to be placed in a merit list and give permission for their details to be shared with other agencies
- removing candidates from the merit list once they have accepted an offer (if known) or are no longer interested in the role

- whether a merit list is required and
- using the APSJobs administrator portal to search for available merit lists.

For further information on merit lists and pools please see the [Creating, using and sharing webpage](#).

Recruitment privacy notice and collection consent

Under the Privacy Act, all agencies have responsibilities in relation to the collection, use and disclosure of personal information. As part of SES recruitment processes agencies may be required to provide personal and potentially sensitive information about candidates to the APSC. Agencies should ensure that their Privacy Notices reflect that information may be shared with the APSC or other agencies for the purpose of meeting legislative obligations in relation to recruitment.

For further information see [Senior Executive Service \(SES\) Staffing Arrangement Collection Notice](#).

Engage

Employment decisions

Selection decisions

On completion of a selection process, the selection panel must provide recommendations to the Agency Head (or their delegate).

Delegates are not bound by the selection panel's recommendations, however, the decision must be recorded and have regard to the requirements of the PS Act including merit. Where the decision is different to the recommendations of the selection panel, the reasons for their decision should also be recorded.

Advising of selection outcomes (notification required)

At the conclusion of the selection process, agencies are required to send the Commission:

- the Commissioner's Representative certification (where the Commissioner did not participate in the process)
- notification of the [SES Selection Notification of Outcome Form](#), and
- selection reports for SES Band 3 vacancies.

The APS Commissioner or Commissioner's Representative must participate in the entire selection process. Where a Commissioner's Representative participates in the selection

process, they must certify that the process has complied with the PS Act and the Directions by completing the [SES Selection Certification](#).

All documents are to be sent to the APSC's Employment Policy Team via employmentpolicy@apsc.gov.au.

Employment Arrangements

SES remuneration and terms and conditions can be determined by:

- an individual or collective section 24 determination or
- a common law contract.

Remuneration must be determined in accordance with government policy including the [Public Sector Workplace Relations Policy 2023](#) and the [APS Executive Remuneration Management Policy](#).

Implementing employment decisions

Once an employment decision has been made (the decision to employ a candidate), separate actions are then required in order to implement that employment decision. The information below illustrates the different actions that need to occur, which will depend on the employment decision that has been made. In practice, there may be one instrument that enables these actions and decisions to be addressed and documented simultaneously. For example, a letter of offer that outlines duties, classification and conditions of engagement.

Engagement

An engagement is made under section 22 of the PS Act, which includes:

- [assigning duties](#) under section 25 of the PS Act
- allocating an approved classification in accordance with the [Public Service Classification Rules 2000](#) – Rule 6.
- imposing [conditions of engagement](#) under section 22(6) of the PS Act.

Promotion

A [promotion](#) requires:

- assigning duties under section 25 of the PS Act
- allocating an approved classification in accordance with [Public Service Classification Rules 2000](#) – Rule 6.

Where the promotion is between agencies, it also requires movement between agencies under section 26 of the PS Act, supported by agreement *in writing* between the gaining agency and the employee.

Movement at level

Where a [movement at level](#) (transfer) is inside an agency, it will require assigning duties under section 25 of the PS Act.

Where a movement at level is between agencies, it also requires movement between agencies under section 26 of the PS Act, supported by agreement *in writing* between the gaining agency and the employee.

Where the move is for a **temporary period**, it also requires the agreement of the original agency.

Letters of offer

Agencies should formalise the offer of employment with written documentation, generally referred to as a letter of offer, including for engagements, promotions and movements at level. The letter of offer should contain information such as:

- commencement date
- salary
- type of employment such as ongoing or non-ongoing
- conditions of engagement and conditions of employment, such as the completion of probation, or certifications
- any other relevant obligations, including any policy or legislative expectations.

Agencies may also request that candidates return their letter of offer in a reasonable time period or by a certain date before commencement. For example, to ensure a promotion notification can be notified in the PS Gazette.

Agencies should be aware that they may be required to also provide the employee with information statements depending on the employment relationship and employment type. Information statements required under the FW Act are summarised on the [Fair Work Ombudsman's website](#).

Pre-employment integrity checks

Undertaking pre-employment integrity checks is a critical step in SES recruitment to support upholding high standards of integrity in the APS. Integrity checks should occur for all SES engagements, promotions and transfers. Integrity checks at the SES level may include:

- Identification verification check
- Australian citizenship verification
- Eligibility check to confirm eligibility to work in Australia
- Character clearances, which may include national police checks
- Any financial or personal conflict of interest
- Employment history verification, including behaviour, conduct and performance
- Qualifications and credential verification, where applicable
- Ongoing suitability assessments (e.g. regular re-screening or review processes to monitor for changes to circumstances).

Applying conditions of engagement

General

Section 22(6) of the PS Act provides that the engagement of an APS employee may be subject to conditions of engagement as notified to the employee. The five conditions of engagement specified in the PS Act are:

- probation
- citizenship
- formal qualifications
- security and character clearances and
- health clearances.

An agency may also impose additional conditions of engagement, if relevant to the role or operating environment.

Conditions of engagement can only be imposed at the time a prospective employee is engaged in the APS. They cannot be imposed or varied after engagement. Agencies may require that a condition of engagement also be maintained on an ongoing basis throughout an employee's engagement. For example, obtaining and maintaining a security clearance at the required level for the duration of their employment.

To enable a prospective employee to make an informed decision about an offer of employment, conditions of engagement should be outlined in the letter of offer, including:

- details of each condition and the evidence required.
- where a condition is not met before engagement, a specified timeframe they have to meet the condition of engagement.
- notification that employment can be terminated under section 29(3)(f) of the PS Act if the condition of engagement is not met.

Probation

Section 44 of the Directions requires that an Agency Head engaging an APS employee other than an employee engaged for duties that are irregular or intermittent, must be engaged on probation. A waiver may apply where reasonable circumstances justify it. Further information on probation as a condition of engagement is available on the APSC's [Probation](#) webpage.

A period of probation must be established as a condition of engagement, where the employee is being engaged into the APS (not promoted or where their employment type changes). Employees engaged on an irregular or intermittent basis are not required to be engaged subject to a probationary period.

Probation is an important part of the engagement phase of recruitment and selection. Not all selection decisions result in an outcome that is right for the employee or the employer. During probation, an agency can assess whether a person is suited to the APS, the agency and the role.

Agency Heads may waive probation only where they are satisfied there are reasonable circumstances to justify not engaging the employee on probation. Agencies should only waive probation in limited circumstances. For example, when an employee is engaged on a short term contract where the period of engagement is less than the probation period and it is

not anticipated that the contract will be extended. However, if any employee is later extended or made ongoing, probation is not able to be applied at the later date.

Probation enables agencies to assess whether a person is suited to the APS, the agency and the job. An effectively managed probation period supports APS capability by delivering a workforce that has the required skills and attributes to undertake their roles.

Australian citizenship

Section 22(8) of the PS Act provides that a person who is not an Australian citizen can be engaged in the APS if an Agency Head considers it appropriate to waive the citizenship requirement. The waiver may be temporary, with a corresponding condition of engagement requiring the individual to obtain citizenship within a specified timeframe or on an ongoing basis where the individual will not be required to gain citizenship.

Where citizenship is waived, the decision should be made before the decision to engage the individual. Agencies should consider the vacancy they are filling and operating environment of the agency to decide whether the agency will accept applications from non-citizens before running the recruitment process.

Where citizenship is imposed as a condition of engagement, agencies should ensure evidence of citizenship is collected as part of the on-boarding process.

Where an Agency Head is considering waiving the requirement for citizenship on an ongoing basis, they are encouraged to undertake a risk assessment and consider whether any risk mitigations are required, such as imposing specific limitations or conditions of employment.

An individual who is not a citizen must be eligible to work in Australia and should confirm that they hold a valid work visa. This applies regardless of whether a related condition of engagement has been imposed or whether the individual was notified of such a requirement at the time of their engagement.

Where the citizenship requirement has been waived for a temporary visa holder, engagement should be on a non-ongoing basis and limited to the time available on the temporary visa.

Formal qualifications

Formal qualifications should only be imposed if relevant to the role or operating environment. However, agencies should also be mindful that where a position is advertised as requiring an essential or mandatory qualification, candidates who do not hold that qualification cannot be found suitable for the role. Agencies should carefully consider whether a qualification (such as a specific degree, or years of experience in a field) is mandatory or simply desirable for success in the role.

Security clearances

A candidate may be required to obtain and maintain a security clearance as a condition of employment. An Agency Head can determine what level of security clearance is required, which should be consistent with the [Australian Government Protective Security Policy Framework](#).

Where possible, a security clearance should be completed before an offer of employment is made; however, an agency may decide to engage a person subject to the person obtaining

the necessary clearance within a specified period. This should be clearly outlined in the employment offer. For further information please see the Australian Government Security Vetting Agency's (AGSVA) [webpage](#).

Health clearances

A prospective SES employee may be required to satisfy certain requirements in relation to health and fitness for duty as a condition of engagement. Decisions in relation to the suitability or fitness of a prospective employee to perform a particular set of duties must consider the [APS Values and Employment Principles](#) and other employment legislation, including the [Disability Discrimination Act 1999](#).

Engaging a person who has received a redundancy benefit or incentive to retire

Section 66 of the Directions places restrictions on subsequent employment of people who have received a redundancy benefit and/or an incentive to retire. In accepting a redundancy benefit, the individual is excluded from being engaged back into the APS for a defined period called the redundancy benefit period.

There are circumstances where an agency may seek to engage a person who has received a redundancy benefit from the APS and their redundancy benefit period has not ended. An agency may only do so if the Agency Head considers the person's engagement essential to operations, in having regard to the nature of the duties and the work-related qualities of the person. For example, an agency should consider why the individual's engagement is essential and whether the role could be performed by another person.

The agency must seek the APS Commissioner's approval prior to engaging the person. This applies to both re-engagement of a person in an ongoing or non-ongoing SES role.

Please refer to the [SES ending employment](#) and the [Engagement of people who have received a redundancy benefit](#) pages for more information.

Onboarding

Pre-commencement checklist

Agencies will have processes in place regarding the engagement and onboarding of new employees. For SES employees, these processes are particularly important to support a positive onboarding experience and to ensure they understand their obligations and leadership responsibilities in the APS.

Often agencies have a pre-commencement checklist that identifies the activities that must take place prior to a new employee commencing. The timeliness of these activities can influence an employee's start date and will have an impact on their onboarding and induction experience.

An onboarding checklist often includes:

- commencing/transferring security clearances
- agency specific checks/requirements (for example, undertaking integrity checks)
- obtaining payroll and personnel information

- organising IT equipment and arranging system access

To support the SES employee transition to into their senior leadership role in the agency, their onboarding should be tailored specifically for the role and go beyond the administrative tasks. This may include scheduling induction activities, such as discussions on agency priorities, risk management frameworks and cultural and leadership expectations, as well as meetings with any key stakeholders.

Agencies should also consider candidate care as an important aspect during the onboarding phase.

Consideration should be given to how the agency can connect with the candidate during this time so the agency doesn't lose the candidate to another offer. This includes determining who is responsible for maintaining regular contact with the candidate, this is usually the hiring manager but may also be a member of the HR team. Some tips on candidate care include, but are not limited to:

- ensuring the candidate has a contact person in their new team to reach out to with any questions
- sending the candidate information about the office location
- ensuring the candidate has a contact in their office location, if they are not co-located with their direct manager or team
- providing parking details or Public Transport options, if required
- providing contact details for diversity contact officers within the agency

These simple steps can help prevent agencies losing a candidate to other employment offers.

Cancelling employment decisions

Where a decision maker has the authority to engage, promote or move an employee under the PS Act, then the decision maker has the authority to revoke or vary the decision before it comes into effect. It is important to note an Agency Head does not have the power to unilaterally cancel an agreement to move an employee between agencies under section 26 of the PS Act, unless the agreement permits this.

Prior to making this decision agencies should consider the potential risks in cancelling an employment decision. Some risks may include:

- the mental and financial impact on the candidate
- the agency's reputation, and
- ensuring that the agency checks the Letter of Offer to ensure there is no breach of contract. Agencies are encouraged to seek further legal advice if they are unsure whether or not they have breached the contract.

Further information can be found on APSC's [Cancellation of employment decisions](#) webpage.

Candidate feedback

Agencies should consider outlining the process for candidates to seek feedback, such as in the candidate information pack or the outcome notification. Agencies are strongly encouraged to provide feedback to candidates where it has been requested.

Good quality feedback is important to assist all candidates to understand why they have not progressed in a selection process. It provides an opportunity for candidates to improve their chances of securing a job in the future. Providing constructive feedback can also positively influence an agency's reputation, attraction and retention results.

Feedback is particularly important for candidates who have opted into an Affirmative Measure vacancy, such as the RecruitAbility scheme. This is because such processes are designed to improve accessibility, build capability and strengthen confidence for groups that are underrepresented in the APS. The Agency's feedback should consider how the candidate could have further demonstrated they have the work-related qualities required for the role, and consider providing suggestions and practical examples of how they can more fully demonstrate this in future job applications.

It is important for agencies and panel members to note that candidates have a right to request their selection documents under the [Freedom of Information Act 1982](#). Individuals may also seek access to personal information under the [Privacy Act 1988](#). Agencies should include information on their website about how to make freedom of information requests to the agency. More information is available from the [Office of the Australian Information Commissioner](#).

Appendix 1 – further information and resources

Further information

APS employees seeking further advice about recruitment matters should contact their agency's HR area or SES unit.

Guidance on APS employment legislation and policy matters is available on the Commission's [website](#). HR practitioners and senior decision makers seeking further information or advice can contact the Employment Policy team via employmentpolicy@apsc.gov.au or call the advice line on (02) 6202 3857.

Commission guidance – information on APS Employment

[Circular 2025/06: The Commissioner's role in SES recruitment](#)

[Recruitment in the APS](#)

[Recruitment webpages published by the APSC](#)

[APS Employee Value Proposition | Australian Public Service Commission](#)

[APS Workforce Strategy](#)

[Diversity and inclusion](#)

[APS Professional Streams \(professions\)](#)

[APS Strategic Commissioning Framework](#)

[APS Workforce Strategy 2025](#) which provides a whole-of-enterprise approach to strategic workforce management by supporting agencies to identify and build workforce capabilities needed for the future

[APS Talent Management](#) page which provides further information on building strong and diverse pipelines for leadership roles across the APS

[APS Mobility Framework](#) which provides support to agencies in maximising the benefits from their strategic use of mobility across the APS.

Affirmative measure Aboriginal and Torres Strait Islander Recruitment Hub - Any Commonwealth employee can request access to either of these Hubs by emailing firstnationsunit@apsc.gov.au.

Affirmative Measure Disability Recruitment Hub - Any Commonwealth employee can request access to either of these Hubs by emailing diversity@apsc.gov.au.

Other legislation and policy

[Australian Government Guidelines on Information and Advertising Campaigns by non-corporate Commonwealth entities | Department of Finance](#)

[Advertising | Department of Finance](#)

Other resources

[APSJobs - Gateway to the Australian Public Service \(Public Service Gazette\)](#)

[Information statements - Fair Work Ombudsman](#)

[About good work design | Comcare](#)

SES recruitment forms and guidance

[SES Selection Certification APS Commissioner's Representative](#)

[SES Evaluation Methodology - Guidelines and Workbook](#)

[SES Selection Notification of Outcome form](#)

[Guidance for Commissioners Representative](#)

[Senior Executive Service Recruitment Form](#)

Appendix 2 – Frequently asked questions

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Advertising and gazettal

What type of vacancy needs to be notified in the PS Gazette?

Section 25 of the Directions sets out the provisions for the notification in the PS Gazette of vacancies that might result in an engagement or promotion.

All ongoing vacancies must be advertised in the PS Gazette in order to provide all eligible members of the community with the opportunity to apply.

What must the closing dates for vacancies published in the PS Gazette be?

A vacancy published in the PS Gazette must have a closing date of at least 7 calendar days after the notification, unless an Agency Head is satisfied there are special circumstances and approves a shorter period. When considering a shorter period, the obligation to uphold merit continues, which includes that eligible members of the community are given a reasonable opportunity to apply for APS vacancies. Agencies are encouraged to provide at least 14 days where possible.

What are the requirements around external advertising?

All advertising should be undertaken concurrently, where possible, to avoid confusion. In circumstances where it is not possible, external advertising must take place within 4 weeks before or after the PS Gazette notification and must have the same closing date for applications as the PS Gazette notification.

An agency cannot use any other form of advertising after this period without placing a new notification in the PS Gazette. External advertising must comply with the Department of Finance's [Recruitment Advertising Policy](#).

What if an agency has made an error in a PS Gazette notification?

Agencies have obligations to uphold merit and provide all eligible members of the community with a reasonable opportunity to apply for APS vacancies. Making any changes to a job notice in the PS Gazette, can result in candidates not having a reasonable opportunity to apply.

In general, it is strongly recommended that, rather than making changes to a vacancy notice, agencies cancel the notification and re-advertise the vacancy. This option presents the least risk to merit. However, it may depend on the nature of the error. For example an error in advertising job location which results in eligible members of the community not having an opportunity to apply should be readvertised. However, a minor spelling error in a vacancy notice that does not change the substance of the notice, may not require cancelling the notification (and a change may be made).

In addition an agency may wish to consider:

- the impact on candidates seeking to apply for the role (or who may have already applied) if the vacancy is amended
- how long the vacancy has already been open for applications and
- any other risk factors that may heighten the risk of dispute.

However, the legislative framework does not prohibit changes to a vacancy notification, provided there are at least 7 calendar days remaining on the notification following the change. For any period shorter than 7 days, the Agency Head must be satisfied that special circumstance exist and Agency Head approval must be given.

Affirmative measures

When can the RecruitAbility scheme be applied to a vacancy?

RecruitAbility can be applied to all vacancies across the APS, including Senior Executive Service roles.

How does the RecruitAbility scheme work?

Job applicants with disability who opt into the scheme and have the work-related qualities required to perform the relevant duties for the vacancy and meet the eligibility requirements, are advanced to a further stage in the selection process. Merit remains the basis for engagement and promotion.

When can a vacancy be restricted to persons with disability or a particular disability?

Agencies can apply an Affirmative measure – Disability to any ongoing, non-ongoing or casual APS vacancy including SES vacancies, regardless of the duties.

Restricting a vacancy to people with a particular type of disability is usually used where there is a connection with the job requirements, or there is a disproportionate employment disadvantage.

When can a vacancy be restricted to people who identify as Aboriginal and/or Torres Strait Islander peoples?

Agencies can apply an affirmative measure – Aboriginal and Torres Strait Islander employment to any ongoing, non-ongoing or casual APS vacancy, including SES vacancies. Importantly, this measure is not restricted to jobs that require an understanding of issues affecting Aboriginal and/or Torres Strait Islander peoples.

Selection panels

How many people need to sit on a selection panel?

The legislative framework is not prescriptive on the number of panel members required. It is recommended that a panel consists of at least three participants, ideally four for SES recruitment processes.

Do all panel members have to be a classification above the vacancy?

There is no legislative requirement for panellists to be classified above the vacancy's classification. However the delegate should be satisfied that all panel members have a good understanding of the requirements and capabilities to perform successfully at the relevant classification.

It is strongly recommended that the chair of the selection panel be at a substantive level above the vacancy, with other panel members being at or above the classification level.

It is however a requirement for the Commissioner's Representative to be a substantive classification above the SES vacancy being filled.

Does there need to be gender balance, disability and cultural diversity on the selection panel?

For all SES recruitment processes, it is a requirement that the Commissioner or Commissioner's Representative contributes to overall diversity on the panel's composition. This means that the panel must include either:

- gender balance reflected in the selection panel or
- representation of cultural and linguistic diversity by at least one panel member or
- representation of First Nations peoples by at least one panel member or
- Representation of persons with a disability by at least one panel member.

In practice, this means that the Commissioner's Representative does not necessarily need to identify with any particular cohort above, however agencies may be requested to nominate a different representative if the overall panel composition is not diverse.

Agencies are encouraged to consider APS diversity and inclusion strategies when forming their selection panels and include panel members with demonstrated cultural capability and/or diverse backgrounds (such as CALD), in particular in bulk SES recruitment processes.

For an affirmative measure vacancy, does at least one of the panel members need to have an understanding of the disability or cultural context for the affirmative measure?

For SES Affirmative Measure processes, a panel member or the Commissioner's Representative must be a person who identifies as an Aboriginal and/or Torres Strait Islander person or a person with disability as relevant to the Affirmative Measure process.

Can an agency include an external (non-APS) member on their panel?

Agencies may have an external party as a panel member. An external panel member may be suitable as a supplementary panel member to provide relevant subject matter expertise or to include a key stakeholder on the panel.

The agency must be confident that any external panel member has sufficient knowledge and understanding of the role requirements (including SES classification level), as well as the application of the merit principle. Any external panel members must also declare and manage any conflict of interest matters appropriately.

The Commissioner's Representative, however, must be an APS employee, APS Agency Head or a Parliamentary Service Department employee.

What specialist is required on the panel where an SES vacancy spans across more than one APS Profession?

It is expected that roles requiring specialist experience aligned to more than one APS Profession will be very limited.

There may be roles that oversee multiple functions aligning with more than one APS Profession, however such roles will usually not require representation from the APS Professions as the roles themselves are not required to be specialists. For example, Chief Operating Officer or Assistant Secretary, Corporate Services.

Does the delegate have to make a decision based on the recommendation of the selection panel?

The delegate is not obliged to endorse the recommendation of a selection panel. The delegate may also choose to disregard the selection report and make a different decision.

While the delegate cannot compel a selection panel to make a different recommendation, they can request more information be sought or that the panel use a different type of merit list (for example, make a ranked order instead of a merit pool).

However, all decisions must be transparent and supported by evidence. Where a delegate chooses not to endorse a selection report or seeks further information, this must be clearly documented.

Commissioner's Representative

Can an agency advertise a vacancy prior to the Commissioner's Representative being confirmed?

APS agencies must notify the APS Commission of their intent to advertise all SES vacancies and should submit an intent to advertise at least 14 days prior to their expected advertisement date.

Where there are exceptional circumstances, an agency may decide to advertise a vacancy prior to receiving approval of a Commissioner's Representative. However the shortlisting process cannot commence until a Commissioner's Representative is confirmed. This approach isn't generally recommended because if delays occur in confirming the Commissioner's Representative, it may negatively impact on candidate experience.

What is required where there is a change to the Commissioner's Representative or panel composition after approval is received?

Where there is a change to the panel composition, including a change of panel member or approved Commissioner's Representative, agencies must advise the Employment Policy team via employmentpolicy@apsc.gov.au. The Employment Policy team will confirm if the process can proceed or if the change to the panel composition will need to be reconsidered for approval.

Where there is a change to the panel composition that impacts the Commissioner's Representative criteria (e.g. requirement for diversity), it is likely that the panel will need to be reconsidered for approval.

Where a change to the Commissioner's Representative after approval is required, a new Commissioner's Representative must be nominated and approved as soon as possible.

What happens if an approved Commissioner's Representative is unexpectedly unavailable to attend scheduled interviews?

Interviews cannot proceed until an approved Commissioner's Representative is available. This may involve rescheduling the interviews to when the approved Commissioner's Representative becomes available or seeking approval of a new Commissioner's Representative. In some cases, an existing panel member may meet the criteria to be able to be considered as a replacement Commissioner's Representative. Such requests would be considered by the APS Commissioner as urgent.

Merit lists

Should a merit list be created?

Merit lists are appropriate mechanisms for capturing suitable candidates for potential future similar roles.

When considering whether to create a merit list, agencies may consider factors such as the number of current and future roles to be filled, or whether the skills sought are in high or frequent demand within the agency and across the APS.

How long does a merit list operate for?

A merit list can be used to fill the same or similar vacancy within 18 months from the date the initial vacancy was notified in the PS Gazette.

Can an agency extend the expiry date of a merit list?

A merit list will only operate for 18 months from the date the initial vacancy was notified in the PS Gazette. There is no ability in the legislative framework for a merit list to be extended.

Can an agency shorten the expiry date of a merit list?

The Employment Framework does not provide for an agency to shorten or reduce the period of operation of a merit list. A merit list will operate for 18 months from the date the initial vacancy was notified in the PS Gazette. However, an agency may plan to only draw on a merit list for a specific time period. If this approach is taken, it is strongly recommended this is communicated to candidates at the time of application so that candidates are appropriately informed about the planned use of the merit list.

Does an agency have to share a merit list with another agency?

The sharing of a merit list for similar vacancies with another agency supports the efficient use of resources and managing talent, and is strongly encouraged.

From 1 February 2026, APS agencies will be required to share their merit lists, when requested by another APS agency, in circumstances where:

- the use of the merit list is in accordance with the broader APS principle of merit as set out in section 10A of the *Public Service Act 1999*, including the requirement to ensure the vacancies are similar
- it has been more than 6 months since the date the merit list was created, unless the agency that created the merit list agrees to share earlier
- there are candidates remaining on the merit list, and
- the request is made within 18 months of the original vacancy being notified in the Public Service Gazette (as set out in section 25(1) of the Directions).

For further information on merit list sharing changes please see the [Creating, using and sharing merit lists](#) webpage.

When sharing a merit list with another agency what does an agency have to provide?

When sharing a merit list, agencies are encouraged, where practical, to provide the selection report including the candidates' resumes and reference checks. This will assist the requesting agency in making an informed selection decision. Agencies must provide all ranked or pooled candidates (yet to accept a role) when sharing a merit list with another agency, where candidates have agreed for their details to be shared.

Agencies should ensure they have suitable processes in place to capture and record a candidate's consent to having their details shared.

Does an agency need to obtain candidate's permission before sharing a merit list?

Prior to an agency sharing a merit list, permission must be obtained from the candidates to share their details with other agencies. Agencies may obtain this permission during the selection process or when asked to share a merit list. Agencies should also ensure that they adhere to their agency's privacy policy that addresses the handling of, and access to, personal information of candidates.

Conditions of Engagement

When can conditions of engagement be imposed?

Conditions of engagement can only be imposed at the time a prospective employee is engaged in the APS, they cannot be imposed or varied after engagement.

What factors should an agency consider when determining whether to impose conditions of engagement?

When determining whether to impose conditions of engagement, agencies should consider the relevance of the condition of engagement to the duties of the vacancy and the operating environment of the agency. Generally, the period of an engagement should not be a factor when considering whether to impose conditions. An exception to this, may include engaging a candidate for a specific period which is a period per a valid working visa.

What should be included in the letter of offer about any conditions of engagement?

To enable a prospective employee to make an informed decision about an offer of employment, conditions of engagement should be outlined in the letter of offer, including:

- details of each condition and the evidence required (where relevant)
- a timeframe by which each condition must be met
- that employment can be terminated by the agency if each condition is not met within the specified timeframe or maintained throughout employment.

Probation

What are the circumstances in which probation can be waived?

All new APS employees, including SES employees, other than employees engaged for duties that are irregular or intermittent, must be engaged on probation. Probation can only be waived if the Agency Head is satisfied that there are reasonable circumstances justifying the waiver.

An example, of where the Agency Head may consider there are reasonable circumstances to justify the waiver is where the engagement is less than the probation period and it is not anticipated that the contract will be extended. For example, for a non-ongoing engagement of 1 month, it may be impractical to facilitate probation. However, agencies should only waive

probation in limited circumstances. If any employee is later extended or made ongoing, probation would not be able to be applied at the later date.

How long should a probation period be?

There is no legislative requirement for a minimum or maximum period of probation. The period should provide sufficient opportunity to assess the suitability of the person for employment.

APS agencies generally set a probation period of between 3 and 6 months. The length of the probation period should be clearly outlined in the agency's probation policy. This includes detailing whether a probation period can be extended and under what circumstances.

Appendix 3 – For agencies – Key actions for SES recruitment

Key actions for SES recruitment processes include:

- Consider the use of the [SES100 merit pools](#) to fill SES vacancies prior to advertising.
- Plan timeframes for key activities, including advertising, shortlisting, assessing, and conducting thorough referee checks.
- Notifying the APSC of the intent to advertise an SES vacancy. Where possible, 14 days before advertising.
- Confirm selection panel members, including:
 - an approved Commissioner's Representative who meets all the criteria (or request a deviation from the criteria).
 - a specialist panel member, where required.
 - all other panel members, including the Chair, noting that the overall panel composition must be balanced and diverse.
- For merit-based recruitment processes, ensure that the role has been notified in the Public Service Gazette via the APSJobs platform. Where supplementary advertising is used, the listed closing date across all advertisements must be the same as the date listed in the Gazette notification.
- Ensure all panel members have considered conflicts of interest before shortlisting or at any time a conflict is identified, including making appropriate records.
- Review candidate information packages, ensuring they are up to date with appropriate information about the role, assessment process, and any necessary privacy information.
- For potentially suitable candidates, ensure thorough referee checks that demonstrate self-reflection, commitment to inclusive culture-building, and sustainable delivery.
https://www.apsc.gov.au/sites/default/files/2023-08/SES_performance_leadership_framework.pdf Upon finalising SES recruitment processes ensure relevant information is provided to the APSC including:
 - the Commissioner's Representative certification
 - notification of the [SES Selection Notification of Outcome Form](#) and
 - selection reports for SES Band 3 vacancies.