

# Direct Appointment Policy

**This policy is being updated to reflect the new Enterprise Agreement and may currently contain out of date information. If you have any questions, please lodge an Ask HR ticket.**

## Section 1 - Background and Purpose

- (1) La Trobe University recognises the importance of attracting and maintaining staff that enhance the quality and reputation of the University and are also aligned to the University's strategic vision.
- (2) La Trobe University is also committed to ensuring that the process of appointing staff is transparent, equitable and compliant with the University's modes of employment and classification standards.
- (3) This Policy deals with the exceptional circumstances under which a candidate may be nominated for a direct appointment into a position, without the position being advertised internally and/or externally.

### Preamble

- (4) La Trobe University recognises the importance of attracting and maintaining staff that enhance the quality and reputation of the University and are also aligned to the University's strategic vision.
- (5) La Trobe University is also committed to ensuring that the process of appointing staff is transparent, equitable and compliant with the University's modes of employment and classification standards.
- (6) This Policy deals with the exceptional circumstances under which a candidate may be nominated for a direct appointment into a position, without the position being advertised internally and/or externally.

### General

- (7) This Procedure applies to hiring managers and potential and current staff.
- (8) This Procedure provides for the types of appointments that can exist within the [Enterprise Agreement](#) and the entitlements, rights, obligations and restrictions on those appointments.

## Section 2 - Scope

- (9) This Policy applies to all University staff (academic and professional).

## Section 3 - Policy Statement

- (10) Direct Appointments are to be managed by exception and must receive the relevant approval prior to appointment occurring.
- (11) The circumstances in which a direct appointment may be an appropriate approach include (but are not limited to):

- a. the candidate has achieved significant leading status/international recognition in their field and is highly sought after;
- b. strict time constraints/pressures dictate that a rapid response is required to engage an outstanding candidate, or to retain a key staff member;
- c. it can be demonstrated that advertising would not provide a more suitable candidate and a greater advantage to the University;
- d. the candidate has a rare, exceptional and/or specific skill set which is required by the University;
- e. the appointment is being made to comply with a [Enterprise Agreement](#) or other legislative requirement; or
- f. the appointment is essential to ongoing research, or another project.

## Section 4 - Procedures

### Categories

#### Internal Appointments

(12) Where there is a vacant position within the University a suitable current staff member may be directly appointed into the vacant position. This staff member could be either a casual, fixed term or continuing employee.

#### External Appointments

(13) Where there is either a vacant position or the Dean, Provost or Chief People Officer, People & Culture identifies a gap in the existing staffing profile, either via the creation of a new position or the filling of a vacant position, a person may be directly appointed into that position.

#### Appointments of less than one (1) year

(14) Staff can be appointed into fixed term positions, depending on the category as set out in the [Enterprise Agreement](#), for a minimum of 3 months and up to one year.

#### Appointments for greater than one (1) year or Continuing Appointments

(15) Staff can be directly appointed into fixed term positions for greater than one year and no more than five years, depending on the category as set out in the [Enterprise Agreement](#) or into continuing positions.

### Appointment Procedures

(16) Positions where a direct appointment is made must have a position description that is compliant with the University's classification standards and modes of employment, prior to commencing appointment procedures.

#### Nomination Requirements

(17) Nominations and recommendations for direct appointments of staff can be made by a Dean/Head of Department, Executive Director/Director.

(18) All nominations or recommendations for appointments under this procedure shall contain the following information and require the relevant approval prior to commencing the appointment process:

- a. the rationale for the appointment, for example, whether it is:
  - i. the filling of a vacant position
  - ii. the filling of a vacant position in a field other than that vacated

- iii. the establishment of a new or further position within the discipline or school
- b. whether the potential appointee is external or internal;
- c. proposed term of appointment or if the appointment is continuing;
- d. the candidate's CV, qualifications and details of their current position (if any) within another organisation or the University;
- e. position funding source;
- f. any specific strategic support requests of the University (beyond those to which the appointee would normally be entitled);
- g. for levels A - D / HEO 2 - ESMC 1, appointments of 12 months or less, the nomination process above is the minimum requirement;
- h. for levels E / ESMC 2 - 4, appointments of 12 months or less, the appointment must satisfy the nomination requirements and additional requirements for continuing or fixed term appointment greater than 12 months, as set out below.

(19) In addition to the nomination requirements as set out above, nominations and/or recommendations for direct appointments into a fixed term category of greater than 12 months or for continuing appointments, the following requirements must also be satisfied:

- a. provide a rationale explaining why a direct appointment process is preferable to a standard, competitive recruitment process;
- b. via a mandatory interview process (in accordance with the [Recruitment Policy](#), satisfactory evidence of how the proposed appointee meets the Essential Criteria and Capabilities as set out in the Position Description;
- c. rationale explaining how the appointment is expected to contribute to the University's strategic vision;
- d. at least two references for the appointment.

(20) The application requirements are subject to change on a case by case basis at the discretion of the Vice-Chancellor (or delegate).

## Approvals

(21) The following approvals are required prior to appointing a candidate directly into a position.

Position Grade	Approvers
Academic A-D	Dean & the Provost
Academic E	Vice-Chancellor (or delegate) & the Provost
HEO 2 - 10	Hiring Manager & Chief People Officer, People & Culture (or delegate)
ESMC 1, 2 & 3	Chief Operating Officer & Chief People Officer, People & Culture (or delegate)
ESMC 4	Vice-Chancellor (or delegate) & a second representative nominated by the Vice-Chancellor (or delegate)

## Notification of Appointment and Letter of Offer

(22) Once approval has been given all information in accordance with the nomination requirements must be submitted to the Recruitment Consultant.

(23) In consultation with the Hiring Manager, the Recruitment Consultant will issue an Offer of Employment to the preferred appointee and provide all information relevant to the appointment.

## Procedural Fairness

(24) Whenever the discretion not to advertise is exercised in accordance with this procedure, care must be taken to ensure that there is no other member of staff in the University, and in particular, the Department or School concerned, who could be deemed a suitable candidate for the position. Where this may be the case, it is recommended that the role is advertised internally, allowing all staff to be equitably considered for the role.

## Conflicts of Interest

(25) Particularly where the nominated appointee is an internal candidate, the staff member who is proposing a direct appointment must declare any conflicts of interest prior to commencing the appointment procedure process.

## Interview Process

(26) The interview process must comply and be consistent with the [Recruitment Policy](#). This includes ensuring that there is appropriate representation throughout the interview.

## References

(27) The minimum of two references, as required for direct appointments in accordance with this procedure, must not include the staff member who has submitted the nomination or recommendation.

# Section 5 - Definitions

(28) For the purpose of this Policy and Procedure:

- a. Conflict of Interest is assessed in terms of the likelihood that staff possessing a particular interest could be improperly influenced, or might appear to be improperly influenced, in the performance of their duties
- b. Direct Appointment refers to the appointment of a person, where the normal advertising and competitive selection process is not applied.
- c. Employee of the University means a paid employee engaged by La Trobe University to perform work as required by a contract of employment or, in the case of casual employees, as hours are allocated.
- d. Senior P&C Representative means the relevant P&C Business Partner, Senior Recruitment Consultant or delegate of Chief People Officer, People & Culture.

## Status and Details

<b>Status</b>	Current
<b>Effective Date</b>	9th November 2016
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<b>Responsible Manager - Policy</b>	Regan Sterry Chief People Officer, People & Culture
<b>Author</b>	Linda Robertson
<b>Enquiries Contact</b>	People & Culture +61 3 9479 1234