

Open Merit Based Recruitment and Selection Guideline

1. Objectives

- 1.1. Define Open Merit and provide the policy basis for Permanent Secretaries to develop their procedures for implementation of Open Merit Based Recruitment and Selection; and
- 1.2. Ensure consistency in the recruitment and selection of staff across the Fijian Civil Service.

2. Background

- 2.1. The Fijian Constitution defines the Values and Principles for the Public Service, including that recruitment and promotion will be based on objectivity, impartiality and fair competition and ability, education, experience and other characteristics of Merit (S123, (i) (i, ii)). Further, the Fiji Constitution states that Permanent Secretaries, with the agreement of their Minister, have the authority to determine all matters pertaining to the employment of all staff in the Ministry, including the qualification requirements for appointment and the process to be followed for appointment, which must be an open, transparent and competitive selection process based on merit (S127, (8) (b)).
- 2.2. To ensure consistency across the Fijian Civil Service, this guideline defines Merit and provides the policy basis for Permanent Secretaries to develop their procedures for the implementation of Open, Merit Based Recruitment and Selection.
- 2.3. Open Merit based recruitment and selection is defined as the system of appointing employees based on their ability to do the job, assessed against objective selection criteria which do not discriminate against or give preference to any group or individual.
- 2.4. Recruitment is defined as the process of seeking applicants for positions within the approved Ministry structure. It includes the registration and processing of applications received for positions. Selection is defined as the process of assessing applicants in order to determine the most meritorious candidate for appointment to the vacant position/s.
- 2.5. This guideline applies to all positions in Ministries, including General Wage Earners, temporary and project staff and to all appointments including promotions, secondments and acting on higher positions.
- 2.6. The application of open merit based recruitment and selection policies requires adherence to the following Principles:

- 2.6.1. Open and transparent competition for all positions;
 - 2.6.2. Decision making based only on the requirements of the position;
 - 2.6.3. Transparency and Accountability in decision making;
 - 2.6.4. Fairness and equity in all staffing decisions, particularly with regard to activities which would impact on relative merit of recruitment and selection decisions.
- 2.7. Ministries are required to review all recruitment and selection and related procedures to ensure that they adhere to these principles. Related policies and procedures include:
- 2.7.1. Writing of Job Descriptions – the format will include only criteria that are directly related to the job, and that do not advantage or disadvantage any group;
 - 2.7.2. Succession planning – is to be conducted with a focus on broad organisational needs, with strategies that do not advantage / disadvantage any particular individual or group;
 - 2.7.3. Selection for Acting Appointments (of more than one month in duration) – is to be through expression of interest and merit based appointments;
 - 2.7.4. Selection for Training and Development opportunities – will follow an open, transparent, merit based process to ensure that these opportunities do not advantage / disadvantage any particular group;
 - 2.7.5. Administration of Applications for Vacant Positions – all procedures will provide equal opportunity, for all groups including internal / external applications. Procedures must not identify or seek to advantage internal over external applicants;
 - 2.7.6. Establishment management – policies and procedures need to be consistent with merit principles. Separation is to be made between the position and the person. Any regrading of a position will result in the position being declared vacant, with subsequent merit recruitment and selection to occur;
 - 2.7.7. Regularisation of Acting appointments – this practice is in direct opposition of the merit principle and is not to be permitted;
 - 2.7.8. Absorption of temporary staff into the permanent establishment – this practice is in direct opposition of the merit principle and is not to be permitted.

The following policies are to be applied to all recruitment and selection activities. Permanent Secretaries must ensure that Ministry level policy and procedures are consistent with the following.

3. Recruitment:

- 3.1. The principles of merit and open competition will apply to all recruitment and selection activities of Ministries.
- 3.2. Transfer of staff at their substantive level may occur before any recruitment and selection activity, to meet current or future organisational needs:
 - 3.2.1. A transfer may only occur for a current, appointed staff member to a position at the same level;
 - 3.2.2. Where the transfer would be regarded as a developmental opportunity, internal merit selection (expression of interest) for the opportunity should be undertaken.
- 3.3. All vacant positions (both substantive and temporary) will be advertised for a minimum period of one week, through the means deemed appropriate with regard to the term of the position and the skills, knowledge and abilities required to perform the duties of the position:
 - 3.3.1. A vacant position is one in which an appointment is to be made for a duration of more than one month;
 - 3.3.2. All advertisements must clearly state whether the position is of an ongoing nature or short term/temporary;
 - 3.3.3. The advertisement will clearly state the closing date and time for applications, late applications are not to be accepted.
- 3.4. Where there are multiple positions with the same job description, and/or where these positions occur more than once in a year, the Permanent Secretary may approve that recruitment be done on a "Pool" basis. Selection for these positions will be done using the order of merit established for the "Pool":
 - 3.4.1. Examples for these positions would be project positions, high volume positions such as teacher, opportunities for acting / relieving in higher positions, any other position where there are many vacancies all with the same duties and skill requirements;
 - 3.4.2. Special provisions apply with regard to offers and procedural review with regard to Pool positions;

- 3.4.3. All principles of the OMRS Guideline apply to “Pool” positions, pool recruitment results in an order of merit which is used for vacancies as they arise, not for a single position.
- 3.5. Applicants for positions in the Civil Service must declare that there are no matters which will affect the credibility of their employment and must allow the Ministry to make all such reasonable enquiries to confirm these declarations.
- 3.6. All applications will be registered in the format approved by the Permanent Secretary:
 - 3.6.1. The register must be sorted in a manner that only reflects the criteria directly related to the job;
 - 3.6.2. The register will not reflect any criteria that is not directly related to the job, or that is discriminatory or biased; this includes any sorting by reference to internal / external applicants or seniority of internal applicants.
- 3.7. All applications will be acknowledged to confirm receipt, in the format approved by the Permanent Secretary.

4. Setting the Selection Panel:

- 4.1. The HR Department is responsible for recommending (in writing) the panel for each vacancy, the Permanent Secretary will approve the Selection Panel.
- 4.2. The Permanent Secretary may formally delegate approval of the Selection Panel to a responsible Senior Officer in the Ministry.
- 4.3. The Selection Panel is responsible for managing all selection activities for the designated vacancy.
- 4.4. The Selection panel shall comprise of a minimum of three members, with the following attributes, skills / knowledge:
 - 4.4.1. One member will have technical knowledge of the position, preferably the Director or Supervisor responsible for the position;
 - 4.4.2. Panel members will all be at or above the level of the position;
 - 4.4.3. Panel members will have successfully completed an approved Panel Member Training Program and be on the Ministry’s register of approved Panel Members;
 - 4.4.4. There will be gender equity on the panel (at least one male and one female).
- 4.5. All panel members must declare that they have no conflict of interest in sitting on the panel:

- 4.5.1. Any prior knowledge of applicants must be declared but is not necessarily a conflict of interest. An immediate family relationship to an applicant is a conflict of interest and proposed panel members must withdraw from any selection activity where immediate family member/s are an applicant.
- 4.6. Independent panel members are encouraged, particularly for senior positions – an Independent panel member is a suitably qualified person from outside the Ministry.
- 4.7. One member will be appointed by the Permanent Secretary as the Chair of the panel, the Chair must be a Ministry employee.
- 4.8. The HR Department will maintain the Ministry's Register of Approved Panel Members. To be an approved panel member, the employee will have successfully completed an approved Panel Member Training Program and be authorised by the Permanent Secretary to be included on the register:
 - 4.8.1. The HR Department will keep the register up to date and ensure they have sufficient trained officers to sit on panels.
- 4.9. Where an independent panel member is included, and they are not an employee of another Ministry or Government entity, they may be paid a sitting allowance at the rate not to exceed the equivalent to the daily rate for the position being considered:
- 4.10. Public Sector employees will be granted duty time to sit on panels for another Ministry, subject to the approval of the Permanent Secretary (or equivalent):
 - 4.10.1. No additional payment is to be made where duty time has been granted for Public Sector employees.
- 4.11. The Selection Panel is responsible for selecting and for setting the appropriate selection tools, including writing Interview or Test questions, these will be approved by the Permanent Secretary (or delegate) along with any costs associated with the process:

5. Determining appropriate Selection Tools:

- 5.1. The method of selection will be determined based on the skills / knowledge required for the position and the most cost effective method of assessing these skills / knowledge.
- 5.2. Selection tools may include (any of the following, but not be limited to) long listing, short listing, interview, aptitude testing, skills based testing, work samples, presentations to demonstrate skills / knowledge, assessment centres.

5.3. The Selection Panel will determine the most appropriate selection method. This will be based on the number of applicants who have been long / short listed, the number of positions available for appointment, the skills required for the position, the optimum method of assessing those skills and the cost effectiveness of conducting interviews or tests:

5.3.1. The HR Department may provide advice to the panel on the most appropriate selection techniques for individual positions.

5.4. The Selection Panel will develop the questions/ activities for the recommended selection tool:

5.4.1. The Chair is responsible for ensuring that the questions / activities are valid and reliable and relate only to the required criteria as stated in the Job Description;

5.4.2. Questions / activities must not advantage / disadvantage any particular group or applicant.

5.5. The Selection panel will document their questions / activities and will confirm their model answers and scoring methodology, prior to commencing the selection activity.

6. Conducting the Selection:

6.1. Only the criteria listed in the approved job description may be considered when determining the most meritorious applicant for a position.

6.2. Family members (immediate family) of existing Ministry staff are eligible to apply for positions, their application may not be assessed in any way by the existing Ministry staff member who must not bring any influence to bear on the selection process.

6.3. Where the position was advertised internationally and international applicants are to be interviewed, Skype (or equivalent software) will be the preferred initial method for interview. If a face to face interview is required as a follow up, the Ministry will bear the costs of travel for the applicant, in the lowest fare reasonably available.

6.4. Where the position is advertised only within Fiji for local applicants, the Permanent Secretary will make a decision on the refund of any costs borne by the applicant, prior to the conducting of the selection activity:

6.4.1. However, the location of interviews / tests will be close to the vacancy and/or to the largest number of applicants for the vacancy.

- 6.5. Interviews will use predominantly behaviour based questions which directly relate to the position criteria.
- 6.5.1. Questions which relate to information not directly connected to the requirements of the position, such as family background, ethnicity, gender, personal arrangements, etc must not be included.
- 6.6. Where testing is the recommended selection tool, the test instrument and marking guide will be prepared in advance of the test and will be kept confidential. The test will be supervised by a minimum of one supervisor to 10 applicants. The test will be marked using the marking guide, by a nominated marker who was not a supervisor at the test.
- 6.7. Where multiple positions are available for appointment (including Pool positions), or where there is more than one suitable applicant for a single position, an order of merit list will be compiled and offers made based on that order of merit.
- 6.8. Where an order of merit is compiled, the order of merit will remain current for a period of four months, unless otherwise stipulated by the Permanent Secretary:
- 6.9. Pool positions may have their order of merit approved to remain current for a period of up to 12 months;
- 6.9.1. Additional provisions with regard to procedural review for Pool positions apply, refer to Section 10 of this guideline;
- 6.9.2. All applicants for pool positions will be advised of the outcome of their application (whether suitable / unsuitable) within five days of approval of the Order of Merit;
- 6.10. Referee checks will be undertaken for all proposed appointments.

7. Recommendation for Appointment:

- 7.1. Following completion of the selection activity, the Panel will recommend the Order of Merit for appointment (identifying who is suitable / not suitable for appointment), subject to referee checking.
- 7.2. Referee checks will be conducted for at least the top recommended applicant:
- 7.2.1. Referee checks will confirm / deny claims made by the applicant during the selection process;
- 7.2.2. Referee checks must be conducted with work related referees, who can comment on the applicant's work performance;

- 7.2.3. Referee checks are not scored and do not contribute to the overall merit of the applicant;
- 7.2.4. Written references are not acceptable, the referee check must be specific to the position being considered.
- 7.3. Following confirmation of referee reports, the selection report with final referee comments will be submitted to the Permanent Secretary for approval.
- 7.4. If an order of merit is held for the position, a referee check must be conducted prior to offering the position to any other applicant on the order of merit.
- 7.5. The appointment will also be published in the government gazette, as soon as the successful applicant accepts the appointment.

8. Take up of Duty:

- 8.1. Once approved, the successful applicant is to be notified and a duty start date is to be confirmed.
 - 8.1.1. Offers are provisional until the expiry of the procedural review period;
 - 8.1.2. The duty start date should not be before the expiry of the procedural review period, if applicable.
- 8.2. The appointment is not effective until the appointee commences duty:
 - 8.2.1. Commencement of duty is to be within 30 days (one month) of acceptance and confirmation of appointment, following the expiry of the procedural review period;
 - 8.2.2. The Permanent Secretary may approve a longer take up period to suit Ministry needs. However, this would be in exceptional circumstances, such as to start at the beginning of a school term rather than mid way;
 - 8.2.3. Where the appointment involves payment of a different salary, no change to salary is to be paid until the appointee takes up duty.
- 8.3. Where the appointee does not take up duty within the agreed period of time, the appointment will be cancelled and the position offered to the next applicant in the order of merit list (following referee checking).
- 8.4. Where there is no other suitable applicant for the position, recruitment will recommence for the position, along with other strategies for attracting scarce skills where appropriate.

9. Procedural Review Process:

- 9.1. A procedural review is available for all substantive vacancies, that are advertised on or after 01 January 2017.
- 9.2. The Procedural Review process is applicable only for appointments to substantive vacancies, and can be based on process only:
 - 9.2.1. The only considerations are whether the Ministry's process was followed and whether that process is consistent with this guideline.
- 9.3. Within five working days of the successful applicant accepting the provisional appointment, all unsuccessful applicants will be notified in writing.
 - 9.3.1. Notification must include advice on whether they were considered to be suitable / unsuitable and the process for procedural review, if applicable;
 - 9.3.2. If suitable, that they will be held on the order of merit list pending any vacancy in the same position for the period approved by the Permanent Secretary.
- 9.4. A procedural review must be lodged with the Secretariat to the Public Service Commission, within five working days of notification that they were unsuccessful.
 - 9.4.1. Procedural Reviews must be lodged using the format provided by the Secretariat;
 - 9.4.2. Procedural Reviews must be accompanied by the documentation specified by the Secretariat.
- 9.5. Notification is deemed to be the date of the notification, unless the applicant can demonstrate that the notification was not sent to them on that date.
- 9.6. The Secretariat Manager will confirm whether a Procedural Review request is eligible. The Secretariat Manager may reject any procedural review, without further reference to the PSC Delegate if:
 - 9.6.1. The vacancy was not substantive;
 - 9.6.2. The appellant has not demonstrated that they applied by the closing date/time of the vacancy;
 - 9.6.3. The procedural review is not submitted within five working days of their notification that they were unsuccessful for the position;

- 9.6.4. The appellant was not eligible to be considered for the vacancy (where the eligibility criteria are advertised and lawful, such as under age 55 and Fijian Citizen);
- 9.6.5. The procedural review is not clearly based on process as per the advertised basis and format for procedural review;
- 9.6.6. The procedural review is in relation to a pool position and is not in accordance with the provisions for review of pool position (see S10).
- 9.7. The Secretariat Manager will advise the appellant if their procedural review is ineligible, within five working days of receipt of the procedural review.
- 9.8. The PSC Delegate will consider any eligible procedural review and make a recommendation within ten working days of receipt of the procedural review.
- 9.9. Recommended outcomes of a procedural review can be:
- 9.9.1. Appointment stands, process was in accordance with this Guideline;
- 9.9.2. Appeal upheld – Ministry to review and recommence the process from where it contravened this guideline.
- 9.10. The Delegate’s recommendations will be compiled into a report, for ratification by the Public Service Commission at its next meeting.
- 9.11. The appellant will be advised of the outcome of their procedural review and what further action will occur as a result.

10. Procedural review Provisions for Pool Positions

- 10.1. Where a position is advertised for ongoing selections as part of a Pool process (in accordance with Section 6 of this guideline), the following additional provisions apply with regard to procedural review.
- 10.2. Applicants will be advised of the outcome of the application (whether suitable / unsuitable), within five days of the approval of the order of merit for the pool.
- 10.3. Procedural review based on process must be lodged within five days of notification of the outcome of the suitability of their application.
- 10.4. No subsequent procedural review may be lodged on the basis of process. As appointments are made from the pool, applicants may lodge a procedural review within five days of gazettal of an appointment, if they believe that the order of merit has not been followed.

10.4.1. These procedural reviews may only be based on a claim that the order of merit was not followed;

10.4.2. The procedural review will consider and review only whether the most meritorious applicant was appointed based on the order of merit;

10.4.3. The Process which determined the order of merit will not be reviewed in these circumstances.

11. Ongoing Contracting:

11.1. Where a vacancy was advertised as a short term / temporary position, the contract can only be for the duration of the advertised period;

11.1.1. Where unforeseen circumstances arise, one extension only, for a period not exceeding the original period can be made.

11.2. Where the duration of the position changes, the position must be readvertised as the duration of the vacancy directly affects the applicant pool and therefore the merit competition for the position.

12. Transition and Review of this Guideline:

12.1. All transition timelines have now expired and Ministries are expected to fully comply with all requirements of this Guideline.

12.2. The guideline will be reviewed by the CSR MU commencing in January 2017, with a report submitted to PSC for consideration within one month of conclusion of the review.