

## RISK INFORMATION – CHURCHES EMPLOYING STAFF

The information provided in this paper is intended to assist church staff in the critical process of recruiting candidates to fill staff vacancies. The paper does not specifically address the calling of new pastoral staff, however the procedural aspects outlined may have relevance to pastoral appointments.

### Before You Start

Be aware of legislation impacting the role:

- Federal Fair Work Act
- Anti-discrimination (refer list of relevant legislation).

Minimum conditions applying to any role are mandated by Fair Work Australia (refer Fair Work Information Sheet); if the role is covered by an award, understand the implications for employment conditions refer Fair Work Australia website:

<http://www.fwc.gov.au/index.cfm?pagename=awardsfind>

Decide how the vacancy is to be advertised. If internal standards exist regarding communication of new roles, make sure that they are followed.

Consider the use of external recruitment consultants to help identify suitable candidates.

Consider whether internal candidates are canvassed and appraised before external candidates.

### The Selection Process

All roles should be supported by a Position Description that includes the following key components:

- Level of the job - job title, reporting lines, seniority, degree of independence
- Selection criteria - qualifications, experience, skills, personal qualities considered necessary to perform the role
- Responsibilities and tasks – what needs to be done, by when and to what standard
- Other - corporate vision and values

Key selection criteria should be evident to both applicants and the selection team. The selection process should objectively evaluate candidates against the criteria.

Fill positions based on merit not influence or based on corrupt practices.

For the team involved in selecting candidates, any conflicts of interest relating to the employment process need to be declared, e.g. family member, close friendship.

Agree key selection criteria for the role and the relative weighting of the criteria. Ensure all of the selection team have a common understanding of the criteria

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Short listed candidates should all be interviewed; preferably using performance based interviewing techniques, which have the following features:

- identify key behaviours, skills and knowledge required for jobs
- structure the interview process to elicit behavioural examples of past performance in the identified areas

Candidate interviews should also attempt to determine candidates fit for the organisations values.

Reference checking should be undertaken prior to making a job offer or make the offer subject to satisfactory reference checking

Qualifications should be checked prior to making a job offer (ensure candidates understand that submission of false qualifications constitutes grounds for instant dismissal).

Where appropriate to the role, require the successful candidate to complete a current National Police Records check.

Where the role has any contact with children, require the selected candidate to complete the relevant state based “Working with Children” check.

For checks relevant to your jurisdiction, refer to the Australian Institute of Family Studies website: <http://www.aifs.gov.au/cfca/pubs/factsheets/a141887/>

### **The Successful Candidate**

Once a candidate has been chosen, make a verbal offer followed by a letter of offer confirming: start date, salary, position being offered (with copy of the Position Description), terms and conditions.

Provide details of relevant taxation coverage (including salary sacrificing, where available, e.g. ministers of religion and employees of PBI's).

The employment conditions should include details of any probation period and the review process to be completed at the conclusion of probation.

The successful candidate should be provided with a copy of key work-place employment policies (or web based access) e.g. recruitment, work health and safety, induction, professional development, performance review, managing unsatisfactory performance, misconduct, leave, resignation retirement and redundancy, grief and loss, bullying, sexual harassment, dispute resolution, overtime and time in lieu, family friendly, acceptable use of vehicles, acceptable use of technology, first aid, injury and incident reporting, travel and expense reimbursement.

Formalise the appointment by having the candidate sign an employment agreement or contract which outlines key conditions of employment or provides the means of accessing them.

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### Anti-Discrimination Acts

#### *Commonwealth of Australia*

- Age Discrimination Act 2004
- Australian Human Rights Commission Act 1986
- Disability Discrimination Act 1992
- Racial Discrimination Act 1975
- Sex Discrimination Act 1984

#### *ACT*

- Discrimination Act 1991

#### *New South Wales*

- Anti-Discrimination Act 1977

#### *Northern territory*

- Anti-Discrimination Act 1996

#### *Queensland*

- Anti-Discrimination Act 1991

#### *South Australia*

- Equal Opportunity Act 1984

#### *Tasmania*

- Anti-Discrimination Act 1998

#### *Victoria*

- Victorian Equal Opportunity Act 1995

#### *Western Australia*

- Equal Opportunity Act 1984

### References

Our Community, “Staff Recruitment Procedures”,

[http://www.ourcommunity.com.au/boards/boards\\_article.jsp?articleId=1453#hr](http://www.ourcommunity.com.au/boards/boards_article.jsp?articleId=1453#hr)

Fair Work Ombudsman, “Fair Work Information Statement”,

<http://www.fairwork.gov.au/FWISdocs/Fair-Work-Information-Statement.pdf>

Fair Work Ombudsman, “Introduction to the National Employment Standards”,

<http://www.fairwork.gov.au/factsheets/FWO-Fact-sheet-Introduction-to-the-NES.pdf>

ICAC NSW, “Recruitment and Selection: Navigating the best course of action”,

[http://www.icac.nsw.gov.au/index.php?option=com\\_zoomsearch&zoom\\_query=recruitment+and+selection%3A+navigating+the+best&zoom\\_per\\_page=100&zoom\\_and=1&zoom\\_sort=0&Itemid=2655](http://www.icac.nsw.gov.au/index.php?option=com_zoomsearch&zoom_query=recruitment+and+selection%3A+navigating+the+best&zoom_per_page=100&zoom_and=1&zoom_sort=0&Itemid=2655)