To whom it may concern,

Thank you for the opportunity to provide a submission to your review of the APS. My main concern is how the APS agencies have interpreted the Public Service Act Section 10A Para:

Decisions based on merit

(2)  For the purposes of paragraph (1)(c), a decision relating to engagement or promotion is based on merit if:

1. all eligible members of the community were given a reasonable opportunity to apply to perform the relevant duties; and
2. an assessment is made of the relative suitability of the candidates to perform the relevant duties, using a competitive selection process; and
3. 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; and
4. the assessment focuses on the relative capacity of the candidates to achieve outcomes related to the relevant duties; and
5. the assessment is the primary consideration in making the decision.

In my humble view based on what I have observed my department, the Department of Defence, I am of the view that my agencies approach to merit based recruitment or engagement is spot on. The issue I have found is that my department and possibly the APS in general is that they do not have a system in place for merit based promotion.

There is a number of HR documents and articles detailing when is a good time to promote a staff member, for example Avery Augustin wrote an excellent article in The Muse [providing an guide on when a staff member should get promoted](https://www.themuse.com/advice/who-should-get-promoted-the-ultimate-guide-for-managers)[[1]](#footnote-1). The guide in the article is an excellent interpretation of the Public Service Act on when a staff member should earn a promotion. Unfortunately at this stage, when the APS wants to fill a vacant position, it almost never looks to fill the vacant position via way of a promotion or internal transfer, it only fills the position via external recruitment.

The issue with this process that the APS Agency within I work does not look at succession planning of their employees because there is no guaranteed method to promote a staff member to a higher level position. Even if a staff member or members do act in a higher level position and perform admirably, they cannot be placed into that position permanently. This is despite such a promotion would adequately meet the requirements as stated in the Public Service Act. In summary the APS needs to properly develop process where it can fill a vacant position internally via merit based promotion or transfer at level.

When it comes to recruitment, it needs be accepted that there is always a number of pros and cons with respect to filling a position by way of internal or external recruitment. For example the internal recruitment process is more efficient than the costly & time consuming process of hiring a staff member externally. However, internal recruitment does limit the choice of candidates available to you compared to external recruitment. On that note, depending on the type of job you are recruiting for, and the depth of talent within the APS, both internal and external to the agency, there’s a strong enough argument to recruit/promote staff from within the APS. In summary I believe that further clarification is required on when promote/recruit someone internally and when to use external recruitment.

For example, when recruiting to a SES Band 1 position, given the level of the position, there is a strong argument for using external recruitment. However, when recruiting to an EL2 or lower positon; APS management needs to provide justification as to why they are external recruitment and why there is no merit in promoting internally. At the end of the day, if an agency opts use external recruitment and ends up hiring an APS 5 in an APS 6 position, management needs to provide further explanation as to why this has happened and what went wrong with their initial justification document.

My last submission is on the topic of the Average Staffing Limits (ASL) or what I have seen in the Defence Department as Full Time Equivalents. At this point in time it is hard to comment on this because of the [Australian Government Contract Reporting - Inquiry based on Auditor-General's report No. 19 (2017-18)](https://www.aph.gov.au/Parliamentary_Business/Committees/Joint/Public_Accounts_and_Audit/AGReport19), however one thing point that has come out of the inquiry such has the number of staff whom have been hired by agencies via a contracting company. It appears to be an impression that Government agencies expenditure on outsourcing and consultants is a means to mask the size of staff within an agency. Unfortunately at this stage the agencies were not able to quantify what savings they have made in hiring staff through an outsourcing arrangement instead of via way of recruitment.

As a qualified accountant, I am of the opinion that whether or not work can be done either in – house or via a labour hire firm, the Government Department must balance the merits of the 2 options through the same criteria, namely what are the costs to the taxpayer? The number of staff who have been hired, either internal or external to the Government Department is irrelevant.

1. Published by The Muse https://www.themuse.com/advice/who-should-get-promoted-the-ultimate-guide-for-managers [↑](#footnote-ref-1)