



# WHEN A VACANCY OCCURS

A Network SA Staff Management Resource for Children's Services June 2009

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Regardless of the facilities you provide in your service, the size of your service or where it is located, your greatest asset is the people you employ. Every staff member, no matter his or her role in the service, will have an impact on quality outcomes for children, staff morale, parent satisfaction, financial viability and the overall well-being of the service.

When a staff vacancy occurs, your first impulse may be to fill the position as quickly and inexpensively as possible. If you already have up to date documentation in place, the process will be simplified. If not, the likelihood of costly mistakes is greater. Before you start the search for a new staff member, you will need to source a number of documents (or write new ones) including:

- recruitment policy and procedures that set out the steps that are to be followed up to and including induction
- job description for this position
- draft employment contract
- draft job vacancy advertisements for different types of advertising
- budget for costs incurred in finding and inducting a new staff member

Other information you will need includes:

- the relevant industrial award or agreement
- other legal requirements (e.g. licensing and standards, equal employment opportunity)
- financial statements describing your current financial position
- financial estimates for the future

If your service has lost a key staff member or several staff in a short period of time, you may also consider reviewing the processes you have used for finding and inducting those staff and the records of their exit interviews (if any). These will help you to identify what you may need to do differently this time.

## Getting started

Whether you are setting up a new service, expanding an existing one, or replacing a staff member who has resigned or been dismissed, there are a number of questions to answer before you begin the process of filling the position, even if you think you already know who you might employ.

The answers to most of these questions should be found in the documentation referred to above.

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- Who needs to be involved in this process?
- Who can make the final decision to hire or not to hire an applicant?
- Are there limits on who can be employed—licensing—qualifications, police clearances.
- What do you need the person to do—at what level will they be employed?
- Should a different staffing structure be considered for the workplace?
- Should an existing staff member be provided with a professional development opportunity by filling the original vacancy from within the service? This would create another vacancy to fill further down the line.
- Will the pay be attractive enough? If not, who do you need to speak with?
- What should you do if you feel pressured to employ a person you think is not suitable for the job?

Different advertising and selection processes may be needed for different positions, and depending on whether the position

- has to be filled urgently or is for a short term or casual or relief position, or
- is for a permanent / continuing or long term position.

### **Short term or casual relief vacancies**

If an employee leaves very suddenly, or staff call in sick, the director may need to fill the position urgently in order to be able to provide care for the children.

It is not practical or good management practice to have to refer all recruitment decisions to a committee or a line manager. The authority to fill all short term or casual/relief positions should be delegated to the director. This authority should be accompanied by clear procedures for keeping the committee or line manager informed about the staff team.

It is good practice to develop a policy in advance that details steps to be taken when this happens. For example, you could have a policy that states that in such situations the service operator (the director's employer) delegates automatic authority to the director to appoint the best person for the position, where possible based on two referee reports and a 1:1 interview. It is essential that it is clear to everyone associated with the service that appointments are made on merit, particularly if the person appointed to the position is a friend or family member (sometimes the only people available at short notice in a small community).

### **Continuing ('permanent') full time, part time and contract positions**

If it is intended that the position will be ongoing (e.g. longer than 2- 4 weeks) the operator would usually be involved with the director in staff recruitment. The term *operator* refers to the management committee, governing council or owner.

### **Informing the operator of the vacancy**

The director would usually inform the operator of the vacancy in accordance with established procedures in your service. These procedures would usually identify chairperson/executive of the

management committee, the school principal or the service owner as the person/s to be notified and briefed about the vacancy and recommended selection process.

Although the first notification of the vacancy to the operator is likely to be verbal, this should be followed up with a written briefing to be distributed to all persons involved in making decisions as the operator (e.g. everyone on the management committee, staffing committee or advisory committee.)

#### Director's briefing may include:

- The proposed basis on which the vacancy should be filled (full-time hours, part-time hours, casual hours, fixed term contract) based on the current needs and financial situation of the centre
- Title / level of position / pay rate / hours
- Job and person specifications and any proposed changes to existing specifications
- Period of employment if fixed term
- Method of advertising, including a draft advertisement
- Preferred commencement date
- Selection criteria based on the job and person specification— minimum requirements
- Advice on whether a staff representative should be included on the panel and who it should be (after discussions with the staff team if appropriate).

The operator may establish a recruitment sub committee to manage the process on its behalf and form a selection panel.

A selection panel should include the director, a nominated representative of the management committee/ employer and at least one other member who could be a parent or staff representative or a community person. A staff representative would usually be included on the panel if the vacancy is for the director's position, or if that staff

#### Full time, part time or casual?

- Full time (continuing or 'permanent') positions – an average of 38 hours per week e.g. 7 hours and thirty six minutes (7.6 hours) per day excluding meal breaks.
- Part time (continuing or 'permanent') – less than 38 hours per week . Check the relevant industrial award or agreement for a more complete definition. For example in the Child Care (SA) Award part time hours are defined as a minimum of 3 hours per day and 15 hours per week
- Casual - engaged and paid by the hour. Check the relevant industrial award or agreement for more information. For example in the Child Care (SA) Award the minimum period of engagement is 2 hours on any day, except for before school care, where the person can be engaged for 1 hour in the morning as long as he or she is given the option of working an additional hour later in the same day. Rates of pay for casuals attract a loading of 20% which will rise to 25% from 1st January 2010 for those employed under the Fair Work Act 2009.

Download a free *Director's Briefing* form from [www.networksa.org.au](http://www.networksa.org.au) /free resources

OSHC services on DECS sites and operated by School Governing Councils are required to have the Council Chairperson, the School Principal and one other person, usually representing the OSHC Committee, on the selection panel for positions of longer than 20 days duration.

member would be supervising the new employee. Try not to overwhelm applicants with large panels— 3 people is a good number.

### Notes for the recruitment committee

- Allow time to discuss the position and its requirements with other members of the recruitment committee - don't just rely on the written briefing
- Review your financial position – budget & actual figures
- Review job description or write a new one
- Prepare blank contract

The job description and contract document are essential tools pre-employment, during employment and even post-employment. Former staff may make claims several years after they have worked for you, and you could be relying on your documentation (such as the job description and employment contract) to answer those claims.

As you review or develop these documents you will be getting a mental picture of where the position will fit in your service, what the person should be expected to do, and what skills, knowledge and experience you will require of him or her. Thinking about the skills, knowledge and experience required to do the job, you may consider which of these are essential from day 1 and which you may be prepared to support the right person to develop with support and mentoring. This is a useful strategy in times of skill shortages, when you may find it difficult to replace qualified, experienced staff, particularly directors.

Then there are some more questions to discuss and make decisions about:

- Where are you going to advertise? If your process is not successful and you need to seek an exemption to employ an under-qualified person, will you be able to demonstrate that you have advertised widely?
- Will you ask candidates to fill in an application form, send a letter and application with a résumé or telephone you?
- How will you narrow down the field if you get a lot of replies?
- Who will do the interviewing?
- Have you addressed issues of privacy and confidentiality for applicants?
- Will your chosen selection process be fair and equitable for all applicants?

For more information about the advertising process, see Network SA's *Advertising Jobs* resource , available free from [www.networksa.org.au/free](http://www.networksa.org.au/free) resources.

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