



Policy Statement

This Policy supports good recruitment practice and promotes fairness, transparency, and merit-based selection, to ensure the best applicants are appointed to roles across the Public Sector.

Scope

This Policy applies to the recruitment, selection and appointment of employees to vacant positions across the Public Sector. It recommends all direct reports to Heads of Agencies be placed on fixed term employment contracts. This policy may be read along with the internship policy and or secondment policy.

This Policy does not apply to:

- The recruitment of Heads of Public Sector Agencies
- Constitutional posts mandated (or implied) in the Cook Islands Constitution
- Diplomatic posts provided under the Foreign Affairs Act
- Employee transfers due to redundancy – refer to the Redundancy Policy
- The engagement of independent contractors – refer to the Contracting for Services Policy

Principles

The Public Service Act 2009 provides the following values Public Servants must adhere to:

Honesty	acting honestly, being truthful, and abiding by the laws of the Cook Islands
Impartiality	providing impartial advice, acting without fear or favour, and making decisions on their merits
Service	serving the people well through faithful service to the Government of the Cook Islands
Respect	treating the people, the Government of the Cook Islands, and colleagues with courtesy and respect
Transparency	taking actions and making decisions in an open and transparent way
Accountability	being able to explain the reason for actions taken, and taking responsibility for those actions
Efficiency and Effectiveness	achieving good results for the Cook Islands in an economical way

In addition to the Public Service values, Agencies may promote other values specific to their organisational context.

The duty to act as a good employer requires employers to develop and implement personnel policies which ensure the fair and proper treatment of employees during employment, including the impartial recruitment of employees, employee capability development opportunities and good and safe working conditions.

The Cook Islands Government is an equal opportunity employer, so men and women are equally eligible for positions within the Public Sector. While recruitment is based on merit, if two applicants are ranked equally then preference will be given to Cook Islanders.

Legislation

The Public Service Act 2009, Employment Relations Act 2012 and other relevant legislation.

Definitions

Agency means any public service department, instrument, or agent of the Government and includes a body corporate or organisation that is wholly owned or controlled by the Crown

Competencies are a combination of knowledge, skills and attributes that are directly related to successful performance on the job, i.e. to achieve the agreed outputs or goals

Conflict of interest is where an individual's perceived or real objectivity is impaired and can lead to the individual making a decision in their official capacity to derive personal benefit or favour others

Cook Islander is defined as indigenous Cook Islander, or persons having Cook Islands status and permanent residents (excerpt from the Cook Islands Immigration Policy)

Direct Report is any person an employee has to report directly to, in terms of their job. Tier 2 Managers' report directly to Heads of Agencies

Employee is any person who is an employee of the Public Sector

Employee benefits are benefits available to employees which include, but are not limited to: leave, superannuation, motor vehicle and phone use

Employer means the Public Service Commissioner or Heads of Public Sector Agencies, or their delegated authority

Employee types	Explanations
Full time	Is an employee who works a minimum of 35 hours per week and has regular hours of work each week and has a reasonable expectation to be employed for at least 35 hours per week. They are entitled to employee benefits.
Part time	Is an employee who works less than 35 hours per week, with regular hours of work each week and have a reasonable expectation of working these hours each week. They are entitled to employee benefits on a pro rata basis.
Casual	Is an employee who works irregular or intermittent hours, or is employed for short term work. They are not entitled to most employee benefits, but are still entitled to remuneration on public holidays when they work or are rostered to work on these days

Expatriate employee is a foreign employee who is not a Cook Islander or permanent resident of the Cook Islands

Independent Contractors are contracted to provide services and are bound by the terms and conditions of their contract. They are not employees and do not receive employee benefits. Refer to the Contracting for Services Policy

Job Description is the document used to describe the job content, responsibilities, organisational context and specific competencies required to perform the job well

Letter of Offer means a letter from the employer to the preferred applicant, making an offer of employment on terms and conditions to be agreed between both parties

Notice of Appointment is the notice from the employer confirming the employment of an employee

Organisational Staffing Structure means the Agency's approved staffing structure

Minimum Working Age the minimum working age is above 13 years and employers must not employ students during normal school hours or for more than 10 hours per week outside normal school hours, or for work other than light work

Public Service Commissioner means the Public Service Commissioner appointed under Article 73 of the Constitution and Section 5 of the Public Service Act

Public Sector includes Public Service Departments, Island Governments, Agencies, Crown/Statutory Agencies, Offices of Parliament, Ministerial Support Offices, State Owned Enterprises, and Other agencies

Recruitment failure is where no suitable applicant appointed to the role

Recruiting Manager is the person who is delegated to manage the overall recruitment process

Salaried employees are public servants who are paid an annualised salary on a fortnightly basis.

Procedures

Employers are responsible for administering this policy and ensuring all policies are easily accessible for employees. Employees must read, understand and adhere to this policy. Breaches of this policy may be considered misconduct and subject to disciplinary action and/or dismissal.

Authorisation

Only the Employer has the authority to appoint an employee to the public sector. The recruitment process for employees can be delegated to a Recruitment Manager.

Recruitment

Recruitment is the process of identifying and appointing the best qualified applicant for a role. The process includes understanding the competencies of the role, advertising the role, screening and interviewing applicants, for appointment. A recruitment process can be initiated when a new position is created, or an existing position is vacant (currently or in future).

All positions must be advertised to ensure:

- equal opportunity is given to interested parties of job opportunities within the public sector
- a transparent recruitment process is promoted
- quality applicants with a broad range of skills and experience can apply

The recruitment process may be guided by an Agency workforce plan and must ensure:

- The job competencies are outlined in a job description
- There are transparent methods of assessing the requirements for the job
- That persons who are capable of doing the job are appointed to the role

Recruitment and Selection Process

1. Confirming the job requirements and standards in a Job Description

Every job advertised must have a job description and be on the approved organisational structure.

The job description must be:

- Approved by the employer for use throughout the recruitment process.
- Written on the standardised Cook Islands Government job description template
- Evaluated using the government job evaluation system

2. Advertising the job

All job vacancies must be advertised:

- For a minimum of 10 working days over a 14 day period in local and international media unless the streamlined process is being used
- Each advertisement must include information on the recruiting agency, vacancy, job description, closing dates and contact details
- Contact information must include official Cook Islands Government email addresses, postal addresses and where applicable web links

The recruiting agency must provide information to interested applicants on the agency vision, outputs and selection criteria for the role, including the recruitment process.

3. Recruitment Panel

A recruitment panel must be established and approved by the employer to assist with all or partial aspects of the recruitment process. The panel composition must be gender balanced and include person/s who understand the Cook Islands Maori language. Any deviations must be approved by the employer.

For senior roles (Tier 2) and specialist technical positions, the recruitment panel must be made up of a minimum of three people:

- The manager for the position – who may also be the recruitment manager
- A human resource practitioner
- A technical representative for technical roles and/or
- Another suitably qualified person

For all other positions below these roles, the recruitment manager and HR person are the only mandatory members on the panel. Depending on the nature of the job, additional panel members may be included, where appropriate.

Once approached to be on the recruitment panel, members must:

- Declare any conflict of interest, to be managed by the Recruitment Manager
- Be involved in the short-listing, interview and selection process

- Make a recommendation of a preferred applicant/s

Short-listing Applicants

A register of all applications should be maintained and available to the recruitment panel along with a shortlist of candidates (maximum of 3-5) to be interviewed for a job. Applicants who meet the minimum criteria of the job or deemed capable, can be shortlisted for interview.

In order to be shortlisted, applicants must:

- Submit complete applications with required documentation by the closing date; and
- Declare any criminal records and medical conditions that the employer should be made aware of

In addition, applicants should:

- Meet essential knowledge, skills and experience requirements for the role
- Meet essential personal specifications for the role

All applications must be acknowledged in writing:

- Within 1-2 working days for receipt of application; and
- Within 3-5 working days after the closing date for receiving applications, for confirmation of an interview or otherwise

Applicants must not be disqualified from the selection process on the grounds of: age; gender; ethnicity; marital status; pregnancy; sexual orientation; religion; political; social or family affiliations; health status or disability.

Interviews and other assessments

Interview questions should be prepared by the Recruiting Manager and circulated to panel members prior to the interview of the shortlisted candidates. For fairness and consistency, interview questions should be the same for all applicants and can be in either Cook Islands Maori or English. Candidates should be given the opportunity to respond in either Maori or English and the Recruitment Manager ensures the panel understands the responses.

The recruitment panel receives the following information from the recruitment manager:

- The Job Description
- Supporting documentation for shortlisted applicants (e.g. application, cover letter, curriculum vitae and other relevant information requested)
- Interview questions and assignment of questions to panel members
- A schedule of interview appointments with shortlisted applicants

The recruitment manager briefs the panel on the day of the interviews with:

- Background on the role and agency
- Technically appropriate questions
- Questions seeking evidence of skills gained from previous work relevant to the role
- Confirming applicant strengths and weaknesses
- Organisational engagement questions relevant to the role
- Communication skills questions relevant to the role

Following each applicant's interview, the recruitment panel discuss their observations and rank candidates. A preferred applicant is recommended to the employer/manager the role reports to.

Unsuccessful interviewee's must be notified in writing soon after the panel's recommendations are made, and the selected candidate has accepted the role. Individual applicants may request and receive feedback on their interview performance.

Reference Checks

Information provided and claims made by the preferred candidate, upon which panel members have relied in the short-listing, interview and selection processes, must be verified through reference checks before a preferred candidate is selected. Verification of qualifications through awarding institutions may also be required, including obtaining police and medical clearances. At least three referees must be contacted by phone or email to respond to claims made by applicants, using the Reference Check form annexed to this policy. Referee responses must be summarised by the Recruiting Manager in the Appointment Recommendation form, annexed to this policy.

Applicants who receive unfavourable references should not be recommended to the employer.

Appointment

The final selection of a preferred candidate for recommendation to the employer must be made by the Recruitment Manager/Panel in writing, supported with rationale for the selection. Crown Law advice may be sought to ensure the recruitment process is fair and consistent.

Employment Offer

If the employer is satisfied with the preferred candidate, the employer must make an employment offer in writing. There are two types of employment offers, one for permanent employees and the other for employees with a fixed term employment contract. The fixed term contract must be consistent with public service policies covering remuneration and benefits for employees.

Employment Offers must specify:

- The job offered
- Appointment duration for employees on a fixed term contract only
- Remuneration and benefits offered as outlined in the Remuneration Policy

Employment Offers can be conditional upon acceptance of the terms and conditions contained in the employment contract, including other specific conditions such as providing a police clearance or obtaining a work permit.

Section 30 of the Public Service Act 2009 requires employers to consult with the Public Service Commissioner if they are employing expatriate employees, before any appointment. If an Agency chooses to recruit an expatriate to a job, the Agency must support this appointment with a clear plan for a Cook Islander to eventually progress into that job.

Notice of Appointment

Once an employment offer is accepted, the employer must prepare a notice of appointment to establish the employee on the government centralised human resource and payroll system.

A Notice of Appointment must:

- Be authorised by the employer
- Confirm the effective date of the appointment
- Specify the employee details and employment type (e.g. full time, part time, casual)

- Specify remuneration and benefits offered
- Be sent to the Office of the Public Service Commissioner (OPSC) for processing as soon as the applicant accepts the position

OPSC will process the Notice of Appointment and forward this to the Ministry of Finance and Economic Management for payroll processing.

Streamlined Recruitment

Streamlined Recruitment is a shorter recruitment process to fill vacancies or agency requirements from within the public sector.

A streamlined recruitment process can only be used to recruit existing public servants to:

a) Secondments by:

- allowing internal advertising within the Public Sector only
- reducing the advertising period to a five working-day period
- reducing the minimum number of people on the recruitment panel to two

b) Acting posts by:

- allowing internal advertising within the Agency or Public Sector wide
- reducing the advertising period to a five working-day period
- reducing the minimum number of people on the recruitment panel to two

Recruitment Failure

If the recruitment process has been exhausted and a suitable candidate for the position is not appointed, the following options are available to the employer:

- Re-launch a new recruitment process and change the format of the advert or advertising medium to reach a different pool of potential applicants.
- Directly approach an individual who is known to meet the selection criteria. If they are interested in the position they must go through the recruitment process outlined above.

Induction

Once appointed, any new employee to the Public Service must complete the Agency's Induction Programme and the Public Service Induction Programme within their first six months of employment.

Other Provisions

All documentation relating to the recruitment process of successful applicants must be placed on the employee's personnel file.

All records relating to the entire recruitment process, including hand written notes of recruitment panel members, must be kept for at least seven years and only accessible by the employer and/or authorised staff. This information may also be the subject of an official information request. After the required seven year period, the Agency may destroy the documentation in adherence with government official information management policies.

The Office of the Public Service Commissioner is responsible for reviewing and updating this policy and associated documents from time to time.

Associated Documents

Agency Restructuring Policy

Recruitment Process (Annex 01)

Letter of Offer (Annex 02)

Notice of Appointment form (Annex 03)

Standard Job Description (Annex 04)

Standard Employment Agreement (Annex 05)

Unsuccessful letter (Annex 06)

Appointment Recommendation form (Annex 07)

Reference Check form (Annex 08)

Other information

For policy queries contact the Office of the Public Service Commissioner on phone (682) 29421 or email: pscinfo@cookislands.gov.ck