

# Limited Search Recruitment: Referral Guidance

When sourcing applicants for permanent, fixed term and temporary backfill vacancies, agencies may use limited search recruitment methods only when vacancies or applicants meet one of the exceptional circumstances set out in Commissioner's Instruction 48, 49 or 50 (see Resources below).

Limited search recruitment may only be used where it is clearly justified and one of the circumstances applies. It should not replace advertising as the default recruitment method.

Limited search recruitment methods are:

- [applicant initiated approach](#)
- [referral](#)
- [use of a recruitment consultant](#)
- [targeted advertising](#).

If no circumstance applies, agencies advertise vacancies as soon as practicable.

Before starting a limited search recruitment hiring managers:

- justify and record that at least one of the circumstances applies under the relevant Commissioner's Instruction
- determine the limited search recruitment method or methods to be used.

This guidance covers **referral**.

Agencies need to consider when referral may be a useful and justifiable recruitment approach. Human resources teams provide guidance to hiring managers on when this method may be used in their agency.

## When this method is useful

Referral occurs when a third party is asked to put forward applicants who consent to be considered for a vacancy.

Examples of circumstances where referral may be useful include:

- specialised or hard to fill roles that require niche skills or experience and are unlikely to attract a suitable or competitive field through advertising
- instances where a person has been assessed as suitable through a recent merit based process for the same or a similar position
- situations where advertising has not resulted in a suitable or competitive applicant pool and a secondary sourcing method is required.

## Sourcing applicants

Referral can occur through one or a combination of sources including:

- requests for referral to a vacancy to the human resources team and hiring managers in the agency and/or external networks
- applicants found suitable in recruitment processes for similar positions finalised in the previous 12 months, including being referred by a recruitment consultant or human resources team for example.

## Assessing and selecting

- Before considering an applicant the hiring manager sets suitability requirements appropriate to the nature, level and tenure of the vacancy.
- Once a person gives their consent and is considered for the vacancy they become an applicant for the purposes of breach of standards claim procedures.
- Before commencing an assessment the hiring manager and applicant identify, declare and manage any [conflicts of interest](#).
- The hiring manager assesses the applicant against the suitability requirements of the position.

## Appointing and record keeping

- The agency advises all applicants of the outcome and, if they are eligible to lodge a [breach of standards claim](#), informs them of their right to lodge a claim.
- A suitable applicant can be appointed to the position:
  - after the breach of standard claim period ends if no claim is received
  - after the breach of standard is resolved if a claim is received.
- For a recruitment pool, an applicant can be appointed if at least one vacancy of the type to which the claim relates is kept vacant until the claim is resolved.
- The agency keeps records to ensure transparency and reduce perceptions of bias and nepotism. Records include:
  - circumstance and rationale for using the referral recruitment method
  - how applicants were assessed against the suitability criteria
  - evidence considered in assessing suitability (for example interview notes, capability based responses, referee information)
  - how conflicts of interest were identified, managed and declared
  - decision to recommend an applicant (for example how the recommended applicant met the suitability requirements).

## Avoiding bias and nepotism

Agencies need to establish policies and procedures to mitigate the risk of bias and nepotism when using referral.

Mitigation may include:

- having a strong rationale for why a broader search was not required
- ensuring agency registers, systems and other processes for sourcing and providing applicants to hiring managers for consideration are transparent

- managing factors that may indicate an applicant was pre-selected such as:
  - only one applicant is assessed for the vacancy and is recommended
  - an applicant has a close personal, familial or prior/current working relationship with the hiring manager or other agency staff
  - making decisions based on existing or prior personal or working relationships
- having appropriate documentation to support audit, review and probity requirements.

## Resources

- [Commissioner's Instruction 48: Recruitment, Selection and Appointment to Permanent Vacancies](#)
- [Commissioner's Instruction 49: Recruitment, Selection and Appointment to Fixed Term Vacancies](#)
- [Commissioner's Instruction 50: Backfilling Temporary Vacancies](#)
- [Hiring Managers' Toolkit](#)