

Limited Search Recruitment: Use of a Recruitment Consultant 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 exceptional circumstances applies under the relevant Commissioner's Instruction
- determine the limited search recruitment method or methods to be used.

This guidance covers **use of a recruitment consultant**.

Agencies need to consider when the use of recruitment consultants 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

The use of recruitment consultants as a limited search recruitment method is similar to where they are used to conduct executive searches to source applicants.

A recruitment consultant is engaged via a contract to identify and provide applicants who consent to be considered for a position to a hiring manager. The engagement is in accordance with [government contracting arrangements](#) and agency policy.

Examples of circumstances where a recruitment consultant may add value include:

- to identify interstate or international applicants
- market knowledge is needed to understand applicant availability and expectations and labour market conditions
- vacancies are sensitive or high profile
- strong personal relationships exist between potential applicants
- to mitigate risk of unconscious bias.

Sourcing applicants

Agencies need to develop policy and procedures that enable recruitment consultants to source applicants and cover:

- what information is to be provided to a recruitment consultant such as:
 - a recruitment brief including timeframes and desired outcomes
 - position description
 - suitability requirements
- the recruitment consultant's role in:
 - assessing
 - screening
 - documenting
 - providing administrative support.

Assessing and selecting

- Before engaging a recruitment consultant the hiring manager sets suitability requirements appropriate to the nature, level and tenure of the vacancy.
- Once a person gives their consent to be 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](#).
- Depending on the services provided by the recruitment consultant, 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:
 - the circumstance and rationale for using a recruitment consultant (for example how the recruitment consultant is to be used, the scope of their role)
 - how applicants were assessed against the suitability criteria
 - the evidence considered in assessing suitability (for example interview notes, capability based responses, referee information)
 - how conflicts of interest were identified, managed and declared
 - the 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 a recruitment consultant.

Mitigation may include:

- having a strong rationale for why a broader search was not required
- clear terms of engagement such as confirming the recruitment consultant's understanding of the Commissioner's Instructions
- 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](#)