

How – to report data for Commissioner’s Instruction 39

[Commissioner’s Instruction 39: Interim Arrangements to Fill Public Sector Vacancies](#) was issued to respond to the competitive employment market and help agencies more efficiently access and appoint staff.

Minor amendments have been made in RAMS to gather data on recruitment across the sector – including:

- updated vacancy categories and subcategories to capture data on use of Commissioner’s Instruction 39 and [Commissioner’s Instruction 2: Filling a Public Sector Vacancy](#).
- new reporting fields to capture data on time to recruit.

This guide demonstrates how to accurately report this data in RAMS.

Vacancy Details

CATEGORISATION

New vacancy categories and subcategories have been added to the **Vacancy Details** page under **Categorisation** to capture meaningful data on recruitment processes across the public sector.

Expression of Interest

Acting, secondment, and fixed term opportunities over 6 months advertised internally using Commissioner’s Instruction 2 (clause 3.8).

The screenshot shows the 'Categorisation' form in RAMS. The 'Vacancy Category' dropdown is set to 'Expression of Interest'. The 'Vacancy Type' dropdown is set to 'Fixed-Term Appointment'. The 'FTE' field is set to '1.0' and the 'Term' field is set to '15' months. A dropdown menu is open, showing options: '-- Select from List --', 'Expression of Interest CI 2', and 'Expression of Interest CI 2 - Acting, secondment or fixed term opportunity'.

General

Permanent vacancies, vacancies with the possibility of permanency, and fixed term opportunities over 6 months advertised externally using Commissioner’s Instruction 2.

The screenshot shows the 'Categorisation' form in RAMS. The 'Vacancy Category' dropdown is set to 'General'. The 'Vacancy Type' dropdown is set to 'Permanent Appointment'. The 'FTE' field is set to '1.0' and the 'Term' field is set to '15' months. The 'ANZSCO code' field is empty. A dropdown menu is open, showing options: '-- Select from List --', 'Non-Shared CI 2 - Acting, secondment or fixed term opportunity', 'Non-Shared CI 2 - Genuine occupational qualification [s 27: Sex]', 'Non-Shared CI 2 - Genuine occupational qualification [s 50(d): Race]', 'Non-Shared CI 2 - Genuine occupational qualification [s 665(c): Impairment]', 'Non-Shared CI 2 - Genuine occupational qualification [s 662Q(c): Age]', 'Non-Shared CI 2 - Measure to achieve equality [s 31: Sex]', 'Non-Shared CI 2 - Measure to achieve equality [s 51: Race]', 'Non-Shared CI 2 - Measure to achieve equality [s 66R: Impairment]', 'Non-Shared CI 2 - Measure to achieve equality [s 66ZP: Age]', 'Non-Shared CI 2 (Permanent)', 'Non-Shared CI 2 - Regional vacancy', and 'Suitability List CI 2'. A red note at the bottom states: 'Effective 1 April 2012, agencies will only be able to enter ANZSCO codes into the RAMS system. ASCO codes will no longer be accepted.'



Non-Advertised – Commissioner’s Instruction 2

Permanent vacancies and fixed term opportunities over 6 months filled without advertising using Commissioner’s Instruction 2 (clauses 4 and 5).

Vacancies +

- My Vacancies
- Active Vacancies
- Search Vacancies
- New Vacancy
- New Registry Vacancy
- Redeployment +
- Severance +
- Reemployees +

Categorisation

Vacancy Category: Non-Advertised - Commissioners Instruction 2

Suitability List Count:

Vacancy Type: Fixed-Term Appointment

FTE: e.g. 0.6 FTE, Full Time is 1.0
1.0

Term: 10 months

ANZSCO code: ANZSCO

Effective 1 April 2012, agencies will only be able to enter ANZSCO codes into the RAMS system. ASCO codes will no longer be accepted.

-- Select from List --

- Select from List --
- Non-Advertised CI 2 - Acting, secondment or fixed term opportunity
- Non-Advertised CI 2 - Critical, whole of government focus
- Non-Advertised CI 2 - Existing public service officer - concurrent position
- Non-Advertised CI 2 - Level 1 applicant or trainee
- Non-Advertised CI 2 - Previous permanent employee
- Non-Advertised CI 2 - Regional vacancy
- Non-Advertised CI 2 - Specialist position
- Non-Advertised CI 2 - Subsequent appointment [appointment pool]
- Non-Advertised CI 2 - Subsequent appointment [external suitability list]
- Non-Advertised CI 2 - Subsequent appointment [internal process]
- Non-Advertised CI 2 - Transfer of existing employee

Non-Advertised – Commissioner’s Instruction 39

Permanent vacancies and fixed term opportunities over 6 months filled without advertising using Commissioner’s Instruction 39.

Vacancies +

- My Vacancies
- Active Vacancies
- Search Vacancies
- New Vacancy
- New Registry Vacancy
- Redeployment +
- Severance +
- Reemployees +

Categorisation

Vacancy Category: Non-Advertised - Commissioners Instruction 39

Suitability List Count:

Vacancy Type: Permanent Appointment

FTE: e.g. 0.6 FTE, Full Time is 1.0
1.0

Term: 10 months

ANZSCO code: ANZSCO

Effective 1 April 2012, agencies will only be able to enter ANZSCO codes into the RAMS system. ASCO codes will no longer be accepted.

Trial Period:

-- Select from List --

- Select from List --
- Non-Advertised CI 39 - Acting, secondment or fixed term opportunity
- Non-Advertised CI 39 - Genuine occupational qualification [s 27: Sex]
- Non-Advertised CI 39 - Genuine occupational qualification [s 50(d): Race]
- Non-Advertised CI 39 - Genuine occupational qualification [s 66S(c): Impairment]
- Non-Advertised CI 39 - Genuine occupational qualification [s 66ZQ(c): Age]
- Non-Advertised CI 39 - Measure to achieve equality [s 31: Sex]
- Non-Advertised CI 39 - Measure to achieve equality [s 51: Race]
- Non-Advertised CI 39 - Measure to achieve equality [s 66R: Impairment]
- Non-Advertised CI 39 - Measure to achieve equality [s 66ZP: Age]
- Non-Advertised CI 39 - Previous permanent employee
- Non-Advertised CI 39 - Regional vacancy
- Non-Advertised CI 39 - Subsequent appointment [external suitability list]
- Non-Advertised CI 39 - Subsequent appointment [internal process]

Targeted

Permanent vacancies, vacancies with the possibility of permanency, and fixed term opportunities over 6 months advertised to targeted public sector employees using Commissioner’s Instruction 2 (clauses 3.3 and 3.4).

Vacancies +

- My Vacancies
- Active Vacancies
- Search Vacancies
- New Vacancy
- New Registry Vacancy
- Redeployment +
- Severance +
- Reemployees +

Categorisation

Vacancy Category: Targeted

Suitability List Count:

Vacancy Type: Permanent Appointment

FTE: e.g. 0.6 FTE, Full Time is 1.0
1.0

Term: 10 months

ANZSCO code: ANZSCO

Effective 1 April 2012, agencies will only be able to enter ANZSCO codes into the RAMS system. ASCO codes will no longer be accepted.

-- Select from List --

- Select from List --
- Targeted CI 2 - Acting, secondment or fixed term opportunity
- Targeted CI 2 - Genuine occupational qualification [s 27: Sex]
- Targeted CI 2 - Genuine occupational qualification [s 50(d): Race]
- Targeted CI 2 - Genuine occupational qualification [s 66S(c): Impairment]
- Targeted CI 2 - Genuine occupational qualification [s 66ZQ(c): Age]
- Targeted CI 2 - Measure to achieve equality [s 31: Sex]
- Targeted CI 2 - Measure to achieve equality [s 51: Race]
- Targeted CI 2 - Measure to achieve equality [s 66R: Impairment]
- Targeted CI 2 - Measure to achieve equality [s 66ZP: Age]
- Targeted CI 2 (Permanent)
- Targeted CI 2 - Regional vacancy

REPORTING

New reporting fields have been added to the **Vacancy Details** page under **Reporting** to capture data on time to fill vacancies across the public sector for the first time.

- **Date Request to Fill Approved**

The date the agency’s delegated authority signs the request to fill or request to advertise form.

- **Date of Appointment Decision**

The date the agency's delegated authority signs the selection report. If the recruitment process does not require a selection report, this is the date the delegated authority approves the decision to finalise the recruitment process.

- **Finalise Vacancy**

The status of the recruitment process when the vacancy is finalised appointment decision is made – either Complete or Withdrawn.

- **Vacancy Appointed/Closed**

The date the successful candidate starts at the agency – not the date the appointment letter was signed. For appointment pools, this is the date the breach period ends.

Vacancies		Reporting	
- My Vacancies		Date Request to Fill Approved	<input type="text" value="2023-01-16"/> (yyyy-mm-dd)
- Active Vacancies		Date of Appointment Decision	<input type="text" value="2023-02-20"/> (yyyy-mm-dd)
- Search Vacancies		Finalize Vacancy	<input type="text" value="Complete"/>
- New Vacancy		Vacancy Appointed/Closed	<input type="text" value="2023-03-21"/> (yyyy-mm-dd)
- New Registry Vacancy			

Questions and Answers

Questions and answers for Commissioner's Instruction 39 are available on wa.gov.au.

1. Can an agency choose not to complete the new time to fill vacancies reporting fields?

No. These fields are mandatory and must be completed. Compliance with these new requirements will be monitored and regular reports provided to the Public Sector Commissioner.

2. Do active vacancies need to be updated in RAMS?

Yes. Active vacancies for recruitment processes started on or since 1 March 2023 should be updated using the new fields by 26 May 2023.

3. Will updating active vacancies send them back to redeployment clearance?

No. There will be no change to an active vacancy's redeployment clearance.

GENERAL ADVERTISING

4. How is data reported for multiple appointments from a single advertisement?

The data fields should be completed when each appointment is created in RAMS as a new vacancy for redeployment clearance.

It is best practice to attach the advert to one of the vacancies and include the reference number for the original recruitment process in the comments section of each vacancy.

APPOINTMENT POOLS

5. How is data reported for initial and subsequent appointments from an appointment pool?

The data fields should be completed when each initial and subsequent appointment is created in RAMS as a new vacancy for redeployment clearance:

- Initial appointments are reported as **General** under **Vacancy Category** and then **Non-shared CI 2**.
- Subsequent appointments are reported as **Non-Advertised CI 2** under **Vacancy Category** and then **Non-advertised CI 2 – Subsequent appointment [appointment pool]**.

It is best practice to include the reference number for the pool in the comments section of each vacancy.

6. How is data reported for large appointment pools with redeployment exemption?

The data fields should be completed when the appointment pool is created in RAMS as a new vacancy and include:

- the estimated number of appointments to be made from the pool under **FTE** (i.e., 80 FTE)
- date the breach period ends for the recruitment process under **Vacancy Appointed/Closed**.

Individual vacancies do not need to be created in RAMS for each initial and subsequent appointment from pools with redeployment exemption.

Terminology

Acting

The temporary movement of an employee to a vacancy with the same or a higher classification level within the same public sector body.

Appointment pool

A pool of people assessed as being suitable for an advertised vacancy. Pools can be used to make subsequent appointments to same or similar vacancies within the same public sector body or a different public sector body.

Fixed term appointment

The appointment of a person to a vacancy for a fixed period by a public sector body's CEO/employing authority under section 64(1)(b) of the *Public Sector Management Act 1994*.

Genuine occupational qualification

Refer to [guidance](#) on the exceptions in the *Equality Opportunity Act 1984*.

Measure to achieve equality

Refer to [guidance](#) on the exceptions in the *Equal Opportunity Act 1984*.

Permanent appointment

The appointment of a person to a vacancy for an indefinite period by a public sector body's CEO/employing authority under section 64(1)(a) of the *Public Sector Management Act 1994*.

Public sector employee

An employee of a public sector body not appointed by the CEO/employing authority under Part 3 of the *Public Sector Management Act 1994*.

Public service officer

An officer of a public sector body appointed by the CEO/employing authority under Part 3 of the *Public Sector Management Act 1994*.

Recruitment

The process used by a public sector body to attract, assess, and select a person to fill a vacancy.

Regional vacancy

A vacancy located in any region (except the Peel region) listed in Schedule 1 of the *Regional Development Commissions Act 1993*.

Same vacancy

A vacant position with the same classification level and identical work-related requirements.

Secondment

The temporary movement of an employee to a vacancy in a different public sector body or outside of the public sector.

Similar vacancy

A vacant position with the same classification level and comparable work-related requirements.

Specialist position

A position deemed to require specialist skills, knowledge, abilities and/or qualifications by a public sector body's CEO/employing authority.

Subsequent appointment

The appointment of a person assessed as being suitable for an advertised vacancy (external process) to a same or similar vacancy within the same public sector body.

Suitability list

A list of people assessed as being suitable for an advertised vacancy. Suitability lists can be used to make subsequent appointments to same or similar vacancies within the same public sector body or a different (external) public sector body.

Transfer

The permanent movement of an employee to a vacancy with the same classification level within the same public sector body or a different public sector body.

Vacancy

A vacant position within a public sector body resulting from the creation of a new position, or the temporary or permanent movement of another employee.