

# Deciding how to fill a role

There are a range of options for filling roles. This guide sets out the legal requirements and strategic considerations to help you choose the most suitable approach.

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## Legal requirements

The GSE Act enables the employment of **Public Service senior executives** (Division 4 of Part 4) and **Public Service non-executives** (Division 5 of Part 4) and their assignment to a role.

The **GSE Act** and **GSE Rules** set out the legal requirements for the different **kinds of employment** and movements (i.e. **mobility**) within Public Service agencies or between government sector agencies. This includes the advertising and assessment requirements.

## Deciding between employment or mobility

The GSE Act and GSE Rules establish an employment framework that separates the concepts of 'employment' and 'role'. This separation makes it possible to move existing employees to different roles through assignment, secondment or transfer rather than always needing to implement a full-scale recruitment and selection process.

This flexible approach to managing talent maximises opportunities for agencies to retain and redeploy good talent and also provides opportunities for individuals to **explore new opportunities** and grow their careers.

To decide on the best approach to fill a role, you need to have a good understanding of your current workforce and organisational needs.

Depending on the situation, there can be advantages in sourcing from within the existing employees in the government sector by using mobility options. There are also valid reasons for looking more broadly.

**Table 1: Considerations for choosing employment or movement (mobility)**

Kind of employment or mobility	Assignment	Temporary assignment	Secondment	Transfer	Ongoing employment	Temporary or term employment	Contract
<b>Desired outcome</b>	(move within agency)	(move within agency)	(move within government sector)	(move within government sector)	(employ internal or external candidate)	(employ internal or external candidate)	(engage contingent labour)
<b>Attract a broad candidate field</b>					Yes	Yes	
<b>Bring new skills, knowledge and ideas to the organisation</b>					Yes	Yes	
<b>Build internal capability</b>	Yes	Yes	Yes	Yes			
<b>Fill a role quickly</b>	Yes	Yes	Yes	Yes			
<b>Fill a role at low cost</b>	Yes	Yes	Yes	Yes			
<b>Fill a large number of roles</b>					Yes	Yes	
<b>Increase diversity</b>	Yes	Yes	Yes	Yes	Yes	Yes	

Kind of employment or mobility	Assignment	Temporary assignment	Secondment	Transfer	Ongoing employment	Temporary or term employment	Contract
Meet a short-term need		Yes	Yes			Yes	Yes
Quick on-boarding	Yes	Yes	Yes	Yes			
Retain employees in the sector	Yes	Yes	Yes	Yes			

Use the [Fill a role decision tree](#) to help you decide the best approach to sourcing and selecting talent.

## Relevant factors to consider

### 1. Do existing employees have the capability, knowledge and experience to fill the role?

Movements within Public Service agencies or between government sector agencies can be a good solution where:

- there is strong capability within the agency or sector to fill a role
- the vacancy is for a common role where the knowledge, skills and abilities required are transferable, and organisational knowledge can be developed on the job.

### 2. Do existing employees have development potential to build their capabilities in the role?

Performance development processes and human capital management systems are the main sources for identifying employees for development opportunities based on their capabilities, knowledge and experience.

Mobility opportunities for developmental purposes can be at-level, above-level or below-level when on a temporary basis or at-level for an assignment.

See: [Assignment to role guidelines](#) for more information on mobility opportunities for development purposes for employees within the agency.

See: [Transfer and secondment guidelines](#) for information about secondments for developmental purposes

### 3. Are there gaps in the capability, knowledge or experience of the workforce for the role?

Capability gaps are identified through an assessment of the knowledge, skills and abilities of the existing workforce compared with those employers need.

External recruitment and selection is generally the best option for filling a vacancy where there are gaps in capabilities or professional or technical knowledge and skills.

### 4. Are you filling a large number of vacancies or establishing a talent pool?

It is generally appropriate to use external recruitment and selection to:

- fill a large number of vacancies
- establish a talent pool.

This is because you are looking to attract a diverse and competitive field for a large number of vacancies (whether immediate or over the next 18 months).

See: [Talent pools guide for HR and hiring managers](#) for information about how to set up and use talent pools.

### 5. Is there a need to fill a role quickly to meet a short-term need?

The [Contingent workforce management guidelines](#) assist agencies to plan and manage their contingent workforce.

If you are looking to engage contingent workers you are required to use the contingent labour suppliers on the [Contingent workforce prequalification scheme](#) for the relevant employment category.

## Using rule 26 to employ eligible persons

Government sector agencies can use GSE rule 26 to modify their recruitment and selection process to help employ people from designated groups in non-executive roles.

Modifications can generally be made to advertising requirements and assessment processes.

The main requirement is to be satisfied that the eligible person is suitable for the role and has the greatest merit out of all eligible persons seeking to be employed in the role.

See: PSC's [How to recruit people with disability](#) for more information.

## Graduate employment

Filling a role through graduate employment allows agencies to offer employment to individuals either in a role that is within the graduate's area of specialisation (e.g. engineer) or in a generalist role (e.g. policy officer).

There are many benefits to employing graduates such as for succession planning purposes, to bring new talent into the sector and to attract qualified individuals who have different views and perspectives.

The NSW Government Graduate Program is an annual process run by the Public Service Commission that seeks to attract and retain talented graduates to build public sector capability and develop a cohort of future leaders. Graduates are placed in a variety of roles in policy, project and other program initiatives.

The NSW Government Graduate Program uses a hybrid approach to employment. Graduates are initially offered 18 months' temporary employment and are offered ongoing employment, at-level, on successful completion of the program. This requires agencies to have solid workforce planning practices in place to ensure they can place the graduate in a role after 18 months.

See: [NSW Government Graduate Program webpage](#) for more information about employing a graduate through this program.

## Graduate promotion

The introduction of GSE rule 20A provides an opportunity in certain, appropriate circumstances to fill a role by promoting a graduate employee to a higher level after they have successfully completed an approved graduate program (e.g. the NSW Government Graduate Program), without conducting a comparative assessment after external advertising.

See: [Graduate employee promotion guideline](#) for more information about using this rule.