Recruiting and retaining CEOs

A resource kit for Boards

How can Boards of Aboriginal Community Controlled Health Organisations ensure they are recruiting the right person for the job? What tools and resources can Boards use to set expectations, performance indicators and monitor progress and outcomes?
Recruiting and retaining CEOs - A resource kit for Boards

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This document is prepared by the Sector Quality Improvement Unit of the Victorian Aboriginal Community Controlled Health Organisation (VACCHO) for its member services to help recruit and manage CEOs.

VACCHO is able to assist all members with undertaking a recruitment process, revising current systems for monitoring outcomes and the implementation of systems, policies, guidelines and required documents. Contact VACCHO’s Sector Quality Improvement Unit on (03) 9411 9411 with any questions or requests for assistance.

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Any request for reproduction of text or illustrations should be directed to the CEO.

Version 1

VACCHO leaf motif
The leaf motif was created to tie into the VACCHO building overarching cultural theme of Country. Leaves have been used throughout the building on the lightwells and reception floor. The motif is representative of the smoking ceremonies that cleansed the building preparing it for its new life as the home of VACCHO. With VACCHO being an Aboriginal health organisation it was fitting the organisation was represented by a cleansing symbol.

The diamond line work that is repeated through the motif, used by both my mother (Gunditjmara) and father (Gunai/Kurnai), represents Victorian Aboriginal people. Creating my own symbols was taught to me by Elders through a Certificate II in Aboriginal and Torres Strait Islander Culture Arts Program at Kangan TAFE Broadmeadows.

The hexagons are my contemporary way to represent campfires. I believe these hexagons work well within the traditional line work of Victorian Aboriginal artists. For me a leaf that holds the symbol of a campfire is the perfect way to represent the smoking ceremonies that are so important to my community.

Tamara-Jane Lovett 2012
RECRUITING AND RETAINING CEOS
A resource kit for Boards

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Other resource kits relevant to this subject include:
AGMs, SGMs and Board Meetings
Board Business
Recruiting to the Board
Managing risk to ensure growth
Seeing the big picture

These kits can be obtained by contacting the VACCHO Sector Quality Improvement Unit on (03) 9411 9411.
What is a Chief Executive Officer and what do they do?

After the Board, the Chief Executive Officer in an ACCO is the most significant role within the organisation.

While the primary functions of the Board are to set strategic direction and to monitor organisational performance (governance), the role of the CEO is to ‘make things happen’ (management). The word executive comes from a Latin root (execute) which means to perform, to carry out or to accomplish. (It also means to put to death, but that’s another story!)

The role of the CEO is to take the strategic plans and directions established by the Board and make sure that the organisation has the resources in place to achieve the expected outcomes. This doesn’t mean the CEO has to do everything, or even know every detail of what happens ‘on the ground’ within the organisation, but it does mean the CEO has to ensure that the organisation has the facilities, people and equipment required to achieve the goals of the organisation.

The CEO is responsible for making sure the organisation has the systems in place to keep the organisation viable and effective. These include the financial systems, the human resources systems, systems for managing infrastructure and facilities, business development and reporting systems, systems for managing quality and of course service delivery systems.

Importantly, the CEO is generally seen as the figure-head of the organisation. They are usually the public face when it comes to representing the organisation in public forums. They are usually the voice that speaks with funding bodies and the media.

The CEO sets the tone of organisational culture, or ‘how things are done’ within the organisation. The way the CEO interacts with the senior management team, how he or she relates to staff at all levels, how he or she communicates their vision and expectations throughout the organisation – these are critical aspects in organisational leadership and are a clear measure of the health of the organisation.

The CEO is employed by the Board and is accountable to the Board. It is important that a strong and trusting relationship exists between the Board and CEO, and in particular between the Chairperson and CEO. It is the responsibility of the CEO to ensure that the Board receives regular reports about all key operational matters related to strategic goals. It is the responsibility of the Board to ensure that the CEO is discharging their duties effectively and to provide adequate monitoring and support mechanisms.

This resource booklet is intended to provide information and tools to help Boards and CEOs to manage the relationship. Ultimately, the choice of CEO is one of the most critical tasks of the Board. Finding and keeping the right person for the job shouldn’t be difficult but, with the right processes in place, the Board should feel confident that they can focus on ‘the big picture’ and leave the ‘doing’ details to their chosen executive officer.
CEO recruitment process

(Adapted from www.ourcommunity.com.au help sheet: Recruiting a great CEO for your community group)

Selection of a CEO is probably one of the most important tasks undertaken by a Board of Directors. As mentioned in the introduction to this booklet the CEO is the person chosen by the Board to take their strategic vision for the organisation and to put it into action. Choice of the CEO is one of the key acts that demonstrates community control and is a reflection on how the Board wants the organisation to be managed and represented.

STEP ONE – Decide Who is Responsible

The full Board will ultimately be responsible for making the final decision. You might consider if it is more effective and efficient to form a CEO selection subcommittee to lead the process and to help narrow down the options.

STEP TWO – Know What You Want

It is vitally important that your organisation knows what it wants before it begins its search. Being clear about the goals that the organisation is trying to accomplish will make the task of choosing someone to take you there that much easier.

- Review your strategic plan to pin-point your organisation's short-term and long-term goals. This will help you identify the qualities that will help you achieve your aims.
- Be prepared for the possibility that in reviewing your organisation's goals you may discover that the new CEO may need to have quite different qualities to the departing CEO.

STEP THREE – Articulate What You Need

The next step is to set out exactly what skills, experience and other qualities that you want your organisation’s new CEO to have. Think about:

- What do you want the CEO to do and how will you know if s/he has been successful?
- What sort of person do you need to attain your organisation’s goals?
- What are the key values that the new CEO should have?
- Are there specific skills or knowledge that are crucial for existing programs?
- Are there minimum educational standards you require?
- What sort of experience is needed?
- What experience is non-negotiable?

Be as specific as possible. ACCOs are unique in being focussed on providing services to the Aboriginal community as well as often being a key community hub. Other agencies and government bodies need to engage with your organisation about funding or service provision. It is important that the key selection criteria would include proven experience in working across both high level management areas as well as ‘on-the-ground’ with people in the community.

STEP FOUR – Write a Position Description

Your position description should cover the following points:

- **Responsibilities.** There will responsibilities that are specific to your organisation but typical responsibilities for a not-for-profit CEO include:
  - Board administration and support
• Program, product and service delivery
• Financial, tax, risk and facilities management
• Human resource management
• Community and public relations
• Fundraising

• **Education, skills and experience** necessary to fulfill the position. These will depend on the requirements you have identified earlier.

• **Remuneration.** The package you are offering must be capable of attracting a suitable candidate but must not demand so large a proportion of the organisation's resources that it compromises its ability to realise its plans and programs.

**STEP FIVE – Develop a Candidate Profile**

The Candidate Profile should include more information than the job description, explaining in detail the sort of person you are looking for. It will be extremely useful in the advertising, interview and final selection phases.

Desired or essential qualities could include:

• A deep understanding and empathy with your organisation’s vision and values
• Ability to motivate and inspire staff and volunteers
• Financial and physical resource management skills
• Experience in promotion and advocacy to external stakeholders and the general public
• Effective human resource management
• Fundraising and political lobbying
• Board development
• Innovation and growing an organisation.

**STEP SIX – Begin Your Search**

You have two choices here – your Board (or subcommittee) can handle the search itself or, if you have the funds, you can engage a recruitment specialist.

Either way, you will need to **advertise the position.** This requires a bit of thought because where and how you advertise will limit or broaden the range of possible applicants. As a rule of thumb, because the CEO is such a critical role within the organisation, it is generally advisable to cast your net wide. Remember, ACCOs are a unique environment and you might be surprised where people wanting to work in the sector can come from!

Choose the medium that is most likely to be read by the sorts of people you're looking for. Likely venues for advertising include:

• Newspapers – local, state-wide or national; mainstream and/or community focussed
• Trade and general magazines
• Newsletters
• The internet (N.B. sites such as SEEK.com and social networks like LinkedIn are rapidly overtaking traditional print media as the place where senior managers will look for positions).
• **Ensure you are up to date in employment law.** It is a complex area of law and if you are not aware of the basic rules of the game it is not difficult to make yourself vulnerable to court action. Care must be taken in advertising, interviewing and offering contracts.

If you are handling the search yourself some things you will need to consider include:

• Have you had experience in recruiting senior staff?
• How much time can you (and other Board members) commit to this? Remember, it will involve reviewing applications, shortlisting, contacting candidates, interviewing … it’s a big job!
• What kind of budget do you have for recruitment (including advertising, costs related to interviews, etc.)?

If you choose to work with a recruitment agency you will need to consider:

• What will it cost? (N.B. agencies may charge a percentage of the proposed CEO salary rather than a flat rate and will usually include any related advertising costs in their fees).
• Where is the agency based and what experience do they have working in this sector?

Other considerations in using recruitment consultants include:

• It may offset the large amount of time that must be spent in managing the CEO recruitment process – often internally this may fall to a Board member or an acting CEO. These individuals may not be familiar with recruitment techniques or may not have sufficient time to undertake the process.
• Recruitment specialists have many channels of enquiry including existing data bases and other contacts.
• Your chosen recruitment specialist should have familiarity with recruiting to the senior/executive role and should have familiarity with the sector (i.e. Health, Community Services, Aboriginal Services, etc).
• A consultant can assist with interview set up arrangements, interview questions and assessment, referee checks, identity and qualification checks, psychometric testing, negotiating the offer and acceptance stage, assisting to set key per performance indicators, etc.

You will need to spend time talking with the recruitment consultants so that they will get a clear understanding of your needs and a good ‘feel’ for your organisation.

**STEP SEVEN – Narrow the List**

If you are managing the process, this is where you need to have a clear understanding of what you are looking for and a structured system to compare applications against the minimum qualifications and selection criteria listed in the position description.

If you are using a recruitment agency, they will review all applications and provide you with a shortlist, based on their understanding of your needs.

All written applications should include, at minimum, a cover letter of application, a current resume and a brief statement addressing the key selection criteria. The applicant should also identify at least two referees, being people who have had direct supervision of the applicant or who have worked closely in a role that would allow them to see the applicant has the skills necessary to be CEO.
After you have identified those with the right qualifications and experience, review them against the candidate profile – they might look good on paper, but will they ‘fit’ with your organisation’s needs and culture? These are the people you should contact to invite them in for an interview.

Inform the unsuccessful candidates in writing that they have been unsuccessful.

**STEP EIGHT – The Interviews**

The interview is the opportunity for the Board to more meaningfully assess the qualifications, experience, interpersonal skills and values of the candidates.

The *interview panel* is an important body and requires some thought and preparation. Usually the Chairperson and at least one other Board member would be on the panel. Sometimes it is useful to bring in others with additional skills, knowledge and expertise such as a CEO from a similar organisation or an experienced community representative or Elder. If you have used a recruiting agency to help, a consultant from the agency might be suitable for your panel. It is important that all panel members have a very clear picture of the type of person the organisation is looking for as well as a good understanding of the vision and values of the organisation.

During the interview the candidate needs to be made to feel at ease and the selection panel should be well briefed in terms of the information it seeks and the questions it needs to ask. The panel also needs to:

- Allot sufficient time – an hour is the minimum necessary for a CEO position, but care should be taken to ensure that the interview is not so long as to become an ordeal for the panel or the candidates.
- Make sure the same panellists are present during each of the interviews to ensure consistency.
- Draw up a list of challenging and open-ended questions to be used by panel members. This ensures thoroughness and fairness. Allocate specific questions to different panel members.
- Appoint one person as the chair to lead the interview.
- Ensure that the candidate is sufficiently comfortable – provide fresh water and start off with some informal questions that help to establish a relaxed atmosphere.

After each interview allow some time for each panel member to rate the candidate individually (using a score out of five for each criterion can be useful). When all of the interviews have been done you can use the individual scores or observations to inform the discussions surrounding final selection.

Some things to consider about the interview panel:

- Are you confident in your ability to conduct interviews with senior managers?
- Is there any likelihood for conflicts of interest (for example, possible candidates are related to you or another Board member)?
- Do you want to include any external ‘experts’ (e.g. an experienced CEO from a similar organisation)?

**NOTE:** Some organisations allow a travel/accommodation budget to assist candidates who may travel long distances to attend the interview. Consider if this is something your organisation is prepared to do and to discuss on a case-by-case basis with candidates.
STEP NINE – Reference Check & Final selection

Sometimes a clear candidate will emerge as the top choice and the committee may proceed to checking the references of the preferred candidate.

Most often, however, you will find that two or even three candidates appear equally desirable. In these cases you may need to hold a second round of interviews, perhaps by the full Board instead of just the panel members.

At times, the final selection between two or three candidates will depend on their referees' information. The importance of checking references of the final short-listed applicants cannot be over-emphasised. It is a good idea to develop a checklist of questions to be asked and to allocate the checking process to just one or two members to ensure consistency (usually this would be a task done by the panel Chairperson).

Before embarking on the reference checking process, the panel should consider the following points, which have practical as well as legal implications:

- Applicants have the right to state that their current employers not be contacted without their permission. Failure to honour this requirement could possibly see the applicant losing their job or being placed in a disadvantaged position, which could result in legal liability and/or legal proceedings.
- Current and former employers can become liable if they provide information deemed potentially damaging to the employee. Many protect themselves by providing only profile information such as positions held and dates of employment.
- Sometimes people are involved in ‘personality clashes’ or internal ‘political’ situations which may be the reason they are seeking a change in jobs. This can often be more a question of circumstances and poor ‘fit’ than job competence. Be wary, therefore, of negative references.
- Panel members should be reminded of the confidentiality rights of the applicants and the need to be cautious in passing on information about their application or past employment history to referees or social contacts outside the panel.

REMEMBER: Identity and qualification checks, as well as Police Checks, should be regarded as an integral part of the selection process (see Appendix 1: Sample recruitment check list)

STEP TEN – The Offer

The panel must now make a recommendation to the Board for approval. The selection panel should try to present a united front in its recommendation as dissension at this point makes the process difficult for the Board.

Assuming the recommendation is accepted, consideration must now be given to determining the terms of the contract that might be made to the successful candidate, including salary, benefits and other arrangements.

It is a common practice to make a verbal offer and, once to the terms of that offer are agreed, a written offer can be sent. When this negotiating process is completed a letter of appointment should be drafted and sent to the candidate with provision for copies to be signed indicating acceptance.
Sample CEO Position Description

<table>
<thead>
<tr>
<th>Position title</th>
<th>Chief Executive Officer (CEO)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tenure</td>
<td>Fixed Term for 3 years</td>
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<tr>
<td>Award</td>
<td>Conditions of employment under Aboriginal Community Controlled Health Services Award 2010.</td>
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</table>
| Salary         | Range: $........ to $.......  
A remuneration package will be negotiated with the successful applicant which would include: above award employer contribution to superannuation, provision of a fully maintained vehicle and mobile telephone dependent on experience and qualifications |
| Position Location | The position will be primarily based at the (NAME OF ORGANISATION), currently located at ............................................................................................................. |
| Reports to     | Board of Directors          |
| Purpose of the position | Responsible to the Board of Directors for the operational management of the (NAME OF ORGANISATION):  
- Inspiring a sense of purpose and direction  
- Building organisational capacity  
- Nurturing internal and external relationships  
- Delivering on intended results  
- Creating conditions for social justice  
- Creating opportunities to empower the Aboriginal community to reach equality in health status and self-determination. |
| Key Duties     | Implement the organisation’s strategic plan and achieve its goals  
- Ensure community consultation is inherent in program planning  
- Ensure Aboriginal culture is imbedded in the best practice systems of the organisation  
- Develop and recommend contemporary policy responsive to the political and environmental climates  
- Ensure compliance with the range of Statutory, Legal and contractual obligations  
- Represent the organisation with stakeholders and media in a way that ensures positive image and reputation for the organisation  
- Ensure Continuous Quality Improvement is imbedded in all business systems and service delivery. |
| Required qualifications | Relevant tertiary qualifications,  
Relevant and recent management qualifications,  
Relevant extensive industry experience. |
### Key Selection Criteria: Essential

1. Demonstrated knowledge and understanding of the impact of settlement and the subsequent social determinants of health gaps on the wider Aboriginal community of Australia.
2. Demonstrated knowledge of the opportunities and threats existing in the political and policy environment of Aboriginal affairs in Victoria, and nationally as it impacts in Victorian ACCHOs.
3. Demonstrated track record in developing and maintaining highly effective relationships with a broad range of key stakeholders.
4. Demonstrated management experience in community based services, and proven skills in facilitating industrial democracy and staff development.
5. Relevant tertiary qualifications and recent management training and/or extensive relevant experience.
6. Demonstrated knowledge and application of quality and accreditation, program evaluation and the use of evidence based practices, financial and human resource management, consumer involvement, risk management frameworks and primary health care planning processes.
7. Demonstrated ability to develop creative solutions to issues that arise within the community or workplace, and to integrate these with policy development.
8. Satisfactory Victoria Police Check.
9. Current Victorian driver’s license.
10. Ability to travel frequently as required.

### Key Selection Criteria: Desirable

11. Knowledge of the *(relevant traditional owners)* Aboriginal culture and its communities.
12. Knowledge of the local opportunities and threats in relation to the political and policy environment for *(NAME OF ORGANISATION)*.
13. Knowledge of the history and impact of the social determinants on health outcomes for Aboriginal clients in the catchment of *(NAME OF ORGANISATION)*.
14. Knowledge and experience with marketing and fund raising programs.
15. Superior decision making and presentation skills and extensive experience with speaking to diverse groups and the media.

### Personal Attributes Required

- Inspires a sense of purpose and direction
- Builds organisational capacity and responsiveness
- Delivers on intended results
- Nurtures internal and external relationships
- Guides, mentors and develops people
- Displays resilience
Sample CEO contract

SAMPLE CONTRACT OF EMPLOYMENT

<<date>>

Dear ………………………………………………………,

I am pleased to confirm your position of Chief Executive Officer (CEO) with (NAME OF ORGANISATION) ("the Employer"). Enclosed are the additional stipulations as indicated.

This letter and the attached Position Description form part of your contract of employment with us ("Contract"). By accepting this offer you are agreeing to carry out the duties listed in consideration for the remuneration offered.

Your conditions of employment are currently subject to the Health Services Union of Australia (Aboriginal and Torres Strait Islander Health Services) Award 2002 ("the Award"). However, you recognise that the Award is not an appropriate vehicle for conditions of employment for senior management. Specifically, you realise that your level of managerial seniority and remuneration within (NAME OF ORGANISATION) mean that it is more appropriate for your conditions of employment to be contained in either a contract of employment or a collective agreement that pertains only to management employees.

You undertake to make all reasonable efforts to work with (NAME OF ORGANISATION) towards the goal of putting an appropriate collective agreement in place for (NAME OF ORGANISATION) management.

You acknowledge that the parties have no intention of incorporating any Award or Certified Agreement into this contract.

Your employment with us will commence on <<date>> and will be permanent and fixed to a period of (X) months subject to the termination provision in this Contract. As indicated in discussions your contract is to be renewed for a period of (X) years (X months). This is effective from <<date>>.

You should note that your employment with us is subject to completion of satisfactory:

- Police Check
- Working with Children Check
- Current motor vehicle licence.

Role & Duties: Your job title, role and duties are set out in your Position Description (as amended from time to time). You will follow all lawful directions given to you by the Employer.
### Basis of Employment:
You will be employed under this contract subject to the termination clause of this Contract.

### Hours:
You are employed to work full time.

### Remuneration:
You will be paid an above Award Salary at the rate of $XX week ($XX per annum), plus statutory superannuation. You shall also be given an additional (X) percent of superannuation above that of the Superannuation Guarantee levy. You agree that such remuneration covers all hours worked.

### Salary Packaging
Salary Packaging is available to permanent full time and part time employees of (NAME OF ORGANISATION). Employees will be asked to provide substantiation for these deductions and must abide by the Salary Packaging Manual which is included in employee packs.

### Work Tools
As an incidence of your employment you may be provided with certain work tools such as a maintained motor vehicle and/or mobile telephone and/or laptop computer. In the event that you are absent from duties on unpaid leave, or in receipt of WorkCover payments you will return such work tools to the Employer. Failure to return such work tools may be grounds for termination of employment.

International and interstate flights should be booked at Business Class level.

In the event you incur reasonable expenses in the performance of your duties the Employer will reimburse such expenses. In the event that such expenses are likely to exceed $XXX you are required to obtain permission from the Employer prior to incurring such expenses.

### Performance Review:
Your performance will be formally reviewed annually.

### Salary Review:
Following your annual performance review your salary is to be reviewed.

### Leave:
All leave entitlements including annual leave, personal, long service, bereavement and cultural leave will be as per the award.

As CEO you are to be granted an additional 2 weeks leave on top of other leave as described.

Executive Management employees are also allocated one (1) Rostered Day Off (RDO) per month. If after 3 months an employee has not taken such RDOs they may be directed to do so by the Employer. These periods of leave accrue on a pay period basis.
Professional development leave, including study leave, may be available at the discretion of the Employer. The Employer has agreed that the employee shall be fully paid to attend Australian Institute of Company Directors (AICD) training as and when applicable.

**Termination:**

This contract and your employment may be terminated:-

(a) by either party providing the other with nine (9) weeks’ notice or, at the Employer’s discretion, by the Employer making a payment in lieu of such notice;

(b) by frustration of contract;

(c) at any time by the Employer dismissing you for serious misconduct or breach of contract.

**Frustration of Contract:**

Should there be any unforeseen circumstances, such as a change of ownership; closure of the Employer; or some supervening externally-created events, the performance of the Contract will be deemed to be frustrated and the Employer will provide you with the required amount of notice, or payment in lieu of notice.

**Incapacity:**

If you are at any time incapacitated or prevented by illness, injury, accident or any other circumstances beyond your control (the “incapacity”) from discharging in full the duties required of you for a period longer than three (3) months then the Employer shall have the right, by providing you in writing with the contractual notice provided for above, to terminate the employment relationship subject to the requirements of the Accident Compensation Act. The Employer shall not terminate for incapacity if you are on paid sick leave.

The Employer may at any time and from time to time so long as the incapacity shall continue require you to provide satisfactory evidence to the Employer of such incapacity and the cause thereof.

Except as provided by this Contract, you shall not be entitled to any salary or other emolument or benefit in respect of any period during which you shall fail or be unable from any cause to perform the duties hereunder in full.

**Confidentiality:**

You agree to maintain strict confidentiality while employed by us and at all times thereafter as to the Employer’s client/customer information, data, operating procedures, client lists and financial information acquired by you during your employment with us.
### Policy & Procedures of the Employer:
You are directed to read and strictly observe the terms of the policies and procedures of the Employer as varied from time to time. You agree to abide by the policies and procedures of the Employer, as varied from time to time. Such polices are not incorporated into your contract.

### OH&S:
You are required to abide by all the Employer’s by-laws, safety rules and regulations.

### Intellectual Property:
You agree that any invention, discovery, novel design, copyright in any literary work, art work and other copyright work created by you during the course of your employment with the Employer is the property of the Employer.

You agree to assign to the Employer any processes, programs, methods, concepts or applications that may be capable of registered design, copyright, patent or provisional specification for a patent that you, either individually or collectively with other persons associated with the Employer, may develop, create or design arising from your employment under this contract.

### Return of Property:
Upon termination of this contract, you undertake to deliver to the Employer all documents in your possession or control relating in any way to the business affairs of the Employer. Property of the Employer or any item to which the Employer has an entitlement to possess shall also be returned by you upon termination. Any payment consequent upon termination will be made to you after you return such property.

### Representations:
You represent to the Employer that the application and resume as presented to the Employer by you is true and correct in every material particular.

### Notification of Prior Injury:
Under the Accident Compensation Act 1985 the Employer requires you to disclose all pre-existing injuries and diseases which you foresee could be affected by the nature of your employment. Failure to do so may render you ineligible for workers’ compensation in some circumstances. You are required to complete and return the pre-injury declaration form at Schedule A.
Review of Contract: Any or all of this Contract of Employment, with the exception of the Position Description which the Employer may amend at any time, may be revised and modified only with the agreement of both parties and only if one party gives the other party seven (7) days clear notice that such a review will take place.

Amendments to Contract: This contract can be amended by agreement. Any amendments shall be in writing and signed and witnessed by the parties.

Attachments & Schedules: Any Attachments and Schedules to this Contract are incorporated into the contract.

Whole Contract: There are no other representations, promises, warranties, covenants or undertakings between the parties and this Contract and Attachments (Position Description) contains the entire understanding of the parties.

If any provision in this Contract is held to be invalid or unenforceable in whole or in part, such provision is to be severed from this Contract and the validity of any other provision in this contract or of the remainder of the provision being severed will not be affected.

EXECUTED UNCONDITIONALLY AS A CONTRACT

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Please return this contract signed, dated and witnessed to (NAME OF ORGANISATION). A copy is attached and should be kept by you.
SCHEDULE A

PRE-EXISTING INJURY DECLARATION FORM

In accordance with s82(7)-(9) of the Accident Compensation Act 1985 (Vic) (“the Act”), you are required to disclose any or all pre-existing injuries, illnesses or diseases (pre-existing conditions) suffered by you which could be accelerated, exacerbated, aggravated or caused to recur or deteriorate by you performing the responsibilities associated with the employment for which you are applying with (NAME OF ORGANISATION) (“the employment”).

In making this disclosure, please refer to the attached position description, which includes a list of responsibilities and physical demands associated with the employment.

Where you have a pre-existing condition, consideration will be given to reasonable modification to the environment or tasks if at all possible or practicable.

Please note that, if you fail to disclose this information or if you provide false and misleading information in relation to this issue, under s82(8) and s82(9) of the Act you and your dependants may not be entitled to any form of workers’ compensation as a result of the recurrence, aggravation, acceleration, exacerbation or deterioration of a pre-existing condition arising out of, in the course of, or due to the nature of your employment.

Please also note that the giving of false information in relation to your application for employment with (NAME OF ORGANISATION) may constitute grounds for disciplinary action including termination of your contract.

EMPLOYEE DECLARATION

I, <<NAME>>, declare that:

- I have read and understood this form and the attached position description, and have discussed the employment with (NAME OF ORGANISATION). I understand the responsibilities and physical demands of the employment.

- I acknowledge that I am required to disclose all pre-existing conditions which I believe may be affected by me undertaking the employment.

- I acknowledge that failure to disclose this information or providing false and misleading information may result in invoking section 82(7)-(9) of the Accident Compensation Act 1985 (Vic) which may disentitle me or my dependants from receiving any workers’ compensation benefits relating to any recurrence, aggravation, acceleration, exacerbation or deterioration of any pre-existing condition which I may have arising out of, in the course of, the employment.
Please delete whichever of the following statements is NOT applicable:

- I have suffered no prior injuries that may recur or deteriorate, accelerate or be exacerbated or aggravated by the employment.

OR

- I have suffered the following conditions that may recur or deteriorate, accelerate or be exacerbated or aggravated by the employment.

Please list details of all pre-existing conditions

........................................................................................................................................................................
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- I acknowledge and declare that the information provided in this form is true and correct in every particular.

........................................................................................................................................................................
........................................................................................................................................................................

Employee Signature                                  Print name of employee

........................................................................................................................................................................
........................................................................................................................................................................

Witness Signature                                    Print name of witness

Date:

Additional Comments/ Requisite Modifications (to be completed by Manager)

........................................................................................................................................................................
........................................................................................................................................................................
........................................................................................................................................................................
CEO salary benchmarks and conditions

Determining remuneration is probably one of the more complicated aspects of employing a CEO. A number of key factors should be considered including the annual budget, number of employees, complexity or range of services provided and geography/catchment area. Additionally, CEOs in different sectors do not necessarily receive comparable remuneration. CEOs in the non-government/not-for-profit sector are often paid less than CEOs in the private sector. A recent report from the Office of the Registrar of Indigenous Corporations (ORIC) shows that there is a broad range of average remuneration in Aboriginal organisations, with average remuneration for CEOs in the Health and Community Services sector generally towards the upper end of the range.¹

CEO Remuneration for Health & Community Services: A summary of information from Office of the Registrar of Indigenous Corporations Remuneration—a report benchmarking the salaries of Aboriginal and Torres Strait Islander corporations (March 2013)

Average total remuneration of CEOs (Health & Community Services): $133,847
(Range: $48,830 - $348,472)

Average remuneration of CEOs in Aboriginal Corporations (Victoria): $110,234
(Range: $58,088 - $148,403 National average across all sectors = $144,332)

Percentage of total remuneration of CEOs relative to corporation’s income:

<table>
<thead>
<tr>
<th>Corporation Income</th>
<th>CEO remuneration as %</th>
</tr>
</thead>
<tbody>
<tr>
<td>$500,000 – $1.25 million</td>
<td>9.97%</td>
</tr>
<tr>
<td>$1.25 million - $3 million</td>
<td>5.48%</td>
</tr>
<tr>
<td>$3 million - $10 million</td>
<td>3.00%</td>
</tr>
<tr>
<td>$10 million - $20 million</td>
<td>1.47%</td>
</tr>
<tr>
<td>$20 million - $50 million</td>
<td>0.61%</td>
</tr>
</tbody>
</table>

Average remuneration of CEOs relative to number of employees:

<table>
<thead>
<tr>
<th>Number of Employees</th>
<th>CEO remuneration</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-2</td>
<td>$98,245</td>
</tr>
<tr>
<td>3-5</td>
<td>$93,878</td>
</tr>
<tr>
<td>6-10</td>
<td>$94,132</td>
</tr>
<tr>
<td>11-20</td>
<td>$106,908</td>
</tr>
<tr>
<td>21-40</td>
<td>$140,254</td>
</tr>
<tr>
<td>41-75</td>
<td>$158,647</td>
</tr>
<tr>
<td>76-100</td>
<td>$178,911</td>
</tr>
<tr>
<td>Over 100</td>
<td>$184,788</td>
</tr>
</tbody>
</table>


¹ p22 Office of the Registrar of Indigenous Corporations Remuneration—a report benchmarking the salaries of Aboriginal and Torres Strait Islander corporations (March 2013).

Disclaimer. This information is indicative and should be regarded as a general guide only. ORIC nor VACCHO can be held liable by any person or organisation that relies on this information to set or review CEO remuneration.
Other non-salary benefits
CEO remuneration frequently includes a range of other benefits, usually negotiated on a case-by-case basis and subject to the capacity of the organisation to provide those benefits. A number of these benefits are included in the sample CEO contract in this booklet. Remuneration packages should be sufficient to attract, retain and motivate CEOs of the quality required but should avoid paying more than is necessary for this purpose.

Superannuation:
Under the *Superannuation Guarantee (Administration) Act 1992* all employers are required to pay a minimum contribution for all employees. From July 1st 2013, this is set at 9.25% of gross salary (and will increase by approximately 0.5% per year until 2019 when it reaches 12%). Employers may pay a higher amount. The benefit to the employee is that they will have more savings in their retirement fund.

Salary Packaging:
Salary packaging (also known as salary sacrifice or salary exchange) is a term used to refer to the inclusion of employee benefits (also called fringe benefits) in an employee remuneration package in exchange for giving up part of monetary salary. Such arrangements are entered into most commonly if there are tax or other benefits to be derived by the employer or employee from the arrangement. Some organisations manage their own salary packaging systems but, in general, it is easier to do this through an external company. Examples of items that might be included in salary packaging include:

- **Items for Public Benevolent Institutions**
  If you work for a public hospital or not for profit organisation you can package; meal entertainment, living expenses, loan and mortgage repayments, rent, credit card payments, bills and more

- **Education and information**
  Professional memberships and subscriptions, newspapers, magazines and journals, self education

- **House and family**
  Childcare, relocation expenses, remote area housing, living away from home allowance, home office expenses

- **Employer perks**
  Company products and services, car parking

- **Transport and travel**
  Airline lounge membership, taxis, development travel

- **Tools and equipment**
  Laptops, cars, mobile phones, briefcase, PDAs and calculators, computer software, work related equipment, uniforms

- **Finance items**
  Superannuation, income protection insurance, investment loans, financial/taxation advice

The benefit to the employee is that, while they take home less per week in their pay packet, they only pay tax on the amount they receive. The deducted (or sacrificed) amount is directed towards nominated items.
Fringe benefits:

There is a wide range of benefits that might be considered in the overall CEO package. This includes (but is not limited to):

- Private use vehicles (either purchased or leased)
- Company credit card
- Accommodation (housing, rental assistance, etc)
- Membership fees for professional organisations
- Travel
- Spousal benefits (e.g. life insurance, travel)
- Personal use of company tools (e.g. mobile phone, computer equipment, etc)
- Relocation expenses.

It is essential to take professional tax advice before entering into any arrangements as there may be implications for either the employer or the employee with regard to fringe benefits taxes.

Performance bonuses:

Performance bonuses are generally a discretionary payment made annually. By definition, they are based on a review of the CEO’s performance in regard to achieving organisational success. Ideally, such bonuses would be determined at the commencement of the contract period and be based on agreed performance indicators. Although less common in the public sector than the private sector performance bonuses may be considered as part of the CEO remuneration package, bearing in mind capacity to pay and, again, professional advice on the tax implications should be sought.

Additional leave entitlements:

Some CEOs have negotiated additional paid annual leave, above the 4 week award-based entitlement. This is an option for Boards to consider, dependent on the work commitments of the CEO.
CEO reporting to the Board

The CEO is the Board’s link to the general operations of the organisation. A regular CEO report is how the Board monitors the CEO’s performance. It is one of the CEO’s key duties to keep the Board informed about what’s going on, but the level of detail in that information varies from organisation to organisation. Some Boards request that the CEO attends all Board meetings for the whole time, while others request the CEO to attend only to present a report and/or to discuss specific issues. Ideally, the CEO would usually attend the whole Board meeting unless there were confidential matters being discussed. This allows Board members to ask questions and for the CEO to provide input on a range of matters that may need to be explained or clarified. The important thing is that Boards and CEOs are very clear about what information is required and how the relationship works.

“The CEO is responsible for ensuring that that the Board is presented with clear and logical recommendations for action - preferably well before every Board meeting to allow time for clarification and proper consideration. Most often the Board will follow the advice of the CEO and the staff, not because the Board is simply a rubber stamp but because the staff is being paid to get it right and most of the time they do. However, the CEO should not run the show - this means that the Board should be given options where there are options, not simply presented with a single decision to approve”.  

The most important things for the Board to be kept informed about include:

- the financial status of the organisation
- the organisation’s progress towards achieving the goals in the strategic plan (including updates on key programs – particularly if there are any problems that might mean services and programs are not running effectively)
- issues related to the key compliances such as reporting to funding bodies, legal matters
- infrastructure (buildings, property, major assets)
- significant operational issues that may affect service delivery, such as staff changes/retention.

The following reporting template focuses on ‘exception reporting’. An exception report describes situations where targets or expectations are not being met. For example, a program may not be reaching the predicted number of clients, or there may be a budget overspend (or underspend). These are issues that the Board does not have to solve, but they need to know about them and they need to know that the CEO is taking appropriate corrective action.

An exception report is a short report mainly highlighting the differences between the planned results and the actual results. Usually this report is prepared when those differences are substantial.

---

CHIEF EXECUTIVE OFFICER BOARD REPORT

<<date>>

1. Strategic Meetings with funders, stakeholders or partners attended since last report:
   -
   -
   -

Exception report regarding meeting actions / outcomes / issues:

2. Program related meetings with funders, stakeholders, partners or staff
   -
   -
   -

Exception report regarding meeting actions / outcomes / issues:

3. FUNDED PROGRAM REPORTS *(EXAMPLES ONLY)*

Health Program

Number of new clients xx Target (xx)
Number of occasions of service xx Target (xx)

Key meetings attended

Exception report for successes or issues related to Health program:

HACC Program

Number of new clients xx Target (xx)
Number of occasions of service xx Target (xx)

Key meetings attended

Exception report for successes or issues related to HACC program:
Justice Program

Number of new clients  xx  Target (xx)
Number of occasions of service  xx  Target (xx)
Key meetings attended

Exception report for successes or issues related to Justice program:

Substance use program

Number of new clients  xx  Target (xx)
Number of occasions of service  xx  Target (xx)
Key meetings attended

Exception report for successes or issues related to Substance use program:

Bringing them home program

Number of new clients  xx  Target (xx)
Number of occasions of service  xx  Target (xx)
Key meetings attended

Exception report for successes or issues related to BTH program:

Maternal & Child Health Program

Number of new clients  xx  Target (xx)
Number of occasions of service  xx  Target (xx)
Key meetings attended

Exception report for successes or issues related to M&CH program:

Corporate services

Team meetings that occurred  xx  Target (xx)
Policies and procedures under review  xx  Target (xx)
Feedback items received  xx  Target (xx)
Incidents that occurred  xx

Exception report for successes or issues related to Corporate services:

4. Financial report will be tabled and discussed separately
CEO key performance indicators

The CEO is responsible for ensuring that the organisation meets the objectives described in the Strategic Plan. This responsibility is reflected in the CEO’s position description and contract of employment which in turn should form the basis for determining performance indicators.

The Strategic Plan outlines the broad goals of the organisation, such as “To ensure quality primary health care services are provided to the Aboriginal community”. To achieve this goal, the organisation will have an operational plan that will include a range of programs, activities and measures such as:

- employment of a primary health care workforce (general practitioners, nurses, Aboriginal Health Workers and other allied health staff)
- funding for programs such as maternal and child health
- provision of support services such as transport
- provision and upkeep of buildings and infrastructure
- community and stakeholder engagement.

As a Board the vital element of the above is the broad goal – to ensure that services are available to the community. The specific activities listed are how that goal can be reached and it is the responsibility of the CEO to make them happen.

The question Boards need to ask is, “What action is required to see that the organisation is achieving the stated strategic goal?”. In this example, the Board need only focus on the higher level actions rather than trying to deal with detail. So, what the Board needs to know is - does the organisation have the capacity to deliver primary health services with regard to buildings, staffing, funding and administration? As an organisation your goals to achieve this might include:

1. Our buildings enable us to provide comprehensive primary health care services using state-of-the-art facilities and equipment (include a timeframe).
2. Our Human Resources policies and procedures ensure effective recruitment and retention of key primary health care professionals.
3. Our income from a range of sources, including government funding, Medicare and philanthropic organisations ensures that we achieve financial growth.
4. Community access to a range of health services is achieved through effective partnerships and agreements with a range of providers.

To translate these as key performance indicators for the CEO you would consider writing them as:

<table>
<thead>
<tr>
<th>Result Area</th>
<th>Goal</th>
<th>Measurement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buildings/Facilities</td>
<td>- Funding applications completed/successful</td>
<td>1. Health Centre extension/refurbishment completed</td>
</tr>
<tr>
<td></td>
<td>- Building/refit commenced/completed</td>
<td></td>
</tr>
<tr>
<td>Human Resources</td>
<td>Financial Management</td>
<td></td>
</tr>
<tr>
<td>-----------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>• HR records demonstrate effective recruitment and</td>
<td>• Internal audit demonstrates compliance with funding requirements</td>
<td></td>
</tr>
<tr>
<td>HR management processes</td>
<td>• Annual auditor’s report demonstrates effective financial management</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Medicare income = % of annual income</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• % of overall income derived from other sources</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1. All key positions filled and contracts in effect</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. All staff complete annual performance review</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3. All staff undertake relevant professional development</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1. Funding agreements with Federal and State Government departments ensure continued</td>
<td></td>
</tr>
<tr>
<td></td>
<td>operation of the organisation and fulfill all contractual compliances.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. Medicare income is maintained at 15-20% of total income.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3. Non-funded income (e.g. philanthropics, business development) achieves</td>
<td></td>
</tr>
<tr>
<td></td>
<td>approximately 10% of total income.</td>
<td></td>
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</table>

<table>
<thead>
<tr>
<th>Community and Stakeholder Engagement</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>• % increase in membership</td>
<td></td>
</tr>
<tr>
<td>• Agreements/MoUs in place</td>
<td>1. Increased client numbers accessing services</td>
</tr>
<tr>
<td>• Community forums held annually</td>
<td>2. Partnership agreements/Memoranda of Understanding are in place to ensure continued</td>
</tr>
<tr>
<td></td>
<td>service provision</td>
</tr>
<tr>
<td></td>
<td>3. Formal community consultation informs service development</td>
</tr>
</tbody>
</table>

The measurement items identified here provide the ‘evidence’ of the CEO’s effectiveness in reaching the organisational goals and can therefore tell you if the CEO has achieved their key performance indicators in the expressed results area. Importantly, the CEO KPIs are seen to be directly linked to the organisation’s Strategic Plan and are a measure of organisational success.
CEO performance review

After appointing the CEO, reviewing their performance is one of the more important governance functions of the Board. The CEO is delegated with the authority to make the strategic plan ‘happen’ and, as the employer, the Board has the responsibility to give time and energy to make sure the CEO is ‘on track’.

Performance review for a CEO is a little bit different to staff at lower levels. As the organisational leader and with significant delegated authority, CEOs tend to act with a large degree of autonomy. They are usually employed because they have the skills and knowledge to manage the organisation, which can make formal performance review seem unnecessary. However, performance review offers the opportunity for the Board to give feedback to the CEO in regard to achieving the goals and objectives of the organisation and provides an opportunity for the CEO to reflect on their own performance.

Usually the performance review would be a one-to-one meeting of the CEO and Chairperson, but could include one or two other Board members if the situation is not too ‘crowded’ or intimidating. The review meeting should be structured, without seeming too formal, and could be regarded as a constructive conversation between equals.

Importantly, the starting point for any performance review is in having clearly expressed key results areas or performance indicators and clarity in the CEO position description. This provides the focus for the conversation and enables the discussion to address actual achievements and outcomes. The sample pro forma included in this resource can help to comment on specific areas of managerial skill and competence.

It is always useful to consider that the CEO interacts with a wide range of internal stakeholders, including other senior management and employees, as well as external stakeholders such as senior managers in other organisations, bureaucrats and funders. Boards should consider the benefits of a ‘360 degree’ performance review that seeks input from a selection of such stakeholders. The sample pro forma can be completed by a number of individuals and the results collated and reviewed in order to give a comprehensive picture of the CEO’s performance.

The Board needs to give thought to what they believe are the most meaningful and important outcomes of the CEO’s performance review. The review is the basis for identifying the key messages which they wish to convey to the CEO.

These key messages can include feedback on annual performance goals, core competencies, leadership qualities and behaviours as well as accomplishments and challenges. These messages will hopefully include significant affirmation of performance, clarity of direction for the CEO’s future priorities and an ongoing professional development plan.
Sample CEO performance review pro forma

Name: _______________________________________
Name of Reviewer: ________________________________________________
Position/Organisation: ________________________________________________

Reviewer instructions:
(a) Tick the appropriate box to record your current assessment of the Reviewee's present use of the listed managerial competencies. Refer to Appendix A for definitions of these terms.
(b) Make comments on the managerial skills described on page 2.
(c) Make any additional comments which you believe could assist the Reviewee to improve or develop their skills and managerial performance.

<table>
<thead>
<tr>
<th>Generic managerial competencies*</th>
<th>Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Not Displayed</td>
</tr>
<tr>
<td>Impact and influence</td>
<td></td>
</tr>
<tr>
<td>Achievement orientation</td>
<td></td>
</tr>
<tr>
<td>Teamwork and co-operation</td>
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</tr>
<tr>
<td>Analytical thinking</td>
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<tr>
<td>Initiative</td>
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<tr>
<td>Developing others</td>
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<tr>
<td>Self confidence</td>
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<tr>
<td>Directiveness/ assertiveness</td>
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<tr>
<td>Information seeking</td>
<td></td>
</tr>
<tr>
<td>Team leadership</td>
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</tr>
<tr>
<td>Conceptual thinking</td>
<td></td>
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</tbody>
</table>

Assessor: ___________________________  Date: ________________
(b) Managerial skills in an Aboriginal Community Controlled Health Organisation

Comments on Board Administration and Support


Comments on Leadership in Program and Service Delivery


Comments on Financial, Tax, Risk and Facilities Management


Comments on Human Resource Management


Comments on Community and Public Relations
(c) Additional feedback

Comments on competencies already well developed

Comments on areas of strong performance

Comments on competencies requiring development

Comments on areas of weak performance

Other comments
(d) **Key Performance Indicators**

<table>
<thead>
<tr>
<th>Impact and influence</th>
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Comments on Leadership in Program and Service Delivery

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Comments on Financial, Tax, Risk and Facilities Management

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</table>

Comments on Human Resource Management

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</table>

Comments on Community and Public Relations

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</tbody>
</table>
CEO PERFORMANCE REVIEW

Appendix A – Competency Definitions

Impact and influence
Acting to have impact on others, to influence or persuade others.

Achievement orientation
Acting to improve performance, do a task better (faster, more efficiently, at lower cost, etc.) by committing oneself to accomplishing challenging objectives, or competing against a self-defined standard of excellence.

Teamwork and cooperation
The genuine intention to work cooperatively with others, to be part of a team, to work together, as opposed to working separately or competitively.

Analytical thinking
The ability to break complex problems (or processes or projects) into component parts and consider or organise the parts in a systematic way.

Initiative
Being self-motivated to do more than is expected or required in the job, act before being required to by events, to improve job performance, avoid problems or find or create new opportunities.

Developing others
A genuine intent to foster the learning or development of others with an appropriate level of needs analysis.

Self confidence
Expressing belief in one's ability to accomplish a task and select an effective approach to a task or problem.

Directiveness/assertiveness
The intent to make others comply with one's wishes where personal power or the power of one's position is used appropriately and effectively, with the long-term good of the organisation in mind.

Information seeking
The extent to which a person collects and uses information relevant to work-based problems or opportunities; gets several opinions or inputs, or investigates issues and knows facts before making decisions.

Team leadership
The intention to take a role as leader of a team or other group.

Conceptual thinking
The ability to see connections between situations that are not obviously related; identify key or underlying issues in complex situations; or use creative, conceptual or inductive reasoning to develop novel concepts.
## Appendix 1: Sample recruitment check list

### Issues Discussed with Candidate

<table>
<thead>
<tr>
<th>Candidate Documentation</th>
<th>Yes/No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cover letter submitted</td>
<td></td>
</tr>
<tr>
<td>Resume</td>
<td></td>
</tr>
<tr>
<td>Statement addressing Key Selection Criteria</td>
<td></td>
</tr>
<tr>
<td>Candidate Advised of Documentation Required Prior to Interview</td>
<td>Yes/No</td>
</tr>
<tr>
<td>Identity Documents</td>
<td>Copy of Passport, Driver’s licence, Birth Certificate.  (To be sighted and copied by xxx (name of organisation) and sighted by xxx (Recruitment Consultant) at interview. Any name change to be verified.)</td>
</tr>
<tr>
<td>Qualifications/Registrations</td>
<td>Certified copies of Qualifications, Registrations, Memberships.  (To be sighted and copied by and verified by xxx (Recruitment Consultant) post-interview. Any name change to be verified.)</td>
</tr>
<tr>
<td>Candidate Advised of Referee Check Requirements to be Supplied at Interview</td>
<td>Yes/No</td>
</tr>
<tr>
<td>Names and contact details of 3 referees. At least 2 recent line managers.  (Referees to be followed through by xxx (Recruitment Consultant) and written reports submitted to xxx organisation).</td>
<td></td>
</tr>
<tr>
<td>Candidate Advised of Pre-Employment Checks to be Undertaken by the organisation</td>
<td>Yes/No</td>
</tr>
<tr>
<td>Relevant recent Police checks (certified copies) to be provided by the applicant. Sighted and copied by the organisation. Examples: Criminal Record check, Working with Children, Working in Aged Care.</td>
<td></td>
</tr>
</tbody>
</table>

**Completed by** (Recruitment Consultant)  
**Date**

*(Sample supplied by Peter McGregor, Director, Health Recruitment Specialists: www.hrsa.com.au)*  
N.B. VACCHO does not specifically endorse any particular consulting company.