

Transfer (policy & procedure)

Objective

The purpose of this policy procedure is to specify the process by which commission officers may be transferred from one position to another.

Definitions

For the purposes of this policy and procedure the following definitions apply:

Term	Definition
Closed merit selection	A merit-based selection process where the vacancy is advertised to existing commission officers, or to a defined group of existing commission officers
Equivalent level	Where the transfer is to a position within the same classification stream – <ul style="list-style-type: none"> the same level as the commission officer’s substantive level; or Where the transfer is to a different classification stream – <ul style="list-style-type: none"> a level which has the same maximum salary as the commission officer’s substantive level
Relevant decision maker	The incumbent of a position with the authority to make the specific decision, as cited in the CCC’s HR Decision Making Framework
The Act	the <i>Crime and Corruption Act 2001</i> , unless otherwise stipulated
Transfer at level	Transfer at level refers to the process of appointing an commission officer at his or her existing level to a vacancy at an equivalent level without advertisement.

Application

This policy and procedure applies to all commission officers, excluding:

- Chairman
- Deputy Chairman
- Ordinary Commissioners
- Chief Executive Commission officer
- Sessional Commissioners
- Casual employees
- Temporary employees
- Employees engaged or seconded for a period of less than 3 months
- Employees seconded under s.255 of the Act
- Police officers seconded under s.255 (2)(b) of the Act
- Agents engaged under s.256 of the Act.

Policy statement

The Commission, in its discretion, may from time to time transfer a full-time or part-time commission officer to any other full-time or part-time position within the Commission, provided that the duties, functions and responsibilities of the position are commensurate with the commission officer's classification level.

Procedure

A decision to transfer a commission officer may be made by the relevant decision maker on the grounds of:

- redeployment
- medical grounds
- job redesign outcomes
- operational imperatives
- increasing the experience of an commission officer, or
- application by a commission officer.

1. Transfers initiated by the Commission

1.1 Transfer at level due to redeployment

Redeployees have first priority over all other commission officers for transfer to positions at an equal or lower level. Refer to the *Redundancy and retrenchment policy and procedure* for further information.

1.2 Medical grounds

At times, medical considerations may arise that mean a commission officer is no longer able to efficiently discharge the duties of their substantive role. In these circumstances, the Commission will endeavour to transfer the commission officer to a suitable alternate position at an equal level. Refer to the *Retirement on the grounds of ill health policy and procedure* for further information

1.3 Transfer at level due to job redesign

Where the duties and responsibilities of a position change, but no upgrading of the position occurs, the position may be declared vacant and recruitment action commenced.

If, prior to commencing recruitment action, a commission officer is identified as being suitable for transfer at level, the commission officer may be transferred to the vacant position.

If more than one commission officer meets the selection criteria for transfer at level to the position, a closed merit selection process will be used to determine which of the commission officers is the most meritorious based on the selection criteria (see *Recruitment and selection policy and procedure*).

1.4 Transfer at level due to operational imperatives

A commission officer may be transferred to another position if the relevant decision maker considers it necessary for operational purposes.

In these circumstances, a commission officer may be transferred to a position within his or her division, branch, section or organisational unit, or to a position in a different division, branch, section or organisational unit.

1.5 Transfer at level for experience purposes

A commission officer may be transferred to another position if, in the opinion of the relevant decision maker, it is considered desirable for the commission officer to gain additional experience.

In these circumstances, a commission officer may be transferred to a position within his or her division, branch, section or organisational unit, or to a position in a different division, branch, section or organisational unit.

2. Transfers initiated by a commission officer

Where a commission officer wishes to transfer from his or her current position to another position, of equal or lower classification, the commission officer will forward a written expression of interest to transfer to the relevant decision maker.

This expression of interest will be recorded in a register maintained by Human Resources for this purpose. Where positions at an equivalent level become vacant in the future, the relevant decision maker may choose to fill that vacancy in accordance with the *Recruitment and selection policy and procedure*, or by transferring a commission officer recorded in the register.

There is no right of transfer, and at all times the commission officer must meet any selection criteria established for the position.

3. Consequences of refusing a transfer

With the exception of redeployees, if a commission officer is unwilling to accept a Commission-initiated transfer, he or she may give written notice to the relevant decision maker providing reasons why the transfer is not reasonable.

If the relevant decision maker is satisfied that the commission officer has established reasonable grounds for declining the transfer then:

- If operational circumstances permit, the transfer is cancelled
- The relevant decision maker, in consultation with Human Resources, will determine what, if any, other action to take
- Refusing a Commission-initiated transfer will not prejudice the commission officer's prospects for future promotion or advancement.

If a commission officer refuses a transfer after failing to establish reasonable grounds for refusing the transfer, the commission officer's employment may be terminated without notice in accordance with the *Termination policy and procedure*.

Other references

Recruitment and selection policy and procedure

Redundancy and retrenchment policy and procedure

Termination policy and procedure

Review triggers

November 2016.

This policy and procedure will remain in effect until updated, superseded or declared obsolete.

Metadata

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