



Public
Service
Commission

Graduate employee promotion guideline

Guidance on the use of rule 20A
of the *Government Sector
Employment (General) Rules 2014*
to promote graduate employees

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1. PURPOSE OF THE GUIDELINE

This guideline provides assistance to NSW Public Service agencies on the use of [rule 20A](#) of the [Government Sector Employment \(General\) Rules 2014](#) (GSE Rules) to promote a graduate employee after they have successfully completed an approved graduate program.

The guideline outlines key factors to be considered when deciding to promote a graduate employee, although it is up to each agency to decide if and how they will apply GSE rule 20A.

The guideline also sets out the standards that the Public Service Commissioner will use to approve applications for a graduate program to be recognised for the purpose of using GSE rule 20A.

2. PROMOTION OF A GRADUATE EMPLOYEE UNDER RULE 20A

2.1. Purpose of GSE rule 20A

GSE rule 20A enables the promotion of a graduate employee to a higher level after the successful completion of an approved graduate program. The promotion may be one classification or grade higher and, in exceptional circumstances, two classifications or grades higher than the classification in which the person was employed on completion of the graduate program. The rule is designed to fast-track the careers of those graduate employees who have demonstrated a standard of performance that has exceeded expectations by the end of the graduate program.

The availability of a promotion recognises the distinct nature of a graduate program to attract and retain talented individuals who are likely to be professionals and leaders in the NSW public sector in the future. Entry to the program is through a competitive and rigorous recruitment and selection process.

GSE rule 20A does not guarantee a promotion on completion of a graduate program, even if a graduate employee has exceeded expectations. The decision to use rule 20A to promote a graduate employee to a higher level is at the discretion of the agency. Generally, the employment of a graduate employee will be converted from temporary to ongoing employment in the same classification or grade as the role in which they were employed during the graduate program. Graduate promotion opportunities may depend on some or all of the following factors:

- an agency having a vacant role at the higher level
- the preferred approach to filling a role as determined by the agency (this may be based on internal policy or decided on a case-by-case basis)
- the graduate employee meeting the requirements for promotion.

2.2. Employment requirements

The recruitment and selection process for entry into an approved graduate program needs to meet the requirements for ongoing employment set out in [GSE rule 20](#) which involves a comparative assessment after external advertising. This is necessary even if the program offers an initial period of temporary employment because:

- it demonstrates that the graduate has been through a competitive process involving rigorous assessment of their capability, knowledge and experience against the standards for the graduate role
- it allows the employment of a graduate employee to be converted from temporary to ongoing on successful completion of the program
- it allows a graduate employee to be considered for promotion under GSE rule 20A.

A graduate employee who completes an approved graduate program can then be considered for promotion without the need for a further comparative assessment and external advertising.

2.3. Questions and answers on the operation of GSE rule 20A

The following questions and answers may assist Public Service agencies in decision making. However, it is up to the agency to determine if and how they wish to implement GSE rule 20A.

2.3.1. Initial considerations

Q (a) What is the meaning of ‘graduate program’ for the purpose of GSE rule 20A?

A (a) A graduate program is a program approved by the Public Service Commissioner that is designed for individuals who have completed an undergraduate degree, at a minimum.

Q (b) Is there a time limit on when a graduate employee can be promoted under GSE rule 20A?

A (b) While the rule does not prescribe a time limit, it is expected that a graduate employee would be considered for promotion from the time they complete the program to around 12-18 months thereafter. It may be desirable for a graduate employee to be offered an above-level temporary assignment prior to being promoted. This would allow them to demonstrate they have the capabilities, knowledge and experience needed for employment at the higher level or to have an opportunity to develop in gap areas.

Q (c) Why does GSE rule 20A specify that a comparative assessment after external advertising is not required?

A (c) A requirement for a graduate program to be approved by the Public Service Commissioner is that graduates who wish to enter the program go through a rigorous and competitive recruitment and selection process that meets the requirements for ongoing employment for their initial employment in the Public Service. In addition, graduate employees must be assessed as exceeding expectations in their performance development by the end of the graduate program, demonstrate satisfactory conduct and show they have the capabilities, knowledge and experience needed for employment at the higher level.

See [Question \(m\)](#) for some examples of how a graduate employee’s capabilities, knowledge and experience can be assessed for employment at the higher level.

Q (d) What does ‘higher level’ mean in the context of broadband roles (e.g. Clerk Grade 3/4)?

A (d) ‘Higher level’ in relation to a graduate employee is defined in GSE rule 20A (3) as:

- (a) the classification or grade that is immediately higher than the classification or grade in which the employee was employed on completion of the graduate program, or
- (b) in cases considered to be exceptional by the agency head—a classification or grade that is 2 levels higher than the classification or grade in which the employee was employed on completion of the graduate program.

That is, the graduate employee can be promoted a maximum of two levels higher than when they completed the graduate program. For a Clerk Grade 3/4 the level immediately higher would normally be Clerk Grade 5/6, even if they are still at the Grade 3 level on the pay scale. Clerk 7/8 is 2 levels higher than Clerk 3 /4.

Q (e) Why is there a reference to employing a graduate employee at a higher level for the first time?

A (e) The rule is making it clear that while the advertising and assessment requirements of [GSE rule 20](#) do not apply to an initial promotion under GSE rule 20A, the graduate employee will need to meet these requirements when applying for future promotions.

Q (f) Is the requirement to consider excess employees before offering a graduate employee a promotion applicable?

A (f) Yes. You should consider employing excess employees in the role you have available before offering a graduate employee an opportunity for promotion.

It is up to agencies to decide if they wish to prioritise the employment of other groups, such as the employment of eligible persons under [GSE rule 26](#), rather than offering a graduate employee a promotion.

Q (g) What do I need to do to promote a graduate employee to a higher level?

A (g) A graduate employee must:

- be assessed as exceeding expectations in their performance development plan at the end of the graduate program
- demonstrate they have the capabilities, knowledge and experience needed for the higher-level role
- demonstrate satisfactory conduct.

See [Question \(m\)](#) for some examples of how a graduate employee's capabilities, knowledge and experience can be assessed for the higher-level role.

Q (h) What happens in the case where a graduate employee has mixed feedback on their performance?

A (h) Graduate employees are encouraged to develop their capabilities, knowledge and experience during the graduate program. It is okay for a graduate employee to work up to a rating of 'exceeding expectations' but they should achieve this overall standard in their final rotation to be considered for promotion using rule 20A.

Q (i) Can a graduate employee be offered a promotion before they have completed their program?

A (i) GSE rule 20A specifies that a graduate employee must have successfully completed the graduate program before they can be promoted. They may be considered for promotion within a reasonable timeframe towards the end of the program (for example, 3 months before the end of an 18 month program) based on their performance as detailed in their performance development plan. However, they cannot be offered ongoing employment at a higher level until they have successfully completed the graduate program.

Q (j) What happens if a graduate employee accepts temporary employment at a higher level before they complete the program?

A (j) If a graduate employee decides to accept an offer of temporary employment before they complete the graduate program, they are ineligible for promotion under GSE rule 20A. This is because it is a requirement of GSE rule 20A (1) for the employee to successfully complete the graduate program.

In addition, where a temporary employment offer is made to a graduate employee prior to completion of the graduate program, the graduate employee should be informed that their acceptance of temporary employment outside of the graduate program means that they have no guarantee of being offered ongoing employment in the NSW Public Service once the temporary employment comes to an end. This is different to graduate programs which offer conversion from temporary employment to ongoing employment upon successful completion.

Temporary employment at a higher level should not be confused with an above-level temporary assignment. A graduate employee can be temporarily assigned above-level in their home agency once they have successfully completed the graduate program. This does not affect their status as being employed in ongoing employment as conversion from temporary employment to ongoing employment occurs when they complete the graduate program. As mentioned in Q (b), in some cases it may be beneficial for a graduate employee to be offered an above-level temporary assignment before they are considered for a promotion to a higher level under GSE rule 20A.

2.3.2. Performance

Q (k) What is meant by the term 'exceeding expectations' in the assessment of a graduate employee's performance?

A (k) A graduate employee who is assessed as exceeding expectations in their performance development plan by the end of the graduate program could be considered for promotion.

As a guide, the NSW Government Graduate Program's *Graduate Performance & Development Plan* uses the following explanation of what 'exceeding expectations' may include:

- regularly accomplishes more than what is expected and doing so with a lower level of guidance than expected
- behaviours and use of capabilities consistently exceed expectations.

Q (l) What is meant by the statement 'cases considered to be exceptional by the agency head' in relation to promoting a graduate employee to a classification or grade that is two levels higher than they were employed on completion of the graduate program?

A (l) Exceptional cases are likely to be where a graduate employee demonstrates a standard of performance that exceeds expectations for the role in which they are employed during their time in the graduate program to the extent that they set a benchmark against which to compare others. They are also likely to have shown in present and past roles that they have the capability, knowledge and experience to be employed in a classification or grade that is two levels higher than the classification or grade in which they were employed on completion of the graduate program. As the term suggests, exceptional cases would mean only those rare cases where a graduate employee comprehensively demonstrates that their capabilities and performance are outstanding.

2.3.3. Assessment

Q (m) What should an agency head consider when determining if a graduate meets the pre-established standards for the higher-level role?

A (m) Decision making should be based on evidence that the graduate employee has demonstrated their capabilities, knowledge and experience at the level required for employment in a higher-level classification or grade. Tools for assessing this could include the following:

- reviewing work done by the graduate employee throughout the program
- obtaining feedback from the graduate employee's manager(s) while in the program
- interviewing the graduate employee (this could be formal or informal)
- reviewing the graduate employee's performance development outcomes
- requiring the graduate employee to complete a work sample activity designed to assess the requirements of the higher-level role.

The decision should also be based on the graduate employee's performance and conduct throughout the graduate program as reported in their performance development plan.

Q (n) What should I do if more than one graduate employee is being considered for promotion and I only have one role available?

A (n) If you are considering more than one graduate employee for promotion after they have successfully completed an approved graduate program and have been assessed as exceeding expectations one approach would be to:

- Assess the graduate employees against the standards for employment at the higher level (i.e. their capabilities, knowledge and experience) to determine who, if any, meet these standards (see [Question \(m\)](#) for suggestions about the types of assessments that may be suitable). Although you are not required to meet the requirements for comparative assessment (as per [GSE rule 17](#)) you are still able to compare the outcome of assessments of the candidates for employment at the higher level in weighing up the results
- Consider the best fit for the role among those graduate employees who meet the standards for employment at the higher level
- Based on the evidence you have gathered, decide who is best suited to the role. You may also choose to do referee checks if you need further evidence or to assist in decision making.

3. STANDARDS FOR COMMISSIONER APPROVAL OF A GRADUATE PROGRAM

The standards set by the Public Service Commissioner for the purposes of using GSE rule 20A are designed to ensure that the graduate program is sufficiently robust in employing graduates and providing scope to promote them to a higher level after the successful completion of the program.

The standards are designed to provide flexibility to allow for differences in the design and structure of graduate programs.

Each of the following areas should be addressed when seeking approval for a graduate program:

3.1. General standards

The program should:

- be aligned with organisational and NSW public sector objectives
- be designed to build long-term organisational capabilities
- employ graduates in roles that have a discernible relationship with the purpose and objectives of the program (although the graduate may not necessarily hold a degree in the specific discipline)
- provide a commitment for the graduate employee to gain ongoing employment after successful completion of the program
- have sound governance arrangements
- have assured funding for the duration of the program and to place graduate employee in ongoing employment at the end of the program.

3.2. Program requirements

Entry into the program must meet the requirements for ongoing employment set out in [rule 20](#).

In addition, the program should:

- be for a minimum of 12 months in duration
- have a minimum qualification level of an undergraduate degree
- specify whether there is to be a regular intake of graduates (e.g. annual) or that it is to be one-off program.

3.3. Attraction and recruitment

The program should:

- be designed to attract graduates from diverse backgrounds and who have ethical standards and values that align with the NSW public sector values
- recruit graduates in accordance with the requirements set out in [Part 3](#) of the *Government Sector Employment (General) Rules 2014*.

3.4. Program support and career development

The program should:

- provide structured support to graduate employees, such as:
 - having a formal induction program
 - establishing a mentoring or coaching framework
 - incorporating formal learning and development, such as by offering a formal qualification
 - offering networking opportunities (e.g. with other graduate employees, senior leaders through an executive sponsor)
- provide exposure to different work environments. For example:
 - rotations to different public sector agencies or different areas within an agency
 - secondments within and outside the public sector that are relevant to the graduate role and career development.

3.5. Performance development

The program should have formal performance development standards in place that set out requirements for:

- performance planning and reviews
- management of unsatisfactory conduct or performance
- success criteria relating to ongoing employment at the end of the program (including to be considered for promotion to a role at a higher level).

3.6. Program evaluation

The program should have an evaluation framework that will be implemented within a reasonable timeframe after the commencement of the program.

3.7. Program analytics

The lead agency responsible for the graduate program should collect the following data and make it available to the Public Service Commissioner upon request:

- number of graduates taken into the program
- number of graduate employees who successfully completed the program
- number of graduate employees who withdrew from the program (including to accept a job at a higher level)
- number of graduate employees who were promoted to one level higher than the level they were employed while participating in the graduate program
- number of graduate employees who were promoted to two levels higher than the level they were employed while participating in the graduate program.