

## Fact sheet: Merit-based employment

### Talent pools

#### Update of the *Government Sector Employment (General) Rules 2014 (GSE Rules)*

##### Key points

- Changes to [rule 19](#) improve the way Public Service talent pools are set up and operate. The changes commenced on 2 September 2019.
- A person may now be included in a talent pool for a period of up to 18 months following the completion of a comparative assessment. The duration was previously 12 months.
- Talent pools that were active immediately before the amendment was made, i.e. before 2 September 2019, may be extended by a maximum of six months bringing the total time a person can be in that talent pool to 18 months. Agencies should notify persons in the talent pool of the six-month extension and offer them the opportunity to withdraw.
- There is now no requirement to do referee checks to place a person in a talent pool. However, referee checks must be done prior to employing a person to meet the requirements for comparative assessment under [rule 17](#).

### Introduction

Changes to [rule 19](#) improve the way Public Service talent pools are set up and operate.

### What's changed?

#### Length of talent pools

A person may be included in a talent pool for a maximum of 18 months following the completion of a comparative assessment. The maximum length of a talent pool was previously 12 months.

#### Referee checks

There is now no requirement to do referee checks in order to place a person in a talent pool. However, referee checks must be done prior to employing a person to meet the requirements for comparative assessment under [rule 17](#).

### Benefits

The main benefits of the change are:

- Agencies have access to talent for a longer period
- Maximises the benefit of the resources invested in establishing talent pools
- Candidates have increased opportunity to be employed
- Referee checks will be current and relevant to the role.

### Other considerations

#### Privacy and personal information

With the changes to [rule 19](#) on talent pools, it is timely for Public Service agencies to consider best practice in relation to privacy and information collected about individuals.

Agencies should be mindful of informing individuals who are included in a talent pool about the way their personal information will be used and disclosed and asking them to consent to this use. This includes extending existing talent pools.

For more information about privacy and the collection and use of information about individuals refer to the [NSW Information and Privacy Commission's website](#).

## Questions and answers

### Can a Public Service agency extend an existing talent pool?

Talent pools that were active immediately before the amendment was made, i.e. before 2 September 2019, may be extended by a maximum of six months bringing the total duration a person can be in that talent pool to 18 months.

When applying the extension, agencies should notify persons in the talent pool of the six-month extension and offer them the opportunity to withdraw.

### When should referee checks be checks be done?

Referee checks can be done at any time prior to offering a person employment in the Public Service.

In deciding when to do referee checks, agencies may wish to consider:

- whether the currency of the referee checks means that these are better be done when a person is being considered for a role
- if it is more effective for the manager who is considering a person for a role to do the referee checks.

### When does a talent pool commence?

A person may be included in a talent pool following the completion of a comparative assessment.

[Rule 19 \(5\)](#) exempts referee checks from forming part of the comparative assessment. As such, while referee checks can now be done when a person is being considered for a role, the timing of the referee checks does not affect the date a person is included in a talent pool.