

Australian Capital Territory

Public Sector Management (Public School Cleaning Service Officers) Management Strategy 2019

Notifiable instrument NI2019–764

made under the

Public Sector Management Act 1994, s 26 (Management strategies for the service)

1 Name of instrument

This instrument is the *Public Sector Management (Public School Cleaning Service Officers) Management Strategy 2019*.

2 Commencement

This instrument commences on the day after it is made.

3 Management Strategy

Pursuant to s 26 (1) (b), I make the Public School Cleaning Services Officers Management Strategy attached to this instrument.

4 Expiry

This instrument expires 12 months after it is made.

Kathy Leigh
Head of Service
3 December 2019



ACT
Government

MANAGEMENT STRATEGY

Public School Cleaning Service Officers

November 2019

BACKGROUND

1. Public school cleaning in the ACT has historically been outsourced to the private sector. The arrangements have been characterised by contractual issues between the Territory and private contractors as well as employment issues (both remuneration and entitlements) arising from the manner in which some contractors engaged with their staff.
2. The employees in this sector are a disadvantaged workforce, characterised by employees with low English language comprehension and work limitations imposed through visa restrictions.
3. To provide better protection for vulnerable workers the ACT Government has decided to in-source school cleaning and directly employ approximately 300 School Cleaners within the Education Directorate.
4. Section 27 of the *Public Sector Management Act 1994* (the PSM Act) allows for the Head of Service to develop a Management Strategy to enable the elimination of disadvantage in relation to public service employment in certain circumstances.
5. A Management Strategy is recommended to ensure the insourcing of school cleaning services does not further disadvantage this group of workers.
6. Recruitment of approximately 300 entry level workers into the ACT Public Service offers considerable benefit to the Canberra community. The Management Strategy covers the one-off transition of identified disadvantaged workers into the ACT Public Service (ACTPS). Further recruitment of the cleaning workforce into the public service will follow standard merit-based recruitment.

PURPOSE

7. This Management Strategy is established in accordance with section 26 (1)(b) of the PSM Act to eliminate the disadvantage that this group of workers would otherwise experience in relation to obtaining public service employment.
8. This Management Strategy invokes the ability in section 27 (3)(b) of the PSM Act to limit the group of people who are entitled to apply for the initial Cleaning Services Officer positions arising from the insourcing of public school cleaning into the Education Directorate.

MANAGEMENT STRATEGY

Phase One

9. In accordance with section 27 (3)(b) of the PSM Act eligibility to apply for the initial intake of approximately 300 Cleaning Services Officer positions will be limited in the first instance to those employees of the entities contracted to clean ACT public schools, Dimeo Cleaning Services Pty Ltd and Menzies International (AUST.) Pty Ltd, who were employed by those entities on 1 July 2019.
10. To seek to eliminate the disadvantage experienced by the relevant cohort of employees the following strategies will be adopted in relation to the merit process:
 - a. Advertisement will be limited to the school cleaners employed by Dimeo Cleaning Services Pty Ltd or Menzies International (AUST.) Pty Ltd as defined at paragraph 9;
 - b. Applications will be through an expression of interest which will not include a written component;

- c. An assessment centre will be established, where practical assessments and pre-employment checks will be undertaken to establish prospective employees' suitability for Cleaning Services Officer positions; and
 - d. Appropriate language and other support will be provided to eliminate potential disadvantage, including that which may arise through language barriers.
11. Provided that prospective employees who have been assessed through the assessment process meet the minimum requirements for the positions and employment in the ACTPS, the individuals will be offered employment as Cleaning Services Officers in the Education Directorate.
12. To avoid disadvantage that arises through residency and visa status, employment will be offered on the following basis:
 - a. Australian Citizens and Permanent residents will be offered permanent employment, subject to the normal probation processes;
 - b. Persons with temporary residence and persons with time-limited visas will be offered employment contracts to the length of their visas, with the possibility of extension (up to the maximum period for temporary employment of five years), in the event their visas are extended, subject to normal probation processes; and
 - c. Persons within (b) who secure permanent residency or citizenship whilst employed on temporary contracts may be offered to convert to permanent employment.

Phase Two

13. If there are still vacancies once the restricted recruitment process in Phase One has been completed, a second restricted process will be undertaken.
14. Phase Two will limit those who can apply to vacancies to other ACT public school cleaners employed by Dimeo Cleaning Services Pty Ltd or Menzies International (AUST.) Pty Ltd, who were not eligible to apply through Phase One (e.g. those individuals employed in those entities after 1 July 2019).
15. The advertisement and assessment process in Phase Two will be consistent with the process used in Phase One.

Further and future vacancies

16. Any vacancies that remain or arise after Phase Two will be filled through normal merit processes in accordance with the PSM Act.

DURATION AND REVIEW

17. This Management Strategy will be in place for a period of twelve months from the date of commencement. The Head of Service can revoke the Management Strategy earlier if it is no longer required.
18. This Management Strategy can be reviewed, in consultation with relevant unions, during its period of operation as required.



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