

GUIDELINES FOR THE SELECTION OF MEMBERS OF THE CLASSIFICATION BOARD

Introduction

1. The Australian Government is committed to merit-based and transparent appointment processes for APS agency heads and statutory office holders. Selection processes for Members of the Classification Board will be consistent with the *Merit and Transparency: Merit-based selection of APS agency heads and statutory office holders (Merit and Transparency)* procedures issued in February 2008 by the Australian Public Service Commission.
2. The previous *Guidelines for the Selection of Members of the Classification Board*, issued after consultation with Censorship Ministers, have been amended to incorporate the *Merit and Transparency* procedures. Other minor changes have been made to reflect that the Minister for Home Affairs is now the Commonwealth Minister responsible for Censorship and to remove references to the Office of Film and Literature.
3. These updated guidelines issued in June 2008 by the Secretary of the Australian Government's Attorney-General's Department set out the process to be followed when selecting people for consideration by the Minister. These guidelines continue to ensure that all selection process meet the requirements of the *Classification (Publications, Films and Computer Games) Act 1995*, the cooperative arrangement between the Commonwealth, States and Territories and the business needs of the Classification Board.

Legislative requirements

4. In appointing members of the Classification Board the *Classification (Publications, Films and Computer Games) Act 1995* (the Act) requires that the Governor-General is to have regard to:

‘...the desirability of ensuring that the membership of the Board is broadly representative of the Australian community.’
5. The Minister for Home Affairs (the Minister) is responsible for making recommendations to the Governor-General regarding appointments. Before making such a recommendation the Act requires that the Minister consult with State and Territory Censorship Ministers about the proposed recommendation.
6. The Act does not specify or require a particular process to be followed when selecting people for consideration by the Minister and State and Territory Censorship Ministers.

Application of Guidelines

7. These guidelines establish the process to be used for the selection of individuals to be recommended to the Minister for appointment to the Classification Board.

Principles for Selection of Members

8. The overriding principle when making recommendations for appointment to the Classification Board is that the proposed appointment will ensure that the Board as a whole is broadly representative of the Australian community.

Merit-based Selection

9. The assessment of candidates will be based on merit. Merit-based selection means:
 - i. an assessment is made of the relative suitability of the candidates for the duties, using a competitive selection process
 - ii. the assessment is based on the relationship between the candidates' work-related qualities and the work-related qualities genuinely required for the duties
 - iii. the assessment focuses on the relative capacity of the candidates to achieve outcomes related to the duties, and
 - iv. the assessment is the primary consideration in making the decision.
10. Examples of work-related qualities that may be taken into account in making an assessment include:
 - i. skills and abilities
 - ii. qualifications, training and competencies
 - iii. standard of work performance
 - iv. capacity to produce outcomes from effective performance at the level required
 - v. relevant personal qualities
 - vi. demonstrated potential for further development, and
 - vii. ability to contribute to team performance.

Role of the Board

11. The Board's role is to decide, upon application, the classification of films, computer games and submittable publications before they are made available to the public. The Board also deals with applications from the police, the Australian Customs Service and the Australian Communications and Media Authority (ACMA).
12. The Board should reflect the opinions of ordinary members of the community. Board members should be able to articulate their views, appreciate the views of others and be flexible enough to modify those views as a result of discussion with colleagues. The Board is not intended to be a team of classification experts.

Role of Senior Board Members

13. Senior Board Members (Senior Classifier, Deputy Director and Director) have responsibilities in addition to participating in the making of classification decisions. The Director is responsible for the management of the operation of the Board. Other Senior Board Members provide high-level management support to the Director and have day-to-day responsibility for the management of workflow and quality aspects of the classification process.

Term of Appointment

14. The Act provides that appointments are for a period not exceeding five years. A member must not hold office for more than seven years in total.
15. Generally the *Merit and Transparency* procedures determine that all appointments are to be made for a period of five years, unless:
- i. individual appointees advise in writing that a shorter period is sought
 - ii. the relevant legislation stipulates a different period, or
 - iii. other special circumstances arise justifying a short term.

Selection Committee

16. When recruiting for the Classification Board a selection committee will be established to consider applications and make recommendations to the Minister on proposed appointments to the Board.
17. The selection committee will comprise:
- i. the Secretary of the Attorney-General's Department as Chair of the committee, or a nominated representative
 - ii. the Director of the Classification Board or a nominated representative who is a senior member of the Board (except where the vacancy is that of the Director in which case the selection committee will not include a representative from the Classification Board)
 - iii. the Public Service Commissioner, or a nominated representative, and
 - iv. a representative nominated by State and Territory Censorship Ministers.

Selection Criteria

18. Selection criteria for the Director and Deputy Director will be the Senior Executive Service (SES) criteria as determined by the Public Service Commissioner, with additional criteria specific to the business of the Board. A copy of the current criteria is at **Attachment A**.
19. Selection criteria for Senior Classifiers will be those used for positions remunerated at an equivalent level within the Attorney-General's Department, with additional criteria specific to the business of the Board. A copy of the current criteria is at **Attachment B**.

Guidelines for the Selection of Members of the Classification Board

June 2008

20. Selection criteria for ordinary Board Members are tailored for the business of the Board and to ensure community representation. A copy of the current criteria is at **Attachment C**.
21. Selection criteria may be varied from time to time to improve their effectiveness as a selection tool for Board membership.

Additional Compositional Considerations

22. In addition to the selection criteria, and within the requirements of the Act, the selection committee should ensure that the Board comprises:
 - i. persons who have the capacity to assess, identify and represent community standards
 - ii. a mixture of men and women with as close to a gender balance as possible
 - iii. persons from different geographical locations within Australia
 - iv. persons of a reasonable spread of ages
 - v. persons with experience of children and young people, either as parents or through their previous employment or other activities, and
 - vi. persons from diverse cultural backgrounds.
23. The Act allows for Board members to be appointed on a full-time or part-time basis.

Selection Procedures – Board Member

24. A recruitment company will be engaged to receive applications in the first instance. The recruitment company will conduct preliminary assessments of applications received and prepare a list of approximately 200 applicants for consideration by the selection committee.
25. The selection committee will:
 - i. Prepare from the preliminary list a short list of approximately 45 applicants for interview to establish a pool of suitable candidates. The consultants may be asked to comment on this list.
 - ii. Recall a minimum of 30 appropriate applicants for further consideration, including an experiential screening to assess their ability to perform work as a member of the Board and their ability to cope with exposure to a range of material that the Board considers. A representative of the recruitment company will join the selection committee for this part of the selection process.
 - iii. Rank a minimum of 20 interviewed applicants (including consulting referees for the applicants and considering the matters listed under the *Additional Compositional Considerations*).
 - iv. Prepare a final report of the selection process (including a report by the recruitment company providing an overview of the process) that makes recommendations for consideration by the Minister for Home Affairs.

Guidelines for the Selection of Members of the Classification Board

June 2008

- v. In circumstances where the Public Service Commissioner or Deputy Commissioner was not on the selection committee the committee will seek endorsement of the final report from the Public Service Commissioner.

Selection Procedures – Director, Deputy Director and Senior Classifier

26. A recruitment company is not mandatory for the appointment of Director, Deputy Director or Senior Classifier, unless insufficient suitable candidates are nominated or apply.

Reappointments

27. Board members, Senior Classifiers and the Deputy Director, if eligible, may be considered for reappointment to their current position without advertisement, subject to confirmation from the Director of the Classification Board that the member is performing well. The Director will prepare a report on each eligible member who has expressed an interest in reappointment. The report will assess the member's skills against the selection criteria for Board members and the individual's performance as a Board member against time and quality standards.
28. The Director of the Classification Board may be reappointed after consultation with State and Territory Censorship Ministers if the full seven-year term has not expired.
29. Where a vacancy in an office of the Board arises within 12 months of completion of the last recruitment process for that office, the person next ranked most suitable may be approached about appointment without the need for advertisement.

Advertising Vacancies on the Board.

30. In order to attract the broadest possible range of applicants advertisements will use plain language. The vacancies will be promoted widely so that people from all walks of life are encouraged to apply. The Department will meet necessary travel costs of interstate, regional and remote applicants.
31. Vacancies will be notified on the APSJobs website, the Attorney-General's Department website and the Classification Board website and in appropriate newspapers.
32. An indicative advertisement that should form the basis of advertising vacancies of Board Member is at **Attachment D**.

Information to be made available to Applicants

33. An information package will be made available from the Attorney-General's Department website and the Classification Board website. The package will contain information about:
 - i. the legislative scheme and the role of the Classification Board and the Classification Review Board
 - ii. a summary of the work of the Classification Board
 - iii. information about current members of the Classification Board and Review Board
 - iv. copies of the National Classification Code and the Classification Guidelines

Guidelines for the Selection of Members of the Classification Board

June 2008

- v. relevant selection criteria, and
- vi. information about the need for applications to address the selection criteria and how to go about this.