

Victoria Police Manual

The Victoria Police Manual is issued under the authority of the Chief Commissioner of Police in s.60, Victoria Police Act 2013. Non-compliance with or a departure from the Victoria Police Manual may be subject to management or disciplinary action. Employees must use VPM Professional and ethical standards to inform the decisions they make to support compliance.

Deployment (members)

Context

Victoria Police has a police officer and protective services officer (PSO) base of over 17,000 members and operates across all areas of Victoria. Police members move between work locations for a variety of reasons including promotion, transfers (officer initiated and directed), secondment, higher duties or at level assignment — collectively called 'deployment'.

This policy outlines the deployment process across Victoria Police for police officers, PSOs and police recruits and ensures consistency, transparency, and procedural fairness.

Policy at a glance

This policy includes:

- guidance regarding the appointment and promotion of members
- information on the general duties allocation process
- information on the transfer and promotion process into advertised positions
- guidance on the assignment process, including advertisement, applications, and approval
- guidance on external secondments and reintegration
- information on the confirmation of promotion and effect of disciplinary processes on promotion.

Contents

Context	1
Policy at a glance.....	1
Contents.....	1
Definitions.....	3
Scope and application.....	5
Policy	6
Appointment of police recruits, probationary constables, and Protective Services Officers.....	6
1. Initial appointment.....	6
2. Probationary period	7
3. Confirmation of initial appointment as a member	7
4. Available actions during and at the end of probation.....	8
5. Natural justice	11
6. Stand down during training.....	11
7. Review process.....	11
8. Discipline	12
In situ promotion of first constables and protective services officer first class.....	12
9. Eligibility.....	12
10. Service	12
11. Members with recognition of prior policing service	12
12. Workplace assessments	12
13. Probity check.....	12
14. Approval of in situ promotion.....	12

15.	Effective date of in situ promotion.....	13
16.	Employees unsuitable for in situ promotion.....	13
17.	Underperformance	13
18.	Professional standards check	14
19.	Victoria Police Education Program	14
20.	Review of actions – in situ promotion	14
General	duties allocation process (constable and senior constable).....	15
21.	General provision	15
22.	Responsibilities	16
23.	Placement on graduation and during the probationary period	17
24.	Review on confirmation – transfer by direction.....	18
25.	Filling positions where no expression of interest exists.....	18
26.	Internal expression of interest process.....	20
27.	External expression of interest process.....	21
28.	Payment of expenses.....	22
29.	Transfer date.....	22
30.	Suitability for transfer	22
31.	Further EOI requirements	24
Transfer and promotion to advertised positions		25
32.	General provisions	25
33.	Eligibility to apply for an advertised position.....	26
34.	Time-in-position.....	27
35.	Internal applicants	27
36.	External (registered) applicants	28
37.	Action prior to advertising vacancies (delegate responsibilities).....	28
38.	Advertising positions	28
39.	Timelines for selection.....	28
40.	Selection panels.....	29
41.	Conflicts of interest.....	30
42.	Application – submission.....	31
43.	Application – Assessment.....	33
44.	Selection action and recording.....	38
Assignment process.....		39
45.	General provisions	39
46.	Criteria for an assignment: meeting the essentiality test.....	40
47.	Conditions of assignment.....	40
48.	Advertising assignments.....	41
49.	Internally advertised assignments.....	41
50.	Organisational- advertisements	41
51.	Endorsement of applications.....	41
52.	Developmental assignment(s).....	42
53.	Retrospective approval of assignment	42
54.	Directed assignment	42
55.	Assignments because of organisational change	42
56.	Higher duties.....	43
57.	Eligibility.....	43
58.	Exceptional circumstances to higher duties.....	43
59.	Delegate's responsibilities and actions	43
60.	Transfer on assignment.....	44
61.	Extension of assignments	44
62.	Voluntary assignments.....	44
63.	Flexible work arrangements.....	44
Secondment process (external).....		44
64.	General provisions	44
65.	Initiation.....	45

66. Status	45
67. Selection process	46
68. Salary and allowances during an external secondment	46
69. Additional costs of secondment	46
70. Unfunded Secondments	46
71. Special arrangements	47
72. Position ownership	47
73. Conditions of employment whilst on secondment	48
74. Leave	49
75. Transfers and promotions within Victoria Police: eligibility to apply while on secondment ...	49
Reintegration	50
76. General considerations	50
77. Unattachment	50
78. Reintegration process International Deployment Group	50
79. Resumption with Victoria Police	51
Confirmation of promotion	51
80. Probation period	51
81. Assessment of probationary period	51
Effect of disciplinary demotion and transfer	55
82. Disciplinary outcome	55
83. Pressing necessity	55
84. In situ promotion constable to senior constable	55
Related documents	56
Further advice and information	56
Update history	56

Definitions

- **Agreement** – means the *Victoria Police (Police Officers, Protective Services Officers, Police Reservists and Police Recruits) Enterprise Agreement 2025* or its successor(s).
- **Application** – completed documents that meet all the requirements as part of the selection process submitted to the Transfer and Promotion Unit (TPU), Recruitment and Deployment Division (RDD), Human Resources Command (HRC).
- **Ballot** – a process whereby positions that have been accorded special category status, for which there are no Expression of Interests (EOIs), are filled by ballot with eligible newly confirmed constables and transferred by direction.
- **Chairperson General Duties Allocation Committee (GDAC)** – the Superintendent, RDD, HRC.
- **Change of work location** – the placement of a member up to the rank of senior sergeant at a new work location within the member's existing region/command/department.
- **Commissioned Officer** – includes a sworn member Inspector to Commander
- **Confirmation** – confers a member from probationary constable to constable after successful completion of the probationary period.
- **Diversity** – includes, but is not limited to gender identity, sexual orientation, ethnicity, language, faith, ability, age, socioeconomic status, background, life experiences, and beliefs.
- **Efficiency** – whether it relates to promotion, transfer or rotation includes:
 - the aptitude and special qualifications necessary for the discharge of the duties of the position in question, together with merit, diligence, good conduct, quality of service, mental capacity, and physical fitness

- in relation to the ranks of inspector to commander - the aptitude and special qualifications necessary for the discharge of the duties of the position in question, together with merit, diligence, good conduct, quality of service, mental capacity and physical fitness and the potential to develop the executive ability, leadership, and management skills essential in senior executive positions
- **Equality** – means equal rights, opportunities, responsibilities, and outcomes are afforded to all people irrespective of their personal characteristics, circumstances, or background.
- **Expression of Interest (EOI)** – a process which does not involve advertisement of a vacancy or merit selection used to fill positions as per the Agreement.
- **Extended Absence** – an absence from Victoria Police for a continuous period of more than 12 months.
- **Gazette** – Official fortnightly publication containing personnel notices.
- **General Duties Allocation Committee** – the GDAC is comprised of the Superintendent, RDD, HRC (Chairperson), the Inspector, Police Diploma Management, PDC and the divisional superintendent of the location(s) nominated for ballot.
- **General duties positions** – includes policing positions located within the regions, Transit and Public Safety Command (TPSC).
- **Holding position** – a designated position created to hold a member who is unattached from their substantive (owned) position. Members in holding positions remain the responsibility of the relevant region/command/department.
- **HR Assist** – the electronic human resource management system.
- **Key Selection Criteria (KSC)** – a description of the knowledge, skills, and aptitudes essential to perform the duties of the position, used as an instrument to measure candidate suitability.
- **Member** - unless otherwise stated, includes:
 - Police Officers appointed under Part 3, Division 5 of the *Victoria Police Act 2013* (the Act)
 - Police Recruits appointed under Part 3, Division 6 of the Act
 - Protective Services Officers appointed under Part 3, Division 7 of the Act
 - Police Reservists.
- **Merit** - Employment decisions will be assessed as being merit-based when they comply with the [Standard for Merit in Employment](#) defined by the Victorian Public Sector Commission (VPSC).
- **Natural justice** – Elements of natural justice include:
 - decision makers act objectively and without bias.
 - the process and outcome must be as timely as reasonably possible.
 - the police members are informed of the reasons for the proposal and decision which affects them.
 - the police members are afforded the opportunity to present their case and provided with a reasonable opportunity to respond to all matters raised which have a reasonable bearing on the matter.
 - all relevant information and evidence provided by a police member will be taken into consideration before a decision is made.
- **Position Description** – is the documentation which outlines the duties, qualifications, key selection criteria, rank, and additional requirements for a position.

- **Position Profile** - is a document prepared by the relevant region / command / department for a specific position to assist applicants in demonstrating their aptitude for that position.
- **Pressing Necessity** - is a situation which is unplanned; an emergency; the member's presence is vital; and no other alternative arrangements can be made.
- **Priority Positions** – metropolitan positions identified by GDAC for urgent filling where there are no EOIs from confirmed constables or senior constables.
- **Priority Status** – is attached to probationary constables who have undertaken a country placement and probationary constables who own a priority position.
- **Probation** – a defined period of time following appointment to a position during which a member must demonstrate continued suitability.
- **Promotion** – where a member attains a position at a higher rank.
- **Qualifications** – mandatory requirements necessary to perform the duties of a position.
- **Rank** – means a rank prescribed by s 13 of the Act (police officers) or cl 10 of the Victoria Police Regulations 2014 (the Regulations) (PSOs).
- **Redeployee** – a member who has been referred to redeployment in accordance with clause 15 or 125 of the Agreement.
- **Special Category Position (SCP)** – is a status accorded to general duties positions which are difficult to fill.
- **Sworn Funded Profile** – the number of full-time equivalent members provided by the State Government to Victoria Police and allocated to work locations.
- **Time-in-position** – a prescribed minimum period that a member must occupy a position before being eligible to apply for transfer to another position and in some cases, the maximum period a police officer may remain in a position.
- **Training placement** – placement to an operational work unit undertaken by a probationary constable during the Constables' Course and may include placements at areas such as Road Policing Drug and Alcohol Section, State Highway Patrol, and Driver Training.
- **Transfer without advertisement** – any movement of members from one position to another without going through a formal merit selection process. See **VPM Transfers without advertisement**.
- **Un-attachment** - the transfer of a member from a funded position to a holding position.
- **Victoria Police education program** – Refer to **VPM Pre-promotional assessments and promotional programs** for further information.

Also refer to the general [VPM Dictionary](#) for definitions and acronyms.

Scope and application

This policy applies to all members (Police Officers, Protective Services Officers, Police Reservists and Police Recruits) described in section 2.1 of the Agreement, unless otherwise stated.

This policy does not apply to the mobility and redeployment process of members, which are governed by **VPM Mobility (members)** and **VPM Redeployment (members)**.

Policy

- The filling of positions must be managed in accordance with the Act, the Regulations, and the Agreement.
- The placement and movement of police officers up to the rank of senior sergeant and PSOs must be managed in accordance with the Agreement.
- All activities associated with selecting members for transfer or promotion must be consistent with the Act and Regulations, and the principles of equality and diversity, natural justice, and procedural fairness.
- All information and activities associated with positions must be managed in accordance with relevant privacy and confidentiality legislation and information management and security policies.
- Procedures prescribed in the Agreement must be followed on every occasion before advertising a vacant position through transfer, promotion, change of work location or redeployment to regions/departments/commands.
- Only the Chief Commissioner (CCP) or the Chief Commissioner of Police (CCP's) delegate may approve or reject a recommendation relating to the deployment of a member.
- Member deployment must not circumvent the discipline system. A member who has been transferred as a result of a disciplinary hearing may submit an application through line management to the Assistant Commissioner, Professional Standards Command (PSC) to be eligible for transfer for reasons of pressing necessity, see section 83 of this policy. Members transferred as a result of a disciplinary hearing must remain in the position for the determined period.
- For all promotions, a period of probation applies to provide Victoria Police with the opportunity to assess the member's capacity and ability to perform the duties of the higher rank. The probation period for Assistant Commissioners, Deputy Commissioners and the CCP will be in accordance with their executive contract.
- The Act empowers the CCP to appoint members of other police services to be special constables for the State of Victoria. See **VPM 306-8 Special Constables**.
- Legislation in other states and territories allows for the appointment of Victoria Police to become special constables in other jurisdictions.

Appointment of police recruits, probationary constables, and Protective Services Officers

1. Initial appointment

1.1 *Police recruits*

An employee is deemed a police recruit from the first day of their appointment until they become a probationary constable. The appointment of a recruit can be terminated at any time in accordance with s 36(5) of the Act.

1.2 *Protective Services Officers*

An employee is deemed a PSO from the first day of their appointment. The appointment of a recruit can be terminated in accordance with s 38(6) and s 39 of the Act.

2. Probationary period

2.1 General

- Probationary constables are subject to a probationary period of two years. During this period, they undertake foundation training and perform duties under supervision to meet the requirements of the Police Foundation Training Program. See **VPM – Foundation training – constable and protective services officer**.
- A probation period means that the decision to confirm the initial appointment to the office of constable or PSO is only made when the member has, by their conduct proved themselves to be suitable for the office. This includes satisfying the CCP that they are of good character and reputation and that they have obtained the qualifications and developed the capabilities required.
- A member whose conduct, character or qualifications fails to meet the required standard will not have their appointment confirmed.
- A member may be terminated by the CCP or CCP's delegate at any time during the probation period where the CCP or CCP's delegate are reasonably satisfied that the member is not suitable.
- Throughout the probationary period, probationary constables and PSOs are subject to the requirements and conditions of the Act and must complete designated training programs (see **VPM Foundation training – constable and protective services officer**).
- Probationary constables and PSOs must fulfil a two-year probationary period which does not include any period of:
 - suspension
 - leave without pay
 - parental leave (continuous for one month or more)
 - long service leave
 - personal leave (continuous for one month or more).

2.2 Commencement of probation

- Probationary constable - the two-year probationary period commences the day a police recruit takes the oath/affirmation of office.
- Probationary PSO - the two-year probationary period begins on the first day of their appointment.

3. Confirmation of initial appointment as a member

3.1 Probationary constables

- To be confirmed at the rank of constable a member must meet the Police Foundation Training Program qualifying criteria listed in section 3.4 of **VPM Foundation training – constable and protective services officer**.

3.2 Protective services officers

- To be confirmed as a PSO a member must complete the PSO Foundation Training Program qualifying criteria specified at 3.6 of **VPM Foundation training – constable and protective services officer** as well as complete the probationary period specified.

3.3 *Probity checks*

- Probity checks will be requested at least 14 days prior to confirmation by the following areas:
 - probationary constables – Probationary Constable Extended Training (PCET) Program, Foundation Training, People Development Command (PDC)
 - for Protective Service Unit (PSU) PSOs – the Superintendent, Security Services Division (SSD), TPSCT&PSC
 - for all other PSOs – the Superintendent, Transit Safety Division (TSD), TPSC, T&PSC.

3.4 *Work unit manager's responsibilities*

- During the probationary period of a probationary constable or PSO, the work unit manager is responsible for:
 - actively monitoring and assessing the criteria for confirmation of appointment
 - ensuring the criteria for confirmation of appointment is met
 - ensuring the member's work standard is of a satisfactory level.
- If there are any issues that may affect confirmation of appointment, the work unit manager must advise the following representative:
 - for a probationary constable – the Superintendent, Foundation Training, PDC
 - for PSU PSOs- the Superintendent, SSD, TPSC
 - for all other PSOs – the Superintendent, TSD, TPSC.
- Any deficiencies or alleged improper conduct during the probationary period must be brought to the attention of the member in a procedurally fair manner and must be recorded. The member must be given an opportunity to respond to any alleged deficiencies or alleged improper conduct. Any discussions held with the probationary constable or PSO must be recorded in writing and the member must be provided with a copy upon request.

4. Available actions during and at the end of probation

4.1 *Delegate actions*

- At the end of the probationary period, the delegate may:
 - confirm the member's appointment
 - extend the probation period
 - terminate the appointment.
- In exceptional circumstances, the delegate may exercise discretion and exempt the member from the requirement to meet one or more of the criteria for confirmation of appointment. For more information refer to **VPM Foundation training – constable and protective services officer**.

4.2 *Confirming of appointment*

- The work unit manager must make a recommendation to the following delegate for a member to be considered for confirmation:
 - for probationary constable – the Superintendent, Foundation Training, PDC
 - for PSU PSOs- the Superintendent, SSD, TPSC
 - for all other PSOs – the Superintendent, TSD, TPSC

- The classification of first constable is only applicable after a probationary constable has been confirmed.

4.3 *When a member is under investigation*

- Where the Assistant Commissioner, PSC, believes that disclosure of the active PSC file could compromise an investigation, PSC will not divulge the existence of a file as part of the requested probity check during the confirmation process. This will not be a barrier to criminal and/or disciplinary action at a later date.
- If an investigation is ongoing and charges have not yet been laid, the relevant assistant commissioner, will decide whether to confirm the appointment, extend probation or terminate employment during probation:
 - for probationary constables – Assistant Commissioner, PDC
 - for PSOs – Assistant Commissioner, TPSC.
- If the relevant assistant commissioner is considering terminating a member's employment during probation, the assistant commissioner must advise the member in writing:
 - that they are considering terminating the member's employment setting out the adverse information they are considering in making the decision; and
 - providing an opportunity for the member to respond to the information and to show cause why they should not have their employment terminated.
- Any verbal or written response provided by the member must be considered prior to the final determination.
- The member must be given sufficient detailed information to enable them to provide an informed response.
- The person must be given a reasonable opportunity to respond, and to present information that excludes them from wrongdoing; information (that supports their version of events); or mitigating information (about the seriousness of the matter, and the outcome which should apply, given the circumstances).
- The member must be informed about the process being followed, including any right to be represented or seek a review.
- The process and decisions must, as far as practicable, be made in a timely manner.
- The person must be told the reasons for a decision that affects them.
- Refer to **VPM Complaints and VPM Discipline**, s 7.1 General Principles, which outlines the requirements of procedural fairness and natural justice.

4.4 *Extending the probation period*

- The probation period may be extended for a period not exceeding one year. Extension of probation can be subject to conditions being met, such as gaining an Operational Safety and Tactics Training (OSTT) qualification, resolution of a PSC file or satisfactory work performance being achieved.
- Where underperformance has been identified, a development plan must be prepared by a relevant line manager, in consultation with PDC Foundation Training Division and the Performance Development Unit. Expectations must be clearly communicated to the member. Performance will continue to be managed in accordance with **VPMG Management of underperformance**.

- When the relevant delegate is satisfied that the member has met the criteria for confirmation or is satisfied that the underperformance issues have been rectified, the extended probationary period may be abridged, and the appointment may be confirmed.
- Where a member has been charged with a criminal offence or a discipline offence, confirmation of appointment must not proceed until these charges have reached a conclusion and it is appropriate to do so.
- Where probation has been extended and the charges have not reached a conclusion by the end of the extension period, and the member has not been suspended from duty under Part 7 of the Act, the relevant assistant commissioner will consult with the Assistant Commissioner, PSC to consider the nature and seriousness of the charge(s), as well as any other potential matters should the appointment be confirmed. Pending the final determination of the criminal or discipline charge, the following options are available:
 - the Assistant Commissioner PDC may confirm the appointment, noting that Part 7 the Act provides for subsequent disciplinary action to be taken (including dismissal, adjournment bonds and periods of ineligibility for promotion)
 - after full consideration of the circumstances of the matter, the Assistant Commissioner, PDC may commence a process, consistent with the requirements of natural justice/procedural fairness to consider whether to terminate employment during probation.
- Retrospective confirmation during a period of extended probation is not permitted.
- Progression payments must not be denied solely because the member has not been confirmed.
- Eligibility for progression payment will be assessed by:
 - for probationary constables – the Superintendent, Foundation Training Division, PDC
 - for PSU PSOs- the Superintendent, SSD, TPSC
 - for all other PSOs – the Superintendent, TSD, TPSC.

4.5 *Review of appointment*

- At any time during probation or an extended probationary period, a manager may consider it necessary to conduct a review of the appointment.
- If a manager determines that a review is necessary, they must refer the file to the appropriate superintendent as per the table below.

Member	Manager	Referral to
Probationary constable	Inspector, Foundation Training Division, PDC	Superintendent, Foundation Training Division, PDC
PSO undertaking the residential phase of training	Inspector, Foundation Training Division, PDC	Superintendent, Foundation Training Division, PDC
PSO who has completed the residential phase of training	Inspector, Transit Safety Division, TPSCPSC or Inspector, Security Services Division, TPSC	Superintendent, Transit Safety Division, TPSC or Superintendent Security Services Division, TPSC

- If supported, the superintendent must forward the file to the Assistant Commissioner, TPSC or the Assistant Commissioner, PDC for consideration. They

may conduct a suitability hearing and/or refer the matter to PSC if it involves a breach of discipline, as per **VPM Complaints and VPM Discipline**.

4.6 *Termination of appointment*

The appointment of a probationary constable or a PSO may be terminated at any time during probation including any extension period.

5. Natural justice

- A decision to extend a probation period or to terminate an appointment during a probation period carries significant consequences to the probationary constable or probationary PSO. The principles of natural justice must be adhered to in any process undertaken and in any management decisions that are made.
- Before making the decision to extend probation or terminate an appointment, the delegate must ensure that the member:
 - has previously been made aware of any alleged work deficiencies or alleged misconduct
 - has been given a genuine opportunity to respond to those allegations, and explain any problems or alleged misconduct
 - has been made aware of the standard required and what is required to meet that standard
 - has been provided the opportunity, training, and support to address any deficiencies
 - was provided with written advice outlining the possible outcomes of work deficiencies or alleged misconduct before action is taken.
- Following any action taken, management must ensure that the member:
 - is advised in writing of the reason(s) for the decision. This notification must include any ongoing effects such as denial of incremental salary increases
 - has received written advice of their right to request a review of the decision by the Review Division, Police Registration and Services Board (PRSB) for termination of appointment
 - is informed of wellbeing and support provisions available to all employees.

6. Stand down during training

A police recruit, probationary constable or PSO may be directed to stand down from training by the Assistant Commissioner, PDC if they are both:

- still in their initial Offer of Employment period or probationary period
- subject to a review of their appointment.

7. Review process

7.1 *Extension of probation*

Probationary constables and PSOs may request the next level delegate to review a decision to extend their probation.

7.2 *Termination of appointment*

Probationary constables and PSOs may request a review by the Review Division, PRSB following termination of employment. A relevant delegate will be required to represent

the CCP at the hearing.

8. Discipline

Discipline matters subject to Part 7, the Act will be referred to PSC.

In situ promotion of first constables and protective services officer first class

9. Eligibility

To be eligible for in situ promotion, first constables and PSOs first class members must have:

- successfully completed the required components of the Victoria Police Education Program, Pre-promotional assessment. Refer to **VPM Pre-promotional assessments and promotional programs** for further information.
- performed satisfactorily in their workplace assessment in accordance with sections 12 of this policy
- completed four years' service from sworn date. Refer to **VPMG In situ promotion of Constables**.

10. Service

Where a first constable or PSO first class has been absent, their eligibility date will be extended equal to the amount of the absence if the absence relates to either of the following:

- any form of leave without-pay (excluding parental and Australian Defence Force leave)
- suspension without pay.

11. Members with recognition of prior policing service

Members with recognised service will be eligible for in situ promotion in accordance with their offer of appointment or the Agreement.

12. Workplace assessments

A workplace assessment must include:

- monitoring of performance:
 - work unit managers must monitor the member's performance during their first four years of service
 - any work performance issues must be addressed in accordance with **VPMG Management of underperformance**.

13. Probity check

- HRC will request the Intelligence, Innovation and Risk Division, PSC to conduct a probity check prior to the completion of four years' service, or as soon as the member has met the criteria for promotion. PSC will check for and provide details of any active criminal conduct and/or disciplinary matters to HRC for consideration.

14. Approval of in situ promotion

- The Superintendent RDD, HRC will determine a member's suitability for in situ promotion based on whether they have met the requirements outlined in section 9 of this policy.
- If the member has fulfilled all the eligibility criteria for promotion, the Superintendent RDD, HRC must:
 - advise the member in writing
 - notify Payroll Services to update HR Assist to reflect rank and ensure pay accordingly
 - publish the promotion in the next available Gazette.
- If the member does not meet the eligibility criteria refer to unsuitable members.

15. Effective date of in situ promotion

- Where a member has been assessed as suitable, the effective date for promotion is the date they completed four years of service.
- Promoted first constables and PSOs first class members are subject to the usual probation period and are not eligible for further transfer until their time-in-position requirements have been met.
- Promoted senior constables or PSO seniors still own the same position and must complete the balance of any time-in-position requirements following promotion.

16. Employees unsuitable for in situ promotion

- If the Superintendent, RDD, HRC is considering finding a member to be unsuitable for in situ promotion, they must advise the member in writing:
 - that they are considering finding the member to be unsuitable for promotion, setting out the adverse information that they are considering in making the decision
 - provide an opportunity for the member to respond to this information and to show cause why they should not be found to be unsuitable for promotion.
- Any verbal or written response provided by the member must be considered prior to the final determination.
- Should the Superintendent, RDD conclude that the member is unsuitable for in situ promotion, the member must be given a clear indication of the actions the member is required to undertake to improve performance or meet with the requirements to be determined suitable for in situ promotion.
- The member must be notified in writing of the final decision and informed of their right to seek a review of the decision to the PRSB.

17. Underperformance

- If a member has not received promotion based on underperformance, the work unit manager must ensure Local Performance Intervention (LPI) occurs. The member's suitability must be reassessed upon completion of the LPI.
- If the LPI has not resulted in an improvement in performance, that provides the work unit manager sufficient information to determine the member suitable for in situ promotion the formal Performance Improvement Plan (PIP) process must be commenced and actioned.

- If the member is assessed as suitable at the conclusion of either of the above actions, this will be the effective date for in situ promotion, subject to meeting all other eligibility criteria.

18. Professional standards check

- Subject to an assessment by the Superintendent, RDD, HRC of the circumstances and evidence, in situ promotion may proceed where a member is under investigation when all the following are met:
 - the matter has not resolved by the date on which the member is eligible for in situ promotion
 - the member is not subject to suspension
 - no criminal or disciplinary charges have yet been laid.
- Where a member has been charged with a criminal offence or a discipline offence, the Superintendent, RDD, HRC will consult with PSC to consider the nature and seriousness of the charge, the likelihood and impacts of any risks which may flow should the promotion go ahead. Where the final outcome of the charge has not been determined, and the member has not been suspended from duty under Part 7 of the Act, one of the following options may be considered:
 - the Superintendent, RDD, HRC may allow in situ promotion to proceed, noting that Part 7 the Act provides for subsequent disciplinary action to be taken (including dismissal, adjournment bonds, periods of ineligibility for promotion))
 - after full consideration of the circumstances of the matter the Superintendent, RDD, HRC may commence a process, consistent with the requirements of natural justice/ procedural fairness to consider finding the member unsuitable for in situ promotion pending the final outcome of the probity matter.
- Upon finalisation of any disciplinary or criminal charges, if:
 - the member is exonerated their original eligibility date for in situ promotion applies
 - disciplinary or criminal charges are proven, the member may apply to the delegate for renewed consideration upon satisfying any restrictions resulting from the disciplinary action e.g., they have satisfied the terms of a good behaviour bond.

19. Victoria Police Education Program

- If a member does not meet the components of the education program, their eligibility for in situ promotion will be deferred until they successfully complete all elements of the education program.
- The effective date for in situ promotion will become the date the member completes the education program, subject to meeting all other eligibility criteria.

20. Review of actions – in situ promotion

- Members may lodge an application for review with the PRSB in accordance with the Act and the Agreement.
- The delegate who made the decision of unsuitability is responsible for representing the CCP before the PRSB.

General duties allocation process (constable and senior constable)

21. General provision

- This process prescribes the filling of vacant general duties positions below the rank of sergeant for metropolitan locations, 24-hour country locations and regional highway patrol (HWP) positions, by way of transfer through the EOI process, provided there are no suitably qualified police members available for redeployment.
- Eligible members can fill the positions outlined above using an EOI process.
- A member seeking transfer or promotion may have only one internal EOI within the division and one external EOI outside of the division active at any time but may also remove themselves from the EOI list prior to being gazetted or placed.
- All other positions below the rank of sergeant not covered in the scope of this process will be filled in accordance with the 'Transfer and promotion to advertised positions' process detailed in this policy.
- The general duties allocation committee (GDAC) is responsible for the management of all EOIs for metropolitan and 24-hour country general duties positions and HW positions below the rank of sergeant, apart from internal EOIs which are to be managed at the divisional/PSA level in the metropolitan area for all positions other than highway patrol positions.
- Transfers for Special Category Positions (SCPs) are managed via an external EOI. Directed transfers to SCPs are managed via the ballot process.
- Where a member has submitted an EOI and has an existing flexible working arrangement, including a part time position, that flexible working arrangement must continue unless it will result in significant loss of productivity or efficiency likely to have a negative impact on service delivery. Refer to **VPM – Workplace flexibility**.
- Where the available hours are less than full time equivalent, the available hours will be offered to the person at the top of the list. If that person declines the position, it will be offered to the next person on the list and so on. If at the end of the process, there is no one left on the relevant list, the position will be advertised.
- Where a member who owns a SCP or priority position requires a conversion to part time, the conversion will be facilitated at the SCP or priority work location or other identified suitable location.
- Only members who hold HWP positions are eligible to submit an EOIs to other another HWP position. positions in addition, the member must be confirmed and have met their time-in-position requirements.
- Where a HWP location has a vacancy and there are no names on their EOI list, the vacancy will be advertised and managed by the TPU.
- The EOI process may be expanded by agreement between the Association and Victoria Police to include other ranks and/or positions.

22. Responsibilities

22.1 *General Duties Allocation Committee*

- GDAC is responsible for the filling of all vacant metropolitan and 24-hour constable/senior constable general duties positions located within regions, including those with SCP status.
- The GDAC is comprised of the Superintendent, RDD, HRC (chairperson), the Inspector, Police Diploma Management, PDC and the divisional superintendent of the location(s) nominated for ballot.
- The chairperson is responsible for:
 - reviewing and approving all general duties transfers
 - reviewing exemptions from the ballot
 - the determination of SCP status positions.
- The committee is responsible for:
 - the determination of priority positions
 - review of placement on confirmation
 - the selection of constables for transfer by direction
 - managing the external EOI process
 - determining the schedule for filling general duties positions
 - reviewing and providing advice on submissions or requests for exemptions from the ballot.

22.2 *Regions and Transit and Public Safety Command responsibilities*

Are responsible for:

- the identification of all general duties and regional HWP vacancies below the rank of sergeant
- facilitating the internal EOI process in the metropolitan area (except for HWP vacancies below the rank of sergeant)
- the provision of recommendations to the GDAC (including review of constable appointments upon confirmation)
- notifying station management of transfers
- submissions to the GDAC for regional positions to be given SCP status.

22.3 *Human Resources Command responsibilities*

HRC is responsible for:

- planning recruitment intakes in accordance with attrition and the achievement of government targets
- providing management information
- monitoring the implementation of deployment policy
- publishing transfers
- publishing SCP vacancies
- managing the external EOI process
- advertising general duties country positions.

22.4 *People Development Command responsibilities*

PDC is responsible for:

- the training and performance of probationary constables
- co-ordinating the appointment process for probationary constables
- notifying probationary constables of their appointment
- making recommendations on the suitability of constables for confirmation to the Assistant Commissioner, PDC or nominated delegate.

23. Placement on graduation and during the probationary period

- The GDAC will conduct a review of all vacant general duties positions to determine which positions may be filled with probationary constables based on organisational requirements. Initial placements of probationary constables will be made in accordance with the probationary constable's developmental needs, and the probationary constable's personal circumstances.
- Prior to graduation, probationary constables may express interest in up to five suitable country locations.
- A probationary constable may be transferred to a general duties position at a 24-hour country station or a non-24-hour country station which meets the criteria for a country placement. These criteria will include a suitability assessment by PDC and endorsement by the senior sergeant and local management that appropriate levels of supervision are available. The full training needs of the member must be able to be met at the station, however the member can perform duties at a larger cluster station if necessary to complete their training requirements.
- Probationary constables must not work 'one up' and must be always under direct supervision of a confirmed member.
- EOIs from probationary constables for country locations will be ordered by the date the member enters their EOI on HR Assist. Where more than one police member nominates for the same location on the same day, the order will be determined by registered number (seniority).
- A probationary constable who is successful in gaining placement to a country location will be accorded priority status.
- Time-in-position at the country location will apply for two years at the station from the date the transfer is published in the Gazette. If a member's confirmation has been extended, their time-in-position will be completed on the confirmation date or two years from the date the transfer is published in the Gazette, whichever is the latter.
- Members transferred on graduation to a country location will be exempt from transfer by direction to a SCP position in accordance with this process (the ballot).
- Probationary constables who are not transferred to a country location on graduation may express interest in appointment to a position in up to three metropolitan divisions, including TPSC.
- The probationary constable remains the owner of the divisional position to which they have been appointed following graduation.

- Although appointed to a division within a region/department/command probationary constables remain under the control of PDC for training and monitoring of performance. During the probationary phase a probationary constable will undertake specific deployment placements in accordance with this process.
- Divisional managers, in consultation with the Inspector, Police Diploma Management, must ensure that training placements are undertaken only at locations that will enable the probationary constable to achieve the required competencies.
- Schedules to meet training requirements are determined by the PCET Program, PDC. Divisional managers are to ensure that these schedules are strictly adhered to, and probationary constables rostered accordingly.

24. Review on confirmation – transfer by direction

- Confirmed constables may be transferred by direction in accordance with organisational requirements. Confirmed constables will generally remain at the division of appointment.

25. Filling positions where no expression of interest exists.

25.1 Stage 1— SCP status

- Regions may submit applications to the GDAC for vacant general duties positions to be accorded SCP status. The chairperson of the GDAC may determine whether the position should have SCP status and call for further EOIs. A review of vacant general duties positions will also be undertaken to determine if any positions should be deemed as SCP and allocate any suitable positions to a ballot. SCP positions will be published in the Gazette.
- SCP status may only be considered where there are no EOIs.
- The number of positions with SCP status will be strictly limited through assessment and management by the GDAC.
- SCP positions will be open to senior constables, confirmed constables and probationary constables due for confirmation.
- The package of benefits to be offered as an incentive for these locations include:
 - time-in-position of 18 months for police members volunteering for SCP positions from the date the transfer is published in the Gazette
 - at the completion of time-in-position, members will be eligible to either:
 - request placement to the top of the external EOI list for the metropolitan division or country location of their choice. Members may only be placed on one external EOI list at any given time. The SCP entitlement will be deemed to have been utilised once the members has vacated the SCP position
 - request one extension only at their current location for an agreed period. This would require negotiation with the relevant work unit manager, PSA manager and approval by the divisional manager. The placement request provided for above will apply at the completion of the extension
 - waive their SCP entitlement and remain in position with no time-in-position requirements.

- Members extending their time-in-position will maintain their SCP entitlements for a period of up to two years. If the police member remains at the location at the conclusion of their additional term, the SCP status ceases. The status of the position will be reviewed once vacant.
- Any SCP vacancy that remains at the conclusion of stage 1 will be offered to the upcoming squad due for confirmation.
- Applications for SCP positions will be ordered by registered number (seniority).
- Please refer to the Human Resources Command, [Recruitment and Deployment intranet page](#) for further information.

25.2 *Stage 2 – Priority Positions*

- The GDAC will determine priority positions and will advise constables due for confirmation.
- Any SCP vacancy that remains at the conclusion of stage 1 will be offered to the upcoming squad due for confirmation. Probationary constables may also be given the opportunity to lodge an EOI for any unfilled positions. EOIs for priority positions will be ordered by registered number (seniority).
- Where a probationary constable was in a single squad and has their probation extended, on confirmation they should be attached to the next squad due for confirmation and placed one position lower than they were ranked upon swearing in.
- Where a probationary constable was originally in a double squad and has their probation extended, on confirmation they should, be placed one position lower than they were ranked upon originally being sworn in.
- Where a probationary constable was originally in a double squad and has their probation extended, and are to be attached to a single squad, they should on confirmation be placed one position lower than they were ranked in their original single squad upon swearing in, not where they were placed within the double squad upon swearing in.
- Probationary constables who have priority status will be required to remain as the owner of the priority position for two years from the date the transfer is published in the Gazette.
- During stage 2, probationary constables may also express interest for a transfer to a SCP position. Probationary constables who successfully express interest for a transfer to a SCP position will be entitled to the benefits applying to members who apply for a SCP position as outlined in section 25.1 of this policy.
- Where a constable has gained priority status through an EOI process for a priority position and a ballot is not subsequently conducted, the constable will be given the choice of remaining at their division of appointment or taking the priority position.
- A probationary constable who has priority status or is transferred to a priority or SCP position will at the time of confirmation be exempt from:
 - transfer to another priority position
 - transfer by direction to a SCP position in accordance with this policy.

25.3 *Ballot process*

- If a SCP vacancy remains at the conclusion of stage 2, a ballot of the probationary constables due for confirmation who have not taken priority or SCP positions will take place to fill the vacancy.
- Members may submit details of exceptional personal circumstances that they consider would prevent relocation to a country vacancy. Members must submit details of exceptional circumstances prior to the ballot for consideration and determination by the GDAC. It is important that members disclose all relevant details in their submission so that GDAC can make an informed decision.
- No further documentation can be considered by the PRSB should the member choose to appeal the ballot placement unless the PRSB is satisfied that there are exceptional circumstances.
- Consideration will be given to any family or carer responsibilities, personal circumstances such as health or medical or the impact on family or any other considerations under the *Equal Opportunity Act 2010* (Vic) or Commonwealth anti-discrimination legislation such as the *Age Discrimination Act 2004*; *Disability Discrimination Act 1992*; *Racial Discrimination Act 1975*; *Sex Discrimination Act 1984*; or *Australian Human Rights Commission Act 1986*.
- Police members may be required to move to and work in rural locations. However, if a member is balloted, and is aggrieved with the outcome, they have a right of review from the PRSB.
- A member who is balloted will remain owner of the position for two years from the date the transfer is published in the Gazette.
- At the completion of time-in-position, members will be eligible to request placement to the top of the external EOI list for a metropolitan division or 24hr country station. Members may only be placed on one external EOI list at any given time. The SCP entitlement will be deemed to have been utilised once the member has vacated the SCP position.

26. Internal expression of interest process

- Where a metropolitan general duties position is vacant, the divisional manager must first consider internal EOIs for that work location from their division.
- A member who has reached the top of a list cannot decline the placement.
- A member can only lodge one internal EOI at a time.
- Members' internal EOIs will be recorded at the regional headquarters. The list will be ordered by length of time within the metropolitan division. If more than one member has completed the same length of time in the division, then members will be ordered by registered number (seniority).
- If a general duties position is vacant, unless more than 65% of other ranks at the work location are leading senior constable and senior constable, the divisional manager must:
 - transfer the member on the top of the internal EOI list to that work location
 - fill the vacancy by placing the member highest on the list
 - decline to choose that member and proceed to release the position as a vacancy to the GDAC for filling via the external EOI process. The divisional

manager must notify the member at the top of the internal EOI list of the decision not to offer the placement.

- Only the member at the top of the internal EOI list has the right to seek a review of the divisional manager's decision not to place the member at the work location.
- The member who is unsuccessful in their EOI application may lodge a notice for a decision to be reviewed with HRC TPU who will facilitate a review process with the relevant assistant commissioner.
- A request for review must be lodged within 10 calendar days of the advice from the divisional manager or the Intelligence, Innovation and Risk Division, PSC regarding the unsuitability recommendation, or the recommendation will be adopted.
- If a review is lodged, the position will remain until the outcome of the review has been determined. The request for a review must be lodged within five days of the member being notified of the divisional manager's decision, for progression through the chain-of-command to the relevant assistant commissioner.
- If the vacant position is filled by another divisional member, the consequential vacated work location created by an intra-divisional placement can be filled by placing the next person from the internal EOI list for that location.
- If the internal EOI list is exhausted, the divisional vacancies will then be filled in accordance with the external EOI process.
- Time-in-position requirements do not apply to movements under the internal EOI process. Internal EOI only refers to other rank Operative General Duties (OPGENDUT) within a division and time in position requirements applied to the member when initially transferring into the division will still apply.

27. External expression of interest process

- An external EOI process will be used to fill vacant metropolitan and 24-hour country general duties positions, as well as regional highway patrol positions below the rank of sergeant, where a vacancy has not been filled by an internal EOI process.
- A member may lodge an external EOI provided the member has been confirmed and any time-in-position requirements have been met.
- Each member may lodge one external EOI at any time.
- EOIs for country divisions must specify a station and EOIs for metropolitan divisions must specify the nominated division only.
- Members' external EOIs will be recorded and managed by Personnel Placement, RDD, HRC.
- Lists will be ordered by date entered. Where more than one member nominates on the same day, the order will be determined by registered number (seniority).
- The member on the top of the relevant list will be transferred to the vacant position provided the member meets suitability requirements.
- A member who is aggrieved with a decision made in accordance with section 30 of this policy has access to the dispute resolution process described in clause 11 of the Agreement; this will be available only after the member has requested an internal review of the decision by the Chairperson, GDAC.

- A member may withdraw their external EOI or change their divisional preference at any time prior to the transfer being gazetted. If a member withdraws their EOI, their name will be removed from that list. If a member expresses interest in the same division or another division, their name will be placed at the bottom of the list.
- On transferring to a new general duty or a HWP position, the member is ineligible to lodge an external EOI until the time-in-position requirement of the transfer is completed in accordance with the Agreement. Once the requirement is completed the member may again lodge an EOI for transfer.
- Where a member applies and is successful in gaining a transfer or promotion to an advertised position, all EOIs will lapse.

28. Payment of expenses

- A member transferred through an internal or external EOI may be entitled to payment of expenses in accordance with the Agreement.

29. Transfer date

- A member transferring to another division will commence at their new location 28 days from the date the transfer is published in The Gazette.
- The transfer date may be varied with the approval of the relevant divisional managers to accommodate particular circumstances.

30. Suitability for transfer

- The divisional manager and the Superintendent, Intelligence, Innovation and Risk Division, PSC, are responsible for recommending suitability on the grounds of performance, disciplinary history and/or any current investigations and criminal or disciplinary charges that are pending.
- Disallowance of transfer may constitute a significant setback in a member's career or personal circumstances. Consequently, the divisional manager should ensure that the principles of natural justice are clearly applied in the decision-making process to not recommend a member's transfer. The elements of natural justice in this process are that the member:
 - has previously been made aware (counselled) of any work performance deficiencies, alleged misconduct
 - has previously been given a genuine opportunity to explain those work performance deficiencies, alleged misconduct
 - has been given a reasonable opportunity to address those matters and Victoria Police has provided appropriate training or other opportunities to overcome the member's work performance deficiencies and/or prevent any reasonable member from committing the alleged misconduct
 - was provided with written advice regarding the possible outcomes of work performance deficiencies, alleged misconduct, etc. prior to them coming into effect
 - is informed that the divisional manager is considering disallowing the transfer, and the proposed reasons for making that decision, and given an opportunity to respond to those reasons and to argue why the transfer should proceed.

- The divisional manager must consider the member's information and arguments before making their decision whether to recommend or not recommend the transfer.
- Where a member has not attained their biannual operational safety and tactics training (OSTT) qualification at the time of transfer, it will be accepted that the member will qualify within their designated quarter.
- Where a member has not attained their OSTT qualification and has received final advice from the PMO that they have no operational capacity. An application for transfer, to a position requiring an OSTT qualification, will require the hiring area to conduct an assessment to determine if the OSTT qualification is a reasonable mandatory requirement of the position. If the area assesses the OSTT qualification to be a reasonable mandatory qualification, the member will not be eligible for the position.
- Members who are unable to qualify due to a medical condition or long-term absence may, in exceptional circumstances, be authorised to defer qualifying at OSTT by the relevant region/command/department head. Refer to **VPM Operational safety and tactics training qualifications** for further information.
- Prior to the member being transferred personnel placement, RDD, HRC will request a probity check from the Intelligence, Innovation and Risk Division, PSC.
- Where the Assistant Commissioner, PSC, believes that disclosure of an active PSC file could compromise an investigation, PSC will not divulge the existence of a file as part of the requested probity check. This will not be a barrier to criminal and/or disciplinary action at a later date.
- Where the member is considered suitable for transfer by both the releasing divisional manager and the Superintendent, Intelligence, Innovation and Risk Division, PSC, the division in which the vacancy is located will be advised accordingly. The Chairperson of GDAC will formally approve the transfer.
- Where the member is considered unsuitable for transfer to a general duties position, the releasing divisional manager will advise the member that an unsuitable for transfer recommendation has been submitted to the Chairperson GDAC and that the member has a right to seek a review by the PRSB, other than for disciplinary reasons. Disciplinary reasons may include where the member is under active investigation, whether charges have been laid or not; where the member is subject to criminal or disciplinary charges; or where the member is barred from transfer because of a disciplinary outcome.
- Upon receipt of an 'unsuitable for transfer' recommendation from the releasing divisional manager, or Superintendent, Intelligence, Innovation and Risk Division, PSC, if a member seeks to raise a request for an internal review, the Chairperson GDAC will ensure that the process leading to the recommendation was consistent with the agreed process (described below). The Chairperson GDAC will not be assessing the substance of the recommendation of unsuitability, but if they are not satisfied that the agreed process has been followed, may allow the transfer to proceed.
- In conducting their review of the agreed process, the Chairperson GDAC will ensure the releasing divisional commander or the Superintendent, Intelligence, Innovation and Risk Division, PSC did all the following:
 - followed the principles of natural justice

- submitted an “unsuitable for transfer recommendation” to the Chairperson GDAC
 - advised the member they had done so
 - informed them of their right to seek a review at the PRSB in accordance with clause 11 of the Agreement only after they had sought an internal review by the Chairperson GDAC.
- The GDAC chairperson must confirm there is contemporaneous documented evidence to suggest that local management had both:
 - raised concerns with the member about their work performance
 - acted, in consultation with the member, to address the identified issue(s).
- A review by the PRSB can be sought under clause 11 of the Agreement if the member was considered unsuitable for transfer, other than for disciplinary reasons. Disciplinary reasons may include where the member is under active investigation, whether charges have been laid or not; where the member is subject to criminal or disciplinary charges; or where the member is barred from transfer as a result of a disciplinary outcome. The member seeking review should express their desire to seek a review with PRSB to the Chairperson GDAC or their delegate.
- If a review is not sought within five days for internal EOIs or ten days for external EOIs of being notified of the unsuitability recommendation, the recommendation will be adopted.
- Where a review is sought:
 - the Chairperson GDAC shall suspend any transfer action in relation to the vacant position and refer the dispute to the PRSB in accordance with clause 11 of the Agreement
 - the member seeking the review may be represented in the review by any person other than a person admitted for practice as a barrister or solicitor of the Supreme Court
 - the PRSB will make its own assessment of suitability for transfer pursuant to EOI, other than for disciplinary reasons, and make a recommendation to the relevant regional/departamental/command delegate. The recommendation of the PRSB will be binding as required by the Agreement.

31. Further EOI requirements

- Where a member has been determined unsuitable for transfer, their EOI will become inactive. If the member wishes to remain on the EOI list for the same location, they will be required to re-apply in writing to the divisional manager to have the EOI reactivated. If the member is successful in their application, they will move to the bottom of the list.
- Where a complaint against a member is active and the investigation is proceeding but is not finalised and no charges have been laid, or where the member is involved in a family violence incident as the respondent, the member will proceed through the EOI process in the normal manner. However, the member may be advised that the transfer may be reviewed, subject to the determination of the investigation or the outcome of any peripheral matters.
- Where a member has been charged with a criminal offence or a discipline offence and the outcome is pending, the divisional manager will consult with PSC to consider; the nature and seriousness of the charges; the possible risks if the transfer goes ahead; the likelihood of those risks eventuating; and probable

impacts that if the risks transpire. Where the final outcome of the charge has not been determined, one of the following options may be considered,

- the Assistant Commissioner, PSC may suspend the member under Part 7 the Act (with or without pay) pending the determination of the charge
 - the Chairperson GDAC may allow transfer to proceed, noting that Part 7 the Act provides for subsequent disciplinary action to be taken (including dismissal, adjournment bonds, periods of ineligibility for promotion)
 - after full consideration of the circumstances of the matter, the Chairperson GDAC may commence a process, consistent with the requirements of natural justice/procedural fairness to consider finding the member unsuitable for transfer pending the final outcome of the charge(s).
- If the Chairperson GDAC is considering finding a member to be unsuitable for transfer based on active criminal or disciplinary charges that are pending an outcome, the Chairperson GDAC must advise the member in writing:
 - that they are considering finding the member to be unsuitable for transfer, setting out the adverse information that they are considering in making the decision
 - providing an opportunity for the member to respond to this information and to show cause why they should not be found to be unsuitable for transfer.
 - Any verbal or written response provided by the member must be considered prior to the final determination.
 - The member must be notified in writing of the final decision.
 - Where a member has been found unsuitable for transfer based on current investigations and criminal or disciplinary charges pending an outcome, their name will remain inactive at the top of the EOI list until either:
 - any investigation or charges are dismissed. Upon which, the member may then provide evidence that the charges were dismissed to the Chairperson GDAC who will reactivate the member's EOI
 - the investigation is completed, and the charges are proven, the member's name will remain inactive at the top of the EOI list until the Chairperson GDAC approves re-activation of the member's EOI
 - if the member resigns or is dismissed and once any appeal period has lapsed and the determination outcome finalised, the members name will be removed from the EOI list.

Transfer and promotion to advertised positions

32. General provisions

- This system provides for the filling of vacancies on transfer or promotion for police members, not including reservists. All promotions, except for promotion to senior constable general duties positions, will be made based on merit.
- Transfers and promotions will occur in accordance with timelines outlined in this policy.
- Adherence to the selection process, timelines and record keeping for transfer and promotion to advertised positions detailed in this policy, is the responsibility of the relevant region, command, or department head.

- Transfer or promotion to regions/commands/departments, change of work location and redeployment procedures as prescribed in **VPM Redeployment (members)** must be followed before advertising vacancies.
- Except for minimum time-in-position, all qualifications, eligibility criteria and any maximum time-in-position requirements will be contained in the position description.
- The TPU is responsible for managing the advertisement of positions in accordance with the Act, the Regulations, and the Agreement.
- Positions other than those subject to an EOI process will be advertised in the Gazette and filled on merit provided there are no suitably qualified members available for redeployment.
- A position may be advertised prior to a position being vacant, however the appointed member may only take up the position once it is vacant.
- Transfer and promotion selections will be published in the Gazette, other than positions identified and approved by the CCP or his delegate to be held from publishing for example: intelligence or covert positions.
- The Deployment Portfolio Manager, RDD, HRC in consultation with the Superintendent RDD, HRC, may withdraw a selection process prior to the selection being gazetted.

33. Eligibility to apply for an advertised position

- Members must meet the qualifications and eligibility requirements detailed in the relevant position description to be eligible to apply for an advertised position.
- For members who are not qualified at OSTT, it is accepted that the member will qualify unless there have been previous failures at OSTT or where the member has received final advice of no operational capacity from the PMO. Where a member who is not qualified at OSTT is selected for a position, they must obtain the qualification within 28 days from the date of the selection panel's recommendation unless subject section 7 of **VPM Operational safety and tactics training qualifications**. If they fail to qualify within that period, they are not qualified for appointment and forfeit the position.
- Where a member who is not qualified at OSTT has received final advice from the PMO that they have no operational capacity, applies for a transfer to a position requiring OSTT qualification, the hiring area will conduct an assessment to determine if OSTT qualification is a reasonable mandatory requirement of the position. If the area assesses OSTT to be a reasonable mandatory qualification, the member will not be eligible for the position.
- Members who are unable to qualify at OSTT due to a medical condition or long-term absence may, in exceptional circumstances, be authorised to defer qualifying by the relevant region / command / department head. Refer to **VPM Operational safety and tactics training qualifications** for further information. If the member is returning to full operational duties and seeks to retain their position, they must qualify within one year of the selection panel's recommendation or they forfeit the position. Until qualified at OSTT, a member who is not qualified must not carry or be issued with operational safety equipment which requires an OSTT qualification to use.

- Members are eligible to apply for a transfer once the time-in-position requirement of their current appointment has expired unless otherwise allowed for in the Agreement.
- To be eligible for transfer or promotion to an advertised vacancy, a member must be available during the entire selection process. Availability includes in person, by phone or by approved video link (such as Microsoft Teams).

34. Time-in-position

- Members must hold a minimum time in position of two years from the effective date of transfer and/or promotion, before they are eligible to apply for another position.
- Time-in-position requirements must have expired by the date on which the applications for advertised positions close.
- Exceptions to time-in-position will be granted in accordance with the Agreement.
- Where a member is held to time-in-position requirements and does not fall into any of the circumstances outlined in the Agreement, they can apply 'outside policy' for special consideration to the Director, Workplace Relations Division, HRC.
- Conditions regarding maximum time-in-position will be in accordance with the Agreement.
- On reaching the maximum time-in-position, the owner will be required to vacate the position and will be unattached and declared surplus in accordance with clause 23 of the Agreement. Where a member has not been required to vacate their position six months after reaching their maximum time-in-position, they will not be required to vacate the position at a later date on the grounds of their having reached maximum time-in-position.

35. Internal applicants

In addition to the general provisions, eligibility criteria and time-in-position requirements, the following criteria applies to members:

- all confirmed constables and all senior constables are eligible to apply for advertised constable or senior constable positions if they possess the qualifications detailed in the relevant position descriptions and have met any time-in-position requirements
- criteria for transfer or promotion to sergeant or senior sergeant position(s):
 - senior constables are eligible to apply for any advertised vacancies at the rank of sergeant if they have been confirmed at their current rank of senior constable, have passed the sergeant pre-promotional exam, and possess the qualifications detailed in the relevant position description
 - sergeants and senior sergeants are eligible to apply for any advertised vacancies up to the rank of senior sergeant if they have been confirmed at the rank of sergeant, met any time-in-position requirements, and possess the qualifications detailed in the relevant position description.
- Criteria for transfer or promotion to commissioned officer position(s):
 - senior sergeants are eligible to apply for any advertised vacancies for the rank of inspector when they have been confirmed at the rank of senior sergeant

- commissioned officers are eligible to apply for any advertised vacancies up to the rank of commander when they have been confirmed at the rank of inspector and meet the eligibility and qualification requirements detailed in the relevant position description.
- Criteria for transfer or promotion to PSO sergeant or PSO senior sergeant:
 - to be eligible to apply for PSO sergeant positions the applicant must be a substantive PSO supervisor or a confirmed PSO senior
 - to be eligible to apply for a PSO senior sergeant the applicant must be a substantive PSO senior supervisor or a confirmed PSO supervisor or PSO sergeant.

36. External (registered) applicants

- Applicants registered on the Police Profession Register of the PRSB will be required to meet the recruitment and selection requirements as determined by the CCP or the authorised delegate.

37. Action prior to advertising vacancies (delegate responsibilities)

- The delegate must decide whether a position is to be filled.
- The position must be justified within current practices and within the approved sworn funded profile.
- Prior to the delegate releasing the position for advertising, the position description must be reviewed to ensure that it is accurate and accords with current organisational requirements.
- All enquiries related to position descriptions must be directed to Workplace Relations, Business Partnering and Workplace Relations Division, HRC. Only the director or their delegate can approve changes to position descriptions.

38. Advertising positions

- The requirement to advertise does not apply where the Agreement provides for filling of other positions by an EOI process.
- All other positions must be advertised in the Gazette in accordance with the Act, the Regulations, and the Agreement.
- Where there are multiple positions advertised in the Gazette at one or more initial duty locations with similar position descriptions, the TPU may combine them into a single selection process.
- All positions advertised will include an initial duty location that specifies where the duties will be performed.
- Positions where a member is required to occupy a premises as a condition of employment must be noted in the Gazette.

39. Timelines for selection

- Selections for advertised positions must be completed within 40 calendar days from the date of advertisement, except where an automatic extension applies or in exceptional circumstances where an extension is granted by the Superintendent Deployment, RDD, HRC or the Deployment Portfolio Manager, RDD, HRC.

- The TPU will determine dates for shortlisting, interviews, and any other assessments in consultation with the selection panel.
- Where an interview and/or assessment is scheduled and an eligible applicant is unable to attend due to unforeseen circumstances, the selection panel may convene at another date/time within the prescribed period.

39.1 *Extension to timelines for selection*

In the event of an excessive number of applications being received for an advertised position(s), an automatic extension to the 40-day selection process timelines applies as follows:

Number of applications	Number of additional days	Total number of days
>25	5	45
> 50	10	50
> 75	15	55
> 100	20	60

39.2 *Application for an extension*

- Where an automatic extension to the timelines for selection is not applicable and an extension is required, the convenor or representative of the TPU must submit a request for an extension to the timelines to the Superintendent Deployment, RDD, HRC or the Deployment Portfolio Manager, RDD, HRC.
- The Superintendent Deployment, RDD, HRC or the Deployment Portfolio Manager, RDD, HRC will consider the request. The outcome will be documented in writing that:
 - an approval to extend the timelines for selection which will result in proceeding with the selection process or
 - a rejection to extend the timelines for selection which may result in the composition of the panel changing or
 - a rejection to extend the timelines for selection which will result in the selection process ceasing and the position being withdrawn. The delegate will determine whether the position is to be readvertised.
- The approval or rejection for an extension to timelines for selection must be filed with the selection process documentation.

40. Selection panels

- Selection panels must be convened for all advertised positions.
- The composition of the selection panel for vacancies at the rank of inspector through to commander will be determined by the Deputy Secretary, Corporate and Regulatory Services or the CCP.
- For all other advertised positions, the TPU in consultation with the delegate will nominate the selection panel, which should include:
 - convenor – an appropriately trained employee from the TPU
 - local manager(s) – sworn member nominated by the delegate
 - independent member(s) - sworn member(s), independent of the region/department/command and nominated by the TPU in consultation with the delegate

- Subject Matter Experts (SMEs) - in the case of specialist or technical positions SMEs may be appointed to provide expertise and guidance on technical details.
- Selection panels for advertised vacancies should comprise of a majority of sworn members who all must be at least one rank above the advertised position.
- All selection panels must be diverse in representation.
- The TPU will convene all selection panels unless otherwise determined by the Deputy Secretary, Corporate and Regulatory Services or the CCP.
- A selection panel will assess the relative efficiency of applicants for transfer or promotion to a position against the key selection criteria (KSC) and qualifications contained in the position description.

40.1 *Convenor's responsibilities*

The convenor must:

- conduct the administration of the selection process and all associated activities in accordance with this policy and the requirements of natural justice and procedural fairness
- ensure all selection panel members are aware of the policy and procedures
- collate the necessary documentation and information for the selection panel
- co-ordinate the shortlisting, interviews and/or assessments as part of the selection process
- ensure that short-listed applicants are interviewed and assessed in accordance with this policy
- ensure selection processes are conducted to avoid bias, unfairness, inconsistency, or irrelevancy and to comply with **VPMP Information access, VPMG Information Privacy, VPMP Appropriate use of information.**

40.2 *Selection panel member's responsibilities*

All selection panel members must:

- ensure the applicant meets the qualifications and eligibility requirements to apply for the position and assess their relative efficiency, including their aptitude and any special qualifications necessary to perform the duties of the position as outlined in the position description and position profile.
- consider whether the applicant will be able to meet any ongoing eligibility requirements.
- consider the suitability for promotion of relevant applicants by reference to the rank capability profile.
- assess the applicants' relative efficiency against the KSC, and after considering the duties and any required qualifications in the position description seek to reach consensus regarding which applicant(s), if any, should be recommended for transfer or promotion to the position.

41. Conflicts of interest

- All selection panel members must declare in writing all conflicts of interest known to them at the commencement of the selection process. A Conflict-of-Interest

Register and Panel Conduct form will be distributed to panel members by the TPU. Generally, conflicts arise from previous or existing personal or professional relationships, friendly or adverse, between panel members and applicants.

- A conflict does not automatically disqualify a panel member or delegate from participation in the selection process however the panel as a collective must:
 - consider all declared conflicts
 - assess the risk posed by each declared conflict
 - determine how the risk will be managed
 - record the assessment of the risk and the determination of the management of the risk in the TPU file.
- Panel members and the delegate must ensure that their conduct during the selection process does not create an actual conflict of interest. Contact between panel members, the delegate and an applicant during the selection process is to be limited and should exclude any discussion regarding the selection process.

42. Application – submission

42.1 *General protocols*

- Applications for transfer or promotion to advertised positions must be lodged with the TPU.
- Applications will close at 4pm on the 10th day from the date of publication of the advertisement in the Gazette.
- Applications for transfer or promotion to advertised positions should be lodged through the Victoria Police IT System, HR Assist.
- Applicants who are unable to lodge an application through HR Assist must contact the TPU for further advice during normal business hours and prior to 4pm on the 10th day from the date of publication of the advertisement in the Gazette. If a HR Assist issue can be confirmed applicants cannot be ruled out solely due to a system failure. An applicant should make all reasonable attempts to submit the application.

42.2 *Completing an application*

- Members applying for positions are responsible for ensuring that the latest VP Forms for transfer and promotion are submitted.
- The following documentation must be submitted as an application for the ranks of constable to senior sergeant, unless otherwise determined by the Superintendent Deployment; RDD, HRC or the Deployment Portfolio Manager, RDD, HRC:
 - the completed application VP Form 25A
 - the applicant preference list VP Form 25B
 - the names of two referees one being the current line manager.
- The documentation that must be submitted as an application for the ranks of inspector, superintendent and commander will be determined by Executive Command and advertised with the vacancy.
- The TPU may request other documents/forms/assessments which must be completed and/or submitted as part of the application process at any stage of the selection process.

- Applicants are responsible for ensuring that all documentation is entered into HR Assist or in the case that HR Assist is not operating via email to the TPU PBEA: by 4pm on the advertised closing date.

42.3 *Receipt of applications*

- A receipt email will be automatically forwarded to an applicant once an application has been lodged via HR Assist.
- A receipt email confirms that an application has been submitted. The receipt is not verification that the application is complete or that it meets with application guidelines and requirements set by RDD, HRC.

42.4 *Incomplete or incorrect application documentation*

- All documentation must be completed in its entirety upon submission.
- Applications containing errors or incomplete information that are not critical to the application may still be considered by the selection panel.

42.5 *KSC examples*

Application guidelines as set out in the Gazette and in transfer and promotion VP Forms include character and page limits as well as any other application rules. Applicants who alter the application form or submit applications with examples that exceed the specified limit will be considered ineligible and their application will be removed from the selection process for which they have applied. Character and page limits are set by RDD, HRC.

42.6 *Privacy*

The KSC should be de-identified as best as possible. Personal information such as names, addresses or other information relating to people other than the applicant must not be included in the VP 25A application form. It is acceptable to use an identifying number such as a LEAP reference, a brief book number or an Incident Fact Sheet number to assist with validation. Refer **VPMP Information sharing and VPMG Information privacy** for further information.

42.7 *Withdrawal of applications*

- Requests to withdraw an application prior to the endorsement of a selection can only be made to the delegate or to RDD, HRC.
- There is no process for withdrawing a transfer or promotion after the delegate has endorsed the selection.
- Should the selected applicant withdraw from the position, the RDD, HRC, in consultation with the delegate must determine whether to:
 - select the next applicant(s) in the order of merit who demonstrated efficiency for appointment to the rank and position as an alternate to the applicant(s) who withdrew
 - re-advertise the position(s)
 - withdraw the position(s).

42.8 *Lapse of applications*

In accordance with the Act and the Regulations if a member is selected for promotion,

any other applications for promotion or transfer by the member will lapse. If a member is selected for transfer, any other applications for transfer by the member will lapse.

43. Application – Assessment

43.1 *General*

The assessment process will be predetermined by the TPU in consultation with local managers prior to the close of the Gazette, 9 days after advertising.

43.2 *Shortlisting*

- The selection panel must assess the relative efficiency of each applicant for transfer or promotion to a position.
- All selection panel members will be provided with copies of all applications and information and/or documentation for the selection process prior to assessing applications.
- Shortlisting must be completed by all selection panel members.
- All selection panel members must independently assess each application prior to meeting with the entire selection panel.
- The selection panel's independent scores are compared and a median, or average is determined for each applicant as a consensus score which is used as part of a holistic assessment to determine which candidates will be shortlisted to be either interviewed, or further considered where no interviews are to be conducted.
- To assist with the shortlisting process, the panel may consider obtaining additional referee comments, conducting preliminary interviews or other forms of pre interview assessments. Any such activity should be coordinated by the convenor.

43.3 *Shortlisting matrix*

The convenor must ensure the shortlisting matrix is completed with a consensus. The matrix must include each panel member's ratings and assessment for each application.

43.4 *Probity considerations*

Initial probity considerations

- The selection panel must consider an applicant's good conduct as part of its assessment of efficiency. The selection panel must consider the limited criminal and disciplinary history as described on the register of complaints, serious incidents, and discipline (ROCSID) for each applicant who has applied for the position.
- If necessary, as part of this assessment, the selection panel can make further inquiries with the applicant(s) and invite their explanation of the relevant incident and their reflections on the matter. The selection panel may make inquiries to validate any information received.

Final probity considerations

- The TPU must seek a final probity check to determine if there are any matters, for the recommended applicant only.
- Where the Assistant Commissioner, PSC, believes that disclosure of an active PSC file could compromise an investigation, PSC will not divulge the existence of a file

as part of the requested probity check. This will not be a barrier to criminal and/or disciplinary action at a later date.

- The result of the probity check must be considered by the selection panel in consultation with the delegate.
- For appointments to Victoria Police Command positions, probity will be reviewed by an Executive Command member.
- Where the panel believes that the results of a probity or referee check render the preferred applicant unsuitable for the position, the preferred applicant must be given the opportunity to make further comment regarding the issues to the panel before a final decision is made by the delegate.

43.5 *Members under investigation*

- Where a complaint against a member is current and the investigation is proceeding but is not finalised and no charges have been laid, the member may proceed through the selection process in the normal manner.
- If the member under investigation is the panel's recommended applicant, they may be promoted or transferred at the discretion of the Deputy Commissioner, Capability. The member should be advised, however, that the promotion or transfer may be reviewed, subject to the determination of the investigation. The exception would be if the Assistant Commissioner, PSC has determined that the investigation must not be divulged.
- If Deputy Commissioner Capability is considering finding a member to be unsuitable for transfer or promotion based on an active unresolved investigation, the Deputy Commissioner must advise the member in writing:
 - that they are considering finding the member to be unsuitable for selection, setting out the adverse information that they are considering in making the decision
 - providing an opportunity for the member to respond to this information and to show cause why they should not be found to be unsuitable for the position.
- Any verbal or written response provided by the member must be considered prior to the final determination.
- The member must be notified in writing of the final decision.

43.6 *Criminal charges and discipline matters*

- Where a member has been charged with a criminal offence or a breach of discipline and the charges have not been finalised, the Assistant Commissioner PSC may suspend the member under Part 7 the Act (with or without pay) pending the determination of the charge.
- Where the final outcome of the charge(s) is still pending, and there is no interim action to suspend the member from duty, the delegate will consult with the Superintendent, Intelligence, Innovation and Risk Division, PSC and the Deputy Commissioner Capability to consider whether the selection should go ahead. The following options are available:
 - the Deputy Commissioner Capability may allow selection to proceed, noting that Part 7 the Act provides for subsequent disciplinary action to be taken (including dismissal, reversion in rank, adjournment bonds, periods of ineligibility for promotion, fines, etc)

- after full consideration of the circumstances of the matter the Deputy Commissioner Capability may undertake a process, consistent with the requirements of natural justice/ procedural fairness to consider not allowing the member's selection for the position to proceed.
- If the Deputy Commissioner Capability is contemplating allowing the selection to proceed where the member has been charged with a criminal offence or a discipline offence and the charges have not been finalised, the Deputy Commissioner Capability must consider:
 - the seriousness of the matter, the weight of evidence, and the likelihood of the charge being proven
 - the likely outcome if the charge is proven and whether not allowing the selection to proceed would be excessive in the circumstances, when compared to the probable determination
 - the potential positive and/or negative impacts on the workplace; any affected person; the public; the investigation; and the integrity, standing or reputation of the organisation if the selection proceeds.
- If the Deputy Commissioner Capability is considering not allowing a selection to proceed for a position based on active criminal or disciplinary charges that are pending outcome, the Deputy Commissioner Capability must advise the member in writing:
 - that they are considering not allowing the member's selection for the position to proceed setting out the adverse information that they are considering in making the decision; and
 - setting out how that information affects their assessment of the member's efficiency (including good conduct and aptitude for the position); and
 - providing an opportunity for the member to respond to this information and to show cause why their selection for the position should proceed.
- Any verbal or written response provided by the member must be considered prior to the final determination.
- The member must be notified in writing of the final decision.

43.7 Referees

- The convenor must ensure that appropriate referee checks are conducted.
- Referee checks may be undertaken at any time during the selection process.
- All referees must be informed that their comments will be documented and may be made available to the applicant and the PRSB.
- The applicant must be advised if referees, other than those nominated, are consulted, unless it poses a safety risk to another member.

43.8 Interviews

- Where the selection panel has assessed the application(s) and reached a consensus not to shortlist any applicants, a non-selection will result.
- On all other occasions, all available shortlisted applicants will be interviewed unless both:
 - the position sought is at constable or senior constable rank; and

- the panel determine that a paper-based assessment is sufficient, and interviews will not further assist with identifying a recommended applicant.
- Interviews may be conducted in person, by video conferencing (including MS Teams) or telephone.
- Selections that proceed as paper-based assessments must consider all the information and documentation submitted in the process.

Responsibilities

Prior to the interview process the TPU representative, as the convenor, in consultation with the selection panel, must:

- formulate relevant questions to be used during the interview
- determine procedural responsibilities of the panel, including individual panel members' responsibilities, format and methods of note taking
- contact any people considered appropriate to clarify or validate aspects of the member's application
- arrange a timetable of interviews
- brief panel members on the process to be followed
- arrange a suitable venue to conduct the interviews
- ensure that interviewees are notified of the:
 - time and date of their interview
 - venue (e.g., VPC) / platform (e.g., Microsoft Teams)
 - identity of panel members.

Conduct of interview(s)

- In interviewing applicants for a position, the selection panel must:
 - review with each applicant the content of their application
 - question applicants against the KSC
 - give applicants the opportunity to expand on their application and to demonstrate their suitability
 - give applicants the opportunity to comment on their ROCSID record
 - give applicants the opportunity to comment on any relevant performance feedback (only for Commissioned Officer selection processes)
 - give applicants the opportunity to ask questions of the panel
 - confirm the applicant's nominated and additional referees.
- Panel members should take contemporaneous notes throughout the selection process, which will assist with making a recommendation to the delegate and compiling the final report. These notes must be kept by the convenor until the expiration of the appeal period or completion of any appeal.
- If necessary, panel members can make further inquiries to validate any information received.

Interview integration grid

The integration grid for each interviewed applicant must be completed including each panel member's ratings and overall assessment relating to the applicants' responses to the interview questions, scenario, and any other relevant information.

43.9 *Determining the recommended applicant(s)*

In determining the recommended applicant for a position, the selection panel must consider the documentation and information submitted by all eligible applicants, interviews (where applicable) and any other assessments or checks which formed part of the selection process when assessing the relative efficiency.

43.10 *Selection report*

A selection report must be completed for all selection processes and submitted to the delegate for review and endorsement. The selection report should be prepared by the convenor. It must include:

- details of the position
- the composition of the selection panel
- names of all applicants
- details of interviewed applicants:
 - the efficiency and experience of applicants
 - performance at interview
 - relevant comments relating to performance progression cycle (where applicable)
 - relevant comments relating to probity including responses from applicants regarding their own discipline history
 - relevant comments made by referees (where applicable)
- a finding of suitable or unsuitable for each interviewed applicant, with suitable applicants ranked in order of suitability. At commissioned officer level, applicants are ranked in order of suitability for the rank rather than the role
- a recommendation as to the most suitable applicant based on the panel's assessment of their relative efficiency
- any other information the selection panel considers relevant.

43.11 *Delegate's responsibility and action*

- The delegate must review the selection panel's recommendation and be satisfied that the selection has been made in accordance with the provisions of this policy. The delegate may either endorse or reject the recommendation.
- If the delegate intends to not endorse the recommended applicant, based on information or circumstances specific to that applicant, the delegate must, provide that applicant with an opportunity to discuss those matters. Consistent with the principles of natural justice and procedural fairness, this must be done before rejecting the recommendation.
- If the recommendation is rejected the delegate must make a notation on the report including the reason for not endorsing the recommendation.
- If the final recommendation is rejected, the delegate in consultation with the Superintendent Deployment, Recruitment and Deployment Division, HRC or Deployment Portfolio Manager, Recruitment and Deployment, HRC must either:
 - select the next applicant(s) in the order of merit who demonstrated efficiency for the role, as an alternate to the applicant(s) who was not endorsed by the delegate
 - determine to convene another selection panel

- readvertise the position(s)
- withdraw the position(s).
- The delegate must return the selection report to the TPU for further administrative action.

43.12 *Selections and notification of applicant*

- A selection will not appear in the Gazette until the completed file is held at the TPU.
- Applicants must not be notified of a selection decision until the recommendation has been endorsed by the delegate.
- An applicant will be deemed as the selected applicant upon the delegate endorsing the recommendation of the selection panel.

43.13 *Appeals*

- An appeal against the selection of another member may only be made to the PRSB in accordance with Part 8, Division 1 of the Act and the Part 7, Division 1 of the Regulations.
- Unless the involved parties agree to a lesser period, relocation will occur either:
 - where no appeals occur, 28 days from the date of the notification of promotion/transfer in the Gazette
 - where an appeal occurs, from the day of the appeal decision by the PRSB or 28 days from the date of notification of promotion/transfer in the Gazette, whichever is the latter
 - where an appeal is withdrawn, 28 days from the date of the notification of promotion/transfer in the Gazette, or the day of notification of withdrawal to the PRSB, whichever is the latter.

43.14 *Grievances*

Where a member considers the process conducted for a transfer or promotion under this policy is not in accordance with the Part 3, Division 5, or Division 7 of the Act; or Part 3, Division 1 or Division 2 of the Regulations; or clause 20 of the Agreement; or this policy, they can submit a grievance. See **VPM Review of actions (grievance)**.

43.15 *Probationary period*

All promotions will be subject to a probationary period in accordance with the Act.

44. Selection action and recording

44.1 *Transfer and Promotion Unit responsibilities*

- Following endorsement or rejection of the panel's recommendation, the TPU must:
 - notify shortlisted applicants of the selection decision
 - forward correspondence to applicants advising them of the selection decision
 - record the selection on HR Assist
 - file all documentation relating to the transfer or promotion.
- All documentation will be retained by the TPU until the expiration of the appeal period. Refer to **VPMP Information review, retention, and disposal**.

44.2 *Action by Regions/Departments/Commands at expiration of appeals process*

After publication of the selection and at the expiration of any appeal process, the region/department/command will be responsible for updating HR Assist and actioning the transfer.

44.3 *Feedback*

- All applicants may request post-decision feedback on their performance within a selection process.
- The region/department/command panel representative is responsible for providing feedback in a timely manner.
- The TPU will assist by making relevant information available to the region/department/command panel representative where relevant.

44.4 *Administrative errors*

- If an administrative error, such as an incorrect position number, or other typographical error is identified before any transfer or promotion is approved, the position may be withdrawn and readvertised by the delegate in consultation with the Superintendent, Recruitment and Deployment Division, HRC or the Deployment Portfolio Manager, Recruitment and Deployment, HRC.
- If the error is identified as not compromising the transfer or promotion process and meets with natural justice and procedural fairness, the transfer or promotion may in some cases proceed.
- Outcomes of administrative errors must be recorded in the selection report.

Assignment process

45. General provisions

- The assignment section of this policy should be read in conjunction with the **Higher duties and Assignments – Police and Protective Services Officer Vacancies practice guide**.
- Higher duties forms must be lodged through the Employee Self Service component of HR Assist.
- Assignment positions are unfunded and non-core positions. They are not counted within the Victoria Police funded profile. The member is linked to the position via at level or higher duties recording through HR Assist. Any position created must be approved via an Establishment Change Form (ECF) and proceed through funded profiles – organisational structure unit for approval of the Director, Human Resources People Services, or their delegate.
- All assignments should only be approved where it is essential that a position be temporarily filled and alternative means of managing the work of the position have been explored. This is referred to as the 'essentiality test'.
- In assessing the necessity for filling a position by assignment, work unit managers should consider whether:
 - some or all the duties can be deferred for the period of the vacancy
 - essential duties can be temporarily reallocated and absorbed within the workplace

- less essential duties can be suspended
 - failing to fill the position will result in members being required to perform the substantive responsibilities of more than one position
- Members should not be required to undertake the duties of a vacant position if they have not been formally assigned to that position.
- Assignment positions must be appropriately managed within approved sworn funded profiles and available budgets and be approved by the designated delegate prior to submission.
- If a position cannot be permanently filled due to a region/department/command review of functions or funding review of a position, alternative staffing strategies should be investigated before long term higher duties assignments are approved.
- If a position cannot be permanently filled due to of an organisational transfer or promotion suspension, as determined by the CCP, alternative staffing strategies should be investigated before long term higher duties assignments are approved.
- Higher duties assignments will be funded out of the region/department/command salaries and wages budget unless specific funding has been allocated to the assignment position outside of that budget.
- Temporary, higher duties assignments within the same workplace due to cascading vacancies e.g., Senior Sergeant, Sergeant etc. require a more stringent application of the test of essentiality for payment of a higher duties allowance.
- Preference for higher duties assignments should be given to members who are qualified for promotion.
- There is no restriction on the assignment of members who are not qualified if they are the most suitable person available.
- The selection of a member to an assignment or higher duties should be processed in a timely manner.

46. Criteria for an assignment: meeting the essentiality test

- Examples demonstrating positions that may meet the essentiality test may include:
 - the position holds statutory responsibilities or specific delegations/powers that must be regularly exercised, and no other equivalent position exists to absorb the functions
 - the position performs a key supervisory function which could not be maintained through temporary revision of reporting lines and spans of control
 - the position performs functions that are critical to the ongoing operations of Victoria Police
 - the position is in a small or specialist unit and assignment to the position would provide a developmental opportunity for members.
- Positions that do not meet these criteria should not be filled by higher duties or at level assignments.

47. Conditions of assignment

- An initial assignment should be for a specific period not exceeding three months.
- Unless exceptional circumstances exist, action to permanently fill the vacancy should be taken so the assignment does not continue beyond a further three months (a total of six months).

- Where an initial assignment is more than three months, or an assignment is extended beyond three months, the approval of the region/department/command manager is required.

48. Advertising assignments

- All assignments more than three months must be advertised on the Intranet.
- It is expected that temporary vacancies will be managed and sourced within a region/department/command unless there are no suitable applicants within that area. Accordingly, assignment opportunities are only to be advertised within the region/department/command where the assignment is located, unless the respective work unit manager gives approval for wider advertisement.

49. Internally advertised assignments

- Internal assignment opportunities should be circulated via the Intranet.
- Where an assignment is advertised only within the region/department/command, members do not have to submit their application/EOI through line management. Applications can be submitted directly to the person named in the advertisement to receive the applications.
- The relevant work unit manager is responsible for determining whether the preferred applicant will take up the assignment based on an assessment of the priorities and service delivery commitments of both the releasing and receiving work units.

50. Organisational- advertisements

Where organisation--wide advertisement of an assignment opportunity is approved by the respective region/command/department manager, the assignment must be advertised on the Intranet with applications/EOI submitted through line management.

51. Endorsement of applications

- The applicant's divisional manager must make a recommendation to either support or not support their release if they are the selected applicant.
- A region/department/command manager may decide to refuse release if they consider it would have a detrimental impact on service delivery in their area of responsibility. Any endorsement must take minimum station profiles into consideration. Refer to **CCI 09/24 Minimum Station Profiles** for more information.
- If the divisional manager does not support release, they must advise the applicant and the divisional manager of the assignment position in writing.
- Where release is refused by the divisional manager, the application and any submission from the applicant should be forwarded to the receiving divisional manager for information.
- Where refusal to release is indicated and the member or the receiving divisional manager wishes to contest the decision, they may refer the matter to a member of Executive Command for a decision.
- Where a probity check has been conducted, it must be taken into consideration.

52. Developmental assignment(s)

- A manager may wish to use a vacant position to provide a developmental assignment opportunity.
- A member may be assigned to the position to gain exposure to, and experience in, the performance of different duties.
- Managers are to ensure that the necessary training is provided to assist members to achieve their developmental and performance potential. For this purpose, developmental assignments should be considered when assessing a member's performance.
- In the case of assignment to a higher duties position, managers are encouraged to provide a development opportunity for more than one member by consecutive periods of assignments.
- In the case of at level assignment at level as the proposed assignee(s), the manager can exercise discretion regarding the number of members to be assigned and the length of the assignment.

53. Retrospective approval of assignment

Retrospective approval for assignments must only be granted in exceptional circumstances and must include written explanation from the relevant area and the authority of the divisional manager.

54. Directed assignment

- A member may be directed to perform the duties of another position for a period of less than six months in accordance with the Agreement.
- Temporary duties must not result in a change to the member's duties or rank unless agreed.
- Superintendents or above may direct a member to perform the duties of another position for a period of less than six months (higher duties, at level or developmental) if:
 - it is in the best interest of Victoria Police to do so
 - the member possesses the required skills and experience to perform the duties of the assigned position
 - it is consistent with minimum service level standards prescribed for the command/region/department.
- When directing a member to perform the duties at another location, consideration must be given to a member's personal circumstances including developmental needs and family responsibilities.
- A member must not be financially disadvantaged through a directed assignment.

55. Assignments because of organisational change

Where there are organisational changes imminent (e.g., potential outsourcing of a function or major restructuring of a workplace) and a decision is made by management to hold positions vacant (i.e., not to advertise for permanent filling) for a period longer than six months, approval to pay higher duties in that workplace must be approved by the region/department/command manager.

56. Higher duties

- Higher duties must not be assigned more than two levels above the member's substantive rank unless exceptional circumstances exist.
- When multiple members for higher duties are being considered, the preference should be given to the member who has the requisite qualifications for the position as per the position description or who have already qualified for promotion.
- There is no restriction on the assignment of a member who has not qualified if they are the most suitable person available.

57. Eligibility

- Members (except reservists) are eligible for higher duties allowance if assigned to act in a position of a higher rank for a continuous period of seven days (two days of which may be rest days). However, although eligible, probationary constables would not normally be expected to be assigned higher duties.
- Where a member who is below the rank of sergeant is directed by a senior sergeant or above to replace and perform the supervision duties of a sergeant for a shift, they will be entitled to receive higher duties for that shift.
- Where a member of the rank of sergeant is directed by an inspector to perform the divisional response supervisor shift of a senior sergeant, they will be entitled to receive higher duties for that shift.
- Where the higher duties would cause a financial detriment, the member will continue to receive the same remuneration as their substantive position.

58. Exceptional circumstances to higher duties

- The exception to the most suitable member being more than two ranks below for higher duties, may include specific knowledge and/or skills necessary to perform the duties of the position. For example, where there is access to a limited number of members within a small, specialised work unit and the most suitable member is more than two ranks lower than the substantive position.
- It is expected that this would only apply in a small number of cases and require the approval of the region/department/command manager for roles up to and including inspector rank. As assistant commissioner or executive director of the region/department/command must approve higher duties if the role being upgraded to is at superintendent or commander rank.

59. Delegate's responsibilities and actions

- The decision to assign higher duties or at level assignment must be exercised by the appropriate delegate.
- The delegate can withdraw an assignment at any time due to the under performance of the assignee, the position no longer being vacant, changes in operational priorities, or any other reason.
- The statutory responsibilities, personnel, and financial delegations applicable to a position cannot be exercised unless a formal assignment to the position is authorised. The member is linked to the position by using the Higher Duties / At Level Assignment form in HR Assist.

60. Transfer on assignment

Once approved, the selected applicant will be released and assigned to the position.

61. Extension of assignments

- Assignments should not be extended beyond the original period unless special circumstances warrant it (i.e., a project is extended, member to be replaced due to extended absence, etc.).
- If the circumstances arise where an assignment must be extended beyond the original advertised period, the assignee can only be extended in that assignment if:
 - the assignment was advertised in the first instance
 - the aggregate period of the assignment is less than three months
 - the extended period is approved by the releasing region/department/command manager.
- Where an assignment was initially for less than three months and was not advertised, that assignment cannot be extended beyond three months without advertisement.

62. Voluntary assignments

- A member who undertakes an assignment will remain the owner of their substantive position for the duration of their assignment period.
- In exceptional circumstances, where the assignment is for a period greater than one year a member may be unattached from their position.
- It is at the discretion of the delegate (refer delegations manual), whether a member is approved to be unattached from their position.

63. Flexible work arrangements

- A member being assigned under this process may apply to perform the work on a part-time basis, including working in more than one position, provided the total hours do not exceed 76 hours per fortnight. Refer to **VPM Workplace flexibility**.
- A part-time member assigned under this process may apply to temporarily revert to full time hours.
- A directed assignment must not increase a member's hours unless the member agrees.
- Consideration must be given to a member's personal circumstances including developmental needs and carer responsibilities.

Secondment process (external)

64. General provisions

- This section of the Policy applies to members employed by Victoria Police and members who are temporarily employed by other police services or government agencies under an authorised secondment as described below.
- This policy does not apply to VPS employees, who should refer to the Public Administration Act 2004 (Vic); the Victorian Public Service Enterprise Agreement

2024; and the Victorian Government [Secondments and Temporary Assignments policy](#).

- Victoria Police may allow members to be seconded to other police services or government agencies at the discretion of the Chief Commissioner provided that:
 - the placement is for a defined period
 - it takes into consideration minimum station profiles, refer **CCI 09/24 Minimum Station Profiles**
 - it is beneficial to Victoria Police
 - the receiving police service or government agency meets the costs associated with the member during the period of the tenure
 - the secondment is approved by the Chief Commissioner or their delegate.
- The selection process and decision for all secondments must be made in accordance with the MOU between Victoria Police and the other police service or government agency.
- Members must only engage in employment approved under the terms of the original secondment.

65. Initiation

- Where another police service or government agency requires the services of a member to work within that police service or government agency, the head of that other police service or government agency should make a formal request to the CCP in writing.
- The application should outline the:
 - reasons for the secondment
 - term of the secondment
 - conditions that will apply
 - selection process required
 - funding agreement.
- This application may be for a new secondment or to replace an existing member seconded to other police service or government agency.

66. Status

During any period of secondment, a member:

- continues to be a member of Victoria Police
- remains accountable for the use of Victoria Police information in accordance with **VPMP Appropriate use of information, VPMP Information access** and **VPMP IT equipment and software** where access to that information forms part of the requirement of the secondment
- must obey all lawful instructions and orders given by officers of a higher rank of the other police service or government agency to which the member is seconded
- is subject to the laws of that jurisdiction and, as far as practicable, also with the Act, the Regulations and orders or directions of officers of a higher rank within Victoria Police

- Victoria Police employees seconded to other police services or government agencies remain subject to the discipline and investigation procedures of Victoria Police. Refer to s 1.3 **VPM Complaints and VPM Discipline**.

67. Selection process

- Approved opportunities for external secondment must be published on the Victoria Police Intranet and a formal selection process must follow.
- A member must submit their EOI through their, division/department/command manager, who must make a recommendation to either support or not support their release if they are the selected applicant to the CCP or the relevant delegate if the retention of the member is in the best interest of Victoria Police.
- A selection process will be conducted by the other police service or government agency to which the secondment is available.
- The panel may include a representative from Victoria Police.
- Whilst Victoria Police practice allows members to compete on merit for secondments, in certain circumstances, the CCP may decide not to follow a formal selection process and direct an individual member to take up the secondment.
- Where a probity check has been conducted it must be taken into consideration.

68. Salary and allowances during an external secondment

The other police service or government agency to which a member is seconded is expected to meet, either directly or by reimbursement, the costs of:

- the member's salary, overtime, and penalty rates
- any special allowances applicable to the other police service or government agency and/or position to which the member is seconded
- on-costs (Work Cover levy, payroll tax, etc.)
- the employer's contribution to superannuation.

69. Additional costs of secondment

The other police service or government agency to which a member is seconded is responsible for directly meeting all other costs arising from the member's performance of duty as directed by the other police service or government agency, including:

- relocation costs (if required)
- travel and related expenses
- vehicle hire and maintenance
- mobile phone, computer, or other devices
- office, equipment, and furniture, etc.

70. Unfunded Secondments

In determining whether an unfunded secondment will be approved, Executive Command will take into consideration the importance of the secondment to Victoria Police and the impact of leaving the seconded member's position vacant for the period of the secondment.

71. Special arrangements

- The Department of Justice and Community Safety (DJCS) will meet the costs associated with the Victoria Police share where secondments to particular services (e.g., ANZPAA) are funded by contributions from the commonwealth, states and territories. Whilst this arrangement continues all secondments to those services may be considered “fully funded”.
- Under the establishment conditions of certain services such as the National Institute of Forensic Science, Victoria Police has direct responsibility for employment of staff attached to those services.

72. Position ownership

72.1 *Backfilling funded secondment positions*

Where Victoria Police or the other police service or government agency agrees to meet all the costs involved, the position that is owned by the seconded member can be backfilled by a member on higher duties or assignment or filled permanently in the case of a voluntary secondment for a period of greater than one year.

72.2 *Voluntary funded secondments*

- Where a voluntary secondment is for a period of 12 months or less, the seconded member remains the owner of their substantive position and the position may only be filled on assignment.
- Where a voluntary secondment for a period greater than 12 months, is extended beyond 12 months, or consecutive secondments exceeding 12 months are undertaken, the member may be unattached from their substantive position. The position can be advertised as a vacancy, subject to establishment figures and at the discretion of region/department/command manager.
- Unattachment occurs on the date the member commences the secondment.
- The unattachment process includes:
 - notifying the member of the proposal to unattach them from their substantive position
 - completing an ‘Application to Unattach an Employee’ form [VP 15C] to be considered by the Superintendent RDD, HRC.

72.3 *Directed secondments*

Where a member is on a directed secondment, the member cannot be unattached, and their substantive position cannot be filled. On return, the member must return to their substantive position.

72.4 *Unfunded secondments*

- The portfolio holder of Executive Command from the region/department/command of the unfunded seconded member may determine whether the position vacated can be backfilled. If it is decided that the position can be backfilled, the Executive Command member or their delegate will identify:
 - the source of funding (i.e., variation in profile)
 - any requirement to hold another position in that region/department/command or elsewhere in Victoria Police vacant to provide funding

- the re-allocation of funds from operating expenses and associated costs.
- When deciding whether a position should be backfilled, the following matters must be considered:
 - whether the position holds statutory responsibilities or specific delegations/powers that must be regularly exercised, and no other equivalent position exists to absorb the functions
 - whether the position performs a key supervisory function which could not be maintained through temporary revision of reporting relationships and spans of control
 - whether the position performs functions that are critical to the ongoing operations of Victoria Police
 - whether not filling the position will create unreasonable workloads for other members.

73. Conditions of employment whilst on secondment

73.1 *Directed secondment*

- The conditions of employment of a member are governed by the Agreement, i.e., the member will continue to receive the salary applicable to their substantive level during the period of the secondment.
- If the secondee is seconded to a position of higher rank or with higher salary or more lucrative terms of employment, they will receive the higher salary and/or more lucrative terms during the secondment. On return to Victoria Police, the member will return to their previous position at the same substantive rank.

73.2 *Voluntary secondment*

- The salary and conditions will be determined by the other police service or government agency.
- All advertised secondment positions must outline the salary and conditions applicable.
- All successful applicants will be required to state in their application that they are willing to accept the conditions outlined in the advertisement (including voluntary unattachment if the secondment is for more than one year).

73.3 *Temporary recall from seconded positions*

If a seconded member is required to attend court regarding a case that has arisen as a direct result of their duties with Victoria Police, the travelling expenses and salary costs must be paid in accordance with the Agreement. This also applies to members on leave without pay to perform duties in another government agency.

73.4 *Termination of secondment*

- Secondments can be terminated at any time by:
 - written application by the secondee detailing the reasons for termination of the secondment
 - agreement between the CCP and the other police service or government agency
 - direction of the CCP in accordance with the Act.

- A member who is on secondment may make an application to the CCP to be released from a secondment.
- All requests by the seconded to be released the secondment, must be considered in accordance with:
 - the requirements of any existing, agreement, MOU, or letters of exchange between the parties (where applicable)
 - time-in-position requirements.
- Should the member consider ongoing employment with any other police service or government agency, resignation from Victoria Police by the member should be initiated and on acceptance of the end of service, the secondment will be terminated.

74. Leave

74.1 *Exhaustion of leave prior to secondment*

Members are expected to exhaust all outstanding leave prior to the commencement of the secondment.

74.2 *Leave accrued on secondment*

- Prior to returning, members are expected to exhaust all accrued leave.
- Where the member has accrued excessive leave at the end of the secondment, the secondment must be extended to cover the period of leave, or the other police service or government agency must reimburse Victoria Police for the excessive period of leave.

75. Transfers and promotions within Victoria Police: eligibility to apply while on secondment

- Members on secondment remain eligible to apply for promotion.
- Members on secondment are not eligible to apply for vacancies involving a lateral transfer until the final three months of the secondment.
- If successful in gaining a promotion, the secondment will be terminated at a date agreed to between the CCP and the other police service or government agency.
- If it is considered necessary (e.g., for ongoing investigations) that the promoted member completes the secondment, the other police service or government agency will be expected to meet the additional salary costs from the date upon which the member was promoted if the secondment was fully funded. In the case of unfunded secondments, Executive Command or their delegate can decide on the method of funding the additional salary costs.
- While the promoted member remains on secondment, the position to which they were promoted can be backfilled by a member on higher duties or assignment.

Reintegration

76. General considerations

- Reintegration applies to members who are resuming work at Victoria Police after an absence from the workplace for a continuous period more than twelve months and may include, but is not limited to members:
 - of the International Deployment Group (IDG)
 - seconded to external task forces
 - who have taken leave without pay
 - on suspension
 - who have taken extended personal leave
 - on extended parental leave.
- Victoria Police provides a range of support options to assist a member's reintegration back to work. These options include ongoing communication with the member regarding changes to the workplace in their absence, access to training or development, and the provision of welfare support where appropriate.

77. Unattachment

- Members may be unattached from their position in accordance with, but not limited to, the following:
 - **VPM Redeployment (members)**
 - Assignment Process sections 45 - 63 of this policy
 - Secondment Process sections 64 - 75 of this policy
 - **VPM Leave:**
 - Leave Without Pay
 - Parental Leave sections
 - Staff Representation Leave and Employment with Staff Associations.
- All efforts must be made to assist members to find suitable employment commensurate with the rank and remuneration held prior to the extended absence.

78. Reintegration process International Deployment Group

- Redeployment for International Deployment Group (IDG) members will be managed in accordance with the '**Guidelines for the Reintegration of IDG Members After 1 January 2006**' and **VPM Redeployment (members)**.
- Redeployment for non-IDG members returning from extended absence will be managed in accordance with the '**Guidelines for the Reintegration of Employees Returning from Extended Absence for non-IDG employees**'.
- Employees who commenced work with the International Deployment Group prior to 1 January 2006 should contact IDG directly for a copy of the guidelines and terms under which they were deployed.

79. Resumption with Victoria Police

- All members who have been on an extended leave of absence must contact the manager of their previous work unit at least two months before their intended return date.
- Work unit managers must obtain discipline history and complaint details from other agencies for members returning from law enforcement deployments. This material must be forwarded to PSC prior to the member recommencing employment with Victoria Police. Subsequent matters will be managed according to **VPM Complaints and VPM Discipline**.

Members returning to duties will be required to qualify at OSTT in accordance with **VPM Operational safety tactics training qualifications**.

Confirmation of promotion

80. Probation period

80.1 *Duration*

- All promotions up to and including the rank of commander are subject to a period of one year's probation.
- In determining whether a period of probation has ended, any of the following periods of absence from duty must be disregarded when calculating the period of probation in accordance with s.41(6), the Act:
 - suspension
 - leave without pay
 - personal leave (continuous) of one month or more
 - parental leave
 - long service leave.

80.2 *Performance progression cycle*

- Work unit managers must ensure that the performance of members is monitored and that any underperformance issues, or alleged acts of misconduct are reported and where appropriate, brought to the attention of the member at the earliest opportunity and addressed. Refer to **VPM Complaints, VPM Discipline, VPM Performance development** and **VPMG Management of underperformance** for further information.
- Details of any counselling about unsatisfactory performance (including disciplinary action) should be recorded in note form and retained on the member's personal file. The member should be provided with a copy of any notes and advised the matter will be taken into account when considering suitability for confirmation. These notes will be necessary to support a recommendation for non-confirmation and any review sought by the member against disallowance of promotion to the PRSB.

81. Assessment of probationary period

81.1 *Initiating assessment*

Six weeks before the expiration of a probation period, the relevant personnel officer

must forward a suitability report questionnaire to the member's line supervisor for an assessment of the suitability of the member to be confirmed at their rank.

81.2 *Preparation of suitability report*

Suitability reports must be completed by the line supervisor and endorsed by the work unit manager for consideration by the appropriate delegate.

81.3 *Probity Check*

At least 14 days prior to confirmation, work unit managers must ensure a check is made with PSC to determine if any investigation for a breach of discipline or a criminal offence has been initiated against the member.

Where the Assistant Commissioner, PSC, believes that disclosure of an active PSC file could compromise an investigation, PSC will not divulge the existence of a file as part of the requested probity check. This will not be a barrier to criminal and/or disciplinary action at a later date.

When considering recommendations to a breach of discipline or criminal investigation, the delegate must, take one of the following actions in accordance with s.41(6), the Act:

- confirm the promotion
- extend the probation for a period not exceeding one year
- disallow the promotion.

Where the member is under investigation or has been charged

- If the member is under investigation, but has not been charged, the Assistant Commissioner, PSC must recommend to the delegate whether the promotion is to be confirmed or extended based on the status of the investigation(s).
- If the member is charged with a disciplinary or criminal matter, the probationary period should be extended but that extension must not exceed a further period of 12 months. Where an extension is not available (i.e., has previously been extended), and no other reason exists not to confirm the member's promotion, then confirmation must proceed. Where the member is confirmed and later found guilty of a disciplinary or criminal offence, appropriate action can be taken within the sanctions available to the Discipline Inquiry Officer. Refer to **VPM Review of actions (grievance)**.

81.4 *Confirming promotion*

- Prior to confirmation of promotion a member must have successfully completed the relevant qualifying program.
- Where the delegate is satisfied that the member's promotion should be confirmed, the delegate must endorse the delegate schedule.
- The member should be advised personally by the delegate and given a letter of confirmation.

81.5 *Extending probation*

Authority

The delegate may extend the initial period of probation for a period not exceeding one year.

Application of natural justice principles

The natural justice principles defined in this policy must also be applied in any decision to extend a member's period of probation.

When probation is extended

- In determining whether an initial or further period of probation has ended, the following periods must be discounted:
 - suspension
 - leave without pay
 - sick leave of one month or more continuously
 - parental leave
 - long service leave.
- Probation can only be extended once and then a decision must be made to either:
 - confirm promotion
 - disallow promotion.

81.6 Disallowing promotion**Authority**

If it is intended not to confirm the member, the delegate may disallow the promotion at any time during:

- initial period of probation
- further period of probation.

Application of natural justice principles

Disallowance of promotion constitutes a significant setback in a member's career and a significant effect on salary. Consequently, delegates must ensure that the principles of natural justice are clearly applied in the decision-making process to disallow a member's promotion. The elements of natural justice in this process are that the member:

- has been previously counselled and that counselling is documented regarding any underperformance
- has received a written outcome for any misconduct
- has previously been given a genuine opportunity to explain or to refute work performance deficiencies, or misconduct
- has been given a reasonable opportunity to address those matters and Victoria Police has provided education, training, or other opportunities to overcome the members under performance
- has been given a reasonable opportunity to address those matters and Victoria Police has provided education, training, or other opportunities to comply with the organisational values and behaviours. Refer **VPM Professional and ethical standards and VPM Workplace behaviours** for further information
- was provided with written advice regarding the possible outcomes of underperformance or misconduct prior to them coming into effect

- is informed that the delegate is considering disallowing the promotion and the proposed reasons for making that decision and the member is given an opportunity to provide a response as to why the promotion should be confirmed.

The delegate must genuinely consider the member's information and response before making their decision.

81.7 *Other considerations in decision*

The delegate must also consider the following:

- Promoted members are subject to a probationary period. During this period, they undertake training, and must strive to acquire the qualifications for their rank and position. This may include the necessity to perform duties under supervision to confirm they can do the job safely and competently.
- A member may have their promotion disallowed at any time during the probation period where:
 - they engage in misconduct which is subject to a complaint
 - they do not obtain the qualifications for the rank or position
 - their work performance, conduct and character, does not meet with the organisational values and behaviours.
- Where underperformance or misconduct have occurred or evolved over a period, the delegate should also include an appraisal of the action taken by supervisors to address the problem.
- Lack of appropriate supervision/guidance may mitigate the disallowance of promotion. An assessment should also be undertaken of the action that the member took themselves to address the problem, particularly where relevant support services are available and known to the member, but no advantage is taken of them.
- A member may provide additional information that establishes circumstances that may mitigate the disallowance of promotion. This information must not be rejected without appropriate inquiries being conducted by the delegate unless evidence to the contrary already exists and the explanation is not reasonable.
- Positions that require specialist qualification requiring training or education where the member has not been afforded reasonable opportunity to compete the training or education, (e.g., no courses available) must be assessed and appraised against the opportunity to attain the qualification. The delegate must evaluate the degree of mitigation provided by the factors prior to making their final decision.
- If information becomes known by the delegate that there is a reasonable prospect that additional evidence may be available which might impact on the delegate's decision, the delegate must inquire into that evidence or direct that inquiries are made on their behalf.
- Considering should be given by the delegate to referring the member to appropriate support services. This should occur where the member provides permission in writing (i.e., HRC Health and Wellbeing Services).

81.8 *Decision to disallow*

Where the delegate, having considered all the matters outlined in section 82, makes the decision to disallow a member's promotion, the delegate must:

- advise the member personally of the decision
- provide the member with a formal letter of non-confirmation (this will be arranged by the personnel officer as well as publication of advice in the Gazette)
- advise the member of their right to request a review of the delegate's decision by the PRSB in accordance with s.146, the Act.

81.9 *Effect of disallowance*

- A member whose promotion has been disallowed reverts to the rank they held immediately before promotion (s.32(5) the Act).
- The member who has reverted in rank remains the responsibility of the region/department/command that requests the unattachment.
- To revert a member in rank, the member must be unattached and placed in a position as determined by the relevant region/department/command manager.
- The relevant region/department/command manager must have a conversation with the affected member and record the conversation on the unattachment acknowledgement form.
- The relevant region/department/command manager must then submit an unattachment application form, endorsed by a level 1 delegate to be considered by the HRC people services director or their delegate, and approval of HRC recruitment and deployment superintendent. See **VPM Redeployment (members)**.
- The member must be held against a vacant position in that department at the rank to which they were reverted). If no lower rank positions are available, the member must be held against the position to which they were previously promoted, and no action can be taken to fill the position until the unattached member is transferred to a position at the lower rank.

Effect of disciplinary demotion and transfer

82. Disciplinary outcome

Where a member has been demoted, reduced in classification, reduced in salary and/or transferred because of a disciplinary sanction, this will be taken into consideration in determining whether the member is suitable for promotion, transfer, assignment, or secondment.

83. Pressing necessity

A member who has been transferred because of a disciplinary hearing may apply through their line management to the Assistant Commissioner, PSC, for consideration of location for the directed transfer for reasons of pressing necessity.

84. In situ promotion constable to senior constable

Constables who have been transferred, or senior constables demoted to constable because of a disciplinary hearing, are not eligible for in situ promotion to S/C for the period specified in the inquiry determination.

Related documents

- *Victoria Police (Police Officers, Protective Services Officers, Police Reservists and Police Recruits) Enterprise Agreement 2025*
- VPM Redeployment (members)
- VPMP Appropriate use of information
- VPMP Information Access
- VPMG Information privacy
- VPMP Information review, retention and disposal
- VPMP Information sharing
- VPMP IT equipment and software
- VPM Workplace flexibility
- VPM Foundation training – constable and protective services officers
- *Victoria Police Act 2013*
- *Police Regulations 2014*
- *Public Administration Act 2004*
- Human Resource Management, Personnel delegation no. DS 3.13 – Disallow Promotion
- Human Resource Management, Personnel delegation no. DS 2.5 Appoint Special Constable
- Human Resource Management, Personnel delegation no. DS 3.5 Promote to Senior Constable in Situ
- VPM Complaints and VPM Discipline
- VPM Performance development
- VPMG Management of underperformance
- VPM Pre-promotional assessments and promotional programs
- VPM Review of actions (grievance)
- VPM Family Violence involving Victoria Police employees
- VPM Professional and ethical standards
- VPM Workplace behaviours

Further advice and information

For further advice and assistance regarding this policy, contact [TPU-BRANCH-MGR](#); [HRC-PERSONNELPLACEMENT-MGR](#); [HRC-RDD-OPSUPPORT-MGR](#); or your supervisor.

Update history

DATE UPDATED	SUMMARY OF CHANGE	FORCE FILE NUMBER
27/09/2023	First issued. Replaces 301-4 Probation on appointment, 301-	FF-081960

	5 Probationary constables, 306-2 Transfer and promotion (sworn), 306-4 General duties allocation process, 306-7 Confirmation of promotion, 306-13 Assignment process 306-14, Secondment process, 306-15 Effects of disciplinary demotion and transfer, and 306-16 Reintegration.	
11/01/2024	Updated to reflect CCI 01/24 Minimum station profiles.	FF-219163.2
15/07/25	Minor administrative amendments to correct references	FF-273676