

PRSB PRACTICE DIRECTION: 27 JANUARY 2021

PROMOTION AND TRANSFER APPEALS

Effective for all selections of police officers advertised in the *Victoria Police Gazette* on or after 1 February 2021

This Practice Direction is made by the President of the Police Registration and Services Board (PRSB) under section 156A of the *Victoria Police Act 2013*. This Practice Direction will govern the process for all Police Officer appeals (but not Protective Services Officers) arising from selections advertised in the *Victoria Police Gazette* on or after 1 February 2021 and will apply until further notice.

This Practice Direction overrides anything to the contrary in the PRSB [Guide to Transfer and Promotion Appeals](#). Parties are encouraged to review the *Guide* as it contains useful advice on preparing for the appeal and how appeals are conducted .

The purpose of this Direction is to ensure an efficient, flexible, fair and transparent appeals process. This revised Practice Note takes account of recent changes to the TPU selection process, including a new form and revised practices around referees, the increased uptake of Microsoft Teams across Victoria Police and the requirements for flexibility and responsiveness due to changing public health orders and service demands on Victoria Police.

Written submissions

- 1) Each Appellant and Selectee must provide a written submission addressing the two questions set out below in paragraph 5. The PRSB will also conduct an in-person or Microsoft Teams hearing for each appeal. The hearings are anticipated to be shorter than usual because of these prior written submissions, but the time taken may vary according to the number of candidates and the complexities of the appeal. As a general guide, participants should schedule a minimum of 1 hour if the appeal involves one candidate appealing against another single candidate.
- 2) Notices of appeal and submissions must be lodged by email to review@prsb.vic.gov.au (not by post or in person).
- 3) The due date for written submissions will be set out in a notice provided to you. This will generally be by noon on the Friday of the week following the date the selection was advertised.

For example, if the selection was Gazetted on Monday 1 February 2021:

- Any appeal is due by midnight on Thursday 4 February 2021
- Written submissions are due by noon on Friday, 12 February 2021
- The hearing will be conducted early in the following week (Monday 15 or Tuesday 16 February)

- 4) The PRSB will email the submissions and the selection file to the other party/parties and the Chief Commissioner's Representative to your Victoria Police email address. If you do not have access to your Victoria Police email address please provide an alternative email address to review@prsb.vic.gov.au.
- 5) The written submission is to be a Word document (not pdf) in Arial 10-point font. One to two pages is appropriate and the submission must not exceed **two pages in total**. Please address the following questions:

a) Heading:

Your name, the position under appeal and the PSRB reference number

b) Questions to be addressed in the written submission

The PRSB Member may substitute these or add questions specific to the position. If so, you will be notified. You are encouraged to use different examples to your written KSC and to use dot points and short headings.

Question 1: (Leadership)

For appeals of positions at the rank of sergeant and above:

Please give an example of a situation where you took action so that Victoria Police would retain the trust and confidence of the community (or a community group). (Suggestions: What was the situation? What were your concerns? What did you decide to do and why? How did you go about taking action? What was the outcome?)

OR For appeals of positions at the rank of constable and senior constable:

Police officers deal with people in all kinds of stressful situations. Can you tell me about a time at work when you de-escalated a tense situation? (Suggestions: How did you decide what approach to take? What did you do, and how? How did this affect the overall outcome?)

Question 2: (All ranks) Flexibility

Tell me about a time you were required to deal with a problem where there was no obvious solution. (Suggestions: What was the situation? How did you go about deciding what to do? What options did you consider? What did you end up doing? What was the outcome? What did you learn from the situation?)

- 6) By lodging a written submission, you declare your submission is true and accurate and you are the sole author. Examples may be validated by the PRSB or the Chief Commissioner's Representative. Misleading responses will be referred to Professional Standards Command.

How the appeal will be conducted

- 7) All appeals will be heard either in-person or through Microsoft Teams, as allowed by s158A of *Victoria Police Act*. Most appeals will be conducted by Microsoft Teams during the COVID-19 pandemic.
- 8) A [hearing list](#) will be published on the PRSB website in the usual way. Each appeal will be clearly designated on the list as in-person or Microsoft Teams. All parties will be notified of which format will be used and sent full instructions for the relevant processes.
- 9) Any party can request an appeal be conducted using Microsoft Teams. All appellants and selectees in any one appeal will appear either in-person or by Microsoft Teams.
- 10) All parties must follow public health orders. Any party who is experiencing any COVID-19 symptoms or who is directed or advised to self-quarantine or not attend public or police premises by order or advice of the Chief Health Officer or Victoria Police must advise the PRSB and not attend PRSB premises. The PRSB office is considered police premises for the purpose of any direction given to police personnel (e.g. personnel working on Operation Tidewatch).
- 11) All participants and observers attending the PRSB are required carry a fitted face mask, and follow direction of PRSB staff when attending PRSB premises.

For detailed information about how hearings are conducted see the [PRSB Guide to Transfer and Promotion Appeals](#).

Chief Commissioner's Representative (usually the Local Panel Representative)

- 12) When the appeal is heard through Teams the Chief Commissioner's Representative will participate via Teams. For in-person hearings, the Chief Commissioner's Representative may be asked to participate by teleconference, Teams or in person. Instructions will be communicated to the Chief Commissioner's Representative in each situation.

Observers - Microsoft Teams appeal hearing

- 13) To request to observe a hearing, a person must email their request to review@prsb.vic.gov.au no later than 4pm on the day before the hearing is scheduled.
- 14) For Microsoft Teams hearings the observer will be emailed a Microsoft Teams meeting invitation for the appeal hearing. It will enable that person to be present in the meeting as an audience member, not a participant, meaning they will not be able to be heard, whether placed on “mute” or not. Observers are required to turn off their camera.

Observers – In-person hearings

- 15) Observers are permitted at in-person hearings, subject to public health orders and measures in place in relation to the COVID-19 pandemic. Anyone who is experiencing symptoms or has been directed to self-isolate must not attend in person. The PRSB office is considered police premises for the purpose of any direction given to police personnel (e.g. personnel working on Operation Tidewatch). Observers must comply with any applicable public health directions, such as wearing a mask.
- 16) Social distancing measures and capacity limits are in place. To request to observe a hearing, a person must email their request to review@prsb.vic.gov.au no later than 4pm on the day before the hearing is scheduled.

Further information, contacting the PRSB

- 17) **Please use only the monitored email review@prsb.vic.gov.au for all communications regarding appeals**
- 18) The PRSB will continue to monitor the impact of the public health emergency and related orders and may make further revisions to this Practice Direction.

The PRSB thanks all parties for their cooperation.



Ms A. Lester
President
Police Registration and Services Board



Dated **27 January 2021**