

Appendix D:

Additional context about DPC’s guidelines

VECs for labour hire Under DPC's 2019 labour hire guidelines, departments must meet one of the following circumstances and associated conditions to engage labour hire.

To meet this circumstance ...	departments must demonstrate ...
internal and or/external recruitment action has not been successful or is unlikely to be successful	at least one of following: <ul style="list-style-type: none"> approaches to sourcing a suitable candidate through internal and/or external recruitment processes have been unsuccessful, including advertising on the Jobs and Skills Exchange. due to limited supply and/or high demand for a technical or specialist skill, recruitment action is highly unlikely to succeed or succeed in a reasonable timeframe.
an existing VPS employee is on short-term leave or secondment	at least one of the following: <ul style="list-style-type: none"> approaches to sourcing a suitable candidate through internal and/or external recruitment processes have been unsuccessful, including advertising on the Jobs and Skills Exchange. the leave or vacancy has occurred without sufficient notice to undertake internal and/or external sourcing processes. the vacancy is likely to conclude before it can be recruited.
recruitment is underway to fill a vacancy and temporary backfill is required	the following: <ul style="list-style-type: none"> the temporary vacancy would compromise the ability of the work unit to meet critical business needs or the temporary vacancy is likely to conclude before it can be filled, and: <ul style="list-style-type: none"> approaches to sourcing a suitable candidate internally have been unsuccessful, or the leave or vacancy has occurred without sufficient notice to undertake internal sourcing processes.

Changes to the professional services guidelines Figure D1 shows changes to the VECs between the 2019 and 2024 professional services guidelines. There were no changes to the VECs between the 2019 and 2024 labour hire guidelines.

Figure D1: Changes between the 2019 and 2024 professional services guidelines

VEC	2019 professional services guidelines	2024 professional services guidelines
Work requiring skills or expertise that cannot be efficiently maintained within the organisation	To meet this condition, the following must apply: <ul style="list-style-type: none"> the necessary technical or specialist skill(s) required to deliver the work or services are not available or not efficient to maintain within an organisation, and 	To meet this condition, the following must apply: <ul style="list-style-type: none"> the necessary technical or specialist skill(s) required to deliver the work or services are not available within the organisation, AND

	<ul style="list-style-type: none"> current and future demand within the organisation for the technical or specialist skill(s) does not warrant recruiting the capability into the organisation. 	<ul style="list-style-type: none"> current and future demand within the organisation for the technical or specialist skill(s) does not warrant recruiting the capability into the organisation.
Need for genuine independence	Independence may be required to instil confidence in the objectiveness, impartiality, and integrity of Government work, services, or decision-making processes. In these circumstances, the type and level of independence required must be carefully considered, including the potential for another area of a department or Government to provide the services.	<p>To meet this condition, one of the following must apply:</p> <ul style="list-style-type: none"> There is a legal obligation (legislative or contractual agreement with another level of government) for services to be performed by an entity external to government for the purpose of integrity or assurance, OR The services require independent assessment from a body separate from those involved in the work and a genuine effort was made to identify appropriately independent resources elsewhere in the organisation.
The engagement connects the VPS with the latest technical advances, emerging key skills or expertise and builds VPS capability	<p>Initially these services may need to be delivered by an external provider, however over time it is expected that new technologies, specialist skillsets and/or ways of working will be able to be delivered by internal capacity.</p> <p>Approval of external engagements must therefore be able to demonstrate a contractual obligation and clear project strategy for transferring relevant skills and knowledge across to the VPS from the professional services provider.</p>	This condition is not included in the 2024 professional services guidelines.
Work requiring immediate or time critical action that cannot be met within existing VPS capacity	<p>The capacity condition is only applicable in circumstances that are characterised by unpredictable demands requiring immediate or time critical action, such as legal matters with court-imposed deadlines and urgency, or surge capacity required due to emergency management, or similarly critical events.</p> <p>To meet this condition, the following must apply:</p> <ul style="list-style-type: none"> the necessary capacity required to deliver the work or services is not available or not efficient to maintain within an organisation, and current and future demand within the organisation for the capacity do not warrant recruiting into the organisation. The capacity condition must not be used to bridge shortfalls in regular or foreseeable demand for internal capacity or capabilities. 	<p>To meet this condition, the following must apply:</p> <ul style="list-style-type: none"> The work is urgent or time critical; such as it relates to an emergency, a legal/court deadline, or a similarly critical event; or it is a public commitment with specific deadlines that cannot be pushed out (and DPC has agreed this position), AND The work relates to unpredictable demands (i.e. should not be used for periods of predictable or foreseeable surge work), AND The ability to meet at least some of the required capacity through reprioritising existing resources or using surge functions has been considered prior to going to market and is not feasible.
Engagement has received explicit Cabinet approval	This condition is not included in the 2019 professional services guidelines	<p>To meet this condition, the following must apply:</p> <ul style="list-style-type: none"> Where a decision of Cabinet (or a Committee of Cabinet) explicitly requests a service be delivered externally. Whether a VEC applies should be assessed and approved by the responsible senior executive prior to going to market, and the decision and VEC recorded.

Source: DPC's 2019 and 2024 professional services guidelines.