



VPA Staff Referral Position Paper

Thursday 20 November 2008

The VPA Working Party has widely researched VPA members on this issue, canvassing members' responses and makes the following recommendations to help guide the way forwards for our Victorian system.

Purpose

The VPA recognizes the complexity of the state wide system, and the employment conditions existing across Victorian schools. However, this paper challenges the present system for staff referrals.

Background

In Victoria the staff referral process, as it presently stands, constrains staffing flexibility and effective self management. It can be counterproductive to cooperation of Principals. The present process can be geared against the principal who has managed the budget well and advertised in good faith. It has caused unrest amongst principals with lack of clarity/disclosure.

Moving Forward

The basis of these concerns is the view that the referred staff will not meet performance expectations. While it is unfair to make such conclusions, the process for identification of staff to be named in excess can lead to referral of the least effective staff. This will continue to be an issue unless principals receive more support to develop strong performance management and development systems in schools.

The VPA calls on the Department to ensure all principals have extensive training in effective performance management with the goal of resolving underperformance issues in schools, including the management of dismissal procedures when needed. The VPA believes that the use of staff referral processes in place of rigorous performance development to resolve staffing issues is unethical and undermines the government school system.

The VPA further calls on the Department to ensure that newly appointed principals are highly trained to manage workforce plans and that all principals have access to demographic data for planning purposes. VPA feedback indicates significant misunderstanding of the rights of staff to be considered for ongoing status versus the capacity of the school to provide these positions. Sustainable workforce plans are a key strategy in avoiding the need for referrals.

When staff referrals do occur, the VPA calls on its members to apply the processes with compassion and integrity, recognizing the situation of referred staff. However, referred staff should be required to comply with the spirit of the process. The VPA calls on the Department to strengthen the accountability of excess staff in the process.

The VPA also expects all principals to apply the processes fairly in recognition of systemic obligations and to ensure school staff are fully apprised of the constraints to staffing imposed by the referral process. Staff referral processes are detailed in the Human Resources Guide under Management of Excess Staff - <http://www.eduweb.vic.gov.au/hrweb/workm/excess/exsprocSCH.htm>

Additional Referral Process Improvements

1. Staff referred to positions be *required* to address the state wide position criteria in writing as well as attend an interview to assist the receiving school in the merit process.
2. If a school has accepted a referred teacher it should be exempt from referrals in that category of employment for the following 12 months, especially if they are a small school

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3. Ongoing staff referred (and appointed) into family leave positions should return to referring school when the substantive teacher returns, regardless of the period in the position. If the staff member on family leave resigns, the referred staff member remains in the position.
 4. Where the MPB finds that a referred teacher/SSO could meet local selection criteria with training, and confirms an appointment, the Department should meet reasonable training costs from the Workforce Bridging Fund.
 5. The Merit Protection Board to support specific local selection criteria in primary schools in the appeal process.
 6. Leading Teachers and Assistant Principals should not be referred, rather transfers are to be managed by negotiation by the Regional Director
 7. Within Networks, principals should accept responsibility to broker transfers of excess staff as part of their school's support for the system.

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