



Victorian Principals Association

Unit 2, 13-21 Vale Street, North Melbourne Victoria 3051, Australia

t: (03) 8379 4000 f: (03) 9326 9950 e: info@vpa.org.au w: www.vpa.org.au

VPA Position Paper

Staff Referral

The Victorian Principals Association (VPA) believes the staff referral process presents a significant impediment to the development of quality staffing in schools and therefore impacts adversely on teaching and learning practices. The procedure often compels schools to accept staff whose skills and philosophies are not appropriate or relevant in the school to which they are referred. The referral process places immense pressure on principals, school leaders and, in fact, the whole school community.

The VPA Working Party has widely researched this issue, canvassing members' responses and provides the following recommendations to help guide the way forward 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 and seeks significant changes to the current system.

Rationale

In Victoria the staff referral process, as it presently stands, constrains staffing flexibility and effective self management. It often can be counterproductive the delivery of quality teaching and learning and disrupts long term workforce planning in schools. The referral system also can adversely affect cooperation between Principals due to the lack of clarity/disclosure in the process. The present process can instigate against the principal who has managed the budget well and advertised in good faith.

The VPA position has been determined in the following context in addition to the present process:

- Staff referrals are often counterproductive to the delivery of effective and innovative learning and teaching practice. The staff allocated under the referral system are often the lowest performing or least experienced in their previous workplace.
- The current referral system is sometimes used in place of best practice staff development or disciplinary measures, as it is easier and less time consuming to pass underperforming staff onto other schools.
- The referral system completely negates the merit process required in any normal appointment because the referred candidate must be considered outside accepted merit and equity process.
- Referred staff often require extensive support to bring their performance and skill levels to the required standard.
- The current system often protects staff whose performance and skills are not up to the level required in Victorian State Schools
- There is huge pressure on Principals to effectively manage this difficult process. Principals are often spending precious time and resources in MPB, and it is often the more inexperienced Principals who are caught up in the referral process.
- Fear of advertising because the existing referral process impacts on schools' opportunities to select and appoint quality staff
- Maintaining over entitlement staff in schools is of concern as they can impact on negatively on the workforce plan

Recommendations for Change to the process:

The basis of these concerns is the view that the referred staff will often not meet performance expectations. Whilst this may not be the case in all referrals, the VPA believes the process for identification of staff to be named in excess often leads 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 all school leaders 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 use the referral process in an ethical fashion and ensure they take on the responsibility for underperforming staff rather than seek to pass the problem on to other schools. It is the obligation of Principals and leadership teams to apply the processes fairly in recognition of systemic obligations and to ensure school staff are fully appraised 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>

In summary, The VPA makes the following recommendations to improve the current staff referral system:-

- Guarantee that all Principals receive extensive training, power and support in the use of professional development and performance management, including the ability to implement dismissal procedures to resolve underperformance issues amongst staff.
- Provide ethical guidelines to Principals in their use of the referral system by rigorously monitoring employment patterns, student numbers, and budget decisions in those schools which seek to use the system.
- In cases where it is determined that referred staff will be suitable for a position with additional training, the Department should provide that training and the candidate must demonstrate they can achieve the required performance level before being placed in an advertised vacancy.
- Schools receive three exemptions for an advertised position without an expiration date.
- Either the DEECD should cover increased costs a referred staff member may impose on the workforce plan or any referred teacher should be charged out at the school at an accomplished teacher rate to address the negative budget figure.

In addition, the following guidelines should be implemented to achieve those recommendations.

1. Staff referred to positions should be *required* to address the state wide position criteria in writing to ensure they have the required competencies for the Victorian School system. Unless otherwise agreed by the principals involved, referred staff should also be required to attend an interview for any referred position.
2. Conversely, if a school uses the referral system to transfer a staff member, they should be either prevented from advertising new positions for a period of at least 12 months, or be placed on a priority list to receive the next available referral in their region or locality.
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. This simply complies with the accepted principle that the referral process must not create an excess in another school. If

the staff member on family leave resigns, it is reasonable for the referred staff member to remain in the position if they are performing to the required level.

4. Teachers who are referred to schools should not automatically receive on-going status in the new school. Referred teachers should be placed on probationary status at the new school. A process should be developed to assess the teacher's performance during the first 12 months in the new setting and if it is not satisfactory, then the teacher should return to the referring school.
5. Where the MPB finds that a referred teacher / ES staff member could meet local selection criteria with training, and confirms an appointment, the Department should meet reasonable training costs.
6. Leading Teachers and Assistant Principals should not be referred, rather transfers are to be managed by negotiation by the Regional Director. Referrals to a leadership team could be extremely detrimental to long term school performance and workforce planning.
7. Within Networks, principals should be encouraged to accept responsibility to broker transfers of excess staff as part of their school's support for the system and for their colleagues.