



Department of Education and
Early Childhood Development

Partnership Agreement



Every
child,
every
opportunity

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1. Overview

The Victorian Department of Education and Early Childhood Development (Department) and the Municipal Association of Victoria (MAV), on behalf of councils in Victoria, commit to this partnership agreement (Agreement) that is based on a spirit of cooperation and shared commitment to help ensure that every young Victorian thrives, learns and grows to enjoy a productive, rewarding and fulfilling life.

A number of existing Victorian Government policies and frameworks set the broader context for this partnership agreement. These include *Growing Victoria Together: A Vision for Victoria to 2010 and Beyond* (2005); *A Fairer Victoria*; *The Victorian Government's Action Plan: Strengthening Community Organisations* (2008) and the Department's *Blueprint for Education and Early Childhood Development* (2008).

The Victorian Government recognises that local government is a distinct and essential tier of government consisting of democratically elected councils having functions and powers that are necessary to ensure the peace, order and good government of each municipal district.

This Agreement recognises the collaborative relationship between the Department and councils in the planning, development and provision of education and early childhood services and the complementary roles played by the Victorian Government and councils in planning, funding and delivering a range of services.

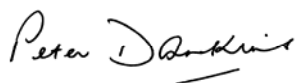
The Department explicitly acknowledges the role of councils in improving early childhood services in the *Blueprint for Education and Early Childhood Development*.

This Agreement, together with the *Victorian State–Local Government Agreement*, provides an overarching framework to guide current and future relationships, agreements and activities undertaken between the Department and MAV, including but not limited to:

- agreements related to the operation of specific programs;
- funding arrangements between the Department and specific councils; and
- policies and plans at a statewide, regional or local level.

The parties intend to give effect to this Agreement but acknowledge that it does not create and must not be construed as creating a legally binding and enforceable contract.

Signed on the sixth day of August 2009, by:



Prof. Peter Dawkins

Secretary
on behalf of the Department of Education and Early Childhood Development



Rob Spence

Chief Executive Officer of the Municipal Association of Victoria
on behalf of local councils in Victoria

2. Aim

This Agreement establishes a set of principles in relation to agreements, funding arrangements, plans and policies between the Department and MAV.

3. Principles

This Agreement is based upon a relationship between the parties emphasising cooperation and commitment to the following principles:

- understanding and respect for each party's mandates and responsibilities;
- subject to relevant legislation and policies (i.e. *Financial Management Act 2008*), the transparency of financial relations between the Department and MAV in order to enhance decision-making;
- mutual support of the other when making representations to the Commonwealth Government that have implications for the other level of government;
- awareness of the synergies between councils, MAV and the Department;
- the fostering of opportunities to work collaboratively;
- shared focus on sustaining and improving outcomes for children and families across all Victorian communities; and
- transparent and timely communication and consultation.

4. Statement of responsibilities

The Department

The Department is responsible for providing the Victorian Government with policy and planning advice for all stages of education and early childhood development, from birth to 18 years. The Department supports and advises the Minister for Education and the Minister for Children and Early Childhood Development and assists with the management and administration of their portfolios.

The Department notes that this Agreement is principally of relevance to the work that the Department carries out in conjunction or consultation with MAV in the fields of strategic planning, policy, infrastructure development, and service delivery and coordination. Existing relationships between the Department and MAV are noted in Attachment 1.

The Municipal Association of Victoria

The MAV, formed in 1879, is the legislated peak representative body for Victorian local government established by the *Municipal Association Act 1907*. The Act vests the MAV with the responsibility to promote the interests of and represent all 79 councils in Victoria. In this capacity, the MAV has negotiated and entered into this Agreement on behalf of all Victorian councils. The MAV is not a direct provider of education or early childhood services to the community.

As the sphere of local government in Australia, councils have legislative authority and community responsibility based on an electoral mandate to plan for local areas and ensure community health, wellbeing and development. Local government has statutory authority to promote community-based planning and to negotiate resource allocation and service agreements with other spheres of government. In Victoria this authority is principally derived from the Victorian *Local Government Act 1989*.

Victorian local government is acknowledged as a national leader in the provision of universal and targeted human services, which includes a significant investment in the planning, provision and coordination of family, youth and children's services. Some of the services provided by councils are mandated by statute and others reflect identification of community need. In many cases these reflect a partnership with the Victorian Government.

5. Obligations of the parties

The Department and MAV agree to:

- engage in timely, cooperative and meaningful consultation and negotiation regarding the formulation of policies which affect the other party;
- relate to the other party in a manner that is coordinated and consistent;
- ensure that specific contracts, arrangements, policies and plans entered into or carried out by the parties are consistent with the Agreement;
- subject to privacy legislation and policies, share relevant data and information to inform strategic planning and service delivery;
- develop processes to promote a common understanding of mutual priority needs; and
- develop a process for review of the effectiveness of this Agreement with progress assessed twelve months from the date that the Agreement comes into effect.

6. Relationship of this Agreement to other documents

This Agreement is not intended to supersede or alter existing contractual arrangements or other agreements between the Department and MAV or councils.

The parties note that the *Victorian State–Local Government Agreement* entered into by the Minister for Local Government (on behalf of the Victorian Government) and the President of the MAV (on behalf of local government in Victoria) on 14 May 2008 states overarching principles for improving interaction between the Victorian Government and councils.

7. Managing difference, evaluation and review

The parties agree to work constructively to honour the terms of the Agreement.

The parties agree that in the event of a party stating that one or more undertakings in the Agreement is not being fulfilled that the parties will use best endeavours to ensure that the undertaking is satisfied or that an alternative solution is agreed.

The parties agree to monitor the implementation of the Agreement and evaluate its effectiveness on an annual basis.

Attachment 1: Existing relationships between the Department and MAV

<i>Department contact</i>	<i>MAV contact</i>	<i>Nature of relationship and/or key areas of partnership between the Department and MAV</i>
Minister for Children and Early Childhood Development	President and CEO	Quarterly meetings between the Minister for Children and Early Childhood Development and the MAV to discuss topical issues.
General Manager, Programs and Partnerships Division	Senior MAV Policy Representatives and two representatives elected from councils in each of the Victorian Government Regions	MAV and the Office for Children and Portfolio Coordination Partnership Working Group. The group aims to strengthen and support the partnership between State and Local Government in the planning and service delivery of early childhood services. Both parties will work collaboratively to develop and review policies, strategies and community initiatives relating to early childhood services; including engaging in ongoing discussion on matters relating to local government and local communities.
General Manager, Education Partnerships Division	Senior MAV policy representatives (plus council representatives as required).	<p>Development of policy frameworks and initiatives around school and community partnerships.</p> <p>Delivery of effective regeneration and other significant capital works projects, including the joint planning, delivery and use of community facilities.</p> <p>Schools working with local government in early childhood services and in youth services to broker connections between services/organisations and schools.</p>

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