

# Other agencies 2001–02



Working directly with the education and training communities to provide advice to the Minister for Education and Training and the Minister for Education Services and Youth Affairs.

## Overview

The Minister for Education and Training and the Minister for Education Services and Youth Affairs are accountable to the Victorian Parliament for the performance of the Department. In the discharge of their responsibilities the Ministers received advice from several education and training agencies in 2001–02, as indicated in the following table. Four of the agencies produce annual reports in their own right. These reports can be accessed from the Department's website <[www.det.vic.gov.au](http://www.det.vic.gov.au)>.

## Merit Protection Boards

The Merit Protection Boards were established in 1993 under the *Teaching Service Act 1981* to:

- advise the Minister for Education Services and Youth Affairs about principles of merit and equity to be applied in the teaching service
- hear reviews and appeals in relation to decisions made under the Teaching Service Act or any other Act
- advise the Minister for Education Services and Youth Affairs or the Secretary about any matter referred to them by the Minister or the Secretary relating to merit and equity in the teaching service
- hear reviews and appeals in relation to any decision prescribed by the regulations to be a decision in respect of which there is a right of review by or appeal to a Merit Protection Board.

### Agencies and their reporting requirements

Agency	Minister	Annual report
ACFE Board	Education and Training	Separate report
Merit Protection Boards	Education Services	See pages 109–12
Registered Schools Board	Education and Training/Education Services	See pages 47–9
VCAA	Education and Training	Separate report
Victorian Institute of Teaching	Education Services	See page 50
Victorian Schools Innovation Commission	Education and Training	See pages 50–1
VLESC	Education and Training	Separate report
VQA	Education and Training	Separate report



Full-time members of the Merit Protection Boards: (left to right) Ian Adams, Senior Chair; Ray Wilkinson, Secretary's nominee; and Beverly Trease, Registrar

There are seven Teaching Service Merit Protection Boards, each of which comprises a chair, a nominee of the Secretary and a teacher representative. Most members are part-time.

The Public Sector Merit Protection Boards comprise three members – an independent chair, a nominee of the Secretary and a staff member. The Public Sector Boards make a recommendation to the Senior Chair of the Merit Protection Boards, who has the delegation from the Secretary to hear and determine public sector grievances.

The Senior Chair, Mr Ian Adams, and the Secretary's nominee, Mr Raymond Wilkinson, are full-time members of the Boards. Ms Beverly Trease is the Registrar.

### Part-time members

#### Chairs

- Mr John Coulson, Principal, Wellington Secondary College
- Ms Avis Grahame, Senior Education Officer, Southern Metropolitan Region
- Ms Helen Jackson, Principal, Pascoe Vale Girls Secondary College
- Mr Eric Keenan, Principal, Sunbury Secondary College
- Mr Francis O'Dea, Principal, Noble Park Secondary College
- Ms Bronwyn Valente, Principal, University High School

#### Secretary's nominees

- Ms Leonie Fitzgerald, Principal, Dandenong South Primary School
- Ms Denise Howes, Principal, Eltham North Primary School
- Ms Meg Lee, Liaison Principal (resigned April 2002)
- Mr Alex Misfud, Senior Education Officer, Southern Metropolitan Region
- Ms Christine Scott, Principal, North Fitzroy Primary School
- Mr Arthur Toussaint, Principal, Galvin Park Secondary College

#### Teacher nominees

- Mr Stuart Baber, Bentleigh Secondary College (resigned March 2002)
- Ms Lorraine Dell, Ormond Primary School
- Ms Aniko Kariko, Trafalgar High School

Ms Jennifer Pringle, Mount Waverley Secondary College  
 Ms Sheryl Skewes, Sandringham Primary School  
 (resigned March 2002)

The Merit Protection Boards provide an independent mechanism to hear appeals and grievances for employees of the Department and associated education statutory authorities. Appeals and grievances include transfer and promotion, sexual harassment and discrimination, discipline, incapacity, grievances of a general personal nature, and appeals in relation to police records checks. Appeals and grievances are heard in the metropolitan area and regional centres, as appropriate.

The Merit Protection Boards, through the hearing process, must ensure that all applicants receive fair and equitable treatment and that the principles of natural justice apply.

Access to the Boards is available to all employees in the Department, including Principal Class officers, teachers, school-based non-teaching staff and public servants.

## Appeals and grievances

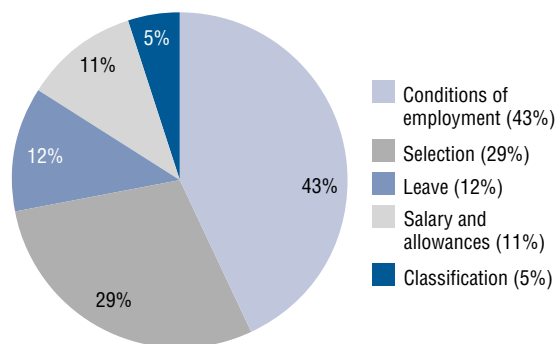
### Teaching service

During the year to 30 June 2002, the Merit Protection Boards for the teaching service received a total of 667 appeals and grievances, comprising 564 promotion grievances, four discipline appeals and 99 personal grievances. Of those heard, 21 per cent (102) were upheld.

There has been a substantial increase in the number of teaching service grievances received in the year, particularly promotional grievances, because of the introduction of the new Experienced Teacher with Responsibility classification. To handle the increased number of grievances, extra Boards were convened. During October and November 2001, up to three Boards operated every day, two in Melbourne and one in country locations.

#### Teaching service – personal grievance by category, 2001–02

72 per cent of teachers' personal grievances were about conditions of employment and selection



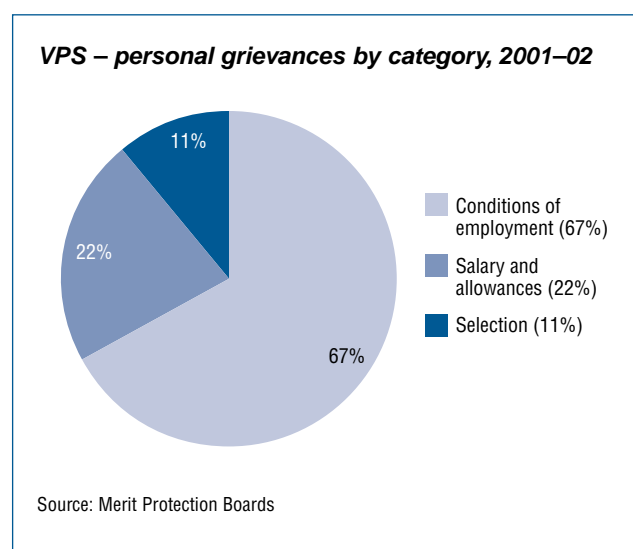
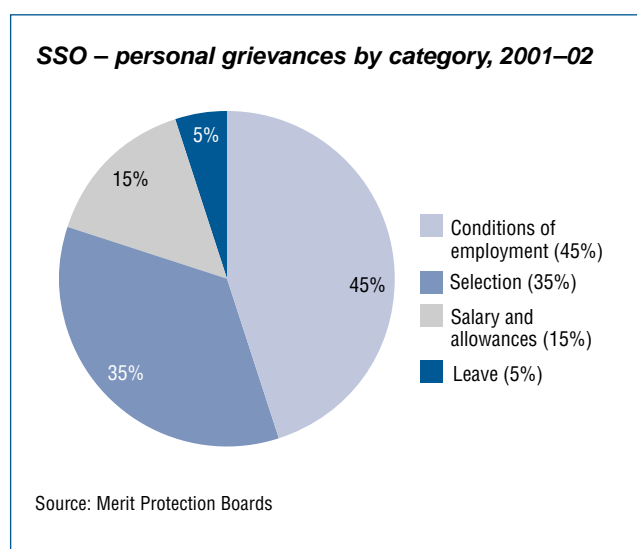
Source: Merit Protection Boards

### Teaching service – appeals and grievances, 2001–02

Category	Received		Upheld		Disallowed		Withdrawn		Pending		No jurisdiction, out of time or lapsed		Conciliated		Total
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	
Promotion	288	276	35	48	183	156	61	61	4	1	3	10	2	–	564
Discipline	1	3	–	–	–	1	–	1	1	1	–	–	–	–	4
Personal	47	52	11	8	15	12	9	14	6	8	6	8	–	2	99
Total	336	331	46	56	198	169	70	76	11	10	9	18	2	2	667

### Public sector

The Merit Protection Boards for the public sector received 29 grievances, 14 of which were heard and seven were upheld. There were 20 SSO grievances, of which five were upheld. There were nine grievances from VPS staff, of which two were upheld.



Conditions of employment were the most common personal grievance from both SSO and VPS staff.

### Public sector – appeals and grievances, 2001–02

Category	Received		Upheld		Disallowed		Withdrawn		Pending		Lapsed		Conciliated		Total
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	
<b>SSO staff</b>															
Personal	3	15	–	5	–	2	1	5	–	2	2	1	–	–	18
Promotion	–	2	–	–	–	1	–	–	–	–	–	1	–	–	2
Total SSO	3	17	–	5	–	3	1	5	–	2	2	2	–	–	20
<b>VPS staff</b>															
Personal	4	4	–	2	2	1	2	1	–	–	–	–	–	–	8
Promotion	–	1	–	–	–	1	–	–	–	–	–	–	–	–	1
Total VPS	4	5	–	2	2	2	2	1	–	–	–	–	–	–	9
Total VPS and SSO	7	22	–	7	2	5	3	6	–	2	2	2	–	–	29



## Merit protection accreditation

In response to a request from the Minister, the Merit Protection Boards provide training in the principles of merit and equity for Principal Class officers, teachers, school services officers and VPS staff employed in the Department. In the last 12 months, 41 seminars were conducted in which 2010 employees were trained. Since programs began, a total of 22,166 employees have been trained.

### Principals

Over the last 12 months, 157 members of the Principal Class have been accredited in seminars conducted by the Boards in metropolitan and country centres. Of these, 34 were reaccredited to bring them up to date with changes in legislation since their initial accreditation. Accredited Principal Class officers are available to serve on Principal Class officer selection panels. Since the inception of training programs, 2847 members of the Principal Class have been trained.

### Teachers

Over the last 12 months, 1198 members of the teacher class have been accredited in merit protection in seminars conducted in metropolitan and country centres. Of these, 81 teachers were reaccredited. The total number of members of the teacher class accredited is 16,457.

Teachers who have been accredited are available to assist principals with personnel management decision making where panels must include a merit protection-accredited teacher. These panels are for teacher selection, higher duties, special payments, employment annulment after unsatisfactory probation, extension of probation period, deferral of increment and non-endorsement of teaching practice for leading teacher accreditation.

### SSO and VPS

Over the last 12 months, 253 SSO staff and 402 VPS staff have been accredited in merit protection. The total number of SSO and VPS staff trained is 2862.

Accredited SSO staff are available to assist principals in decision making concerning selection, higher duties, special payments and deferral of increments. VPS selection panels operating from January 2002 are required to include a merit protection-accredited VPS employee as a member of the panel.

Evaluation of the training programs by participants indicates a very high level of satisfaction with the programs.

### Other activities

The Merit Protection Boards continued to provide advice to the Department on merit and equity issues in relation to major policy initiatives. The Boards also provided advice when existing policies were reviewed.

The Senior Chair and Secretary's nominee were invited to talk to a large number of meetings of principals and assistant principals across the State. They conducted professional development programs, on request, for principals, field officers of the principals' associations and for individual officers of the Australian Education Union.

The Merit Protection Boards website <[www.mpb.vic.gov.au](http://www.mpb.vic.gov.au)> allows employees to access information about the appeal and grievance process, as well as the accreditation programs run by the Boards. The website also allows employees to lodge appeal and grievance applications online. This facility is being used increasingly by employees.

The Senior Chair attended the annual conference of the Public Sector Appeals Boards held in Canberra in September 2001.

### Outlook

In 2002–03, the Merit Protection Boards will:

- hear and determine appeals and grievances from principals, teachers, SSO and VPS staff
- provide merit accreditation programs for principals, teachers, SSO and VPS staff across the State.

**Table of number of employees trained, July 2001 – June 2002 by region**

Region	Teachers	Principals	SSO	VPS	Total
Barwon South Western	124	6	20	6	156
Corporate	–	–	–	302	302
Central Highlands Wimmera	71	3	11	5	90
Eastern Metropolitan	229	41	32	18	320
Gippsland	83	10	31	2	126
Goulburn North Eastern	83	16	29	7	135
Loddon Campaspe Mallee	98	15	19	3	135
Northern Metropolitan	181	20	23	15	239
Southern Metropolitan	198	26	47	23	294
Western Metropolitan	131	20	41	21	213
Total	1198	157	253	402	2010