

# Appendices

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# APPENDIX 1

## Consistency of budget and financial reporting

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### Introduction

The Government's budgeting framework reports each department's financial estimates in the annual State Budget Papers on a basis that consolidates all budget sector agencies within the Department.

Budget sector agencies are those agencies owned by the State Government that receive the majority of their income from State Government sources.

The financial statements provided in this appendix are consistent with those published in the 2004–05 Budget Paper Number 3 – Budget Estimates. Provision of the statements in this appendix allows comparison of the actual financial results of the Department consolidated budget sector agencies with the estimates published in the Budget Papers. This is consistent with the Government's commitment to more transparent financial reporting.

The total resources made available to a department are applied to three uses:

- provision of outputs
- asset investment
- payments on behalf of the state.

The financial statements on the following pages support the Department's provision of outputs. The information provided includes the statement of financial performance, the statement of financial position and the statement of cash flows for the Department, and are presented in the format consistent with the AAS29 Accounting Standard. However, for the purposes of this report they have been divided into controlled and administered items.

Controlled items reflect those resources applied by the Department to carry out its functions and provide outputs.

Administered items refer to those resources over which the Department cannot exercise direct control. Authority is provided through an appropriation for payments made on behalf of the state. Under the AAS29 Standard, these items would normally appear as notes to the financial statements.

The financial information consolidates information for the following portfolio entities:

- Department of Education & Training (including government schools)
- ACFE Board
- AMES
- CAE
- Driver Education Centre of Australia Limited
- International Fibre Centre Limited
- Merit Protection Boards
- Registered Schools Board
- VCAA
- VLESC
- 14 TAFE institutes and five universities with TAFE divisions.

Statement of financial performance for the year ended 30 June 2005

Controlled items	Notes	2004–05 Actual (\$ million)	2004–05 Budget (\$ million)	Variation <sup>(a)</sup> (\$ million)
<b>Revenue from ordinary activities</b>				
Output appropriations	1	6,205.4	6,082.1	123.3
Special appropriations		0.5	0.3	0.2
Resources received free of charge or for nominal consideration		5.2	0.7	(0.7)
Sale of goods and services	2	546.9	499.1	47.8
Commonwealth grants	3	288.0	270.8	17.2
Other revenue and revenue from other parties <sup>(b)</sup>		362.5	365.7	(3.2)
<b>Total</b>		<b>7,408.5</b>	<b>7,218.7</b>	<b>189.8</b>
<b>Expenses from ordinary activities</b>				
Employee benefits <sup>(c)</sup>	4	4,280.3	4,135.0	145.3
Depreciation and amortisation	5	301.0	291.2	9.8
Grants and other payments		590.7	582.7	8.0
Capital asset charge		764.6	764.6	0.0
Supplies and services <sup>(d)</sup>	6	1,260.1	1,292.7	(32.6)
Other expenses from ordinary activities		0.7	0.0	0.7
Borrowing costs		0.9	0.9	0.0
<b>Total</b>		<b>7,198.3</b>	<b>7,067.1</b>	<b>131.2</b>
<b>Result from ordinary activities</b>				
Net result for the reporting period		210.2	151.6	58.6
Net increase in asset revaluation reserve		471.7	0.0	471.7
Total revenues, expenses and revaluation adjustments recognised directly in equity		471.7	0.0	471.7
<b>Total changes in equity other than those resulting from transactions with the Victorian State Government in its capacity as owner on behalf of the Crown</b>				
		<b>681.9</b>	<b>151.6</b>	<b>530.3</b>

Administered items	Notes	2004–05 Actual (\$ million)	2004–05 Budget (\$ million)	Variation <sup>(a)</sup> (\$ million)
<b>Administered revenue</b>				
Sale of goods and services		1.9	1.7	0.2
Commonwealth grants	7	1,899.2	1,851.8	47.4
Other		(3.2)	9.9	(13.1)
Total		1,897.9	1,863.4	34.5
<b>Administered expenses</b>				
Grants and other payments	7	1,363.3	1,322.4	40.9
Payments into the Consolidated Fund		552.9	540.9	12.0
Total		<b>1,916.2</b>	<b>1,863.3</b>	<b>52.9</b>
Revenue less expenses		<b>(18.3)</b>	<b>0.1</b>	<b>(18.4)</b>

(a) Variation between 2004–05 Actual and 2004–05 Budget.

(b) Includes investment revenue, gains on disposal of physical assets and revenue for services delivered to parties outside of Government.

(c) Includes salaries and allowances, superannuation contributions and payroll tax.

(d) Includes payments to non-government organisations for delivery of services.

The variances for controlled items can be explained as follows:

#### Note 1

The variance reflects additional appropriation funding from the Government for enterprise bargaining outcomes for school teachers, TAFE teachers and Victorian public servants.

#### Note 2

The variance is mainly due to actual revenues raised by schools and TAFE institutes from non-government sources being greater than anticipated.

#### Note 3

The variance reflects increased revenue from the Commonwealth Government for TAFE institutes.

#### Note 4

The variance reflects employee-related expenses as a result of the above-mentioned enterprise bargaining outcomes and increased employment in schools funded from grants and locally raised funds.

#### Note 5

The variance is due to the effect on depreciation expenses of building revaluations as at 30 June 2004 and the impact of asset purchases by schools from locally raised funds.

#### Note 6

The variance mainly reflects carry-over for the provision of outputs into 2005–06.

The variances for administered items can be explained as follows:

#### Note 7

The variance reflects additional funding from the Commonwealth for non-government schools associated with enrolment growth and indexation.

Statement of financial position for the year ended 30 June 2005

Controlled items	Notes	2004-05 Actual (\$ million)	2004-05 Budget (\$ million)	Variation <sup>(a)</sup> (%)
<b>Assets</b>				
<b>Current assets</b>				
Cash assets	1	536.0	500.6	7.1
Other financial assets	1	181.1	156.1	16.0
Receivables		82.0	69.9	17.3
Inventories		8.7	8.4	3.6
Prepayments		15.1	12.9	16.8
Other assets		0.0	1.2	(97.4)
<b>Total current assets</b>		<b>822.9</b>	<b>749.1</b>	<b>9.9</b>
<b>Non-current assets</b>				
Receivables <sup>(b)</sup>	2	535.6	488.6	9.6
Other financial assets	1	20.2	8.9	127.0
Property, plant and equipment	3	11,048.4	9,441.2	17.0
Intangible assets		0.6	0.5	11.0
Other		13.0	13.1	(0.7)
<b>Total non-current assets</b>		<b>11,617.7</b>	<b>9,952.3</b>	<b>16.7</b>
<b>Total assets</b>		<b>12,440.6</b>	<b>10,701.4</b>	<b>16.3</b>
<b>Liabilities</b>				
<b>Current liabilities</b>				
Payables	4	203.0	184.9	9.8
Interest-bearing liabilities		2.4	4.1	(41.5)
Provisions <sup>(c)</sup>	5	233.9	207.4	12.8
Other		88.3	75.9	16.4
<b>Total current liabilities</b>		<b>527.6</b>	<b>472.3</b>	<b>11.7</b>
<b>Non-current liabilities</b>				
Interest-bearing liabilities		7.6	2.6	190.4
Provisions	5	856.3	776.3	10.3
Amounts owing to other departments		0.4	1.1	(65.4)
<b>Total non-current liabilities</b>		<b>864.3</b>	<b>780.0</b>	<b>10.8</b>
<b>Total liabilities</b>		<b>1,391.9</b>	<b>1,252.3</b>	<b>11.1</b>
<b>Net assets</b>		<b>11,048.8</b>	<b>9,449.1</b>	<b>16.9</b>

	2004–05 Actual (\$ million)	2004–05 Budget (\$ million)	Variation <sup>(a)</sup> (%)
<b>Administered items</b>			
<b>Assets</b>			
<b>Current assets</b>			
Cash assets	0.0	0.7	(100.0)
Receivables	10.9	16.5	(33.9)
Other financial assets	1.5	1.3	15.4
Prepayments	3.3	3.0	10.0
Other assets	9.4	0.0	n/a
<b>Total current assets</b>	<b>25.1</b>	<b>21.5</b>	<b>(27.0)</b>
<b>Non-current assets</b>			
Property, plant and equipment	11.3	14.0	(19.3)
Total non-current assets	11.3	14.0	(19.3)
<b>Total administered assets</b>	<b>36.4</b>	<b>35.5</b>	<b>(23.9)</b>
<b>Liabilities</b>			
<b>Current liabilities</b>			
Payables	3.5	0.2	n/a
Interest-bearing liabilities	0.0	0.7	(100.0)
Other	3.4	3.0	13.3
<b>Total current liabilities</b>	<b>6.9</b>	<b>3.9</b>	<b>76.9</b>
<b>Net assets</b>	<b>29.5</b>	<b>31.6</b>	<b>(36.4)</b>

(a) Variation between 2004–05 Actual and 2004–05 Budget.

(b) Includes cash balance held in trust in the Public Account.

(c) Includes employee benefits and superannuation.

The variances for controlled items can be explained as follows:

#### Note 1

The variance mainly reflects the investment of cash assets by schools and TAFE institutes generated from local fundraising activities.

#### Note 2

The variance reflects the Department's efficiency in producing outputs and the level of accruals at balance day.

#### Note 3

The variance is due to significant revaluation of property assets.

#### Note 4

The variance reflects timing of payments to creditors.

#### Note 5

The increase in long-service leave liabilities reflects the impact of salary increases and the underlying growth in the years of service.

Statement of cash flows for the year ended 30 June 2005

Controlled items	Notes	2004-05 Actual (\$ million)	2004-05 Budget (\$ million)	Variation <sup>(a)</sup> (%)
<b>Cash flows from operating activities</b>				
<b>Operating receipts</b>				
Receipts from Government		6,205.9	6,301.5	(1.5)
Receipts from other entities	1	302.6	494.7	(38.8)
Interest received	2	42.8	30.1	42.2
Other revenue	3	873.3	364.7	139.5
		<b>7,424.6</b>	<b>7,191.0</b>	<b>3.2</b>
<b>Operating payments</b>				
Payments for supplies, grants and employees		(6,079.5)	(5,999.3)	1.3
Capital asset charge		(764.6)	(764.6)	0.0
Borrowing costs expense		(0.9)	(0.9)	0.0
		(6,845.0)	(6,764.8)	1.2
<b>Net cash inflow (outflow) from operating activities</b>		<b>579.6</b>	<b>426.2</b>	<b>36</b>
<b>Cash flows from investing activities</b>				
<b>Payments for property, plant and equipment</b>				
Proceeds from sale of property, plant and equipment	4	14.5	1.5	866.7
Payments for investments		(124.0)	0	n/a
Repayment of loans by other entities		0.0	0	n/a
<b>Net cash inflow (outflow) from investing activities</b>		<b>(575.4)</b>	<b>(469.7)</b>	<b>22.5</b>
<b>Cash flows from financing activities</b>				
Net proceeds from capital contribution by State Government		73.4	68.1	7.8
Net proceeds of borrowings		0.0	0.0	n/a
<b>Net cash inflow (outflow) from financing activities</b>		<b>73.4</b>	<b>68.1</b>	<b>n/a</b>
<b>Net increase (decrease) in cash held</b>		<b>77.6</b>	<b>24.6</b>	<b>215.4</b>
<b>Cash at beginning of period</b>		<b>458.4</b>	<b>473.9</b>	<b>0.0</b>
<b>Cash at the end of the financial year</b>		<b>536.0</b>	<b>498.5</b>	<b>7.5</b>

Administered items	Notes	2004–05 Actual (\$ million)	2004–05 Budget (\$ million)	Variation <sup>(a)</sup> (%)
<b>Cash flows from operating activities</b>				
<b>Operating receipts</b>				
Receipts from Government	5	1,895.9	1,851.8	2.4
Interest received		0.1	0.1	0.0
Other revenue		2.5	2.2	13.2
		<b>1,898.5</b>	<b>1,854.1</b>	<b>2.4</b>
<b>Operating payments</b>				
Payments for supplies, grants and employees	5	(1,912.9)	(1,863.3)	2.7
		<b>(14.4)</b>	<b>(9.2)</b>	<b>56.2</b>
<b>Cash flows from investing activities</b>				
Proceeds from sale of property, plant and equipment	5	21.2	9.2	130.0
Payments for investments		(6.8)	0.0	n/a
		14.4	9.2	n/a
<b>Cash at the beginning of period</b>		n/a	n/a	n/a
<b>Cash at the end of the financial year</b>		n/a	n/a	n/a

(a) Variation between 2004–05 actual and 2004–05 Budget.

The variances for controlled items can be explained as follows:

**Note 1**

Refer to note 3 of the statement of financial performance.

**Note 2**

The variance reflects a return on investment with Treasury Corporation Victoria higher than originally budgeted.

**Note 3**

Refer to note 2 of the statement of financial performance.

**Note 4**

The variance mainly reflects the proceeds from the sale of surplus school sites.

The variances for administered items can be explained as follows:

**Note 5**

Refer to note 7 of the statement of financial performance.

## APPENDIX 2

### Portfolio statistics

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#### School education

*FTE government school students by year level,  
February 2005*

<b>Year level</b>	<b>2005</b>
Preparatory	44,235.9
Year 1	43,624.6
Year 2	43,729.8
Year 3	44,040.5
Year 4	44,529.1
Year 5	44,663.0
Year 6	45,138.9
Ungraded	10.8
<b>Primary total</b>	<b>309,972.6</b>
Year 7	39,599.5
Year 8	39,098.4
Year 9	39,612.2
Year 10	36,502.0
Year 11	36,438.2
Year 12	30,311.6
Ungraded	56.4
<b>Secondary total</b>	<b>221,618.3</b>
Special	7,219.4
Language	1,142.0
<b>Total</b>	<b>539,952.3</b>

*FTE students by student type and sector, February 2003–05*

Student type	Government			Catholic			Independent			All schools		
	2003	2004	2005	2003	2004	2005	2003	2004	2005	2003	2004	2005
Primary	312,134.4	311,964.0	309,972.6	99,665.2	98,863.6	98,406.6	39,381.2	40,170.2	41,459.5	451,180.8	450,997.8	449,838.7
Secondary	218,740.7	220,271.7	221,618.3	80,626.2	81,514.5	82,921.3	64,194.3	65,659.0	66,780.0	363,561.2	367,445.2	371,319.6
Special	6,517.0	6,826.2	7,219.4	171.2	165.8	160.4	310.8	331.0	308.4	6,999.0	7,323.0	7,688.2
Language	917.0	1,010.0	1,142.0	-	-	-	-	-	-	917.0	1,010.0	1,142.0
<b>Total</b>	<b>538,309.1</b>	<b>540,071.9</b>	<b>539,952.3</b>	<b>180,462.6</b>	<b>180,543.9</b>	<b>181,488.3</b>	<b>103,886.3</b>	<b>106,160.2</b>	<b>108,547.9</b>	<b>822,658.0</b>	<b>826,776.0</b>	<b>829,988.5</b>
% of all students	65.4	65.3	65.1	21.9	21.8	21.9	12.6	12.8	13.1	100.0	100.0	100.0

*Number of schools by school type and sector, February 2004–05*

School type	Government		Catholic		Independent		All schools	
	2004	2005	2004	2005	2004	2005	2004	2005
Primary	1,223	1,222	381	380	57	54	1,661	1,656
Primary–secondary	49	50	10	12	131	132	190	194
Secondary	262	261	85	84	18	21	365	366
Special	80	80	7	7	10	10	97	97
Language	4	4	–	–	–	–	4	4
<b>Total</b>	<b>1,618</b>	<b>1,617</b>	<b>483</b>	<b>483</b>	<b>216</b>	<b>217</b>	<b>2,317</b>	<b>2,317</b>
<b>% of all schools</b>	<b>69.8</b>	<b>69.8</b>	<b>20.8</b>	<b>20.8</b>	<b>9.3</b>	<b>9.4</b>	<b>100.0</b>	<b>100.0</b>

## Training and tertiary education

*Student contact hours of training and further education by Australian Qualifications Framework (AQF) levels, Victoria, 2002–04*

Level	2002	2003	2004
AQF 1–2	24,347,220	22,288,403	21,014,912
AQF 3–4	44,181,717	50,467,468	52,802,559
AQF 5–6 and above	30,758,392	29,694,560	28,459,182
Secondary	1,332,544	2,327,393	2,549,221
Module only	3,487,988	3,044,575	2,249,285
Not defined*	4,045,422	4,160,510	4,109,494
<b>Total</b>	<b>108,153,283</b>	<b>111,982,909</b>	<b>111,184,653</b>

\* Including non-award courses, bridging and enabling courses, statements of attainment and other courses not identifiable by level. Due to revisions of classifications of individual courses, figures for previous years have been revised and thus may differ slightly from previously reported figures of the same year. Data refers to all funding sources, excluding hobby, recreation and leisure (non-VET) activity. Numbers for 2002 and 2003 have been modified to reflect changes in classifications.

*Student contact hours of training and further education by industry group, Victoria, 2002–04*

Industry	2002	2003	2004
Adult community education	12,678,531	14,375,787	14,995,755
Automotive	2,651,022	2,695,369	2,677,464
Building and construction	5,500,968	5,662,255	5,997,910
Business services	17,777,153	17,943,140	19,225,168
Community services and health	11,341,240	12,131,275	13,623,262
Cultural and recreation	8,828,695	8,987,222	8,740,781
Electrotechnology and communications	12,301,889	12,087,490	10,583,858
General manufacturing	5,566,699	5,078,710	5,407,677
Metals and engineering	3,754,041	3,658,917	3,959,985
Primary and forest	4,801,310	4,543,674	4,507,133
Public administration and safety	429,638	460,029	428,023
Tourism and hospitality	8,201,077	8,377,777	8,295,004
Transport and storage	3,086,780	4,811,761	2,999,110
Wholesale, retail and personal services	5,953,189	5,596,140	5,304,725
Non-industry specific (including module-only)	5,281,051	5,573,363	4,438,798
<b>Total</b>	<b>108,153,283</b>	<b>111,982,909</b>	<b>111,184,653</b>

This table compares the Institute's reported activity in each industry area with the total activity reported by all VET providers, to give an indication of the Institute's market share in each industry area.

Data refers to all funding sources, excluding hobby, recreation and leisure (non-VET) activity.

Due to revisions of classifications of individual courses, figures for previous years have been revised and thus may differ slightly from previously reported figures of the same year.

## Adult community education

*Government-funded provision by ACE organisations by region and adult education institutions, Victoria, 2004*

Region	Adult literacy and numeracy		Employment skills		VCE/VCAL		Vocational		Total	
	E	SCH	E	SCH	E	SCH	E	SCH	E	SCH
BSW	3,453	241,307	5,962	171,221	256	22,179	16,742	330,044	26,413	764,751
CHW	1,719	66,419	2,171	48,317	0	0	11,031	210,609	14,921	325,345
CWM	10,095	598,774	1,553	64,008	13	3,120	5,948	179,645	17,609	845,547
EM	4,454	233,006	6,768	179,901	36	3,600	21,819	595,752	33,077	1,012,259
GIP	2,415	105,609	2,248	65,370	0	0	11,909	254,889	16,572	425,868
GOM	2,552	133,035	1,802	55,224	99	9,220	12,590	270,678	17,043	468,157
LCM	3,825	172,016	3,847	127,156	0	0	11,971	288,052	19,643	587,224
NM	5,922	274,868	3,987	120,118	109	9,960	10,268	289,135	20,286	694,081
SWP	8,333	370,238	3,995	124,811	71	7,100	12,814	386,258	25,213	888,407
AMES	237	11,201	1,513	42,359	0	0	3,794	146,128	5,544	199,688
CAE	4,155	217,436	1,894	68,704	4,012	276,279	5,721	254,847	15,782	817,266
<b>Total</b>	<b>47,160</b>	<b>2,423,909</b>	<b>35,740</b>	<b>1,067,189</b>	<b>4,596</b>	<b>331,458</b>	<b>124,607</b>	<b>3,206,037</b>	<b>212,103</b>	<b>7,028,593</b>

E = module enrolments

SCH = student contact hours

Government-funded provision is for education and training provided from State and Commonwealth funds allocated by the ACFE Board and the VLESC. The ACFE regions and institutions are abbreviated as follows: Barwon South Western (BSW), Central Highlands Wimmera (CHW), Central Western Metropolitan (CWM), Eastern Metropolitan (EM), Gippsland (GIP), Goulburn Ovens Murray (GOM), Loddon Campaspe Mallee (LCM), Northern Metropolitan (NM), Southern Western Port (SWP).

*Total reported adult, community and further education provision for ACE organisations and adult education institutions, Victoria, 2002–04*

Region	Module enrolments			Student contact hours		
	2002	2003	2004	2002	2003	2004
BSW	39,340	38,046	40,115	1,069,466	1,292,309	1,118,291
CHW	28,024	25,185	25,524	491,162	468,329	476,734
CWM	24,270	25,804	28,127	1,015,956	1,165,634	1,132,448
EM	59,500	65,019	59,144	1,441,593	1,614,746	1,547,037
GIP	25,292	25,017	25,033	534,254	549,407	573,232
GOM	30,952	33,685	32,950	802,591	843,003	887,385
LCM	36,629	35,660	33,593	995,565	975,937	825,458
NM	28,324	25,029	29,598	892,671	785,451	899,213
SWP	45,328	37,103	35,354	1,284,216	1,138,720	1,107,019
AMES	98,625	82,636	81,912	2,983,912	2,484,438	2,469,819
CAE	56,338	53,891	56,532	1,510,263	1,518,084	1,554,380
<b>Total</b>	<b>472,622</b>	<b>447,075</b>	<b>391,350</b>	<b>13,021,649</b>	<b>12,836,058</b>	<b>11,036,636</b>

Total reported adult, community and further education provision is for all funding sources, including fee-for-service activity. Over 90 per cent of provision at AMES is funded by other sources, including the Commonwealth Government. This funding is short-term contracted delivery.

## Higher education

*Student enrolments and load in higher education institutions, Victoria, 2002–04*

Students*	2002	2003	2004	% change 2002–04
Postgraduate	63,340	68,915	72,015	13.7
Undergraduate	162,624	164,835	166,390	2.3
Other	2,597	3,072	3,350	29.0
<b>Total</b>	<b>228,561</b>	<b>236,822</b>	<b>241,755</b>	<b>5.8</b>
Load (EFTSU)**				
Postgraduate	33,286	36,311	39,148	17.6
Undergraduate	130,116	133,008	134,759	3.6
Other	1,298	1,596	1,717	32.3
<b>Total</b>	<b>164,701</b>	<b>170,917</b>	<b>175,624</b>	<b>6.6</b>

\*Students are reported under their 'Major' course level.

\*\*EFTSU: Equivalent full-time student unit

### Notes

The Victorian campuses of the Australian Catholic University are not included.

Student data and load data for 2002–04 is publicly available at the Commonwealth Department of Education, Science and Training website <[www.dest.gov.au](http://www.dest.gov.au)>.

# APPENDIX 3

## Human resources policies

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### Human resources

Effective human resources, recruitment, development, retention and management policies and the delivery of associated services are essential if a high-quality and diverse workforce is to contribute to the delivery of the Department's outputs in an efficient and responsive manner.

#### **Key policies**

The Department is committed to an integrated approach to the development of its workforce capabilities, as well as maintaining a strong focus on encouraging a diverse and inclusive workforce and increasing opportunities for women to assume leadership roles.

#### **Staff development**

Development of public service staff has focused on building leadership capacity and the future workforce.

The award of internal scholarships for the Executive Fellows program and the Executive Masters of Public Administration offered through the Australia and New Zealand School of Government, Gain the Edge, the Davos Future Summit and the Williamson Community Leadership program have all provided opportunities for policy and leadership skills development.

Building workforce capacity for public service staff has centred on skills development through a range of programs, from project management and presentation skills to information technology desktop training and Certificate IV in Assessment and Training. A quality induction and orientation program, strongly supported by senior executives, has been well received by new staff.

Professional development for school staff is discussed in pages 16–17 of this report.

#### **Focus on women**

Women represented 73.2 per cent of the Department's workforce in June 2005. The Department's Focus on Women strategy aligns with the human resources strategic priorities to build leadership capability by improving leadership opportunities and career pathways for women, together with the targeting of initiatives to accelerate leadership development and cultural change. It also supports the building of the Department's future workforce through the expansion of skills development programs which build on the capability of all employees.

Women represented 69.4 per cent of teaching staff and 90.4 per cent of non-teaching staff in government schools. The percentage of women in the principal class in government schools continued to rise, with an increase from 45.6 per cent in June 2004 to 47.3 per cent in June 2005.

Women represented 66.2 per cent of Victorian Public Service (VPS) staff in central and regional offices and the percentage of women at executive officer level dropped from 40 per cent in June 2004 to 38.8 per cent in June 2005.

The Eleanor Davis School Leadership program is a Women in Leadership initiative and, together with programs such as the Julia Flynn Scholarship and CareerNET, is a key component in the Department's Focus on Women strategy.

The Eleanor Davis School Leadership program, available to women seeking to move into school leadership positions, continued to attract high numbers of applicants. The program has been very successful in supporting aspiring school leaders and providing experienced principals with opportunities to assist in the development of future leaders.

The Julia Flynn program was under review during the first half of 2005 and scholarships for the

enhanced program will be offered in the second half of the year. These scholarships are designed to provide women with a program that supports their personal and professional growth and enhances their leadership potential.

### ***Managing diversity***

The Department's Diversity and Equal Employment Opportunity initiatives have been aligned to corporate and business planning. Key diversity initiatives have focused on attracting and retaining people of diverse skills and backgrounds and providing flexible work arrangements to support work-life balance. Initiatives have also been directed to ensuring positive workplace environments free of discrimination, harassment and bullying.

The need to address an ageing workforce, enhanced participation of women and carers, better work-life balance for all employees and strategic recruitment in a buoyant labour market have driven the launch of a revised edition of the Department's Flexible Work Kit: Achieving Work-Life Balance. The kit was launched following a legal audit and consultation with staff and key stakeholders (unions, principal groups, school council and parent groups).

During Cultural Diversity Week, the Department celebrated the cultural and linguistic diversity of its workforce with well-attended staff events arranged in central and regional offices. The Department also acknowledged Reconciliation Week with a similarly successful staff event led by Indigenous staff.

The Department has established a cross-office Disability (Employment) Action Plan working party to develop strategies and practical ways to address the needs of people with disabilities. This ensures organisational policies and practices are inclusive and provide accessible communications, facilities and employment and training opportunities for people with disabilities.

### ***Employee relations***

Consultation with key stakeholders was an essential component of the negotiation of the Victorian Government Schools – School Services Officers Agreement 2004.

Work continued on reviewing and amending employment policies to ensure consistency with changed employment arrangements emerging from schools certified agreements and the VPS Agreement.

VPS staff subject to the Allied Health adaptive structure (Student Support Services Officers) were translated through a change management framework that featured extensive communication and information sessions with these staff.

### ***Human resources systems and services***

The Department provides high-quality personnel services, including staffing, employment and payroll administration, together with advice on performance, conduct and ethics.

### ***Workforce planning***

A number of new teacher supply initiatives were implemented over the 2004–05 financial year. These initiatives had previously been announced by the Minister for Education Services in January 2004 in the report *Teacher Supply and Demand for Government Schools*.

### ***Key initiatives***

- The Career Change program has seen 29 non-teaching professionals from a variety of backgrounds employed as teacher trainees in hard-to-staff teaching vacancies in mainly rural secondary schools. The trainees commenced a two-year, school-based training program in January 2005 that combines supervised classroom teaching experience with part-time study towards a teaching qualification. Victoria University provided a specially tailored and flexibly delivered teacher education course to participants in the Career Change program.
- The Rural Retraining program has already enabled 124 teachers, mainly in rural schools, to retrain in curriculum areas experiencing teacher shortages.
- Over 200 student teachers and nearly 120 schools benefited from the Student Teacher Practicum Scheme, which provides student teachers with financial incentives to undertake their school placements in targeted schools, predominantly in rural areas.

- The promotion of teaching as a career option in non-traditional areas of recruitment (for example, professionals considering a career change) is a strategy pursued via career fairs, university visits and the publicity generated by the Career Change program.
- Links were strengthened between the Department and universities, especially education faculties delivering pre-service teacher education courses. This was achieved through formal forums such as the Teacher Supply and Demand Reference Group and the Deans of Education meetings, and also through increased informal dialogue on a range of teacher supply issues.

Other initiatives designed to assist schools in filling vacancies in specialist subject areas and in particular geographic locations included:

- appointing 626 recent teacher graduates through the Teacher Graduate Recruitment program
- awarding 149 scholarships to student teachers and new graduates under the Teaching Scholarship Scheme that now has a sharper focus on hard-to-staff vacancies.

In 2004–05, there were 60 exemptions from advertisements for VPS and executive recruitment approved by the Secretary or his delegate consistent with the requirements of the then Commissioner for Public Employment and the agreement between the government and the Community and Public Sector Union on the implementation of the new VPS career structure. The majority of these exemptions related to work value review claims resulting from the implementation of the new structure in the Department.

### ***Recruitment online***

The online advertising of school-based vacancies commenced in April creating streamlined advertising and appointment processes as well as providing an enhanced pool of potential job candidates.

Extensive training and support services were provided to both principals and other recruiting staff and potential applicants during the introduction of the new system.

### ***Employee health, safety and wellbeing***

The Health, Safety and Wellbeing strategy (2004–06) continues to support the integration of staff health, safety and wellbeing in schools and Department workplaces. The strategy focuses on an Occupational Health and Safety (OHS) accountability framework, prevention of hazards and risks in the work environment, compliance with legislative requirements for health and safety and on improved injury management systems. Key components of the strategy include stress prevention, OHS Accountability framework, OHS Management systems and improved Injury and Claims Management processes.

The Department's OHS performance generally achieved its targets. In 2004–05, the Victorian WorkCover Authority continued its inspection activities and issued 450 improvement and 44 prohibition notices, a 212 per cent increase on the previous year's numbers. The increase is mainly due to increased activity by inspectors through WorkSafe projects and specific WorkSafe targets within the education sector.

### ***Key performance indicators***

The following ten OHS measures are drawn from the 15 recommended OHS key performance indicators agreed at the OHS Roundtable meeting in March 2005 for inclusion in agency annual reports.

## Occupational health and safety measures

Measure	OHS lag key performance indicators	2005–06 Target	2004–05 Actual	
			Number	Rate
Claims	Number and rate of standardised WorkCover claims <sup>1</sup> including: sprains and strains stress other	Reduction of 3 per cent for 2005–06	843	1.647
			354	
			206	
	Number and rate of lost time WorkCover claims <sup>2</sup>	Reduction of 3 per cent for 2005–06	296	0.578
	Number and rate of claims exceeding 13 weeks	Reduction of 3 per cent for 2005–06	155	0.303
Fatalities	Number of fatalities <sup>1</sup>	No fatalities	2	
Claims costs	Average cost per WorkCover claim <sup>3</sup>	3 per cent reduction	\$43,028	

Measure	OHS lead key performance indicators	2005–06 Target	2004–05 Actual
Management commitment	Evidence of OHS policy statement; OHS objectives Regular reporting to senior management of OHS; and OHS plans (signed by CEO or equivalent)	Reported quarterly and /or annually  Empirical evidence of OHS plans, policies and reporting processes.	Department's OHS policy including objectives at <www.eduweb.vic.gov.au/hrweb/ohs/accp/riskm.htm>. Monthly health, safety and wellbeing reports to Minister and Department Management Committee regarding OHS trends, issues and project plans, achievements and milestones.
	Evidence of OHS criteria(s) in purchasing guidelines (including goods, services and personnel)	Reported quarterly and/or annually  Empirical evidence of OHS criteria in purchasing guidelines.	Schedule 21 Part D of the Department tender documents addresses health and safety management. Part E – ethical purchasing requires tenderers to declare any OHS legislative breaches.
Consultation and participation	Evidence of agreed structure of Designated Work Groups, Health and Safety Representatives, and issue resolution procedures	Reported quarterly and/or annually	OHS consultation processes are currently under review by Department and employee organisations.
Risk management	Per cent of internal audits/inspections conducted as planned	80 per cent of planned internal audits conducted	100 per cent
Training	Per cent of OHS representatives trained	75 per cent of representatives trained	73 per cent

### Note

The compliance, awareness and program implementation indicators reported in the Department's 2003–04 annual report are no longer part of the reporting requirements and have been superseded by the indicators reported in the above table. During 2004–05, the Victorian WorkCover Authority formalised business rules and definitions (BRAD) for WorkCover reporting. The Department has adopted BRAD from 2004–05. Therefore it is not possible to make direct comparison with WorkCover data reported in the 2003–04 annual report. Due to early provision of data for the 2004–05 financial year by the Department in the annual report, later figures provided by the Victorian WorkCover Authority and the Department may differ from the data reported.

### Data definitions

1 Standardised claims are those that have exceeded the employer excess (days or dollars) or are registered as a standard claim and are open with no payments at the time of extraction. Fatality claims are also based on the same definition of standardised claims. All KPI rates are per 100 FTEs.

2 A time-loss claim is a claim with one or more days compensated by the Victorian WorkCover Authority (once the employer has paid the ten-day excess) at the time of extraction. Time-loss claims are a subset of standardised claims.

3 Fully developed claims costs are a combination of payments to date plus an estimate of outstanding claims costs (future costs as calculated by the Victorian WorkCover Authority's statistical case estimate model). There is a degree of uncertainty associated with these estimates, and fully developed claims costs can vary over time as individual claims experience emerges, particularly early in the life of a claim. The level of this uncertainty reduces as the relative size of the portfolio increases, where fully developed costs are considered in aggregate. Data relating to small numbers of claims should be regarded as less reliable. Further, under-development of claims is at its highest for the most recent report year increasing the level of uncertainty on those absolute numbers, and the relativities with previous report years. Under-development is less of an issue for earlier report years, reducing the level of uncertainty for these years. Payments to date have been indexed (average weekly earnings) to allow for inflation.

## Conduct and ethics

### ***Criminal record checks***

In 2004–05 the Department conducted in excess of 30,000 criminal record checks in collaboration with the Commonwealth CrimTrac Agency via the Department's online criminal record check system. Of these checks, approximately 40 per cent were for people wishing to perform volunteer work in schools including student teachers undertaking teaching practicums.

In October 2004, the Government announced it would conduct criminal record checks on all teaching and non-teaching staff who had not previously undergone such a check. The Department's employees were invited to provide their consent for a check to be performed; 10,932 staff agreed to the check.

Consent was not obtained for 1583 employees due, in the main, to these employees being on leave and not contactable. The names of these employees were provided by the Secretary of the Department to the Chief Commissioner of Police so that criminal record checks could be undertaken as authorised under the amended *Education Act 1958*.

## APPENDIX 4

### Workforce statistics and senior officers

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The following workforce data is based on Business Unit (cost centre) and charge location.

It includes:

- staff on pay (including paid leave) who were employed in the Department in the last fortnight of June 2005
- ongoing and fixed-term agreement staff
- 'other', that is Chairs in statutory and other bodies in the portfolio and other miscellaneous classifications.

It excludes:

- staff who have ceased from the Department prior to the last fortnight of June 2005
- staff on leave without pay (including family leave)
- casual employees and contractors
- ACFE Regional Council staff
- staff employed directly by individual school councils
- staff employed by TAFE institutes
- staff employed by Industry Training Advisory Boards
- LLEN regional staff
- VLESC regional staff.

*FTE of teaching service staff in schools by classification and sex on pay as at June 2005*

Classification		Males	Females	Total
<b>Primary</b>				
	Principal class	947.7	952.1	1,899.8
	Teaching staff	3,141.9	15,209.0	18,350.9
	Instructors	5.3	10.5	15.8
	<b>Total</b>	<b>4,094.8</b>	<b>16,171.6</b>	<b>20,266.4</b>
<b>Secondary</b>				
	Principal class	528.5	384.1	912.6
	Teaching staff	7,339.7	10,814.2	18,153.9
	Instructors	127.2	47.4	174.6
	<b>Total</b>	<b>7,995.4</b>	<b>11,245.7</b>	<b>19,241.0</b>
<b>Total</b>		<b>12,090.2</b>	<b>27,417.3</b>	<b>39,507.5</b>

Source: Department of Education & Training

*FTE of non-teaching staff in schools by classification and sex on pay as at June 2005*

Classification	Level	Males	Females	Total
<b>School Services Officer</b>	SSO1-1	459.4	5,640.8	6,100.2
	SSO1-2	174.4	1,310.9	1,485.3
	SSO2-3	96.3	723.7	820.0
	SSO2-4	60.4	484.8	545.1
	SSO2-5	36.4	312.9	349.3
	SSO3-6	27.0	162.1	189.0
	SSO3-7	21.5	50.7	72.2
	SSO3-8	8.7	25.0	33.7
<b>Subtotal</b>		<b>884.0</b>	<b>8,710.8</b>	<b>9,594.8</b>
<b>VPS staff</b>	AH2	7.0	102.0	109.0
	AH3	26.0	128.9	154.9
	AH4	36.1	85.5	121.6
	VPSA6	1.0	3.0	4.0
	VPSG1	1.0	1.0	2.0
	VPSG2	-	4.0	4.0
	VPSG3	-	6.5	6.5
	VPSG4	1.6	7.2	8.8
	VPSG5	3.0	11.0	14.0
<b>Subtotal</b>		<b>75.7</b>	<b>349.1</b>	<b>424.8</b>
<b>Other</b>		<b>-</b>	<b>0.6</b>	<b>0.6</b>
<b>Total</b>		<b>959.7</b>	<b>9,060.5</b>	<b>10,020.2</b>

Source: Department of Education & Training

*FTE of staff in non-school locations, extension services and statutory bodies by classification and sex on pay as at June 2005*

Classification		Males	Females	Total
Teaching staff		49.3	66.4	115.7
Executive officer	EO1	2.0	1.0	3.0
	EO2	21.0	11.0	32.0
	EO3	18.0	14.0	32.0
	Subtotal	41.0	26.0	67.0
VPS staff	VPSG1	5.7	16.8	22.5
	VPSG2	34.0	127.3	161.3
	VPSG3	94.6	241.6	336.2
	VPSG4	108.6	148.0	256.6
	VPSG5	206.9	250.1	457.0
	VPSG6	106.9	103.1	210.0
	Senior Technical Specialist	1.0	1.0	2.0
	AH4	1.0	–	1.0
	Graduate recruits	4.0	11.0	15.0
	Subtotal	562.7	898.8	1,461.5
Other		4.0	8.1	12.1
Ministerial staff		2.0	–	2.0
<b>Total</b>		<b>659.0</b>	<b>999.3</b>	<b>1,658.3</b>

*FTE of staff in non-school locations by office on pay as at June 2005*

Office	FTE
Office of Strategy and Review and Office of the Secretary	175.0
Office of School Education (including regions)	508.1
Office of Learning and Teaching	171.3
Office of Resources Management and Strategy	439.6
Office of Training and Tertiary Education	154.4
VCAA	177.4
Merit Protection Boards	5.0
VQA	25.5
Ministerial offices	2.0
<b>Total</b>	<b>1,658.3</b>

## Senior officers as at 30 June 2005

Addresses of the key business areas are provided. The telephone number for all sections of the Department is (03) 9637 2000, except where otherwise specified.

### **Department of Education & Training**

2 Treasury Place  
East Melbourne Victoria 3002

Grant Hehir, Secretary

### **Office of School Education**

1st floor  
33 St Andrews Place  
East Melbourne Victoria 3002

Mr Darrell Fraser, Deputy Secretary

### **School System Reform**

Mr John Allman  
General Manager

Ms Andrée Butler  
Assistant General Manager, System Policy and  
Accountability

Ms Lesley Foster  
Assistant General Manager, Community and  
Stakeholder Relations

Mr Ian Claridge  
(Acting\*) Assistant General Manager, Student  
Wellbeing

### **School System Development**

Mr David Brooks  
General Manager

Dr Sara Glover  
Assistant General Manager, School System  
Outcomes

Ms Dina Guest  
Assistant General Manager, Leadership and  
Teacher Development

### **School Resources**

Dr Peter Stewart  
General Manager

Ms Lynne Williams  
Assistant General Manager, Facilities and  
Infrastructure

## **Regions**

Regional office contact details appear on  
pages 24–25 .

### *Eastern Metropolitan*

Dr Jim Watterston  
Regional Director

### *Northern Metropolitan*

Mr Wayne Craig  
Regional Director

### *Western Metropolitan*

Mr Rob Blachford  
Regional Director

### *Barwon South Western*

Ms Glenda Strong  
Regional Director

### *Central Highlands Wimmera*

Mr Malcolm Millar  
Regional Director

### *Loddon Campaspe Mallee*

Mr Ron Lake  
Regional Director

### *Goulburn North Eastern*

Ms Adele Pottenger  
Regional Director

### *Gippsland*

Mr Peter Greenwell  
Regional Director

### *Southern Metropolitan*

Ms Jan Lake  
Regional Director

## **Office of Learning and Teaching**

Level 3  
33 St Andrews Place  
East Melbourne Victoria 3002

Dr Dahle Suggett, Deputy Secretary

### **Student Learning**

Mr Tony Cook  
General Manager

Ms Carol Kelly  
Assistant General Manager, Learning Programs

**Post-Compulsory**

Mr George McLean  
General Manager

**Research and Innovation**

Ms Dawn Davis  
General Manager

Mr John McCarthy  
Assistant General Manager, Research and  
Development

Ms Diane Joseph  
Assistant General Manager, Innovations

Dr Mark Rose  
Assistant General Manager, Koorie Strategy

**Office of Training and Tertiary  
Education**

3rd floor  
2 Treasury Place  
East Melbourne Victoria 3002

Ms Patricia Neden, (Acting\*\*) Deputy Secretary

**Adult, Community and Further Education**

Ms Sandy Forbes  
General Manager

**Higher Education and Regulation**

Mr Terry Stokes  
General Manager

Mr Lee Watts  
Project Director, Higher Education

**Strategic Directions**

Mr Phil Clarke  
General Manager

Ms Wendy Timms  
Assistant General Manager, Planning and Industry  
Relations

Ms Susan McDonald  
Assistant General Manager, Policy Development

Mr Phillip Wilkins  
(Acting\*) Assistant General Manager, Resources  
and Facilities

**Training Operations**

Mr Chris Stewart  
(Acting\*\*) General Manager

Mr Franco Greco  
Assistant General Manager, Training Purchasing

Mr Chris Stewart  
Assistant General Manager, Apprenticeships

**Vocational Education and Training**

Ms Jan Trehwella  
General Manager

**Office of Resources Management  
and Strategy**

1st floor  
2 Treasury Place  
East Melbourne Victoria 3002

Mr Jeff Rosewarne, Deputy Secretary

**Corporate Services**

Ms Gail Hart  
General Manager

**Information Technology**

Mr Erle Bourke  
General Manager

Ms Katrina Reynen  
Assistant General Manager, Information  
Technology

**Resource Strategy**

Mr Jim Miles  
General Manager

**Human Resources**

Mr Tony Bugden  
General Manager

Mr Rex Hardman  
Assistant General Manager, Policy and Employee  
Relations

Ms Michelle Holian  
Assistant General Manager, Planning and  
Development

**Chief Information Officer**

Mr Adam Todhunter  
Chief Information Officer

**Financial Services**

Ms Claire Tierney  
Chief Finance Officer, Financial Services

Mr Nino Napoli  
Assistant General Manager, School Resources  
Allocation

Mr Ron Cooper-Thomas  
Assistant General Manager, Accounting Policy  
and Tax

Mr Peter Frouzisz  
Assistant General Manager, Budget and Reporting

### ***Office of Strategy and Review***

1st floor  
2 Treasury Place  
East Melbourne Victoria 3002

Ms Katherine Henderson, Deputy Secretary

### **External and Inter-Governmental Relations**

Mr Colin Twisse  
General Manager

Mr Patrick Lyons  
Assistant General Manager, External and Inter-  
Governmental Relations

Mr John Livi  
Principal Legal Officer, Legal Services

### **Strategic Policy and Planning**

Mr John Sullivan  
General Manager

Mr Ian Burrage  
Assistant General Manager, Strategic Planning  
and Review

Ms Julie Alliston  
Assistant General Manager, Policy Development  
and Coordination

### **International**

Ms Sue Christophers  
General Manager

### **Communications**

Ms Mary-Anne Thomas  
General Manager

### **Portfolio Improvement and Assurance**

Ms Lynn Glover  
General Manager

### **Strategic Initiatives**

Mr Michael Kane  
General Manager

### **Merit Protection Boards**

Level 9, 35 Spring Street  
East Melbourne Victoria 3002  
(03) 9651 0290

Mr Ian Adams\*\*\*  
Senior Chair

### ***Victorian Curriculum and Assessment Authority***

41 St Andrews Place  
East Melbourne Victoria 3002  
(03) 9651 4300

Mr Michael White  
Chief Executive Officer

Dr Glenn Rowley  
Assistant General Manager, Educational  
Measurement and Research

Mr Byron Crawford  
Assistant General Manager, Business Operations

Mr John Firth  
Assistant General Manager, Curriculum

Ms Elaine Wenn  
Assistant General Manager, Assessment

### ***Victorian Qualifications Authority***

Level 2, 33 St Andrews Place  
East Melbourne Victoria 3002  
(03) 9637 3479

Dr Dennis Gunning,  
Director

Mr Robert Fearnside,  
Project Executive, VQA

\* Acting assignment by a non-substantive executive officer

\*\* Acting assignment by a substantive executive officer

\*\*\* Governor-in-Council appointee

## APPENDIX 5

### Statutory authorities and other bodies

Fifty-three statutory authorities and other bodies work with the education and training communities to provide direct education and training provision and/or advice to the Minister for Education and Training and the Minister for Education Services.

The Minister for Education and Training and the Minister for Education Services are accountable to the Victorian Parliament for the performance of the Department. In the discharge of their responsibilities, the Ministers received advice from education and training statutory authorities in 2004–05, as indicated in the table below. The Department works in conjunction with statutory authorities to achieve the Government goals and targets for education and training and the delivery of Government-funded education and training outputs.

#### *Selected statutory authorities and their reporting requirements*

Agency	Minister	Annual report
Adult, Community and Further Education Board	Education and Training	Separate report
Merit Protection Boards	Education Services	See page 126
Registered Schools Board	Education and Training	See page 26
VCAA	Education and Training	Separate report
VLESC	Education and Training	Separate report
VQA	Education and Training	Separate report
VIT	Education and Training	Separate report

Staff of some of these authorities are on the Department's payroll, as reflected in the workforce data on pages 12, 120–122. Some of the authorities produce annual reports in their own right: the ACFE Board, the VCCA, the VQA and the VLESC. These reports can be accessed from the Department's website at <[www.det.vic.gov.au](http://www.det.vic.gov.au)>.

Summaries of the Registered Schools Board and the Merit Protection Boards reports are included in this report on pages 26–27 and 126–130.

Contact details for the remaining 47 statutory authorities and other bodies in the portfolio are presented in the table on pages 131–133.

### Merit Protection Boards

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

- advise the Minister 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 (except Part 5) or any other Act
- advise the Minister 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.

There are seven teaching service boards, each of which comprises a Chairperson, nominated by the Minister, a nominee of the Secretary and a teacher nominated by the Minister, with most of the members employed on a part-time basis.

The Senior Chairperson establishes Public Sector Boards to hear and determine grievances from School Services Officers and members of the VPS. These boards comprise three members: a Chairperson, nominated by the Senior Chairperson, a nominee of the Secretary and a staff member also nominated by the Senior Chairperson. The Public Sector Boards make a recommendation to the Senior Chairperson who has the delegation from the Secretary of the Department to hear and determine public sector grievances.

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

## **Members of the Merit Protection Boards**

In September 2004 the following three-year appointments were made.

### **Chairpersons**

Mr Ian Adams

Senior Chairperson

Ms Leonie Fitzgerald

Principal, Dandenong South Primary School

Mr Gavan Schwartz

Principal, Boroondara Park Primary School

Mr Ian Hall

Senior Education Officer, Gippsland Region

Ms Kate Christensen

Principal, Rosamond Special School

Mr Gary Salisbury

Echuca Secondary College

Mr Wayne Hill

Assistant Principal, Distance Education Centre

### **Secretary's nominees**

Mr Ray Wilkinson

Secretary's nominee (full-time)

Ms Lorraine Dell

Assistant Principal, Ormond Primary School

Ms Vincenzina Calabro

Principal, Noble Park English Language Centre

Ms Karen O'Dowd

Altona Green Primary School

Mr Wayne Smith

Eumemmerring Secondary College

Ms Deborah Meirisch

Principal, Wheelers Hill Primary School

Ms Sheryl Skewes

Assistant Principal, Sandringham Primary School

### **Teacher nominees**

Ms Jane Lockie

Mornington Special Developmental School

Ms Angeliki Kavourni

MacRobertson Girls High School

Ms Jennifer Pringle

Mount Waverley Secondary College

Ms Mary-Anne Pontikis

Meadow Heights Primary School

Ms Sharon Walker

Williamstown North Primary School

Mr Robert Bertagnolio

Altona Secondary College

Ms Eileen O'Brien

Croydon Secondary College

### **Emergency teacher nominees**

Ms Penny Geoghegan

Sunbury Secondary College

Ms Gail Shaw

Sunshine North Primary School

Ms Valda Grimston

Footscray North Primary School

Ms Claire Hanmer

Karingal Park Secondary College

Mr John Baston

Ashwood Secondary College

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

Members of the Merit Protection Boards have a duty to act as individuals in an independent and objective manner in fairly hearing and determining appeals and grievances. The hearing procedures of Merit Protection Boards are consistent with the principles of procedural fairness.

Access to the Merit Protection Boards is available to employees in the Department including principal class officers, teachers, school-based non-teaching staff and public servants, excluding executive officers.

### **Other activities**

The Merit Protection Boards continue to provide advice to the Department on merit and equity issues in relation to major policy initiatives at the request of the Department as well as advice when existing policies are being reviewed.

The Senior Chair and the Secretary's nominee have been invited to address groups of principal class officers across the state. They have conducted professional development programs on request for principal class officers, the field officers of the principals' associations and the Australian Education Union Principal Class Association.

The Merit Protection Boards' website provides access to information about the appeal and grievance process as well as its accreditation programs. Employees are able to lodge appeal and grievance applications online. The Boards' website address is <www.mpb.vic.gov.au>.

The Senior Chairperson and the Secretary's nominee attended the National Public Sector Appeals Conference, held in Darwin in August 2004.

## **Appeals and grievances**

### **Teaching service**

In the year to 30 June 2005 the Merit Protection Boards for the teaching service received a total of 161 appeals and grievances comprising 27 promotion grievances, three discipline appeals and 131 personal grievances. Of the 89 grievances heard, 53 (60 per cent) were upheld.

Only three fewer promotion grievances were received this year; however, 72 per cent of the grievances heard were upheld, indicating a marked increase from 40 per cent upheld in the previous year. The Merit Protection Boards note that this increase in part relates to a number of cases where proper procedures were not followed in principal selection. There was a further increase in the number of personal grievances this year while there was a five per cent increase to 45 per cent of those upheld. As in previous years, the majority of personal grievances related to the rejection of excess teachers referred to vacant positions.

Of the three discipline appeals received one was withdrawn, one is still pending and the other (incapacity) is still pending.

### **Public sector**

There were 52 grievances received from public servants and SSOs compared with 80 for the previous year. These comprise 39 from SSOs and 13 from public servants. SSOs lodged nine promotion grievances and 27 personal grievances while public servants lodged three promotion and ten personal grievances. Twenty of these grievances were heard and 12 (60 per cent) were upheld.

#### *Teaching service – appeals and grievances, 2004–05*

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	11	16	3	5	1	2	1	2	–	2	6	3	–	2	27
Discipline	2	1	–	–	–	–	1	–	1	1	–	–	–	–	3
Incapacitated officer	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Personal	57	74	21	24	15	18	7	11	3	3	3	6	8	12	131
<b>Total</b>	<b>70</b>	<b>91</b>	<b>24</b>	<b>29</b>	<b>16</b>	<b>20</b>	<b>9</b>	<b>13</b>	<b>4</b>	<b>6</b>	<b>9</b>	<b>9</b>	<b>8</b>	<b>14</b>	<b>161</b>

*Public sector – appeals and grievances*

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>															
Promotion	3	6	–	–	1	–	–	1	–	–	2	5	–	–	9
Discipline	1	2	–	–	–	–	–	2	1	–	–	–	–	–	3
Personal	6	21	2	7	1	2	–	5	1	2	1	2	1	3	27
Total SSO	10	29	2	7	2	2	–	8	2	2	3	7	1	3	39
<b>VPS staff</b>															
Promotion	1	2	–	1	1	1	–	–	–	–	–	–	–	–	3
Discipline	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Personal	3	7	–	2	–	2	–	2	1	–	1	–	1	1	10
Total VPS	4	9	–	3	1	3	–	2	1	–	1	–	1	1	13
<b>Total VPS and SSO</b>	<b>14</b>	<b>38</b>	<b>2</b>	<b>10</b>	<b>3</b>	<b>5</b>	<b>–</b>	<b>10</b>	<b>3</b>	<b>2</b>	<b>4</b>	<b>7</b>	<b>2</b>	<b>4</b>	<b>52</b>

In the case of SSOs, the pattern of promotional grievances is the same as in previous years. Most common matters raised in SSO personal grievances are the rejection of referred excess employees, leave, salary, reclassification, bullying and harassment, and police records checks.

The number of grievances received from members of the public service reduced by almost two-thirds compared with the previous year. There was a slight increase in the number of promotion grievances but the reduction in the number of personal grievances was more marked.

## Merit Protection accreditation

The Merit Protection Boards continued to provide training in the principles of merit and equity for principal class officers, teachers, SSOs and members of the public service employed in the Department, so that the requirement for all panels to include a merit-accredited employee as a member of the selection panel can be met. This year the board has run 30 seminars in which 1227 employees have been trained, including 63 who needed to be upgraded or sought to enhance their existing knowledge and understanding of the principles of merit and equity. Since the inception of these training programs a total of 26,239 employees have been trained.

## ***Principal class officers***

Ninety-nine members of the principal class were accredited in seminars conducted by the boards in metropolitan and country centres during 2004–05. Accredited principal class officers are available to serve on principal class officer selection panels. Since the inception of training programs, 3160 members of the principal class have been trained.

## ***Teachers***

In the teacher class, 786 members have been accredited in merit protection in seminars conducted by the boards in metropolitan and country centres. Of these, 28 teachers have reaccredited. The total number of members of the teacher class accredited since these programs began is 19,230. Teachers who have been accredited are available to assist principals with personnel management decision making in schools where panels must include a merit protection accredited teacher.

## ***School services officers and members of the Victorian Public Service***

During 2004–05, 169 SSOs and 163 VPS employees have been accredited. The total number of SSOs and VPS employees trained to date is 3849. Accredited SSOs and VPS employees are available to assist on panels in decision making concerning selection.

Number of employees trained July 2003 – June 2004 by region (includes reaccreditation)

Region	Teachers	Principal class	SSO	VPS	Total
Barwon South Western	62	5	19	6	92
Central – Corporate				132	132
Central Highlands Wimmera	50	5	11	9	75
Eastern	73	24	15	11	123
Gippsland	36	4	11	2	53
Goulburn North Eastern	63	18	13	1	95
Loddon Campaspe Mallee	53	17	14	1	85
Northern	172	9	35	11	227
Southern	164	6	24		194
Western	113	11	27		151
<b>Total</b>	<b>786</b>	<b>99</b>	<b>169</b>	<b>173</b>	<b>1,227</b>

## Disciplinary Appeals Boards

Disciplinary Appeals Boards were established pursuant to the *Teaching Service (Conduct and Performance) Act 2004* (an Act to amend the *Teaching Service Act 1981*), which came into effect on 1 January 2005.

The boards hear and determine appeals by employees or officers in the teaching service in relation to decisions of the Secretary made under section 67 of the *Teaching Service Act 1981*. This section allows the Secretary to reprimand, fine, reduce the classification or terminate the employment of an officer or employee if any of the grounds listed in section 66 are met. The grounds in section 66 include misconduct and inefficiency.

Each Disciplinary Appeals Board comprises three persons from three pools of persons appointed by the Governor-in-Council, of whom:

- one will be the Chairperson who has been admitted to legal practice for not less than five years nominated by the Secretary
- one will be an officer in the teaching service nominated by the Minister after expressions of interest were sought
- one will be a person who has knowledge of or experience in education, education administration or public sector administration nominated by the Secretary.

Thirty-two candidates for the three pools were approved by Cabinet and appointed by the Governor-in-Council on 19 April 2005.

The Senior Chairperson, Merit Protection Boards, is responsible for administering the Disciplinary Appeals Boards. The Senior Chairperson organised an induction evening in May 2005 to welcome the successful candidates and to provide training and information on the functions and responsibilities of the Disciplinary Appeals Boards and its members. The Senior Chairperson of the Disciplinary Appeals Boards is Mr Ian Adams.

In May 2005, the following board members, all of whom are part-time members, were appointed for an initial five-year period. They were selected after expressions of interest had been called for. Chairpersons, nominated by the Secretary, were appointed under Sections 75D(2)(a) and 75E of the *Teaching Service Act 1981*. It is a requirement that Chairs have been admitted to legal practice in Victoria for not less than five years.

Ms Judith Benson  
 Mr Ian Freckleton  
 Mr Geoffrey Gibson  
 Mr Peter Harris  
 Ms Clare Lethlean  
 Mr Rohan Millar  
 Mr Damian Murphy  
 Mr Peter Rose  
 Ms Elspeth Strong  
 Mr Peter Willis

The following officers in the teaching service are nominees of the Minister for Education Services and were appointed under Sections 75D(2)(b) and 75E of the *Teaching Service Act 1981*.

Mr Ross Adamson  
 Ms Moira Findlay  
 Mr David Finnerty  
 Mr Wayne Hill  
 Ms Angeliki Kavourni  
 Ms Denise Leggett  
 Ms Anne Longmire  
 Mr Brian O'Dea  
 Ms Mary-Anne Pontikis  
 Mr Paul Rose  
 Mr Steven Silestean

Mr Brian Burgess  
 Mr James Davidson  
 Ms Leonie Fitzgerald  
 Mr Gregory Gibbs  
 Ms Avis Grahame  
 Ms Dale Hendrick  
 Mr Russell Isaac  
 Mr Eric Keenan  
 Mr David List  
 Mr Ian Martin  
 Mr Bronwyn Valente

## Other statutory authorities and bodies

The following Secretary's nominees, who have knowledge of or experience in education, education administration or public sector administration, were appointed under Sections 75D(2)(c) and 75E of the *Teaching Service Act 1981*.

Other statutory authorities and bodies in the education and training portfolio include 14 TAFE institute councils, nine Regional Councils of ACFE, the boards of two adult education institutions, the councils of eight Victorian universities and 13 industry training boards. All of these authorities and bodies report to the Minister for Education and Training.

### TAFE institute councils

Institute	Address	Phone and website
Bendigo Regional Institute of TAFE council	136 McCrae Street, Bendigo Victoria 3550	(03) 5434 1555 <www.britafe.vic.edu.au>
Box Hill Institute of TAFE council	465 Elgar Road, Box Hill Victoria 3128	(03) 9286 9222 <www.bhtafe.edu.au>
Central Gippsland Institute of TAFE council	Corner Princes Drive and Monash Way, Morwell Victoria 3814	(03) 5120 4500 <www.gippstafe.vic.edu.au>
Chisholm Institute of TAFE council	121 Stud Road, Dandenong Victoria 3175	(03) 9212 5000 <www.chisholm.vic.edu.au>
East Gippsland Institute of TAFE council	48 Main Street, Bairnsdale Victoria 3875	(03) 5152 0700 <www.egtafe.vic.edu.au>
Gordon Institute of TAFE council	2 Fenwick Street, Geelong Victoria 3220	(03) 5225 0500 <www.gordontafe.edu.au>
Goulburn Ovens Institute of TAFE council	Fryers Street, Shepparton Victoria 3630	1300 733 111 <www.gotafe.vic.edu.au>
Holmesglen Institute of TAFE council	Corner Batesford and Warrigal Roads, Holmesglen Victoria 3148	(03) 9564 1555 <www.holmesglen.vic.edu.au>
Kangan Batman Institute of TAFE council	Pearcedale Parade, Broadmeadows Victoria 3047	(03) 9279 2222 <www.kangan.edu.au>
Northern Melbourne Institute of TAFE council	77-91 St Georges Road, Preston Victoria 3072	(03) 9269 1200 <www.nmit.vic.edu.au>
South West Institute of TAFE council	Timor Street, Warrnambool Victoria 3280	(03) 5564 8911 <www.swtafe.vic.edu.au>
Sunraysia Institute of TAFE council	Benetook Avenue, Mildura Victoria 3500	(03) 5022 3666 <www.sunitafe.edu.au>
William Angliss Institute of TAFE council	555 LaTrobe Street, Melbourne Victoria 3000	(03) 9606 2111 <www.angliss.vic.edu.au>
Wodonga Institute of TAFE council	15 McKoy Street, Wodonga Victoria 3690	(02) 6055 6600 <www.wodonga.tafe.edu.au>

### Regional Councils of ACFE

Council	Address	Phone and website
Barwon South Western Regional Council of ACFE	40 Brougham Street, Geelong Victoria 3220	(03) 5221 8248 <www.acfebsw.vic.edu.au>
Central Highlands Wimmera Regional Council of ACFE	Level 1, 1220 Sturt Street, Ballarat Victoria 3350	(03) 5332 3989 <www.chw-acfe.ballarat.net.au>
Central Western Metropolitan Regional Council of ACFE	29 Cobden Street, North Melbourne Victoria 3051	(03) 9326 7647 <www.acfecwm.vic.edu.au>
Eastern Metropolitan Regional Council of ACFE	Rear, 1st floor, 25 Ringwood Street, Ringwood Victoria 3134	(03) 9879 4000 <www.acfeemr.vic.edu.au>
Gippsland Regional Council of ACFE	Cnr Haigh and Kirk Streets, Moe Victoria 3825	(03) 5127 6000 <www.acfegip.vic.edu.au>
Goulburn Ovens Murray Regional Council of ACFE	13 Lowry Place, Benalla Victoria 3672	(03) 5762 4655 <www.gomacfe.net>
Loddon Campaspe Mallee Regional Council of ACFE	Havlin Street East, Bendigo Victoria 3550	(03) 5442 4300 <www.acfelcm.vic.edu.au>
Northern Metropolitan Regional Council of ACFE	Suite 11–14, 420 Victoria Street, Brunswick Victoria 3056	(03) 9940 1405 <www.acfenmr.vic.edu.au>
South Western Port Regional Council of ACFE	133 Nepean Highway Seaford Victoria 3198	(03) 9786 9466 <http://home.vicnet.net.au/~swpacfe/index.htm>

### Adult education institution boards

Institution	Address	Phone and website
AMES Board	255 William Street, Melbourne, Victoria 3000	(03) 9926 4666 <www.ames.net.au>
The CAE	253 Flinders Lane, Melbourne, Victoria 3000	(03) 9652 0611 <www.cae.edu.au>

### Victorian university councils

University	Address	Phone and website
Deakin University Council	221 Burwood Highway, Burwood Victoria 3124	(03) 9244 6100 <www.deakin.edu.au>
La Trobe University Council	Corner Plenty Road and Kingsbury Drive, Bundoora Victoria 3083	(03) 9473 8888 <www.latrobe.edu.au>
Monash University Council	Wellington Road, Clayton Victoria 3800	(03) 9905 4000 <www.monash.edu.au>
RMIT University Council	124 La Trobe Street, Melbourne Victoria 3000	(03) 9925 2000 <www.rmit.edu.au>
Swinburne University Council	John Street, Hawthorn Victoria 3122	(03) 9214 8000 <www.swin.edu.au>
University of Ballarat Council	University Drive, Mt Helen Victoria 3353	<www.ballarat.edu.au>
University of Melbourne Council	Grattan Street, Parkville Victoria 3052	(03) 8344 4000 <www.unimelb.edu.au>
Victoria University of Technology Council	Corner Nicholson and Buckley Streets, Footscray Victoria 3011	(03) 9688 4000 <www.vu.edu.au>

*Other bodies: Industry training boards*

<b>Board</b>	<b>Address</b>	<b>Phone and website</b>
Automotive Industry Training Board	Level 2, 464 St Kilda Road, Melbourne Victoria 3004	(03) 9866 1292 <www.atv.org.au>
Business Services, Finance and Property Industry Training Board	Suite E, 222–224 Church Street, Richmond Victoria 3121	(03) 9429 0004 <www.bsv.org.au>
Community Services and Health Industry Training Board	180A Palmerston Street, Carlton Victoria 3053	(03) 9347 0377 <www.intraining.org.au>
Cultural and Recreation Industry Training Board	Level 5, 313–315 Flinders Lane, Melbourne Victoria 3000	(03) 9614 5566 <www.artv.org.au>
Electrotechnology, Printing, Information and Communications Training Board	29 Drummond Street, Carlton Victoria 3053	(03) 9654 1299 <www.epicitb.com/>
Engineering Industry Training Board	1378A Toorak Road, Burwood Victoria 3125	(03) 9889 0966 <www.estb.com.au> (under construction at 21 July 2004)
Food Industry Training Board	Suite 10, Skipping Girl Place, 651–653 Victoria Street, Abbotsford Victoria 3067	(03) 9428 7744 <www.foodindustrytraining.com.au>
Furnishing Industry Training Board	1 Grattan Street, Carlton Victoria 3053	(03) 8663 2188 <www.vfitb.org.au>
Primary Industry Training Board	Suite 10B, Skipping Girl Place, 651–653 Victoria Street, Abbotsford Victoria 3067	(03) 9428 9811 <www.psv.com.au>
Process Manufacturing Industry Training Board	1378A Toorak Road, Burwood Victoria 3125	(03) 9889 0233 <www.mlvic.com>
Service Skills Victoria	Level 5, 315 Flinders Lane, Melbourne Victoria 3000	(03) 8610 0555 (website under construction)
Transport and Distribution Industry Training Board	Level 3, 33 Walsh Street, West Melbourne Victoria 3003	(03) 9326 7211 <www.careersintransport.org>

Note: The Wholesale, Retail and Personal Services Industry Training Board and the Tourism and Hospitality Industry Training Board have merged to become Service Skills Victoria.

## APPENDIX 6

### Whole-of-government reporting on target groups

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On coming to office, the Government pledged a whole-of-government reporting approach in relation to cultural diversity, women, youth and Indigenous affairs.

This appendix provides highlights of the Department's activities that are of particular relevance to these four community groups.

#### **Cultural diversity**

The Department recognises that individuals and groups facing particular challenges to achieving in education and training because of cultural or linguistic background must be supported to participate in education and training, achieve learning success and undertake continuous learning.

Schools, including specialist language schools and centres, help build proficiency in English and other languages, and shape student attitudes to cultural diversity through multicultural education.

TAFE institutes and ACE organisations have a central role in equipping adults from culturally and linguistically diverse backgrounds with English proficiency and the vocational skills they need to function effectively in the workforce and in society, or to proceed to other forms of education and training.

The Department's workforce management and development practices help to ensure that its workforce is well equipped to work with the diverse Victorian community and enhance learning outcomes for all Victorians.

#### **Highlights**

- \$750,000 was provided for interpreting and translation services to enable parents who do not speak English to access information in government schools.
- More than \$50 million was provided to support languages other than English programs in schools.

#### **Performance measures**

The Department's key performance measures on cultural diversity relate to the provision of:

- intensive ESL support for new-arrival students in regular schools
- ESL support for eligible students in regular schools.

In 2004, 2085 new-arrival primary and secondary school students received intensive support, and 91.2 per cent of eligible primary students in regular schools received ESL support. The percentage of eligible secondary students in regular schools receiving ESL support increased from 95.2 per cent in 2002 to 96 per cent in 2004.

These performance measures are reported annually in the State Budget Papers.

#### **Women**

The Department made major contributions to the achievement of the priorities for women, including those outlined in the Forward Plan: Leading with Victoria's Women 2004–2007 and the Women's Safety strategy, in particular the priorities related to education, work and economic independence.

The Department's services for women are provided through schools, TAFE institutes and other registered training organisations and ACE organisations. These services aim to:

- equip women with the education and training they need to have high-quality jobs, a full and creative life and opportunities to contribute to their communities
- provide a working environment that is responsive to the needs of women.

#### **Highlights**

- The Parents Returning to Work program provided 2475 grants to assist parents wishing to return to the workforce. The grants subsidised the costs of education and training programs or other related costs such as child-care or support materials. The Parents

Returning to Work program has now issued over 6500 grants since it commenced in July 2003. The program has been highly effective in targeting women, with 94 per cent of grants being issued to women.

- The Accelerated Development Program for High Potential Leaders provides professional development for aspirant school leaders through a Master in School Leadership course. In 2004–05, 64 per cent of participants in this course were women.

### **Performance measures**

Key features of the Department's performance on women's and girls' education and training include the following:

- The Years 7–12 apparent retention rate for girls in Victoria was 88.2 per cent in August 2004 compared with 81.2 per cent for girls nationally. The Years 7–12 apparent retention rate refers to the number of full-time students in Year 12 expressed as a proportion of the number of full-time students in Year 7 five years earlier.
- The Year 10–12 apparent retention rate for girls in Victoria was 88.9 per cent in August 2004 and 82.1 per cent for girls nationally.

### **Youth**

The Department provides education and training services through schools, TAFE institutes and other registered training organisations and ACE organisations. These services make a major contribution to the achievement of the priorities for young people outlined in the whole-of-government Respect framework, particularly those related to the theme of learning and working.

### **Performance measures**

The Department's key performance measures for youth are the Government's targets for education and training. Details of progress towards the targets are on pages 13–14. Further information on achievements relating to youth are contained in the sections on school education (pages 49–53) and training and tertiary education (pages 53–55)

### **Indigenous affairs**

The Department recognises the importance of working with the Indigenous community to improve Indigenous students' participation and achievement levels in education and training.

Two key strategies frame the partnership between the Department and the Indigenous community. These strategies, Yalca and Wurreker, focus on developing policy, programs and services for and by the Indigenous community.

#### **Yalca**

The Yalca strategy supports a birth-to-death philosophy of education, placing the student at the centre of education policy and decision making. Yalca acknowledges the importance of local partnerships and recognises the role of Local Aboriginal Education Consultative Groups in determining local education and training needs.

#### **Wurreker**

The Wurreker strategy was developed to consolidate the partnership between the Department and the Victorian Aboriginal Education Association Incorporated. The strategy aims to improve the participation of Indigenous students in vocational education and training. It is designed to support:

- improved completion rates for Indigenous students
- participation in courses at higher levels
- better outcomes for individuals and communities in terms of employment and community enhancement.

The Wurreker strategy recognises the need for an equal partnership between Government, education and training organisations and Local Aboriginal Education Consultative Groups in policy development, planning and delivery to ensure quality outcomes for Indigenous students are achieved.

## **Highlights**

Strong commitments to the principles of the Yalca and Wurreker strategies and initiatives to support the Indigenous community were maintained by the Department in 2004–05.

- Key programs such as the Koorie Literacy Links (P–4), Koorie Middle Years Literacy Links (Years 7–9) and Koorie Middle Years Numeracy Links (Years 5–6) continued. Participating students showed improvements in literacy and numeracy skills.
- Four Koorie Open Door Education campuses continued to operate in Victoria, providing culturally inclusive curriculum and appropriate learning and teaching programs.
- Koorie Education Development Officers, Koorie Educators, Koorie Home School Liaison Officers and Koorie Literacy Officers were employed to support Koorie students.

## **Performance measures**

The Department collects data on the enrolments of Indigenous students in schools by year level and school type in August each year. In 2004, there were 6625.6 FTE Indigenous students enrolled in government schools in Victoria, representing 1.2 per cent of the student cohort.

# APPENDIX 7

## Office-based environmental impacts

This appendix discloses the Department's office-based environmental impacts on energy use, waste production, paper use, water consumption, transportation and green purchasing for its central office as required by Financial Reporting Direction 24 – Reporting of Office-based Environmental Impacts by Government Departments. During

2004–05, the Department improved data collection and reporting procedures for office-based environmental impacts.

Rates per employee are based on the number of central office staff as at the end of June, being 973.2 FTE.

Aspect	Annual quantitative measures
Energy use	<ul style="list-style-type: none"> <li>• 12,481.84 megajoules used per employee</li> <li>• 642.57 megajoules used per m<sup>2</sup> of office space</li> <li>• 12,147.33 gigajoules total energy usage<sup>1</sup></li> <li>• 2,433.37 tonnes CO<sub>2</sub> equivalent (total greenhouse gas emissions)</li> <li>• 11.77 per cent electricity was purchased as green power costing \$5,435.32</li> </ul>
Waste production	<ul style="list-style-type: none"> <li>• 173.5 kilograms of waste produced per employee</li> <li>• 106,303 kilograms of waste is recycled</li> </ul>
Paper use	<ul style="list-style-type: none"> <li>• 35 reams of paper used per employee</li> <li>• 34,457 reams of paper used</li> </ul>
Water consumption	<ul style="list-style-type: none"> <li>• 7,563 litres of water consumed per employee</li> <li>• 7,359,960 litres of water total</li> </ul>
Transportation	<ul style="list-style-type: none"> <li>• 6,336 gigajoules total passenger vehicle<sup>2</sup> fuel consumption</li> <li>• 6.51 gigajoules per employee passenger vehicle fuel consumption</li> <li>• 470 tonnes total CO<sub>2</sub> equivalent emissions from passenger vehicle use</li> <li>• 0.48 tonnes per employee CO<sub>2</sub> equivalent emissions from passenger vehicle use</li> <li>• 1,498,439 kilometres total passenger vehicle trips associated with central office operations</li> <li>• 1,539.7 kilometres per employee passenger vehicle trips associated with central office operations</li> <li>• 79.9 per cent of employees regularly use public transport, cycle, or walk to and from work</li> </ul>
Purchasing	The Department promotes the Environmental Purchasing policy of the Victorian Government Purchasing Board through an internal purchasing website.

<sup>1</sup> Total energy use now includes electricity, not reported in 2003–04.

<sup>2</sup> Passenger vehicle data is based on central office use of VicFleet and the Department's central office fleet vehicles.

## APPENDIX 8

### Freedom of Information

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During 2004–05, 186 requests were received for documents under the *Freedom of Information Act 1982* (the Act). Full access was granted for 54 requests and partial access for a further 79. Access was denied for 11 requests and documents could not be located or did not exist for 16 requests. Three requests were withdrawn. One request was transferred to another Department. At the end of the reporting period, there were 22 requests for which no decision had been made.

Where access was not granted to a document, the major exemption categories in the Act used in decision making were:

- section 30 (opinions, advice and recommendations that are against the public interest to release)
- section 32 (legal professional privilege)
- section 33 (to protect the privacy of the personal affairs of others)
- section 34 (documents relating to business or trade secrets)
- section 35 (communications in confidence).

Thirty-eight applicants sought an internal review. The original decisions of thirty-three were fully upheld while five original decisions were varied. There were six appeals to the Victorian Civil and Administrative Tribunal for review of decisions made under the Act. All appeals were yet to be determined by the Tribunal as at 30 June 2005.

#### Publication requirements

The information required to be published pursuant to section 7 of the Act is either contained below or is found in other parts of this report. This information relates to the following agencies:

- Department of Education & Training
- Merit Protection Boards
- Registered Schools Board.

Queries about the availability of and charges for other material prepared under Part II of the Act should be directed to the relevant authorised officer (see table on page 139).

#### Categories of documents

The Department and its agencies produce a large number of documents in a decentralised record-keeping environment. Accordingly, the Department does not maintain a single, consolidated list of detailed categories of documents. All agencies maintain collections of policy files, transaction files and records and, where necessary, personnel records. A variety of indexes and other search aids are used by agencies. In general, files and records are retrieved through subject descriptors or personal name. The following are the general categories of documents maintained by agencies.

##### ***Correspondence, administrative and policy documents***

Maintenance of records is decentralised, with each agency responsible for its own records. Regional offices, schools and TAFE institutes maintain their own record-keeping systems. These are largely independent of the systems used by the central administration.

##### ***Personnel documents***

Agencies maintain record-keeping systems for their employees including, where appropriate, records for members of the teaching service and the VPS.

##### ***Accounting records***

Accounting records are maintained on a computerised accounting system. The records deal with general ledger entries, accounts payable, payroll and other accounting functions. Some paper records are also kept.

## Freedom of Information arrangements

### **Access to records**

All requests for access to records held by agencies are dealt with by the authorised officer of the appropriate agency (see table below). Applicants seeking access to documents held by agencies should attempt to specify the topic of interest rather than the file series in which the applicant considers the document might exist. Assistance in specifying the topic is available from the authorised officer.

### **Forms of request for access**

Applicants are required by the Act to submit applications requesting access to documents in writing. No form of application is specified. A letter clearly describing the document(s) sought is sufficient. The letter should specify that the application is a request made under the *Freedom of Information Act 1982* and should not form part of a letter on another subject. The applicant should provide the following information:

- name
- address
- telephone number (business hours)
- details of document(s) requested
- form of access required – copies of documents, inspection of file or other (specify).

### *Freedom of Information: authorised officers*

Agency	Authorised officer	Postal address	Telephone
Department of Education & Training	Neil Morrow	GPO Box 4367 Melbourne 3001	(03) 9637 2670
Merit Protection Boards	Beverly Trease	Level 9, 35 Spring Street, Melbourne 3000	(03) 9651 0290
Registered Schools Board	Neil Morrow	GPO Box 4367 Melbourne 3001	(03) 9637 2670

Further information about Freedom of Information can be found on the Department's website <[www.det.vic.gov.au/det/about/foi.htm](http://www.det.vic.gov.au/det/about/foi.htm)>.

### **Correction of personal information**

A request for correction or amendment of personal information contained in a document held by the agency must be made in writing. It should specify particulars of how and why the person making the request believes the information to be incorrect, incomplete, misleading or out of date, and specify the amendments they wish to make.

### **Charges**

From 1 July 2005, an application fee of \$21.00 is required unless evidence of hardship is provided. Applicants are advised that other charges may be made in accordance with the Freedom of Information (Access Charges) Regulations 2004.

### **Appeals**

Applicants may appeal against a decision made in response to requests for access to documents and amendment of records, or against the cost levied for allowing access to documents. Information about the appropriate avenue of appeal will be conveyed to the applicant in the letter advising of the initial decision. Applicants are advised to consult Part VI of the Act for further information about appeal rights.

## APPENDIX 9

### *Whistleblowers Protection Act 2001*

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#### Disclosure

The Department managed three matters lodged under Whistleblowers' legislation. Each of these issues was referred to the Ombudsman's Office for determination regarding whether it should be accepted as a protected disclosure. Two matters were accepted as a protected disclosure and were managed under the Whistleblowers' legislation. One matter was held not to be a protected disclosure and subsequently dealt with as a complaint through the normal complaints process.

#### Department of Education & Training Guidelines

##### **1 Objects of the Act**

The *Whistleblowers Protection Act 2001* (the Act) commenced operation on 1 January 2002. The purpose of the Act is to encourage and facilitate the making of disclosures of improper conduct by public officers and public bodies. The Act provides protection to whistleblowers who make disclosures in accordance with the Act, and establishes a system for the matters disclosed to be investigated and rectifying action to be taken.

##### **2 Statement of support to whistleblowers**

The Department is committed to the aims and objectives of the Act. It does not tolerate improper conduct by its employees nor the taking of reprisals against those who come forward to disclose such conduct.

The Department recognises the value of transparency and accountability in its administrative and management practices, and supports the making of disclosures that reveal corrupt conduct, conduct involving a substantial

mismanagement of public resources, or conduct involving a substantial risk to public health and safety or the environment.

The Department will take all reasonable steps to protect people who make such disclosures from any detrimental action in reprisal for making the disclosure. It will also ensure natural justice to the person who is the subject of the disclosure.

##### **3 Purpose of these procedures**

These procedures establish a system for reporting disclosures of improper conduct or detrimental action by Department employees. The system enables such disclosures to be made to one of the protected disclosure officers or the protected disclosure coordinator. Disclosures may be made by employees or by members of the public.

These procedures complement the Department's established procedures for addressing complaints and are for use only where appropriate. Employees and members of the general public should continue to raise issues in accordance with the consultative and complaint resolution procedures already in place unless the complaint meets the criteria specified in the Act to be considered a protected disclosure.

##### **4 Definitions of key terms**

###### **4.1 A protected disclosure**

For the purpose of the Act, a protected disclosure is a complaint, report or allegation of improper conduct or detrimental action, concerning matters which come under the Act, and is made in accordance with Part 2 of the Act.

A protected disclosure may also be referred to as a public interest disclosure where the disclosure shows or tends to show that the public officer to whom the disclosure relates:

- has engaged, is engaging or intends to engage in improper conduct in his or her capacity as a public officer

- has taken, is taking, or proposes to take, detrimental action in reprisal for the making of the protected disclosure.

#### 4.2 Improper conduct

A disclosure may be made about improper conduct by a public body or public official. Improper conduct means conduct that is corrupt, a substantial mismanagement of public resources, or conduct involving substantial risk to public health or safety or to the environment. The conduct must be serious enough to constitute, if proved, a criminal offence or reasonable grounds for dismissal.

##### *Examples*

- To avoid closure of a town's only industry, an environmental health officer ignores or conceals evidence of illegal dumping of waste.
- An agricultural officer delays or declines imposing quarantine to allow a financially distressed farmer to sell diseased stock.
- A building inspector tolerates poor practices and structural defects in the work of a leading local builder.

#### 4.3 Corrupt conduct

Corrupt conduct means:

- conduct of any person (whether or not a public official) that adversely affects the honest performance of a public officer's or public body's functions
- the performance of a public officer's functions dishonestly or with inappropriate partiality
- conduct of a public officer, former public officer or a public body that amounts to a breach of public trust
- conduct by a public officer, former public officer or a public body that amounts to the misuse of information or material acquired in the course of the performance of their official functions
- a conspiracy or attempt to engage in the above conduct.

##### *Examples*

- A public officer takes a bribe or receives a payment other than his or her wages or salary in exchange for the discharge of a public duty.
- A public officer favours unmeritorious applications for jobs or permits by friends and relatives.

- A public officer sells confidential information.

#### 4.4 Detrimental action

The Act makes it an offence for a person to take detrimental action against a person in reprisal for a protected disclosure. Detrimental action includes:

- action causing injury, loss or damage
- intimidation or harassment
- discrimination, disadvantage or adverse treatment in relation to a person's employment, career, profession, trade or business, including the taking of disciplinary action.

##### *Examples*

- A public body refuses a deserved promotion of a person who makes a disclosure.
- A public body demotes, transfers, isolates in the workplace or changes the duties of a whistleblower due to the making of a disclosure.
- A person threatens, abuses or carries out other forms of harassment directly or indirectly against the whistleblower, his or her family or friends.
- A public body discriminates against the whistleblower or his or her family and associates in subsequent applications for jobs, permits or tenders.

## 5 The reporting system

### 5.1 Contact persons within the Department

Disclosures of improper conduct or detrimental action by Department employees may be made in the first instance to a protected disclosure officer.

All correspondence, telephone calls and emails from internal or external whistleblowers will be referred to the protected disclosure coordinator.

Contact details are provided on page 149.

### 5.2 Alternative contact persons

Disclosures about improper conduct or detrimental action by Department employees may also be made directly to the Ombudsman.

Disclosures about improper conduct or detrimental action by persons who are not Department employees should be made as follows:

Person who is the subject of the disclosure	Person/body to whom the disclosure must be made
Employee of a public body other than the Department of Education & Training	That public body or the Ombudsman
Member of Parliament (Legislative Assembly)	Speaker of the Legislative Assembly
Member of Parliament (Legislative Council)	President of the Legislative Council
Councillor (local government)	The Ombudsman
Chief Commissioner of Police	The Ombudsman or Deputy Ombudsman
Member of the police force	The Ombudsman, Deputy Ombudsman or Chief Commissioner of Police

## 6 Roles and responsibilities

### 6.1 Employees

Employees are encouraged to report known or suspected incidences of improper conduct, or detrimental action in accordance with these procedures.

All employees of the Department have an important role to play in supporting those who have made a legitimate disclosure. They must refrain from any activity that is, or could be perceived to be, victimisation or harassment of a person who makes a disclosure. Furthermore, they should protect and maintain the confidentiality of a person they know or suspect to have made a disclosure.

### 6.2 Protected disclosure officers

Protected disclosure officers will:

- be a contact point for general advice about the operation of the Act for any person wishing to make a disclosure about improper conduct or detrimental action
- make arrangements for a disclosure to be made privately and discreetly and, if necessary, away from the workplace
- receive any disclosure made orally or in writing (from internal and external whistleblowers)
- commit to writing any disclosure made orally
- impartially assess the allegation and determine whether it is a disclosure made in accordance with Part 2 of the Act (that is, a protected disclosure)
- take all necessary steps to ensure the identity of the whistleblower and the identity of the

person who is the subject of the disclosure are kept confidential

- forward all disclosures and supporting evidence to the protected disclosure coordinator.

### 6.3 Protected disclosure coordinator

The protected disclosure coordinator has a central clearing-house role in the internal reporting system. He or she will:

- receive all disclosures forwarded from the protected disclosure officers
- impartially assess each disclosure to determine whether it is a protected disclosure
- refer all protected disclosures to the Ombudsman
- be responsible for carrying out, or appointing an investigator to carry out, an investigation referred to the Department by the Ombudsman
- be responsible for overseeing and coordinating an investigation where an investigator has been appointed
- appoint a welfare manager to support the whistleblower and to protect him or her from any reprisals
- advise the whistleblower of the progress of an investigation into the disclosed matter
- establish and manage a confidential filing system
- collate and publish statistics on disclosures made
- take all necessary steps to ensure the identity of the whistleblower and the identity of the person who is the subject of the disclosure are kept confidential
- liaise with the Secretary of the Department.

### 6.4 Investigator

The investigator will be responsible for carrying out an internal investigation into a disclosure where the Ombudsman has referred a matter to the Department. An investigator may be a person from within the Department or a consultant engaged for that purpose.

### 6.5 Welfare manager

The welfare manager is responsible for looking after the general welfare of the whistleblower. A welfare manager may be a person from within the Department or a consultant engaged for that purpose.

The welfare manager will:

- examine the immediate welfare and protection needs of a whistleblower who has made a disclosure and seek to foster a supportive work environment
- advise the whistleblower of the legislative and administrative protections available to him or her
- listen and respond to any concerns of harassment, intimidation or victimisation in reprisal for making disclosure
- ensure the expectations of the whistleblower are realistic.

## **7 Confidentiality**

The Department will take all reasonable steps to protect the identity of the whistleblower. Maintaining confidentiality is crucial in ensuring reprisals are not made against a whistleblower.

The Act requires any person who receives information due to the handling or investigation of a protected disclosure, not to disclose that information except in certain limited circumstances. Disclosure of information in the Act constitutes an offence that is punishable by a maximum fine of 60 penalty units (\$6000) or six months imprisonment or both.

The circumstances in which a person may disclose information obtained about a protected disclosure include:

- where exercising the functions of the public body under the Act
- when making a report or recommendation under the Act
- when publishing statistics in the annual report of a public body
- in criminal proceedings for certain offences in the Act.

However, the Act prohibits the inclusion of particulars in any report or recommendation that are likely to lead to the identification of the whistleblower. The Act also prohibits the identification of the person who is the subject of the disclosure in any particulars included in an annual report.

The Department will ensure all files, whether paper or electronic, are kept in a secure room and can only be accessed by the protected disclosure

coordinator, protected disclosure officer, the investigator or welfare manager (in relation to welfare matters). All printed material will be kept in files that are clearly marked as a Whistleblower Protection Act matter, and warn of the criminal penalties that apply to any unauthorised divulging of information concerning a protected disclosure. All electronic files will be produced and stored on a stand-alone computer and be given password protection. Backup files will be kept on disk. All materials relevant to an investigation, such as tapes from interviews, will also be stored securely with the whistleblower files.

The Department will not email documents relevant to a whistleblower matter and will ensure all telephone calls and meetings are conducted in private.

## **8 Collating and publishing statistics**

The protected disclosure coordinator will establish a secure register to record the information required to be published in the Department's annual report, and to generally keep account of the status of whistleblower disclosures. The register will be confidential and will not record any information that may identify the whistleblower.

## **9 Receiving and assessing disclosures**

The Department may receive a range of complaints and grievances from staff and members of the public. Only some of these matters will be considered to be protected disclosures and therefore qualify for protection and investigation under the Act.

### **9.1 Has the disclosure been made in accordance with Part 2 of the Act?**

Where a disclosure has been received by the protected disclosure officer he or she will assess whether the disclosure has been made in accordance with Part 2 of the Act and is, therefore, a protected disclosure.

### 9.1.1 Has the disclosure been made to the appropriate person?

For the disclosure to be responded to by the Department it must concern an employee of the Department. If the disclosure concerns an employee, officer or member of another public body, the person who has made the disclosure must be advised of the correct person or body to whom the disclosure should be directed. (See the table in 5.2.) If the disclosure has been made anonymously, it should be referred to the Ombudsman.

### 9.1.2 Does the disclosure contain the essential elements of a protected disclosure?

To be a protected disclosure, a disclosure must satisfy the following criteria:

- the disclosure was made by a natural person (that is, an individual person rather than a corporation)

- the disclosure relates to conduct of a public body or public officer acting in their official capacity
- the alleged conduct is improper conduct or detrimental action taken against a person in reprisal for making a protected disclosure
- the person making a disclosure has reasonable grounds for believing the alleged conduct has occurred.

Where a disclosure is assessed to be a protected disclosure, it is referred to the protected disclosure coordinator.

Where a disclosure is assessed not to be a protected disclosure, the matter does not need to be dealt with under the Act. The protected disclosure officer will decide how the matter should be resolved, in consultation with the protected disclosure coordinator. The following table indicates the alternative processes available within the Department for dealing with complaints.

Problem	Initial contact	Other options	Workplace policy
Parent's concern or complaint of a general nature (may concern students, teachers, educational matters or an action taken by the school or school council)	Principal	<ul style="list-style-type: none"> <li>• Regional Director</li> </ul>	Complaints, Unsatisfactory Performance and Serious Misconduct <ul style="list-style-type: none"> <li>• Principal Class Handbook</li> <li>• Teacher Class Handbook</li> <li>• SSO Handbook</li> </ul>
Workplace conflict or grievance	Principal or Manager	<ul style="list-style-type: none"> <li>• the Department of Education &amp; Training's Conduct and Ethics Unit</li> <li>• Merit Protection Boards</li> </ul>	Complaints, Unsatisfactory Performance and Serious Misconduct <ul style="list-style-type: none"> <li>• Principal Class Handbook</li> <li>• Teacher Class Handbook</li> <li>• SSO Handbook Personal Grievances</li> <li>• Employment Conditions Guidelines for VPS Staff</li> </ul>
Equal Opportunity concern	Principal or Manager	<ul style="list-style-type: none"> <li>• the Department of Education &amp; Training's Conduct and Ethics Unit</li> <li>• the Department of Education &amp; Training's Diversity and Equity Unit</li> <li>• Merit Protection Boards</li> <li>• Equal Opportunity Commission</li> </ul>	Merit and Equity Policy
Occupational Health and Safety issue	Principal or Manager	<ul style="list-style-type: none"> <li>• Workplace OHS representative</li> </ul>	OHS Guidelines
Ethical or other misconduct concern	Principal or Manager	<ul style="list-style-type: none"> <li>• the Department of Education &amp; Training's Conduct and Ethics Unit</li> <li>• Office of Public Employment</li> </ul>	VPS Code of Conduct
Complaints regarding administrative action by government bodies	The public body concerned	<ul style="list-style-type: none"> <li>• The Ombudsman</li> </ul>	<i>Ombudsman Act 1973</i>
Improper conduct or detrimental conduct	DE&T Protected Disclosure Officer	<ul style="list-style-type: none"> <li>• the Department of Education &amp; Training's Protected Disclosure Coordinator</li> <li>• The Ombudsman</li> </ul>	Whistleblower Protection Act Guidelines

## 9.2 Is the disclosure a protected disclosure?

Where a disclosure has been assessed as a protected disclosure by the protected disclosure officer and consequently referred to the protected disclosure coordinator, the coordinator will confirm whether the disclosure amounts to a protected disclosure. This assessment will be made within 45 days of the initial receipt of the disclosure by the protected disclosure officer.

Where the protected disclosure coordinator concludes that the disclosure amounts to a protected disclosure, he or she will:

- notify the person who made the disclosure of that conclusion
- refer the disclosure to the Ombudsman for formal determination as to whether it is indeed a protected disclosure.

Where the protected disclosure coordinator concludes that the disclosure is not a protected disclosure, he or she will:

- notify the person who made the disclosure of that conclusion
- advise that person that he or she may request the Department to refer the disclosure to the Ombudsman for a formal determination as to whether the disclosure is a protected disclosure, and that this request must be made within 28 days of the notification.

In either case, the protected disclosure coordinator will ensure that the notification and the referral are made within 14 days of the conclusion being reached.

## 10 Investigations

### 10.1 Introduction

Where the Ombudsman refers a protected disclosure to the Department for investigation, the protected disclosure coordinator will appoint an investigator to carry out the investigation.

The objectives of an investigation will be:

- to collate information relating to the allegation as quickly as possible. This may involve taking steps to protect or preserve documents, materials and equipment
- to consider the information collected and to draw conclusions objectively and impartially

- to maintain procedural fairness in the treatment of witnesses and the person who is the subject of the disclosure
- to make recommendations arising from the conclusions drawn concerning remedial or other appropriate action.

### 10.2 Terms of reference

Before commencing an investigation, the protected disclosure coordinator will draw up terms of reference and obtain authorisation for those terms from the Secretary of the Department. The terms of reference will set a date by which the investigation report is to be concluded, and will describe the resources available to the investigator to complete the investigation within the time set. The protected disclosure coordinator may approve, if reasonable, an extension of time requested by the investigator. The terms of reference will require the investigator to make regular reports to the protected disclosure coordinator who, in turn, is to keep the Ombudsman informed of general progress.

### 10.3 Investigation plan

The investigator will prepare an investigation plan for approval by the protected disclosure coordinator. The plan will list the issues to be substantiated and describe the avenue of inquiry. It will address the following issues:

- What is being alleged?
- What are the possible findings or offences?
- What are the facts in issue?
- How is the inquiry to be conducted?
- What resources are required?

At the commencement of the investigation, the whistleblower should be:

- notified by the investigator that he or she has been appointed to conduct the investigation
- asked to clarify any matters and provide any additional material he or she might have.

The investigator will be sensitive to the whistleblower's possible fear of reprisals and will be aware of the statutory protections provided to the whistleblower.

### 10.4 Natural justice

The principles of natural justice will be followed in any investigation of a protected disclosure.

The principles of natural justice concern procedural fairness and ensure a fair decision is reached by an objective decision maker. Maintaining procedural fairness protects the rights of individuals and enhances public confidence in the process.

DE&T will have regard to the following issues in ensuring procedural fairness:

- the person who is the subject of the disclosure is entitled to know the allegations made against him or her and must be given the right to respond (this does not mean the person must be advised of the allegation as soon as the disclosure is received or the investigation has commenced)
- if the investigator is contemplating making a report adverse to the interests of any person, that person should be given the opportunity to put forward further material that may influence the outcome of the report and that person's defence should be fairly set out in the report
- all relevant parties to a matter should be heard and all submissions should be considered
- a decision should not be made until all reasonable inquiries have been made
- the investigator or any decision maker should not have a personal or direct interest in the matter being investigated
- all proceedings must be carried out fairly and without bias and care taken to exclude perceived bias from the process
- the investigator must be impartial in assessing the credibility of the whistleblower and any witnesses and, where appropriate, conclusions as to credibility should be included in the investigation report.

### **10.5 Conduct of the investigation**

The investigator will make contemporaneous notes of all discussions and telephone calls, and all interviews with witnesses will be taped. All information gathered in an investigation will be stored securely. Interviews will be conducted in private and the investigator will take all reasonable steps to protect the identity of the whistleblower.

Where disclosure of the identity of the whistleblower cannot be avoided, due to the nature of the allegations, the investigator will warn

the whistleblower and his or her welfare manager of this probability.

It is in the discretion of the investigator to allow any witness to have legal or other representation or support during an interview. If a witness has a special need for legal representation or support, permission should be granted.

### **10.6 Referral of an investigation to the Ombudsman**

The protected disclosure coordinator will make a decision regarding the referral of an investigation to the Ombudsman where, on the advice of the investigator:

- the investigation is being obstructed by, for example, the non-cooperation of key witnesses
- the investigation has revealed conduct that may constitute a criminal offence.

### **10.7 Reporting requirements**

The protected disclosure coordinator will ensure the whistleblower is kept regularly informed concerning the handling of a protected disclosure and an investigation.

The protected disclosure coordinator will report to the Ombudsman about the progress of an investigation.

Where the Ombudsman or the whistleblower requests information about the progress of an investigation, that information will be provided within 28 days of the date of the request.

## **11 Action taken after an investigation**

### **11.1 Investigator's final report**

At the conclusion of the investigation, the investigator will submit a written report of his or her findings to the protected disclosure coordinator. The report will contain:

- the allegation/s
- an account of all relevant information received and, if the investigator has rejected evidence as being unreliable, the reasons for this opinion being formed
- the conclusions reached and the basis for them
- any recommendations arising from the conclusions.

Where the investigator has found that the conduct disclosed by the whistleblower has occurred, recommendations made by the investigator will include:

- the steps that need to be taken by the Department to prevent the conduct from continuing or occurring in the future
- any action that should be taken by the Department to remedy any harm or loss arising from the conduct. This action may include bringing disciplinary proceedings against the person responsible for the conduct, and referring the matter to an appropriate authority for further consideration.

The report will be accompanied by:

- the transcript or other record of any oral evidence taken, including tape recordings
- all documents, statements or other exhibits received by the investigator and accepted as evidence during the course of the investigation.

## **11.2 Action to be taken**

If the protected disclosure coordinator is satisfied that the investigation has found that the disclosed conduct has occurred, he or she will recommend to the Secretary the action that must be taken to prevent the conduct from continuing or occurring in the future. The protected disclosure coordinator may also recommend that action be taken to remedy any harm or loss arising from the conduct.

The protected disclosure coordinator will provide a written report to the relevant Minister, the Ombudsman and the whistleblower setting out the findings of the investigation and any remedial steps taken.

Where the investigation concludes that the disclosed conduct did not occur, the protected disclosure coordinator will report these findings to the Ombudsman and to the whistleblower.

## **12 Managing the welfare of the whistleblower**

### **12.1 Commitment to protecting whistleblowers**

The Department is committed to the protection of genuine whistleblowers against detrimental action taken in reprisal for the making of protected disclosures.

The protected disclosure coordinator is responsible for ensuring whistleblowers are protected from direct and indirect detrimental action, and that the culture of the workplace is supportive of protected disclosures being made.

The protected disclosure coordinator will appoint a welfare manager to all whistleblowers who have made a protected disclosure. The welfare manager will:

- examine the immediate welfare and protection needs of a whistleblower who has made a disclosure and, where the whistleblower is an employee, seek to foster a supportive work environment
- advise the whistleblower of the legislative and administrative protections available to him or her
- listen and respond to any concerns of harassment, intimidation or victimisation in reprisal for making disclosure
- keep a contemporaneous record of all aspects of the case management of the whistleblower including all contact and follow-up action
- ensure the expectations of the whistleblower are realistic.

All employees are advised that it is an offence for a person to take detrimental action in reprisal for a protected disclosure. The maximum penalty is a fine of 240 penalty units (\$24,000) or two years imprisonment or both. The taking of detrimental action in breach of this provision can also be grounds for making a disclosure under the Act and can result in an investigation.

### **12.2 Keeping the whistleblower informed**

The protected disclosure coordinator will ensure that the whistleblower is kept informed of action taken in relation to his or her disclosure, and the timeframes that apply.

The whistleblower will be informed of the objectives of an investigation, the findings of an investigation, and the steps taken by the Department to address any improper conduct that has been found to have occurred. The whistleblower will be given reasons for decisions made by the Department in relation to a protected disclosure.

### 12.3 Occurrence of detrimental action

If a whistleblower reports an incident of harassment, discrimination or adverse treatment that would amount to detrimental action taken in reprisal for the making of the disclosure, the welfare manager will:

- record details of the incident
- advise the whistleblower of his or her rights under the Act
- advise the protected disclosure coordinator or Secretary of the detrimental action.

The taking of detrimental action in reprisal for the making of a disclosure can be an offence against the Act as well as grounds for making a further disclosure. Where such detrimental action is reported, the protected disclosure coordinator will assess the report as a new disclosure under the Act. Where the protected disclosure coordinator is satisfied that the disclosure is a protected disclosure, he or she will refer it to the Ombudsman. If the Ombudsman subsequently determines the matter to be a protected disclosure, the Ombudsman may investigate the matter or refer it to another body for investigation as outlined in the Act.

### 12.4 Whistleblowers implicated in improper conduct

Where a person who makes a disclosure is implicated in misconduct, the Department will handle the disclosure and protect the whistleblower from reprisals in accordance with the Act, the Ombudsman's guidelines and these procedures.

The Department acknowledges that the act of whistleblowing should not shield whistleblowers from the reasonable consequences flowing from any involvement in improper conduct. Section 17 of the Act specifically provides that a person's liability for his or her own conduct is not affected by the person's disclosure of that conduct under the Act. However, in some circumstances, an admission may be a mitigating factor when considering disciplinary or other action.

The Secretary will make the final decision on the advice of the protected disclosure coordinator as to whether disciplinary or other action will be taken against a whistleblower. Where disciplinary or

other action relates to conduct that is the subject of the whistleblower's disclosure, the disciplinary or other action will only be taken after the disclosed matter has been appropriately dealt with.

In all cases where disciplinary or other action is being contemplated, the Secretary must be satisfied that it has been clearly demonstrated that:

- the intention to proceed with disciplinary action is not causally connected to the making of the disclosure (as opposed to the content of the disclosure or other available information)
- there are good and sufficient grounds that would fully justify action against any non-whistleblower in the same circumstances
- there are good and sufficient grounds that justify exercising any discretion to institute disciplinary or other action.

The protected disclosure coordinator will thoroughly document the process including recording the reasons why the disciplinary or other action is being taken, and the reasons why the action is not in retribution for the making of the disclosure. The protected disclosure coordinator will clearly advise the whistleblower of the proposed action to be taken, and of any mitigating factors that have been taken into account.

## 13 *Management of the person against whom a disclosure has been made*

The Department recognises that employees against whom disclosures are made must also be supported during the handling and investigation of disclosures.

The Department will take all reasonable steps to ensure the confidentiality of the person who is the subject of the disclosure during the assessment and investigation process. Where investigations do not substantiate disclosures, the fact that the investigation has been carried out, the results of the investigation, and the identity of the person who is the subject of the disclosure will remain confidential.

The protected disclosure coordinator will ensure the person who is the subject of any disclosure investigated by or on behalf of a public body is:

- informed as to the substance of the allegations

- given the opportunity to answer the allegations before a final decision is made
- informed as to the substance of any adverse comment that may be included in any report arising from the investigation
- has his or her defence set out fairly in any report.

Where the allegations in a disclosure have been investigated, and the person who is the subject of the disclosure is aware of the allegations or the fact of the investigation, the protected disclosure coordinator will formally advise the person who is the subject of the disclosure of the outcome of the investigation.

The Department will give its full support to a person who is the subject of a disclosure where the allegations contained in a disclosure are clearly wrong or unsubstantiated. If the matter has been publicly disclosed, the Secretary of the Department will consider any request by that person to issue a statement of support setting out that the allegations were clearly wrong or unsubstantiated.

## **14 Criminal offences**

The Department will ensure officers appointed to handle protected disclosures and all other employees are aware of the following offences created by the Act.

- It is an offence for a person to take detrimental action against a person in reprisal for a protected disclosure being made. The Act provides a maximum penalty of a fine of 240 penalty units (\$24,000) or two years imprisonment or both.
- It is an offence for a person to divulge information obtained as a result of the handling or investigation of a protected disclosure without legislative authority. The Act provides a maximum penalty of 60 penalty units (\$6000) or six months imprisonment or both.
- It is an offence for a person to obstruct the Ombudsman in performing his or her responsibilities under the Act. The Act provides a maximum penalty of 240 penalty units (\$24,000) or two years imprisonment or both.

- It is an offence for a person to knowingly provide false information under the Act with the intention that it be acted on as a disclosed matter. The Act provides a maximum penalty of 240 penalty units (\$24,000) or two years imprisonment or both.

## **15 Review**

These procedures will be reviewed annually to ensure they meet the objectives of the Act and accord with the Ombudsman's guidelines.

## **Contact details**

Written disclosures should be marked confidential and addressed to the Protected Disclosure Officer at the appropriate regional or central Department office.

If making disclosures personally or by telephone individuals need to contact the appropriate central or regional Department office and request to speak to the Protected Disclosure Officer.

### **Conduct and Ethics Branch**

GPO Box 4367  
Melbourne Victoria 3001  
Telephone: (03) 9637 2591

### **Protected Disclosure Coordinator**

Manager, Conduct and Ethics Branch  
Ground Floor, 33 St Andrews Place  
GPO Box 4367  
Melbourne Victoria 3001  
Telephone: (03) 9637 2591

### **The Ombudsman Victoria**

Level 22, 459 Collins Street  
Melbourne Victoria 3000  
Website: [www.ombudsman.vic.gov.au](http://www.ombudsman.vic.gov.au)  
Email: [ombudvic@ombudsman.vic.gov.au](mailto:ombudvic@ombudsman.vic.gov.au)  
Telephone: (03) 9613 6222  
Freecall: 1800 806 314

## APPENDIX 10

### Portfolio responsibilities

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The Minister for Education and Training has overall responsibility for the education and training portfolio. This includes strategic directions, budget management, service delivery and program implementation within school education, training and further education, adult community education, and higher education, with the exception of those areas that are the specific responsibility of the Minister for Education Services.

The Minister for Education Services has responsibility for:

- teacher workforce supply and demand including recruitment and retention strategies
- implementation of agreed capital programs, including buildings, equipment and ICT
- school councils except in relation to school educational policy and funding issues
- asset maintenance and security including emergency management
- occupational health and safety issues
- student welfare services, including students with disabilities, transport and drug education
- the Merit Protection Boards and Disciplinary Appeals Boards.

The Acts administered by each Minister are as follows.

#### Minister for Education and Training

*Australian Catholic University (Victoria) Act 1991*

*Adult, Community and Further Education Act 1991*

*Baxter Technical School Land Act 1982*

*Community Services Act 1970:*

- Division 8A of Part III, and section 203 where it relates to the administration of these provisions.
- The Act is otherwise administered by the Minister for Community Services and the Minister for Industrial Relations.

*Deakin University Act 1974*

*Deakin University (Victoria College) Act 1991*

*Deakin University (Warrnambool) Act 1990*

*Education Act 1958:*

- except sections 13(1) – (8), (10) and (11), 14B, 15B(3), 15C, 15CA, 15D, 15E, 15G, 15H, 15N, 15Q(2), 15ZL, 20A, 30, section 82 (g), (h), (i) and (ia) and sections 82(p), (q) and (r) and 83 (to the extent that those provisions relate to the making of regulations relating to the matters referred to in sections 15H, 30 and 82(g), (h), (i) and (ia)) (which are administered by the Minister for Education Services)
- section 8(1) is jointly and severally administered with the Minister for Education Services.

*Education (Special Developmental Schools) Act 1976*

*Educational Grants Act 1973*

*La Trobe University Act 1964*

*La Trobe University (Bendigo and Wodonga) Act 1990*

*Marcus Oldham College Act 1995*

*Melbourne College of Advanced Education (Amalgamation) Act 1988*

*Melbourne College of Divinity Act 1910*

*Melbourne University Act 1958*

*Melbourne University (Hawthorn) Act 1991*

*Melbourne University (VCAH) Act 1992*

*Melbourne University (VCAH) Act 1997*

*Mildura College Lands Act 1916*

*Monash University Act 1958*

*Monash University (Chisholm and Gippsland) Act 1990*

*Monash University (Pharmacy College) Act 1992*

*Royal Melbourne Hospital (Redevelopment) Act 1992:*

- section 7.

The Act is otherwise administered by the Minister for Health.

*Royal Melbourne Institute of Technology Act 1992*

*Serpell Joint Schools Act 1981*

*Swinburne University of Technology Act 1992*

*Teaching Service Act 1981* except:

- Part 4, Division 3
- Division 2 of Part 5
- section 76 (which is jointly and severally administered with the Minister for Education Services)
- section 78(1) in so far as it relates to the making of regulations for or in respect of Part 4, Division 3 and 78(2)(e) (which are jointly administered with the Minister for Education Services)
- section 11 (to the extent that it relates to the exercise of powers and functions for the purpose of section 15B(3) of the *Education Act 1958*).

The remaining provisions of the Act are administered by the Minister for Education and Training.

*Tertiary Education Act 1993*

*University Acts (Amendment) Act 2003*

*University of Ballarat Act 1993*

*Victoria University of Technology Act 1990*

*Victorian College of Agriculture and Horticulture Act 1982*

*Victorian College of the Arts Act 1981*

*Victorian Curriculum and Assessment Authority Act 2000*

*Victorian Institute of Teaching Act 2001*

*Victorian Qualifications Authority Act 2000*

*Vocational Education and Training Act 1990*

*Vocational Education and Training (Amendment) Act 1994*

*Vocational Education and Training (TAFE Qualifications) Act 2003*

## Minister for Education Services

*Education Act 1958:*

- section 8(1) (which is jointly and severally administered with the Minister for Education and Training)
- sections 13(1) – (8), 13(10), 13(11), 14B, 15B(3), 15C, 15CA, 15D, 15E, 15G, 15H, 15N, 15Q(2), 15ZL, 20A, 30, 82 (g), (h), (i) and (ia)
- sections 82(p), (q) and (r) and 83 (to the extent that those provisions relate to the making of regulations relating to the matters referred to in sections 15H, 30 and 82(g), (h), (i) and (ia)).

The remaining provisions of the Act are administered by the Minister for Education and Training.

*Teaching Service Act 1981:*

- Part 4, Division 3
- Part 5, Division 2
- section 76 (which is jointly and severally administered with the Minister for Education and Training)
- section 78(1) in so far as it relates to the making of regulations for or in respect of Part 4, Division 3; and section 78(2)(e) (which are jointly and severally administered with the Minister for Education and Training)
- section 11 (to the extent that it relates to the exercise of powers and functions for the purpose of section 15B(3) of the *Education Act 1958*).

The remaining provisions of the Act are administered by the Minister for Education and Training.

## APPENDIX 11

### Contracts and consultancies

Under the *Financial Management Act 1994* the following distinction is made between contractors and consultants.

Contractors:

- provide goods, works or services that implement a decision
- perform all or part of a new or existing ongoing function to assist an agency carry out its defined activities and operational functions

- perform a function involving skills or perspectives that would normally be expected to reside within the agency but at the time are unavailable.

Consultants:

- provide expert analysis and advice that facilitates decision making
- perform a specific, one-off task or set of tasks
- perform a task involving skills or perspectives that would not normally be expected to reside within the agency.

#### *Consultancies in excess of \$100,000*

Consultant	Particulars	Amount paid in 2004–05	Future commitments as at 30 June 2005
University of Melbourne	The purpose of the review is to develop recommendations for a Student Resource Package to ensure that high-quality outcomes for students in non-traditional settings are realised, while preserving the key principles of the package as applied to current stand-alone schools.	\$106,535	\$23,465
Convergence e-Business Solutions Pty Ltd	Examine the business case for the introduction of a unique student identifier to facilitate the sharing and integration of student level information in the Victorian education and training system; and if justified, recommend a preferred option for enhanced student identification for this purpose and a practical approach to possible implementation.	\$224,425	–
<b>Total</b>		<b>\$330,960</b>	<b>\$23,465</b>

#### *Consultancies less than \$100,000*

Number engaged	24
Total cost	\$1,273,012

## Disclosure of major contracts

The Department has disclosed all contracts greater than \$10 million in value that it entered into in 2003–04. The disclosed contracts can be viewed on <[www.tenders.vic.gov.au](http://www.tenders.vic.gov.au)>.

### ***Compliance with the Victorian Industry Participation policy***

During 2004–05, the Department commenced 32 contracts, to which the Victorian Industry Participation policy applied, totalling \$120,324,307 in value. The contracts included 12 metropolitan contracts totalling \$59,632,273, 17 regional contracts totalling \$44,888,449, and three statewide contracts totalling \$15,803,585.

The commitments under the policy included:

- an average level of local content of 93 per cent of the total value of the contracts
- 527 FTE jobs
- benefits to the Victorian economy through development and implementation of innovative technology in schools, professional development for staff, and skills development through work on infrastructure projects and participation in related training in various trade areas, project management and OHS.

The Department completed 22 contracts, to which the Victorian Industry Participation policy applied, totalling \$60,473,078 in value. The contracts included eight metropolitan contracts totalling \$32,713,679 and 14 regional contracts totalling \$27,759,399.

The outcomes reported under the policy included:

- an average level of local content of 97 per cent of the total value of the contracts
- 116 FTE jobs
- benefits to the Victorian economy through development of new technologies, particularly printing technologies and new construction techniques, and through construction industry training and apprenticeships.

## APPENDIX 12

### Other statutory requirements and Department policies

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#### ***Building Act 1993***

The Department conforms with the requirements of the *Building Act 1993* and other statutory obligations with respect to the construction of new educational facilities and modernisation. The school modernisation program progressively ensures that existing buildings comply with relevant legislative requirements. Department guidelines for TAFE institutes reinforce compliance with the Act for existing and new public buildings.

#### **Purchasing and contracting**

The Department promotes consistent rules on probity and ethics in all of its purchasing and contracting arrangements, in line with the Victorian Government Purchasing Board's policy on probity. These rules ensure an equitable and sound purchasing process and the provision of equal opportunity for all parties. Compliance with these rules is guaranteed through routine internal audits and an accredited purchasing process. The Department promotes attendance at training courses in purchasing, tendering and contracting and ensures that probity and ethics are discussed at each session.

#### **National Competition policy**

In 1995, the Commonwealth, State and Territory governments agreed to implement the National Competition policy to promote greater competition and encourage economic growth.

Two requirements of the policy are:

- legislative reviews to eliminate restrictions on competition
- competitive neutrality to ensure consistency in pricing of services and/or facilities.

The Department has complied with the requirements of National Competition policy and is continuing to report to the Department of Treasury and Finance as required regarding implementation.

#### ***Legislative reviews***

The Department did not undertake any reviews of legislation under the National Competition policy in 2004–05.

#### ***Competitive neutrality***

The Department was not involved in any complaints for the year 2004–05.

#### ***Acceptable use of the Internet***

The Department promotes responsible use of email, the Internet and other electronic communications. Its acceptable-use policy was rewritten and disseminated during the year.

#### ***Information privacy***

The Department is committed to protecting the privacy of personal and health information. All of the Department's funded service providers are bound by the Victorian privacy laws, the *Information Privacy Act 2000* and *Health Records Act 2001*. Personal and health information is collected and used by the Department to provide services or carry out statutory functions. All of the Department's central and regional offices, schools and funded services have been briefed on the privacy laws. The Department's Information Privacy policy was reviewed, distributed widely and made available on the Department's website in October 2003. The Department worked closely with the offices of the Privacy Commissioner and Health Services Commissioner in developing information supporting privacy compliance across the Department.

# APPENDIX 13

## Disclosure index and additional information

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The annual report of the Department of Education & Training is prepared in accordance with all relevant Victorian legislations. This index was prepared to facilitate identification of the Department's compliance with statutory disclosure requirements.

### Ministerial Directions

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## Additional information

Consistent with the requirements of the *Financial Management Act 1994*, the Department has prepared materials on the following topics, available on request:

- declarations of pecuniary interests by all relevant officers
- shares held by senior officers as nominees or held beneficially in a statutory authority or subsidiary
- publications produced by the Department about the Department and the places where the publications can be obtained
- changes in prices, fees, charges, rates and levies charged by the Department
- major external reviews carried out on the Department
- major research and development activities undertaken by the Department
- overseas visits undertaken, including a summary of the objectives and outcomes of each visit

- major promotional, public relations and marketing activities undertaken by the Department to develop community awareness of the Department and the services it provides
- assessments and measures undertaken to improve the occupational health and safety of employees
- general statement on industrial relations within the Department and details of time lost through industrial accidents and disputes
- major committees sponsored by the Department, the purposes of each committee and the extent to which the purposes have been achieved.

Enquiries regarding this information should be directed to:

Secretary  
Department of Education & Training  
GPO Box 4367  
Melbourne Victoria 3001

## Acronyms and abbreviations

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ACE	Adult community education
ACFE	Adult, Community and Further Education
AMES	Adult Multicultural Education Services
ANTA	Australian National Training Authority
AQF	Australian Qualifications Framework
AQTF	Australian Quality Training Framework
CSF	Curriculum and Standards Framework
DE&T	Department of Education & Training (Victoria)
EMA	Education Maintenance Allowance
ESL	English as a Second Language
FTE	full-time equivalent
ICT	Information and communications technology
LLEN	Local Learning and Employment Network
MIPs	Managed Individual Pathways
OHS	Occupational health and safety
RMIT	Royal Melbourne Institute of Technology
SSO	School services officer
VCAA	Victorian Curriculum and Assessment Authority
VCAL	Victorian Certificate of Applied Learning
VCE	Victorian Certificate of Education (Years 11 and 12)
VET	Vocational education and training
VIT	Victorian Institute of Teaching
VLESC	Victorian Learning and Employment Skills Commission
VPS	Victorian Public Service
VQA	Victorian Qualifications Authority



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