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APPENDIX 1

Consistency of budget and financial reporting

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 2005–06 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 four universities with TAFE divisions.

Operating statement for the year ended 30 June 2006

Controlled items	Notes	2005-06 Actual (\$ million)	2005-06 Budget (\$ million)	Variation ^(a) (%)
Revenue from ordinary activities				
Output appropriations	1	6,600.3	6,515.2	1.3
Special appropriations		0.3	0.3	0.0
Resources received free of charge or for nominal consideration		4.0	0.7	n/a
Sale of goods and services	2	558.2	537.7	3.8
Commonwealth grants	3	302.4	274.8	10.0
Other revenue and revenue from other parties ^(b)		321.5	313.8	2.5
Total		7,786.7	7,642.5	1.9
Expenses from ordinary activities				
Employee benefits ^(c)	4	4,468.0	4,438.1	0.7
Depreciation and amortisation	5	316.6	302.5	4.7
Grants and other payments	6	661.4	612.5	8.0
Capital asset charge		799.4	801.2	(0.2)
Supplies and services ^(d)	7	1,355.0	1,379.8	(1.8)
Other expenses from ordinary activities		1.2	0.0	n/a
Borrowing costs		1.2	1.0	20.0
Total		7,602.8	7,535.1	0.9
Result from ordinary activities		183.9	107.3	71.4
Net result for the reporting period		183.6	107.3	71.4
Net increase in asset revaluation reserve		814.1	0.0	n/a
Total revenues, expenses and revaluation adjustments recognised directly in equity		814.1	0.0	n/a
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		998.0	107.3	n/a

	Notes	2005–05 Actual (\$ million)	2005–06 Budget (\$ million)	Variation ^(a) (%)
Administered items				
Administered revenue				
Sale of goods and services		1.3	1.5	(13.3)
Commonwealth grants	8	2,033.2	2,008.4	1.2
Other		(4.2)	9.9	n/a
Total		2,030.3	2,019.8	0.5
Administered expenses				
Grants and other payments	8	1,441.0	1,438.2	0.2
Payments into the Consolidated Fund		531.1	581.5	(8.7)
Total		1,972.1	2,019.8	(2.4)
Revenue less expenses		58.2	0.1	n/a

^(a) Variation between 2005–06 Actual and 2005–06 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 for school maintenance, services to students with disabilities and the school start bonus.

Note 2

The variance is mainly due to actual revenues raised by TAFE institutes from commercial activities 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 from the additional government investment in services to students with disabilities.

Note 5

The variance is due to the effect on depreciation expenses of building revaluations as at 30 June 2005 and the impact of asset purchases by TAFE institutes' own source funds.

Note 6

The variance mainly reflects the payment of the School Start Bonus and additional funding for services to students with disabilities.

Note 7

The variance mainly reflects lower than anticipated expenditure by TAFE institutes on supplies and services.

The variances for administered items can be explained as follows:

Note 8

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

Balance sheet as at 30 June 2006

	Notes	2005-06 Actual (\$ million)	2005-06 Budget (\$ million)	Variation ^(a) (%)
Controlled items				
Assets				
Current assets				
Cash assets	1	689.2	566.5	21.7
Other financial assets	1	84.8	181.4	(53.3)
Receivables	2	710.4	698.2	1.7
Inventories		10.4	8.6	20.9
Prepayments		15.2	15.2	0.0
Other assets		0.1	0.0	n/a
		1,510.1	1,469.9	2.7
Non-current asset classified as held for sale	3	29.1	15.4	89.0
Total current assets		1,539.2	1,485.3	3.6
Non-current assets				
Receivables ^(b)		0.3	0.3	0.0
Other financial assets	4	56.3	20.2	n/a
Property, plant and equipment	5	11,201.7	10,445.6	7.2
Intangible assets		5.1	4.4	15.9
Other		0.0	0.1	(100.0)
Total non-current assets		11,263.4	10,470.6	7.6
Total assets		12,802.6	11,955.9	7.1
Liabilities				
Current liabilities				
Payables	6	274.5	210.2	30.6
Interest-bearing liabilities		3.5	2.0	75.0
Employee provisions ^(c)	7	974.5	247.3	n/a
Other		69.3	93.9	(26.2)
Total current liabilities		1,321.8	553.4	n/a
Non-current liabilities				
Interest-bearing liabilities		10.0	7.6	31.6
Provisions	7	155.5	896.8	(82.7)
Other		0.0	0.2	(100.0)
Amounts owing to other departments		0.6	0.8	(25.0)
Total non-current liabilities		166.1	905.3	(81.7)
Total liabilities		1,487.9	1,458.8	2.0
Net assets		11,314.7	10,497.1	7.8

	2005–06 Actual (\$ million)	2005–06 Budget (\$ million)	Variation ^(a) (%)
Administered items			
Assets			
Current assets			
Cash assets	1.1	0.5	n/a
Receivables	17.5	19.9	(12.1)
Other financial assets	1.5	1.5	0.0
Prepayments	3.3	3.3	0.0
Total current assets	23.4	25.2	(7.1)
Non-current assets			
Property, plant and equipment	11.3	11.3	0.0
Total non-current assets	11.3	11.3	0.0
Total administered assets	34.7	36.4	(4.7)
Liabilities			
Current liabilities			
Payables	0.0	3.5	(100.0)
Other	4.4	3.4	29.4
Total current liabilities	4.4	6.9	(36.2)
Total administered liabilities	4.4	6.9	(36.2)
Net assets	30.3	29.5	2.7

^(a) Variation between 2005–06 Actual and 2005–06 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 rebalancing in the investment strategy of TAFE institutes from term deposit (other financial assets) to currency deposits at call (cash assets).

Note 2

The variance reflects the Department's higher than anticipated level of accruals at balance day.

Note 3

The variance reflects greater land and buildings designated for sale than anticipated.

Note 4

The variance reflects higher long-term investments made by TAFE institutes investing their surplus in longer-term investments.

Note 5

The variance is due to significant revaluation of property assets.

Note 6

The variance reflects timing of payments to creditors.

Note 7

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

Cash flow statement for the year ended 30 June 2006

Controlled items	Notes	2005–06 Actual (\$ million)	2005–06 Budget (\$ million)	Variation ^(a) (%)
Cash flows from operating activities				
Operating receipts				
Receipts from Government		6,803.3	6,662.5	2.1
Receipts from other entities	1	506.6	534.9	(5.3)
Interest received	2	47.8	31.9	49.8
Other receipts	3	281.7	303.4	(7.2)
		7,639.4	7,532.7	1.4
Operating payments				
Payments for supplies, grants and employees	4	(6,411.4)	(6,379.8)	0.5
Capital asset charge		(799.4)	(801.2)	(0.2)
Borrowing costs expense		(1.2)	(1.0)	20.0
		(7,212.0)	(7,182.0)	0.4
Net cash inflow (outflow) from operating activities		427.4	350.7	21.9
Cash flows from investing activities				
Payments for property, plant and equipment	5	(512.7)	(555.7)	(7.7)
Proceeds from sale of property, plant and equipment	6	6.9	2.4	n/a
Repayment of loans by other entities		42.1	0.0	n/a
Net cash inflow (outflow) from investing activities		(463.9)	(553.3)	(16.2)
Cash flows from financing activities				
Net proceeds from capital contribution by State Government		113.4	174.6	(35.1)
Net proceeds of borrowings		0.0	0.0	n/a
Net cash inflow (outflow) from financing activities		113.4	174.6	n/a
Net increase (decrease) in cash held		76.9	(28.1)	n/a
Cash at beginning of period		612.2	594.6	n/a
Cash at the end of the financial year		689.1	566.5	21.6

^(a) Variation between 2005–06 Actual and 2005-06 Budget.

The variances for controlled items can be explained as follows:

Note 1

Refer to Note 1 of the operating statement.

Note 2

Refer to Note 2 of the operating statement and Note 2 of the balance sheet.

Note 3

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

Note 4

Refer to Notes 4, 6 and 7 of the operating statement and Notes 6 and 7 of the balance sheet.

Note 5

Refer to Note 5 of the operating statement and Note 5 of the balance sheet.

Note 6

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

APPENDIX 2

Portfolio statistics

School education

*FTE government school students by year level,
February 2006*

Year level	2006
Preparatory	43,632.8
Year 1	43,785.6
Year 2	43,615.0
Year 3	43,731.4
Year 4	44,060.6
Year 5	44,153.4
Year 6	44,591.1
Ungraded	6.6
Primary total	307,576.5
Year 7	39,199.9
Year 8	39,601.7
Year 9	39,097.2
Year 10	38,655.1
Year 11	35,808.1
Year 12	30,376.7
Ungraded	88.0
Secondary total	222,826.7
Special	7,756.1
Language	1,184.0
Total	539,343.3

FTE students by student type and sector, February 2003–06

Student type	Government			Catholic			Independent			All schools						
	2003	2004	2005	2006	2003	2004	2005	2006	2003	2004	2005	2006				
Primary	312,134.4	311,964.0	309,972.6	307,576.5	99,665.2	98,863.6	98,406.6	98,373.0	39,381.2	40,170.2	41,459.5	42,310.3	451,180.8	450,997.8	449,838.7	448,259.8
Secondary	218,740.7	220,271.7	221,618.3	222,826.7	80,626.2	81,514.5	82,921.3	84,375.2	64,194.3	65,659.0	66,780.0	68,764.4	363,561.2	367,445.2	371,319.6	375,966.3
Special	6,517.0	6,826.2	7,219.4	7,756.1	171.2	165.8	160.4	170.0	310.8	331.0	308.4	338.6	6,999.0	7,323.0	7,688.2	8,264.7
Language	917.0	1,010.0	1,142.0	1,184.0	-	-	-	-	-	-	-	-	917.0	1,010.0	1,142.0	1,184.0
Total	538,309.1	540,071.9	539,952.3	539,343.3	180,462.6	180,543.9	181,488.3	182,918.2	103,886.3	106,160.2	108,547.9	111,413.3	822,658.0	826,776.0	829,988.5	833,674.8
% of all students	65.4	65.3	65.1	64.7	21.9	21.8	21.9	21.9	12.6	12.8	13.1	13.3	100.0	100.0	100.0	100.0

Number of schools by school type and sector, February 2004–06

School type	Government			Catholic			Independent			All schools		
	2004	2005	2006	2004	2005	2006	2004	2005	2006	2004	2005	2006
Primary	1,223	1,222	1,213	381	380	378	57	54	52	1,661	1,656	1,643
Primary–Secondary	49	50	48	10	12	13	131	132	134	190	194	195
Secondary	262	261	263	85	84	84	18	21	22	365	366	369
Special	80	80	78	7	7	7	10	10	10	97	97	95
Language	4	4	4	-	-	-	-	-	-	4	4	4
Total	1,618	1,617	1,606	483	483	482	216	217	218	2,317	2,317	2,306
% of all schools	69.8	69.8	69.6	20.8	20.8	20.9	9.3	9.4	9.5	100.0	100.0	100.0

Training and tertiary education

Student contact hours of training and further education by Australian Qualifications Framework (AQF) levels, Victoria, 2003–05

Qualification level	2003	2004	2005
AQF 1 – Certificate I	6,334,702	6,347,142	6,354,674
AQF 2 – Certificate II	15,953,701	14,667,770	15,039,319
AQF 3 – Certificate III	32,049,718	32,900,480	34,983,959
AQF 4 – Certificate IV	18,417,750	19,902,079	17,107,207
AQF 5 – Diploma	19,253,250	19,059,014	20,018,595
AQF 6 – Advanced Diploma	10,253,254	9,174,788	8,963,223
Above AQF 6	188,056	200,380	275,156
Secondary	2,327,393	2,549,221	2,639,354
Module only	3,044,575	2,249,285	1,972,214
Not defined*	4,194,563	4,148,593	3,991,410
Total	112,016,962	111,223,752	111,345,111
Corrections delivery not included	1,007,222	913,969	996,800

*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 2003 have been modified to reflect changes in classifications.

Student contact hours of training and further education by industry group, Victoria, 2003–05

Industry	2003	2004	2005
Adult community education	14,398,522	15,065,792	14,618,556
Automotive	2,712,780	2,694,599	2,792,884
Building and construction	5,828,815	6,135,401	6,953,273
Business services	18,687,528	19,796,740	18,425,292
Community services and health	12,382,332	13,890,661	13,871,716
Cultural and recreation	9,078,697	8,825,534	8,912,648
Electro-technology and communications	12,292,800	10,777,754	10,096,311
General manufacturing	5,134,321	5,471,025	5,884,418
Metals and engineering	3,641,452	3,983,662	3,865,432
Primary and forest	4,847,445	4,707,280	4,797,627
Public administration and safety	468,928	441,830	605,211
Tourism and hospitality	8,712,048	8,634,445	9,677,870
Transport and storage	4,877,748	3,062,473	3,008,427
Water	40,166	116,865	161,624
Wholesale, retail and personal services	5,608,400	5,317,122	5,762,794
Non-industry specific (incl. module-only)	3,345,146	2,419,434	2,072,652
Total	112,016,962	111,223,752	111,345,111
Corrections delivery not included	1,007,222	913,969	996,800

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, 2005

Region	Adult literacy and numeracy		Employment skills		VCE/VCAL		Vocational		Total	
	E	SCH	E	SCH	E	SCH	E	SCH	E	SCH
BSW	3,448	198,333	5,782	145,389	322	25,952	15,269	378,761	24,821	748,435
EM	3,845	203,296	7,446	174,831	329	32,958	20,209	480,565	31,829	891,650
GIPP	2,922	126,499	2,560	74,491	0	0	10,861	242,473	16,343	443,463
GRA	1,666	68,284	2,628	67,679	0	0	9,683	199,917	13,977	335,880
HUME	2,415	128,707	1,923	51,819	440	30,168	12,144	262,136	16,922	472,830
LM	2,598	163,220	4,413	131,033	377	24,223	13,607	389,294	20,995	707,770
NM	5,695	345,166	4,631	136,650	68	6,960	11,927	361,166	22,321	849,942
SM	10,686	491,170	2,727	93,789	24	1,800	9,758	267,650	23,195	854,409
WM	6,057	381,151	1,528	44,721	184	20,920	4,330	141,780	12,099	588,572
AMES	140	5,567	1,292	35,855	232	14,615	3,704	140,062	5,368	196,099
CAE	3,975	222,089	1,578	58,266	3,287	244,711	5,816	278,689	14,656	803,755
Total	43,447	2,333,482	36,508	1,014,523	5,263	402,307	117,308	3,142,493	202,526	6,892,805
%	21.45	33.85	18.03	14.72	2.60	5.84	57.92	45.59	100.00	100.00

*Based on new boundaries for Regions, introduced in 2005.

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), Eastern Metropolitan (EM), Gippsland (GIPP), Grampians (GR), Hume (HUME), Loddon Mallee (LM), Northern Metropolitan (NM), Southern Metropolitan (SM), and Western Metropolitan (WM).

Total reported adult, community and further education provision for ACE organisations and adult education institutions, Victoria, 2003–05

Region*	Module enrolments			Student contact hours		
	2003	2004	2005	2003	2004	2005
BSW	38,046	40,115	38,629	1,292,309	1,118,291	1,048,116
EM	64,974	59,144	60,217	1,612,606	1,547,037	1,474,949
GIPP	26,603	26,061	22,084	573,788	591,104	552,189
GR	25,428	25,569	21,370	483,550	485,686	474,865
HUME	33,685	32,950	32,313	843,003	887,385	866,872
LM	36,940	37,234	36,770	993,843	879,139	1,012,872
NM	28,412	30,696	28,151	966,248	1,023,085	1,025,730
SM	36,545	36,164	36,490	1,205,307	1,178,324	1,154,010
WM	19,915	21,505	21,890	862,882	856,766	852,761
AMES	11,022	6,078	6,437	336,018	219,233	226,451
AMES/DIMIA	71,614	75,834	87,827	2,148,420	2,250,586	2,653,225
CAE	53,891	56,532	62,538	1,518,084	1,554,380	1,619,929
Total	447,075	447,882	454,716	12,836,058	12,591,016	12,961,969

*Based on new boundaries for Regions, introduced in 2005.

**Over 90 per cent of provision at AMES is funded by other sources, including the Commonwealth Government (see below). Total reported adult, community and further education provision is for all funding sources, including fee-for-service activity.

AMES (Victorian Government)	11,022	6,078	6,437	336,018	219,233	226,451
AMES/DIMIA	71,614	75,834	87,827	2,148,420	2,250,586	2,653,225
Total AMES	82,636	81,912	94,264	2,484,438	2,469,819	2,879,676

Higher education

Actual student load for all students by institution and broad level of course 2004–05

Level	1 January – 30 June 2005 EFTSL*	1 January – 30 June 2004 EFTSU**
Sub-total postgraduate	20,051	20,740
Sub-total undergraduate	70,585	71,919
Other	941	767
Total	91,577	93,426

*EFTSL: Equivalent full-time student

** EFTSU: Equivalent full-time student unit

*All students by institution and broad level of course, 2004–05**

Level	1 January 2004 – 30 June 2004	1 January 2005 – 30 June 2005
Sub-total postgraduate	59,618	60,341
Sub-total undergraduate	155,184	156,137
Other	2,341	2,007
Total	217,143	218,485

*Students are reported under their 'major' course level.

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>.

APPENDIX 3

Human resource policies

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 developing and supporting its workforce by:

- building leadership capacity
- building the future workforce through enhancing workforce capacity
- actively shaping supply and managing employee relations
- creating and supporting a culture of health, safety and well-being
- creating and supporting a performance and development culture
- implementing robust human resource management systems.

Staff development

Development of Victorian Public Service (VPS) staff has focused on the human resource strategic priorities of building leadership capacity (particularly on improving the development of senior leaders within the VPS) and building the future workforce by enhancing workforce capacity through induction and orientation, and the building of skills of the corporate workforce.

A broad range of learning and development opportunities have been encouraged including development of beneficial working relationships, experience-based development and courses and programs.

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.

Development for public service staff has focused on skill 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. It is currently being reviewed to provide further improvements.

Professional development for school staff is discussed in page 19 of this report.

Focus on women

Women represented 73.3 per cent of the Department's workforce in June 2006. 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 skill development programs which build the capability of all employees.

Women represented 69.6 per cent of teaching staff and 89.7 per cent of non-teaching staff in government schools in June 2006. The percentage of women in the principal class in government schools continued to rise, with an increase from 47.3 per cent in June 2005 to 49.3 per cent in June 2006.

Women represented 61.1 per cent of VPS staff in central and regional offices and the percentage of women at executive officer level increased from 38.8 per cent in June 2005 to 39.1 per cent in June 2006.

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 of 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 program will be managed by the Office of School Education from 2007.

The Julia Flynn program has been reviewed and scholarships for the enhanced program will be offered in the second half of 2006. These scholarships are designed to provide women with a program that supports their personal and professional growth and enhances their leadership potential.

Diversity and equal opportunity

The Department's commitment to diversity and equal employment opportunity principles has been incorporated into strategic, business and workforce plans. The attraction and retention of staff of diverse skills and backgrounds has been a major focus with particular attention being given to people with disabilities. The Department's Disability Action Plan 2005–08 was launched during the reporting year. The Plan provides for six key outcome areas to be addressed by all Offices of the Department: employment, consultation and decision making, improving staff awareness and understanding of the needs of people with a disability, accessible information and communication processes, accessible programs and services, and improved physical access to buildings and facilities.

Initial actions included the publication of successful case studies of employees with a disability which was made available to all staff, an expanded mentor program that included staff with a disability, a Disability Working Group consisting of managers and staff with disabilities or who care for someone with a disability, and improved central office facilities including the introduction of Braille signage and 'talking lifts'.

The Department continued to strengthen and promote employee work–life balance through flexible and family-friendly work arrangements for employees. A carer's and lactation room was launched as part of the Well-being Centre and is accessible to all central precinct staff.

The Department has continued to maintain a firm commitment to educating staff on their rights and responsibilities under Equal Opportunity legislation and ensuring schools and all education workplaces promote inclusive and positive workplace environments free of discrimination, sexual and other forms of harassment and bullying.

A formal consultative committee with the Equal Opportunity Commission of Victoria was established to work in partnership to promote equal opportunity education programs and foster policy development in areas of mutual interest and responsibility.

A diversity events calendar was established with staff participation encouraged as an opportunity to celebrate and increase awareness and knowledge of the contributions of Indigenous, multicultural and disability groups to a vibrant education and training system.

Employee relations

The Department worked closely with TAFE institutes to facilitate the finalisation of certified agreements covering their professional, administrative, clerical, computing and technical staff. These agreements now have a common nominal expiry date and will improve planning for future agreements.

The Department received 12 'overgrade' grievances and 44 classification grievances relating to the translation of student SSOs to the new Allied Health adaptive structure introduced in 2005. Seven grievances remained to be heard by a tripartite panel or resolved internally.

The redeveloped executive officer performance management and development system provided a reinvigorated approach to establishing a performance and development culture within the Department. The Department's Corporate Plan and executive officer performance priorities were clearly linked with the accountabilities and behaviours in the Department's Accountability and Capability Framework.

The Department conducted an initial trial and a subsequent expanded VPS Mentor program for past graduate recruits and VPS staff from Grades 1 to 4, including people from Indigenous backgrounds and those with disabilities.

As part of the implementation of the *Blueprint for Government Schools* initiative to expand Local Administrative Bureaus to relieve the administrative burden on principals of small schools, two pilot bureaus were established in the Yarra Valley and Far East Gippsland. Data collected from these, and from the existing pilot bureau at Horsham, will inform the development of a business plan for further expansion of Local Administrative Bureaus.

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 range of teacher supply initiatives announced by the Minister for Education Services in January 2004 in the report *Teacher Supply and Demand for Government Schools* continued to be implemented during 2005–06.

Key initiatives

- The Career Change program continued in 2006 with a second intake of 32 non-teaching professionals from a variety of backgrounds employed as teacher trainees in hard-to-staff teaching vacancies in mainly rural secondary schools. Twenty-seven of the 29 trainees from the 2005 intake continued into the second year of the two-year school-based training program. The program 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 181 teachers, mainly in rural schools, to commence retraining in curriculum areas experiencing teacher shortages.

Sixteen teachers completed their courses during 2005–06.

- A total of 341 student teachers and 164 schools benefited from the Student Teacher Practicum Scheme which provides student teachers with financial incentives to undertake their practicum 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) was pursued via career fairs, university visits and the publicity generated by the Career Change program.
- Links continued to be strengthened between the Department and universities, particularly education faculties delivering pre-service teacher education courses, both through formal forums such as the Teacher Supply and Demand Reference Group and the Victorian Council of Deans of Education meetings, and through 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 941 recent teacher graduates through the Teacher Graduate Recruitment program
- awarding 150 scholarships to student teachers and new graduates under the Teaching Scholarship Scheme.

The Department has worked with the Victorian Institute of Teaching to implement recommendations arising from the State Parliamentary Inquiry into Pre-service Teacher Training in Victoria.

The Department made written submissions to the House of Representatives Standing Committee on Education and Vocational Training inquiry into teacher education and appeared before the Standing Committee at a hearing in May 2006.

In 2005–06, there were 13 exemptions from advertisement for VPS recruitment approved by the Secretary or his delegate consistent with the requirements of the Public Sector Standards Commissioner. The majority of these exemptions related to the appointment of staff at the conclusion of the Graduate Recruitment Scheme.

Recruitment online

Since commencing the online advertising of school-based vacancies in April 2005, there has been an increase in the average number of applicants per vacancy. An upgrade of the online system is scheduled for July 2006 which will incorporate enhancements identified from user feedback and extensive consultation processes during the first year.

An online recruitment system for VPS staff vacancies was also introduced in 2005 as part of a Victorian government initiative across the VPS. The Careers with the Victorian Government website has streamlined the recruitment process for VPS staff and provides a common application process for all public service positions across government.

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 other 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 improved injury management systems.

Key achievements in 2005–06 included:

- establishment of OHS Consultative Committees and forums
- completion of a tripartite Stress Prevention pilot study with the Community and Public Sector Union and the Australian Education Union
- conduct of a Safety and Security in Schools pilot training program
- introduction of an improved Employee Assistance program to provide increased counselling services, including a Manager Hotline to provide principals and managers with advice to support their staff.

The Department's OHS performance generally achieved its targets. In 2005–06, the Victorian WorkCover Authority continued its inspection activities and issued 83 improvement, 13 prohibition and two non-disturbance notices which represents an overall 5.5 per cent decrease on the previous year's numbers. The decrease is mainly due to reduced activity by inspectors through WorkSafe projects and specific WorkSafe targets within the education sector.

Key performance indicators

The Department is committed to reporting on the Victorian WorkCover Authority's lead and lag indicators. The following table provides measurements against 14 of the agreed OHS key performance indicators.

Occupational health and safety measures

	OHS lag key performance indicators	2005–06 Target	2005–06 Actual	
			Number	Rate
Claims	Number and rate of standardised WorkCover claims ¹ including: sprains and strains stress other	818	801	1.532
	Number and rate of lost time WorkCover claims ²	287	314	.600
	Number and rate of claims exceeding 13 weeks ³	150	169	.323
Fatalities	Fatality claims ¹	No fatalities	2	
Claims costs	Average cost per WorkCover claim ⁴	\$41,737	\$45,082	

Measure	OHS lead key performance indicators	2005–06 Target	2005–06 Actual
Management commitment	Evidence of OHS policy statement; OHS objectives	Reported quarterly and/or annually	Department's OHS policy including objectives at < www.eduweb.vic.gov.au/hrweb/ohs/accp/riskm.htm >
	Regular reporting to senior management of OHS; and OHS plans (signed by CEO or equivalent)	Empirical evidence of OHS plans, policies and reporting processes	Monthly health, safety and well-being reports to Minister and Department Management Committee regarding OHS trends, issues and project plans, achievements and milestones.
	Evidence of OHS criteria in purchasing guidelines (including goods, services and personnel)	Reported quarterly and/or annually	Schedule 21 Part D of the Department tender documents addresses OHS management.
Consultation and participation	Evidence of agreed structure of Designated Work Groups, Health and Safety Representatives, and issue resolution procedures	Empirical evidence of OHS criteria in purchasing guidelines	Part E requires tenderers to declare any OHS legislative breaches.
		Reported quarterly and/or annually	In schools each campus is a Designated Work Group. Each Office at Treasury Precinct and each regional office are Designated Work Groups. Designated Work Group policy established in 1995. OHS issue resolution process in OHS Guidelines at < http://www.eduweb.vic.gov.au/hrweb/ohs/accp/riskm.htm >
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	81 per cent

People Matters Survey of OHS	Questions	Average per cent who 'Agree' and 'Strongly Agree'
Management commitment	My manager is committed to health and safety improvements	N/A 82.4 per cent
Organisational commitment	My organisation is committed to health and safety improvements	N/A 74.2 per cent
Health and safety representatives	Elected health and safety representatives regularly take up health and safety issues with management in my organisation	N/A 60.7 per cent
Consultation	There is meaningful employee consultation in my organisation on health and safety matters	N/A 55.6 per cent
Policy awareness	Matters that can affect health and safety in my organisation are addressed by work instructions, policies and procedures	N/A 69.4 per cent
Proactive OHS action	My organisation regularly undertakes proactive action to improve health and safety	N/A 58.1 per cent
OHS reporting	Employees in my organisation are encouraged to report health and safety incidents and injuries	N/A 75.2 per cent
Corrective action	Corrective action is taken by my organisation when unsafe conditions are identified through incident and/or injury reports	N/A 76.1 per cent

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. Data for standardised claims and death claims is at 30 June each financial year.

² A time-lost claim is one with one or more days compensated by the Victorian WorkCover Authority (that is, once the employer has paid the 10-day excess) at the time of extraction. Time-loss claims are a sub-set of standardised claims. Data for time-loss claims is at 30 June each financial year.

³ 13-week claims is a measure of the number of claims exceeding 13 weeks¹, compensation based on a derived day count. The 13-week measure begins at day one (that is, employer excess and Victorian WorkCover Authority payments). Data for 13-week claims is based on calendar year (that is, January to December) extracted as at 30 June each year.

⁴ Data for average cost per claim based on claims reported from April to March each year extracted as at 30 June each year.

Conduct and ethics

Criminal record checks

In 2005–06, the Department conducted in excess of 24,000 criminal record checks in collaboration with the Commonwealth CrimTrac Agency via the Department's online criminal record check system. Of these checks, approximately 50 per cent were for people wishing to perform volunteer work in schools including student teachers undertaking a teaching practicum.

APPENDIX 4

Workforce statistics and senior officers

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 2006
- ongoing and fixed-term 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 2006

- 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 2006

Classification		Males	Females	Total
Primary				
	Principal class	915.3	989.1	1,904.5
	Teaching staff	3,220.4	15,383.5	18,604.0
	Instructors	10.0	7.6	17.6
	Total	4,145.7	16,380.3	20,526.0
Secondary				
	Principal class	527.7	413.2	940.8
	Teaching staff	7,384.4	11,099.8	18,484.3
	Instructors	143.0	60.5	203.5
	Total	8,055.2	11,573.4	19,628.6
Total		12,200.9	27,953.7	40,154.6

Source: Department of Education & Training

FTE of non-teaching staff in schools by classification and sex on pay as at June 2006

Classification	Level	Males	Females	Total
School services officer	SSO1-1	483.1	5,416.2	5,899.3
	SSO1-2	193.6	1,476.9	1,670.5
	SSO2-3	117.2	878.4	995.6
	SSO2-4	89.1	525.0	614.1
	SSO2-5	47.4	392.1	439.5
	SSO3-6	32.1	230.8	263.0
	SSO3-7	25.5	67.7	93.2
	SSO3-8	14.6	42.1	56.7
Subtotal		1,002.6	9,029.4	10,032.0
VPS staff	AH2	3.0	85.2	88.2
	AH3	27.8	144.7	172.5
	AH4	33.8	90.4	124.2
	VPSG1	1.0	1.0	2.0
	VPSG2	–	5.6	5.6
	VPSG3	–	4.9	4.9
	VPSG4	0.8	6.4	7.2
	VPSG5	5.6	12.4	18.0
	VPSG6	–	1.0	1.0
Subtotal		72.0	351.5	423.5
Other		–	0.1	0.1
Total		1,074.6	9,381.0	10,455.6

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 2006

Classification	Males	Females	Total
Teaching staff	48.0	64.6	112.6
Executive officer	Secretary	–	1.0
	EO1	1.0	1.0
	EO2	23.0	10.0
	EO3	17.0	16.0
	Subtotal	42.0	27.0
VPS staff	VPSG1	4.4	11.4
	VPSG2	41.6	130.0
	VPSG3	103.5	241.7
	VPSG4	120.8	153.1
	VPSG5	188.7	252.3
	VPSG6	112.8	106.7
	Senior Technical Specialist	1.0	1.0
	AH2	–	1.0
	AH4	1.0	0.6
	Graduate recruits	4.0	10.0
	Subtotal	577.8	907.8
Other	2.0	10.1	
Ministerial staff	2.0	–	
Total	671.8	1,009.5	1,681.3

FTE of staff in non-school locations by office on pay as at June 2006

Office	FTE
Office of Strategy and Review and Office of the Secretary	186.2
Office of School Education (including regions)	494.8
Office of Learning and Teaching	155.9
Office of Resources Management and Strategy	476.2
Office of Training and Tertiary Education	153.3
VCAA	182.2
Merit Protection Boards	6.0
VQA	24.6
Ministerial offices	2.0
Total	1681.3

Senior officers as at 30 June 2006

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

Mr Ian Claridge
Assistant General Manager, Student Wellbeing

School System Development

Ms Dina Guest
(*Acting) General Manager

Dr Sara Glover
Assistant General Manager, School System
Outcomes

Ms Judy Petch
(*Acting) Assistant General Manager, Leadership
and Teacher Development

School Resources

Dr Peter Stewart
General Manager

Ms Andrée Butler
Assistant General Manager, Planning and
Provision

Mr Franco Greco
Assistant General Manager, Facilities and
Infrastructure

Building Futures Taskforce

Mr David Brooks
Taskforce Director

Regions

Regional office contact details appear on
pages 27–28 (information provided by the Office
of School Education).

Barwon South Western

Ms Glenda Strong
Regional Director

Eastern Metropolitan

Dr Jim Watterston
Regional Director

Gippsland

Ms Michonne van Rees
Regional Director

Grampians

Mr Malcolm Millar
Regional Director

Hume

Mr Stephen Brown
Regional Director

Loddon Mallee

Mr Ron Lake
Regional Director

Northern Metropolitan

Mr Wayne Craig
Regional Director

Lynne Williams
Executive Project Officer

Southern Metropolitan

Mr Peter Greenwell
Regional Director

Western Metropolitan

Mr Rob Blachford
Regional Director

Office of Learning and Teaching

Level 3
33 St Andrews Place
East Melbourne Victoria 3002
Dr Dahle Suggett, Deputy Secretary

Post-Compulsory

Mr George McLean
General Manager

Mr Edmund Misson
Assistant General Manager, Post-Compulsory

Student Learning

Mr Tony Cook
General Manager

Ms Carol Kelly
Assistant General Manager, Learning Programs

Research and Innovation

Mr John Sullivan
General Manager

Mr John McCarthy
Assistant General Manager, Research and Development

Mr John Doherty
(*Acting) 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, Deputy Secretary

Vocational Education and Training

Ms Jan Trehwella
General Manager

Adult, Community and Further Education

Ms Sandy Forbes
General Manager

Higher Education and Regulation

Dr Terry Stokes
General Manager

Strategic Directions

Mr Phillip Clarke
General Manager

Ms Wendy Timms
Assistant General Manager, Planning and Industry Relations

Ms Susan McDonald
Assistant General Manager, Policy Development

Mr Jim Strilakos
Assistant General Manager, Resources and Facilities

Training Operations

Ms Lee Watts
General Manager

Mr Grant Radford
Assistant General Manager, Training Purchasing

Mr Chris Stewart
Assistant General Manager, Apprenticeships and Traineeships

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

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

Resources Strategy

Mr Jim Miles
General Manager

Chief Information Officer

Mr Adam Todhunter
Chief Information Officer

Financial Services

Ms Claire Britchford
Chief Finance Officer

Mr Nino Napoli
Assistant General Manager, Schools Resource Allocation

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

Mr Peter Froutzis
Assistant General Manager, Budget and Reporting

Information Technology

Mr Erle Bourke
General Manager

Ms Katrina Reynen
Assistant General Manager, Information Technology

Office of Strategy and Review

1st floor
2 Treasury Place
East Melbourne Victoria 3002

Ms Katherine Henderson, Deputy Secretary

International Division

Ms Lynn Glover
General Manager

External and Inter-Governmental Relations

Mr Colin Twisse
General Manager

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

Mr John Livi
Manager, Legal Services

Strategic Policy and Planning

Julie Alliston
(*Acting) General Manager

Mr Ian Burrage
Assistant General Manager, Strategic Planning and Review

Ms Kerry Rozenbergs
(*Acting) Assistant General Manager, Policy Development and Coordination

Portfolio Improvement and Assurance

Mr Colin Twisse
(*Acting) General Manager

Strategic Initiatives

Mr Michael Kane
General Manager

Ms Lesley Foster
Project Director, Legislation Implementation

Ms Penny Duckworth
Project Manager, Schools Futures Project

Communications

Ms Mary-Anne Thomas
General Manager

International Education Developments

Ms Sue Christophers
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 John Firth, Chief Executive Officer

Mr Bill Perrin
(*Acting) General Manager, Policy Measurement
& Research

Mr Byron Crawford
General Manager, Corporate Services

Ms Helen Wildash
General Manager, Curriculum

Ms Elaine Wenn
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 2005–06, as indicated in the table below. The Department works in conjunction with statutory authorities to achieve the Government’s 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
Disciplinary Appeals Boards	Education Services	See page 140
Merit Protection Boards	Education Services	See page 140
Registered Schools Board	Education and Training	See page 29
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 134–139. Some of the authorities produce annual reports in their own right: the ACFE Board, the VCAA, the VLESC, the VQA and the VIT. These reports can be accessed from the Department’s website at <www.education.vic.gov.au>.

Summaries of the Registered Schools Board, Merit Protection Boards and the Disciplinary Appeals Boards reports are included in this report on pages 29, 140 and 144.

Contact details for the remaining 45 statutory authorities and other bodies are presented on pages 145–147.

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 V) 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.

The Senior Chairperson establishes public sector boards to hear and determine grievances from school services officers (SSOs) and members of the Victorian Public Service. 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.

Members of the Merit Protection Boards

Mr Ian Adams was reappointed Senior Chairperson for a three-year term in June 2004. All other members were appointed for a three-year term in September 2004. With the exception of the Senior Chairperson and one full-time Secretary's nominee, all members are called upon on a sessional basis.

Chairpersons

Mr Ian Adams
Senior Chairperson

Ms Leonie Fitzgerald
Principal, Dandenong South Primary School

Mr Gavan Schwartz
Principal, Booroondara Park Primary School
(to February 2006)

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 Gavan Schwartz
(full-time from February 2006)

Mr Ray Wilkinson (full-time, retired October 2005)

Secretary's nominees

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

Minister's 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 Minister's nominees

Ms Penny Geoghegan
Sunbury Secondary College

Ms Gail Shaw
Sunshine North Primary School

Ms Valda Grimston
Footscray North Primary School

Ms Claire Hanmer
Karringal 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.

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 and procedures are being reviewed.

In response to requests the Senior Chairperson and the full-time Secretary's nominee have addressed groups of principal class officers, field officers of the principals' associations and the Australian Education Union, and senior regional personnel.

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

The Merit Protection Boards, together with the Police Appeals Board and the State Services Authority, hosted the National Public Sector Appeals Conference in Melbourne in October 2005.

Appeals and grievances

Teaching service

During the year to 30 June 2006 the Merit Protection Boards for the teaching service received a total of 163 appeals and grievances comprising 41 promotion grievances, one incapacity appeal and 121 personal grievances. Of the 57 grievances heard, 30 (53 per cent) were upheld.

There was a marked increase in the number of promotion grievances received this year (41 compared with 27) with 50 per cent of grievances heard being upheld, indicating a decline in the number upheld. Approximately the same number of personal grievances was received this year with 53 per cent of those heard upheld, an increase over last year. The majority of the grievances that were upheld were where the correct process was not followed in relation to the referral of excess teachers and applications from teachers with compassionate transfer status.

Public sector

There were 84 grievances received from public servants and SSOs in 2005–06 compared with 80 for the previous year. These comprise 71 from SSOs and 13 from public servants. SSOs lodged nine selection grievances, the same number as in the previous year, and 62 personal grievances which is a dramatic increase compared with 27 grievances lodged last year. Most of these grievances may be accounted for as a consequence of the opportunity for re-classification without advertisement arising from the Victorian Government Schools – School Services Officers Agreement 2004, and the number of SSOs seeking range reviews. Public servants lodged three promotion and 10 personal grievances which is the same number and type of grievances as received last year. Thirty-nine of the 84 grievances were heard and 17 (43 per cent) were upheld.

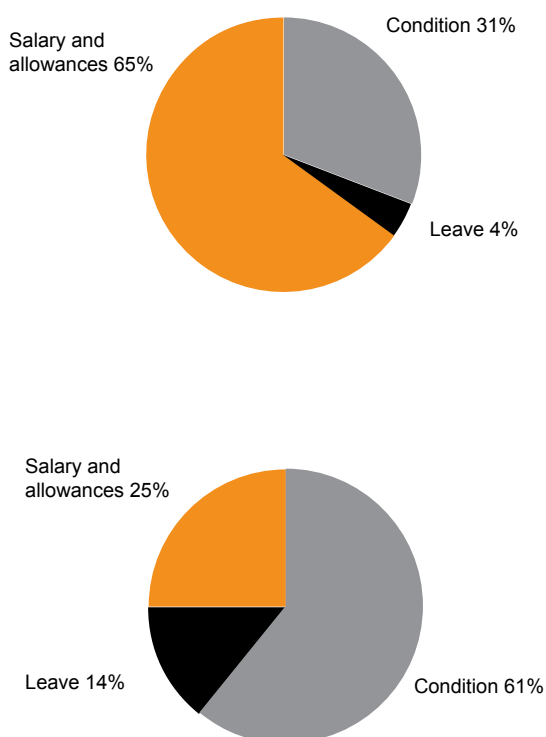
Teaching service – appeals and grievances, 2005–06

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	23	18	4	3	3	4	5	2	–	1	11	8	–	–	41
Incapacitated officer	–	1	–	–	–	–	–	–	–	1	–	–	–	–	1
Personal	52	69	6	17	13	7	15	20	4	9	12	6	2	10	121
Total	75	88	10	20	16	11	20	22	4	11	23	14	2	10	163

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	
SSO staff															
Promotion	3	6	–	3	2	–	–	–	–	2	1	1	–	–	9
Discipline	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Personal	9	53	2	10	–	16	5	6	1	6	1	8	1	6	62
Total SSO	12	59	2	13	2	16	5	6	1	8	2	9	1	6	71
VPS staff															
Promotion	1	2	–	–	1	1	–	–	–	–	–	1	–	–	3
Discipline	–	–	–	–	–	–	–	–	–	–	–	–	–	–	–
Personal	3	7	1	1	–	2	–	2	–	–	1	–	1	2	10
Total VPS	4	9	1	1	1	3	–	2	–	–	1	1	1	2	13
Total VPS and SSO	16	68	3	14	3	19	5	8	1	8	3	10	2	8	84

Comparison of personal grievances in the public sector 2004–05 and 2005–06



Merit Protection accreditation

The Department requires all panels to include a merit-accredited employee as a member of a selection panel. To facilitate this requirement the Merit Protection Boards continue to provide training in the principles of merit and equity for principal class officers, teachers, SSOs and members of the public service. This year the Board has run 22 seminars in which 1063 employees have been trained including 55 who needed to be upgraded or sought to enhance their existing knowledge and understanding of the principals of merit and equity. Since the inception of these training programs, 27,257 employees have been trained.

Principal class officers

Over the last 12 months 104 members of the principal class have been accredited in seminars conducted by the Boards in metropolitan and country centres. Accredited principal class officers are available to serve on principal class officer selection panels. Since the inception of training programs, 3255 members of the principal class have been trained.

Teachers

This year 749 members of the teacher class have been accredited in merit protection in seminars conducted by the Boards in metropolitan and country centres. Of these, 36 teachers have

Number of employees trained July 2005 – June 2006 by region (includes reaccreditation)

Region	Teachers	Principal class	SSO	VPS	Total
Barwon South Western				57	57
Central – Corporate	144	26	11	2	183
Grampians	41	1	2		44
Eastern	23	1	6		30
Gippsland	64	24	9	3	100
Hume	47	16	9	4	76
Loddon Mallee	158	5	35	16	214
Northern	148	16	20		184
Southern	123	15	32	4	174
Western	748	104	124	87	1,063
Total	786	99	169	173	1,227

been reaccredited. The total number of members of the teacher class accredited since the inception of these programs is 19,943. 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 the reporting period, 124 SSOs and 87 VPS employees have been accredited. The total number of SSOs and VPS employees trained to date is 4059. Accredited SSOs and VPS employees are available to assist on panels in decision making concerning selection.

Disciplinary Appeals Boards

The 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 function of the Disciplinary Appeals Boards is to hear and determine appeals in relation to decisions of the Secretary made under section 67 of the *Teaching Service Act 1981*.

The Senior Chairperson of the Disciplinary Appeals Boards is Mr Ian Adams.

Members were appointed in May 2005 for an initial five-year period after advertisement calling for expressions of interest. Members are called upon on a sessional basis.

The following chairpersons, who are lawyers of at least five years standing nominated by the Secretary of the Department, were appointed under sections 75D(2)(a) and 75E of the *Teaching Service Act 1981*.

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

The following Minister's nominees, who are officers in the teaching service, were appointed under sections 75D(2)(b) and 75E of the *Teaching Service Act 1981*.

Ross Adamson
Moira Findlay
David Finnerty
Wayne Hill
Angeliki Kavourni
Denise Leggett
Brian O'Dea
Mary-Anne Pontikis
Paul Rose
Steven Silestean
Anne Longmire (resigned October 2005)

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*.

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

Other statutory authorities and bodies

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 12 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>
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.acfevr.vic.edu.au>
Grampians Regional Council of ACFE	Level 1, 1220 Sturt Street, Ballarat Victoria 3350	(03) 5332 3989 <www.acfevr.vic.edu.au>
Hume Regional Council of ACFE	13 Lowry Place, Benalla Victoria 3672	(03) 5762 4655 <www.acfehume.net>
Loddon 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>
Southern Metropolitan Western Port Regional Council of ACFE	133 Nepean Highway, Seaford Victoria 3198	(03) 9786 9466 <http://home.vicnet.net.au/~swpacfe/index.htm>
Western Metropolitan Regional Council of ACFE	29 Cobden Street, North Melbourne Victoria 3051	(03) 9326 7647 <www.acfecwm.vic.edu.au>

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>

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 Council	Corner Nicholson and Buckley Streets, Footscray Victoria 3011	(03) 9688 4000 <www.vu.edu.au>

Other bodies: Industry training boards

Board	Address	Phone and website
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.verve.org.au>
Electrotechnology, Printing, Information and Communications Training Board	29 Drummond Street, Carlton Victoria 3053	(03) 9654 1299 <www.epicitb.com>
Engineering Skills Training Board ¹	1378A Toorak Road, Burwood Victoria 3125	(03) 9889 0966 <www.mesab.com.au>
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 ²	1 Grattan Street, Carlton South Victoria 3053	(03) 9348 1640 <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 ¹	1378A Toorak Road, Burwood Victoria 3125	(03) 9889 0233 <www.mesab.com.au>
Service Skills Victoria	Level 5, 315 Flinders Lane, Melbourne Victoria 3000	(03) 9621 1777 <www.serviceskillsvictoria.org.au>
Transport and Distribution Industry Training Board	Level 3, 33 Walsh Street, West Melbourne Victoria 3003	(03) 9326 7211 <www.careersintransport.org>

¹ The Engineering Skills Training Board and the Process Manufacturing Industry Training Board are undergoing a merger to become the Manufacturing and Engineering Skills Advisory Body Victoria.

² The Furnishing Industry Training Board was not offered a funding agreement in 2006.

APPENDIX 6

Whole-of-government reporting on target groups

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

- In 2005, 237 full-time equivalent multicultural education aide positions were funded across 243 schools.
- In 2005, the Languages and Multicultural Education Resource Centre library supported 4500 registered teachers to borrow over 21,000 items promoting linguistic and cultural diversity in teaching and learning.

- Transition coordinators were provided to all English language schools and centres to assist students with their transition from intensive ESL programs into mainstream schools.
- \$825,000 was provided for interpreting and translation services to enable parents and guardians who do not speak English to access information in government schools.

Performance measures

The Department's key performance measures on cultural diversity relate to the provision of both intensive ESL support for new-arrival students in regular schools and ESL support for eligible students in regular schools.

- In 2005, 2265 new-arrival primary and secondary school students received intensive ESL support.
- In 2005, 91.1 per cent of eligible primary students in regular schools received ESL support, and 89.3 per cent of eligible secondary students in regular schools received ESL support.

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 growing number of partnerships between TAFE institutes, industry and VET in schools programs have increased employment and training opportunities for women in non-traditional and emerging industries.
- The Department extended family friendly work practices to provide a carers' room for central office employees with caring responsibilities.

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 87.9 per cent in August 2005 compared with 81.6 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.
- Women represented 47.4 per cent of the total 483,959 persons participating in vocational education and training in Victoria in 2005.

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 page 14. Further information on achievements relating to youth are contained in pages 31–49.

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 2005–06.

- Four Victorian Colleges of Koorie Education campuses offered culturally inclusive curriculum for P–12 students improving educational outcomes for Koorie students across Victoria.
- 16 Koorie Education Development Officers, 56 Koorie Educators and eight Koorie Home School Liaison Officers continued to support Koorie students. As a result literacy and numeracy levels amongst Koorie students rose, as did retention rates for Koorie students in Years 10–12.

- Increased funding for vocational education and training providers further supported Koorie participation. As a result 4469 Koorie students were enrolled in vocational educational training courses in 2005.

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 2005, there were 6938.4 FTE Indigenous students enrolled in government schools in Victoria, representing 1.3 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. In 2005–06, the Department has continued to improve its data collection and reporting procedures.

Rates per employee are based on 1026.4 FTE at end June 2006 in the central office of the Department.

Aspect	Annual quantitative measures
Energy use	<ul style="list-style-type: none"> • 4778 gigajoules total energy usage¹ • 4665 megajoules used per employee • 252.75 megajoules used per m² of office space • 1916.45 tonnes CO₂ equivalent (total greenhouse gas emissions) • 10.5 per cent electricity was purchased as green power costing \$6402
Waste production	<ul style="list-style-type: none"> • 147.39 kilograms waste produced per employee • 110,628 kilograms of waste is recycled
Paper use	<ul style="list-style-type: none"> • 28 reams of paper used per employee • 28,681 reams of paper used
Water consumption	<ul style="list-style-type: none"> • 13,042 litres of water consumed per employee • 13,386,609 litres of water total
Transportation	<ul style="list-style-type: none"> • 7460 gigajoules total passenger vehicle² fuel consumption • 7.27 gigajoules per employee passenger vehicle fuel consumption • 555 tonnes total CO₂ equivalent emissions from passenger vehicle use • 0.54 tonnes per employee CO₂ equivalent emissions from passenger vehicle use • 2,112,024 kilometres total passenger vehicle trips associated with central office operations • 2058 kilometres per employee passenger vehicle trips associated with central office operations • 83 per cent of employees regularly use public transport, cycle, or walk to and from work
Purchasing	The Department promotes the Environmental Purchasing policy of the Victorian Government Purchasing Board on the Department website.

¹Total energy use – electricity only. Gas was included in the 2004–05 annual report, resulting in double reporting as Department of Treasury and Finance reports gas usage for the Department's Treasury Reserve buildings.

²Passenger vehicle data is based on central office use of VicFleet and the Department's central office operation and executive fleet vehicles.

Outcomes for 2005–06

Energy use

There was a decrease in electricity consumption of 7.5 per cent this year, contributing towards the Department's achievement for the Government's 15 per cent energy reduction target. The percentage of electricity purchased as green power meets the Government's green power target.

Waste production

The Department's targets of a 10 per cent reduction in total waste generated per full-time employee and a 60 per cent diversion of waste from landfill have been achieved.

Paper use

The target of a 5 per cent reduction in consumption of paper per full-time employee was met.

Water consumption

No target was set due to unreliability of data.

Transportation

The increase in business travel was due to delivery of a training program to implement changes to the financial management system in schools. This is not an annual requirement.

Fifty per cent of the Department's operational fleet are LPG vehicles, which has resulted in a 16 per cent reduction in greenhouse gas emissions per kilometre travelled.

Some executives have expressed interest in smaller and more environmentally friendly options but the current Government purchasing restrictions are constraining.

The Department provides teleconferencing facilities and promotes their use.

Central office staff commuting to and from work who regularly use public transport, cycle, or walk to and from work continue to exceed the Government target of 75 per cent.

Purchasing

The Department continues to identify opportunities to incorporate environmental performance requirements in its procurement arrangements.

APPENDIX 8

Freedom of Information

During 2005–06, 175 requests were received for documents under the *Freedom of Information Act 1982* (the Act). Full access was granted for 46 requests and partial access for a further 73. Access was denied for 9 requests and documents could not be located or did not exist for 20 requests. Five requests were withdrawn. 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).

Fifteen applicants sought an internal review. The original decisions of 12 were fully upheld while three original decisions were varied. There were 11 appeals to the Victorian Civil and Administrative Tribunal for review of decisions made under the Act. Two were withdrawn before hearings were scheduled. The Tribunal granted partial access in one appeal and upheld the original decision in two instances. Six were yet to be determined by the Tribunal as at 30 June 2006.

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 154).

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>.

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

An application fee 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. Details of the fee and access charges can be found at <www.foi.vic.gov.au>.

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

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 164.

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"> Regional Director 	Complaints, Unsatisfactory Performance and Serious Misconduct <ul style="list-style-type: none"> Principal Class Handbook Teacher Class Handbook SSO Handbook
Workplace conflict or grievance	Principal or Manager	<ul style="list-style-type: none"> the Department of Education & Training's Conduct and Ethics Unit Merit Protection Boards 	Complaints, Unsatisfactory Performance and Serious Misconduct <ul style="list-style-type: none"> Principal Class Handbook Teacher Class Handbook SSO Handbook Personal Grievances Employment Conditions Guidelines for VPS Staff
Equal Opportunity concern	Principal or Manager	<ul style="list-style-type: none"> the Department of Education & Training's Conduct and Ethics Unit the Department of Education & Training's Diversity and Equity Unit Merit Protection Boards Equal Opportunity Commission 	Merit and Equity Policy
Occupational Health and Safety issue	Principal or Manager	<ul style="list-style-type: none"> Workplace OHS representative 	OHS Guidelines
Ethical or other misconduct concern	Principal or Manager	<ul style="list-style-type: none"> the Department of Education & Training's Conduct and Ethics Unit Office of Public Employment 	VPS Code of Conduct
Complaints regarding administrative action by government bodies	The public body concerned	<ul style="list-style-type: none"> The Ombudsman 	<i>Ombudsman Act 1973</i>
Improper conduct or detrimental conduct	DE&T Protected Disclosure Officer	<ul style="list-style-type: none"> the Department of Education & Training's Protected Disclosure Coordinator The Ombudsman 	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.

The Department 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
Email: ombudvic@ombudsman.vic.gov.au
Telephone: (03) 9613 6222
Freecall: 1800 806 314

APPENDIX 10

Portfolio responsibilities

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.

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 (Victoria College) Act 1991

Deakin University (Warrnambool) Act 1990

Deakin University Act 1974

Education (Special Developmental Schools) Act 1976

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.

Educational Grants Act 1973

La Trobe University (Bendigo and Wodonga) Act 1990

La Trobe University Act 1964

Marcus Oldham College Act 1995

Melbourne College of Advanced Education (Amalgamation) Act 1988

Melbourne College of Divinity Act 1910

Melbourne University (Hawthorn) Act 1991

Melbourne University (VCAH) Act 1992

Melbourne University (VCAH) Act 1997

Melbourne University Act 1958

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:

- Division 3 Part IV
- Division 2 Part V
- 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 Division 3 of Part IV 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 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 (Amendment) Act 1994

Vocational Education and Training Act 1990

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:

- Division 3 Part IV
- Division 2 Part V
- 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 Division 3 of Part IV and section 78(2)(e) (which are jointly 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 2005-06	Future commitments as at 30 June 2006
Schneider Australia Consulting	The increasing demographic diversity of modern democracies, changes in the global economic profile, changes in the nature of demand in the labour market and increasing demands on schools to respond to these and other societal directions are placing significant pressure on schools and school systems to change more rapidly and in directions about which there is no clear agreement. The project will address these issues and develop a vision across the government school system of what school education might look like in 2015. The project will examine national and international trends in school education to inform future arrangements for Victorian schools.	\$311,355	\$0
The Allen Consulting Group Pty Ltd	To engage a consultant to develop a set of policy options on reform of the national VET system.	\$0	\$287,572
Total		\$311,355	\$287,572

Consultancies less than \$100,000

Number engaged	13
Total cost	\$802,860

Disclosure of major contracts

The Department has disclosed all contracts greater than \$10 million in value that it entered into in 2005–06. The disclosed contracts can be viewed on <www.tenders.vic.gov.au>.

Compliance with the Victorian Industry Participation policy

During 2005–06, the Department commenced 22 contracts to which the Victorian Industry Participation policy applied, totalling \$99,108,200 in value. The contracts included eight metropolitan contracts totalling \$43,450,000, 13 regional contracts totalling \$38,058,200, and one state-wide contract totalling \$17,600,000.

The commitments under the policy included:

- an average level of local content of 78 per cent of the total value of the contracts
- 408 FTE jobs
- benefits to the Victorian economy through development and implementation of technology in schools, professional development for staff, and skills development through work on infrastructure projects and participation in related training in various trade areas and OHS.

The Department completed 21 contracts to which the Victorian Industry Participation policy applied, totalling \$37,900,000 in value. The contracts included seven metropolitan contracts totalling \$21,300,000 and 14 regional contracts totalling \$16,600,000.

The outcomes reported under the policy included:

- an average level of local content of 89 per cent of the total value of the contracts
- 296 FTE jobs
- benefits to the Victorian economy through development of new technologies, technical training, new construction techniques and OHS through construction industry training and apprenticeships.

APPENDIX 12

Other statutory requirements and Department policies

Building Act 1993

The Department conforms with the requirements of the *Building Act 1993* (the Act) 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 2005–06.

Competitive neutrality

The Department was not involved in any complaints for the year 2005–06.

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

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. piance with statutory disclosure requirements.

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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

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)
DIMIA	Department of Immigration and Multicultural Affairs
ESL	English as a second language
FTE	Full-time equivalent
ICT	Information and communications technology
LLEN(s)	Local Learning and Employment Network(s)
LOTE	Languages other than English
MCEETYA	Ministerial Council on Education, Employment, Training and Youth Affairs
MIPs	Managed Individual Pathways
OHS	Occupational health and safety
RMIT	Royal Melbourne Institute of Technology
SSO	School services officer
U3A	University of the Third Age
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
VRQA	Victorian Registration and Qualifications Authority

