



SCHOOL-BASED CONSULTATION PROTOCOL

Consultation Principles

In a recent decision in the Australian Industrial Relations Commission this concept was expressed in the following terms:

"Consultation is not perfunctory advice on what is about to happen. This is a common misconception. Consultation is providing the individual, or other relevant persons, with a bona fide opportunity to influence the decision maker. Consultation is not joint decision-making or even a negative or frustrating barrier to the prerogative of management to make decisions. Consultation allows the decision making process to be informed, particularly as it may effect the employment prospects of individuals." (PR91125 7)

"Effective consultation ensures that those being consulted are sufficiently informed in order to provide informed views/feedback. On this basis principals should provide information to their staff, using agreed consultative arrangements relevant to workforce planning decisions in the school. This could include the broad parameters in which planning decisions have been taken. Such information could include school charter goals and priorities, the objectives of the *Victorian Government School Agreement, 2001*, high level school global budget data, anticipated enrolments and staff movements."

Michael White Director, Office of School Education. Circular 398, 2001.

School-Based Consultation

1. The aim of this agreement is to establish workplace consultative arrangements that ensure the principal's responsibility to make school-based decisions is carried out in a framework that enables staff to have input into the decisions that affect their working life.
2. The parties acknowledge that staff morale and employee job satisfaction is enhanced where the views of all employees are taken into account before decisions are made and where these decisions are consistent with the collective aspirations of staff.
3. Principals must put in place formal staff consultation structures, agreed at the school level, to ensure consultation with staff when undertaking any process of planning for improvement, including the development of workforce plans or the planning and organization of the program of the program of instruction in the school or the composition of selection and other panels. These arrangements must ensure that school staff have the choice and the opportunity to be involved in the consultation process in the school. The consultative arrangements must allow for the direct input of the union sub-branch, if one exists at the school level.
4. The parties recognise that the principal has ultimate administrative and operational responsibility for decisions at the school level, provided that these decisions are made in accordance with the principles outlined above. Where the principal makes a decision that the union sub-branch does not support, the sub-branch can request that the principal provide reasons for his or her decision.
5. Where the union sub-branch does not agree with the principal's decision, the sub-branch may refer the matter to the union who may refer the matter for resolution as outlined below.
6. The parties agree that one nominee of the Department and one nominee of the president of the union shall investigate the matter by the sub-branch and determine a resolution which shall be binding on all parties at the school level.

The matter shall be determined within ten working days of receiving a reference from the union.

7. Where the matter cannot be resolved, the matter may be referred by either party to the Australian Industrial Relations Commission in accordance with the dispute resolution procedures of the applicable federal award.

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