

DETERMINATION UNDER TEACHING SERVICE ACT 1980

DETERMINATION NO. 1 OF 2005

PRINCIPAL APPOINTMENT REVIEW PROCEDURES

I, Andrew Cappie-Wood, Director-General of Education and Training, make the following determination pursuant to section 13 of the *Teaching Service Act 1980*.

Coverage

1. The Determination shall apply to all persons who are employed as principals of government schools.

Interpretation

2. The purpose of this Determination is:
 - (a) to introduce, as an additional condition of employment for principals, a formal review of appointment to a school to be conducted after five years of service at a particular school, and again after each subsequent period of five years in the position at that school;
 - (b) to establish a mechanism for the conduct of appointment reviews for principals;
 - (c) to give effect to a new policy framework designed to enhance educational outcomes of students through increased opportunities to match the skills of the Department's principals to the needs of schools and their communities;
 - (d) to give effect to a process whereby following the five yearly appointment review principals will be transferred to a new school or retained at their current school.
3. The Determination shall have effect subject to the provisions of the *Teaching Service Act 1980*. Terms used in this Determination shall have the same meaning as in the *Teaching Service Act 1980*. Nothing in this Determination shall be taken as limiting any power of the Director-General conferred by the *Teaching Service Act 1980*, the *Public Sector Employment and Management Act 2002* or any other legislation.

4. "Review Date" in relation to a principal's appointment at a particular school shall mean the fifth anniversary of the date of entry on duty as principal at that school, and each subsequent five year anniversary while the principal remains as principal at that school.
5. A person who holds an appointment as principal as at the date of effect of this Determination shall be deemed to have been appointed to that position on 1 January 2005 and the first review date for such a person shall be 1 January 2010.

Procedures

6. A principal's appointment to a school will be reviewed every five years. Where performance concerns are identified during the five year period the Performance Improvement Program for Principals will be applied.
7. Not less than six months prior to a principal's review date, an appointment review will commence to assess whether the principal's skills and abilities could be better utilised at a different school or at the current school.
8. The appointment review will consider the stage of development of the principal's current school, the skills and abilities necessary to drive continuous improvement, parent/caregiver, student and staff feedback, the principal's performance since appointment in the major areas of accountability as detailed in the Principal Assessment and Review Schedule and any submission by the principal to the Appointment Review Panel.
9. The outcome of the appointment review will be one of the following actions:
 - transfer to a different school within reasonable distance (unless agreed otherwise) at the same classification level; or
 - retention at the school; or
 - where performance difficulties are identified, commencement of a performance improvement program.
10. Where the outcome of the appointment review is a transfer to a different school, the transfer will (unless agreed otherwise by the principal, School Education Director and Regional Director) be from one school in the Sydney Metropolitan Area to another school in the Sydney Metropolitan Area, or otherwise to a school within a reasonable distance, in general not more than one hour's travelling time. Where a transfer to a school within a reasonable distance is not practicable or otherwise not in the interests of the Teaching Service, then the principal may be transferred consistent with the Director-General's powers to transfer staff.
11. The provisions of the Transferred Officers Compensation Determination dated 30 May 2001 shall, subject to any conditions set out therein, apply to a principal who is transferred after an appointment review.


Appointment Review Panel

12. An Appointment Review Panel will be established to consider the criteria set out in paragraph 8 of this Determination.
13. An Appointment Review Panel shall comprise the same membership as the merit selection panel for Principals as detailed in the Department's procedures for merit selection.
14. On completion of its review, the Appointment Review Panel will prepare a report covering the matters identified at paragraph 8 for the relevant Regional Director who will determine the appropriate course of action in terms of paragraph 9, following consultation with the School Education Director and the Principal.
15. The appointment review process shall not affect a principal's eligibility to apply for a promotion or transfer to another position in accordance with the Department's staffing policies.

Date of Effect

16. This Determination shall take effect from the date of signature and shall remain in force until rescinded or varied.

Signed: _____


Andrew Cappie-Wood
Director-General of Education and Training

Date: _____

24.2.05