

NSW Secondary Principals' Council Staffing Position Paper November 2022

Preamble

The NSW SPC is fully committed to maintaining the benefits of a single state-wide system of employment practices, awards and conditions and ensuring that the teaching service provides permanent employment opportunities for teachers.

The NSW SPC recognises that public secondary schools, central schools and other schools with secondary enrolments operate in the context of the government meeting its obligation to provide education for every student up to the age of 17. It is the responsibility of the Department of Education to ensure that every public school is fully staffed with appropriately qualified teachers who are accredited against the Australian Professional Standards for Teachers (NESA).

It is imperative in a state-wide staffing operation that schools are staffed effectively and efficiently to meet the needs of students. It is essential that teacher positions remain permanent and that the teaching service is not casualised, either intentionally or unintentionally. The NSW SPC supports principals in having greater opportunity and more flexibility in the allocation of staffing resources within schools, including determining the mix of permanent and temporary staff to best meet the needs of their students.

This position paper has been informed by the following DoE documents:

- The School Success Model
- Staffing Agreement 2021-2023
- NSW Teacher Supply Strategy 2021-2031
- A Review of Rural and Remote Incentives in NSW Public Schools (September 2021)

We continue to await the outcomes from the Staffing Methodology Review being undertaken by the NSW Department of Education and the Australian Government's Quality Initial Teacher Education Review which is due to be published in 2022.

1. Teacher Shortages

The NSW SPC is deeply concerned about the current shortage of qualified teachers and the looming gap, between the supply and demand for teachers, that will increase over the next ten years.

Factors that have exacerbated this trend include a rapidly increasing number of student enrolments in schools (an approx. 1% annual increase across the system); increasing rates of teacher retirements and attrition (approximately 2.2% per annum for secondary schools); high vacancy rates for qualified teachers in specific subject areas including mathematics, science, school counselling, special education, and TAS; and dramatically declining enrolments in teaching degrees across NSW universities (a decrease of 29% over 5 years).

The impacts of teaching shortages, and concurrent reductions in curriculum offerings in schools, are not limited to the education sphere. There will be broader social and economic implications for Australian society where shortages in trades, hospitality, engineering, medical and scientific services and other related fields will be exacerbated by teacher shortages within the education system.

It is important to note that knowledge of this staffing shortage is neither new nor unanticipated. The SPC has been calling for action in the face of teacher shortages, particularly in rural and remote

schools, for many years. Whilst the SPC welcomes the efforts of the Department of Education in developing the

NSW Teacher Supply Strategy 2021-2031 and the review of the Rural and Remote Incentives, there are deep reservations that the currently planned strategies will be insufficient to bridge this growing gap.

NSW SPC Recommendations

- 1.1 It is the SPC's position that immediate and impactful action must be taken on current teaching shortages. Whilst acknowledging the complexity of this task, the consequences of falling short are potentially dramatic for students, schools and the broader public education system. It is the belief of the SPC that the pay and working conditions of teachers must be commensurate with those of other professions, which require equal levels of skill and qualifications, in order to attract high-quality candidates into the profession.
- 1.2 It is the position of the SPC that the pay progressions for teachers must increase so as to provide incentives for qualified and experienced staff to continue in the teaching profession. It is noted that starting salaries for teachers are typically commensurate with those of other professions requiring similar skills, training and qualifications but that increases in pay based on years of service fall far short of other professions and end at what is ultimately an 'uncompetitive' rate.
- 1.3 It is the SPC's position that staffing entitlements should more accurately reflect the increasing workloads of teachers and school executives. Additional resources, either fiscal or human, must be provided to schools to help mitigate the growing administrative burden placed on teachers and school executives. These resources must also accompany any additional administrative or support time needed to meet the needs of new staff employed as part of the Teacher Supply Strategy 2021-2031. They should also include the allocation of additional salaries for staff fulfilling the plethora of roles and responsibilities that exist within schools including, but not limited to, NAPLAN coordination, Check-In Assessments, Tell Them for Me coordination, VET coordination, Duke of Edinburgh program management, etc.
- 1.4 It is the SPC's position that staffing systems and structures within the Department of Education need to work more efficiently and effectively (particularly during periods of increased workload ie. Term 4) to ensure that schools are adequately staffed throughout the school year. Furthermore, the Department of Education should adopt all measures necessary to ensure that pathways for final year university students into the school workforce are expedited.
- 1.5 It is the SPC's position that the Department of Education should embrace opportunities for additional flexibility in converting high-performing temporary staff to permanent positions, particularly in "hard-to-staff" and remote schools.

The NSW SPC is committed to working in partnership with the Department of Education to identify and support the timely and efficient placement of high-quality teachers, with the right subject qualifications, in our schools. It is the SPC's position that these recommendations will help meet this growing need.

2. School Staffing and the SBAR

The NSW SPC recognises the difficulty inherent in providing an equitable and effective staffing process for the plethora of schools that fall under the umbrella of the NSW Department of Education, however, this does not ameliorate the need to review and reflect on the inequities and misalignments that exist within the system. Toward that end, the SPC has a number of recommendations that reflect issues within the school staffing system and its formulas and the School Budget Allocation Report (SBAR).

NSW SPC Recommendations

- 2.1 The NSW SPC seeks a review of the School Workforce team structure to ensure that SW Officers have a small group of schools with which they work, and therefore a keener understanding of the challenges and complexities they face in staffing said schools.

- 2.2 The NSW SPC supports the maintenance of centrally managed permanent and temporary staffing, leave and HR budgets.
- 2.3 The SPC demands that the SBAR be guaranteed to cover the entitlement costs over which the school has no control.
- 2.4 The NSW SPC supports the retention of staffing formulas which specify the entitlement of classroom teacher and executive positions, as a minimum guarantee of curriculum executive leadership and student welfare.
- 2.5 The SPC recommends that Learning and Support move from the SBAR and be placed only on the entitlement report, but the concurrent decline in a school's budget allocation must not impact upon their Principal classification.
- 2.6 The NSW SPC requires that student enrolments in the senior school be resourced to support the delivery of curriculum to accommodate the minimum School Leaving Age, which should accommodate NESA developed courses, NESA endorsed courses AND programs developed by schools and teachers to best meet the needs of their students. Schools should be staffed according to the programs that the school delivers up to a maximum of 12 units or equivalent hours (Year 11) and 10 units or equivalent hours (Year 12). Where students are completing a full pattern of study at a school, the school should not be deducted staffing if the student is also studying eVET courses external to the school. Furthermore, schools should not have staffing deducted through the full-time/part-time calculation or the TAFE/eVET and other units calculation where the students are undertaking a full-time pattern of study at school.
- 2.7 The SPC believes that the following formula should be extended to all high schools: Classes from Years 7-10 are generally based on the need not to exceed 30 students. The General Scale entitlement for Years 11 and 12 should be extended to Years 10–12 to enable high schools to better meet the needs of students in the now compulsory senior years. However, the NSW SPC is not seeking a reduction in class size in Year 10, but is seeking the option for schools to use the resource to reduce class sizes, create transition programs, offer additional electives and create pathways solutions for students.
- 2.8 The NSW SPC recommends that schools be allocated additional concessional allowances equivalent to 0.1 for each VET framework delivered by a teacher. This is in recognition of the additional workload and accountability requirements, including the requirement to maintain industry currency, specific to eVET.
- 2.9 The NSW SPC supports a review of staffing provisions applying to Education Training Units, Intensive English Centres, Hospital Schools and Schools for Specific Purposes. The NSW SPC acknowledges the particular requirements of these specialised and unique settings require flexible staffing arrangements and recommends that, where such schools have a secondary enrolment component, they should be staffed in a manner similar to Central Schools.
- 2.10 The SPC believes that every high school (or secondary campus) with an enrolment of over 250 students and every central school should have a Business Manager position established at clerk grade 7/8, in addition to their School Administrative Manager, as part of their entitlement. Secondary schools with an enrolment below 250 students should receive a pro-rata entitlement.

3. Staffing Procedures

The NSW SPC supports increasing flexibility in the allocation of staffing resources within schools, including determining the mix of permanent and temporary staff to better meet the needs of schools and their students. As part of the staffing procedures, the SPC acknowledges the need for priority transfers (including incentive, immediate/urgent, and affirmative Aboriginal employment) but seeks greater flexibility in the appointment process. Furthermore, the NSW SPC supports the current practice of enabling every second teacher vacancy in a school to be filled through local selection procedures, however, when considering these vacancies, we contend that teachers' appointments should be separate from executive and principal

positions.

NSW SPC Recommendations

- 3.1 The SPC recommends that when Human Resources are unable to fill a central appointment and the position defaults to being filled by local choice it should still be counted as a central appointment in the accrual of 'local vs central appointments' (50/50) methodology.
- 3.2 The SPC supports the Department of Education's current practice of enabling the local selection of staff for the first three years when establishing a new school. Where the new school is the result of the amalgamation or closure of schools, then staff impacted by the change at those schools will transfer to the identified school as part of its establishment. After a period of three years the school will be staffed by the agreed state-wide practice at that time.
- 3.3 The NSW SPC recommends that selective high schools (whether academic, sporting, creative or agricultural) should be able to advertise for classroom teacher positions which include specific areas of expertise. For example, Creative and Performing Arts High Schools should be able to advertise for classroom teacher positions with expertise in circus, dance and film.
- 3.4 The SPC recommends an annual review of staffing codes and demands that systemic changes in curriculum and/or syllabus must automatically trigger a review of teaching codes. This review should be conducted by a task force comprising DoE, SPC, PPA (where relevant) and NSWTF.
- 3.5 The SPC strongly supports the retention of permanent positions but recognises that temporary teachers may be appointed to up to 10% of the school's permanent staffing entitlement against an unfilled vacancy in the following circumstances:
 - 3.5.1. Where there is evidence of fluctuating enrolments within the next staffing operation and the filling of a vacancy with a permanent appointment is likely to result in a nominated transfer;
 - 3.5.2. Where the permanent position is a fractional FTE;
 - 3.5.3. In order to meet the specific curriculum requirements of the school or to support the implementation of a specific short-term program.

The appointment, at principal discretion, of long-term temporary teachers to a full-time permanent position should be enabled where such appointments are based on the needs of students and schools and where the temporary teacher has been employed against a vacant position. The process for a principal to have the option to convert a temporary teacher to a permanent position should be a straightforward process, where the temporary teacher was initially engaged by the school following a merit selection process and has given a minimum of 12 months in their current position.

- 3.6 The NSW SPC supports the processes as outlined in the Merit Selection Process 2016 with the following provisos:
 - 3.6.1. There is no need to have a Director Representative on each executive panel and this should be abolished.
 - 3.6.2. The staff representative(s) of the school should continue to be elected by an annual meeting of teaching staff. Each school may choose whether to have a pool of staff from which to select or one elected representative or they may elect a new person for each vacancy.
 - 3.6.3 The principal representative must be chosen from a current list provided by the NSW SPC for principal selection panels and must have at least three years experience.
 - 3.6.4 There should be no distinction in principal classification between the status of secondary principals

on a panel to select a principal.

3.6.5 The option of having an additional member of the panel from outside the school should be available to the principal at their discretion, where expertise is not available on the panel. This additional person should be at the same or higher level than the position advertised. While the option of having an additional member of the panel is outlined in the Merit Selection process 2016, it is currently only for specific needs requiring central approval rather than at the principal's discretion.

4. Executive Staffing and Workloads

The NSW SPC continues to support local selection for all executive positions within a state-wide staffing system, after priority appointments have been made. It is essential that school executive positions and workloads reflect the growing complexity of administering and managing secondary schools and the increasing administrative burden placed on executive staff.

NSW SPC Recommendations

- 4.1 The NSW SPC insists that every NSW public school with secondary enrolments should be entitled to a Deputy Principal.
- 4.2 The SPC contends that the mix of curriculum and education support positions within a school executive should be determined by the principal and based on school needs.
- 4.3 The NSW SPC supports the retention of a formula (based on teacher numbers) for the allocation of Head Teachers, with the proviso that principals, after consultation with the school community can reorganise the executive mix to best meet the needs of the school.
- 4.4 Where vacancies occur in schools for Head Teachers of TAS, CAPA, HSIE, Social Sciences, Science and languages, schools can elect to nominate one essential subject code in the process of filling these vacancies in order to meet specific school curriculum needs and avoid potential nominated transfers (excess staffing).
- 4.5 The NSW SPC supports the current Department of Education practice which recognises that anyone accepting an executive appointment after the commencement of Term 1, either through central appointment or merit selection, will enter on duty at the beginning of the following term, provided a suitable replacement can be found. The appointment date should be negotiated between the current principal and new principal, or Directors Educational Leadership in the case of principal appointments. If a suitable replacement cannot be found, the appointment becomes effective at the beginning of the next school year or at a time mutually acceptable after negotiations have occurred.
- 4.6 In acknowledgement of the increasing complexity of Head Teacher roles, the NSW SPC supports the increase of concessional allowances to 0.4 for Head Teachers.
- 4.7 The SPC is pleased to note the introduction of a Deputy Principal Inclusion and Support position in all secondary schools with seven or more support classes in 2022.
- 4.8 Consistent with the precedent established in the creation of the Deputy Principal Inclusion and Support, the NSW SPC insists that school's concessional allowances be increased for each Deputy Principal to a 1.0 allocation, with Deputy Principal's able to teach, at the discretion of the Principal, a maximum allocation of a 0.2 load if some of their responsibilities are reallocated.
- 4.9 The NSW SPC supports the following formula for central and secondary schools (exclusive of DP Inclusion and Support positions): fewer than 500 students – 1 DP, 500 students – 2 DPs, 1000 students – 3 DPs, 1500 students – 4 DPs.

- 4.10 The NSW SPC insists that no secondary Principal be remunerated at a rate lower than P3 and this should also apply to the Principals of central schools with secondary enrolments.
- 4.11 The SPC is concerned that the current process of transitioning a school to the Connected Communities Strategy, including the conversions of existing school principal and executive principal positions, needs to be performed respectfully and in a manner which is neither demoralising nor demeaning. Current practice involves incumbent Principals, when they are unsuccessful in applying for the Executive Principal position, remaining in their school until such time as a new appointment as a nominated transfer can be found. Instead the SPC asks that:
- 4.11.1 the transition to an Executive Principal's position occur when next the position becomes vacant; or
- 4.11.2 with the agreement of the Principal, the Principal position be reclassified as an Executive Principal position and proceed to advertisement. Should the incumbent Principal not be successful for the position, they should be granted an incentive transfer irrespective of their period of service in the school;
- 4.11.3 the DoE should grant incentive transfer status to those Principals who choose not to continue in their current role regardless of their period of service in their school. If requested, this would also include placement in an above establishment position with the area they are seeking to be transferred until the transfer can occur.

5. Incentives

The development and inclusion of centrally supported and funded incentives is a proactive initiative to attract and retain quality staff. The current raft of incentive packages has not been adequate to attract and retain staff but forms a foundation upon which a more robust incentive program can be built. In light of current and future teacher shortages, we believe there must remain a state-wide, consistent model of structured incentives to attract and retain staff in harder to staff schools. The NSW SPC strongly supports this initiative for "hard to staff" and remote schools. This initiative should not only continue to be a priority but be strengthened and guaranteed. Continuing consideration needs to be given to strategies not only to attract but retain quality staff as per the *Review of Rural and Remote Incentives in NSW Public Schools* (September 2021) and of research into effective incentives for executive in rural and remote schools (Halsey, 2010).

NSW SPC Recommendations

- 5.1 The NSW SPC believes that there should be greater variety and flexibility in the application of rural and remote incentives so as to meet the needs of individual applicants and the broad variety of communities they are moving in to; for example, 'rental assistance' could translate to become 'mortgage assistance' in a community where there are no rentals available or a staff member instead sought to purchase a property to live in.
- 5.2 The NSW SPC recommends that rural and remote incentive packages for all positions for specific schools should be advertised when positions are available. These employee-specific packages should be systems-generated and activated within two weeks of the teacher's entry on duty and/or meeting service requirements for the position.
- 5.3 The SPC believes that eligible applicants for incentive transfers should be able to apply for those transfers in the term prior to meeting their service eligibility requirements and confirmed permanent in the new position upon completion of their required service.

6. Transfers

The SPC believes that transfers are an essential part of our state-wide staffing processes and support the capacity

of “hard to staff” schools in meeting their staffing requirements. There are, however, important caveats that must surround the transfer system to ensure equity and to support the complex needs of individuals and schools within a bureaucracy.

NSW SPC Recommendations

- 6.1 The NSW SPC strongly recommends a review of the current service transfer ‘point system’ to one which is nimbler in its response to the changing needs and conditions of schools and communities. Whilst the system must recognise geographic isolation it should also, for example, reference school complexity and staffing capacity in identifying the appropriate level of transfer points to apply.
- 6.2 In recognition of the costs created by excessive nominated transfers, the SPC recommends that any school whose enrolment has declined by 15 students or more for three consecutive years be given the option to appoint temporary teachers to any permanent vacancy until there has been two years growth in total enrolment. In the case where nominated transfers are necessary, Human Resources are responsible for finding them a position in the state-wide staffing system. If, after being offered a position and rejecting it, they then have a six month period to secure another position otherwise they are considered excess to the system.
- 6.3 Where classroom teachers and executive have exceptional and compelling circumstances requiring transfer from their current school the SPC supports the current process which involves the Section 51A application being submitted via the principal to the local Director Educational Leadership. The final decision rests with the Executive Director. Principals understand the confidentiality associated with immediate and urgent transfers, however there needs to be an adequate briefing by the case manager to the principal of the new school to ensure that, where it is needed, appropriate, coordinated support can be put in place.
- 6.4 The NSW SPC continues to support incentive transfers but seek that all priority transfers be matched to vacancies on no more than three (3) subject codes including extension courses such as mathematics, history and English. The extension Skills and Experience skills/codes are to be considered in the same manner as subject codes.
- 6.5 The NSW SPC supports the current practice within the Department of Education which ensures that teachers placed on a Teacher Improvement Program or an informal program of support are not eligible to apply for a new position on merit, for Leave Without Pay or transfers until the successful resolution of the program.
- 6.6 It is the SPC’s position that resumption from leave should not be considered a priority transfer ahead of service transfers. Teachers resuming duty after extended leave should be processed using the service transfer procedures or encouraged to apply for advertised positions. In the current agreement (Agreement Between the NSW Department of Education and The NSW Teachers Federation on the Staffing of NSW Public Schools 2016-2020) applicants for service transfer can be invited to interview for positions; the same procedures should be applied to resumption from leave.

7. Recruitment

As NSW Educational Standards Authority is now responsible for graduate accreditation, it is recommended that ongoing work be done to ensure that NSW Department of Education (as the largest employing authority) has influence in identifying suitable standards for employment in NSW public schools.

NSW SPC Recommendations

- 7.1 The NSW SPC advocates for increased rigour in the teacher recruitment process in order to ensure the suitability of applicants for teaching. Strategies for consideration include psychometric analysis and a review of practicum reports. The Targeted Graduate Program and Permanent Employment Programs are strongly supported by the NSW SPC. Internships are strongly supported by the NSW SPC as a proactive strategy to attract and retain quality teachers to remote and “hard to staff” schools.

7.2 The NSW SPC strongly advocates for the continuation and expansion of the Teacher Training Scholarship Program and the continuation of retraining programs. These high-quality programs have provided quality staffing for schools in NSW over a long period of time and with their alignment to the NSW professional standards, ensure that teachers appointed to secondary settings in NSW have to meet higher professional standards than in some other states. All graduates should be at NESA Graduate level. For subjects with practical focus they need to meet standards in the practical side of the discipline.