# Between

The **Northern Territory Department of Education**

and

**School Board Name**

and

**School Name**

The Northern Territory Department of Education, the Board and the School will work together to achieve the objectives of the school, in line with the independent public school (IPS) initiative and the Department’s Accountability and Performance Improvement Framework (APIF).

This Memorandum of Understanding (MOU) sets the agreed relationship, the expectations and the obligations expected of each party to the MOU. The MOU is in place for (a period of time consistent with the life of the school’s business plan, but no less than two years and no greater than four years).

# Statement of Philosophy

The Department of Education has increased school autonomy in the Northern Territory to reduce red tape and enable faster, more responsive decision-making. School autonomy empowers principals and boards to make the decisions that are right for their students and the school community.

**[School Name]** has been selected by the Department of Education to operate with a higher level of autonomy than other Northern Territory Government schools because it has demonstrated:

* vision and innovation: the school principal, council, community and staff have a clear vision for innovative programs and projects that will benefit the school community
* local support: broad staff and school community support to become an IPS, including from school council, students, teachers and parents; and
* capacity: readiness to operate with more autonomy – principal and school council, staff and the school community.

The department, the board and the school recognise that the IPS initiative provides schools with the policy settings and freedom to tailor high quality learning opportunities so that every child in the Northern Territory has the best start in life and, through early learning and school education, gains a bright future.

# Statement of Purpose

As IPS remain part of the Northern Territory Government school system administered by the department, the school will meet the accountability and performance obligations of all government schools in the Northern Territory aligned with the department’s Accountability and Performance Improvement Framework. The board and principal will engage with their school community to ensure that:

* the school is strategically positioned and aligned to the Department’s strategic direction;
* plans are documented and are made publicly available;
* the school performance monitoring and measuring process is transparent; and
* school performance for a calendar year is published annually by the end of Term 1 of the following year.

Part 6, section 102 of the Education Act determines that “independent public school boards are accountable to their local communities for the achievement of educational outcomes for children and young persons in those communities”. To fulfil this obligation, the department, the board and the principal will work together to enable the delivery of quality education services to ensure every student has the opportunity to achieve successful schooling outcomes. The specific responsibilities for each party are detailed in Schedule 1 (the Department), Schedule 2 (the Board) and Schedule 3 (the Principal).

The parties agree to act in good faith and cooperate with each other under this MOU and to raise and discuss any issues which could affect the other parties in a prompt, open and honest way. The parties agree to cooperate with each other in furthering the development of any other documents which may be required to give full effect to the objectives and purposes of this MOU.

The parties are also committed to being socially inclusive and addressing disadvantage, including for students who are Aboriginal or Torres Strait Islanders, have a disability, come from language backgrounds other than English, or suffer disadvantage.

In the spirit of this MOU, all parties agree to provide the other parties with information outlined in Schedules 1, 2 and 3 that the other party may reasonably require in order to fulfil the intention of this MOU, and to ensure that any information provided to the other party is accurate, current, complete and correct.

All parties agree to review this MOU after an initial one-year period to assess the extent to which the mutual objectives of the parties are being met and whether there should be any adjustments to the program.

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Chief Executive Board Chair Principal

/ /2019 / /2019 / /2019

# SCHEDULE 1 – DELIVERY AND PERFORMANCE EXPECTATIONS OF THE DEPARTMENT

The Department will ensure as follows:

## Student Performance and Monitoring

That:

a. the school has access to required national and state assessment data such as South Australian Certificate of Education (SACE), Vocational Education and Training (VET), National Assessment Program—Literacy and Numeracy (NAPLAN), the Australian Early Development Census (AEDC) and Progressive Achievement Tests (PAT);

b. the school has access to relevant and timely academic and non-academic data through the Department's data systems in accordance with the Data Access Policy to enable them to plan and monitor performance;

c. workforce, financial support and data services are available to ensure the school has every opportunity to focus on student performance and on delivering the targets and priorities detailed in its business plan;

d. in the event that the school's performance is of concern, the Chief Executive may respond in a variety of ways, including but not limited to initiating an internal or independent review. The Principal and the Board will be given an agreed timeframe to address review findings;

e. pending the outcome of such a review and if deemed appropriate, remediation strategies will be put in place, dependent on the nature of issues identified (e.g. principal performance; board performance; other issues); and

f. the Chief Executive may revoke a school’s IPS status in exceptional circumstances (e.g. board not operating effectively, or original criteria in place for selection no longer being met and remediation attempts have failed).

## Resourcing and Support

That the following are made available to the school to the same degree as other Northern Territory Government schools:

a. a global school (one-line) budget calculated in accordance with the Department's allocative mechanism;

b. student support services including services related to managing attendance, participation, student suspension and managing student behaviour;

c. professional support including, but not limited to, curriculum and students services;

d. Northern Territory and Australian Government funds for specific programs assigned to the school;

e. support for the management of emergency and critical incidents;

f. curriculum support, including access to professional learning for system initiatives and programs;

g. information and communication technology programs and support for system approved programs and software;

h. support for buildings, maintenance and infrastructure;

i. media management support;

j. complaints management support;

k. financial services;

l. workforce management, including teacher support and orientation;

m. employee support services;

n. central reporting and management of allegations of misconduct; and

o. representation for school staff employed by the Department in industrial negotiations and legal and industrial matters.

## Compliance

That:

a. the school has access to relevant legislation, financial management, procurement, employment, industrial relations frameworks and department polices and guidelines;

b. support is available to assist with interpreting and understanding the operating parameters of an IPS as required.

## System Requirements

That:

a. principal performance and development is undertaken in alignment with the Australian Professional Standard for Principals;

b. access to departmental support is available for the school to meet its accountability and compliance requirements including access to professional learning opportunities

c. data and information are available to support the Principal and Board to strategically position the school in line with the Department’s Accountability Performance and Improvement Framework; and

d. support and advice is available when considering flexible application of department policy and procedures.

## Boards

That:

a. information and training is available to support Principals and Board members to be able to understand their roles and responsibilities and operate effectively;

b. in the event that the Principal and the Board are unable to reach agreement on areas of significance, the Board and/or Principal may call on the Chief Executive to make a decision. The Chief Executive will consult with the Board and the Principal before making a ruling. The decision of the Chief Executive is final; and

c. when a new principal of the school needs to be recruited, a suitable Department delegate will be appointed by the Chief Executive to oversee the process and will be Chair of the selection panel. The panel must include the Board Chair or a nominee from the Board.

# SCHEDULE 2 – DELIVERY AND PERFORMANCE EXPECTATIONS OF THE BOARD

The Board will ensure as follows:

## Student Performance and Monitoring

That:

a. school performance and student improvement targets, as set in the school's business plan, are contextually appropriate and of a degree suitable for an IPS, i.e. high/stretch targets are set;

b. school performance and student improvement targets, as detailed in the school's business plan, are monitored regularly;

c. a performance report is provided to the Chief Executive once per year through the Senior Director School Improvement and Leadership;

d. continuous and rigorous self-assessment processes are used to verify the performance of the school; and

e. a publicly available annual report details the performance and achievements of the school including consideration of the priorities and targets described in the school's business plan.

## Resourcing and Support

That:

a. the board takes responsibility for the use of allocated resources, including the school resourcing model and cash reserves, ensuring alignment with the school’s business plan;

b. the school’s annual global budget is spent on the current student cohort, and any budget saved year to year for strategic projects is closely monitored to ensure delivery;

c. the school's resources are managed in an efficient and effective manner with the concept of 'value for money' a focus for budgetary decisions;

d. the board is accountable for the school’s overall financial position through development of effective monitoring strategies ensuring financial and operational management is within allocated resources and in line with the board-endorsed business plan; and

e. funding for or endorsement to deliver additional programs is implemented effectively, in a timely manner and detailed in the school's business plan.

## Boards

That:

a. the board is a body incorporated under the Education Act that complies with the functions set out in legislation;

b. the board operates under an up-to-date constitution that reflects the practice of the board;

c. the board operates with best practice governance structures in place to govern the school with specific focus on strategic improvement, monitoring and accountability;

d. the board develops the strategic direction for the school in consultation with parents with the understanding that the Principal is responsible for the day-to day-operational and management decisions for the school;

e. the board commits to undertake an annual self-review on board effectiveness to ensure appropriate governance structures are in place;

f. the board includes external membership with relevant expertise aligned with the business plan or school requirements;

g. the board participates in:

i. endorsing the MOU prior to signature by the Chair;

ii. endorsing and reviewing annually the school budget and business plan;

iii. processes to review school performance;

iv. processes to determine satisfaction levels of parents, staff and students, with results reported in the school's annual report;

v. endorsing the school's annual report;

vi. the process for selecting the principal;

vii. the Department’s school review process, with the report made public;

viii. communication with the broader school community regarding the board's function and activities.

h. the board may request the Chief Executive to revoke IPS status. The board must demonstrate reasons for revocation, provide evidence of the level of consultation and support from the school community and stakeholder groups and outline how IPS revocation will benefit students.

## Business Plan

That:

a. there is an effective business plan that outlines the long-term strategic approach required to achieve student improvement targets;

b. the business plan (at the time of finalisation) is aligned to achieving the goals and strategies in the Department’s Strategic Plan;

c. the business plan describes key focus areas and strategies intended to have maximum impact on overall school performance;

d. the school’s business plan should be a three to five year plan;

e. consideration will be given to the recommendations of the school review in the business planning cycle; and

f. the business plan is endorsed by the board, signed by the Board Chair and is publicly available to the school community.

# SCHEDULE 3 – DELIVERY AND PERFORMANCE EXPECTATIONS OF THE SCHOOL

The School will ensure as follows:

## Teaching and Learning

That:

a. teachers implement an approved departmental curriculum;

b. teachers monitor student learning for purposes of making evidence-based, instructional decisions and provide relevant and timely feedback to students on their progress;

c. student performance is lifted, including those students who require teaching and learning adjustments;

d. high expectations of all students are embodied in academic and non-academic improvement targets that reflect these high expectations;

e. pathways exist for students to engage in learning programs that lead to meaningful and externally recognised outcomes beyond school;

f. collaboration between teachers occurs and opportunities exist for teachers to engage in quality evidence-based practice that helps develop high-quality teaching and learning;

g. employees participate in an annual performance agreement process where they receive feedback and support to help improve the quality of the school's teaching and learning environment; and

h. relevant and specific data and research inform classroom pedagogy.

## Student Performance and Monitoring

That:

a. students participate in all mandated international, national and state assessments such as the Programme for International Student Assessment (PISA), National Assessment Program—Literacy and Numeracy (NAPLAN), the Australian Early Development Census (AEDC) and the Progressive Achievement Test (PAT);

b. the school participates in all mandated national and state data collections such as the National Schools Statistics Collection;

c. the school maintains accurate student records and provides data from these as required into systemic data collections using the Student Administration Management System (SAMS), including the Behavioural Module;

d. teachers use a variety of monitoring functions to inform their classroom practices and to provide relevant student performance feedback; and

e. the school participates in a school review, in line with the Department's School Review Policy.

## Resourcing and Support

That:

a. financial and human resources are used to deliver education programs that provide all students with the very best opportunities to achieve high levels of proficiency, relevant to their stage of schooling;

b. a workforce plan is developed encompassing future needs including strategies to support the Northern Territory Government’s and the department’s commitment to equity and diversity in the workplace including increasing employment of people from culturally diverse backgrounds, Aboriginal Australians and people with disabilities;

c. resources for students with special needs are used to provide quality teaching and learning for eligible students including relevant educational adjustments;

d. there are effective, efficient and appropriate financial controls in place and resources are allocated in line with the board-endorsed schools business plan;

e. the school board is provided with ongoing visibility of the school’s overall financial position and staffing; and

f. the school’s annual global budget is spent on the current student cohort, and any budget saved year to year for strategic projects is closely monitored to ensure delivery.

## Program Delivery

That:

a. education programs are designed and delivered to meet the needs of students and are in accordance with requirements of the Education Act (NT) and the Northern Territory Board of Studies;

b. safety and welfare of students is maintained on school premises, including when away from school premises but on school activities, e.g. school excursion, so far as can be done reasonably; and

c. all associated reporting requirements for funded programs are met.

## Compliance

That:

a. the school complies with all legislation and associated regulations, including but not limited to the Education Act, Public Sector Employment and Management Act, Financial Management Act, Australian Education Act 2013, Education and Care Services (National Uniform Legislation) Act 2011, NT Work Health and Safety (National Uniform Legislation) Act 2011, Care and Protection of Children Act, Information Act, Teacher Registration (NT) Act, relevant NT and Australian Government anti-discrimination legislation including the Disability Discrimination Act Education Standards 2005, NT Anti-Discrimination Act, the principles of the Procurement Act 1995 and all industrial relations instruments;

b. the school complies with mandated departmental policy and procedures, including those related to enrolment and attendance, travel, media, excursions, data collection and verification, finance including audits and reporting, and annual reporting; and

c. human resource, financial and procurement delegations are executed in line with the current instrument.

## System Requirements

That:

a. the school meets its obligations as a public school, particularly under the Education Act;

b. there is compliance with whole of government policies and initiatives that apply to all public schools such as the Northern Territory Public Sector Code of Conduct;

c. there is compliance with all agreements between the Australian and Northern Territory Governments;

d. the school meets its A–E reporting requirements to students’ parents/guardian;

e. there is provision of relevant data to enable the Department to meet Territory-wide reporting obligations;

f. there is participation in the Principal Performance Review process including response to feedback with appropriate strategies and actions;

g. teacher performance and development is undertaken in alignment with the Australian Professional Standards for Teachers;

h. non-teaching performance and development is undertaken aligned with the Northern Territory Public Sector Capability and Leadership Framework;

i. there is compliance with the Teacher Responsibilities – A Guide for Teachers and School Leaders in NT Government Schools 2012 and departmental requirements regarding teacher probation; and

j. staff leave liability is regularly monitored and strategies are in place to encourage staff to take their accrued leave entitlements in a timely manner.