

The Hon Mark Latham MLC
Chair, Portfolio Committee 3 - Education
Parliament House
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MT22/920

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Dear Chair

I write in response to your letter dated 3 May 2022 (your ref D22/20047), regarding the Inquiry into the termination of the former Managing Director of TAFE NSW. Thank you for the opportunity to respond to the evidence given by Mr Faurby at the hearing of 29 April 2022.

I would like reaffirm my earlier evidence together with the general characterisation given by Mr Faurby around the roles and responsibilities concerning employment arrangements for the Managing Director of TAFE.

The role of the Managing Director of TAFE is a statutory office appointed by the Governor under the *Technical and Further Education Commission Act 1990* (the Act). The Act further provides that employment of the Managing Director is governed by a contract of employment between the Managing Director and the Minister. This includes relevant dimensions such as matters of performance and termination.

As Secretary of the Department of Education I seek to support and promote effective working relationships across the cluster. I also supported the former Minister's position in operationalising and facilitating his employment decision. This is consistent with longstanding conventions around the role of secretaries in supporting Ministers in their employment relationship with statutory officers. I have sought to professionally support that convention and the specific employment framework that applies to the Managing Director of TAFE NSW.

Yours sincerely

Georgina Harrison
SECRETARY
DEPARTMENT OF EDUCATION
13 May 2022

