

**INQUIRY INTO MEASUREMENT AND OUTCOME-BASED  
FUNDING IN NEW SOUTH WALES SCHOOLS**

**Name:** Name suppressed

**Date Received:** 5 July 2019

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Partially  
Confidential

From:

Sent: Friday, 5 July 2019 3:13 PM

To: Mark Latham

Subject: NSW DoE Principal Merit Selection Process - Need For Review and Overhaul

Dear Minister Latham,

I am writing to you as a result of your appointment as the chair of the NSW Parliament's upper house education committee.

In line with your published aim to achieve better outcomes and results in our public schools I would ask you to please take the time to read my letter below (bottom) which was forwarded to The Premier, The Deputy Premier, The Treasurer, The Education Minister and The Minister for the Public Service and Employee Relations.

As yet I have not received a response from The Education Minister, despite the fact that the other Ministers have all forwarded my letter to Minister Mitchell. As you can see below, I have also encouraged the senior Government Ministers to pay this issue some close attention and drive change in this term of Government.

The single most important driving force within a school that determines the overall success and outcomes of that school is the school principal. Yet despite this being the case many of the principals in public schools are NOT appointed on merit, but appointed because they have "done their time" or because they will best "fall in line" to "support" their Director of Education.

The current Principal Merit Selection Process is deeply flawed and prevents the best available candidates being appointed to these vital positions. The Principal Merit Selection Process needs to be reformed and brought into line with best practice modern recruitment . My letter below outlines in more details some of the many flaws and conflicts of interest within the current Principal Merit Selection Process.

Secondly, the current length of appointment and retention of principals should be reviewed and redesigned. The public school where my children have been educated has had five (5) different principals in five (5) years (and my research finds that this is not uncommon). This is a major failing of the NSW Department of Education and it is not surprising that results in public schools are not improving. No organisations which has five leaders, CEOs, Managing Directors, or Chairpeople, etc will have improvements in results, outcomes, retention of staff or financial and budgetary gains. The Principal Merit Selection Process must be designed to ensure the appointment of candidates who can demonstrate a prior track record of stability and time within a role within a school, as well as their overall achievements whilst in that role. Further, Principal appointments should be for a minimum period of time, say 5 years. Principals should not be able to move to another role within the NSW Education Department that is of a higher or equivalent level within that 5 year time period. This will ensure a school has stability of the same leader and it will ensure that a principal has time to demonstrate that they are capable of driving improvements across the board within a school before they are moved or promoted to a more senior role (ie. rewarded for their achievements).

Finally, the role of EPAC within the NSW Education Department needs to be totally reviewed (disbanded) as it is currently plays a significant role in preventing teachers and assistant principals from speaking out. EPAC is used by Directors of Education to control their subordinates, which in turn prevents the current inadequacies of the current Directors of Education or current principals from being highlighted. I hope that the current review of EPAC being conducted by Mark Tedeschi will bring about significant change in this area that is stifling the many great teachers within our public education system. I fear that the total lack of communication of the inquiry to all stakeholders (all teachers, principals, P & C's, parents, etc) will however limit the real gains that could have been made by such an inquiry.

I have copied [redacted] into this email as she has made similar representations in significant detail to Mark Scott. [redacted] is working with a growing group of representatives from schools from across NSW to champion the cause for a Government Inquiry into the corruption and failed processes that exist within the NSW Department of Education. [redacted] has summarised some key changes and reforms that need to be championed and I would encourage her to share these with you.

Large improvements, outcomes and gains in results CAN be made within our NSW Public Schools PURELY by ensuring that the right people get appointed, based on genuine assessable merit, to the principal and other key educational roles.

I would be happy to discuss this email and my letter below should it be of interest to you to do so.

Yours sincerely,

Interested Parent of children within the NSW Public School System

Tax Payer, who wants better bang for his buck out of the NSW Education System

Letter below was to sent Senior Government Ministers (29 May 2019) including The Premier, The Deputy Premier, The Treasurer, The Minister For Education and The Minister for the Public Service and Employee Relations

Dear Minister Mitchell,

I write to you to request that the recently elected Liberal Government use this term of Government to investigate, reform and address the major failings in the NSW Department of Education Merit Selection Process for the appointment of School Principal Positions.

In an era where there has never been more scrutiny on the performance and funding of the schools within the Public Education System it defies all belief that the current Merit Selection Process (that falls under the 40 year old Teacher Services Act 1980, rather than the Government Service Employment Act 2014 which the majority of the Public Sector falls under), not only is maintained but continues to be protected by The NSW Department of Education.

Principal Positions are highly sought after, tightly held and very well paid. There are 2,200 Principal Positions within the NSW Department of Education. With what I estimate as an average salary of \$150,000 it is highly likely that the combined annual budget to fund these positions is well in excess of \$360 million.

The leadership shown by a Principal within a school is absolutely and directly vital to the success and performance of the school, it's pupils, the teachers and support staff as well as the broader parent and local community. The importance of the Principal Position within a school has been recognised , at significant cost, by the implementation and funding by the NSW Government of the School Leadership Strategy, the Aspiring Principals Leadership Program and the School Leadership Institute.

Despite the huge cost to the budget and the extreme importance to the performance of our Public Schools these positions are appointed by a highly questionable, unethical, and at times corrupt Merit Selection Process that totally lacks robustness, capability testing, transparency and accountability.

The Merit Selection Process for these high performance positions not only falls well short of the standard recruitment processes used in private and commercial sectors (for similar paying positions) it also falls well short of the recruitment processes required of other NSW Government Departments and the Merit Selection Process of other states such as used by the Victorian Department of Education.

The fundamental flaw of the current Merit Selection Process is that it facilitates Directors of Educational Leadership manipulating the process to get the outcome they desire, either by inclusion or exclusion of certain applicants, for the resultant gain of building the support base for their ideas, objectives and continued own career advancement. The current facade of merit selection does not allow or enable genuine merit based appointment but is rather direct allocation masqueraded.

The Convenor of a Principal Merit Selection Panel is usually the local Director of Educational Leadership and as a result there is an immediate conflict of interest. Not only are two of the other Merit Selection Panel Members (there are only three other panel members) teachers who report to that same Director (who hence ultimately determines the career paths of the teachers on the panel) the Director is often the compulsory first referee for one or more of the applicants. The ability of the panel to objectively and impartially assess each and every applicant on their own merit is totally compromised due to the Director of Educational Leadership being the Convenor of the Panel as well as sitting on the Panel as one of the Selection Panel Members.

The Merit Selection Process dictates that it is compulsory for the first referee of an applicant to be their immediate superior within the Department. This means in the Principal Merit Selection process the first (and main) referee for an applicant (and often for several applicants for the one position) is usually the Director of Educational Leadership, who is the Panel Convenor and one of the Selection Panel Members. Besides the various conflicts of interest that arise by this situation the process also dictates that referee checks occur prior to interviews being conducted. This further enables the Director of Educational Leadership the opportunity to determine who goes through to interview by virtue of being the compulsory referee for numerous candidates, and either advancing or undermining their cause.

Besides the conflicts of interest within this part of the process it is extraordinary that applicants have a prescribed first and main referee and are not able to nominate their own referees. Additionally, the highly unusual process of contacting referees prior to interviews being conducted combined with the significant weight given to the compulsory first referee means the opportunity to assess applicants at interview stage, truly on merit and individual capability is removed.

The current Merit Selection Process provides for one interview, usually of half an hour to forty five minutes for applicants that have met the selection criteria (as set by the Panel, under the authority of the Director of Educational Leadership) and received a positive referee endorsement.

There is no provision for capability testing of applicants as part of the assessment of individuals.

How Principal Position appointments, of such importance to the future success and direction of our Public Schools, can be determined after just one short interview is totally beyond me. The fact that second or third interviews are not facilitated in the process and the fact that the process does not allow for capability testing screams of a lack of transparency, accountability and robustness. My daughter, wife and myself were interviewed for longer and put through a more strenuous assessment process during our application for my daughter to be accepted to a private school, which makes a mockery of the current NSW DoE Principal Merit Selection Process.

The NSW DoE Principal Merit Selection Process is in stark contrast to the expectations, participation and merit components of the Victorian DoE Principal Merit Selection Process. It seems that Victoria has gone to significant lengths to ensure that the voice of the school community is extremely well heard, that the process is merit based, transparent and ethical, that the school community via the school council recommends (and approves of) the appointment and that the appropriate accountabilities are in place to protect both the applicants and the school community, both through the process and in the event of an appeal, all elements that are largely lacking in the NSW DoE Principal Merit Selection Process.

The Victorian Process has a strong framework and quality improvement expectation that is based on significantly more current legislation (Education and Training Reform Act 2006 and Public Administration Act 2004). School councils determine the selection criteria and select and convene

the Selection Panels with an emphasis on ensuring the credibility of the Selection Process by appointing panel members with an ability to bring alternative points of view to the process and who have no actual, perceived or potential conflicts of interest in the selection process or the selection decision. Diversity of applicants is encouraged and viewed as an attribute that must not diminish the assessment of the applicant's suitability for the position. All experience and available evidence relevant to the selection criteria is to be taken into account including the applicant's potential to acquire new skills. Applicants nominate their own referees, who are contacted post interview to clarify, verify and add information to what is learned in the interview and from other parts of the selection process. Other capability tools such as presentations and second interviews are available to be utilised by the Selection Panel. The Selection Panel is accountable back to the School Council (not to the Department) and it is the School Council that then approves the applicant (if satisfied) to be put forward to the Secretary of the Department for appointment.

The time has come and is right for an extensive external review to be conducted into the NSW DoE Principal Merit Selection Process. There is a growing group of connected parents, teachers and school representatives from across the state who are determined to champion for a Royal Commission to flush out and investigate the failings and corruption within the NSW DoE and its flawed policies, procedures and processes. Leaving it to the NSW DoE to investigate itself will not result in the substantial institutional changes that required.

The NSW Government has the opportunity to take the lead and initiative on this issue now, early in the new Government period. Leaving it may result in the lead being taken by others or result in embarrassment when forced by media scrutiny to address the situation.

Investigating and reforming how School Principals are appointed in NSW will have a significant positive financial and school performance outcome. I implore you Gladys, John, Dominic, Don and Sarah to consider this carefully as there are many who believe that taking such action could be one of the most significant advances ever in the NSW Education System and something that your Government will truly be able to claim as a major accomplishment at the next State Election.

I would be more than happy to provide you with more information that supports my concerns and that demonstrates the significant action that is already underway by various members of the NSW Community. Please feel free to contact me on

Yours sincerely,