



# Workplace reform permanency procedure

Version: 2.0 | Version effective: 09/07/2012

## Audience

All state schools

## Purpose

This procedure outlines the Department of Education, Training and Employment's procedures in relation to the conversion of eligible temporary workplace reforms to permanency.

## Overview

This procedure provides schools with increased flexibility to assess their staffing needs and adjust their staffing mix in order to effectively deliver quality educational outcomes for students.

It also provides schools that have had long-term workplace reforms in place with an opportunity to make those reforms permanent. Permanency would normally occur where a reform is shown to be effective and of benefit to the delivery of quality educational outcomes for students.

Once a reform has been converted to permanency it then becomes a base element of the structure of the school.

For a workplace reform to be eligible:

- the reform was originally implemented through the Workplace Reforms process, approved by the Education Consultative Committee and been trialled for at least one year
- [School-based management guarantees](#) are protected, and
- Education Consultative Committee is notified via lodgement of a [Convert workplace reform to permanency application form](#) along with a detailed proposal.

Please refer to [Principles for Permanency of Workplace Reform](#) and other supporting documents for further information.

## Responsibilities

### Principal or Delegate:

- **Proposal**

- be aware of the [timelines for the workplace reform permanency process](#)
- be aware of the workplace reform permanency process by referring to the [Workplace reform to permanency flowchart](#)
- refer to [Workforce Planning](#) where appropriate
- develop a formal written proposal which contains, at a minimum, the following information:
  - full description of the reform under consideration including:
    - full costing based on [school notional salaries](#), the source of school funds or vacant positions allocated to the reform
    - program/s from which funds or positions have been withdrawn
    - ongoing capacity to fund the arrangement where the reform involves the purchase of a full position
  - impact on the [school-based management guarantees](#) particularly:
    - class sizes
    - provision of non-contact time
    - protection of specialist teacher positions, and
    - protection of the transfer system
- result of the most current review of the reform. Such review being conducted not later than the term immediately preceding the proposal
- statement of the process to be undertaken and specific timelines for consultation in the consideration of permanency
- [statement on the process for managing reconsideration](#) of the permanency should circumstances change, and
- results of the ballot of affected staff.
- **Consultation Process**
  - assume responsibility for the conduct of the consultation process
  - [notify Local Consultative Committee](#) on the [Convert workplace reform to permanency application form](#) of the intention to begin a consultation process pursuant to the Principles for permanency of workplace reform at least fourteen (14) days prior to the commencement of consultation
  - at least fourteen (14) days prior to the commencement of a consultation process, provide a copy of the proposal to:
    - all affected employees
    - Local Consultative Committee, and
    - Principal Human Resource Consultant.
  - consult with all affected staff to evaluate the reform against agreed criteria
  - conduct a ballot of all affected employees to determine whether support, equivalent to not less than two-thirds of employees who vote, exists in respect of the proposal to convert the reform to

permanency. Where the affected employees represent two or more groups of employees, the ballot is to achieve two-thirds support amongst each of the groups, to be considered sufficient to warrant permanency.

- complete consultation process at least one school term prior to the proposed date for implementation of the permanency. This period may be the last term of the initial twelve month period in the case of a [standard workplace reform](#).

- **Application Process**

- apply to the Local Consultative Committee for approval of the conversion to permanency one term in advance of proposed implementation. The application contains:
  - documents listed under the Proposal (see above) and to be signed off by the Principal (or delegate) and all members of the Local Consultative Committee, and
  - a statement of the outcome of the ballot process, including the questions asked in the ballot and the results of the ballot as verified by the union representative/s at the school
- forward application and relevant documentation, once approved by the Local Consultative Committee, to the Regional Office for noting/endorsement.
- refer matter to Education Consultative Committee/Regional Office for advice and assistance where the Local Consultative Committee is unable to reach a consensus decision

#### **Principal Human Resources Consultant:**

- liaise with schools regarding timelines for submission of workplace reform permanency proposals
- coordinate receipt of workplace reform permanency applications
- review proposals to ensure all relevant information is included in proposal, compliance with [School-based management guarantees](#), allocation of positions, funding sources identified etc.
- determine whether job evaluation is required
- identify the need for recruitment and selection processes where applicable
- ensure all endorsements for proposal have been obtained. i.e. Local
- Consultative Committee, Regional Human Resource Manager, Assistant Regional Director and Regional Director
- forward endorsed workplace reform permanency proposals to Workforce Recruitment and Employment for processing
- ensure requests are entered onto regional database for future reference.

#### **Regional Human Resources Manager:**

- provide advice to Principal on financial implications, where applicable
- endorse workplace reform permanency application.

#### **Assistant Regional Director:**

- provide advice to Principal on the impacts to school curriculum and educational outcomes
- endorse workplace reform permanency application.

**Regional Director:**

- have accountability for all regional workplace reform reporting and audit functionality
- endorse workplace reform permanency application.

**Local Consultative Committee:**

- complete [Convert workplace reform to permanency application form](#) and forward with a copy of the proposal to the Regional Office
- consider all applications for conversion of workplace reforms to permanency
- may approve proposed workplace reform in cases where it is consistent with one of the [standard workplace reform proposals](#)
- review the operation of the reform in the preceding twelve month period
- reflect on the ongoing applicability of the school's approved workforce plan and the relevance of the proposed permanency
- produce a summary of the findings of the review in terms of the benefits and outcomes for the school, in particular, the educational outcomes for students
- only approve the conversion of reforms to permanency where the results of the ballot support the proposed change, and where the Regional Office has noted the proposed change
- verify that the information and consultation processes undertaken are consistent with the spirit and intent of the principles for permanency of workplace reform.

**Workforce Recruitment and Employment:**

- schedule meeting with Education Consultative Committee for consideration of workplace reform permanency applications
- prepare agenda for meeting
- provide copies of applications to the Queensland Teachers Union, Together Queensland Industrial Union of Employees, United Voice Union, Workforce Relations and Executive Director Workforce Services (the bodies that make up the Education Consultative Committee)
- attend Education Consultative Committee meeting to obtain approval/non-approval workplace reforms
- contact region if Education Consultative Committee requires further information before final approval/non-approval is provided
- advise schools/regions of outcome of reform via electronic correspondence
- organise and schedule billing to those schools where there are costs associated with the workplace reform in place
- update workplace reform database.

**Education Consultative Committee:****Eligibility**

- consider only those workplace reforms for conversion to permanency where the following criteria have been met:

- the existing reform was originally implemented through the [Workplace reform in schools program process](#) as authorised by the relevant industrial instrument/s and negotiated between the unions and the Department, specifically
- the reform was originally approved by Education Consultative Committee and/or subsequently extended with Education Consultative Committee approval
- the [Principles for permanency of workplace reform](#) have been adhered to
- the [school-based management guarantees](#) contained in the [Department of Education, Training and Employment Teachers' Certified Agreement 2010](#) (or replacement agreement), have been protected
- the reform has been trailed for a period of not less than one year.
- Reforms involving classified teaching positions and/or creation of public service positions
  - decide on a case by case basis whether the identified [special circumstances](#) are sufficient to warrant departure from the usual process.

## Process

The process for this procedure is set out in the [Workplace Reform to Permanency flowchart](#).

For additional details, please refer to the Responsibilities section of this procedure.

## Definitions

Not applicable

## Legislation

- [Employment Arrangements Following Workplace Change Directive](#) a
- [Recruitment and Selection Directive](#)
- [Department of Education, Training and Employment Teachers' Certified Agreement 2010 Clause 3.7.3](#)
- [State Government Departments Certified Agreement 2009](#) Appendix 7, Clauses 3.4 – 3.5
- [Department of Education, Training and Employment \(Education\) Cleaners' Certified Agreement 2011](#)
- [Department of Education, Training and Employment Teacher Aides' Certified Agreement 2011](#)

## Delegations/Authorisations

- Nil

## Policies and procedures in this group

- [Recruitment and selection policy](#)
- [Criminal history check procedure](#)
- [Employee separation procedure](#)

- [Recruitment and selection procedure](#)
- [Recruitment of classified teacher positions \(school leaders and heads of program\) procedure](#)
- [Relinquish from position procedure](#)
- [Relocation of classified teachers \(school leaders and heads of program\) procedure](#)
- [Transfer at level procedure](#)
- [Unattach from position procedure](#)

## Supporting information for this procedure

- [Principles for permanency of workplace reform](#)
- [Special circumstances](#)
- [Standard and non-standard workplace reforms](#)
- [Workforce Planning](#)
- [Workplace reform to permanency application form and other documents](#)
- [Workplace reform to permanency flowchart](#)

## Other resources

- [Local Consultative Committee](#)
- [School-based management guarantees](#)
- [School notional salaries - Casual and temporary/permanent](#)
- [Timelines](#)
- [Workplace reform program](#)

## Contact

For enquiries about Workplace Relations Permanency, please contact:

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Workforce Relations  
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## Review date

16/08/2013

## Superseded versions

*Previous seven years shown. Minor version updates not included.*



Nil

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