



NSW ACT Independent Education Union

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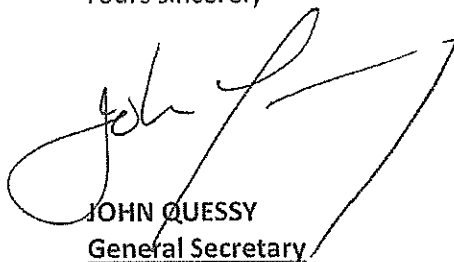
The Review Panel
NSW BOSTES

Via email: bostes.review@det.nsw.edu.au

Dear Panel

Attached Please find the response from the NSW Independent Education Union to the "Issues Paper" relating to the *Review of the NSW Board of Studies, Teaching and Educational Standards*.

Yours sincerely

A handwritten signature in black ink, appearing to read 'John Quessy', is written over a large, stylized, handwritten flourish that extends to the right and then loops back down to the left, framing the signature.

JOHN QUESSY
General Secretary

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Review of the NSW BOSTES

Submission from the NSW Independent Education Union

The NSW Independent Education Union (IEU) welcomes the opportunity to engage in the current review of role, membership, functions and structure of the Board of Studies Teaching and Educational Standards (BOSTES). The Union appreciated the opportunity to meet with two members of the Review Panel on March 23 to make initial comments.

The IEU represents more than 30,000 teachers and support staff in NSW covering the entire Catholic and Independent school sectors as well as teachers in Community based, privately owned Pre-Schools, Long Day Care Centres and Early Learning Centres attached to Catholic and Independent Schools.

The Board of Studies Teaching and Educational Standards Act provides for the Union as a key stakeholder in NSW education to nominate a non-government school teacher (other than a principal) to be a member of the Board. Our current nominee is Mr Larry Grumley Head Teacher of English at Catherine McAuley High School, Westmead. Mr Grumley is one of very few practicing teachers on the Board. In addition the Union is invited to nominate representatives to a variety of BOSTES committees including the Non-Government Schools Registration and Accreditation Committee, syllabus committees and working parties.

In addition the IEU is a QTC endorsed provider of Professional Development and delivers significant advice and support on all aspects of accreditation to our members in NSW schools and Early Learning Centres.

As a key stakeholder with a tradition of consulting widely with our members we have concern that the short consultation period hinders considered input from teacher practitioners.

Our submission will comment briefly on the six key functions of the BOSTES as stated in the Board of Studies Teaching and Educational Standards Act at S 6 (3) (a), (b), (c), (d), (e), (f) and (h) before addressing the Issues Paper (31 March 2016).

(a) The school curriculum for primary and secondary school children.

The significant detail for curriculum and syllabuses in NSW is found at Part 3 of the *Education Act 1990* and the BOSTES is charged with developing that curriculum. The IEU supports the work of the BOSTES in implementing the Australian Curriculum through the development of detailed NSW syllabus documents and associated support materials. The Union is particularly supportive of the extensive consultation with stakeholders (particularly with practicing teachers) in both the development and evaluation of these materials.

The BOSTES and its predecessors have a long and proud history of such consultation ensuring that curriculum and curriculum materials are suitable and appropriate for end users. The model adopted by the BOSTES respects teachers as authors or co-authors of NSW syllabuses.

(b) The approval of initial and continuing teacher education courses and programs.

This function is largely mirrored in S 20 (d) of the *Teacher Accreditation Act 2004* however in our view this task has effectively been assumed by the Commonwealth particularly the Australian Government's Teacher Education Ministerial Advisory Group (TEMAG). However, NSW through BOSTES' Initial Teacher Education Committee (ITEC) has included additional requirements (3 HSC Band 5 results including English).

Notwithstanding the additional NSW requirements now that nationally agreed standards and procedures for Initial Teacher education exist this role seems an unnecessary duplication.

(c) & (h) The accreditation of teachers and the monitoring of the accreditation process across all schools and early childhood education centres under the *Teacher Accreditation Act 2004*.

The September 2013 announcement of the merger of Board of Studies and the Institute of Teachers was challenged by the IEU. The Union claimed then that no consultation with stakeholders was undertaken and no case had been made for the need to merge. Nothing in the meantime has changed that view.

We continue to believe that teacher accreditation particularly with the inclusion of Early Childhood teachers in the accreditation scheme is an ill fit with the majority functions of the BOSTES. We believe also that there are significant governance failures including financial accountability arising from the merger.

(d) Basic skills testing.

Since the switch from the NSW Basic Skills Test to NAPLAN in 2008 the role of BOSTES in this field is significantly diminished to being the administrator of the test in NSW. This role should be reflected in the functions of the BOSTES.

The widespread criticism of NAPLAN as a high stakes test, the extensive delay in reporting results to schools and to teachers and the publication of “league tables” from the data are issues to be addressed by ACARA rather than BOSTES.

(e) The granting of Records of School Achievement and Higher School Certificates.

The BOSTES delivers of this aspect of their remit with distinction. The NSW HSC, while not without its critics, enjoys a well deserved national and international reputation as a high quality and consistent school exit credential.

(f) The registration and accreditation of schools.

This key responsibility of the BOSTES operates under three models, one for Government schools, another for non-government schools operating as systems of schools and a third for individual non-government schools. These three models give rise to concerns regarding the consistency of regulation.

For non-government schools the BOSTES provides “Registration and Accreditation” manuals setting out compliance requirements and identifying essential evidence of compliance however the Union is critical that the key focus of this compliance is to protect the NSW Curriculum, the reputation of non-government schools and the rights of parents and students. There is little or no requirement in respect of staff beyond ensuring that teachers are appropriately qualified and (where required) accredited. A stark example is that to be registered schools must have policies to ensure procedural fairness is afforded to parents and to students where disputes arise. No such fairness is insisted upon in respect of staff.

There are, for example, no requirements for minimum standards for the induction and mentoring of early career teachers although this features prominently in the NSW Government “Great Teaching Inspired Learning” (GTIL) Blueprint. The IEU believes that significant gaps exist in the registration requirements regarding staff and that this is an area in need of urgent review.

1. Have the opportunities of the amalgamation been fully realised?

The NSW government's objectives arising from GTIL are being implemented progressively. The Independent Education Union (IEU) commends recent work to accredit early childhood teachers as professionals alongside their primary and secondary counterparts.

Unnecessary confusion exists where there is a replication of policy or processes between the state and federal governments. Our earlier comments in respect of initial teacher education (found in b) are one such example. Additionally the intrusion of AITSL (a body not representative of the teaching service) into the domain where the legislated body is state-based is divisive, leads to a duplication of process/work and reduces time available to focus on student outcomes.

Our experience is that there are communication issues between directories within BOSTES. This has been observed during working parties where distinct draft policies addressing similar issues simultaneously propose vastly different solutions. At times, feedback has been sought from some stakeholders on different versions of the same draft policy. It appears that structures of BOSTES merged but cultures didn't. The former Institute of Teachers had a teacher-focused culture and the former BOS had a student and employer-focused culture. The merger lost the better part of both organisations. The result is that BOSTES has a diminished reputation eliciting less respect from teachers.

BOSTES is seen to have such a broad remit across registration, accreditation and regulatory issues that it has lost its curriculum and teaching and learning focus. Our members see this evidenced in a perceived reduction in the quality of feedback in the Notes from the Marking Centres supporting the HSC examinations. This feedback is relied upon by teachers of Stage 6 who have not had the advantage of participating in HSC marking. This includes rural and regional teachers as well as teachers new to HSC classes. The support for schools and teachers previously supplied by BOSLO's, and much in demand, appears to now be refocused on regulatory issues. This has been noted across stages and learning areas. An opportunity to increase the availability of BOSLO's to assist with teacher accreditation matters has been missed.

BOSTES is seen to focus on the needs of TAAs, school proprietors and school systems rather than on the needs of the profession, i.e. teachers. BOSTES should invite more participation from teachers as the frontline professionals in their processes.

2. Are roles and responsibilities clear and appropriate?

BOSTES managed the implementation of the ACARA Australian Curriculum well. It was a consultative process with teachers and resulted in curriculum documents that the teachers have confidence implementing.

The merger between BOS and the Institute of Teachers has blurred the issues between school registration, curriculum and syllabus development, testing and teacher accreditation. The accreditation of early childhood teachers in particular has no relationship to those other functions of the BOSTES.



Any ownership by teachers of accreditation and the Australian Professional Standards for Teachers has been lost in the merger. There is now no single statutory entity with the teacher as their central focus. The Union views that BOSTES has aligned itself to the interests of TAAs, employers and universities more closely than it has the interests of teachers. BOSTES must demonstrate trust in teachers and their professional judgement, and do more to positively promote the profession.

One significant area of duplication of AITSL's Australian Teacher Performance and Development Framework processes and BOSTES's accreditation cycle. This continues to be a contested space.

There is on-going confusion among practitioners as to the role within BOSTES of the QTC, which is perceived to provide an inadequate voice for teachers. In the Union's view, the vast majority of QTC members should be elected practitioners with representatives from the NSW Independent Education Union, NSW Teachers Federation and the NSW Professional Teachers Council. Policy recommendations made by this body have significant industrial and professional implications.

3. Are processes and practices as effective and efficient as possible?

The Union does not support the model of teacher accreditation adopted in NSW which bestows upon TAAs (in essence employers) full rights to accredit, suspend or revoke accreditation with little effective external appeal rights. This structure denies teachers ownership of their profession.

The employer-based accreditation system, eg 11 Catholic diocesan systems covering more than 550 individual schools and more than 350 independent schools, cannot be expected to produce consistent outcomes when assessing against the Australian Professional Standards for Teachers.

BOSTES needs significant influence and control over TAAs and must exercise authority as the arbiter of disputes arising from accreditation. The NSW Administrative Decisions Tribunal should be seen as a last resort, not the only resort.

Amongst the pre 1 October 2004 teaching force there continues to be widespread unfamiliarity and misunderstanding of teacher accreditation. BOSTES must take a leading role in providing advice and information directly to this cohort of teachers and not rely on employers or TAAs to manage the process.

The Union believes BOSTES must claim the VET agenda and remove the dual accreditation model currently undertaken between BOSTES and ASQA.

New and additional work for teachers has emerged through teacher accreditation processes. This includes the collection of evidence and subsequent documentation, observations, participation in structured induction and mentoring programs, teacher performance and development processes as well as data analysis are now demanded by government policy. This additional work has not been matched by increased resourcing and until and unless the funding to facilitate these requirements is provided, quality results are inhibited.

The process for documentation for school registration is compromised by an unacceptable burden of employer overlay in some cases. BOSTES should make clear and explicit to teachers what they require by way of documentation and evidence to avoid unnecessary time-consuming effort; time

could be better spent on innovative practice formation, testing new teaching strategies and continued professional development that would affect student outcomes more positively.

The Union supports the ongoing and extensive involvement of teacher practitioners in curriculum development and assessment processes. The former BOS had well-respected wide and inclusive consultation methods. BOSTES has continued this essential tradition.

4. Are effective governance arrangements in place?

The Union would like to see more evidence of appropriate management structures are in place to support the functions of the agency. We have previously highlighted above challenges to internal communication and we believe that there is an overreliance on private meetings with selected stakeholders instead of transparent processes via working parties and committees.

The BOSTES Board operates as an advisory body to the Minister. Its structure, whilst representative of many interests in NSW education, underrepresents the teaching profession. Increasingly BOSTES committees are feeding to the Board advice with significant implications for industrial matters relating to teacher work and employment issues. Teachers currently have no industrial representation through their unions on the Board and consideration should be given to providing such representative. The Quality Teaching Council, an advisory body to the Board, also underrepresents teaching practitioners and should be reconstituted in line with our earlier comments in section 2.

The GTIL recognises the significant stakeholder status of the professional teaching associations yet provides them no representation by right at Board level. The IEU considers this a weakness.

BOSTES needs to ensure that the circulation of increasingly complex and voluminous documentation for its various forums (Board, QTC, committees and working parties) is distributed in a timely manner. It is disrespectful to provide inadequate time for stakeholders, committee members, etc, to read, consider and conduct appropriate consultation. This is particularly important when providing documentation to teaching practitioners. Close to 200 pages of documentation provided only a few days before the meeting leaves insufficient time for consideration and reflection.

The Union is aware of significant dissatisfaction and questioning by teachers regarding the uses to which their accreditation fees are put. There is inadequate disclosure and reporting of these 'hypothecated' funds. There is a widespread belief that the major recipients of support services in respect of accreditation matters are teacher accreditation authorities who use services without contributing to the funds. In addition, similar criticism has been levelled at universities who have received significant support in the transition of their courses to the Standards, subsidised by graduates. BOSTES does itself no credit by not fully, frankly and publicly disclosing their expenditure.



BOSTES Review Secretariat
bostes.review@det.nsw.edu.au

MT16/345

Dear Secretariat

I write in response to your email of 18 March 2016, inviting input into the review of the Board of Studies, Teaching and Education Standards NSW.

Please find attached a collated response from the NSW Department of Education.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Peter Riordan', written in a cursive style.

Peter Riordan
ACTING SECRETARY
DEPARTMENT OF EDUCATION
21 April 2016