

# Principal Contract Renewal Guide

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## Overview

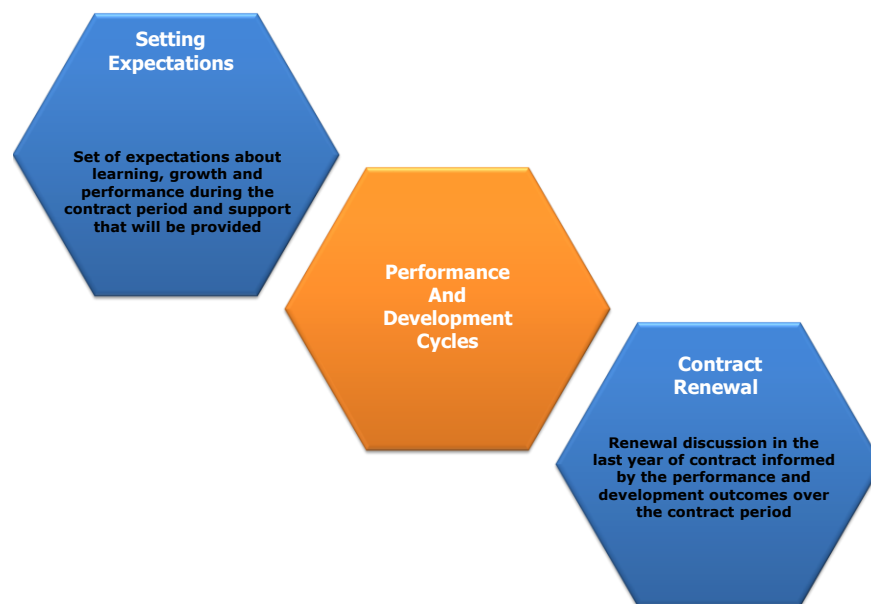
The employment of persons in the principal class is subject to Division 3 of Part 2.4 of the Education and Training Reform Act 2006 that requires that to be employed as a principal an individual is required to enter a contract of employment. The contract of employment is for a tenured period of up to five years. At the expiration of the contract of employment there is provision for renewal of a contract of employment for a further period up to five years subject to agreement between the principal and the Department of Education and Training.

Where the remuneration range of the position has increased the principal may be offered contract renewal at their substantive remuneration range (i.e. the remuneration range determined on appointment to the position) or the position may be re-advertised. Where the classification level of the position has decreased the principal may be offered contract renewal at their substantive remuneration range or the lower remuneration range.

The contract renewal process places a greater emphasis on all of the interactions that a principal has with the person responsible for monitoring and reviewing their performance and supporting them to develop and perform in their role. An underlying assumption in the process is that the principal will, over the course of their contract, acquire a more sophisticated and comprehensive understanding of the knowledge base and skills of an effective educational leader and that they will deploy this knowledge base in increasingly effective ways over the life of their contract.

In this context it is expected that the principal will receive ongoing feedback on their performance throughout their contract period, together with the necessary support to effectively undertake their role. It is also expected that any issues of concern that arise will have been addressed at that point in time.

The contract renewal process operates in the following way:



## Guiding Principles

The contract renewal process is predicated on a set of guiding principles that protects the rights and interests of principals. These principles will also ensure that the integrity of the process is maintained and will result in improved system performance.

The seven principles on which the process is based are:



*Procedural fairness* — The procedures adopted will be fair to all who are involved. Principals will receive all essential information in advance so they are adequately prepared for the process, will be judged according to evidence and provided with timely and accurate feedback throughout.

*Confidentiality* — Information gained or shared through the process will be confidential to the parties to the contract renewal process.

*Transparency* — The criteria for decision making will be clearly articulated.

The use of multiple sources of data — The process will elicit a range of evidence related to Principals' performance and development and contract renewal.

*A balance of interests* — The legitimate interests of the Department as employer and the school community will be represented in the process.

*Ongoing feedback and support* —The Regional Director (or nominee) together with the Principal will design and implement processes that support improved principal performance and development for the life of the contract, with ongoing feedback throughout.

*Honesty* — Principals should be confident that any issues of concern will be raised promptly during the contract period so the opportunity exists to work through these at the time with the support of the Regional Director (or nominee), and the School Council President as required.

## Setting Expectations

The Regional Director is responsible for the contract renewal process. The Regional Director (or nominee) will meet with the principal following their appointment to outline:

- the expectations of the principal during the life of their contract, including advice on the specific qualities and capabilities they should focus on developing and the role they should play in the region and network to which they belong;
- the nature and extent of support the principal will receive from the Regional Director, and the regional team
- the review process to be used throughout the contract period and how the decision about contract renewal will be made. This will include the extent to which it will be based on the achievement of agreed targets in the school's strategic plan and the outcomes of the Principal Performance and Development cycle; and
- the structure, the purpose and the terms of reference of the contract renewal process.

## Link to Performance and Development

Each year, principals participate in the Performance and Development process. This process identifies the agreed actions the principal will take to improve their performance and the performance of their school. The process involves regular interaction, including meetings, between the principal and the Regional Director (or nominee) to enable ongoing feedback on a principal's progress and performance.

The outcome of each year's performance and development assessment, targeted advice on the next stage of learning and the support to be provided for the next performance and development cycle will be provided to the principal and retained by the Regional Director for consideration in the contract renewal discussion.

## Contract Renewal Process

Approximately 9 months (or 4 months if the contract is for one year or less) before the expiry of the contract, the Regional Director (or nominee) will contact the principal to advise them when the contract renewal process will be initiated. At this time they will also obtain contact details for the current School Council President.

The formal process of contract renewal will commence at least 6 months (or 3 months if the contract is for one year or less) prior to the expiry of the contract, and will be informed by the Performance and Development cycle reports that occurred during that contract period.

The Regional Director will consider the performance of the principal during the contract period and any other factors relevant to contract renewal. As part of these deliberations the Regional Director may decide to meet with the principal to clarify issues that emerge or the principal has the option of presenting their achievements and future vision and plans for the school and their role in it for consideration.

The Regional Director will provide principals with specific feedback on the distinguishing features of their performance during the contract period to assist the system to acknowledge and affirm principals' work.

Following consideration of the principal's performance during the contract period, advice from the regional team, the School Council President, and any other relevant factors, the Regional Director (or nominee) will meet with the principal no later than 6 months prior to the expiration of the contract with a view to reaching agreement on the renewal of the principal's contract.

Where a Regional Director is prepared to agree to renew a principal's contract but for a period of less than 5 years or is not prepared to agree to renew a principal's contract, the reasons will be clearly documented. Where there are performance issues these will be clearly identified together with the improvement sought over the new contract period. Support to be provided by the Region will also be specified.

The Regional Director will be expected to confirm that the issues of concern were raised with the principal during the contract period so that the principal had the opportunity to address the issues of concern with regional support.

# Contract Renewal Outcome

Not later than 4 months (or such other time as agreed) prior to the expiration of the contract the Regional Director and the principal are to advise whether:

- it is agreed that the principal's contract be renewed for a further 5 year period;
- it is agreed that the principal's contract be renewed for a period of less than 5 years; or
- contract renewal is not agreed, in which case the contract is not renewed and the position will be advertised and the incumbent may apply for the advertised position.

A principal who is dissatisfied with the outcome of the contract renewal discussions may request that the Deputy Secretary, Regional Services Group review the outcome.

Where it is agreed that the principal's contract is to be renewed a contract renewal offer will be forwarded to the principal inviting the principal to enter a contract for the agreed period.

A principal whose contract is not renewed remains attached to their school and action will be taken to appoint as follows:

- if the remuneration of the principal is above remuneration range 2 the person will be offered appointment as an assistant principal and paid within remuneration range 2 for a period of three years;
- if the remuneration of the principal is at remuneration range 1 or range 2 the person will be appointed as a leading teacher for a period of three years.

## Roles and Responsibilities

### REGIONAL DIRECTOR

- To clarify the expectations of principals in their leadership role and to identify processes and structures and the resources that will support the performance and development of all principals in the region.
- To ensure that their nominee(s) effectively manages the contract renewal process for principals in the Region.
- To reach agreement or otherwise that a principal's contract is to be renewed.
- To meet with the principal to confirm the contract renewal outcome.
- Advise the school council president of the contract renewal outcome as soon as possible after the principal is informed of that outcome.

### REGIONAL DIRECTOR'S NOMINEE

To work with the principal to develop an agreed performance and development plan that takes account of the relevant school context and the implications this has for the principal's performance goals.

- To maintain regular contact with the principal to engage in constructive dialogue about performance and to ensure that the appropriate resources are identified to support their development and the school's improvement priorities.
- To develop an agreed understanding with the principal about the data that will be used to make judgments about the principal's performance and their learning and development needs over the contract period.
- To inform School Council Presidents of their role and responsibilities in the contract renewal process.

### SCHOOL COUNCIL

- To actively participate in the construction of the school's strategic plan and the annual implementation plan consistent with these planning frameworks.
- To provide feedback through the School Council President to the Regional Director on the principal's contribution to the implementation of the school's strategic plan.
- To participate in any training session provided by the region as part of the principal contract renewal process.

### PRINCIPAL

- To satisfy their school leadership responsibilities in accordance with their Role and Accountability Statement.
- To engage in regular dialogue about their performance and development with their Regional Director (or nominee) and respond appropriately to the feedback that is provided.
- To establish a productive working relationship with the School Council President and the Council so that all matters relating to the performance of the school can be constructively discussed.

- To work with the Regional Director (or nominee) to identify all of the factors that impact on the performance of the school.
- To reach agreement with the Regional Director (or nominee) on the nature of support the region will provide over the course of the contract period.
- To use collegiate groups as appropriate and receive and provide feedback on each other's plans and their implementation.
- To reach agreement or otherwise with the Regional Director in relation to contract renewal.

## Grievances

Under the terms of the contract of employment a principal who is dissatisfied with the outcome of contract renewal may seek a review through the Merit Protection Boards in accordance with the appropriate Ministerial Order. The only grounds for review are that the renewal process was procedurally deficient or that the outcome is demonstrably inconsistent with the evidence presented. The Merit Protection Board will either:

- disallow the grievance and confirm the renewal outcome; or
- uphold the grievance and direct that the procedural deficiency in the renewal process be corrected; or
- uphold the grievance and direct that the outcome be reconsidered.

## Further assistance

Further information, advice or assistance on any matters related to contract renewal is available by:

- accessing the A-Z topic list on [HRWeb](#),
- using the [related topics list](#); or
- contacting Schools People Services on 1800 641 943.