

# SCHOOL POLICY & FUNDING ADVISORY COUNCIL

## TERMS OF REFERENCE

<b>Purpose</b>	The purpose of the School Policy and Funding Advisory Council (the Council) is to provide advice to the Minister for Education on regulatory, policy and funding issues that affect government and non-government schools.
<b>Role and responsibilities</b>	<p>The Council will provide advice to the Minister on regulatory, policy and funding issues that affect government and non-government schools and include a focus on:</p> <ul style="list-style-type: none"><li>• Cross-sectoral reforms that will contribute to improved Victorian school education system outcomes (e.g. contribution to the policy agenda for the Education State);</li><li>• Funding, accountability and reporting issues that affect government and non-government schools, including the development of funding agreements with non-government schools;</li><li>• Policy development that contributes to improved outcomes for specific cohorts (e.g. students with disabilities reform, vulnerable children, Aboriginal students, students from low socio-economic backgrounds and new arrivals);</li><li>• Regulatory issues with consideration given to advice provided by relevant statutory authorities;</li><li>• Commonwealth-State issues (e.g. National Partnerships and Commonwealth Government reviews and targeted programs); and</li><li>• Maintaining high performance for existing and new students, advocate for improved outcomes for all Victorian students, and seek out and highlight opportunities for collaboration between sectors.</li></ul>
<b>Membership</b>	<p>The Council consists of the following members appointed by the Minister:</p> <ul style="list-style-type: none"><li>• The Secretary of the Department of Education and Training (the Department) who is to be the Chair of the Council;</li><li>• A representative of the Catholic Education Commission of Victoria (CECV) who is to be nominated by the CECV;</li><li>• A representative of Independent Schools Victoria (ISV) who is to be nominated by the ISV;</li><li>• A representative of Government schools who is employed in the Department; and</li><li>• An independent member to represent the common interests of all students in Victoria.</li></ul> <p>The Minister, from time to time, may appoint any other person as a member of the Council who, in the Minister's opinion, has the necessary expertise to contribute to its function.</p>
<b>Decision making authority</b>	<p>The Council is an advisory body to the Minister and does not have decision making powers. The Minister must take into account any advice provided by the Council but is not bound to follow that advice.</p> <p>Representation appointed to the Council will be recognised as the primary source of advice (as opposed to any members appointed from time to time for their specialist expertise).</p> <p>The Council will provide advice to the Minister on the basis of consensus. Where consensus is not reached, the Council will transparently communicate the full range of members' views in its advice to the Minister.</p>

	<p>The Council will work collaboratively to achieve its objectives, and will ensure complete confidentiality of all discussions and materials.</p> <p>Where necessary, Council member delegations should be communicated to the Chair in advance of the meeting, and delegates must have decision making authority on behalf of members.</p> <p>Attendance by additional observers must be approved in advance by the Chair, following notification to all members of the Committee.</p>
<b>Subcommittees</b>	<p>The Council may establish subcommittees and working groups to provide advice on issues related to its scope of work and to contribute to the policy directions of Council (e.g. Non-Government Schools Reference Group). To support Council in its advisory function, Council members are to receive minutes for noting within seven days following a subcommittee meeting.</p> <p>Where the Chair determines, the relevant committee shall provide a report to the Council on designated matters.</p>
<b>Frequency of meetings</b>	<p>The Council will meet a minimum of three times per year.</p> <p>Dates for meeting will be scheduled in advance and only moved with agreement of all members.</p> <p>An extraordinary meeting of Council, or consideration of issues out of session, may be held at any time to discuss particular issues, provided there is agreement from all members.</p> <p>The business of the extraordinary meeting must only cover the specific matter for which it is called.</p>
<b>Operations and Administration</b>	<p>The Chair will develop an annual work plan in consultation with Council members and the Minister.</p> <p>Meeting agendas will be established by the Chair in consultation with Council members.</p> <p>Meeting papers must be lodged with the Secretariat a minimum of 10 working days in advance of the meeting, or as advised by the Secretariat, and be approved by the Chair before circulation.</p> <p>Papers will be provided to members a minimum of seven days in advance of the meeting.</p> <p>All meetings will be minuted, and will record the specific decisions and actions required by Council.</p> <p>Draft minutes will be distributed for review no later than 10 working days following the meeting. To achieve quorum three members of the Council (or their delegates) must be present at the meeting.</p> <p>Following each meeting, the Secretariat will coordinate with the Council members to draft an 'Official Statement' for public release through each Council members' communication channels. The Statement's topics will be based on the agreed agenda and the outcomes from the meeting, as endorsed by Council members.</p> <p>The Secretariat support for the Council will be coordinated by the Department.</p>
<b>Conflict of Interest</b>	<p>Council members are expected to advise the Chair of any potential, perceived or actual conflict of interest at the start of each meeting.</p>
<b>Review</b>	<p>The Council's terms of reference will be reviewed on an annual basis.</p> <p>The Minister, in consultation with the members, must review the operation of Council in 2018 in accordance with Section 2.7.13 of the <i>Education and Training Reform Act 2006</i>.</p>

**Legislative Context**

The Council was established in 2015 under the *Education and Training Reform Act 2006*.

The Act establishes a transparent mechanism for State funding of non-government Schools for the purpose of meeting student needs. The Act specifies that the Minister must take into account any advice provided by the Council in relation to:

- the Minister having regard to the needs of non-Government schools and students attending non-Government schools when providing funding;
- the Minister determining whether to impose any reasonable conditions on the provision of funding on a non-Government school or an organisation (e.g. CECV or ISV); and
- the Minister requiring a non-Government school or an organisation (e.g. CECV or ISV) to report on the application of funding.

The Minister, by Order, may make any further provisions in relation to the Council.

**Version history**

#	Notes	Approval date
1.0	Approved by the School Policy and Funding Advisory Council at its first meeting.	18/09/2015
2.0	Annual review (2016) – expanded sections on the subcommittees, extraordinary meetings	17/11/2016
3.0	Annual review (2017) – new provisions to reflect independent member, conflicts of interest, and reviews.	2/11/2017
4.0	Annual review (2019) – new provision for Council statement	03/04/2019