NATIONAL PARINERSHIP AGREEMENT ON REVARIS FOR GREAT TEACHERS

Council of Australian Governments

An agreement between

- n the Commonwealth of Australia and
- n the States and Territories, being:
 - t New South Wales
 - t Western Australia
 - t South Australia
 - t Tas**na**nia
 - t the Australian Capital Territory
 - t the Northern Territory

This Agreement will recognise quality teachers through a teacher reward payment scheme. It will contribute to improving the quality and effectiveness of all teachers by ensuring they have access to constructive performance and development processes and will contribute to improved learning outcomes for students.

National Partnership Agreement on Rewards for Great Teachers

INTERGOVERNMENTAL AGREEMENT ON FEDERAL FINANCIAL RELATIONS

PRELIMINARIES

- 1. This National Partnership Agreement (the Agreement) is created subject to the provisions of the Intergovernmental Agreement on Federal Financial Relations and should be read in conjunction with that Agreement and its Schedules, which provide information in relation to performance reporting and payment arrangements.
- 2. In entering this Agreement, the Commonwealth of Australia (the Commonwealth) and the States and Territories (the States) recognise that they have a mutual interest in improving student outcomes through the quality and effectiveness of all Australian teachers, and need to work together to achieve these outcomes.
- 3. This Agreement will contribute to improving teacher quality by ensuring all teachers have access to constructive performance and development processes, which as a result, contribute to improved learning outcomes for students. It will also enable the payment of a one-off Teacher Reward Payment to teachers who have achieved certification at the Highly Accomplished and/or Lead levels of the National Professional Standards for Teachers. This Agreement recognises that jurisdictions are entering the agreement at different starting points.
- 4. The *Rewards for Great Teachers* initiative aligns with and will build on a number of reform outcomes being achieved through the Improving Teacher Quality National Partnership Agreement, which is intended to improve the quality of teaching and leadership in Australian schools. The Commonwealth will provide up to \$1.1 billion over eight years (2011-12 to 2018-19) to support the implementation of certification and the Australian Teacher Performance and Development Framework and provide one-off Teacher Reward Payments to teachers. This includes up to \$726.647 million in payments to the States under this Agreement.
- 5. Activities under this Agreement will be complemented by work being undertaken by the Australian Institute for Teaching and School Leadership (AITSL) to develop the new Australian Teacher Performance and Development Framework, as well as the national certification process for Highly Accomplished and Lead teachers.
- 6. This Agreement will be implemented consistently with the objectives and outcomes of all National Agreements and National Partnerships agreed by the Parties. In particular, the Parties are committed to addressing the issue of social inclusion, including responding to Aboriginal and Torres Strait Islander disadvantage and people with disabilities. The objectives of this National Partnership Agreement will build on work currently underway through the Improving Teacher Quality National Partnership Agreement that contribute to meeting the Closing the Gap education targets.

7. Teacher Reward Payments referred to in this Agreement will reward teachers for performance, but are project payments for the purpose of this Agreement, in accordance with the Intergovernmental Agreement on Federal Financial Relations.

PART 1 — FORMALITIES

Parties to this Agreement

8. This Agreement is between the Commonwealth and the States. Non-government education authorities in the States are not Parties to the Agreement. The Commonwealth will enter into separate Funding Agreements with non-government education authorities that will detail their involvement in this initiative. These Funding Agreements will reflect the objectives of the National Partnership Agreement to the greatest degree possible.

Term of the Agreement

9. This Agreement will commence as soon as the Commonwealth and one other Party signs the Agreement and will expire on 30 June 2019, or on completion of the project, including the acceptance of final performance reporting and processing of final payments against project milestones. The Agreement may be terminated earlier or extended as agreed in writing by the Parties.

PART 2 — **OBJECTIVES**, **OUTCOMES** AND **OUTPUIS**

Objective

10. The Parties aspire to improve the quality, performance and development of all teachers in Australia, in order to improve student learning outcomes.

Outcomes

- 11. The Agreement will contribute to the following outcomes:
 - (a) Effective teacher performance and development which will contribute to improving the quality of teaching in all government schools.; and
 - (b) All teachers have access to a rigorous and transparent certification process that recognises and rewards Highly Accomplished and Lead teachers.

Outputs

- 12. The objectives and outcomes of this Agreement will be achieved by:
 - (a) implementing the essential elements as part of an agreed new Australian Teacher Performance and Development Framework in all government schools from 2013 (subject to agreement by Education Ministers within six months of signing this Agreement);
 - (b) implementing an agreed national process for the certification of Highly Accomplished and Lead teachers in all States from 2013; and
 - (c) the provision of one-off Teacher Reward Payments to teachers who achieve certification at the Highly Accomplished and Lead levels of the National Professional Standards for Teachers between 2013 and 2018.

PART 3 — ROLES AND RESPONSIBILITIES OF EACH PARTY

13. To realise the objectives and commitments in this Agreement, each Party has specific roles and responsibilities as outlined below.

Role of the Commonwealth

- 14. The Commonwealth agrees to be accountable for the following roles and responsibilities:
 - (a) monitoring and assessing the performance in the delivery of the outputs under this Agreement;
 - (b) providing a fixed financial contribution to the States to support the implementation of this Agreement; and
 - (c) providing funding for the one-off Teacher Reward Payments.

Role of the States and Territories

- 15. The States agree to be accountable for the following roles and responsibilities:
 - (a) implementing the new Australian Teacher Performance and Development Framework (subject to agreement by Education Ministers within six months of signing this Agreement) in all government schools from 2013. This will involve:
 - i. reviewing and revising, if necessary, current teacher performance and development policies and processes to integrate the agreed essential elements of the Australian Teacher Performance and Development Framework; and
 - ii. providing support to government schools to implement the agreed essential elements as part of the Australian Teacher Performance and Development Framework; and
 - iii. reviewing and, if necessary, amending current systems and procedures for supporting teachers in need of development.
 - (b) certifying teachers in government and non-government schools against the Highly Accomplished and Lead teacher levels within the National Professional Standards for Teachers using the national certification process (as agreed by Education Ministers on 20 April 2012) from 2013. This will involve:
 - i. determining, in consultation and collaboration with the non-government sector, how the national certification process will be implemented in the State;
 - ii. maintaining consistency and rigour of standards and judgements in the implementation of the national certification process;
 - iii. conducting and/or participating in training to implement the national certification process;
 - iv. ensuring the cost to participants of proceeding through the certification process is no more than \$1825 to an individual teacher;
 - v. undertaking monitoring and moderation to ensure the integrity of the nationally consistent approach to certification;
 - vi. maintaining a database of Highly Accomplished and Lead teachers and providing data, in line with the reporting requirements specified in this Agreement, on certification decisions to AITSL;
 - vii. participating in national evaluation and review processes to inform improvements to the national certification process; and

- viii. ensuring appropriate support is provided to teachers in rural and remote areas.
- (c) providing teachers in government schools who achieve certification at the Highly Accomplished and Lead teacher levels under the national certification process with the one-off Teacher Reward Payment provided by the Commonwealth over the life of this Agreement. This will involve:
 - i. providing teachers in government schools who achieve certification at the Highly Accomplished level with a one-off payment of \$7500 in such a way as most benefits recipients and ensuring that year's total funding allocation is not exceeded;
 - ii. providing teachers in government schools who achieve certification at the Lead teacher level with a one-off payment of \$10 000 in such a way as most benefits recipients and ensuring that year's total funding allocation is not exceeded; and
 - iii. managing the total number of Teacher Reward Payments at the Highly Accomplished and Lead teacher levels from within their notional allocation.
- (d) reporting on the delivery of outputs as set out in Part 4 of this Agreement.

Shared roles and responsibilities

- 16. The Commonwealth and the States share the following roles and responsibilities:
 - (a) participating in consultation as appropriate regarding the implementation of this Agreement;
 - (b) negotiating new or revised Schedules to this Agreement; and
 - (c) participating in Commonwealth led and funded evaluations and reviews of services and outputs delivered under this Agreement.
- 17. The Parties will meet the requirements of Schedule E, Clause 26 of the Intergovernmental Agreement on Federal Financial Relations by ensuring that prior agreement is reached on the nature and content of any events, announcements, promotional material or publicity relating to activities and that the roles of both Parties will be acknowledged and recognised appropriately.
- 18. All Parties agree to work with AITSL in the implementation and operation of this Agreement. Although not a party to this Agreement, AITSL has a critical role in the implementation of this initiative. The Commonwealth has entered into a separate funding agreement with AITSL to develop the Australian Teacher Performance and Development Framework, national certification process, and the collection of data at all three stages of the certification process.

PART 4 — PERFORMANCE MONITORING AND REPORTING

Performance indicators

- 19. Achievement of the objectives, outcomes, outputs and milestones in this Agreement will be measured by the following performance indicators:
 - (a) the number of annual online registrations for certification at the Highly Accomplished and Lead teacher levels;

- (b) the number of teachers certified at the Highly Accomplished and Lead levels of the National Professional Standards for Teachers;
- (c) the number of teachers receiving one-off Teacher Reward Payments at the Highly Accomplished and Lead teacher levels having achieved certification; and
- (d) evidence of the range of professional development and support provided to school leaders and teachers under the Australian Teacher Performance and Development Framework.
- 20. Progress against the performance indicators will be reported on as outlined in Clauses 24 to 30 of this agreement.

Performance milestones

- 21. By the end of 2013, States will have commenced implementation of the agreed essential elements as part of the Australian Teacher Performance and Development Framework in all government schools, established a certification process consistent with the national certification process, and made this available for teachers in government and non-government schools interested in seeking certification at either the Highly Accomplished or Lead teacher level.
- 22. By September 2015, teachers in all government schools will participate in a performance and development cycle that is consistent with the agreed essential elements as part of the Australian Teacher Performance and Development Framework, and all government and non-government teachers will have access to certification at the Highly Accomplished and Lead teacher levels, with these decisions informed by the outcomes of their performance and development review.
- 23. By the end of this Agreement, the States will have provided one-off Teacher Reward Payments on behalf of the Commonwealth within their annual notional allocations to teachers achieving certification at the Highly Accomplished and Lead teacher level.

Reporting arrangements

- 24. Following allocation of the \$41.283 million one-off in advance payment, the States will be required to provide an initial progress report, due in April 2013. This report will include the following information:
 - (a) an outline of the starting context within each jurisdiction, including a description of existing performance management processes and certification processes, if in operation;
 - (b) a description of the range of professional development and support provided to implement the Australian Teacher Performance and Development Framework and the certification process, and/or the intended support to be provided;
 - (c) changes made or proposed to be made to support the alignment of existing performance and development policies and processes with the Australian Teacher Performance and Development Framework;
 - (d) details of steps taken or proposed to be taken to implement the national certification process for Highly Accomplished and Lead teachers, including the data collection and reporting arrangements agreed with AITSL and the proposed cost to be charged to individual teachers applying for certification; and

- (e) an overview of the communication strategy and activities that have been developed to inform schools and teachers about the details and requirements of the Australian Performance and Development Framework and the certification of Highly Accomplished and Lead teachers.
- 25. Following receipt of the April 2013 report, the States will be required to provide six monthly progress reports, commencing in September 2013 and concluding in September 2015. These reports will provide information on progress to implement the certification process and the Australian Teacher Performance and Development Framework, and follow on from the previous report, including an update on any changes to the cost being charged to individual teachers applying for certification.
- 26. The Commonwealth will no longer require detailed reports outlining the implementation of the Framework after September 2015. In lieu of ongoing reporting to the Commonwealth, the States agree to assist AITSL with any evaluation or research activities that relate to the continual operation and improvement of the Australian Teacher Performance and Development Framework and/or the national certification process as agreed between AITSL, the Commonwealth and the States.
- 27. The States agree to provide AITSL with data relating to the national certification process and agree that the Commonwealth is able to access this information. This information would include the numbers of:
 - (a) online registrations for certification at the Highly Accomplished and Lead teacher levels;
 - (b) teachers who have successfully completed Assessment Stage 1 (the assessment of the teacher's written and other evidence of capability against the Standards) towards certification at the Highly Accomplished and Lead teacher levels; and
 - (c) teachers who have successfully completed Assessment Stage 2 (the final assessment based on classroom observation by external assessors against the Standards) and achieving certification at Highly Accomplished and Lead levels and are therefore eligible to receive a one-off Teacher Reward Payment.
- 28. The States through their certifying body/bodies, will agree and establish with AITSL a process to report on the numbers of teachers as they move through the three stages of the national certification process (including online registration). On behalf of the States, AITSL will compile a report on the information outlined at clause 27 to the Commonwealth by the third Friday in January each year, commencing from 2014. This report will be used by the Commonwealth to process Teacher Reward Payments for the preceding year. To assist in the management of this data, AITSL will develop a system to support data collection and reporting and agree the data protocols in consultation and collaboration with the States. This will include demographic and other data that is complementary with the agreed initial National Teacher Workforce data set.
- 29. States will be required to provide a final report to the Commonwealth by 30 June 2019. This final report will be a stand-alone document that can be used for public information purposes regarding the initiative. The final report will:
 - (a) provide a summary of the activities undertaken to implement the Australian Teacher Performance and Development Framework and the certification of Highly Accomplished and Lead teachers over the life of the Agreement;

- (b) provide information outlining the participation rates in the certification process over the life of the Agreement, an overview of the impact of the introduction of the Australian Teacher Performance and Development Framework, an overview of the impact of the national certification process and any other outcomes following participation in this Agreement; and
- (c) include any discussion of any other matters that relate to the initiative.
- 30. The protocols and the template to be used for reporting will be determined by the Commonwealth in collaboration with the States. This template is to be agreed no later than the end of 2012.

PART 5 — FINANCIAL ARRANGEMENTS

Financial contributions

31. The Commonwealth's estimated financial contribution to the operation of this Agreement, including through National Partnership payments to the States paid in accordance with Schedule D — Payment Arrangements of the Intergovernmental Agreement on Federal Financial Relations, are shown in Table 1. Where States elect to undertake activities under this Agreement with costs over and above the Commonwealth contribution, they will be responsible for meeting those costs.

(\$ million)	2011- 12	2012- 13	2013- 14	2014- 15	2015- 16	2016- 17	2017- 18	2018- 19	Total
Estimated total budget	50	10	40	125	250	250	250	125	1,100
Less Specific Purpose Payments through States (non-government schools)	8.717	1.743	13.965	43.616	87.232	87.232	87.232	43.616	373.353
Total Commonwealth Contribution to the States	41.283	8.257	26.035	81.384	162.768	162.768	162.768	81.384	726.647

Table 1: Estimated financial contributions (2011-12 to 2018-19).

- 32. A total of \$49.54 million (\$41.283 million one-off advance payment in 2011-12 and \$8.257 million in arrears payment in 2012-13) will be available to the States to support the costs of implementing the Australian Teacher Performance and Development Framework and the national certification process for Highly Accomplished and Lead teachers.
- 33. Table 2 shows that allocation broken down by State. This table also shows the funding allocated from 2013-14 to 2018-19 for the provision of one-off Teacher Reward Payments to those teachers in government schools who successfully achieve certification at the Highly Accomplished and/or Lead teacher levels.

Table 2: Indicative allocation of funding contribution.

(\$ million)	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19	Total
NSW	12.996	2.599	8.300	25.996	51.992	51.992	51.992	25.996	231.863
VIC	10.039	2.007	6.300	19.468	38.936	38.936	38.936	19.468	174.09
QLD	8.458	1.692	5.400	17.015	34.031	34.031	34.031	17.015	151.673
WA	4.393	0.879	2.700	8.447	16.894	16.894	16.894	8.447	75.548
SA	2.973	0.595	1.835	5.735	11.471	11.471	11.471	5.735	51.286
TAS	1.014	0.203	0.665	2.119	4.237	4.237	4.237	2.119	18.831
ACT	0.713	0.143	0.440	1.370	2.740	2.740	2.740	1.370	12.256
NT	0.697	0.139	0.395	1.234	2.467	2.467	2.467	1.234	11.1
TOTAL	41.283	8.257	26.035	81.384	162.768	162.768	162.768	81.384	726.647

- 34. For the funding available in 2011-12 and 2012-13, a weighting has been applied to the FTE teacher numbers as published in Schools Australia 2010 by the Australian Bureau of Statistics (ABS). This weighting has been applied in recognition of the additional costs associated with supporting teachers in rural and remote communities. For the purposes of this calculation the methodology used identifies the number of teachers working in remote and very remote schools, as identified by the ABS, and counted those teachers at 1.45 FTE of their urban colleagues. The weighting was applied to the total number of FTE teachers within each jurisdiction. Funding for 2011-12 and 2012-13 (\$49.54 million) was then allocated between the States as a proportion of the new FTE numbers as calculated with the applied remote and very remote weighting.
- 35. 50 per cent of funding in 2011-12 and 2012-13 has been allocated to support the costs of the national certification process. This funding has been provided to the States to be directed towards the costs of establishing and/or conducting the certification process for teachers in government and non-government schools within their jurisdiction. The implementation of the national certification process within each State, including the parameters for how the funding for certification is to be used, including the proportion of funding to be passed on to the relevant certifying body/bodies, is to be determined by agreement between the State and the non-government sectors in their jurisdiction.
- 36. The remaining 50 per cent of funding has been allocated to support the implementation of the Australian Teacher Performance and Development Framework. This funding has been further divided between the sectors based on the proportion of teachers within each sector within each State. The Commonwealth will enter into separate funding agreements with the non-government sector in relation to this element of funding. A copy of the table used to allocate the 2011-12 and 2012-13 funding is provided at <u>Attachment A</u>.
- 37. Government and non-government sectors within a jurisdiction have discretion to determine how their funding allocations in 2011-12 and 2012-13 are to be used. This includes flexibility around the proportion of the funding allocation that is spent on the certification process and the Australian Teacher Performance and Development Framework. For example, a higher proportion of the funding allocation could be used to support the cost of establishing the certification process and a lower proportion on the implementation of the Australian Teacher Performance and Development Framework, or vice versa.

- 38. The States are responsible for ensuring that the cost to individual teachers of applying for certification charged by their certifying body/bodies is no more than \$1825 to an individual. This amount reflects the costs proposed in the KPMG report, *Costing of nationally consistent approach to Certification of Highly Accomplished and Lead Teachers* published 28 March 2012, with a fair and reasonable adjustment.
- 39. Funding available for the 2011-12 financial year is only available in the 2011-12 financial year and will not be moved or reallocated into future financial years. Funding available for the 2012-13 year will be released on acceptance of a satisfactory April 2013 progress report.
- 40. The Commonwealth contribution is not intended to cover all costs associated with implementation.
- 41. If a State chooses not to become a party to this Agreement, the Commonwealth has discretion to determine how any Commonwealth funding that would have been allocated to that State will be managed, including whether it will be redirected to participating States. Redirecting the funding to participating States will not require a variation to the National Partnership Agreement.

Teacher Reward Payments

- 42. Funding allocated from 2013-14 to 2018-19 will be used for the one-off Teacher Reward Payments. Teacher reward funding for the States will be notionally allocated between jurisdictions based on teacher Full Time Equivalent. The total number of certifications at the Highly Accomplished and Lead teacher levels will be managed by the States based on their notional allocation. The indicative funding allocations for the one-off Teacher Reward Payments outlined in Table 2 have been allocated as a proportion of the funding available for a State for the government sector.
- 43. Subject to Clauses 47-48, the final number of one-off Teacher Reward Payments per year will be determined by the total numbers of applicants achieving certification at the Highly Accomplished and Lead teacher levels. The States will have the flexibility to re-allocate the one-off Teacher Reward Payment funding based on the demand for each level of certification within their notional allocation for their State. The States will be required to ensure they make available the one-off Teacher Reward Payments at both levels of certification.
- 44. While allocated on a notional basis for each State (and education authority in nongovernment funding agreements), the State can, in consultation with the non-government sector, reallocate Teacher Reward Payment funding across sectors within its jurisdiction, as long as it remains within the combined total notional allocation for that jurisdiction (that is, the total notional allocation for the government and non-government sectors).
- 45. The maximum allocation of Teacher Reward Payment funding available for each financial year over the life of this Agreement will not be exceeded regardless of the number of teachers who achieve certification.

Managing Certification

- 46. The States will advise applicants in advance of commencing the certification process that once their State's maximum one-off Teacher Reward Payment funding allocation has been reached, any further applications that achieve certification in that year may not receive the one-off Teacher Reward Payment.
- 47. If the notional allocation for each State and Territory is not reached in any given year of the program, the Commonwealth will have the capacity to reallocate any unspent allocations to

jurisdictions with higher levels of demand. That is, additional funds could be provided to a State where demand for the one-off Teacher Reward Payments exceeds a State's notional set annual allocation.

- 48. If the notional one-off Teacher Reward Payment allocation for each State and Territory is exceeded in any given year of the program, and there is no unspent allocations that could be reallocated, then the responsibility for this over allocation will rest with the relevant State.
- 49. States will also have the capacity to provide teachers with the one-off Teacher Reward Payment who have previously achieved certification under a jurisdiction-based system since 2008, where AITSL deems the relevant certification process fully aligns with the nationally consistent approach or can be made to do so by adding additional elements to their application. This will not be an ongoing entitlement and applicants wishing to take advantage of the deeming process will need to complete the relevant steps by the end of 2014.
- 50. Teachers will not be able to apply for certification at both the Highly Accomplished and Lead teacher career stages in the same calendar year. Teachers do not have to be certified as Highly Accomplished before applying for certification as Lead. Teachers already certified as Lead are not able to apply for certification as Highly Accomplished. Teachers seeking to renew their certification at the same level during the life of this Agreement, who have previously received a Teacher Reward Payment, will not be eligible to receive a second Teacher Reward Payment on re-certification at that level.
- 51. The Commonwealth will provide teacher reward funding to the States in a one-off arrears instalment each financial year. This payment will provide funding to allow the States to make one-off Teacher Reward Payments to those teachers who achieved certification at the Highly Accomplished and Lead teacher levels in the previous calendar year. The States will be responsible for ensuring that the one-off reward payment of \$7500 or \$10 000 is provided to qualifying teachers in such a way as most benefits recipients.
- 52. States will be required to manage the certification process within their jurisdictions. However, if an applicant has not achieved certification, and not been entered into the data system to be managed by AITSL, by the third Friday of January of each year, that applicant will not be included in the total number of Teacher Reward Payments for the preceding calendar year.
- 53. Once reported, AITSL will then provide this data to the Commonwealth on behalf of certifying authorities to enable the Commonwealth to monitor the numbers of teachers and help to inform any decision to reallocate funding from one jurisdiction to another should that become necessary.

Implementation Milestones	Associated activities	Reporting requirements	Completion date	One-off Payments
1	One-off in-advance project payment for activities to implement the Australian Teacher Performance and Development Framework and certification process.	Nil	30 June 2012	\$41.283 million (in advance 2011-12 project payments) to support the costs of implementation.

Table 3: Implementation Milestones

Implementation Milestones	Associated activities	Reporting requirements	Completion date	One-off Payments
2	Activities as set out in Clauses 21 and 24	Progress Report	30 April 2013	\$ 8.257 million (in arrears project payment) 2012-13.
3	Activities as set out in Clause 25	Progress Report	30 September 2013	N/A
4	Data on number of teachers achieving certification as set out in Clause 27	Certification report provided via AITSL	Third Friday of January 2014	Up to \$26 million
5	Activities as set out in Clause 25	Progress Report	30 April 2014	N/A
6	Activities as set out in Clause 25	Progress Report	30 September 2014	N/A
7	Data on number of teachers achieving certification as set out in Clause 27	Certification report provided via AITSL	Third Friday of January 2015	Up to \$81.4 million
8	Activities as set out in Clause 25	Progress Report	30 April 2015	N/A
9	Achievement of the performance milestone in Clause 22 Activities as set out in Clause 25	Progress Report	30 September 2015	N/A
10	Data on number of teachers achieving certification as set out in Clause 27	Certification report provided via AITSL	Third Friday of January 2016	Up to \$162.7 million
11	Data on number of teachers achieving certification as set out in Clause 27	Certification report provided via AITSL	Third Friday of January 2017	Up to \$162.7 million
12	Data on number of teachers achieving certification as set out in Clause 27	Certification report provided via AITSL	Third Friday of January 2018	Up to \$162.7 million

Implementation Milestones	Associated activities	Reporting requirements	Completion date	One-off Payments
13	Achievement of the performance milestone in Clause 23	Final Report	Third Friday of January 2019	Up to \$81.4 million
	Activities as set out in Clause 29			
	Data on number of teachers achieving certification as set out in Clause 27	Certification report provided via AITSL		

Project management risk

54. The States will not be required to pay a refund to the Commonwealth if the actual cost of implementing the Australian Teacher Performance and Development Framework and national certification process for Highly Accomplished and Lead Teachers is less than the funding provided in the 2011-12 and 2012-13 financial years. Similarly, the States bear all risk should the costs of implementing the Australian Teacher Performance and Development Framework and the national certification process exceed the agreed estimated costs. The Parties acknowledge that this arrangement provides the maximum incentive for the States to implement the Australian Teacher Performance and Development Framework and the national certification process effectively and efficiently.

PART 6 — GOVERNANCE ARRANGEMENTS

Enforceability of the Agreement

55. The Parties do not intend any of the provisions of this Agreement to be legally enforceable. However, that does not lessen the Parties' commitment to this Agreement.

Review of the Agreement

56. The Agreement will be reviewed in 2015 by the Commonwealth in partnership with the Parties, with regard to the objectives of the Agreement and progress made by the Parties in respect of achieving the agreed outputs. This review will commence in early 2015 following the payment of Teacher Reward Payments for the 2014 year. The scope and nature of this review will be agreed with the States prior to its commencement.

Variation of the Agreement

- 57. The Agreement may be amended at any time by agreement in writing by all the Parties.
- 58. The Commonwealth may seek to vary the Agreement, including the financial arrangements, if the Australian Teacher Performance and Development Framework is not agreed by Education Ministers within six months of signing this Agreement.
- 59. A Party to the Agreement may terminate their participation in the Agreement at any time by notifying all the other Parties in writing.

Delegations

- 60. The Commonwealth Minister for School Education, Early Childhood and Youth is authorised to agree and amend Schedules to this Agreement and to certify that performance benchmarks specified under this Agreement have been achieved so that payments may be made.
- 61. Respective State and Territory Ministers with portfolio responsibility for School Education are authorised to agree and amend Schedules to this Agreement.
- 62. The Commonwealth Minister may delegate the assessment of project-based performance benchmarks or milestones and the authorisation of related project payments to senior Commonwealth officials, having regard to the financial and policy risks associated with those payments.

Dispute resolution

- 63. Any Party may give notice to other Parties of a dispute under this Agreement.
- 64. Officials of relevant Parties will attempt to resolve any dispute in the first instance.
- 65. If a dispute cannot be resolved by officials, it may be escalated to the relevant Ministers and if necessary, the relevant COAG Council.
- 66. If a dispute cannot be resolved by the relevant Ministers, it may be referred by a Party to the Council of Australian Governments for consideration.

Signed for and on behalf of the Commonwealth of Australia by

All

The Honourable Julia Gillard MP Prime Minister of the Commonwealth of Australia

Signed for and on behalf of the State of New South Wales by

The Honourable Barry O'Farrell MP Premier of the State of New South Wales

[Day] [Month] [Year]

Signed for and on behalf of the State of Queensland by

The Honourable Campbell Newman MP Premier of the State of Queensland

[Day] [Month] [Year]

Signed for and on behalf of the State of South Australia by

The Honourable Jay Weatherill MP Premier of the State of South Australia

[Day] [Month] [Year]

Signed for and on behalf of the Australian Capital Territory by

Katy Gallagher MLA Chief Minister of the Australian Capital Territory

[Day] [Month] [Year]

Signed for and on behalf of the State of Victoria by

The Honourable Ted Baillieu MLA Premier of the State of Victoria

[Day] [Month] [Year]

Signed for and on behalf of the State of Western Australia by

The Honourable Colin Barnett MLA Premier of the State of Western Australia

[Day] [Month] [Year]

Signed for and on behalf of the State of Tasmania by

The Honourable Lara Giddings MP Premier of the State of Tasmania

[Day] [Month] [Year]

Signed for and on behalf of the *Northern Territory by*

The Honourable Paul Henderson MLA Chief Minister of the Northern Territory of Australia

[Day] [Month] [Year]

Signed for and on behalf of the Commonwealth of Australia by

The Honourable Julia Gillard MP Prime Minister of the Commonwealth of Australia

[Day] [Month] [Year]

Signed for and on behalf of the State of New South Wales by

The Honourable Barry O'Farrell MP Premier of the State of New South Wales 18 JUN 2012

Signed for and on behalf of the State of Queensland by

The Honourable Campbell Newman MP Premier of the State of Queensland

[Day] [Month] [Year]

Signed for and on behalf of the State of South Australia by

The Honourable Jay Weatherill MP Premier of the State of South Australia

[Day] [Month] [Year]

Signed for and on behalf of the Australian Capital Territory by

Katy Gallagher MLA Chief Minister of the Australian Capital Territory

[Day] [Month] [Year]

Signed for and on behalf of the State of Victoria by

The Honourable Ted Baillieu MLA Premier of the State of Victoria

[Day] [Month] [Year]

Signed for and on behalf of the State of Western Australia by

The Honourable Colin Barnett MLA Premier of the State of Western Australia

[Day] [Month] [Year]

Signed for and on behalf of the State of Tasmania by

The Honourable Lara Giddings MP Premier of the State of Tasmania

[Day] [Month] [Year]

Signed for and on behalf of the Northern Territory by

The Honourable Paul Henderson MLA Chief Minister of the Northern Territory of Australia

[Day] [Month] [Year]

Signed for and on behalf of the Commonwealth of Australia by

The Honourable Julia Gillard MP Prime Minister of the Commonwealth of Australia

[Day] [Month] [Year]

Signed for and on behalf of the State of New South Wales by

The Honourable Barry O'Farrell MP Premier of the State of New South Wales

[Day] [Month] [Year]

Signed for and on behalf of the State of Queensland by

The Honourable Campbell Newman MP Premier of the State of Queensland

[Day] [Month] [Year]

Signed for and on behalf of the State of South Australia by

The Honourable Jay Weatherill MP Premier of the State of South Australia

[Day] [Month] [Year]

Signed for and on behalf of the Australian Capital Territory by

Katy Gallagher MLA Chief Minister of the Australian Capital Territory

[Day] [Month] [Year]

Signed for and on behalf of the State of Victoria by

The Honourable Ted Baillieu MLA Premier of the State of Victoria

[Day] [Month] [Year]

Signed for and on behalf of the State of Western Australia by

The Honourable Colin Barnett MLA Premier of the State of Western Australia

[Day] [Month] [Year]

Signed for and on behalf of the State of Tasmania by

The Honourable Lara Giddings MP Premier of the State of Tasmania

[Day] [Month] [Year]

Signed for and on behalf of the *Northern Territory by*

[Day] [Month] [Year]

The Honourable Paul Henderson MLA Chief Minister of the Northern Territory of Australia

1 5 JUN 2012

Signed for and on behalf of the Commonwealth of Australia by

The Honourable Julia Gillard MP Prime Minister of the Commonwealth of Australia

Date: 1 2012

Signed for and on behalf the of State of New South Wales by

Signed for and on behalf of the State of Victoria by

The Honourable Barry O'Farrell MP Premier of the State of New South Wales

Date: 1 2012

Signed for and 011 behalf of the State of Queensland by

The Honourable Campbell Newman MP Premier of the State of Queensland

Date: I 2012

Signed for and on behalf the of State of South Australia by

The Honograble Jay Weatherill MP Premier of the State of South Australia

Date: 2012 10

Signed for and on behalf of the Australian Capital Territory by

Katy Gallagher MLA Chief Minister of the Australian Capital Territory

1

Date:

2012

The Honourable Ted Baillieu MLA Premier of the State of Victoria

Date: / 2012 1

Signed for and 011 behalf of the State of Western Australia by

The Honourable Colin Barnett MLA Premier of the State of Western Australia

Date: 1 2012

Signed for and 011 behalf of the State of Tasmania by

The Honourable Lara Giddings MP Premier of the State of Tasmania

Date: 1 / 2012

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The Honourable Jay Weatherill MP Premier of the State of South Australia

[Day] [Month] [Year]

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Katy Gallagher MLA Chief Minister of the Australian Capital Territory

[Day] [Month] [Year]

The Honourable Ted Baillieu MLA Premier of the State of Victoria

[Day] [Month] [Year]

Signed for and on behalf of the State of Western Australia by

The Honourable Colin Barnett MLA Premier of the State of Western Australia

[Day] [Month] [Year]

Signed for and on behalf of the State of Tasphania by

and

The Honourable Lara Giddings MP Premier of the State of Tasmania

> [Day] [Month] [Year] 14/6/2012

Signed for and on behalf of the Northern Territory by

The Honourable Paul Henderson MLA Chief Minister of the Northern Territory of Australia

[Day] [Month] [Year]

Signed for and on behalf of the Commonwealth of Australia by

The Honourable Julia Gillard MP Prime Minister of the Commonwealth of Australia

[Day] [Month] [Year]

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[Day] [Month] [Year]

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[Day] [Month] [Year]

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The Honourable Jay Weatherill MP Premier of the State of South Australia

[Day] [Month] [Year]

Signed for and on behalf of the *Australian Capital Territory by*

Gaile

Katy Gallagher MLA () Chief Minister of the Australian Capital Territory

[Day] [Month] [Year] (2, 6, 1)

Signed for and on behalf of the State of Victoria by

The Honourable Ted Baillieu MLA Premier of the State of Victoria

[Day] [Month] [Year]

Signed for and on behalf of the State of Western Australia by

The Honourable Colin Barnett MLA Premier of the State of Western Australia

[Day] [Month] [Year]

Signed for and on behalf of the State of Tasmania by

The Honourable Lara Giddings MP Premier of the State of Tasmania

[Day] [Month] [Year]

Signed for and on behalf of the Northern Territory by

The Honourable Paul Henderson MLA Chief Minister of the Northern Territory of Australia

[Day] [Month] [Year]

Signed for and on behalf of the Commonwealth of Australia by

The Honourable Julia Gillard MP Prime Minister of the Commonwealth of Australia

[Day] [Month] [Year]

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[Day] [Month] [Year]

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[Day] [Month] [Year]

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The Honourable Jay Weatherill MP Premier of the State of South Australia

[Day] [Month] [Year]

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Katy Gallagher MLA Chlef Minister of the Australian Capital Territory

[Day] [Month] [Year]

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The Honourable Ted Baillieu MLA Premier of the State of Victoria

[Day] [Month] [Year]

Signed for and on behalf of the State of Western Australia by

The Honourable Colin Barnet't MLA Premier of the State of Western Australia

[Day] [Month] [Year]

14 JUN 2012

Signed for and on behalf of the State of Tasmania by

The Honourable Lara Giddings MP Premier of the State of Tasmanla

[Day] [Month] [Year]

Signed for and on behalf of the Northern Territory by

The Honourable Paul Henderson MLA Chlef Minister of the Northern Territory of Australia

[Day] [Month] [Year]

Attachment A

Allocation of \$60 million to support implementation of the Framework and Certification process

		Loading		Total weighted funding allocation			Allocation for framev	vork implementation FTE	per sector per teacher
<u>Number of</u> <u>teachers per</u> <u>State</u>	<u>Remote &</u> <u>very remote</u> <u>teachers</u>	0.45	Total Teachers	<u>based on FTE</u> <u>teachers</u> <u>(\$ million)</u>	<u>Certification</u> (50%) (\$ million)	<u>F/work Impl</u> <u>(50%)</u> <u>(\$ million)</u>	<u>Government</u> (\$ million)	<u>Catholic</u> (\$ million)	Independent (\$ million)
ACT	0	0	4495	\$ 1.061	\$ 0.530	\$ 0.530	61.30%	23.90%	14.80%
4495	0	0	4475	φ 1.001	\$ 0.550	\$ 0.550	\$0.325	\$0.126	\$0.079
NSW	580.1	261.045	79794	\$ 18.823	\$ 9.411	\$ 9.411	65.70%	19.70%	14.60%
79533	500.1	201.043	////4	φ 10.025	Ψ 7.411	φ 7.411	\$6.183	\$1.854	\$1.374
NT	1660.5	747.225	4040	\$ 0.954	\$ 0.477	\$ 0.477	75.40%	11.00%	13.60%
3293	1000.5	747.225	4040	\$ 0.954	\$ 0.477	\$ 0.477	\$0.359	\$0.053	\$0.065
QLD	1854.4	834	51281	\$ 12.097	97 \$ 6.047 \$	\$ 6.047	67.80%	16.80%	15.40%
50447	1054.4	034	51201	Φ 12.097	\$ 0.047	\$ 6.047	\$4.101	\$1.016	\$0.930
SA	748.1	337	18486	\$ 4.361	\$ 2.180	\$ 2.180	63.60%	18.00%	18.40%
18149	740.1	337	10400	φ 4.301	\$ 2.100	φ 2.100	\$1.386	\$0.392	\$0.402
VIC	89.6	40	63199	\$ 14.908	\$ 7.454	\$ 7.454	61.60%	20.80%	17.60%
63159	07.0	40	03177	ψ 14.700	ψ 7.434	φ 7τοτ	\$4.592	\$1.550	\$1.312
TAS	89.7	40 6019	\$ 1.421	\$ 0.710	\$ 0.710	71.30%	15.50%	13.20%	
5979	07.7	40	0019	φ 1.421	\$ 0.710	\$ 0.710	\$0.506	\$0.110	\$0.094
WA	2278.5	1025 27020	\$ 6.375	\$ 3.187	\$ 3.187	65.40%	16.70%	17.90%	
25995	2270.0	1020	27020	φ 0.370	φ 3.107	φ 3.10 <i>1</i>	\$2.084	\$0.533	\$0.570
Total			254335	\$ 60.000	\$30.000	\$30.000			
iotai]		204000	φ 00.000	\$JU.UUU	#30.000			