

## Terms of Reference

### 1. Introduction

#### 1.1. Purpose

These Terms of Reference (ToR) set out the objectives, functions, roles and responsibilities, authority, composition, and administrative arrangements for the Initial Teacher Education (ITE) Quality Assurance Oversight Board.

#### 1.2. Preamble

The ITE Quality Assurance Oversight Board is an expert advisory body responsible for overseeing a systematic approach to assessing and improving the quality, consistency and outcomes of ITE programs.

Members are recommended by the Australian Education Senior Officials Committee (AESOC) and appointed by Education Ministers.

The Board reports to Education Ministers through AESOC and is intended to provide confidence to the Australian Government, states and territories and the public that the teacher accreditation system is producing a nationally consistent level of quality in ITE programs.

#### 1.3. Definitions

The following definitions apply in this document.

**Board** means the members of the ITE Quality Assurance Oversight Board.

**Terms of Reference** articulate the scope, purpose and structure of the Board.

**Chair** means the Member appointed to the position of Chair of the Board by Education Ministers.

**Deputy Chair** means the Member appointed to the position of Deputy Chair of the Board by Education Ministers.

**Member** means an individual who is, for the time being, a member of the Board. All members must be appointed by Ministers on the advice of AESOC.

**Education Ministers Meeting (EMM)** is the group of all Commonwealth, State and Territory Education Ministers with responsibility for school education.

**The Australian Education Senior Officials Committee (AESOC)** is the group of all Commonwealth, state and territory senior officials with responsibility for school education.

**PGPA Act** means the *Public Governance, Performance and Accountability Act 2013 (Cth)*.

**Remuneration Tribunal** means the Remuneration Tribunal established under the *Remuneration Tribunal Act 1973 (Cth)*.

**Secretariat** means the Secretariat provided by the Australian Government Department of Education.

## **2. Board's role**

The Board will:

- (a) provide a national view in assessing the quality, consistency and outcomes of ITE programs, determining whether ITE programs:
  - i. have evidence-based practices embedded in them
  - ii. are meeting the core content requirements of the Accreditation Standards and Procedures and
  - iii. are undertaking periodic reviews to ensure that the core content remains up to date with the latest research and adheres to the best evidence-based practices
- (b) check the consistency of the assessment of ITE students against the Australian Professional Standards for Teachers through cross-institutional moderation of Teaching Performance Assessments
- (c) assist in reviewing ITE programs against a set of nationally consistent transparent indicators to provide an overview of improvement in ITE outcomes and streamlining reporting requirements for higher education providers (in line with Recommendations 4 and 5 of Strong Beginnings: Report of the Teacher Education Expert Panel)
- (d) commission research to support their execution of roles a, b, and c, or to respond to identified themes, emerging practices or needs in ITE (only with the agreement of EMM).

## **3. Board accountability and responsibilities**

The Board is accountable to Education Ministers through AESOC and are collectively responsible for ensuring the proper and efficient performance of Board responsibilities.

### **3.1 Work plans**

By 1 July each year, or another date agreed with AESOC, the Board will:

- (a) submit to AESOC a draft work plan which includes how the Board will achieve its roles, its general operations, anticipated costs and a meeting schedule
- (b) use the work plan template provided by the Secretariat
- (c) respond to any advice about the draft work plan from AESOC members
- (d) provide a finalised work plan to Education Ministers as soon as practicable after agreed by the Board.

The Board will consult with AESOC on any material changes proposed for a finalised work plan.

### **3.2 Reports**

The Board will provide an annual report to EMM using the template provided by the Secretariat. This report is due to AESOC by 30 October each year for their approval prior to being provided to EMM. The report is to include:

- (a) Progress against work outlined in the annual work plan
- (b) A complete list of all ITE providers' progress towards incorporating the core content into their courses
- (c) Outcomes of cross-institutional moderation of Teaching Performance Assessments
- (d) Outcomes of the review of ITE program improvements
- (e) Findings of any completed research commissioned by the Board

The Board must use its best endeavours to ensure that any final report, including its annual national ITE quality and performance report, reflects the consensus of the Board.

### **3.3 Public communications**

Each member must adhere to the deed of confidentiality.

## **4. Board finances**

The Secretariat manages a financial appropriation to enable the Board to undertake its functions. The Board does not hold, and is not responsible for administering, any funding.

The Board must not purport to approve the expenditure of relevant money (as defined in the PGPA Act) and must not purport to enter directly into any arrangements involving the expenditure of relevant money.

## **5. Membership of the Board**

### **5.1 Appointment of Members**

The Board will be comprised of a minimum of five and a maximum of eleven, part-time Members, including the Chair and Deputy Chair.

Members, including the Chair and Deputy Chair, are appointed by Ministers on the advice of AESOC.

A Member is appointed on the basis of their individual expertise and experience.

A Member will only be appointed for the term specified in the instrument of appointment.

The role of Chair will rotate between AESOC members, with each Chair appointed by Ministers on the advice of AESOC for a period of 12 months.

### **5.2 Members of the Board**

In appointing a Member to the Board, Ministers will have regard to the collective balance of the skills across Board members, with individual Members holding skills, experience and/or expertise in one or more of the following:

- (a) education policy and public policy and administration more broadly
- (b) Australia's education governance structures
- (c) legislative and regulatory frameworks relevant to initial teacher education
- (d) the application of contemporary regulatory practices to initial teacher education
- (e) the kinds of matters that the Board may review or provide advice on.
- (f) members of the Board will hold skills, experience and expertise that reflect the full diversity of Australia's different education jurisdictions and appropriate First Nations representation and cultural diversity in its membership.

In addition, the Chair will need to have the following attributes:

- (a) an understanding of, and ability to independently chair, an advisory committee in accordance with accepted meeting procedures
- (b) an ability to identify strategic goals, objectives and directions, and facilitate their achievement through the Board's advisory committee procedures
- (c) a demonstrated ability to communicate, particularly with respect to acting at the Board's spokesperson and representing Board views, as required by Education Ministers, to the ITE sector.

### **5.3 Term of Appointment**

The Chair will be appointed for 12 months, and other members for up to three years. Board members tenures will be staggered to ensure balance between renewal and maintenance of continuity and corporate knowledge.

Each Member's instrument of appointment will specify the tenure of that appointment, including any options for extension. Accordingly, clause 5.3 is for information purposes only and does not form part of the terms and conditions of a Member's appointment.

### **5.4 Resignation**

A member may resign their appointment by giving AESOC written notice via the Chair of the Board.

The resignation takes effect the day the written notice is received by the Chair on behalf of AESOC or if a later date specified in that notice, that later day.

### **5.5 Termination of appointment**

AESOC may terminate the appointment of a Member if at any time AESOC is satisfied that the Member:

- (a) has breached any of the Member's terms and conditions of appointment, including the responsibilities as set out in clauses 3.1, 3.2 and 3.3 of these ToR and in that Member's instrument of appointment; or
- (b) has caused the Board to be unable to undertake any of its responsibilities as set out in these ToR; or

- (c) is no longer suitable for, or able to fulfill their role and responsibilities; or
- (d) has failed to attend two or more meetings of the Board in any year without reasonable explanation; or
- (e) has been declared bankrupt or is subject to any bankruptcy proceedings or actions; or
- (f) has brought the Board into disrepute.

The termination takes effect on the day the Member is notified of the termination by AESOC in writing.

## **6. Chair responsibilities**

The role of the Chair is to act as the key point of contact between AESOC and the Board, with the support of the Secretariat. The Chair will:

- (a) lead and coordinate the work of the Board, including the work plan and any research, such as thematic reviews designed to inform improvements in the quality of ITE programs
- (b) lead and approve any communication between the Board and AESOC
- (c) provide effective strategic leadership and coordination in relation to Board functions covered by Clause 3
- (d) ensure AESOC and Education Ministers are appropriately informed of the operations of the Board, including any significant events or occurrences
- (e) represent the views of the Board to the general public, including to international audiences and stakeholders, subject to the Member deed of confidentiality
- (f) ensure any stakeholder views (if any) are accurately communicated to the Board
- (g) ensure that all Members, when taking up office, are fully briefed and properly aware of their terms of appointment, and on their roles and responsibilities when taking up office
- (h) ensure the Board, in exercising its functions, takes proper account of and fulfills its obligations as outlined in these ToR
- (i) encourage high standards of integrity and promote efficient and effective use of Board resources, particularly the budget allocated to undertaking of Board functions
- (j) provide AESOC with an assessment of performance of individual Members-, on request, when they are being considered for re-appointment to the Board or as required
- (k) discloses any conflict of interest prior to appointment, or as soon as they become aware of an emerging or potential conflict of interest
- (l) manage any conflicts of interest of Members
- (m) ensure that the Board meets at regular intervals throughout the year as required to effectively discharge its functions, and that minutes of meetings accurately record decisions taken, and where appropriate, the views of individual Members
- (n) discharges any additional responsibilities laid out in the instrument of appointment.

## **7. Deputy Chair responsibilities**

The Deputy Chair will:

- (a) support the Chair in discharging their responsibilities as set out in clause 5 and any other responsibilities of the Chair as set out in the Chair's instrument of appointment
- (b) discharge the responsibilities mentioned in paragraph (a), during any vacancy in the position of the Chair and during any period when the Chair is absent from duty, or if, for any reason, is unable to perform the duties of the Chair
- (c) carry out or assist the Chair to carry out, such functions as the Chair reasonably requires
- (d) assist the Chair in ensuring that AESOC and Education Ministers are appropriately informed of the operations of the Board, including any significant events or occurrences
- (e) assist the Chair in representing the views of the Board to general public, including to international audiences and stakeholders, subject to the Member deed of confidentiality
- (f) assists the Chair in ensuring that any stakeholder views are accurately communicated to the Board
- (g) assist the Chair in ensuring that all Members, when taking up office, are fully briefed and properly aware of the terms of appointment, and on their roles and responsibilities
- (h) ensure the Board, in exercising its functions, takes proper account of and fulfills its obligations as outlined in these ToR
- (i) encourage high standards of propriety and promote efficient and effective use of Board resources, particularly the budget allocated to undertaking of Board functions
- (j) disclose any conflict of interest prior to appointment, or as soon as they become aware of an emerging or potential conflict of interest
- (k) assist the Chair in managing any conflicts of interest of Members.

## **8. Individual Members responsibilities**

The contribution of individual Members to the Board is critical. Members are appointed on the basis of their individual expertise, knowledge and experience and not as representatives/delegates of any particular group or sector.

### **8.1 Member responsibilities**

Each Member, including the Chair and Deputy Chair, will:

- (a) participate fully in the work of the Board
- (b) regularly attend Board meetings
- (c) adhere to the Member deed of confidentiality
- (d) ensure that they are fully aware of their terms of appointment, and associated role/s and responsibilities
- (e) ensure they take proper account of and fulfill their and the Board's obligations as outlined in these ToR and their instrument of appointment

- (f) maintains high standards of propriety and promote efficient and effective use of Board resources, particularly the budget allocated to undertaking of Board functions
- (g) conduct their duties as a Member with honesty and integrity
- (h) disclose any conflict of interest prior to appointment, or as soon as they become aware of an emerging or potential conflict of interest
- (i) adhere to any conflict of interest, code of conduct and privacy requirements specified in these ToR and their instrument of appointment
- (j) stay informed of relevant activities affecting the work of the Board
- (k) participate actively and cooperatively with fellow Members and stakeholders
- (l) prepare for Board meetings by reading and considering all background papers and information supplied
- (m) consult stakeholders regarding issues under the Board's consideration while maintaining any confidentiality requirements
- (n) act in good faith and demonstrate personal integrity and reliability
- (o) act in a lawful, ethical and justifiable manner.

## **8.2 Confidentiality obligations**

Each Member's instrument of appointment and deed of confidentiality will specify the confidentiality requirements of Members. If Members are uncertain about the confidentiality of specific information, they must seek clarification from the Chair or the Secretariat.

If Members are approached about a query under the *Freedom of Information Act 1992 (Cth)*, the query must be immediately referred to the Secretariat.

## **8.3 Conflict of interest policy**

Each Member must complete and sign a conflict of interest declaration.

If a Member becomes aware of any circumstances which may give rise to a conflict, potential conflict or apparent conflict with their responsibilities as a Board Member, they must promptly disclose those circumstances to the Chair of the Board. In such a case, unless the Chair of the Board determines otherwise, the Member must not take part in considerations on, or decisions relating to, any matter which the Member may be conflicted.

The Chair of the Board must ensure that any disclosures of the Member's Conflict of Interest are recorded, and that any determination to allow the Member to take part of in relevant considerations and decisions is also recorded.

## **9. Secretariat**

The secretariat function is provided by the Australian Government Department of Education. The secretariat is responsible for managing administrative processes to support the functioning of the Board including:

- (a) Scheduling meetings in consultation with the Board Chair

- (b) Recording meeting attendance
- (c) Taking and circulating minutes of board meetings
- (d) Maintaining a register of meeting actions
- (e) Managing Board finances
- (f) Managing correspondence

The Secretariat must, at a minimum create and keep minutes of:

- (a) relevant discussion and decision-making of the Board at Board meetings; and
- (b) attendees at each Board meeting.

The Secretariat will provide draft minutes to the Chair, who will clear the minutes, prior to distribution to the members. This clearance will usually be obtained within two weeks of the relevant Board meeting.

Members must advise the Secretariat when they have completed agreed actions arising from previous meetings.

The Board must provide AESOC with copies of any minutes (including draft minutes) upon request.

## **10. Member remuneration**

### **10.1 Payments to Members**

Each Member's Instrument of Appointment specifies their remuneration. Members will be remunerated in accordance with *the Remuneration Tribunal (Remuneration and Allowances for Holders of Part-time Public Office) Determination (No. 2) 2023*. Members will be paid a daily fee and for the Deputy Chair an annual fee could be set. An annual fee for other members of the Board could be considered on a case by case basis.

## **11. Board Meetings and other related matters**

During any vacancy in the position of Chair, during any period when the Chair is absent from duty, or if, for any reason, is unable to perform the duties of Chair, the Deputy Chair will exercise the functions specified in Clause 6, except where indicated otherwise.

### **11.1 Convening Board meetings**

The Chair must convene all Board meetings. The Chair may convene as many Board meetings as he or she deems necessary in order for the Board to perform its functions, but no less than four a year.

Board meetings must be held virtually or in a capital city of an Australian state or territory, unless otherwise approved by AESOC.

The Chair will develop an agenda for each Board meeting in consultation with Members. In the absence of exceptional circumstances, the agenda and any related papers will normally be circulated five working days prior to the meeting.

The Chair will ensure that any work undertaken between Board meetings is done in consultation with the Secretariat.



## **11.2 Notice of Board meetings**

The Secretariat will make all necessary administrative arrangements for Board meetings and provide reasonable written notice of meetings to all Members. For regular meetings included in the meeting schedule in the work plan, this includes circulating an agenda and papers one week prior to the meeting. For special purpose meetings not included in the meeting schedule in the work plan, this notice will be provided as soon as possible.

## **11.3 Use of technology**

A Board meeting may be held using any means of audio or audio-visual communication accessible to all Members and the secretariat.

## **11.4 Chairing Board meetings**

The Chair will chair meetings of the Board. If the Chair's position is vacant or the Chair is unavailable for any reason the Deputy Chair will chair the meeting. In the event that the Chair and Deputy Chair are both unavailable, the meeting will be adjourned until an appropriate alternative can be identified.

## **11.5 Proxies**

Proxies are not permitted.

## **11.6 Quorum**

A quorum for a Board meeting is the attendance of at least half the number of Members plus one. The Secretariat will record the meeting attendance for each meeting.

Where a member is unable to attend a Board meeting, they must advise the Chair and the Secretariat prior to the meeting commencing.

## **11.7 Experts and Observers**

The Chair may invite people with expertise in a specific area of relevance to the Board's work to attend and provide advice at a Board meeting.

Observers have no voting rights and speak only at the Chair's invitation.

## **11.8 Board Decision-making**

### *Decision-making*

The Board's decision-making in relation to all matters will operate by way of simple majority.

If the number of votes cast on each side is equal, the Chair of the Board will have an additional casting vote.

### *General conduct of Board decision-making*

All questions that arise at a Board meeting will be discussed openly and respectfully. Members will seek to find general agreement.

All Members will play a role actively ensuring that all voices are heard which question dominant assumptions.

Members must consider the range of options before them, indicate their preferred option and provide a rationale for their preference.

Member abstentions although recorded, do not count as votes for or against.

### **11.9 Board correspondence**

This clause is subject to and must be read in conjunction with the Member deed of confidentiality.

The Secretariat must be provided with copies of all correspondence directed to the Board (including correspondence directed to a Member of the Board in their capacity as a Member). The Secretariat will draft responses to all incoming correspondence for the Chair's clearance. The secretariat will forward cleared responses to the correspondent.

Once approved by the Chair, the Secretariat will mail out correspondence on behalf of the Board.

In general, correspondence of a procedural or administrative nature will be actioned by the Secretariat on behalf of the Board, while correspondence which addresses strategic issues will be signed by the Chair or Deputy Chair.

Any correspondence that is considered to be of particular importance or which requires immediate action may be circulated to Members out of session by the Secretariat.

### **12. Compliance with general policies of the Commonwealth**

The Board must comply with all relevant policies of the Commonwealth that are to apply to the Board, as may be notified the Board.

### **13. Entering Commonwealth premises**

Members may, from time to time, be required to visit Commonwealth premises in a formal capacity or use Commonwealth facilities and equipment. Members must cooperate with the Commonwealth when doing so and comply with any reasonable requests made by Commonwealth officials.

### **14. Variation**

From time to time, as the need arises, the ToR may be amended where required. Any amendment to the ToR requires agreement in writing from AESOC and all members of the Board.