



Yvette Berry MLA

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Minister for Early Childhood Development
Minister for Education and Youth Affairs
Minister for Housing and Suburban Development
Minister for Women
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Mr Michael Pettersson MLA

Chair
Standing Committee on Education and Community Inclusion
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Dear Mr Pettersson

Michael

I refer to my appearance before the Standing Committee on Education and Community Inclusion, Annual Report hearings on Thursday 16 November 2023.

I wish to provide a correction to the record on information provided to the Standing Committee by Ms Angela Spence. I refer to a question asked by Mr Hanson (Proof Hansard Page 75) about the suspensions policy in particular Mr Hanson requested further detail on mandated consultation. **MR HANSON:** *That is a requirement to consult; but, fundamentally, the principal can make the decision autonomously in the sense that they do not have to get agreement from the directorate, or a parent does not have to sign-off or anything like that?*

In her evidence Ms Spence stated: *Up to 20 days the principal has delegation to make that decision. It is consultation to gather the relevant information that may inform the decision. Anything beyond a 20-day suspension needs to come into the directorate for the director-general, who has the delegation for that.* This is evidence is incorrect; as, in accordance with Section 17J of the *Education Act 2004*, a ‘suspension is for the period, not longer than 20 school days, the decision-maker considers necessary to ensure a safe and effective learning environment at the school’.

Mr Hanson further asked: *Beyond the 20 days, it then goes up to the directorate. Who has got the delegated power for that—to suspend someone beyond 20 days?* To which Ms Spence responded: *suspensions beyond 20 days are with the director-general as the delegate. It cannot be delegated to a school principal.*

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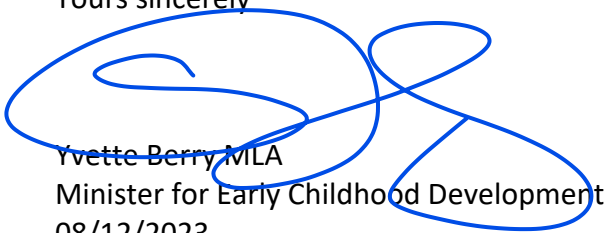


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This evidence is also incorrect, as it has been stated above, in accordance with the *Education Act 2004*, suspensions can be no longer than 20 days. I would also like to clarify and correct the record that the decision-maker for government schools for the purposes of deciding a suspension under Chapter 2A and Section 17J of the *Education Act 2004* is the Director-General. However consistent with the Act, the power to suspend has been delegated to principals. This includes all staff formally appointed as a principal of a government school, as well as any staff member assuming the role of principal of a government school.

Thank you for the opportunity to correct these issues and, with your agreement, I would be grateful if consideration could be given as to how the public record could be updated to reflect this correction.

Yours sincerely



Yvette Berry MLA
Minister for Early Childhood Development
08/12/2023