

## EXTERNAL CONSULTATION GUIDELINES

These guidelines provide information for policy authors on external stakeholder consultation in the development or review of Department of Education policy and supporting procedures. The guidelines must be read in conjunction with the *Policy Development and Approval Policy and Procedures*.

### ROLE OF THE POLICY SUBCOMMITTEE

The People and Services Committee is a governance committee of Corporate Executive. The Subcommittee develops and recommends strategic policy priorities, and oversees and guides policy development and review. It is responsible for the governance of the Department's policy framework and ensures all Department policies are compliant with the policy framework. A policy cannot proceed to the Director General without approval from the People and Services Committee.

The Committee exercises oversight of the consultation process for policy development and review. It requires business areas to provide a comprehensive list of stakeholders to be consulted at both the proposal and submission stages in the *Proposal to Review Form* and *Policy Submission Form*. This list is reviewed and, if determined to be appropriate, approved at the Committee meetings. It is not uncommon for members to require additions to the list of stakeholders to be consulted.

### EXTERNAL CONSULTATION PROCESS

External consultation refers to the consultation of people or organisations that are not employees of the Department of Education.

#### When should consultation take place?

Consultation should not occur before receiving approval to proceed from the Committee. It should be undertaken early in the policy development or review process and should be completed prior to the final drafting of the policy for submission to the Committee. The attached flow chart (Appendix 1) on the approval process for policies indicates the optimum timing for consultation. It is important to provide relevant stakeholders with an opportunity to provide feedback within an appropriate timeframe.

#### Who should be consulted?

There is no one size fits all list of stakeholders to be consulted for policy development and review. The mix and range of stakeholders to be consulted are determined by the requirements of each policy, including content, complexity, audience, scope and risk profile.

Policies that directly affect schools would need to consult a broad range of education professionals and any relevant external stakeholders. Those policies that have no impact on schools or school staff would not need to consult with school related stakeholders. For example, the *Enrolment in Public Schools Policy* and the *Central Office Vehicle Parking Policy* would have limited, if any, overlap in stakeholders to be consulted.

Business areas should also consult with relevant unions. Some policies may have a requirement to consult with specific unions as a part of an Enterprise Bargaining Agreement and business areas should check if they have any specific stakeholder obligations to take into account during consultations. For example, the *School Education Act Employees' (Teachers and Administrators) General Agreement 2017* requires the Department to consult with the unions where a change is proposed to the *Performance Management Policy*, *Asbestos Policy* and any new policy relating to the deployment of employees.

### **What should consultation focus on?**

The focus of consultation should be on the main issues the policy will address and outcomes to be achieved. Before engaging with external stakeholders, it is important that a clear Department position is established and articulated on the purpose of the policy and the outcomes sought by the Department.

It is recommended that external stakeholders be provided with a copy of the current policy and information on the Department's position on the policy's purpose and outcomes sought. Business areas need to manage the expectations of stakeholders participating in consultation. It should be made clear that consultation provides an opportunity to provide feedback and comment on policy outcomes. Stakeholder input will be considered for inclusion into the revised policy as appropriate, but the structure and format of policies must be consistent with the Department's policy framework.

### **How should consultation be conducted?**

The format of consultation is dependent on the requirements of the policy. High impact, complex policies such as *Duty of Care for Public School Students Policy* may require extensive consultation in a variety of formation, including focus groups and regional forums, whereas the consultation process for *School Security in Public Schools Policy* would not be as extensive.

Policy authors should ensure that the following factors are included in all external consultation:

- the use of a copy of the current policy as a basis for stakeholder feedback;
- an outline of the Department's position on the issues the policy will address, outcomes to be achieved and any significant changes proposed;
- comprehensive records of all consultation undertaken are maintained; and
- stakeholder expectations are managed, including:
  - consultation is an opportunity for input; not agreement;
  - consultation is not editorial and does not involve changes to the wording of the policy;
  - structure and format of policies must be consistent with the Department's policy framework; and
  - the Department will determine the final form of the policy through its policy approval process.

### **CONTACT DETAILS**

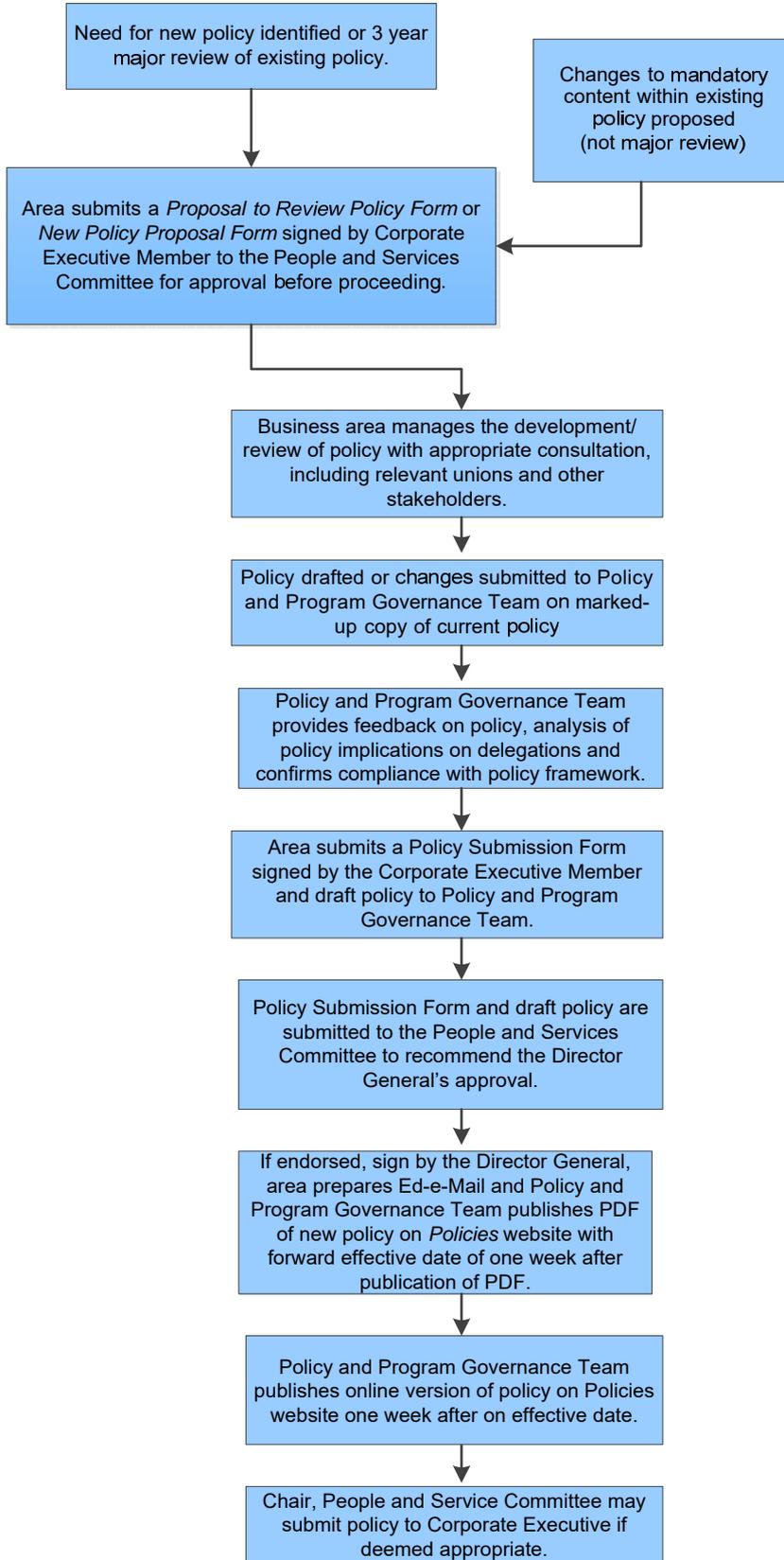
Policy and Program Governance

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# Current Approval Process for Policies

## Major Process

(new policy, major review or changes to mandatory content)



## Minor Process

(changes to non-mandatory content or are the result of changes to an external mandate)

