



# Tasmanian Catholic Schools Parents & Friends Federation

## INDEPENDENT EDUCATION UNION OF AUSTRALIA, TASMANIA



### Memorandum of Understanding

This document represents an a record of mutual understanding, in the nature of a partnership (as defined), between the

**TASMANIAN CATHOLIC SCHOOLS PARENTS AND FRIENDS FEDERATION** ("the Federation")

and the

**INDEPENDENT EDUCATION UNION OF AUSTRALIA, TASMANIA** ("the union")

#### Description of collaborating organisations

The Federation is the peak representative body of affiliated Parents and Friends Associations of Catholic Schools in Tasmania. Affiliation is by way of paid annual subscriptions based on student numbers per school.

The Federation's vision is :

"...that parents of children in Catholic Schools be *FULL* partners in delivering quality Catholic Education..."

(Source: TCSPFF Vision/Mission Statement, emphasis adde, dhttp://tascathpf.d2.net.au/mission.htm;)

via :

"...assisting our school communities to identify, provide and maintain the human, material, and capital resources that are necessary for the effective and efficient delivery of Catholic education..." and "...building an environment where parents can be empowered to take an active role as primary educators of their children..."

(Source: TCSPFF Vision/Mission Statement, emphasis adde, http://tascathpf.d2.net.au/mission.htm;)

The union is an organisation representing all employees (excluding members of Religious Orders, those in Holy Orders and school cleaners) employed by Tasmanian Catholic Schools.

The union is founded upon the principles of Catholic social justice teaching; that employers and employees are equal partners in the workplace and must have a relationship based on mutual respect.

The union is committed to Pope John Paul II's encyclical 'Laborem Exercens' (the dignity of labour') and rights encapsulated therein regarding the rights of workers including the rights to: work; receive just wages; form unions; have adequate rest and choose to form a family.

The union has as one of its core values a belief that it has the right and obligation to affiliate with other relevant non-political bodies within and outside catholic education.

## Objectives and scope

The principle objective of the partnership (as defined) is to mutually develop strategies for the furtherance of common aims and objectives drawn from each organisation's respective Vision/Mission Statements.

The partnership is based on mutual respect, trust and commitment. The partners commit to building and maintaining the partnership, working together in harmony and strengthening the connection between the partners.

Mutual co-operation in all forms and at all times is to be framed and guided by the penultimate policy aim of :

**"...What is best for the children..."**

*(Source: Archbishop Adrian Doyle, 2006 TCSPFF Annual Conference Speech, <http://tascathpf.d2.net.au/pdf/news/archbishopconf06.pdf>)*

In this regard the partners recognise that they have a shared sense of purpose.

It is agreed that the scope of the partnership is at this stage, limited to areas of policy and procedure adopted by the Tasmanian Catholic Education Commission, the Catholic Education Office, State and Federal Governments, Statutory Bodies (both State and Federal), or any other organisation, that affects the physical, mental and spiritual advancement of children within Catholic Schools.

The partners recognise that partnership implies more than just 'consultation' in that true partnership implies an ability to influence decisions.

The union recognises the role of parents as the primary educators of their children and the Federation recognises that support for employees in Catholic education that results in increased professional satisfaction leads to enhanced learning outcomes for students.

The partners acknowledge that all families want the best for their children and families value quality teaching and respect teachers professional expertise.

Matters of Industrial Relations nature fall outside the scope of this partnership.

## The nature of the collaboration

Collaboration will take the form of :

Regular meetings between representatives of the respective partners.

The sharing of information relative to the Objectives and Scope as defined from time to time under this agreement, whether verbal, written or otherwise.

The formation of joint publications (eg: policy papers, press releases, presentations, etc) in furtherance of the Objectives and Scope as defined from time to time under this agreement.

Political lobbying and representation as agreed from time to time.

Privacy and Confidentiality is to be respected at all times without prejudice, whether by statute, tort, ethical or organisational considerations.

## Definitions and interpretations

"the Federation" means the Tasmanian Catholic Schools Parents and Friends Federation (or successor body);

"the union" means the Independent Education Union of Australia, Tasmania;

"partner" means either the Federation or the union respectively;

"partnership" means *"a working relationship that is characterised by a shared sense of purpose, mutual respect and willingness to negotiate."* [OECD](#) [1997, p. 53] as cited in Parents as Partners in Schooling, Cobbold, T. 2003

"collaboration" means 'working jointly on an activity or project'. (Concise Oxford English Dictionary).

It is specifically agreed that this agreement and/or any partnership construed therein is not-for-profit in nature, and has no commercial intent or purpose. Further, the partnership agrees not to conduct its affairs so that it, whether in fact or implied, is or may be considered to be an Employer for statutory, commercial, legal, taxation or any other purpose.

It is also agreed that, any statutory, legal, taxation, or other commercial definitions, obligations or liabilities notwithstanding, the nature of this agreement and any partnership construed therein is characterised by the commonly understood concept of the relationship between friends.

## The terms of the agreement

The term of this agreement is envisaged to be open-ended, however this agreement can be terminated by either partner by giving duly authorised (ie: ratified under each partner's respective governing mandate) notice of at least 30 days.

## Organisation and management of the agreement

By mutual agreement from time to time as required.

Initial joint responsibility and management is envisaged to be by way of regular meetings and dialogue between the partners.

## Meetings

Each of the partners will as a matter of course issue invitations to the other partner to attend relevant meetings that the organisation is holding. An example of this would be the unions' Annual General Meeting and the Federations Parent Forums.

## Resources and facilities

Each of the partners will furnish such resources and facilities as are mutually agreed from time to time.

Given the expected nature and purpose of this partnership, it is not envisaged that there will be a need for specific resources/facilities to be identified and furnished by each partner.

## Communication

The partners recognise that a commitment to effective communication and sharing of information are critical for a successful partnership.

Each of the partners will provide the other partner with copies of relevant submissions, publications, briefing papers, press/media releases and such like; that are produced and circulated by the organisation from time to time. Such communications will be provided in hard copy and electronically if possible.

## Financial arrangements

Costs incurred on behalf of the partnership are to be shared equally (or as otherwise agreed) between the partners.

Any income or monies received in relation to the partnership, from whatever source, are to be shared equally (or as otherwise agreed) between the partners.

Any income or monies received in relation to the partnership, that are of a commercial or taxable nature shall be donated to a Catholic Charity nominated by each partner respectively after the deduction of any costs associated with the earning or generation of that income or monies.

## Intellectual property

Any rights to intellectual property will be equally shared between the partners.

## Marketing and publicity

The issue of joint media releases as mutually agreed;

The development of joint policy papers and recommendations to key stakeholders in the Catholic Education system in furtherance of "...**What is best for the children....**"

(Source: Archbishop Adrian Doyle, 2006 TCSPFF Annual Conference Speech, <http://tascathpf.d2.net.au/pdf/news/archbishopconf06.pdf>)

Regular briefing papers on the partnership's activities to key stakeholders in the Catholic Education system, principally the Archbishop, the Tasmanian Catholic Education Commission and the Catholic Education Office and the State Minister for Education.

## Settlement of disputes

In the event that any dispute cannot be resolved between the partners, in the first instance mediation between the partners will take place. The mediator will be a person agreed upon between the parties.

If mediation is not successful the matter will go to arbitration.

The Archbishop will be requested to nominate an arbitrator and firstly conciliation and then if necessary arbitration will take place.

Conciliation and/or arbitration will take place once the partners have agreed to be bound by the recommendations or decision of the nominated arbitrator.

If the arbitrator nominated by the Archbishop is not acceptable to either partner other persons shall be nominated until an arbitrator is found who is acceptable to both partners.

Any decision arising from arbitration is binding on both parties.

Review and evaluation

From time to time as required.

Effective date and signatures

This agreement comes into effect on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

*Signed, Sealed and Delivered by:* )  
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(for and on behalf of the Federation)

*Witnessed :* )  
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*Signed, Sealed and Delivered by:* )  
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(for and on behalf of the union)

*Witnessed :* )  
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**APPENDIX**

- 1. Tasmanian Catholic Schools Parents and Friends Federation Vision & Mission Statement (n.d.)