



Our ref: EC23-001647

Ms Diane Joseph
Chair
Education Services Australia Ltd
Level 5, 440 Collins Street
MELBOURNE VIC 3000

By email: CEO@esa.edu.au

Dear Chair

EDUCATION SERVICES AUSTRALIA – LETTER OF EXPECTATION

I am writing on behalf of the members of the Education Ministers Meeting (EMM), as company owners of Education Services Australia Ltd (ESA), to set out the priorities and expectations for ESA until 31 December 2024.

This Letter of Expectation (Letter) replaces the previous interim Letter issued to ESA by the then Chair of Education Council, the Hon James Merlino MP, in September 2020.

EMM encourages the ESA Board to consider updating its Constitution to be in line with the Letter. Consistent with the EMM Work Plan 2021-23, the governance activity supporting updates to the ESA Constitution should proceed separately to EMM for consultation prior to endorsement.

PURPOSE

This Letter outlines the roles and responsibilities of ESA and sets out the high-level performance expectations and strategic priorities for the company. It builds on previous Letters and recognises that the ESA Board and Chief Executive Officer are responsible for ESA's implementation of these commitments.

This Letter should inform the development of ESA's corporate and strategic planning for the period stated. All annual reporting from ESA should be consistent with this Letter.

CONTEXT

This Letter is developed within the following context that informs the work priorities of ESA.

EMM provides a forum through which strategic policy on school education, early childhood and higher education can be coordinated at the national level and through which information can be shared, and resources used collaboratively, to address issues of national significance. Current priorities include the development and delivery of NAPLAN Online; promoting quality teaching and school leadership; and promoting improved outcomes for priority equity cohorts including Aboriginal and Torres Strait Islander students, students living in regional, rural and remote locations, students with disability and students from educationally disadvantaged backgrounds; and improving quality in early childhood education and care.

ESA is a ministerial not-for-profit company owned and established by Education Ministers, and has an important role in supporting the research, design, development and delivery of priority national reforms as a service provider of the education sector in Australia. It also supports the four other ministerial companies and authorities (the Australian Curriculum, Assessment and Reporting Authority (ACARA), the Australian Institute for Teaching and School Leadership (AITSL), the Australian Education Research Organisation (AERO), and the Australian Children's Education & Care Quality Authority (ACECQA)) in their work.

Given the scope of the EMM responsibilities, ESA should continue to take the opportunity to offer its services, where appropriate, to the higher education and vocational education and training sectors and explore areas of intersection between the education and early childhood sectors in progressing priority work. ESA should also foster opportunities, where relevant, to contribute to the EMM objectives to reduce or remove regulatory burden, wherever possible, on individuals, early childhood and school community organisations, education institutions and business.

OPERATING PRINCIPLES

The EMM expects ESA to operate in accordance with the following five principles:

- **Innovation and quality:** ESA should deliver high-quality advice and deliver innovative products and services to meet the requirements of the education sector in implementing the broader reform agenda. This includes ensuring accessibility for student with disability within online systems and developed resources.
- **Engagement:** ESA should engage closely with all jurisdictions, systems, non-government education authorities, the bodies that comprise the national education architecture, and where appropriate, individual providers, in the education sector to determine the sector's requirements as consumers and to ensure that ESA advice, products and services are aligned with these requirements and do not unnecessarily replicate existing service delivery offered by jurisdictions.
- **Leveraging existing capital:** Wherever possible, ESA should work to leverage and look to help scale existing investment in resources, tools, systems, and infrastructure that is owned nationally (Commonwealth and states or territories) or by individual jurisdictions, and existing knowledge, expertise and capacity in jurisdictions and the non- government education sector, where practical and mutually beneficial.
- **Efficiency:** ESA should ensure products and services are cost-effective and delivered competitively and in a timely manner. In developing products and services ESA should consider, where possible, hosting and maintenance arrangements that support long term sustainability.
- **Sustainability:** ESA should continue to build its capability to ensure its continued financial viability into the future, such as proactive exploration of business opportunities across all sectors of education and related industries.

In performing its functions, ESA will:

- ensure it acts in accordance with the decisions of the EMM.
- progress advice to the EMM in accordance with protocols, procedures and/or arrangements agreed to by the EMM, or AESOC on behalf of the EMM, from time to time.

WORK PRIORITIES

In providing support for the national policy initiatives outlined in this Letter, the EMM expects that ESA works in the priority areas identified under the ESA Company Objects in accordance with its Constitution.

KEY PROJECTS & OUTPUTS

Online National Assessment Platform

EMM expects that ESA continues, as a key priority, to work on the maintenance and further development of the Online National Assessment Platform (the Platform) that supports online assessments.

In undertaking this work, ESA must operate within the governance arrangements, implementation timeframes and models agreed by the EMM to deliver NAPLAN online and implement decisions made by

the EMM. ESA must also utilise the National Schools Interoperability Program (NSIP) in ensuring interoperability issues are considered and managed and work within the *Privacy Act 1988* (Cth) and relevant state and territory privacy legislation.

National Online Learning Services

Maintain Scootle and the national collection of digital teaching and learning content to support digital resource implementation of the Australian Curriculum.

Student Data Transfer Protocol and Exchange

Develop and maintain the technical infrastructure and supporting documentation, including the minimum dataset and act as the broker for non-systemic schools. ESA will ensure appropriate data security measures for student data transfer protocols.

Myfuture – Career Information Service

ESA will continue to manage, host, and develop the myfuture online career information and exploration service and seek opportunities for further development through paid subscription arrangements.

National bank of formative assessment resources

ESA will work with ACARA and national education agencies, as directed by Education Ministers, to support the development of approaches to sharing existing formative assessment resources held by New South Wales, Victoria and Queensland, to establish a bank of formative assessments. This initiative will include identifying the most cost-effective and expedient way to share assessments with teachers/systems across Australia, using existing national agency infrastructure or an existing share platform.

School Survey System

Following the decommissioning of the School Survey system in December 2023, ESA will continue to work directly with participating jurisdictions (Northern Territory and Western Australia) to plan and implement transition to alternative platforms in 2024.

Nationally Consistent Collection of Data on School Students with Disability (NCCD) Portal

ESA is expected to provide the hosting and maintenance of the NCCD Portal in accordance with the contract awarded by the Australian Government on behalf of AESOC, and making resources available on the Portal to support principals, teachers and school support staff understand and complete the NCCD as well as practical information for parents, guardians and carers. The resources include but are not limited to: free and practical resources such as eLearning modules, templates, videos, webinars, case studies and podcasts.

Additionally, under a separate grant agreement, ESA is expected to develop and deliver content that supports a nationally consistent approach to reporting, and further develop a common understanding among school teams about the NCCD model, levels of adjustment and categories of disability, in accordance with the agreement. Under the terms of this agreement, ESA is also expected to deliver and maintain appropriate licensing arrangements for this content.

National Schools Interoperability Program (NSIP)

Consistent with the approved annual NSIP workplan and approved expenditure, ESA is expected to continue to provide and support key activities, including:

- The Safer Technologies 4 Schools Service (ST4S) service.
- Maintain and extend interoperability standards to enhance data exchange between IT systems.

- Develop and maintain the National Education Data Dictionary for use by schools, software developers and policy makers to assist in managing, exchanging, and interpreting education data.
- Deliver data and standards supporting services through consultation and appropriate governance processes to develop, maintain and endorse national standards, including emerging needs in data analytics.

Support for ACARA, AITSL, AERO and ACECQA

Collaboration between the bodies comprising the national education architecture is essential for the effective and efficient delivery of reform priorities. The EMM acknowledges the collaborative environment that has been established by ESA in its work to support the four other ministerial companies and authorities; ACARA, AITSL, AERO and ACECQA. The EMM expects ESA to continue to seek opportunities to collaborate with these groups, as appropriate.

Australian Government, state and territory and ESA funded projects

The EMM notes ESA may be engaged at times, and funded separately for individual projects, by the Australian Government, and by individual states and territories through their respective Education Departments.

ESA delivers projects and services to support the corporate deliverables and Company Objects. The EMM does not have governance responsibility for these projects but notes that ESA would undertake this work within the context of the Company Objects and operating principles, as detailed in its Constitution.

CORPORATE RESPONSIBILITIES

The EMM expects that ESA will continue to undertake the following corporate responsibilities effectively and efficiently, including:

- Providing financial services as set out in the agreement between ESA and the Australian Government (managed by the Australian Government Department of Education).
- Providing support for the Education and Care Services Ombudsman, the National Education and Care Services Privacy Commissioner and the National Education and Care Services Freedom of Information Officer.
- Ensuring that the development and delivery of products and services include Aboriginal and Torres Strait Islander content and perspectives, where appropriate, and that ESA includes this element of its work in its progress reports to EMM.
- Acting as the sole registrar for the edu.au Domain on behalf of education ministers.
- Managing the Schools Cataloguing Information Service.
- Maintaining licensing and copyright for the national digital resource collection to ensure, where possible, open access to educational resources through Creative Commons licensing arrangements.
- Ensuring there is the ability to link agreed data with holdings ESA operates and those of jurisdictions to ensure a strategic use of education data, along with ESA's role as a data custodian.
- Ensuring a continued focus on data security.

CONSULTATION WITH STAKEHOLDERS

In the development and implementation of its projects and activities, the EMM considers it critical that ESA seeks to engage collaboratively with, and gain support from, key stakeholders including bodies such as, ACARA, AITSL, AERO and ACECQA, the state, territory and Australian Government education authorities, and the non-government education sector.

The EMM acknowledges the valuable role ESA plays in providing advice and leadership in the design, development and implementation cost-effective services to state, territory and Australian governments, and other agencies given its *not-for-profit* status, and its specialist educational ICT expertise.

A strong collaborative approach to service delivery will have benefits for both ESA and all parts of the education system with whom it engages. Formal consultation mechanisms such as project steering groups and project reference groups should be employed for this engagement and collaboration. ESA should also engage with the National Education Digital Advisory Group (NEDAG) for advice and guidance on the efficient and effective design, deployment and utilisation of digital technologies and services that support improved education outcomes for educational stakeholders.

REPORTING

The EMM expects that ESA prepares an annual Work Plan that builds on this Letter and details ESA's proposed relationships, services, and engagements in relation to all relevant work. The EMM expects that ESA reports against its Work Plan at least once per year (to coincide with scheduled meetings of the Australia Education Senior Officials Council (AESOC) or out-of-session dates) or more frequently if requested by the EMM, and that ESA consults with and is responsive to AESOC and relevant working groups.

The EMM expects that ESA provides an Annual Report to AESOC (for noting and awareness) that outlines ESA's activities during the preceding financial year and how these relate to this Letter. The Annual Report should be provided no later than 30 November, unless otherwise agreed.

The EMM expects that this Annual Report specifically includes:

- A report on consultation undertaken with states, territories and key education stakeholders regarding the sector's requirements and activities undertaken to meet these requirements.
- Detailed financial information.
- Progress against the program of work.
- Potential opportunities to leverage and build on existing work led by other key stakeholders and possible future areas of work to pursue to support the national reform agenda, subject to agreement by the state, territory, and Australian governments.

ESA must also provide a separate version of the Annual Report for the ESA website that provides a high-level update on the strategic and financial positions of ESA and its work. This Letter is also to be published on the ESA website.

FUNDING

The EMM notes that, while ESA does not receive baseline operational funding in the same way as ACARA, AITSL, AERO and ACECQA, it does rely on funding from the EMM for core national services, as well as for nationally approved projects, which it is expected to deliver within the agreed funding allocations. The EMM also expects ESA to seek opportunities for commissioned work and to provide products and services commercially.

It is expected that ESA will retain and build capacity to respond to opportunities provided by the EMM, respective governments, ACARA, AITSL, AERO, and ACECQA, and other key stakeholders where appropriate.


CONCLUSION

The EMM notes the significant achievements of ESA to date, in particular the development and testing of NAPLAN online. ESA plays an ongoing critical role in delivering national assessment reform in the schooling sector through development of the technical platform to deliver assessments online. The EMM looks forward to ESA's reports on its operations in line with the expectations articulated in this Letter.

Yours sincerely



The Hon Jason Clare MP
Chair

 February 2024