

NSW Government response to the Legislative Council Portfolio Committee No. 3 - Education report into Planning and delivery of school infrastructure in New South Wales.

NSW Government Response

**NSW Parliament Legislative Council Portfolio Committee No. 3
– Education**

**Report No. 47 - Planning and delivery of school infrastructure in
NSW**

NSW Government response to the Legislative Council Portfolio Committee No. 3 - Education report into Planning and delivery of school infrastructure in New South Wales.

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Summary

The NSW Government acknowledges the report into 'Planning and delivery of school infrastructure in New South Wales'. The Committee's report highlights the critical work of School Infrastructure NSW (SINSW), which the NSW Government established in 2017 to oversee a record investment into school infrastructure.

A number of the report's recommendations align with current departmental practices and work that SINSW has underway.

Introduction

The NSW Department of Education (the Department) is the largest provider of education in Australia, with responsibility for delivering high-quality public education to two-thirds of the NSW student population, or about 820,000 students.

As part of this responsibility we are committed to ensuring that NSW public school infrastructure meets the needs of the growing population across NSW and enables optimal learning and teaching environments.

The NSW Government established SINSW as a division within the Department in 2017.

SINSW drives the planning, procurement, construction and maintenance of school facilities to meet changes in population growth, accommodate effective ways of teaching and learning, and help foster better educational outcomes for students.

The NSW Government is investing \$8.6 billion in school infrastructure over the next four years, continuing its program to deliver 160 new and upgraded schools to support communities across NSW. This builds on the more than \$9.1 billion invested in projects delivered since 2017, representing an overall public education infrastructure program of \$17.7 billion.

Responses to the Report's recommendations

#	Recommendation	Position	Response
1	<p>That School Infrastructure NSW publish Benefit-Cost Ratios (BCRs) for all school capital works projects exceeding \$20 million and in each annual schools budget, rank the projects according to BCR value. If the Minister for Education and Early Childhood deviates from these BCR rankings she must publish reasons for doing so on the NSW Department of Education website.</p>	<p>Noted</p>	<p>All major infrastructure investment decisions taken by the NSW Government are required to be supported by a Final Business Case. Infrastructure NSW independently assures the Final Business Cases for Tier 1 (High Profile High Risk) and Tier 2 projects through a Gate 2 Business Case Gateway Review and prepares the independent Business Case Summaries for eligible projects. These are available on the INSW website and include the estimated BCR and the explanation for deviations.</p> <p>Major capital works projects are supported by business cases which are prepared in accordance with TPP 18-06 NSW Government Business Case Guidelines and TPP 17-03 NSW Government Guide to Cost Benefit Analysis. These include both the quantitative Cost Benefit Analysis and the qualitative analysis of the case for change and investment logic.</p> <p>BCRs do not always indicate the optimal option as there are significant unquantifiable issues that need to be considered when making school infrastructure investment decisions. BCR metrics are heavily skewed toward adding additional teaching spaces, but have difficulty capturing considerations such as equity, amenity, safety and deliverability.</p> <p>School infrastructure investment undertakes a robust evidence-based approach to prioritisation. In response to the Auditor General's recommendations, SINSW's prioritisation framework identifies and ranks schools and school community groups across a broad range of criteria including equity, urgency and longer-term system requirements.</p>

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			<p>Ranking projects in annual Budget Papers without the context provided by the business case does not provide the full picture informing the proposal and places undue emphasis on the BCR alone.</p>
<p>Recommendation 2</p>	<p>That the NSW Department of Education further increase transparency in the school infrastructure planning process by:</p> <ul style="list-style-type: none"> • improving consultation with school communities, and • abolishing the use of non-disclosure agreements for parent representatives on project working groups. 	<p>Supported in principle</p>	<p>The Department of Education invites parent representatives to participate as members of a Project Reference Group (PRG). As commercial matters are discussed in PRG meetings, non-disclosure agreements protect the commercial sensitivity of school building projects.</p> <p>However, work is already underway, in consultation with the P&C Federation to develop mechanisms that strengthen communications and consultation with school communities on major infrastructure projects. This will include consideration on the use of non-disclosure agreements and implementation of a Code of Conduct to ensure PRG members have clear expectations for engagement while still protecting commercially sensitive information. SINSW will continue to progress this with the P&C Federation.</p> <p>In addition, SINSW is developing collateral to support increased communication earlier in the project lifecycle. Where possible, SINSW aims to publish a project update every school term to ensure communities are aware of progress.</p>
<p>Recommendation 3</p>	<p>That School Infrastructure NSW conduct community consultation on school infrastructure projects in-house, without spending taxpayer money on communications contracts.</p>	<p>Supported in principle</p>	<p>SINSW has an in-house dedicated community engagement and project communications team that supports more than 160 major works projects and minor and maintenance works at more than 2,200 schools. Their remit is to provide timely and accurate advice to the community and stakeholders on each project that directly impacts the community.</p>

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	<p>Where external communications consultants are appointed, School Infrastructure NSW must disclose the spending amount and justify why it is required on their website within seven days of entering a contract for the services.</p>		<p>A range of factors, including planning pathways, and project complexity and size, are considered when appointing external agency resources to school infrastructure projects and this is only done to support the current team when required.</p> <p>SINSW reports contracts as required under the <i>Government Information (Public Access) Act 2009</i>. This information is available at www.tenders.nsw.gov.au.</p>
<p>Recommendation 4</p>	<p>That School Infrastructure NSW provide either a completion timeframe or an estimated completion timeframe on every major project listed on the School Infrastructure NSW website. The timeframe should be a maximum of a six month window, with reasons publicly listed when timeframes need to change. This will provide local school community with greater confidence around promised projects and manage community expectations. The current situation where schools promised in 2018 still do not have a publicly available competition timeframe is not acceptable.</p>	<p>Supported in principle</p>	<p>Start and completion dates on projects are confirmed once a delivery schedule is finalised. Project timeframes are then published on the SINSW website. Completion dates are published within a four month window (early, mid, late). Any changes to completion dates are communicated with school communities and project updates published.</p>

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<p>Recommendation 5</p>	<p>That School Infrastructure NSW ensure a project update document is published online for each major School Infrastructure NSW project at a minimum interval of once every three months. The long period of up to four years without project updates has left many communities without adequate information on promised projects.</p>	<p>Supported in principle</p>	<p>Where possible, SINSW aims to publish a project update every school term to ensure communities are aware of progress.</p> <p>A suite of additional communications collateral is being developed to provide greater visibility of the various studies and work that occurs when a project is still in the planning phase.</p> <p>See response to Recommendation 6.</p>
<p>Recommendation 6</p>	<p>That the NSW Department of Education improve communication with members of the school community by establishing a clear point of contact within School Infrastructure NSW who is empowered to: • once school sites have been acquired, provide transparent project timelines, including estimated timelines where timelines are not finalised, and • answer questions on the process.</p>	<p>Supported</p>	<p>Every major school infrastructure project currently has a Community Engagement Manager appointed to support timely engagement and communications at key milestones throughout the project lifecycle.</p> <p>The Community Engagement Manager is the conduit between the community and project team to triage and respond to enquiries and complaints.</p> <p>The SINSW website has a 'contact us' page with an email address and phone number. These details are also published on all project updates.</p> <p>Start and completion dates on projects are confirmed once a delivery schedule is finalised.</p>

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<p>Recommendation 7</p>	<p>That the new Student and Parent Experience Directorate also assist in keeping parents and school communities informed of the infrastructure planning and works affecting their school.</p>	<p>Supported in principle</p>	<p>It is the remit of SINSW's Community Engagement team to keep parents/caters and school communities informed of school infrastructure works. This team implements a community and stakeholder engagement framework for all major projects, aligned to the Department of Planning and Environment Consultation Guidelines.</p> <p>SINSW is working with the new Student and Parent Experience Directorate to deliver an integrated approach in engaging with school communities.</p>
<p>Recommendation 8</p>	<p>That School Infrastructure NSW ensures that its demographic planning relies on suburban level population/enrolment projections and close consultation with local government. It should also give greater weight to lessons and demographic trends from past planning successes and failures in newly developed residential release areas that are similar to recently-established suburbs and their school needs.</p>	<p>Supported in principle</p>	<p>SINSW is continuously investigating ways to improve the data that supports enrolment forecasts.</p> <p>The NSW Common Planning Assumptions (CPA) are the starting point to produce population projections in the short, medium and long term. The 2022 iteration of the CPA is the first time that data is available at a Statistical Areas Level 2 (SA2). An inherent part of the production of projections by SINSW is to review the actual enrolments against previous projections to continuously improve projections into the future.</p> <p>To complement this, analysis is undertaken for dwellings that may be in early planning phases that are not accounted for in the CPA projections, as they have not yet been exhibited or finalised. These could include:</p> <ul style="list-style-type: none"> • Council housing strategies' estimates of indicative dwelling numbers that are intended for future zoning stages of the plan to meet the LGA's residential target, but that are not provided for under current planning controls; • Planning proposals in discussion scoping/pre-lodgement phase; • Council and State agencies' masterplans, structure plans, place strategies etc.

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			<p>SINSW regularly engages with the Department of Planning and Environment and other government agencies to ensure it has the most up to date information to complete projections.</p>
<p>Recommendation 9</p>	<p>That the NSW Department of Education provide a publicly available list of school catchment capture rates and enrolment caps, ensuring that it is transparent about its schools and their capacity.</p>	<p>Not supported</p>	<p>Under the <i>Education Act 1990</i> every student is entitled to enrol at the local school they are eligible to attend. Enrolment caps are for schools to know whether they can accept non-local enrolments. Schools continue to enrol students who live in their local intake area, regardless of the school's cap status. Parents and carers should talk to the principal of their local school to discuss enrolment.</p> <p>School catchment boundary and details on schools, including enrolments are published on the NSW Public School Finder website.</p> <p>Publishing the school catchment capture rate is not supported as this could lead to further inequity in the system by creating perceptions that a school with a lower rate is a less desirable school.</p>
<p>Recommendation 10</p>	<p>That the NSW Department of Education establish minimum quality standards for the allocation of school lands in voluntary planning agreements, with these standards binding on and enforceable by other</p>	<p>Supported in principle</p>	<p>SINSW has established minimum standards for selecting sites for new schools. SINSW regularly meets with DPE to communicate these standards when assessing potential lands as part of voluntary planning agreements.</p> <p>SINSW continues to engage with DPE and Councils to ensure that the provision of suitable land for schools is part of the urban development planning process.</p>

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	government agencies involved in the urban development process.		SINSW utilises lessons learnt from land acquisitions and delivery of projects to inform updates of the site selection process including negotiation of future VPAs.
Recommendation 11	That School Infrastructure NSW follow the Centre for Education Statistics and Evaluation CESE's and John Hattie's findings on pedagogy, ensuring that school and classroom design fosters the use of Direct or Explicit Instruction teaching methods for the proven benefit of students.	Supported in principle	For over two years, SINSW has been utilising a standard design approach for new classrooms that supports a number of different teaching styles and approaches, including direct or explicit instruction. This standard design approach offers flexible learning spaces as part of a consistent learning hub layout. This includes general learning spaces that can be used as an individual classroom or partial opening to allow for movement and collaboration across classes.
Recommendation 12	That School Infrastructure NSW fast track the production of its prototype 4-classroom prefabricated buildings, erected in six weeks at the Fern Bay Public School trial of this modern method of construction. This has the quality and flexibility to assist: • non-metropolitan schools overwhelmed by enrolment growth (as per Fern Bay Newcastle) • new schools in fast growing urban areas to promptly meet	Supported	This work is currently underway. In early 2022, SINSW engaged a range of industry partners through an Expression of Interest (EOI) process to progress Modern Methods of Construction for school infrastructure projects. The EOI phase is now complete and SINSW will continue the procurement process through the next stages. In the 2022-23 School Infrastructure NSW Delivery Strategy, SINSW has identified more than 20 projects announced in the 2022-23 NSW Budget to be delivered through the Modern Methods of Construction model to reduce on-site construction time.

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	<p>enrolment needs without overreliance on demountable classrooms, and • high schools, given their need for vocational education facilities such as woodworking and food technology rooms.</p>		
<p>Recommendation 13</p>	<p>That the NSW Government set a community/educational standard of no school having more than 50 per cent of its classrooms as demountables.</p>	<p>Supported in principle</p>	<p>The Government's record investment in infrastructure is responding to growth in student enrolments with a \$17.7 billion program of new and upgraded schools. Projects are delivering permanent facilities to replace demountables in schools where there is long term growth.</p> <p>As per recommendation 12, the pavilion model erected at Fern Bay Public School and Modern Methods of Construction will provide a rapid response for delivery of new classrooms and reduce the need for an over-reliance on demountables.</p> <p>Demountable classrooms are modern, air-conditioned rooms that provide students and teaching staff with excellent quality facilities. The learning spaces have the same range of technology that is available in permanent spaces.</p> <p>Demountables will always be required in emergency responses to natural disasters and during major upgrades to minimise operational impacts for schools.</p>

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<p>Recommendation 14</p>	<p>That the NSW Department of Education provide a school oval at every new school, and in circumstances where joint-use arrangements are the only option, these ovals should be located either directly adjacent to the school site, or within close proximity to the school site.</p>	<p>Supported</p>	<p>This is existing Department practice. All NSW public schools have access to an oval. This may be through the provision of onsite oval facilities or in areas where land is constrained, through lease or joint use agreements with local councils and/or sporting organisations.</p>
<p>Recommendation 15</p>	<p>That the installation of synthetic play and sporting surfaces be accompanied by extensive tree and garden planting to ensure all schools give their students a clear connection to nature.</p>	<p>Supported</p>	<p>This is existing Department practice. The Educational Facilities Standards and Guidelines recommend consideration of synthetic turf in high use zones, shaded areas and other spaces where the growth of natural turf is problematic. Where possible, planting of gardens/trees is undertaken. The Department is also delivering on the Premier's Priority for a collaborative commitment to Greening our City. As part of this program, the Department is working the Department of Planning and Environment and Greening Australia with the Cooling the Schools tree planting program in Greater Sydney. To date, more than 20,000 trees and plants have been planted across almost 100 NSW public schools. Department practice is to maximise space for teaching and learning, and provide appropriate car parking spaces on-site and on-street. As part of the statutory planning pathway the number of on-site staff parking for schools is assessed and approved. School transport plans currently consider aspects such as the location of the school, public transport links and cycle routes.</p>
<p>Recommendation 16</p>	<p>That School Infrastructure NSW ensure that all new school builds provide staff parking sufficient to accommodate the full staff complement, taking account of potential future growth in student enrolments.</p>	<p>Supported in principle</p>	<p>As part of the statutory planning pathway the number of on-site staff parking for schools is assessed and approved.</p>

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<p>Recommendation 17</p>	<p>That School Infrastructure NSW work with relevant local councils to ensure that road infrastructure around new school builds is adequate to accommodate safe and efficient school drop off and pickup arrangements, taking account of potential future growth in student enrolments, and that this be an explicit requirement in the planning approval process.</p>	<p>Supported</p>	<p>This is existing practice as part of the statutory planning pathway where the drop off and pick up areas for a new school is assessed and approved.</p> <p>SINSW liaises with local councils on the shared responsibility of road infrastructure as part of new and upgraded school projects.</p>
<p>Recommendation 18</p>	<p>That the NSW Government ensure that existing school infrastructure is maintained to an acceptable standard and does not suffer as a result of a focus on new school construction.</p>	<p>Supported</p>	<p>This work is currently underway. The NSW Government invested an additional \$1.2 billion in the 2022-23 Budget for planned maintenance. Since 2015/16, more than \$1.8 billion has been invested in planned maintenance – with another \$2.2 billion committed over the next four years.</p> <p>The maintenance of NSW public schools is an ongoing program of works and a well-defined strategy ensures all statutory and preventive maintenance is completed as the first priority to ensure schools are safe and compliant.</p> <p>Planned maintenance is undertaken in parallel and in consultation with the school principal.</p>

<p>Recommendation 19</p>	<p>That, noting that access to clean toilets of a good standard is a basic human right and that such access is essential to an effective learning environment, School Infrastructure NSW ensure that toilets are provided in all schools at an adequate quantity and quality, and that their adequacy be measured against a clear and public standard that sets:</p> <ul style="list-style-type: none"> • the number of toilets per male and female student • the frequency of the cleaning regime established on the basis of anticipated frequency of use • a benchmark for repair of damaged toilets within defined time frames. <p>Further, that this standard be communicated to parents and students each year.</p>	<p>Supported in principle</p>	<p>The Department utilises the Whole of Government Cleaning Contract administered by the Public Works Advisory (PWA) to undertake cleaning in schools.</p> <p>Toilets in schools are cleaned every school day.</p> <p>There is an escalation process to SINSW if principals have concerns regarding the standard of cleaning at their school.</p> <p>Any maintenance items that pose a safety risk to students or staff are addressed immediately as an Essential Urgent Repair (EUR). Statutory and preventive maintenance is completed as a priority to ensure schools are safe and compliant.</p> <p>Additionally, SINSW is upgrading its FMWeb system, to simplify use and reduce the burden for principals. The upgraded system is offering a single platform for schools to register maintenance requests, log defects and raise either school or Department funded project proposals.</p>
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<p>Recommendation 20</p>	<p>That School Infrastructure NSW reduce the red tape around smaller maintenance and repair projects, ensuring that the hard work and fundraising efforts of Parents and Citizens Associations are not frustrated by bureaucratic delays.</p>	<p>Supported</p>
<p>This work is currently underway. The Department has acknowledged concerns regarding school funded works and in 2019 launched the Asset Management Fast Track Initiative, giving schools greater flexibility and choice to commission and undertake over 20 of the most commonly requested activities or works themselves. The Department will continue to monitor the initiative and add works where appropriate, in consultation with the P&C Federation. Asset Services Officers (ASO) are available to support schools with these requests.</p> <p>The Department now has more than 200 ASO roles that support schools, with 50 new roles recently added. Additional ASOs help keep school grounds safe and well maintained – more tasks associated with planned maintenance and following up on repair works are now undertaken by the ASO.</p> <p>As per Recommendation 19, the FMWeb upgrade will make it easier for schools to raise infrastructure requests.</p>		

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<p>Recommendation 21</p>	<p>That School Infrastructure NSW conduct an audit of schools with dated facilities and prepare a comprehensive plan to address all maintenance needs across the entire school system, giving priority to toilet area maintenance.</p>	<p>Supported in principle</p>	<p>The Department has a well-defined maintenance strategy that ensures all statutory and preventive maintenance is completed as the first priority to ensure our schools are safe and compliant.</p> <p>The Department's planned maintenance program identifies items annually that have reached their recommended intervention point. A model predicts when each element (painting, carpet, windows, roofs, walls etc) is due for repair/replacement. ASOs check all of these items to ensure the predicted elements are accurately identified and also identify any other items that have worn faster than predicted. This becomes the workload for the annual program with work priorities on those items that keep buildings watertight along with teaching spaces.</p> <p>Since 2015/16, more than \$1.8 billion has been invested in planned maintenance – with another \$2.2 billion committed over the next four years.</p>
<p>Recommendation 22</p>	<p>That School Infrastructure NSW publish annually on its website a report on the current maintenance backlog, ensuring transparent reporting of the condition of New South Wales schools.</p>	<p>Not supported</p>	<p>As per above, the Department uses a model to predict when an element is due for repair/replacement and these outputs are then validated by ASOs on site. In a portfolio of over 22,000 permanent buildings with an average age of 46 years, maintenance of schools is ongoing and therefore the priorities are updated regularly.</p> <p>The Department's maintenance strategy ensures all statutory and preventive maintenance is completed as the first priority to ensure our schools are safe and compliant. Planned maintenance works are then prioritised according to need on an ongoing basis.</p>
<p>Recommendation 23</p>	<p>That the NSW Government give urgent attention to delivering the promised upgrades to schools such as Concord High, Gillieston Public and the distance</p>	<p>Supported</p>	<p>This work is currently underway. The upgrade of Concord High School and redevelopment of Gillieston Public School are underway following approval of funding in the 2022/23 NSW Budget.</p> <p>While the School of Air in Broken Hill is not one of the 160 announced major works projects, the Government continues to invest in all</p>

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	<p>education facility in Broken Hill swiftly, so that these students can experience schools worthy of them</p>		<p>schools. The School of Air will receive minor works and maintenance in 2022/23 and SINSW will continue to engage with the school on its infrastructure needs.</p> <p>Start and completion dates on projects are confirmed once a delivery schedule is finalised and are published on the SINSW website.</p> <p>The School of Air in Broken Hill has also received a significant investment in its Information Technology infrastructure, such as internet upgrades, inclusion in the Connecting Country School program to introduce wireless infrastructure that supports digital literacy outcomes, new Main Learning Displays as part of the Rural Access Gap program and additional devices under the Computer Equipment Rollout program.</p>
<p>Recommendation 24</p>	<p>That the NSW Department of Education introduce a certification requirement regarding the completion of the Asbestos Management Plan by each accountable officer at a school, to ensure compliance. Further, that each school have a School Infrastructure NSW staff member appointed as the contact point to assist with the school's asbestos management plan and asbestos register. The staff member's contact details are to be made available to school staff and</p>	<p>Supported in principle</p>	<p>The Department will review the content of the "Control and Management of Asbestos in the Workplace" online training module as a quality assurance measure, prior to communication with all principals, Directors Educational Leadership (DELs) and School Performance Executive Directors that the module must be completed as part of their mandatory training. The training will be part of the WHS Induction for new principals, DELs and School Performance Executive Directors moving forward.</p> <p>In relation to Castle Hill High School, the Department of Education has committed to identifying what lessons can be learnt or possible improvements that can be put in place, including consideration of findings, conclusions and any recommendations that might be made by the independent regulator, SafeWork NSW.</p> <p>Principals as site managers are the day-to-day contact and ASOs provide specialist expertise on asset related matters to the principal.</p>

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	to the school's Parents & Citizens Association.		SINSW also produces notifications for asbestos related work, providing these to the school, for distribution to the school community, and publishing on the SINSW website. All notifications include contact information if further information is required.
<p>Recommendation 25</p>	<p>That the NSW Department of Education issue a policy requiring school work health and safety committees to have a parent representative sit on the committee and that the parent representative be elected by and from among the whole parent body.</p>	<p>Not supported</p>	<p>The Department is required to comply with the Work Health and Safety Act 2011, and its provisions on work health and safety committees. WHS committees are worker-based committees. The legislative scheme which requires consultation relates to workers or person conducting a business or undertaking (PCBU) and not third parties, and it would not be appropriate to have a parent representative on the committee.</p> <p>Principals play a key role in ensuring the safety of everyone on school grounds and communicating with key community stakeholders on school safety matters.</p>
<p>Recommendation 26</p>	<p>That the NSW Government acknowledge that the School Success Model does not effectively replace the Local Schools, Local Decisions policy and that the ongoing management culture of decentralised decision making to local school level and entrusting huge faith in school principals will continue to damage the NSW school education system. The lessons of Castle Hill High school must be acted on.</p>	<p>Not supported</p>	<p>The School Success Model replaces Local Schools Local Decisions and directly addresses key findings of the CESE Local Schools Local Decisions final evaluation.</p> <p>The School Success Model continues to evolve consistent with its aims to strengthen shared accountability by putting in place clearer targets for corporate leaders and as part of school planning, lifting capability through the delivery of new system support and identifying and sharing best practice through research.</p> <p>As per Recommendation 20, additional ASOs provide increased and centralised support to schools, with more tasks associated with planned maintenance and following up on repair works now undertaken by the ASO. Also as per Recommendation 19, the FMWeb upgrade will make it easier for schools to raise infrastructure requests, under a centralised system managed by SINSW.</p>

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			<p>As stated in response to Recommendation 24, in relation to Castle Hill High School, the Department has committed to identifying what lessons can be learnt or possible improvements that can be put in place, including consideration of findings, conclusions and any recommendations that might be made by the independent regulator, SafeWork NSW.</p>
<p>Recommendation 27</p>	<p>That the NSW Government create a new model for what a successful school looks like, ensuring this model maximises student outcomes, evidence-based classroom practice, curriculum adherence, behavioural standards and work health and safety. Every government school should be expected to adhere to this model, with the NSW Department of Education establishing strong monitoring and compliance systems to ensure that it happens. This model should be published on the School Infrastructure NSW website and accessible to parents.</p>	<p>Not supported</p>	<p>The School Success Model identifies best practice schools through the Ambassador Schools program. The selected schools have shown to achieve exceptional academic success and the program supports the study of their methods to be applied at other schools across the state.</p> <p>Further, the Ambassador Schools Research Centre has been established with the University of NSW, the University of Canberra and Charles Sturt University. The Centre is building a robust evidence base of effective practices so they can be scaled across NSW.</p> <p>The School Success Model continues to evolve from its core foundations of the School Excellence Framework and Strategic Improvement Plans. The model balances stronger support for schools to make evidence-based decisions with clearer responsibilities for performance targets.</p> <p>The School Success Model delivers:</p> <ul style="list-style-type: none"> • evidence-based guidance on effective practice that improves student outcomes • more support for schools that need it the most • less administrative burden • stronger and clearer responsibilities for schools and the system, and • recognition and the scaling of practice of our most successful schools.

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<p>Recommendation 28</p>	<p>That in circumstances where a potential breach of the Work Health and Safety Act 2011 has occurred, the NSW Department of Education's Performance and Ethical Standards Unit be required to finalise its investigation within six months.</p>	<p>Not supported</p>	<p>It is not possible for the Performance and Ethical Standards (PES) to guarantee the suggested timelines. In some cases, the PES investigation may be deferred at the request of other agencies including NSW Police, the Office of the Children's Guardian, the NSW Ombudsman, the Independent Commission Against Corruption, Safe Work NSW or the NSW Environment Protection Authority. This may directly impact timeframes.</p> <p>As per the Guidelines for the Management of Conduct and Performance, PES aims to resolve matters in a timely and expeditious manner. PES sets a target of 80% of matters being finalised within 12 months and focuses on all matters being finalised as early as practicable.</p> <p>Following the 2019 review of PES (then the Employee Performance and Conduct Directorate) by Mark Tedeschi AM KC, and in recognition of the importance of timeliness of investigations, the Department allocated \$3.8 million in additional funding to increase PES staffing.</p>
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<p>Recommendation 29</p>	<p>That the NSW Department of Education reform its Performance and Ethical Standards Unit so that it is staffed by independent recruits from outside the department to ensure an objective, real world perspective on teacher discipline.</p>	<p>Noted</p>	<p>PES currently complies with this recommendation.</p> <p>Only five investigators and Principal Investigators in PES have teaching qualifications. The majority taught for a brief period of time and then gained additional qualifications or experience in areas such as social work, child protection and policing. These investigators were recruited from outside the Department of Education into their role with PES.</p> <p>PES recruitment is undertaken as per NSW Public Service requirements. Applications are considered based on a candidate's requisite skills and abilities. In relation to Investigators and Principal Investigators this includes high-level skills in conducting investigations and implementing child protection policies and practices.</p> <p>The current investigations team is garnered from the areas of:</p> <ul style="list-style-type: none"> • Social Work • Law • Policing (both State and Federal) • Child Protection • Industrial Relations • Policy Development • Project Management <p>The current investigator workforce complies with the recommendations of the Tedeschi Review (2019) which recommended that PES did not 'go back to the system that existed in the mid-to late 1990s of recruiting school-based staff to conduct investigations ...'</p>
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<p>Recommendation 30</p>	<p>That the Minister for Education and Early Learning fulfil her promise to the Member for Castle Hill for an independent assessment of the presence of asbestos at Castle Hill High School, to determine the current safety of the school.</p>	<p>Supported in principle</p>	<p>Following concerns regarding the management of asbestos at Castle Hill High School, the Minister for Education and Early Learning requested further independent assessment of the school site.</p> <p>Further assessment has been conducted with an independent hygienist to verify the presence and condition of asbestos containing material. The results of this inspection are available as part of the Asbestos Register on the SINSW website, which confirms that it was last reviewed in June 2022 and revised in October 2022. The updated Register confirms that incidence of asbestos at Castle Hill High School have been managed in accordance with all applicable legislation, regulation, policies and guidelines, including the Department's Asbestos Management Plan.</p> <p>Separately, SafeWork NSW is conducting an independent investigation in relation to asbestos at Castle Hill High School.</p> <p>School Infrastructure NSW accesses a panel of prequalified and suitably accredited hygienists in managing incidence of asbestos on school sites. Hygienists are not Departmental employees – they are independent experts.</p>
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