



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEE NO. 3

# Budget Estimates 2021-2022

Report 46

June 2022

3



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Portfolio Committee No. 3 - Education

# **Budget Estimates 2021-2022**

**New South Wales. Parliament. Legislative Council. Portfolio Committee No. 3 - Education.  
Report no. 46.**

Budget Estimates 2021-2022.

"June 2022"

Chair: Hon. Mark Latham, MLC.



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## Terms of reference

1. That the Budget Estimates and related papers for the financial year 2021-2022 presenting the amounts to be appropriated from the Consolidated Fund be referred to the Portfolio Committees for inquiry and report.
2. That, further to the resolution of the House of 11 November 2020 adopting the 2021 sitting calendar, the 2021-2022 initial budget estimates hearings be scheduled as follows:

**Day One: Monday 16 August 2021**

PC 5 Counter Terrorism and Corrections  
PC 7 Planning and Public Spaces

**Day Two: Tuesday 17 August 2021**

PC 2 Health and Medical Research  
PC 1 Special Minister of State, Public Service and Employee Relations, Aboriginal Affairs and the Arts

**Day Three: Wednesday 18 August 2021**

PC 3 Education and Early Childhood Learning  
PC 4 Agriculture and Western New South Wales  
PC 1 The Legislature

**Day Four: Thursday 19 August 2021**

PC 7 Local Government  
PC 2 Mental Health, Regional Youth and Women

**Day Five: Friday 20 August 2021**

PC 1 Treasury  
PC 6 Customer Service and Digital

**Day Six: Monday 23 August 2021**

PC 7 Energy and Environment  
PC 5 Attorney General and Prevention of Domestic and Sexual Violence

**Day Seven: Tuesday 24 August 2021**

PC 1 Jobs, Investment, Tourism and Western Sydney  
PC 6 Regional Transport and Roads

**Day Eight: Wednesday 25 August 2021**

PC 3 Skills and Tertiary Education  
PC 5 Sport, Multiculturalism, Seniors and Veterans

**Day Nine: Thursday 26 August 2021**

PC 6 Transport and Roads  
PC 1 Premier

<b>Day Ten:</b>	<b>Friday 27 August 2021</b>
PC 4	Water, Property and Housing
PC 5	Families, Communities and Disability Services
<b>Day Eleven:</b>	<b>Monday 30 August 2021</b>
PC 6	Better Regulation and Innovation
PC 4	Regional New South Wales, Industry and Trade
<b>Day Twelve:</b>	<b>Tuesday 31 August 2021</b>
PC 5	Police and Emergency Services
PC 1	Finance and Small Business

3. That for the purposes of the Budget Estimates inquiry 2021-2022:
- (a) for each scheduled day of the initial and further rounds of hearings:
    - (i) each portfolio, except The Legislature, be examined concurrently by Opposition and Crossbench members only, from 9.30 am to 12.30 pm, and from 2.00 pm to 5.45 pm, with an additional 15 minutes reserved for government questions for each of the morning and afternoon sessions,
    - (ii) the portfolio of The Legislature be examined concurrently by Opposition, Crossbench and Government members from 9.30 am until 12.30 pm,
  - (b) the committees must hear evidence in public,
  - (c) the committees may ask for explanations from ministers, parliamentary secretaries or officers of departments, statutory bodies or corporations, relating to the items of proposed expenditure,
  - (d) witnesses, including ministers, may not make an opening statement before the committee commences questions,
  - (e) members may lodge supplementary questions with the committee clerk by 5.00 pm within two business days following a hearing, and
  - (f) answers to questions on notice and supplementary questions are to be published, except those answers for which confidentiality is requested, after they have been circulated to committee members.
4. That the committees present a final report to the House by 30 June 2022.

The terms of reference were referred to the committee by the Legislative Council on 23 June 2021.<sup>1</sup>

<sup>1</sup> *Minutes*, NSW Legislative Council, 23 June 2021, pp 2348-2349. The Terms of reference were further amended - *Minutes*, NSW Legislative Council, 12 October 2021, pp 2401-2404; *Minutes*, NSW Legislative Council, 14 October 2021, p 2488; *Minutes*, NSW Legislative Council, 21 October 2021, p 2579; *Minutes*, NSW Legislative Council, 16 November 2021, p 2713; *Minutes*, NSW Legislative Council, 23 February 2022, pp 2969-2970; *Minutes*, NSW Legislative Council, 29 March 2022, pp 3121-3122; *Minutes*, NSW Legislative Council, 30 March 2022, p 3146.

## Committee details

### Committee members

<b>The Hon Mark Latham MLC</b>	Pauline Hanson's One Nation	<i>Chair</i>
<b>The Hon Wes Fang MLC</b>	The Nationals	<i>Deputy Chair</i>
<b>Ms Abigail Boyd MLC</b>	The Greens	
<b>The Hon Catherine Cusack MLC</b>	Liberal Party	
<b>The Hon Anthony D'Adam MLC</b>	Australian Labor Party	
<b>The Hon Scott Farlow MLC</b>	Liberal Party	
<b>The Hon Courtney Houssos MLC</b>	Australian Labor Party	

### Non-substantive members who attended the hearings

<b>The Hon Lou Amato MLC</b>	Liberal Party
<b>The Hon Mark Banasiak MLC</b>	Shooters, Fishers and Farmers Party
<b>The Hon Trevor Khan MLC</b>	The Nationals
<b>The Hon Taylor Martin MLC</b>	The Liberals
<b>Mr David Shoebridge MLC</b>	The Greens

### Contact details

<b>Website</b>	<a href="http://www.parliament.nsw.gov.au/budgetestimates">www.parliament.nsw.gov.au/budgetestimates</a>
<b>Email</b>	<a href="mailto:Budget.Estimates@parliament.nsw.gov.au">Budget.Estimates@parliament.nsw.gov.au</a>
<b>Telephone</b>	(02) 9230 3672

## Chair's foreword

I am pleased to present this report on the Inquiry into Budget Estimates 2021-2022. This annual inquiry into the Budget Estimates ensures parliamentary oversight of the Budget, and provides an important mechanism for the accountability of the executive government to the Legislative Council.

Portfolio Committee No. 3 is responsible for the scrutiny of the following portfolio areas:

- Education and Early Learning
- Skills and Training, Science, Innovation and Technology

The key evidence gathering mechanism of this Inquiry is through the conduct of public hearings. This report lists the key issues raised during the hearings. Transcripts, tabled documents and additional answers provided after the hearings are published on the [Inquiry's webpage](#).

On behalf of the committee, I would like to thank the ministers and their officers who assisted the committee during this important inquiry. I am grateful to my fellow committee members and the secretariat staff for their contributions to the inquiry process.



Hon Mark Latham MLC  
**Chair**

## Recommendations

### Recommendation 1

3

That the NSW Government remind all of its public servants appearing before Parliamentary committees that:

- they must at all times provide accurate and relevant information
- they have an obligation to assist the committee in its inquiry and not deliberately impede obstruct or delay the committee in its work
- telling the truth is an obligation from being sworn in as a witness, enforceable under the Parliamentary Evidence Act.

## Chapter 1 Introduction

The Inquiry into Budget Estimates is one of the key mechanisms for parliamentary committees to scrutinise government expenditure, performance and effectiveness. It holds ministers and government officials to account and provides a greater level of transparency to the public.

The Inquiry is conducted annually by the Legislative Council's Portfolio Committees. Each committee examines the budget estimates of its responsible portfolios, with ministers and senior public servants as the primary witnesses. The evidence taking process of the Inquiry consists of answers provided during public hearings and answers to post-hearing written questions (known as supplementary questions). There is no provision for written submissions.

### Budget Estimates 2021-2022

- 1.1 On 11 November 2020 the House resolved that for the purposes of the Budget Estimates inquiry 2021-2022, initial hearings be scheduled over 12 days from 16 August to 20 August 2021, 23 August to 27 August 2021, and 30 to 31 August 2021, and that supplementary hearings be scheduled over five days from 25 October to 29 October 2021.<sup>2</sup>
- 1.2 The Budget Estimates resolution and schedule was subsequently agreed to by the House on 23 June 2021, referring the Budget Estimates and related papers for 2021-2022 to the Portfolio Committees for inquiry and report.<sup>23</sup> The budget estimates resolution establishing the Inquiry, which sets out the rules for the Inquiry, is reproduced on pages iv and v.
- 1.3 However, upon nearing the commencement of the initial hearings, the impact of the Delta variant of the Covid 19 virus was being felt through the community, and members of the Legislative Council agreed to defer the initial round of hearings and replace it with fully virtual hearings for eight key portfolio areas. These were: Premier, Treasury, Health, Customer Service and Digital, Education and Early Childhood Learning, Regional NSW, Industry and Trade, Police, and Transport and Roads. The House subsequently retrospectively resolved these arrangements on Tuesday 12 October 2021.<sup>4</sup> On the same day, the House also resolved to hold supplementary hearings over 9 days commencing 26 October 2021.<sup>5</sup>
- 1.4 In November 2021, the House resolved that for the purposes of the Budget Estimates inquiry 2021-2022 additional hearings be scheduled over 12 days from 28 February to 4 March 2022, 7 March to 11 March 2022, and 14 March to 15 March 2022.<sup>6</sup> The House subsequently resolved to hold the hearings over 13 days, commencing 28 February.<sup>7</sup> Due to significant flooding events affecting northern New South Wales occurring during this time, three hearings – Deputy Premier, Regional NSW and Police, Premier, and Emergency Services and Resilience were postponed. On 29 March 2022 the House resolved new hearing dates for these portfolios, and

<sup>2</sup> *Minutes*, NSW Legislative Council, 11 November 2020, p 1547.

<sup>3</sup> *Minutes*, NSW Legislative Council, 23 June 2021, p 2349.

<sup>4</sup> *Minutes*, NSW Legislative Council, 12 October 2021, p 2401.

<sup>5</sup> *Minutes*, NSW Legislative Council, 12 October 2021, p 2402.

<sup>6</sup> *Minutes*, NSW Legislative Council, 16 November 2021, p 2713.

<sup>7</sup> *Minutes*, NSW Legislative Council, 23 February 2022, p 2970.

also authorised each of the Portfolio Committees to hold further additional budget estimate hearings up to 30 May 2022.<sup>8</sup>

## Hearings

1.5 The committee held 5 public hearings as follows:

- Friday 27 August 2021 – Education and Early Childhood Learning
- Thursday 28 October 2021 – Skills and Tertiary Education
- Tuesday 2 November 2021 - Education and Early Childhood Learning
- Wednesday 2 March 2022 – Education & Early Learning
- Thursday 3 March 2022 – Skills & Training, Science, Innovation & Technology
- Monday 4 April 2022 - Education & Early Learning

## Transcripts, questions on notice and supplementary questions

1.6 Transcripts of the hearings, questions taken on notice, supplementary questions and answers to these questions are available on the Budget Estimates web page at: [www.parliament.nsw.gov.au/budgetestimates](http://www.parliament.nsw.gov.au/budgetestimates).

## Procedural issues

1.7 During the 2 March 2022 hearing, the Chair of the Committee the Hon Mark Latham MLC asked various questions about the number of casual teachers or staff on temporary contracts who had been sacked or stood down as a result of the Department of Education's vaccination policy, which precluded teachers who had not received Covid 19 vaccinations from working. In the hearing, Departmental officers could not provide this information, and promised to either provide it during the course of the day or take it on notice for a response. No response was received that day.

1.8 On 29 March 2022 answers to questions on notice and supplementary questions relating to the hearing of 2 March were received. However, the information sought as referred to above, and promised by the Department, was not provided to the committee.

1.9 In response, the Committee Chair wrote to the Department of Education's Chief People Officer asking why she should not be referred to the Privileges Committee for contempt of Parliament. This letter, and the response of the Secretary, Ms Georgina Harrison, is included in Appendix 1. The Committee is of the understanding that both the Department's Chief People Officer and Chief Operations Officer, who both appeared at the hearing of 2 March 2022, have since resigned from their positions.

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<sup>8</sup> *Minutes*, NSW Legislative Council, 29 March 2022, p 3121.

### **Committee comment**

- 1.10** The committee is disappointed with the quality of answers and lack of information provided by the Department of Education during the Budget Estimates inquiry. Hence we recommend that the Government remind all of its public servants appearing before Parliamentary committees that they must at all times provide accurate and relevant information, and that telling the truth is an obligation from being sworn in as a witness, enforceable under the Parliamentary Evidence Act. The committee notes that witnesses individually take an oath when appearing before the committee and that the obligations arising from this oath cannot be delegated, this includes not being able to delegate to government departments or agencies.

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### **Recommendation 1**

That the NSW Government remind all of its public servants appearing before Parliamentary committees that:

- they must at all times provide accurate and relevant information
  - they have an obligation to assist the committee in its inquiry and not deliberately impede obstruct or delay the committee in its work
  - telling the truth is an obligation from being sworn in as a witness, enforceable under the Parliamentary Evidence Act.
-



## Chapter 2 Issues raised during hearings

This chapter provides a brief summary by portfolio of the key issues raised during the hearings.

### Education and Early Childhood Learning

**2.1** A hearing examining the portfolio of the Education and Early Childhood Learning was held on Friday 27 August 2021. The following issues were raised during the committee's examination of this portfolio:

- Vaccination of school staff
- Ventilation in classrooms
- Return to school plans
- Plans for HSC 2021
- Consultation between Department of Education and Teachers Federation regarding home school, return to school etc during pandemic
- COVID-19 outbreaks in Early Childhood Centres
- Current workloads and work hours for teachers
- Adverse reactions to vaccine and workers compensation claims for school staff

**2.2** A hearing examining the portfolio of the Education and Early Childhood Learning was held on Tuesday 2 November 2021. The following issues were raised during the committee's examination of this portfolio:

- Progress to date on the Teacher Supply Strategy to attract and retain teachers, within the context of a global shortage of teachers
- Specific school targets under the Strategic Improvement Plan: measures to ensure that parents understand the targets and publication of baseline data
- Transition of current Deputy Principals into the new lower graded new Assistant Principal – Curriculum and Instruction roles
- Age appropriate teaching of consent in New South Wales and National Curricula
- Evidence base for Respectful Relationships and LoveBites wellbeing programs
- Findings of the recent audit of ventilation in classrooms
- Implementation of strategies to address numbers of suspensions in schools and over-representation of Aboriginal children, children with disabilities and other disadvantaged groups
- Employment of investigation officers in respect of mandatory vaccination for teachers
- Modelling for potential school enrolment growth in new development areas

## Education and Early Learning

**2.3** A hearing examining the portfolio of the Education and Early Learning was held on Wednesday 2 March 2022. The following issues were raised during the committee's examination of this portfolio:

- School closures in Northern NSW due to flooding
- The impact of the 21 February rail shutdown on students
- Progress of the Cooler Classrooms project
- Unflued gas heaters in classrooms
- Professional and Ethical Standards investigation into comments made by an educator in Lithgow
- Recruitment of teachers to permanent positions
- Progress of students affected by COVID lockdowns and home learning
- Teachers stood down due to misconduct relating to non-compliance with public health orders requiring COVID vaccinations

**2.4** A hearing examining the portfolio of the Education and Early Learning was held on Monday 4 April 2022. The following issues were raised during the committee's examination of this portfolio:

- Staff recruitment
- Accreditation process and employment contracts for proposed overseas teachers
- Non-teaching support staff
- Disability training
- Grow Your Own Teacher program
- Mid-career entry program
- Violent/behavioural incidents reporting process
- Infrastructure and Building design
- ATAGI health orders
- Vaccination status of staff
- Process for placement on the inactive staff register
- Process for rezoning of school districts
- COVID-related leave and workers compensation
- School absenteeism
- St Madeleine's Primary Kenthurst – use of grant monies

## Skills and Tertiary Education

2.5 A hearing examining the portfolio of the Skills and Training, Science, Innovation & Technology was held on Thursday 28 October 2021. The following issues were raised during the committee's examination of this portfolio:

- A number of briefs submitted to Minister Lee, including on Divestment Program FY 2020-2021 and FY 2021-2022, Divestment of TAFE at Quirindi, Divestment of TAFE at 45 East St Grenfell, and Proposed 2020/2021 Divestment Program on a recommendation for the sale of seven TAFE sites
- TAFE policies for submitting briefs to the Minister's office and the Minister's approval/non approval process on briefs
- Findings and recommendations from ICAC Operation Lancer and the Government's steps to recover \$6.8 million of funds identified through Operation Lancer
- TAFE COVID-19 staff vaccination policy
- Planning for the return of International Students
- The failure to meet performance indicators from Budget Paper 2
- FTE in terms of staff at TAFE and permanency in relation to TAFE casual employees
- Budget and timeframe for the implementation of the student management system
- The establishment of TAFE High Schools

## Skills and Training, Science, Innovation & Technology

2.6 A hearing examining the portfolio of the Skills and Training, Science, Innovation & Technology was held on Thursday 3 March 2022. The following issues were raised during the committee's examination of this portfolio:

- Departure of former TAFE executive Steffen Faurby
- Sub-contracting to professional service companies at TAFE
- Reskilling workers at the Eraring power plant
- Innovation funding and the Multiversity at western Sydney
- Sale of TAFE sites and assets
- Changes to executive staff numbers at TAFE
- Part-time and full-time teaching positions at TAFE
- Enrolment and course trends at TAFE



# Appendix 1 Correspondence between the Chair and the Department of Education



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEE NO 3 - EDUCATION

8 April 2022

Our Ref: D22/16099

Ms Yvette Cachia  
Chief People Officer  
NSW Department of Education

*Via email:*

Dear Ms Cachia

### Evidence at Budget Estimates hearings

The Education Committee of the Legislative Council has resolved to write to you, asking you to show cause why it should not seek to refer you to the Privileges Committee for willfully misleading our Budget Estimates.

Evidence at parliamentary committee hearings is under oath, with a legal obligation on witnesses to answer truthfully. Actions to the contrary can represent contempt of the parliament and breaches of privilege.

I note that Section 13 of the Parliamentary Evidence Act 1901 provides a penalty for the provision of false evidence to a committee of the House – demonstrating the seriousness of the proceedings.

The Committee is very concerned by your answers to questions concerning the number of casual staff in NSW unable to work under the Education Department's vaccine mandates.

As the Chief People Officer, there was an expectation that you could answer these questions directly and accurately. Certainly when dealing with vaccination rates for permanent teachers, you had prompt answers to hand, down to the decimal point.

The public record shows a very different approach to casual staff. Let me set out the chronology:

On 10 November 2021 I asked the Education Minister a supplementary question in Question Time about the number of Department staff who had not provided their vaccination status. The Minister undertook "to provide some more detail on notice about the extra employees who are not part of the permanent teaching staff that (she) referred to".

On 22 February 2022, after providing details on PES investigations of permanent employees, the Minister answered as follows: "Correspondence was also sent to approximately 1000 casual and

Parliament House  
Macquarie Street Sydney  
NSW 2000 Australia

Telephone (02) 9230 3750  
budgetestimates@parliament.nsw.gov.au

temporary staff who were also identified as non-compliant, advising of the allegations of misconduct related to non-compliance with Covid-19 vaccination requirements and, if applicable, terminating their temporary engagement.”

The next day, 23 February 2022, you received an email (at 5.49pm) from your Senior Briefing and Correspondence Officer, Justin Cheung, with the subject heading: ‘Unattested Staff and ECPC Flag’. The ECPC is an Electronic Casual Payroll Claim, with staff flagged as ineligible for employment until such time as they are vaccination compliant.

Mr Cheung said he was “following up on the next steps from our exec paper on unattested staff and the placement of the ECPC flag which includes, 1. Notifying active staff of the requirement to attest prior to being engaged by a school.” He said a “letter (was) to be sent to approximately 9000 staff on Thursday 24 February”, among other steps. An SMS text message was also to be sent asking staff to check their DoE email “regarding (their) vaccination obligations as an employee”.

Mr Cheung concluded, “Most of these documents have been across your desk and you have provided comment of feedback prior. The team are seeking your final endorsement of the actions and timelines.”

The next day, 24 February 2022 (at 9.30am), you wrote “Approved” in reply to Mr Cheung and the letters and text messages went out. David Withey, the Chief Operating Officer, wrote “Ditto” in giving his approval.

Six days later, on 2 March 2022, at the Committee’s Budget Estimates hearing, I asked for an update on the number of teachers sacked or stood down, in particular, “Is there a number for casuals and temps?” You replied, “I have not got (the numbers) as at today, but I do have it as at 21 February.” You then told me that my estimate of 7000 teachers either sacked or stood down was wrong, and the number was “significantly lower”.

This in itself was remarkable. You had approved on 24 February the 9000 letters and text messages sent to active casuals red-flagged for non-compliance. Yet for the purposes of your sworn evidence to the Committee, you pretended this had never happened, citing numbers from 21 February.

You then gave a detailed answer about 3,959 PES cases and the vaccination compliance of permanent staff. I again asked about casuals and you replied, “I will have to take that on notice”.

I then said, “Letters have gone out to these casuals”, to which you replied: These were not separation letters but letters notifying casuals of their compliance obligations.

I then asked, “If the casuals have not provided their vaccination evidence, what is the next letter, and how many of those went out?” You replied, “Chair, certainly, and we will get you that data ... I will have to look through my notes, but I can give it to you today, Chair.” In fact, you told the Committee, “I should be able to get those very quickly.”

When the hearing concluded several hours later, including over the lunch break, no data had been provided.

It is not unreasonable for the Committee to have expected you to provide information about the 9000 letters and text messages from 24 February. You clearly knew about those departmental actions, having had the papers across your desk and then given Mr Cheung final approval. Mr Withey was also silent about the facts.

When answers to Questions Taken On Notice were provided to the Committee on 29 March 2022, there was no data for non-attested casuals. The number you said you could access quickly was still unavailable 27 days later.

On the same date, answers were returned for Supplementary Questions. At Question Number 116, I had asked, "How many a) casual and b) temporary teachers were advised by the Department that, due to vaccination status, they were no longer eligible to teach in NSW government schools?" The Department answered: "Please refer to the answer to LC QON 8383".

This Question On Notice had been answered on 21 March 2022, stating that, "Non-compliant casual staff have their approval to teach temporarily withheld until they are compliant." But no numbers were given. Yet another opportunity to give the 9000 number was by-passed. The answer to my Supplementary Question was, in effect, a non-answer referring me to a different non-answer.

Unfortunately, it took a Member of Parliament (myself) to be told of your email exchange with Mr Cheung for the truth to be known. I trust you can appreciate the Education Committee's dismay at this sequence of events. We have legitimate concerns about your repeated failure to disclose information that was clearly known to you.

At the additional Budget Estimates on 4 April 2022, I asked you for an update on the Minister's 22 February answer (1000 letters), specifically, "What is the latest number of how many casuals have been advised by the Department that they are non-compliant and they are ineligible to teach?" You answered about letters that had gone to staff advising of the availability of Novavax (which came onto the market on 10 February 2022). Again, you had an opportunity to tell the Committee of the 9000 letters to unattested active casuals on 24 February but you chose not to.

When I asked you about the 23-24 February emails, you were given a chance to check your records and give a full account to the Committee. But again, you said you could only answer on notice. Mr Withey did the same.

Is there any reason why you should not be referred to the Privileges Committee of the Legislative Council?

I look forward to your response prior to the Parliament returning on 10 May, when the Committee will further consider this matter.

Yours sincerely



Hon Mark Latham MLC  
Chair

cc Ms Georgina Harrison, Secretary  
*Via email:*



Your ref: D22/18099  
Our ref: DGL22/260

Portfolio Committee No 3 – Education  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000

By email <[mark.latham@parliament.nsw.gov.au](mailto:mark.latham@parliament.nsw.gov.au)>

Dear Mr Latham MLC

### **Evidence at Budget Estimates hearings**

I refer to the letter from the Chair of Committee dated 8 April 2022 to Ms Yvette Cachia, Chief People Officer, NSW Department of Education (*Department*), in which you note that the Education Committee of the NSW Legislative Council (*the Committee*) has resolved to write to Ms Cachia, asking her “to show cause why it should not seek to refer [her] to the Privileges Committee for wilfully misleading our Budget Estimates”.

Ms Cachia is an officer of the Department and I write in response to your letter in my capacity as Secretary for the Department. In line with existing protocols I ask that all correspondence regarding the appearance or evidence of Departmental officers at Budget Estimates be addressed to either me or the responsible Minister and not to individual Departmental officers.

I would like to reassure the Committee and the Legislative Council that I, and all Departmental officers, take seriously the obligation to provide accurate and complete evidence when participating in parliamentary inquiries.

### **Mandatory vaccination requirements and school staffing**

At the outset, I take this opportunity to advise the Committee that following the questions raised by the Committee, I sought independent assurance of the data relating to the impact of the *Public Health (COVID-19 Vaccination of Education and Care Workers) Order 2021* and subsequent orders on the teaching workforce from the Department’s Centre for Education Statistics and Evaluation (CESE). The result of this work is a proactively released review that provides clarity on:

- how the Department has monitored the vaccination status of school-based staff,
- the system data available to track implementation of the department’s vaccine mandate, and
- the potential impact of vaccinations on our current workforce.

DGL22/260

The Department has published this review on its website at the following link: <https://education.nsw.gov.au/about-us/educational-data/cese/publications/statistics/review-of-departments-mandatory-vaccination-requirements>. I trust that this assists the Committee with its inquiries.

#### Data about casual employees

It appears from your 8 April 2022 letter that there has been a misunderstanding about the information contained in the email that Mr Cheung sent to Ms Cachia on 23 February 2022, as well as about how the Department collects and interprets data on casual employees. I also note that, on p. 3 of your letter, you express concern about the response to Question 116 of the Supplementary Questions which arose out of the hearing before the Committee on 2 March 2022.

To assist the Committee, I advise that while the Department has data on the number of teachers *currently* holding casual-teaching approval, that number does not equate to the total number of casual teachers who are actually available to undertake casual teaching work at any point in time. A number of teachers holding casual teacher approval may not be available to work due to their own personal circumstances (for example those who are retired, employed in another school sector, or vaccination status).

Due to the nature of their employment, no casual teacher was terminated due to the vaccination requirements. Following the introduction of the *Public Health (COVID-19 Vaccination of Education and Care Workers) Order 2021*, casual teachers have been required to provide evidence of their vaccination status including through the Department's Vaccination Attestation and Confirmation System (VACS) before they undertake an engagement with a school. Therefore the Department does not hold data on the number of casual teachers who are not currently working in NSW government schools due to the vaccination requirements.

I can advise that on 24 February 2022, 8,080 school-based staff, who had not yet attested to their vaccination status in VACS were sent a letter advising they had to be double vaccinated if they wanted to perform work for the Department in 2022.

I can confirm for the Committee that these letters were *not* letters of termination or cancellation. It is not correct to equate a letter sent to teachers and non-teachers, reminding them of the relevant vaccination requirements and requesting them to confirm their status in VACS as being either (a) a letter of termination or cancellation, or (b) the commencement of a disciplinary process. Rather this letter was designed to provide clarity to the workforce of the current employment requirements in NSW Public Schools.

To further assist the Committee's enquiries, I can confirm that of the 8,080 people sent this letter, 1,597 were permanent or temporary teachers, 3,208 were permanent or temporary non-teaching school-based staff and 3,275 were people that had worked as a casual in a government school (teaching and non-teaching staff) in an 18-month period before the letter was sent. Of those 3,275 casual staff, as at 2 May 2022, VACS records show:

DGL22/260

- 985 have attested they are double vaccinated;
- 1 has attested they have received only their first vaccination;
- 8 have attested they have a medical contraindication; and
- 2,281 are yet to attest their vaccination status.

The Committee may also be interested to know that in Term 1 2022, the Department had over 18,800 casuals employed in the system. The Department is currently engaging the highest number of temporary and casual school staff on our records who are available to support our schools. There is no denying that the Omicron COVID wave placed our workforce, and many others, under significant stress. But it is also true that we were, given the number of temporary and casuals available, as well placed as we could be to respond to that stress.

I hope that this information assists the Committee to understand the process we have undertaken in relation to casual teachers.

I also note that the Committee has raised concerns about the answer to Question 116 of the Supplementary Questions from 2<sup>nd</sup> March hearing. While the Department may assist the Minister to answer questions taken on notice, it is the Minister that responds to questions taken on notice, not the Department or departmental officials. Regardless, I have reviewed the answers provided to Question 116 and previous questions on notice referred to or incorporated into that answer and have no reason to believe that the information contained in those answers provided by the Minister is incorrect.

I trust that the further clarifications provided here, and in the CESE review, provide further clarity for the Committee on this complex matter.

#### **Referral to Privileges Committee**

Finally, you raise a number of serious allegations in your letter to Ms Cachia, in particular, referring to the penalty imposed by s. 13 of the *Parliamentary Evidence Act 1901* on witnesses before the Committee who wilfully make a false statement which they know to be false.

Firstly, let me assure the Committee that it is my expectation that all Departmental Officials conduct themselves appropriately in their dealings with Parliament. Officials' evidence is provided under oath and our intention is to assist the Committee with its enquires as far as we are able to do so.

Having had the evidence provided by Ms Cachia reviewed, it is my view that there is nothing in Ms Cachia's conduct before, during, or after Budget Estimates hearings on 2 March 2022 and 4 April 2022 that could reasonably support such allegations being made. Nor is there any aspect of her conduct before the Committee that could reasonably justify a recommendation by the Committee that the Council refer this matter to the Privileges Committee.

In relation to Question 116 of the Supplementary Questions from 2<sup>nd</sup> March hearing, neither the answer to Question 116 nor any of the previous answers to questions on notice which are referred to or incorporated into that answer, form part of

DGL22/260

Ms Cachia's evidence before the Committee. Nor was Ms Cachia involved in the preparation of the response to Question 116.

I trust that the information provided in this letter assists the Committee to understand the complexities relating to obtaining accurate data in relation to casual teachers and their vaccination rates, and assures the Committee that there is no basis for the allegations raised in your letter. If the Committee has any outstanding questions I would encourage you to look at the CESE review included earlier in this response.

In appearing at Budget Estimates hearings, Departmental officers do not express opinions or make political judgments. Rather, we attend Committee hearings voluntarily and take significant care in preparing information to ensure evidence is accurate and complete.

Please let me know if the Committee requires any further assistance in this matter.

Yours sincerely



Georgina Harrison  
**SECRETARY**  
**DEPARTMENT OF EDUCATION**  
9 May 2022





## Appendix 2 Witnesses at hearings

Date	Name	Position and Organisation
<b>Friday 27 August 2021</b> <b>Virtual hearing</b> <b>(via videoconference)</b>	Ms Georgina Harrisson	Secretary, Department of Education
	Ms Ruth Owen	Acting Group Deputy Secretary, School Improvement and Education Reform Group, Department of Education
	Mr David Withey	Chief Operating Officer, Department of Education
	Mr Anthony Manning	Chief Executive Officer, School Infrastructure
	Mr Murat Dizdar	Deputy Secretary, School Performance – South, Department of Education
	Mr Paul Martin	Chief Executive Officer, NSW Education Standards Authority
<b>Thursday 28 October 2021</b> <b>Jubilee Room</b> <b>Parliament House, Sydney</b>	Hon Dr Geoff Lee MP	Minister for Skills and Tertiary Education
	Mr Steffan Faurby	Managing Director, TAFE NSW
	Ms Georgina Harrisson	Secretary, Department of Education
	Mr David Collins	Acting Executive Director, Department of Education ( <i>via Webex</i> )
	Ms Chloe Read	Deputy Secretary, Department of Education ( <i>via Webex</i> )
	Ms Julie Tickle	Chief People and culture Officer, TAFE NSW ( <i>via Webex</i> )
	Mr Michael Alacqua	Deputy Secretary, School Performance North, Department of Education ( <i>via Webex</i> )
	Dr Margot McNeill	Chief Product and quality Officer, TAFE NSW ( <i>via Webex</i> )
	Ms Kirsty Hosea	Chief Delivery Officer, TAFE NSW ( <i>via Webex</i> )
	Mr Vik Naidoo	Chief Strategy and Commercial Officer, TAFE NSW ( <i>via Webex</i> )
	Mr David Backley	Chief Information Officer, TAFE NSW ( <i>via Webex</i> )
	Ms Catherine Grummer	Chief Corporate Services Officer, TAFE NSW ( <i>via Webex</i> )
	Mr David Withey	Deputy Secretary, Department of Education ( <i>via Webex</i> )

<b>Date</b>	<b>Name</b>	<b>Position and Organisation</b>
<b>Tuesday 2 November 2021 Jubilee Room Parliament House, Sydney</b>	Hon Sarah Mitchell MLC	Minister for Education and Early Childhood Learning
	Ms Georgina Harrison	Secretary, Department of Education
	Mr Anthony Manning	Chief Executive, School Infrastructure NSW, Department of Education
	Ms Ruth Owen	Deputy Secretary, Learning Improvement, Department of Education
	Ms Yvette Cachia	Chief People Officer, Department of Education
	Mr Paul Martin	Chief Executive Officer, NSW Education Standards Authority ( <i>via Webex</i> )
	Mr David Withey	Deputy Secretary, Department of Education ( <i>via Webex</i> )
	Ms Leanne Nixon	Deputy Secretary, School Performance – North, Department of Education ( <i>via Webex</i> )
	Mr Murat Dizdar	Deputy Secretary, School Performance – South, Department of Education ( <i>via Webex</i> )
	Ms Lisa Alonso Love	Deputy Secretary, Education and Skills Reform, Department of Education ( <i>via Webex</i> )
Ms Simone Walker	Group Deputy Secretary School Improvement and education Reform Group, Department of Education ( <i>via Webex</i> )	
<b>Wednesday 2 March 2022 Jubilee Room Parliament House, Sydney</b>	Hon Sarah Mitchell MLC	Minister for Education and Early Learning
	Ms Georgina Harrison	Secretary, Department of Education
	Ms Simone Walker	Group Deputy Secretary School Improvement and education Reform Group, Department of Education
	Ms Lisa Alonso Love	Deputy Secretary, Education and Skills Reform, Department of Education
	Ms Ruth Owen	Deputy Secretary, Learning Improvement, Department of Education
	Ms Leanne Nixon	Deputy Secretary, School Performance – North, Department of Education
	Mr Murat Dizdar	Deputy Secretary, School Performance – South, Department of Education
	Mr David Withey	Deputy Secretary, Department of Education
	Ms Yvette Cachia	Chief People Officer, Department of Education

Date	Name	Position and Organisation
	Mr Anthony Manning	Chief Executive, School Infrastructure NSW, Department of Education
	Mr Paul Martin	Chief Executive Officer, NSW Education Standards Authority
	Mr Daryl Currie	Executive Director, Professional and Ethical Standards
	Ms Dianne Van Berlo	Executive Director, Health, Safety and Staff Wellbeing
<b>Thursday 3 March 2022 Macquarie Room Parliament House, Sydney</b>	Hon Alister Henskens MP	Minister for Skills and Training, Science, Innovation and Technology
	Mr Stephen Brady	Acting Managing Director, TAFE NSW ( <i>via Webex</i> )
	Ms Julie Tickle	Chief People and Culture Officer, TAFE NSW
	Ms Kirsty Hosea	Chief Delivery Officer, TAFE NSW
	Dr Margot McNeill	Chief Product and Quality Officer, TAFE NSW
	Mr Vik Naidoo	Chief Strategy and Commercial Officer, TAFE NSW
	Mr Michael Alacqua	Chief Transformation Officer, TAFE NSW
	Ms Amy Brown	Secretary, Department of Enterprise, Investment and Trade, and Chief Executive Officer, Investment NSW
	Professor Hugh Durrant-Whyte	NSW Chief Scientist & Engineer, Investment NSW
	Ms Georgina Harrison	Secretary, NSW Department of Education
	Ms Chloe Read	Deputy Secretary, Education and Skills Reform, NSW Department of Education
	Mr David Collins	Executive Director, Training Services NSW, NSW Department of Education
	Mr David Withey	Chief Operations Officer, NSW Department of Education
	Ms Simone Walker	Group Deputy Secretary, School Improvement and Education Reform, NSW Department of Education

<b>Date</b>	<b>Name</b>	<b>Position and Organisation</b>
<b>Monday 4 April 2022</b> <b>Macquarie Room</b> <b>Parliament House, Sydney</b>	Ms Georgina Harrisson	Secretary, Department of Education
	Ms Simone Walker	Group Deputy Secretary, School Improvement and Education Reform Group, Department of Education
	Ms Leanne Nixon	Deputy Secretary, School Performance—North, Department of Education
	Mr Murat Dizdar	Deputy Secretary, School Performance—South, Department of Education
	Mr David Withey	Chief Operating Officer, Department of Education
	Ms Yvette Cachia	Chief People Officer, Department of Education

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## Appendix 3 Minutes

### Minutes no. 41

Monday 5 July 2021

Portfolio Committee No. 3 – Education

Via videoconference at 1.01 pm

#### 1. Members present

Mr Latham, *Chair*

Ms Cusack

Mr D'Adam

Mr Fang

Mr Farlow

Mrs Houssos

Mr Shoebridge

#### 2. Previous minutes

Resolved, on the motion of Mr Farlow: That draft minutes no. 40 be confirmed.

#### 3. Inquiry into Budget Estimates 2021-2022 – procedural resolutions

The committee noted the Budget Estimates timetable for 2021-2022 agreed to by the House, with hearings commencing at 9.30 am and concluding by 6.00 pm, for Portfolio Committee No. 3:

Date	Portfolio
Wednesday 18 August 2021	Education and Early Childhood Learning (Mitchell)
Thursday 25 August 2021	Skills and Tertiary Education (Lee)

#### 3.1 Allocation of question time and total hearing time

The committee noted that under the Budget Estimates 2021-2022 resolution each portfolio, except The Legislature, will be examined concurrently by Opposition and Crossbench members only, from 9.30 am to 12.30 pm, and from 2.00 pm to 5.45 pm, with an additional 15 minutes reserved for government questions for each of the morning and afternoon sessions.

#### 3.3 Witness requests

Resolved, on the motion of Mrs Houssos: That for the portfolio of Education and Early Childhood Learning, the committee invite the following witnesses:

- Mr Paul Martin, Chief Executive Officer, NSW Education Standards Authority
- Ms Georgina Harrison, Secretary, Department of Education
- Ms Ruth Owen, Acting Group Deputy Secretary, School Improvement and Education Reform Group, Department of Education
- Ms Leanne Nixon, Deputy Secretary, School Performance – North, Department of Education
- Ms Sally Blackadder, Acting Deputy Secretary, Learning Improvement, Department of Education
- Mr David Withey, Chief Operating Officer, Department of Education
- Mr Murat Dizdar, Deputy Secretary, School Performance South, Department of Education
- Ms Yvette Cachia, Chief People Officer, People Group, Department of Education
- Mr Anthony Manning, Chief Executive Officer, School Infrastructure NSW, Department of Education.

Resolved, on the motion of Mr D'Adam: That for the portfolio of Education and Early Childhood Learning the committee invite Ms Marnie O'Brien, Executive Director, Health and Safety, Department of Education.

Resolved, on the motion of Mr Latham: That an invitation be extended to the position holder within the Department of Education that oversees the engagement of external consultants in relation to schools.

Resolved, on the motion of Mrs Houssos: That for the portfolio of Skills and Tertiary Education the committee invite the following witnesses:

- Mr David Collins, Acting Executive Director, Skills and Higher Education, Department of Education
- Ms Georgina Harrison, Secretary, Department of Education
- Ms Chloe Read, Deputy Secretary, Education and Skills Reform, Department of Education
- Mr Steffan Faurby, Managing Director, TAFE NSW
- Ms Julie Tickle, Acting Chief People and Culture Officer, TAFE NSW
- Mr Michael Alacqua, Chief Transformation Officer, TAFE NSW
- Dr Margot McNeill, Chief Product and Quality Officer, TAFE NSW
- Ms Kristy Hosea, Chief Delivery Officer, TAFE NSW
- Mr Vik Naidoo, Chief Strategy and Commercial Officer, TAFE NSW.

Resolved, on the motion of Mr Shoebridge: That:

- the secretariat circulate draft witness lists for each portfolio for committee comment
- the committee provide witness requests to the secretariat by 12.00 pm, Friday 9 July 2021.

Resolved, on the motion of Mr Shoebridge: That the committee not invite parliamentary secretaries to appear as a witness at the hearings.

### **3.4 Witness appearance time**

Resolved, on the motion of Mr Shoebridge: That:

- the Minister appear from 9.30 am until 12.45 pm
- departmental staff appear from 9.30 am until 6.00 pm.

## **4. Adjournment**

The committee adjourned at 1.13 pm, until Thursday 29 July 2021, TBC, Parliament House (Parental Rights report deliberative).

Emma Rogerson  
**Committee Clerk**

### **Minutes no. 43**

Thursday 12 August 2021

Portfolio Committee No. 3 – Education

Via Webex, 10.04 am

#### **1. Members present**

Mr Latham, *Chair*  
Ms Cusack,  
Mr D'Adam  
Mr Fang  
Mr Farlow  
Mrs Houssos  
Mr Shoebridge

## 2. Correspondence

The committee noted the following items of correspondence:

### *Received*

- 20 July 2021 - Email from Shannon Hall, Office of Hon Sarah Mitchell MLC, Minister for Education and Early Childhood Learning, to secretariat, confirming witness list for Budget Estimates 2021- 2022 initial hearing on 18 August 2021
- 26 July 2021 - Email from Ms Amelia Eames, Office of Hon Dr Geoff Lee MP, Minister for Skills and Tertiary Education, to secretariat, confirming witness list for Budget Estimates 2021-2022 initial hearing on 25 August 2021
- 29 July 2021 - Email from Ms Alysha Hardy, Office of Ms Abigail Boyd MLC, The Greens, advising that Ms Boyd will be a participating member for PCs 2, 3 4, 5 and 7 hearings.

### *Sent*

- 16 July 2021 - Email from the secretariat to the Hon Sarah Mitchell MLC, Minister for Education and Early Childhood Learning, attaching witness invitation for Budget Estimates 2021-2022 - Initial Hearings
- 16 July 2021 - Email from the secretariat to the Hon Dr Geoffrey Lee MP, Minister for Skills and Tertiary Education, attaching witness invitation for Budget Estimates 2021-2022 - Initial Hearings.

## 3. Inquiry into Budget Estimates 2021-2022

### 3.1 Postponement of scheduled hearings 16-31 August 2021

The committee noted:

- the public health concerns around the COVID-19 Delta variant and current Public Health Orders in Greater Sydney
- that agreement has been reached amongst Members of the Legislative Council that, as a matter of necessity, on the next sitting a motion will be moved by leave and agreed to postponing until a date to be determined the in-person budget estimates hearings scheduled for 16-31 August 2021
- the importance of ongoing parliamentary accountability and scrutiny of the executive government
- that agreement has therefore also been reached on a series of fully virtual preliminary budget estimates hearings to be held with public servant witnesses from eight portfolios.

Resolved on the motion of Mr Farlow: That the committee postpone the following Budget Estimates 2021-2022 hearings:

- Wednesday 18 August 2021 – Education and Early Childhood Learning (Mitchell)
- Wednesday 25 August 2021 – Skills and Tertiary Education and (Lee).

### 3.2 Revised Budget Estimates 2021-2022 timetable – virtual hearings

Resolved on the motion of Mr Farlow: That the committee hold the following preliminary Budget Estimates hearings in a fully virtual format:

- Friday 27 August 2021 – Education and Early Childhood Learning

### 3.3 Allocation of question time and total hearing time

Resolved on the motion of Mrs Houssos: That the portfolios of Education and Early Childhood Learning be examined concurrently by Opposition and Crossbench members only from 9.30 am until 11.00 am, and then from 11.15 am until 12.45 pm, with 15 minutes reserved for Government questions at the end of each session, if required.

### 3.4 Witnesses to appear at hearings

The committee noted the limit of 4 witnesses per hearing to assist Hansard and the transcription of evidence.

Resolved on the motion of Mr Shoebridge: That the committee invite the following witnesses to give evidence at the hearing for the portfolios of the Education and Early Childhood Learning:

- Mr Paul Martin, Chief Executive officer, NSW Education Standards Authority
- Ms Georgina Harrison, Secretary, Department of Education

- Ms Ruth Owen, Acting Group Deputy Secretary, School Improvement and Education Reform Group, Department of Education
- Mr David Withey, Chief Operating Officer, Department of Education
- Mr Anthony Manning, Chief Executive Officer, School Infrastructure NSW, Department of Education
- [Name unknown], Executive Director, Health and Safety, Department of Education.

Resolved, on the motion of Mr Shoebridge: That in correspondence to the Minister, the committee:

- seek the Minister's views as to whether any additional witnesses should be invited to ensure all areas of the portfolio can be covered in questioning,
- ask that, if possible, other departmental staff previously confirmed as available to attend be watching the live stream of the hearing, in the event that they may be called to join the hearing to give evidence and/or be called on to assist with answers to be provided by those witnesses during the hearing.

### **3.5 Livestream and recording of hearing**

The committee to note that the hearing will be livestreamed via the Parliament's YouTube channel.

Resolved on the motion of Mr Farlow: That the committee agree to record the hearing, and that this recording be placed on the inquiry webpage as soon as practicable after the hearing.

### **3.6 Virtual committee guidelines and procedural fairness**

The committee noted that, to help ensure that Hansard can transcribe the hearing, witnesses and/or members should avoid speaking over each other.

## **4. Adjournment**

The committee adjourned at 10.26 am, until 9.15 am, Friday 27 August 2021, via Webex, Budget Estimates hearing – Education and Early Childhood Learning

Emma Rogerson  
**Committee Clerk**

## **Minutes no. 44**

Friday 27 August 2021

Portfolio Committee No. 3 - Education

Via Webex at 9.25 am

### **1. Members present**

Mr Latham, *Chair* (until 11.58 am)  
Ms Cusack  
Mr D'Adam  
Mr Fang  
Mr Farlow  
Mrs Houssos  
Mr Shoebridge

### **2. Apologies**

Ms Boyd (participating)

### **3. Draft minutes**

Resolved, on the motion of Mr Farlow: That draft minutes nos. 41 and 43 be confirmed.

#### 4. Correspondence

The committee noted the following items of correspondence:

##### *Received*

- 16 August 2021 - Email from Ms Cara Punch, Office of the Hon Mark Buttigieg MLC, Opposition Whip to the secretariat, providing Opposition substitutions and participating member advice for preliminary Budget Estimates 2021-2022
- 18 August 2021 - Email from Shannon Hall, Office of Minister Mitchell MLC, to the secretariat, confirming witnesses for PC3 Education and Early Childhood Learning hearing on 27 August 2021
- 23 August 2021 - Email from Shannon Hall, Office of Minister Mitchell MLC, to the secretariat, confirming Ms Yvette Cachia, Chief People Officer, Department of Education will be attending the PC3 Education and Early Childhood Learning hearing on 27 August 2021.

##### *Sent*

- 12 August 2021 – Email from the secretariat to the Hon Sarah Mitchell MLC, Minister for Education and Early Childhood Learning, forwarding witness invitation for preliminary Budget Estimates 2021-2022
- 20 August 2021 – Email from the secretariat, to Shannon Hall, Office of Minister Mitchell MLC, inviting the next senior official in the Health and Safety group, after the Executive Director, to appear at PC3 Education and Early Childhood Learning hearing on 27 August 2021.

#### 5. Inquiry into Budget Estimates 2021-2022 – preliminary hearings

##### **5.1 Order for examination of portfolios**

The committee noted that it had previously resolved that the portfolios of Education and Early Childhood Learning be examined concurrently by Opposition and Crossbench members only, from 9.30 am to 11.00 am, and from 11.15 am to 12.45 pm, with 15 minutes reserved for Government questions at the end of the hearing if required.

##### **5.2 Allocation of questioning**

Resolved, on the motion of Mrs Houssos: That the sequence of questioning at the hearing be divided between opposition and crossbench members, in that order, for 20 minute rounds each, with any remaining time to be split equally.

##### **5.3 Photo of committee for social media**

Resolved, on the motion of Mrs Houssos: That the secretariat take a screenshot of the committee during its meeting and / or the hearing for the purposes of publishing on social media.

##### **5.4 Lodgement of supplementary questions**

The committee noted that the transcript of evidence is expected to be available two business days after the hearing.

Resolved, on the motion of Mr Shoebridge: That supplementary questions be lodged with the secretariat by 5.00 pm within two business days following receipt of the transcript.

##### **5.5 Election of Deputy Chair**

The Chair called for nominations of the Deputy Chair.

Mr Farlow moved: That Mr Fang be elected Deputy Chair and that Mrs Houssos be elected interim Deputy Chair in the event both the Chair and Deputy Chair are absent.

Mr Shoebridge moved: That Mrs Houssos be elected Deputy Chair and that Mr Fang be elected interim Deputy Chair in the event both the Chair and Deputy Chair are absent.

The Chair informed the committee that, there being two nominations, a ballot would be held.

The Chair announced the result of the ballot as follows:

Mr Fang as Deputy Chair and Mrs Houssos as interim Deputy Chair – 4 votes

Mrs Houssos as Deputy Chair and Mr Fang as interim Deputy Chair – 3 votes.

Mr Fang, having a majority of the members present and voting, was therefore declared elected Deputy Chair of the committee.

Mrs Houssos was elected as interim Deputy Chair in the event both the Chair and Deputy Chair are absent for the purpose of the meeting.

#### **5.6 Public hearing: Education and Early Childhood Learning**

The committee proceeded to take evidence in public.

The departmental witnesses were admitted via video link.

The Chair made an opening statement regarding the broadcasting of proceedings, virtual hearing etiquette and other matters.

The following witnesses were sworn and examined:

- Ms Georgina Harrisson, Secretary, Department of Education
- Ms Ruth Owen, Acting Group Deputy Secretary, School Improvement and Education Reform Group, Department of Education
- Mr David Withey, Chief Operating Officer, Department of Education
- Mr Anthony Manning, Chief Executive Officer, School Infrastructure NSW, Department of Education
- Mr Murat Dizdar, Deputy Secretary, School Performance – South, Department of Education
- Mr Paul Martin, Chief Executive Officer, NSW Education Standards Authority
- Ms Yvette Cachia, Chief People Officer, Department of Education.

The Chair declared the proposed expenditure for the portfolios of Education and Early Childhood Learning open for examination.

The departmental witnesses were examined by the committee.

The Chair left the meeting at 11.58 am. In the absence of the Chair, the Deputy Chair took the Chair for the purpose of the meeting.

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 1.00 pm.

## **6. Adjournment**

The committee adjourned at 1.01 pm, until Tuesday 31 August 2021, via Webex, report deliberative – Parental Rights Bill inquiry.

Shaza Barbar

**Committee Clerk**

### **Minutes no. 46**

Thursday 14 October 2021

Portfolio Committee No. 3 – Education

Macquarie Room, Parliament House, 9.45 am

#### **1. Members present**

Mr Latham, *Chair*

Mr Fang, Deputy Chair

Mr D'Adam

Mr Farlow

Mrs Houssos

Mr Shoebridge

**2. Apologies**

Ms Cusack

**3. Previous minutes**

Resolved, on the motion of Mrs Houssos: That draft minutes no. 44 be confirmed.

**4. Correspondence**

The committee noted the following items of correspondence:

***Received***

- 9 September 2021 – Email from Ms Katherine Deves, Co-founder and Spokeswoman for Save Women's Sport Australasia, to the committee acknowledging receipt of the committee's report on the inquiry into the Education Legislation Amendment (Parental Rights) Bill 2020 and expressing thanks for being given an opportunity to contribute to the process.

***Sent:***

- 6 September 2021 – Email from the secretariat, to the Hon Sarah Mitchell MLC, Minister for Education and Early Childhood Learning, forwarding transcript of evidence with questions on notice highlighted and supplementary questions.

**5. Inquiry into Budget Estimates 2021-2022 – preliminary hearings****5.1 Answers to questions on notice and supplementary questions**

The following answers to questions on notice and supplementary questions were published by the committee clerk under the authorisation of the resolution appointing the committee:

- answers to questions on notice and supplementary questions from the Hon Sarah Mitchell MLC, Minister for Education and Early Childhood Learning, received 27 September 2021.

**5.2 Supplementary hearings – procedural resolutions**

The committee noted the Budget Estimates supplementary hearings timetable for 2021-2022 agreed to by the House, with hearings commencing at 9.30 am and concluding by 5.30 pm, for Portfolio Committee No. 3:

<b>Date</b>	<b>Portfolio</b>	<b>No. of possible witnesses in person</b>
Tuesday 2 November 2021	Skills and Tertiary Education (Lee)	3
Wednesday 3 November 2021	Education and Early Childhood Learning (Mitchell)	3

**5.3 Allocation of question time and total hearing time**

The committee noted that under the Budget Estimates 2021-2022 resolution the below portfolios will be examined as follows:

- Skills and Tertiary Education – by Opposition and Crossbench members only, from 9.30 am to 11.00 am, and from 11.15 am to 12.45 pm, with 15 minutes reserved for Government questions from 12.45 pm to 1.00 pm, if required.
- Education and Early Childhood Learning – by Opposition and Crossbench members only, from 9.30 am to 11.00 am, and from 11.15 am to 12.45 pm, then from 2.00 pm to 3.30 pm, and from 3.45 pm to 5.15 pm, with 15 minutes reserved for Government questions at the end of each session, if required.

**5.4 Witness requests**

Resolved, on the motion of Mrs Houssos: That, in addition to the Minister, the committee invite the following witnesses:

**SKILLS AND TERTIARY EDUCATION**

<b>Invited to appear from 9.30 am until 1.00 pm in person with Minister</b>
Ms Georgina Harrison, Secretary, Department of Education
Mr Steffan Faurby, Managing Director, TAFE NSW
<b>Invited to paper from 9.30 am until 1.00 pm via Webex</b>
Mr David Collins, Acting Executive Director, Skills and Higher Education, Department of Education
Ms Chloe Read, Deputy Secretary, Education and Skills Reform, Department of Education
Ms Julie Tickle, Chief People and Culture Officer, TAFE NSW
Mr Michael Alacqua, Chief Transformation Officer, TAFE NSW
Dr Margot McNeill, Chief Product and Quality Officer, TAFE NSW
Ms Kirsty Hosea, Chief Delivery Officer, TAFE NSW
Mr Vik Naidoo, Chief Strategy and Commercial Officer, TAFE NSW
Mr David Backley, Chief Information Officer, TAFE NSW
Ms Catherine Grummer, Chief Corporate Services Officer, TAFE NSW
Mr David Withey, Deputy Secretary, Chief Operating Officer, Department of Education

**EDUCATION AND EARLY CHILDHOOD LEARNING**

<b>Invited to appear from 9.30 am until 5.30 pm in person (with Minister 9.30 am - 1.00pm)</b>
Ms Georgina Harrison, Secretary, Department of Education
<b>Invited to appear from 9.30 am until 1.00 pm in person (with Minister)</b>
Mr Anthony Manning, Chief Executive Officer, School Infrastructure NSW, Department of Education
<b>Invited to appear from 2.00 pm until 5.30 pm in person with the Secretary</b>
Ms Paul Martin, Chief Executive Officer, NSW Education Standards Authority
Ms Ruth Owen, Acting Group Deputy Secretary, School Improvement and Education Reform Group, Department of Education
<b>Invited to appear from 9.30 am until 5.30 pm via Webex</b>
Ms Leanne Nixon, Deputy Secretary, School Performance – North, Department of Education
Ms Sally Blackadder, Acting Deputy Secretary, Learning Improvement, Department of Education
Mr David Withey, Chief Operating Officer, Department of Education
Mr Murat Dizdar, Deputy Secretary, School Performance South, Department of Education
Ms Yvette Cachia, Chief People Officer, Department of Education

Mr Anthony Manning, Chief Executive Officer, School Infrastructure NSW, Department of Education
Ms Lisa Alonso Love, Deputy Secretary, Education and Skills Reform, Department of Education
Mr Paul Towers, Executive Director, Infrastructure Planning
Ms Marnie O'Brien, Executive Director, Health and Safety, Department of Education

Resolved, on the motion of Mrs Houssos: That the committee not invite parliamentary secretaries to appear as a witness at the hearings.

#### 5.5 Witness appearance time

Resolved, on the motion of Mr Shoebridge: That:

- the Minister appear from 9.30 am until 1.00 pm
- departmental staff appear from 9.30 am until 5.30 pm for the Education hearing and 9.30 am until 1.00 pm for the Skills and Tertiary Education hearing.

6. \*\*\*

7. \*\*\*

#### 8. Adjournment

The committee adjourned at 10.00 am, until Tuesday 2 November 2021, 9.15 am, Jubilee Room, Parliament House, Budget Estimates public hearing – Skills and Tertiary Education.

Emma Rogerson  
Committee Clerk

#### Minutes no. 47

Thursday 28 October 2021

Portfolio Committee No. 3 - Education

Jubilee Room, Parliament House, Sydney, at 9.17 am

#### 1. Members present

Mr Latham, *Chair*

Mr Fang, *Deputy Chair*

Ms Cusack (from 10.25)

Mr D'Adam

Mr Farlow

Mrs Houssos (from 9.19am)

Mr Shoebridge

#### 2. Previous minutes

Resolved, on the motion of Mr D'Adam: That draft minutes no. 46 be confirmed.

### 3. Correspondence

The committee noted the following items of correspondence:

#### *Received*

- 11 October 2021 - Email from Mr Justin Field MLC, to the Chair, advising that he will be a participating member for the PC3 Education and Early Childhood Learning hearing on 2 November 2021
- 14 October 2021 - Letter from the Hon Shayne Mallard MLC, Government Whip, to the secretariat, advising that Mr Martin will be substituting for Ms Cusack for the PC3 Tertiary Education and Skills hearing on 2 November 2021
- 18 October 2021 - Email from Ms Abigail Boyd MLC, to the secretariat, advising she will be a participating member for the PC3 Education and Early Childhood Learning hearing on 2 November 2021
- 19 October 2021 - Email from Ms Cara Punch, Office of the Hon Mark Buttigieg MLC, Opposition Whip, to the secretariat, providing Opposition substitutions and participating member advice for Budget Estimates 2021-2022 supplementary hearings
- 21 October 2021 - Email from Mr Felix Fierro, Office of the Hon Dr Geoff Lee MP, Minister for Skills and Tertiary Education, to the secretariat, confirming witness list for Budget Estimates 2021-2022 supplementary hearing on 28 October 2021
- 21 October 2021 - Letter from the Hon Shayne Mallard MLC, Government Whip, to the secretariat, advising that Mr Khan will be substituting for Mr Farlow for the PC3 Education and Early Childhood Learning hearing on 2 November 2021
- 22 October 2021 - Email from Ms Cara Punch, Office of the Hon Mark Buttigieg MLC, Opposition Whip, to the secretariat, providing updated Opposition substitutions and participating member advice for Budget Estimates 2021-2022 supplementary hearings
- 25 October 2021 - Letter from the Hon Shayne Mallard MLC, Government Whip, to the secretariat, advising that Mr Martin will be substituting for Ms Cusack for the PC3 Education and Early Childhood Learning hearing on 2 November 2021

#### *Sent*

- 15 October 2021 - Email from the secretariat, to the Hon Sarah Mitchell MLC, Minister for Education and Early Childhood Learning, forwarding witness invitation for supplementary Budget Estimates 2021-2022
- 15 October 2021 - Email from the secretariat, to the Hon Geoff Lee MP, Minister for Skills and Tertiary Education, forwarding witness invitation for supplementary Budget Estimates 2021-2022
- 22 October 2021 – Email from the secretariat to the Hon Sarah Mitchell MLC, Minister for Education and Early Childhood Learning, requesting witness nominations for supplementary Budget Estimates 2021-2022.

### 4. Inquiry into Budget Estimates 2021-2022 – supplementary hearings

#### **4.1 Order for examination of portfolios**

The committee noted that under the Budget Estimates 2021-2022 resolution the portfolio of Skills and Tertiary Education, be examined by Opposition and Crossbench members only, from 9.30 am to 12.45 pm, with 15 minutes reserved for Government questions from 12.45 pm to 1.00 pm, if required.

#### **4.2 Live streaming and recording of hearing**

Resolved, on the motion of Mr D'Adam: That the committee publish all recordings of Budget Estimates 2021-2022 supplementary hearings on the Parliament's YouTube channel.

#### **4.3 Public hearing: Skills and Tertiary Education**

Departmental witnesses were admitted.

The Hon Geoff Lee MP, Minister for Skills and Tertiary Education, was admitted.

The Chair made an opening statement regarding the broadcasting of proceedings and other matters. The Chair noted that members of Parliament swear an oath to their office, and therefore do not need to be sworn prior to giving evidence before a committee.

The following witnesses were sworn:

- Ms Georgina Harrisson, Secretary, Department of Education (in person)
- Mr Steffan Faurby, Managing Director, TAFE NSW (in person)
- Mr David Collins, Acting Executive Director, Department of Education (sworn in at 11.15am, via WebEx)
- Ms Chloe Read, Deputy Secretary, Department of Education (via WebEx)
- Ms Julie Tickle, Chief People and Culture Officer, TAFE NSW (via WebEx)
- Mr Michael Alacqua, Chief Transformation Officer, TAFE NSW (via WebEx)
- Dr Margot McNeill, Chief Product and Quality Officer, TAFE NSW (via WebEx)
- Ms Kirsty Hosea, Chief Delivery Officer, TAFE NSW (via WebEx)
- Mr Vik Naidoo, Chief Strategy and Commercial Officer, TAFE NSW (via WebEx)
- Mr David Backley, Chief Information Officer, TAFE NSW (via WebEx)
- Ms Catherine Grummer, Chief Corporate Services Officer, TAFE NSW (via WebEx)
- Mr David Withey, Deputy Secretary, Department of Education (via WebEx)

The Chair declared the proposed expenditure for the portfolio of Skills and Tertiary Education open for examination.

The Minister and departmental witnesses were examined by the committee.

Mrs Houssos tabled the following document:

- Briefing to Minister Lee - Divestment Program FY 2020-2021 and FY 2021-2022.

Mr D'Adam tabled the following documents:

- Divestment of TAFE NSW - Quirindi
- Divestment of TAFE NSW – 45 East St

Mrs Houssos tabled the following document:

- Proposed 2020/2021 Divestment Program.

The evidence concluded and the Minister and witnesses withdrew.

The public hearing concluded at 12.54 pm.

#### **4.4 Tendered documents**

Resolved, on the motion of Ms Houssos: That the committee accept and publish the following documents tendered during the Skills and Tertiary Education hearing held on Thursday 28 October 2021, after the redaction of personal contact details and sections already blacked out:

- Briefing to Minister Lee - Divestment Program FY 2020-2021 and FY 2021-2022, tabled by Mrs Courtney Houssos MLC
- Divestment of TAFE NSW - Quirindi, tabled by Mr Anthony D'Adam MLC
- Divestment of TAFE NSW – 45 East St. Grenfell, tabled by Mr Anthony D'Adam MLC
- Proposed 2020/2021 Divestment Program, tabled by Mrs Courtney Houssos MLC.

#### **4.5 Allocation of hearing time**

Resolved, on the motion of Mrs Houssos: That the afternoon break for the Education and Early Childhood Learning hearing on Tuesday 2 November 2021, be held from 2.55 pm to 3.10 pm.

**5. Adjournment**

The committee adjourned at 12.55 pm, until 9.15 am, Tuesday 2 November 2021, Jubilee Room, Budget Estimates 2021-2022 hearing - Education and Early Childhood Learning.

Sarah Dunn

**Committee Clerk**

**Minutes no. 48**

Tuesday 2 November 2021

Portfolio Committee No. 3 - Education

Jubilee Room, Parliament House, Sydney, at 9.19 am

**1. Members present**

Mr Latham, *Chair*

Mr Fang, *Deputy Chair*

Mr D'Adam

Mr Khan (substituting for Mr Farlow)

Mrs Houssos

Mr Martin (substituting for Ms Cusack)

Mr Shoebridge (from 9.45 am until 2.46 pm, and from 3.24 pm until 4.26 pm)

**2. Correspondence**

The committee noted the following items of correspondence:

***Received***

- 26 October 2021 - Email from Shannon Hall, Office of the Hon Sarah Mitchell MLC, Minister for Education and Early Childhood Learning, to the secretariat, confirming witnesses for the PC3 Education and Early Childhood Learning hearing on 2 November 2021
- 28 October 2021 - Email from Shannon Hall, Office of the Hon Sarah Mitchell MLC, Minister for Education and Early Childhood Learning, to the secretariat, confirming in-person witnesses for the PC3 Education and Early Childhood Learning hearing on 2 November 2021.

**3. Inquiry into Budget Estimates 2021-2022 – supplementary hearings****3.1 Order for examination of portfolios**

The committee noted that under the Budget Estimates 2021-2022 resolution the portfolio of Education and Early Childhood Learning, be examined by Opposition and Crossbench members only, from 9.30 am to 12.45 pm, and from 2.00 pm to 5.15 pm, with 15 minutes reserved for Government questions at the end of each session, if required.

**3.2 Public hearing: Education and Early Childhood Learning**

Departmental witnesses were admitted.

The Hon Sarah Mitchell MLC, Minister for Education and Early Childhood Learning, was admitted.

The Chair made an opening statement regarding the broadcasting of proceedings and other matters. The Chair noted that members of Parliament swear an oath to their office, and therefore do not need to be sworn prior to giving evidence before a committee.

The Chair also reminded the following witnesses that they did not need to be sworn, as they had been sworn at another Budget Estimates hearing for the same committee:

- Ms Georgina Harrison, Secretary, Department of Education
- Mr David Withey, Deputy Secretary, Department of Education.

The following witnesses were sworn:

- Mr Anthony Manning, Chief Executive, School Infrastructure NSW, Department of Education (in person until 1.00 pm)
- Ms Simone Walker, Group Deputy Secretary, School Improvement and Education Reform Group, Department of Education (via WebEx)
- Ms Ruth Owen, Deputy Secretary, Learning Improvement, Department of Education (in person until 2.00 pm)
- Ms Lisa Alonso Love, Deputy Secretary, Education and Skills Reform, Department of Education (via WebEx)
- Mr Murat Dizdar, Deputy Secretary, School Performance - South, Department of Education (via WebEx)
- Ms Leanne Nixon, Deputy Secretary, School Performance - North, Department of Education (via WebEx)

The Chair declared the proposed expenditure for the portfolios of Education and Early Childhood Learning open for examination.

The Minister and departmental witnesses were examined by the committee.

Mrs Houssos tabled the following document:

- Powerpoint presentation entitled Workforce modelling and teacher supply.

Mr Latham tabled the following document:

- Strategic Improvement Plan 2021-2024, Ashcroft High School 8397.

Mr D'Adam tabled the following documents:

- Ministerial briefing note, Murwillumbah Education Campus – Project Announcement
- Emails exchanged between Cathy Johnston, Director, Ministerial and Executive Services and Deborah O'Sullivan, Senior Departmental Liaison Officer, NSW Department of Education, regarding Engadine High School and Cook School facilities, 16 August 2018.

The Minister withdrew at 12.45 pm.

The following witnesses were sworn and examined:

- Ms Yvette Cachia, Chief People Officer, Department of Education (in person from 2.00 pm)
- Mr Paul Martin, Chief Executive Officer, NSW Education Standards Authority (from 2.00 pm via WebEx)

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 5.16 pm.

### 3.3 Tended documents

Resolved, on the motion of Mrs Houssos: That the committee accept and publish the following documents tendered during the Education and Early Childhood Learning hearing held on Tuesday 2 November 2021:

- Powerpoint presentation entitled Workforce modelling and teacher supply, tabled by Mrs Courtney Houssos MLC
- Strategic Improvement Plan 2021-2024, Ashcroft High School 8397, tabled by Mr Mark Latham MLC
- Ministerial briefing note, Murwillumbah Education Campus – Project Announcement, tabled by Mr Anthony D'Adam MLC
- Emails exchanged between Cathy Johnston, Director, Ministerial and Executive Services and Deborah O'Sullivan, Senior Departmental Liaison Officer, NSW Department of Education, regarding Engadine High School and Cook School facilities, tabled by Mr Anthony D'Adam MLC.

**4. Adjournment**

The committee adjourned at 5.20 pm, *Sine die*.

Merrin Thompson  
**Committee Clerk**

**Minutes no. 49**

Thursday 17 February 2022

Portfolio Committee No. 3 – Education

Via videoconference at 9.30 am

**1. Members present**

Mr Latham, *Chair*

Ms Cusack

Mr D'Adam

Mr Fang

Mr Farlow

Mrs Houssos

Mr Shoebridge

**2. Previous minutes**

Resolved, on the motion of Mr Scott Farlow: That draft minutes no. 47 and 48 be confirmed.

**3. Inquiry into Budget Estimates 2021-2022 – procedural resolutions**

The committee noted the Budget Estimates timetable for 2021-2022 as per the Notice of Motion for additional budget estimates hearings dated 11 February 2022 from the office of the leader of the Government, with hearings commencing at 9.30 am and concluding by 5.30 pm, for Portfolio Committee No. 3:

Date	Portfolio
Wednesday 2 March 2022	Education and Early Childhood Learning (Mitchell)
Thursday 3 March 2022	Skills & Training, Science, Innovation & Technology (Henskens)

**3.1 Witnesses, allocation of question time and total hearing time**

The committee noted as per the Notice of Motion for additional budget estimates hearings that each portfolio, except The Legislature, be examined concurrently by Opposition and Crossbench members only, from 9.30 am to 11.00 am, and from 11.15 am to 12.45 pm, then from 2.00 pm to 3.30 pm, and from 3.45 pm to 5.15 pm, with 15 minutes reserved for Government questions at the end of the morning and afternoon session.

**3.2 Witnesses to appear at hearings**

Resolved, on the motion of Mr Shoebridge: That for the portfolio of Skills & Training, Science, Innovation & Technology, in addition to the minister, the committee invite the following witnesses:

- Mr Stephen Brady, Acting Managing Director, TAFE NSW
- Ms Georgina Harrison, Secretary, Department of Education
- Mr David Collins, Acting Executive Director, Department of Education
- Ms Chloe Read, Deputy Secretary, Education and Skills Reform, Department of Education

- Ms Julie Tickle, Acting Chief People and Culture Officer, TAFE NSW
- Mr Michael Alacqua, Chief Transformation Officer, TAFE NSW
- Dr Margot McNeill, Chief Product and Quality Officer, TAFE NSW
- Ms Kristy Hosea, Chief Delivery Officer, TAFE NSW
- Mr Vik Naidoo, Chief Strategy and Commercial Officer, TAFE NSW
- Mr David Backley Chief Information Officer, TAFE NSW.

Resolved, on the motion of Mr Shoebridge: That an invitation be extended to the position holder within TAFE that oversees enrolments.

Resolved, on the motion of Mr Shoebridge: That the committee not invite parliamentary secretaries to appear as a witness at the hearings

Resolved, on the motion of Mr Shoebridge: That for the portfolio of Education and Early Childhood Learning, in addition to the minister, the committee invite the following witnesses for each hearing:

- Ms Georgina Harrison, Secretary, Department of Education
- Mr Anthony Manning, Chief Executive Officer, School Infrastructure NSW, Department of Education.
- Ms Ruth Owen, Acting Group Deputy Secretary, School Improvement and Education Reform Group, Department of Education
- Ms Yvette Cachia, Chief People Officer, People Group, Department of Education
- Mr Paul Martin, Chief Executive Officer, New South Wales Education Standards Authority
- Mr David Withey, Chief Operating Officer, Department of Education
- Ms Leanne Nixon, Deputy Secretary, School Performance – North, Department of Education
- Mr Murat Dizdar, Deputy Secretary, School Performance South, Department of Education
- Ms Lisa Alonso Love, Deputy Secretary, Education and Skills Reform, Department of Education
- Ms Simone Walker, Group Deputy Secretary School Improvement and Education Reform Group, Department of Education.

Resolved, on the motion of Mr Shoebridge: That for the portfolio of Education and Early Childhood the committee invite the position holder within NESAs that oversees scaling.

Resolved, on the motion of Mr Shoebridge: That for the portfolio of Education and Early Childhood Learning the committee invite the Executive Director, Professional and Ethical Standards Unit.

Resolved, on the motion of Mr D'Adam: That for the portfolio of Education and Early Childhood the committee invite the Executive Director, Work, Health & Safety.

### 3.3 Witness appearance time

Resolved, on the motion of Mr Shoebridge: That:

- the Minister appear for the morning session from 9.30 am until 12.45 pm
- departmental staff appear from 9.30 am until 5.30 pm.

### 3.5 Recording of hearing

Resolved, on the motion of Mr Shoebridge: That the additional Budget Estimates hearings be recorded and that these recordings be placed on the inquiry webpage as soon as practicable after the hearing.

## 4. Other business

Resolved, on the motion of Mr Shoebridge: That correspondence received:

- 27 January 2021 – Email and attached letter from Associate Professor Jacqueline Ullman and Associate Professor Tania Ferfolja to the secretariat, regarding representation of their research in the report of the Education Legislation Amendment (Parental Rights) Bill inquiry (*to be circulated to the committee*).

Committee to discuss the correspondence received from Associate Professor Ullman and Associate Professor Ferfolja at the end of the first Budget Estimates hearing on 2 March 2022.

**5. Next meeting**

9.15 am on Wednesday 2 March 2022 – Budget Estimates hearing – Portfolio Committee 3.

Donna Glover  
**Committee Clerk**

**Draft minutes no. 50**

Wednesday 2 March 2022

Portfolio Committee No. 3 - Education

Jubilee Room, Parliament House, Sydney, at 9.15 am

**1. Members present**

Mr Latham, *Chair*

Mr Fang, *Deputy Chair*

Mr Banasiak (*participating*)

Ms Boyd (*participating*)

Mr D'Adam

Mr Farlow

Mrs Houssos

Mr Shoebridge (*from 10.20 am until 11.00 am, 12.17 pm until 12.32 pm, and from 2.45 pm until 3.20 pm, and from 4.37 pm*)

**2. Apologies**

Ms Cusack

**3. Previous minutes**

Resolved, on the motion of Mr Fang: That draft minutes no. 49 be confirmed.

**4. Correspondence**

The committee noted the following items of correspondence:

***Received***

- 27 January 2022 – Letter from Associate Professor Tania Ferfolja, Western Sydney University and Associate Professor Jacqueline Ullman Western Sydney University, regarding representation of their research in the PC 3 report no. 44, entitled Education Legislation Amendment (Parental Rights) Bill 2020
- 21 February 2022 - Email from Shannon Hall, Office of the Hon Sarah Mitchell MLC, Minister for Education and Early Learning, nominating witnesses to appear at the Budget Estimates 2021-2022 additional hearing
- 23 February 2022 - Email from Adelaide Cuneo, Office of the Hon Alister Henskens MP, Minister for Skills and Training, Science, Innovation and Technology, nominating witnesses to appear at the Budget Estimates 2021-2022 additional hearing
- 23 February 2022 - Email from Shannon Hall, Office of the Hon Sarah Mitchell MLC, Minister for Education and Early Learning, advising that questions to some committee nominated witnesses will be covered by their reportable Deputy Secretary present at the Budget Estimates 2021-2022 additional hearing
- 23 February 2022 - Email from Adelaide Cuneo, Office of the Hon Alister Henskens MP, Minister for Skills and Training, Science, Innovation and Technology, advising that existing nominated witness Ms Kirsty Hosea, Chief Delivery Officer, TAFE NSW, oversees enrolments
- 24 February 2022 - Email from Shannon Hall, Office of the Hon Sarah Mitchell MLC, Minister for Education and Early Learning, advising that Mr Daryl Currie, Executive Director, Professional and Ethical Standards and Ms Dianne Van Berlo, Executive Director, Health, Safety and Staff Wellbeing will appear at the Budget Estimates 2021-2022 additional hearing.

**Sent**

- 17 February 2022 - Email from the secretariat, to the Hon Sarah Mitchell MLC, Minister for Education and Early Childhood Learning, issuing witness invitations for the Budget Estimates 2021-2022 additional hearing
- 17 February 2022 - Email from the secretariat, to the Hon Alister Henskens MP, Minister for Skills and Training, Science, Innovation and Technology, issuing witness invitations for the Budget Estimates 2021-2022 additional hearing.

**5. Inquiry into Budget Estimates 2021-2022 – additional hearings****5.1 Order for examination of portfolios**

The committee noted that under the Budget Estimates 2021-2022 resolution each portfolio, except The Legislature, be examined concurrently by Opposition and Crossbench members only, from 9.30 am to 11.00 am, and from 11.15 am to 12.45 pm, then from 2.00 pm to 3.30 pm, and from 3.45 pm to 5.15 pm, with 15 minutes reserved for Government questions at the end of the morning and afternoon sessions, if required.

**5.2 Public hearing: Education and Early Learning**

Departmental witnesses were admitted.

The Hon Sarah Mitchell MLC, Minister for Education and Early Learning, was admitted.

The Chair made an opening statement regarding the broadcasting of proceedings and other matters. The Chair noted that members of Parliament swear an oath to their office, and therefore do not need to be sworn prior to giving evidence before a committee.

The Chair also reminded the following witnesses that they did not need to be sworn, as they had been sworn at another Budget Estimates hearing for the same committee.

- Ms Georgina Harrisson, Secretary, Department of Education
- Mr David Withey, Chief Operating Officer, Department of Education
- Mr Anthony Manning, Chief Executive, School Infrastructure NSW, Department of Education
- Ms Ruth Owen, Deputy Secretary, Learning Improvement, Department of Education
- Ms Yvette Cachia, Chief People Officer, Department of Education
- Mr Paul Martin, Chief Executive Officer, NSW Education Standards Authority
- Ms Leanne Nixon, Deputy Secretary, School Performance - North, Department of Education
- Mr Murat Dizdar, Deputy Secretary, School Performance - South, Department of Education
- Ms Simone Walker, Group Deputy Secretary, School Improvement and Education Reform Group, Department of Education
- Ms Lisa Alonso Love, Deputy Secretary, Education and Skills Reform, Department of Education

The following witnesses were sworn:

- Mr Daryl Currie, Executive Director, Professional and Ethical Standards
- Ms Dianne Van Berlo, Executive Director, Health, Safety and Staff Wellbeing

The Chair declared the proposed expenditure for the portfolio of Education and Early Learning open for examination.

The Minister and departmental witnesses were examined by the committee.

Mr D'Adam tendered the following documents:

- House Business Paper, responses to Questions on Notice – 7969 – Education and Early Childhood Learning – TEACHER ACCREDITATION.
- House Business Paper, responses to Questions on Notice – 7777 – Education and Early Childhood Learning – TEACHER ACCREDITATION.

Mrs Houssos tendered the following document:

- Media alert, The Nationals Candidate for Monaro – Googong Primary School Update dated Friday 28th January 2022.

- Photograph, Stephen Bromhead MP Member for Myall Lakes, giving cheque to Wingham High School for 'Cooler classrooms program', dated 3rd February 2022.

The Minister withdrew at 12.45 pm. Ms Dianne Van Berlo withdrew at 12.45 pm.

The public hearing continued.

Mrs Houssos tendered the following document:

- Total State Sector Accounts, Expenses – Other Operating Expenses and Grants and Subsidies Expenses.

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 5.16 pm.

### **5.3 Tendered documents**

Resolved, on the motion of Mr Shoebridge: That the committee accept and publish the following documents tendered during the Education and Early Learning hearing held on Wednesday 2 March 2022:

- House Business Paper, responses to Questions on Notice – 7969 – Education and Early Childhood Learning – TEACHER ACCREDITATION, tendered by Mr Anthony D'Adam MLC.
- House Business Paper, responses to Questions on Notice – 7777 – Education and Early Childhood Learning – TEACHER ACCREDITATION, tendered by Mr Anthony D'Adam MLC.
- Media alert, The Nationals Candidate for Monaro – Googong Primary School Update Friday 28th January 2022, tendered by Mrs Courtney Houssos MLC.
- Photograph, Stephen Bromhead MP Member for Myall Lakes giving cheque to Wingham High School for 'Cooler classrooms program', 3rd February 2022, tendered by Mrs Courtney Houssos MLC.
- Total State Sector Accounts, Expenses – Other Operating Expenses and Grants and Subsidies Expenses, tendered by Mrs Courtney Houssos MLC.

## **6. Inquiry into Education Legislation Amendment (Parental Rights) Bill 2020**

The committee considered the correspondence received from Associate Professor Ullman and Associate Professor Ferfolja.

Resolved on the motion of Mr D'Adam: That the committee authorise the publication of the correspondence received from Associate Professor Ullman and Associate Professor Ferfolja on the inquiry webpage.

## **7. Other business**

Resolved, on motion of Mr Shoebridge: That for the hearing to take place on Thursday 3 March 2022, in the absence of the Chair, the Deputy Chair take the Chair for the purpose of the meeting, and that Mrs Houssos be elected Acting Deputy Chair for the purpose of the meeting.

## **8. Adjournment**

The committee adjourned at 5.28 pm, until 9.15 am, Thursday 3 March 2022, Macquarie Room, Budget Estimates hearing - Skills and Training, Science, Innovation & Technology

Liz Clark

**Committee Clerk**

**Draft minutes no. 51**

Thursday 3 March 2022

Portfolio Committee No. 3 - Education

Macquarie Room, Parliament House, Sydney, at 9.15 am

**1. Members present**Mr Latham, *Chair (until 12.45 pm)*Mr Fang, *Deputy Chair (from 2.00 pm)*Mr Amato (*substituting for Ms Cusack*) (*until 12.45 pm*)

Mr D'Adam

Mr Farlow

Mrs Houssos (*until 4.00 pm*)Mr Shoebridge (*until 3.40 pm*)**2. Inquiry into Budget Estimates 2021-2022 – additional hearings****2.1 Order for examination of portfolios**

The committee noted that under the Budget Estimates 2021-2022 resolution each portfolio, except The Legislature, be examined concurrently by Opposition and Crossbench members only, from 9.30 am to 11.00 am, and from 11.15 am to 12.45 pm, then from 2.00 pm to 3.30 pm, and from 3.45 pm to 5.15 pm, with 15 minutes reserved for Government questions at the end of the morning and afternoon sessions, if required.

**2.2 Public hearing: Skills and Training, Science, Innovation & Technology**

Departmental witnesses were admitted.

The Hon Alister Henskens MP, Minister for Skills and Training, Science, Innovation and Technology, was admitted.

The Chair made an opening statement regarding the broadcasting of proceedings and other matters. The Chair noted that members of Parliament swear an oath to their office, and therefore do not need to be sworn prior to giving evidence before a committee.

The Chair also reminded the following witnesses that they did not need to be sworn, as they had been sworn at another Budget Estimates hearing for the same committee.

- Ms Georgina Harrisson, Secretary, NSW Department of Education
- Mr David Withey, Chief Operations Officer, NSW Department of Education
- Mr David Collins, Executive Director, Training Services NSW, NSW Department of Education
- Ms Julie Tickle, Chief People and Culture Officer, TAFE NSW
- Mr Michael Alacqua, Chief Transformation Officer, TAFE NSW
- Dr Margot McNeill, Chief Product and Quality Officer, TAFE NSW
- Ms Kirsty Hosea, Chief Delivery Officer, TAFE NSW
- Mr Vik Naidoo, Chief Strategy and Commercial Officer, TAFE NSW
- Ms Simone Walker, Group Deputy Secretary, School Improvement and Education Reform, NSW Department of Education
- Ms Chloe Read, Deputy Secretary, Education and Skills Reform, NSW Department of Education

The following witnesses were sworn:

- Mr Stephen Brady, A/Managing Director, TAFE NSW (via Webex)
- Ms Amy Brown, Secretary, Department of Enterprise, Investment and Trade, and Chief Executive Officer, Investment NSW
- Prof Hugh Durrant-Whyte, NSW Chief Scientist & Engineer, Investment NSW

The Chair declared the proposed expenditure for the portfolio of Skills and Training, Science, Innovation & Technology open for examination.

The Minister and departmental witnesses were examined by the committee.

Mr D'Adam tendered the following documents:

- Document – eTendering - Department of Education/Accelerated Product Development - CW8916
- Document – TAFE NSW - Recommendation to Award, Accelerated Product Development WS273260361

The Minister withdrew at 12.45 pm.

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 4.25 pm.

### **2.3 Tendered documents**

Resolved, on the motion of Mr D'Adam: That the committee accept and publish the following documents tendered during the Skills and Training, Science, Innovation & Technology hearing held on Thursday 3 March 2022:

- Document – eTendering - Department of Education/Accelerated Product Development - CW8916, tendered by Hon Anthony D'Adam MLC
- Document – TAFE NSW - Recommendation to Award, Accelerated Product Development WS273260361, tendered by Hon Anthony D'Adam MLC

### **3. Adjournment**

Sine die.

Liz Clark

**Committee Clerk**

### **Minutes no. 53**

Monday 4 April 2022

Portfolio Committee No. 3 – Education

Macquarie Room, Parliament House, Sydney, at 9.55 am

#### **1. Members present**

Mr Latham, *Chair*

Mr Fang, *Deputy Chair* (from 10.10 am)

Mr D'Adam

Mr Farlow (from 10.04 am)

Mrs Houssos

#### **2. Apologies**

Ms Cusack

Mr Shoebridge

#### **3. Correspondence**

The committee noted the following items of correspondence:

##### ***Received:***

- 29 March 2022 – Letter from Hon Sarah Mitchell MLC, Minister for Education and Early Learning, to secretariat, providing transcript corrections, answers to supplementary questions and questions taken on notice Questions 1 – 263
- 30 March 2022 – Email from the office of Hon Alistair Henskens SC MP, Minister for Skills and Training, providing transcript corrections, answers to supplementary questions and questions taken on notice

- 31 March 2022 – Email from Mr Steffen Faurby to the secretariat indicating that as he is presently in Europe he is unable to accept the committee's invitation to appear on 4 April 2022 for the inquiry into the termination of the former Managing Director of TAFE NSW, and that he intends to accept the committee's invitation after he returns in the second half of April
- 1 April 2022 – Email from Felix Fierro, Parliamentary and Policy Adviser, Office of the Hon Dr Geoff Lee MP, Minister for Corrections, advising that the Minister is unable to attend the hearing on 4 April 2022 for the inquiry into the termination of the former Managing Director of TAFE NSW.

***Sent:***

- 8 March 2022 – Email from the secretariat to the Hon Sarah Mitchell MLC, Minister for Education and Early Learning, requesting transcript corrections, answers to questions on notice and answers to supplementary questions
- 9 March 2022 – Email from the secretariat, to the Hon Alistair Henskens MP, Minister for Skills and Training, Science, Innovation and Technology, requesting transcript corrections, answers to questions on notice and answers to supplementary questions
- 30 March 2022 – Email from the secretariat to the Hon Sarah Mitchell MLC, Minister for Education and Early Childhood Learning, issuing witness invitations for Department officials for additional hearings for Budget Estimates 2021-2022
- 30 March 2022 – Email from the secretariat to Mr Steffen Faurby, former Managing Director of TAFE NSW, inviting him to give evidence at the hearing on 4 April 2022 for the inquiry into the termination of the former Managing Director of TAFE NSW
- 31 March 2022 – Letter from the Chair to the Hon Geoff Lee, Minister for Corrections, inviting him to give evidence in his capacity as the former Minister for Skills and Training at the hearing on Monday 4 April 2022 for the inquiry into the termination of the former Managing Director of TAFE NSW
- 31 March 2022 – Email from the secretariat to Ms Georgina Harrison, Secretary, NSW Department of Education, inviting her and Ms Julie Tickle, Chief People and Culture Officer, TAFE NSW, to give evidence at the hearing on 4 April 2022 for the inquiry into the termination of the former Managing Director of TAFE NSW.

#### **4. Inquiry into Budget Estimates 2021-2022 – supplementary hearings**

##### **4.1 Public hearing: Education and Early Learning**

Departmental witnesses were admitted.

The Chair made an opening statement regarding the broadcasting of proceedings and other matters.

The Chair also reminded the following witnesses that they did not need to be sworn, as they had been sworn at another Budget Estimates hearing for the same committee:

- Ms Georgina Harrison, Secretary, Department of Education
- Mr David Withey, Chief Operating Officer, Department of Education
- Ms Yvette Cachia, Chief People Officer, Department of Education
- Ms Leanne Nixon, Deputy Secretary, School Performance - North, Department of Education
- Mr Murat Dizdar, Deputy Secretary, School Performance - South, Department of Education
- Ms Simone Walker, Group Deputy Secretary, School Improvement and Education Reform Group, Department of Education.

The Chair declared the proposed expenditure for the portfolio of Education and Early Learning open for examination.

The departmental witnesses were examined by the committee.

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 1.31 pm.

**5. Draft minutes**

Resolved, on the motion of Mr D'Adam: That draft minutes no. 52 be confirmed.

**6. Inquiry into the termination of the former Managing Director of TAFE NSW****6.1 Public hearing**

Witnesses were admitted.

The Chair made an opening statement regarding the broadcasting of proceedings and other matters.

The following witnesses were sworn and examined:

- Ms Georgina Harrison, Secretary, Department of Education
- Ms Julie Tickle, Chief People and Culture Officer, TAFE NSW

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 2.56 pm.

**7. Correspondence from the committee to Ms Yvette Cachia, Chief People Officer, NSW Department of Education**

Resolved, on the motion of Mr Fang: That the Chair, on behalf of the committee, write to Ms Yvette Cachia, Chief People Officer, NSW Department of Education, indicating that the committee is considering making a special report to the House as it considers that her non-provision of answers to questions during the Budget Estimates 2021-2022 hearings is in contempt of the committee, and providing her with the opportunity to respond. Further, that the Chair work with the secretariat to draft the letter to Ms Cachia.

**8. Adjournment**

The committee adjourned at 3.13 pm, until 9.30 am, Tuesday 5 April 2022 – site visit to schools in North Western Sydney for the inquiry into school infrastructure in NSW.

Yajun Ma

**Committee Clerk**

**Draft minutes no. 60**

Wednesday 15 June 2022

Portfolio Committee No. 3 – Education

Via videoconference, at 10.06 am

**1. Members present**

Mr Latham, *Chair*

Mr Fang, *Deputy Chair*

Mr D'Adam

Mr Farlow

Mrs Houssos

**2. Apologies**

Ms Boyd

Ms Cusack

**3. Previous minutes**

Resolved, on the motion of Mr Farlow: That draft minutes nos. 51, 52 and 58 be confirmed.

#### 4. Correspondence

The committee noted the following items of correspondence:

**Received:**

- 1 June 2022 – Letter from the Minister for Education replying to Chair re seeking agreement to contact Mr Ballard re Walgett school assisting NAPLAN tests.

**Sent:**

- 9 May 2022 – Letter from the Chair to the Minister for Education seeking agreement to contact Mr Ballard re Walgett school assisting NAPLAN tests.

5. \*\*\*

6. \*\*\*

#### 7. Inquiry into Budget Estimates 2021-2022

##### 7.1 Consideration of Chair's draft report

The Chair submitted his Chair's draft report, entitled 'Budget Estimates 2021-2022', which, having been previously circulated, was taken as being read.

Resolved, on the motion of Mr D'Adam: That the report be amended by omitting the committee comment and recommendation which reads:

**'Committee comment**

The committee is disappointed with the quality of answers and lack of information provided by the Department of Education during the Budget Estimates inquiry. Hence we recommend that the Government remind all of its public servants appearing before Parliamentary committees that they must at all times provide accurate and relevant information, and that telling the truth is an obligation from being sworn in as a witness, enforceable under the Parliamentary Evidence Act.

**Recommendation 1**

That the NSW Government remind all of its public servants appearing before Parliamentary committees that they must at all times provide accurate and relevant information, and that telling the truth is an obligation from being sworn in as a witness, enforceable under the Parliamentary Evidence Act.'

and inserting instead:

**Committee comment**

The committee is disappointed with the quality of answers and lack of information provided by the Department of Education during the Budget Estimates inquiry. Hence we recommend that the Government remind all of its public servants appearing before Parliamentary committees that they must at all times provide accurate and relevant information, and that telling the truth is an obligation from being sworn in as a witness, enforceable under the Parliamentary Evidence Act. The committee notes that witnesses individually take an oath when appearing before the committee and that the obligations arising from this oath cannot be delegated, this includes not being able to delegate to government departments or agencies.

**Recommendation 1**

That the NSW Government remind all of its public servants appearing before Parliamentary committees that:

- they must at all times provide accurate and relevant information,
- they have an obligation to assist the committee in its inquiry and not deliberately impede obstruct or delay the committee in its work

- telling the truth is an obligation from being sworn in as a witness, enforceable under the Parliamentary Evidence Act.

Resolved, on the motion of Mrs Houssos: That:

The draft report as amended be the report of the committee and that the committee present the report to the House;

The transcripts of evidence, answers to questions on notice and supplementary questions, and correspondence relating to the inquiry be tabled in the House with the report;

Upon tabling, all unpublished transcripts of evidence, tabled documents, answers to questions on notice and supplementary questions, and correspondence relating to the inquiry, be published by the committee, except for those documents kept confidential by resolution of the committee;

The committee secretariat correct any typographical, grammatical and formatting errors prior to tabling;

The report be tabled by 30 June 2022.

## **8. Inquiry into the planning and delivery of school infrastructure in New South Wales**

### **8.1 Public hearing**

Resolved, on the motion of Mr D'Adam: That the committee invite witnesses to give evidence regarding the University of Western Sydney Milperra campus.

## **9. Adjournment**

The committee adjourned at 10.28 am until 9.30 am Wednesday 13 July 2022 (Inquiry into the planning and delivery of school infrastructure – public hearing)

Liz Clark

**Committee Clerk**



