



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEE NO. 3

Termination of the former Managing Director of TAFE NSW

Report 45

May 2022

3



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Portfolio Committee No.3 – Education

Termination of the former Managing Director of TAFE NSW

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**New South Wales. Parliament. Legislative Council. Portfolio Committee No. 3 - Education.
Report no. 45.**

Termination of the former Managing Director of TAFE NSW

“May 2022”

Chair: Hon Mark Latham MLC



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Terms of reference

1. That Portfolio Committee No. 3 – Education inquire into and report on:
 - (a) the termination of the former Managing Director of TAFE NSW, Mr Steffen Faurby,
 - (b) evidence given during the Budget Estimates hearings between 28 February and 16 March 2022 on the termination of Mr Faurby and in relation to school education, and
 - (c) any other related matter.

The terms of reference for the inquiry were referred to the committee by the Legislative Council on 30 March 2022.¹

¹ *Minutes*, NSW Legislative Council, 30 March 2022, pp 3139-3140.

Committee details

Committee members

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

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Findings

Finding 1

6

That Minister Lee lacked decency, integrity and professionalism in failing to directly communicate to Mr Faurby his termination and the reasons for it. Mistreatment of staff in this fashion is likely to lower morale and commitment in public sector agencies.

Finding 2

6

That Minister Lee should have appeared before the committee to explain why he sacked Mr Faurby as the Managing Director of TAFE NSW and cost NSW taxpayers \$421,241.27.

Recommendation

Recommendation 1

6

That the NSW Government, in the termination of agency heads for which Ministers have direct managerial responsibility, adopt a practice whereby Ministers have the decency, integrity and professionalism to communicate the termination directly themselves and give also their reasons for the termination.

Conduct of inquiry

The terms of reference for the inquiry was referred to the committee by the Legislative Council on 30 March 2021.

The committee held two public hearings at Parliament House on 4 April 2022 and 29 April 2022.

Inquiry related documents are available on the committee's website, including hearing transcripts, answers to questions on notice and correspondence.

Chapter 1 The inquiry

This brief report examines the process by which the former Managing Director of TAFE NSW, Mr Steffen Faurby, was terminated from his role by the former Minister for Skills and Training, the Hon Geoff Lee MP, on 2 December 2021. It documents the genesis of this inquiry through the Budget Estimates process, the evidence gathered by the committee from the key players in the events that took place and the conclusions of the committee.

Budget Estimates 2021-2022

- 1.1** The termination of the former Managing Director of TAFE NSW, Mr Steffen Faurby, was first raised at a Budget Estimates 2021-2022 hearing of Portfolio Committee No. 3 – Education on 3 March 2022. During this hearing, the committee asked a number of witnesses for further insight into the reason for Mr Faurby's termination in late 2021. This included the Hon Alister Henskens MP, the current Minister for Skills and Training, Ms Georgina Harrisson, Secretary of the NSW Department of Education, Ms Julie Tickle, Chief People and Culture Officer of TAFE NSW and Mr Stephen Brady, Acting Managing Director of TAFE NSW.
- 1.2** Each of these witnesses told the committee that they were unable to provide any information on the reasons for Mr Faurby's termination, noting that this was a matter for the former Minister.² As to how Mr Faurby was terminated, Ms Harrisson advised the committee that on 2 December 2021, she met with Mr Faurby and provided him with written notice from the Minister of his termination,³ in accordance with Schedule 1A, Section 3 of the *TAFE Commission Act 1990*, and Mr Faurby's contract of employment.⁴
- 1.3** Ms Tickle advised that Mr Faurby received a payout of 38 weeks' salary, totalling \$429,241.27,⁵ in line with the provisions of the *Government Sector Employment Act 2013*.⁶
- 1.4** Following the committee's decision to pursue the matter in further hearings, including with Mr Faurby himself, the Clerk advised that it was desirable to do so via a separate inquiry, noting that the resolution of the House regarding Budget Estimates provides for evidence to be taken from '...officers of departments, statutory bodies or corporations' and that Mr Faurby was no longer a serving officer.⁷
- 1.5** On 30 March 2022 the Legislative Council resolved that Portfolio Committee No. 3 inquire into and report on:
- (a) the termination of the former Managing Director of TAFE NSW, Mr Steffen Faurby,

² Evidence, Hon Alister Henskens MP, Minister for Skills and Training, 3 March 2022, p 2; Evidence, Ms Georgina Harrisson, Secretary, NSW Department of Education, 3 March 2022, p 2; Evidence, Ms Julie Tickle, Chief People and Culture Officer, TAFE NSW, 3 March 2022, p 5; Evidence, Mr Stephen Brady, Acting Managing Director, TAFE NSW, 3 March 2022, p 6.

³ Evidence, Ms Harrisson, 3 March 2022, p 47-8.

⁴ Answers to questions on notice, Ms Georgina Harrisson, Secretary, NSW Department of Education, 30 March 2022, p 14.

⁵ Evidence, Ms Tickle, 3 March 2022, p 46.

⁶ Evidence, Ms Tickle, 3 March 2022, p 5.

⁷ *Minutes*, NSW Legislative Council, 23 June 2021, pp 2348-2350.

- (b) evidence given during the Budget Estimates hearings between 28 February and 16 March 2022 on the termination of Mr Faurby and in relation to school education, and
- (c) any other related matter.⁸

The termination of the former Managing Director of TAFE NSW, Mr Steffen Faurby

1.6 The committee held two public hearings as part of this inquiry. Ms Harrisson and Ms Tickle appeared before the committee on 4 April 2022 and Mr Faurby appeared on 29 April 2022. Minister Lee was invited to give evidence on 4 April and 9 May respectively but declined on each occasion. The evidence received is discussed in detail below.

Evidence of Ms Harrisson and Ms Tickle

1.7 Consistent with evidence given during Budget Estimates in March 2022, the evidence of Ms Harrisson and Ms Tickle on 4 April 2022 did not go to the reasons for Mr Faurby's termination. Ms Harrisson gave a detailed account of the process of the termination, emphasising that it was executed in accordance with *Government Sector Employment Act 2013* procedure and with assistance from the Public Service Commission. The Secretary reiterated that her role was to operationalise and facilitate the Minister Lee's decision regarding Mr Faurby's termination.⁹

1.8 Ms Harrisson also provided further context on the lead up to Mr Faurby's termination. The first conversation she recalled with Minister Lee regarding Mr Faurby took place in August 2021.¹⁰ Ms Harrisson indicated to the committee that this was in relation to the relationship between Minister Lee and Mr Faurby and that she provided 'feedback' arising from it to Mr Faurby at the time.¹¹ When asked if this conversation resulted in a warning or performance plan being established for Mr Faurby, Ms Harrisson stated that while the Department did not enact any formal process, she could not speak for Minister Lee. She explained:

[It] is important to remember in this instance that the Minister is the employer ... In my ongoing engagement with Mr Faurby, I continued to inquire into how the relationship was progressing and whether, from Mr Faurby's perspective, he was seeing improvement.¹²

1.9 Ms Harrisson advised the committee that, approximately three months later on 17 November 2021, the Minister indicated to her that he wished to terminate Mr Faurby's contract.¹³ In response to this conversation, the Department of Education provided a written briefing note to Minister Lee's office on 26 November 2021, which 'in broad terms':

- confirmed the employment framework and arrangements for the Managing Director of the TAFE Commission,

⁸ *Minutes*, NSW Legislative Council, 30 March 2022, pp 3139-40.

⁹ Evidence, Ms Georgina Harrisson, Secretary, NSW Department of Education, 4 April 2022, p 2.

¹⁰ Evidence, Ms Harrisson, 4 April 2022, p 5.

¹¹ Evidence, Ms Harrisson, 4 April 2022, p 5.

¹² Evidence, Ms Harrisson, 4 April 2022, p 5.

¹³ Evidence, Ms Harrisson, 4 April 2022, p 3, 5.

- sought to confirm the Minister’s intention to terminate the Managing Director of the TAFE Commission, and
- conveyed a draft letter of termination for the Minister to sign upon approval.¹⁴

- 1.10** The signed termination letter was presented to Mr Faurby at 4.15 pm on 2 December 2021.¹⁵
- 1.11** Throughout her appearance, Ms Harrison emphasised that 'standard operational procedures' were employed by her department in respect of Mr Faurby's termination, including 'facilitating the provision of the termination letter; arranging personal support for Mr Faurby; notifying appropriate stakeholders of the situation, including the Public Service Commissioner; and arranging for the appropriate internal organisational communications to be initiated'.¹⁶
- 1.12** Ms Tickle told the committee that she had no involvement in the preparation of Mr Faurby's termination letter and that she was provided with a copy on 3 December 2021.¹⁷
- 1.13** At the conclusion of the hearing, Ms Harrison undertook to provide a copy of Mr Faurby's termination letter to the committee on a confidential basis.¹⁸ This document was received on 5 April 2022 and subsequently resolved to be kept confidential by the committee.

Evidence of Mr Faurby

- 1.14** Mr Faurby appeared before the committee on 29 April 2022. His evidence addressed the events leading up to and including Ms Harrison's provision of the termination letter. Mr Faurby emphasised to the committee that at no stage throughout his tenure was his performance raised with him as a matter of concern by the former Department Secretary, current Secretary or by Minister Lee.¹⁹
- 1.15** According to Mr Faurby, he arrived at the 2 December meeting with the Secretary with no prior indication of its purpose,²⁰ despite attempts by his office to seek clarity on what it was about.²¹ Consistent with evidence given by the Secretary, Mr Faurby stated that upon arrival, he was advised by Ms Harrison of Minister Lee's decision to terminate his employment and handed the written notice, signed by the Minister. According to Mr Faurby, while Ms Harrison had 'expressed disappointment about the situation', she was unable to 'shed any light' on the reason for his termination.²²

¹⁴ Answers to questions on notice, Ms Harrison, p 4.

¹⁵ Evidence, Ms Harrison, 4 April 2022, p 2.

¹⁶ Evidence, Ms Harrison, 4 April 2022, p 5.

¹⁷ Evidence, Ms Julie Tickle, Chief People and Culture Officer, TAFE NSW, 4 April 2022, p 3.

¹⁸ Evidence, Ms Harrison, 4 April 2022, p 8.

¹⁹ Evidence, Mr Steffen Faurby, Former Managing Director, TAFE NSW, 29 April 2022, p 2.

²⁰ Evidence, Mr Faurby, 29 April 2022, p 2.

²¹ Evidence, Mr Faurby, 29 April 2022, p 5.

²² Evidence, Mr Faurby, 29 April 2022, p 2.

- 1.16** Mr Faurby also told the committee that the letter 'did not give any reason' for his termination.²³ Mr Faurby made his dissatisfaction with this process clear to the committee, describing it as 'a massive surprise'.²⁴ While acknowledging that it was 'entirely within the Minister's right' to terminate him without a reason, Mr Faurby asserted that he 'fundamentally believe[s] that every person deserves to be given a reason, and also to actually discuss [the decision] eye-to-eye with the person who makes [it]'.²⁵
- 1.17** Regarding Ms Harrison's role, Mr Faurby noted that while she was 'very supportive', she had no remit over his performance and as such, 'it is not my expectation that I would go to her and have a meeting that would involve my performance. I would expect that if that ever were to happen, I would have that with a person who is my boss, and that person was the Minister'.²⁶
- 1.18** Regarding the August 2021 'feedback' conversation with Ms Harrison, Mr Faurby characterised this as brief and informal and a 'friendly heads-up between colleagues'.²⁷ He commented that 'the word 'performance' was not used during the call'.²⁸ Instead, Ms Harrison observed that Minister Lee had commented on the existence of tension between the two men and that there was no indication that the conversation could lead to disciplinary action, such as his eventual termination.²⁹
- 1.19** According to Mr Faurby, at a subsequent meeting with Minister Lee on 11 August 2021, Mr Faurby asked the Minister 'whether he had lost confidence in my ability to lead TAFE NSW', to which the Minister responded that Mr Faurby 'continued to enjoy his full confidence and support'.³⁰
- 1.20** From that date, up until his termination on 2 December, Mr Faurby said he continued to provide the Minister's office with a monthly report on ministerial priorities and to meet with the Minister Lee on a fortnightly basis as part of usual practice. According to Mr Faurby, 'had my performance been an issue, it would have been raised within the context of this monthly reporting cycle'.³¹
- 1.21** In the view of Mr Faurby, the absence of any performance-related discussions between himself and the Minister, combined with his termination under section 41 of the *Government Sector Employment Act 2013* – as opposed to other provisions of the Act, which deal with unsatisfactory performance or misconduct – is evidence that his termination was not linked to his performance.³² While Mr Faurby did not suggest a single reason for his termination, he made

²³ Evidence, Mr Faurby, 29 April 2022, p 2.

²⁴ Evidence, Mr Faurby, 29 April 2022, p 5.

²⁵ Evidence, Mr Faurby, 29 April 2022, p 6.

²⁶ Evidence, Mr Faurby, 29 April 2022, p 2.

²⁷ Evidence, Mr Faurby, 29 April 2022, p 2.

²⁸ Evidence, Mr Faurby, 29 April 2022, p 2.

²⁹ Evidence, Mr Faurby, 29 April 2022, p 2.

³⁰ Evidence, Mr Faurby, 29 April 2022, p 3.

³¹ Evidence, Mr Faurby, 29 April 2022, p 3.

³² Evidence, Mr Faurby, 29 April 2022, p 2.

clear to the committee that his relationship with the former Minister contained 'tension' and 'friction', in part as a result of their 'distinctly different leadership styles'.³³

Responses from Ms Harrison and Minister Lee

- 1.22** Following the hearing on 29 April, the committee wrote to Ms Harrison to invite her to respond to the evidence given by Mr Faurby. On 13 May 2022, Ms Harrison responded, reaffirming her earlier evidence 'around the roles and responsibilities concerning employment arrangements for the Managing Director of TAFE'.³⁴
- 1.23** As noted above, the committee invited Minister Lee to appear at a hearing on 4 April 2022 and again on 9 May 2022, on the second occasion providing a copy of the transcript of Mr Faurby's evidence. On 5 May 2022, the Minister responded, noting his unavailability to attend at the time proposed and declining to participate in any future hearings of this inquiry.³⁵ In his response, the Minister expressed the view that it was inappropriate for him to 'to provide public comment on the detail of individual employment arrangements' and emphasised that the termination process 'had been lawful and consistent with past practices'.³⁶

Committee comment

- 1.24** This inquiry has brought to light that the termination of the employment of the former Managing Director of TAFE NSW, Mr Steffen Faurby, was unsatisfactory. The committee accepts that the termination process was lawful and consistent with standard operating procedure. Nevertheless, the committee accepts the evidence of Mr Faurby at face value, including that he was blindsided by the news of his termination because he had no prior indication of any performance concerns and that he felt disrespected that it was delivered second-hand.
- 1.25** It is abundantly clear to the committee that a senior executive of Mr Faurby's standing was deserving of more respect from his employer, the Minister. While the committee acknowledges that the relationship between Minister Lee and Mr Faurby may have at times been tense, it was the Minister's responsibility to raise any concerns with Mr Faurby's performance directly, if indeed concerns arose.
- 1.26** It is completely inappropriate to use a senior Departmental executive to deliver a termination notice to a fellow executive when they have no direct responsibility for that individual's employment and are in fact, their professional peer. The Minister was Mr Faurby's boss and the use of Ms Harrison to not only communicate the Minister's initial concerns around 'conflict' to Mr Faurby, but more significantly, to deliver the news of his termination, shows that the

³³ Evidence, Mr Faurby, 29 April 2022, pp 2-3.

³⁴ Correspondence from Ms Georgina Harrison, Secretary, Department of Education, to Chair, responding to invitation to respond to evidence given by Mr Steffen Faurby on 29 April 2022, 13 May 2022.

³⁵ Correspondence from the Hon Geoff Lee MP, Minister for Corrections, to Chair, declining to appear as a witness at a public hearing on 9 May 2022 and to participating further in the inquiry, 5 May 2022. On 1 April 2022 Minister Lee declined the invitation to appear on 4 April 2022.

³⁶ Correspondence from the Hon Geoff Lee MP to Chair, 5 May 2022.

Minister did not have the courage to do so himself. In the committee's view, this goes to Mr Lee's integrity and effectiveness as a Minister.

- 1.27** The committee is of the view that Minister Lee lacked decency, integrity and professionalism in failing to directly communicate to Mr Faurby his termination and the reasons for it. Mistreatment of staff in this fashion is likely to lower morale and commitment in public sector agencies. For these reasons, the committee recommends that the Government, in the termination of agency heads for which Ministers have direct managerial responsibility, adopt a practice whereby Ministers have the decency, integrity and professionalism to communicate the termination directly themselves and give also their reasons for the termination.
- 1.28** The committee also believes that Minister Lee should have appeared before the committee to explain why he sacked Mr Faurby as the Managing Director of TAFE NSW and cost NSW taxpayers \$421,241.27.

Finding 1

That Minister Lee lacked decency, integrity and professionalism in failing to directly communicate to Mr Faurby his termination and the reasons for it. Mistreatment of staff in this fashion is likely to lower morale and commitment in public sector agencies.

Finding 2

That Minister Lee should have appeared before the committee to explain why he sacked Mr Faurby as the Managing Director of TAFE NSW and cost NSW taxpayers \$421,241.27.

Recommendation 1

That the NSW Government, in the termination of agency heads for which Ministers have direct managerial responsibility, adopt a practice whereby Ministers have the decency, integrity and professionalism to communicate the termination directly themselves and give also their reasons for the termination.

Appendix 1 Witnesses at hearings

Date	Name	Position and Organisation
Monday 4 April 2022 Macquarie Room, Parliament House, Sydney	Ms Georgina Harrison	Secretary, NSW Department of Education
	Ms Julie Tickle	Chief People and Culture Officer, TAFE NSW
Friday 29 April 2022 Room 814/815, Parliament House, Sydney	Mr Steffen Faurby	Former Manager Director of TAFE NSW

Appendix 2 Minutes

Minutes no. 52

Wednesday 30 March 2022

Portfolio Committee No. 3 – Education

Members' Lounge, Parliament House, Sydney, at 2.45 pm

1. Members present

Mr Latham, *Chair*

Mr Fang, *Deputy Chair*

Ms Cusack

Mr D'Adam

Mr Farlow

Mrs Houssos

2. Terms of reference

The committee noted the referral on 30 March 2022 of the following terms of reference:

That Portfolio Committee No. 3 – Education inquire into and report on:

- (a) the termination of the former Managing Director of TAFE NSW, Mr Steffen Faurby,
- (b) evidence given during the Budget Estimates hearings between 28 February and 16 March 2022 on the termination of Mr Faurby and in relation to school education, and
- (c) any other related matter.

3. Conduct of the inquiry into the termination of the former Managing Director of TAFE NSW

3.1 Hearing

Resolved, on the motion of Mr D'Adam: That the committee invite the following witnesses to appear at a hearing from 2.30 to 4.30 pm, Monday 4 April 2022:

- Mr Steffen Faurby, former Managing Director of TAFE NSW – 45 minutes
- Hon Geoff Lee MP, Minister for Corrections and former Minister for Skills and Training – 30 minutes.

Resolved, on the motion of Mr D'Adam: That in the event that Ms Georgina Harrisson, Secretary, NSW Department of Education, and Ms Julie Tickle, Chief People and Culture Officer, TAFE NSW, fail to produce Mr Faurby's letter of termination in answers to questions on notice due 5.00 pm 30 March 2022, the committee invite them to appear to answer questions at the 4 April 2022 hearing.

3.2 Submissions and advertising

Resolved, on the motion of Ms Cusack: That the committee not conduct a call for submissions, nor any advertising for the inquiry.

4. Budget Estimates 2021-2022 – supplementary hearings

4.1 Order for examination of portfolios

Resolved, on the motion of Mrs Houssos: That the Budget Estimates hearing on 4 April 2022 run from 10.00 am to 1.30 pm, with the standard allocation of questions.

5. Adjournment

The committee adjourned at 2.55 pm until 10.00 am 4 April 2022 Budget Estimates and termination of the former Managing Director of TAFE NSW hearings.

Merrin Thompson
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 Harrisson, 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 Harrisson, 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 Harrisson, 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

Minutes no. 55

Tuesday 26 April 2022

Portfolio Committee No. 3 – Education

Oran Park Public School, Oran Park, at 9.20 am

1. Members present

Mr Latham, *Chair*

Mr D'Adam

Mr Farlow

Mrs Houssos

2. Apologies

Mr Fang, *Deputy Chair*

Ms Boyd

Ms Cusack

3. Draft minutes

Resolved, on the motion of Mrs Houssos: That draft minutes no. 53 be confirmed.

4. Correspondence

The committee noted the following items of correspondence:

Received:

- 5 April 2022 – Letter from Ms Georgina Harrison, Secretary, Department of Education, to the Chair, providing the committee with a copy of the termination letter provided to Mr Steffen Faurby on 2 December 2021, on a confidential basis.

Sent:

- 8 April 2022 – Letter from Chair to Mr Victor Newby, Principal, Concord High School, expressing thanks for the site visit to the school on 5 April 2022
- 8 April 2022 – Letter from Chair to Ms Jeanie Brown, Principal, Riverbank Public School expressing thanks for the site visit to the school on 5 April 2022
- 8 April 2022 – Letter from Chair to Mr Colin Ross, Principal, Schofields Public School, expressing thanks for the site visit to the school on 5 April 2022
- 8 April 2022 – Letter from Chair to Ms Michelle Hedge, Principal, Northbourne Public School, expressing thanks for the site visit to the school on 5 April 2022.

5. Inquiry into the planning and delivery of school infrastructure in New South Wales**5.1 Site visits**

The committee toured the following schools and locations, accompanied by representatives from the NSW Department of Education, as well as representatives from the school executive:

Oran Park Public School

- Ms Donna Shevlin, Principal, Oran Park Public School
- Mr Anthony Manning, Chief Executive, School Infrastructure
- Ms Lisa Harrington, Executive Director, Business Enablement, School Infrastructure NSW
- Mr Murat Dizdar, Deputy Secretary, School Performance, South

Gledswood Hills Public School

- Ms Lisa Whitfield, Principal, Gledswood Hills Public School
- Ms Karen Endicott, Director Educational Leadership, St Andrews Principals Network
- Mr Anthony Manning, Chief Executive, School Infrastructure
- Ms Lisa Harrington, Executive Director, Business Enablement, School Infrastructure NSW
- Mr Murat Dizdar, Deputy Secretary, School Performance, South

Site of the new primary school for Gregory Hills

- Mr Anthony Manning, Chief Executive, School Infrastructure
- Ms Lisa Harrington, Executive Director, Business Enablement, School Infrastructure NSW

6. Inquiry into the termination of the former Managing Director of TAFE NSW

Resolved on the motion of Mr Farlow: That the committee keep Mr Faurby's termination letter confidential.

7. Inquiry into the planning and delivery of school infrastructure in New South Wales**7.1 Proposed witnesses**

Resolved, on the motion of Mrs Houssos: That the committee invite representatives from the Research and Demography team, Department of Planning and Environment, and the Property Council of Australia to appear as witnesses at the hearing on Wednesday 25 May 2022.

7.2 Correspondence to Department of Education

Resolved, on the motion of Mr D'Adam: That the Chair, on behalf of the committee, write to the NSW Department of Education to request that it provide a copy of the business case for the Gledswood Hills Public School.

7.3 Site visits

The committee toured proposed new school locations in Leppington.

8. Adjournment

The committee adjourned at 1.13 pm, until 9.45 am, Friday 29 April 2022 – public hearing, inquiry into the termination of the former managing Director of TAFE NSW.

Laura Ismay

Committee Clerk

Minutes no. 56

Friday 29 April 2022

Portfolio Committee No. 3 – Education

Room 814/815, Parliament House, Sydney, at 9.48 am

1. Members present

Mr Latham, *Chair*
 Ms Boyd
 Ms Cusack (from 10.04 am)
 Mr D'Adam
 Mr Farlow
 Mrs Houssos (from 10.00 am)

2. Apologies

Mr Fang, *Deputy Chair*

3. New committee member

The Chair welcomed Ms Boyd as a member of the committee, replacing Mr Shoebridge from 22 April 2022.

4. Inquiry into the termination of the former Managing Director of TAFE NSW

Resolved, on the motion of Mr D'Adam: That the questioning of the witness be shared on a free-flowing basis.

4.1 Public hearing

The witness and the media were admitted.

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

The following witness was sworn and examined:

- Mr Steffen Faurby, former Managing Director, TAFE NSW.

The evidence concluded and the witness withdrew.

The public hearing concluded at 11.00 am.

4.2 Further inquiry activities

Resolved, on the motion of Mrs Houssos: That the Chair, on behalf of the Committee:

- write to Ms Georgina Harrisson, Secretary, NSW Department of Education, providing the opportunity to respond to Mr Faurby's evidence
- invite the Hon Geoff Lee, Minister for Corrections and former Minister for Skills and Training, to appear at the end of the hearing scheduled for 9 May 2022 or another date and time suitable to the Minister.

5. Adjournment

The committee adjourned at 11.08 am, until Monday 9 May 2022 (public hearing, inquiry into the planning and delivery of school infrastructure).

Merrin Thompson
Committee Clerk

Minutes no. 57

Monday 9 May 2022
 Portfolio Committee No. 3 – Education
 Room 814/815, Parliament House, Sydney, at 10.00 am

1. Members present

Mr Latham, *Chair*
 Mr Fang, *Deputy Chair* (from 11.47 am)
 Ms Boyd (until 11.52 am, then from 2.05 pm)
 Ms Cusack (via videoconference)
 Mr D'Adam (from 12.32 pm)

Mr Farlow

Mrs Houssos (until 1.00 pm)

Mr Moselmane (substituting for Mr D'Adam from 10.00 to 1.00 pm)

2. **Draft minutes**

Resolved on the motion of Mr Farlow: That draft minutes nos 54, 55 and 56 be confirmed.

3. **Correspondence**

The committee noted the following items of correspondence:

Received:

- 4 May 2022 – Letter from Ms Lauren Conceicao, NSW Deputy Executive Director, Property Council of Australia, declining the committee's invitation to give evidence as part of the inquiry into the planning and delivery of school infrastructure in New South Wales
- 5 May 2022 – Letter from the Hon Geoff Lee, Minister for Corrections and former Minister for Skills and Training to the Chair, declining the committee's invitation to give evidence as part of the inquiry into the termination of the Managing Director of TAFE NSW.

Sent:

- 8 April 2022 – Letter from the Chair to Ms Yvette Cachia, Chief People Officer, NSW Department of Education, asking her to show cause why the committee should not seek to refer her to the Privileges Committee for wilfully misleading Budget Estimates
- 28 April 2022 – Letter from the Chair to Ms Donna Shevlin, Principal, Oran Park Public School, expressing thanks for the site visit to the school on 26 April 2022
- 28 April 2022 – Letter from the Chair to Ms Lisa Whitfield, Principal, Gledswood Hills Public School, expressing thanks for the site visit to the school on 26 April 2022
- 29 April 2022 – Letter from the Chair to Mr Anthony Manning, Chief Executive, School Infrastructure NSW, Ms Lisa Harrington, Executive Director, Business Enablement, School Infrastructure NSW and Mr Murat Dizdar, Deputy Secretary, School Performance, NSW Department of Education, expressing thanks for their assistance with site visits on 5 and 26 April 2022
- 2 May 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 9 May 2022 for the inquiry into the termination of the former Managing Director of TAFE NSW
- 3 May 2022 – Letter from the Chair to Ms Georgina Harrisson, Secretary, NSW Department of Education, inviting her to respond to evidence received at the hearing on 29 April 2022 for the inquiry into the termination of the former Managing Director of TAFE NSW
- 5 May 2022 – Letter from the Chair to Ms Georgina Harrisson, Secretary, NSW Department of Education, requesting a copy of the business case for Gledswood Hills Public School.

4. **Inquiry into the termination of the former Managing Director of TAFE NSW**

The committee noted that Minister Lee declined to appear and discussed the Chair's proposal for a brief report.

Resolved, on the motion of Mr Moselmane: That the letter from the Hon Geoff Lee, Minister for Corrections and former Minister for Skills and Training, to the Chair, declining the committee's invitation to give evidence to the inquiry, received 5 May 2022, be published.

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

5.1 Public submissions

The committee noted that the following submissions were published by the committee clerk under the authorisation of the resolution appointing the committee: submissions nos 1, 3, 5, 6, 7, 8, 10, 13, 17, 20, 21, 23, 24, 26, 28-30, 31, 33-41, 52, 54, 56, 63,65, 65a, 69, 70, 71, 72, 75, 77, 79, 82, 85, 89, 91, 97, 99, 101, 108, 110, 111, 112, 113, 116-118.

Resolved, on the motion of Ms Boyd: That the publication status of submission no 80 be changed from partially confidential to public.

5.2 Partially confidential submissions

The committee noted that the following submissions were partially published by the committee clerk under the authorisation of the resolution appointing the committee: submission nos. 2, 4, 9, 12, 14, 15, 18, 19, 21, 22, 25, 27, 42-44, 46-51, 53, 57, 60-62, 64, 66, 68, 73, 74, 76, 78, 80, 81, 83, 84, 86-88, 90, 92-95, 98, 100, 102-107, 109, 114, 115, 119.

Resolved, on the motion of Ms Boyd: That the committee keep submission author names confidential, as per the request of the author, in submission nos. 2, 4, 9, 12, 14, 15, 18, 19, 21, 22, 25, 27, 42-44, 46-51, 53, 57, 60-62, 64, 66, 68, 73, 74, 76, 78, 80, 81, 83, 84, 86-88, 90, 92-95, 98, 100, 102-107, 109, 114, 115, 119.

5.3 Confidential submissions

Resolved, on the motion of Ms Boyd: That the committee keep submission nos. 11, 16, 32, 45, 55, 58, 67 and 96 confidential, as per the request of the author.

5.4 Allocation of questioning

Resolved, on the motion of Mr Farlow: That the questioning of witnesses be shared on a free-flowing basis.

5.5 Video recording of hearings

Resolved, on the motion of Mr Farlow: That the committee authorise publication on the Parliament's YouTube channel of the video recordings for all hearings of the:

- inquiry into the termination of the former Managing Director of TAFE NSW
- inquiry into the planning and delivery of school infrastructure in New South Wales.

6. Inquiry into Budget Estimates 2021-2022

The committee noted that the Chair intends to write to Minister Mitchell to seek her agreement to approach Mr Luke Ballard, Director Educational Leadership, Connected Communities, NSW Department of Education, to seek his version of events at a meeting on 11 May 2021 between Mr Murat Dizdar, Deputy Secretary, School Performance, NSW Department of Education, and Mr Nathaniel Train, former Principal of Walgett Primary School, at which Mr Ballard was also present. Mr Train alleges he raised concerns with Mr Dizdar about students of Walgett Community College being assisted with NAPLAN tests, and provided a document to him, contrary to Mr Dizdar's evidence to the committee at the Budget Estimates hearing on 4 April 2022.

7. Inquiry into the planning and delivery of school infrastructure in New South Wales

7.1 Public hearing

The witness and the media were admitted.

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

The following witnesses were sworn and examined:

- Ms Margaret Crawford, Auditor-General of New South Wales
- Ms Claudia Migotto, Assistant Auditor-General of New South Wales, Performance Audit
- Mr Michael Thistlewaite, Director, Performance Audit.

Mrs Houssos tabled the following documents:

- Email from Matthew Metlege, Assistant Project Director, Infrastructure Delivery, School Infrastructure, NSW Department of Education, titled 'Tallowong cost report treign', sent 15 April 2021
- Email from Matthew Metlege, Assistant Project Director, Infrastructure Delivery, School Infrastructure, NSW Department of Education, titled 'Tallowong FEC update', sent 16 April 2021
- Email from Martin Cook, Director Projects, School Infrastructure, NSW Department of Education, titled, 'Tallowong PS', sent 24 August 2020.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Ms Yvonne Hilsz, Vice President, Federation of Parents and Citizens Associations of NSW
- Mr Alan Gardiner, Secretary, Federation of Parents and Citizens Associations of NSW.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Mr Danny Rose, Manager, Roads and Stormwater, Tweed Shire Council (via videoconference)
- Ms Ivy Yap, Member, Lennox Head Public School Parents and Citizens Association (via videoconference)
- Ms Kerren Kernaghan, Member, Lennox Head Public School Parents and Citizens Association (via videoconference).

Ms Yap tendered the following documents:

- 'Lennox Head Public School: Hearing 09 May tender document' with photographs
- NSW Department of Education, 'Lennox Head Public School and Southern Cross Public School: Community Update, May 2022'
- NSW Department of Education, 'Lennox Head Public School Community Update, April 2022'.

The evidence concluded and the witnesses withdrew.

The following witnesses was sworn and examined:

- Mr Kevin Bartolo, Founder, Ulladulla Area Schools Expansion Action Group (via videoconference)
- Ms Melanie Doyle, Member, Ulladulla High School Parents and Citizens Executive Committee (via videoconference).

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Mr Todd Sellers, Gillieston Primary School parent
- Mr Simon Rolfe, Gillieston Primary School parent
- Ms Katie Ferguson, Gillieston Primary School parent
- Ms Sarah Bird, Gillieston Primary School parent (via videoconference)

Mr Sellers tendered the following documents:

- Letter from Cr Philip Penfold, Mayor, Maitland City Council, titled 'Support for urgent attention to Gillieston Public School infrastructure', dated 6 May 2022
- 'Gillieston Heights aerial photo' and map of Maitland local government area
- Map of 12 classrooms on the Gillieston Public School site, showing two permanent classrooms and ten demountables
- Photographs of Maitland Public School, Rutherford Public School and Gillieston Public School.

Ms Ferguson tendered the following documents:

- NSW Department of Education, 'NSW Government Building Grants Assistance Scheme (BGAS) for non-government schools – 2020-21 Projects'
- Tweet from Correna Haythorpe, Australian Education Union Federal President, regarding federal government funding for public and private schools under the 2022-23 Budget
- NSW Department of Education, School Infrastructure, 'Millthorpe Public School Project update, December 2021'
- Statement on upgrade of Millthorpe Public School, undated
- Six photographs of features of the Gillieston Public School.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Mr Henry Rajendra, Deputy President, Australian Education Union NSW Teachers Federation Branch

- Mr Greg Butler, Research/Industrial Officer, Australian Education Union NSW Teachers Federation Branch.

The evidence concluded and the witnesses withdrew.

The Chair tabled the following document:

- NSW Department of Education, 'Exploring fit-for-purpose contemporary learning spaces', undated.

The public hearing concluded at 2.45 pm.

7.2 Tended documents

Resolved, on the motion of Ms Boyd: That the committee accept and publish the following documents tendered during the public hearing:

- Email from Matthew Metlege, Assistant Project Director, Infrastructure Delivery, School Infrastructure, NSW Department of Education, titled 'Tallowong cost report treign', sent 15 April 202, tabled by Mrs Houssos
- Email from Matthew Metlege, Assistant Project Director, Infrastructure Delivery, School Infrastructure, NSW Department of Education, titled 'Tallowong FEC update', sent 16 April 202, tabled by Mrs Houssos
- Email from Martin Cook, Director Projects, School Infrastructure, NSW Department of Education, titled, 'Tallowong PS', sent 24 August 2020, tabled by Mrs Houssos
- 'Lennox Head Public School: Hearing 09 May tender document' with photographs, tendered by Ms Yap
- NSW Department of Education, 'Lennox Head Public School and Southern Cross Public School: Community Update, May 2022', tendered by Ms Yap
- NSW Department of Education, 'Lennox Head Public School Community Update, April 2022', tendered by Ms Yap
- Letter from Cr Philip Penfold, Mayor, Maitland City Council, titled 'Support for urgent attention to Gillieston Public School infrastructure', dated 6 May 2022, tendered by Mr Sellers
- 'Gillieston Heights aerial photo' and map of Maitland LGA, tendered by Mr Sellers
- Map of 12 classrooms on the Gillieston Public School site, showing two permanent classrooms and ten demountables, tendered by Mr Sellers
- Photographs of Maitland Public School, Rutherford Public School and Gillieston Public School, tendered by Mr Sellers
- NSW Department of Education, 'NSW Government Building Grants Assistance Scheme (BGAS) for non-government schools – 2020/21 Projects', tendered by Ms Ferguson
- Tweet from Correna Haythorpe, Australian Education Union Federal President, regarding federal government funding for public and private schools under the 2022-23 Budget, tendered by Ms Ferguson
- NSW Department of Education, School Infrastructure, 'Millthorpe Public School Project update, December 2021', tendered by Ms Ferguson
- Statement on upgrade of Millthorpe Public School, undated, tendered by Ms Ferguson
- Six photographs of features of the Gillieston Public School, tendered by Ms Ferguson
- NSW Department of Education, 'Exploring fit-for-purpose contemporary learning spaces', undated, tendered by the Chair.

7.3 Partially confidential submission

Resolved, on the motion of Ms Cusack: That the committee keep the following information confidential, as per the recommendation of the secretariat: names and/or identifying and sensitive information in submission no. 27.

7.4 Site visit to Gillieston Public School

Resolved, on the motion of Mr D'Adam: That the secretariat canvass members' availability to visit Gillieston Public School on a date to be determined by the Chair in consultation with the committee.

7.5 Correspondence to School Infrastructure NSW

Resolved, on the motion of Mr D'Adam: That the Chair, on behalf of the Committee, write to Mr Anthony Manning, Chief Executive, School Infrastructure NSW, NSW Department of Education, requesting:

- details of the current situation of, and the NSW Department of Education's intentions for, the physical environment at Lennox Head Public School and Gillieston Public School
- a copy of the *School Assets Strategic Plan 2017* and the 2020 update to that document
- information on the policy status of the 'Exploring fit-for-purpose contemporary learning spaces' document published by School Infrastructure NSW, including whether that document drives policy, and if not, what the current drivers are.

8. Inquiry into Budget Estimates 2021-2022

8.1 Consideration of response from Ms Yvette Cachia, Chief People Officer, Department of Education

Resolved, on the motion of Mr D'Adam: That:

- if no response from Ms Cachia is received by close of business Monday 9 May 2022, the committee make a special report to the House recommending that the House refer the matter to the Privileges Committee
- if a response is received by that time, the committee meet this week to consider the response.

9. Adjournment

The committee adjourned at 2.55 pm, until Wednesday 25 May 2022 (public hearing, inquiry into the planning and delivery of school infrastructure).

Merrin Thompson
Committee Clerk

Draft minutes no. 58

Wednesday 25 May 2022

Portfolio Committee No. 3 – Education

Room 814/815, Parliament House, Sydney, at 10.02 am

1. Members present

Mr Latham, *Chair*

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

Ms Cusack (via videoconference, from 10.10 am to 1.15 pm then from 3.20 pm)

Mr D'Adam

Mr Farlow

Mrs Houssos

2. Apologies

Ms Boyd

3. Previous minutes

Resolved, on the motion of Mrs Houssos: That draft minutes no. 57 be confirmed.

4. Correspondence

The committee noted the following items of correspondence:

Received:

- 11 May 2022 – Letter from Ms Jenny Aitchison MP, Member for Maitland, to the Chair, regarding the committee's proposed site visit to Gillieston Primary School in June 2022

- 11 May 2022 – Email from Ms Megan Munari, Principal Coordinator Forward Planning, The Hills Shire Council, to the secretariat, declining the invitation to give evidence at a public hearing for the inquiry into the planning and delivery of school infrastructure in New South Wales on 25 May 2022
- 13 May 2022 – Letter from Ms Georgina Harrisson, Secretary, NSW Department of Education to the Chair, responding to evidence received at the hearing on Friday 29 April 2022 for the inquiry into the termination of the former Managing Director of TAFE NSW
- 13 May 2022 – Email from the office of the Hon Mark Buttigieg MLC, Opposition Whip, advising that the Hon Shaoquett Moselmane MLC will be substituting for the Hon Courtney Houssos MLC for the site visit to Gillieston Public School on Wednesday 1 June 2022
- 16 May 2022 – Letter from Ms Georgina Harrisson, Secretary, NSW Department of Education to the Chair, responding to request by the committee for the Gledswood Hills Public School business case
- 17 May 2022 – Email from Mr Sandy Kervin, General Manager, Save Our Sons Duchenne Foundation, to the secretariat, declining the invitation to give evidence at a public hearing for the inquiry into the planning and delivery of school infrastructure in New South Wales on 25 May 2022
- 24 May 2022 – Email from Mr David Kerr, Director Community and Belonging, Northern Beaches Council, to the secretariat, declining the invitation to give evidence at a public hearing for the inquiry into the planning and delivery of school infrastructure in New South Wales on 25 May 2022
- 24 May 2022 – Email from Ms Alison Cantlon, Manager, Government Business, to the secretariat, confirming nominated witnesses from the NSW Department of Education at the public hearing for the inquiry into the planning and delivery of school infrastructure in New South Wales on 25 May 2022.

Sent:

- 13 May 2022 – Letter from Chair to Mr Anthony Manning, Chief Executive, School Infrastructure NSW, requesting information following the first hearing of the inquiry into the planning and delivery of school infrastructure in New South Wales.

Resolved, on the motion of Mrs Houssos: That the committee authorise the publication of correspondence from Ms Georgina Harrisson, Secretary, NSW Department of Education, to the Chair, responding to evidence received at the hearing on Friday 29 April 2022 for the inquiry into the termination of the former Managing Director of TAFE NSW, dated 13 May 2022.

5. Inquiry into the planning and delivery of school infrastructure in New South Wales

5.1 Public hearing

The witnesses and the media were admitted.

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

The following witnesses were sworn and examined:

- Cr Linda Downey, Councillor, Canterbury Bankstown Council (via videoconference)
- Cr Lisa Lake, Mayor, Cumberland City Council
- Mr Daniel Cavallo, Environment and Planning, Cumberland City Council.

Cr Lake tabled the following document:

- Map, community economic profile and datasets regarding Cumberland City Council local government area.

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Ms Monica Cologna, Director of Community and Environmental Planning, City of Canada Bay Council
- Mr Paul Dewar, Manager of Strategic Planning, City of Canada Bay Council
- Mr Andrew Ferguson, Councillor, City of Canada Bay Council
- Ms Kathryn Zerk, President, Concord High School Parents and Citizens Association (via videoconference).

The evidence concluded and the witnesses withdrew.

The following witness was sworn and examined:

- Mr Stuart Herring, Chair, Dee Why Public School Parents and Citizens Rebuild Subcommittee.

The evidence concluded and the witness withdrew.

The following witness was sworn and examined:

- Mr Paul Klarenaar, Advocacy Lead, Australian Health Promotion Association.

The evidence concluded and the witness withdrew.

The following witness was sworn and examined:

- Ms Laura Stalley, State Councillor, Isolated Children and Parents.

The evidence concluded and the witness withdrew.

The following witnesses were sworn and examined:

- Dr Kim Johnstone, A/Director Economics, Population and Land Use Forecasting, Department of Planning and Environment (via videoconference)
- Mr Matt Berger, Manager, Population Insights, Delivery, Coordination, Digital and Insights, Department of Planning and Environment (via videoconference).

The evidence concluded and the witnesses withdrew.

The following witnesses were sworn and examined:

- Mr Anthony Manning, Chief Executive, School Infrastructure NSW, NSW Department of Education
- Mr Glenn Downie, Executive Director, Asset Management, School Infrastructure NSW, NSW Department of Education.

Mr Manning tabled the following documents:

- Correspondence from Ms Georgina Harrisson, Secretary, NSW Department of Education, to Mr Bjarne Nordin, Committee Manager, Public Accounts Committee, providing document detailing actions taking by the Department to address recommendations of the 'Delivering School Infrastructure' performance audit, completed by the Audit Office of NSW, dated 13 May 2022
- Correspondence from Mr Anthony Manning, Chief Executive, School Infrastructure NSW, NSW Department of Education, to Chair, regarding school and site visits undertaken by the committee on 5 April and 26 April 2022.

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 4.18 pm.

The public and media withdrew.

5.2 Tendered documents

Resolved, on the motion of Mr Fang: That the committee accept and publish the following documents tendered during the public hearing:

- Map, community economic profile and datasets regarding Cumberland City Council local government area, tendered by Cr Lake
- Correspondence from Ms Georgina Harrisson, Secretary, NSW Department of Education, to Mr Bjarne Nordin, Committee Manager, Public Accounts Committee, providing document detailing actions taking by the Department to address recommendations of the 'Delivering School Infrastructure' performance audit, completed by the Audit Office of NSW, dated 13 May 2022, tendered by Mr Manning
- Correspondence from Mr Anthony Manning, Chief Executive, School Infrastructure NSW, to Chair, regarding school and site visits undertaken by the committee on 5 April and 26 April 2022, tendered by Mr Manning.

6. Inquiry into the termination of the former Managing Director of TAFE NSW

The Chair submitted his Chair's draft report, entitled 'Termination of the former Managing Director of TAFE NSW', which, having been previously circulated, was taken as being read.

Mrs Houssos moved: That a new finding be inserted after Finding 1:

Finding 2

That Minister Lee should have appeared before the committee to explain why he sacked Mr Faurby as the Managing Director of TAFE NSW and cost NSW taxpayers \$421, 241.27.

Question put.

The committee divided.

Ayes: Mr D'Adam, Mrs Houssos, Mr Latham.

Noes: Ms Cusack, Mr Fang, Mr Farlow.

Question resolved in the affirmative on the casting vote of the Chair.

Mr Farlow moved: That the committee comment, Finding 1 and Recommendation 1 be omitted.

Question put.

The committee divided.

Ayes: Ms Cusack, Mr Fang, Mr Farlow.

Noes: Mr D'Adam, Mrs Houssos, Mr Latham.

Question resolved in the negative on the casting vote of the Chair.

Mrs Houssos moved: 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 correspondence relating to the inquiry be tabled in the House with the report;

Upon tabling, all unpublished 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 committee secretariat be authorised to update any committee comments where necessary to reflect changes to recommendations or new recommendations resolved by the committee;

The secretariat is tabling the report at a time to be confirmed on 26 May 2022;

The Chair to advise the secretariat and members if they intend to hold a press conference, and if so, the date and time.

Ayes: Mr D'Adam, Mrs Houssos, Mr Latham.

Noes: Ms Cusack, Mr Fang, Mr Farlow.

Question resolved in the affirmative on the casting vote of the Chair.

7. Adjournment

The committee adjourned at 4.26 pm until 1.00 pm Wednesday 1 June 2022 (Fern Bay and Gillieston Public school site visit).

Laura Ismay
Committee Clerk

