

**Submission
No 246**

INQUIRY INTO TEACHER SHORTAGES IN NEW SOUTH WALES

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Inquiry into teacher shortages in New South Wales

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This submission addresses the following terms of reference:

- (a) current teacher shortages in NSW schools;
- (b) future teacher supply and demand;
- (e) teaching workforce conditions;
- (p) the impact of casualisation, temporary contracts and job insecurity;
- (r) any other related matter – being:
 - i) Systemic hierarchal powers for higher staff to bully and threaten;
 - ii) Different classes created at law against all principles of natural justice;
 - iii) Higher staff enabled to control investigations - often self-investigation;
 - iv) Higher staff making decisions to use money and spend it on own use;
 - v) Lack of power to impart societal expectations into classrooms;
 - vi) Frequent exposure to Psycho-Social factors leading to Depression;
 - vii) approaches to Mental Health and Well-Being;
 - viii) Apparent collusion from EAP Counselling with school and PES staff;
 - ix) Ill treatment by Professional and Ethical Standards (PES);
 - x) Teachers Federation (TF) re-enforcement of hierarchy;
 - xi) Failure of Department, Ministers or TF to survey ex-teachers in a qualitative style to find out why those who are inactive are no teaching;
 - xii) Lack of adequate training and support for returning or mature age;
 - xiii) Restriction of Fast Stream teacher careers;
 - xiv) Transfer in between systems, ie Department and Catholic.

1. Introduction:

I am an eyewitness to a bullying culture at a Local High School (LHS) over decades as a student, parent and teacher. This is a fraction of a much larger case study I could present.

My eldest sibling first attended in 1973. I was School Captain in 1988.

Two boys from my year 7 class (7A1) committed suicide within ten years of leaving the school. I saw a third boy cowardly king hit – punched in the head on the front oval. He was hit a second time whilst falling to the ground. I saw him lie motionless for 10 minutes and thought he was dead. 15 years later he developed Motor Neurone Disease and died. Three dead from my year 7 class – the extent the school's environment played a part is unknown.

Our Year 12 books contained handwritten messages usually wishing good luck. However, one message "Give up on life. Suicide is the answer". A second similar message is there.

2. Background:

I completed a *Bachelor of Arts* and *Graduate Diploma of Education*. I taught for about a term and a bit in 1994 and decided I would quit. I had been quoted it would take 7 years for a full-time position. For the efforts placed into teaching at this time, and the lack of commitment to provide security for my future helped me to make my decision then to abandon the career.

At this time I often contemplated that I had spent four years (now it is five years) commitment of time to train; with HECS debt and family support. I thought I deserved more certainty.

3. Career in between Teaching: Parent, Businessperson and Author

I taught for nine years at TAFE from 1993 to 2002. In the mid 1990s I completed a *Master of Arts* and a separate *Master of Business Administration*. My wife Melissa and I started an Internet business and eventually a company in 2000 which was our occupation and income.

Besides running a family business, I was able to write a number of Local History books. These have sold in aggregate more than what is deemed an Australian bestseller.

During this time we had four children (1996 and 2011). It was around the 2010s I re-engaged with my Local High School. My eldest two attended between 2009-2014 and 2013-2018.

4. First Return to Teaching

In June 2018, I made a return to teaching after 24 years. My youngest daughter had started Kindergarten and I was much more positive than when I first did Teaching. I appreciated that every day I could make some difference and it was very challenging but rewarding. I made good progress. By early November I was offered a 9 day block for English. It was a big step.

a) The threat to bash four girls

I reported a boy who threatened to get four girls bashed. There was no support. The Deputy Principal came down later in the day and the only words were "Oh it's you!" The next week after working consistently over five months I received a text "Circumstances have changed and you are no longer required". I was not offered any more work for five months.

When I returned the four mentioned how their parents and grandparents were so grateful I was the only teacher to ever intervene since way back in Primary School. I also found out nothing was done - until it later came out he threatened to burn one of their houses down.

The boy had off his own initiative come to each of them and offered an apology off his own back and promised to never do this again to them. He maintained his word always. He later told people how I helped to change his entire life and it was a critical moment to learn limits.

I had no work offered for five months. Perhaps I will never know the reason why – but it was then I realised how alien expectations in the real world were to what happened at this site. The Commonwealth Government had commercials online and TV to stop domestic violence.

I realised much later that a Head Teacher had often complained about Deputy Principals' "long weekends" where most if not all were gone by lunch on Fridays. On two occasions I recall them telling a staffroom they had been to "A" block and "There is no Executive on site". They raised the question if there was a lockdown, there was no specified person in charge.

I later realised in Part 15, "Complaint on a Deputy Principal" that two things a lower level staffer should never do was create more work for the Deputy Principal and certainly do not interrupt an extra-long weekend. It was with this culture that I reflect how great problems in our society such as domestic violence, sexual harassment, racism and homophobia flourish.

b) The Penis Drawing Incident

Another example in late 2018 was when a boy drew a penis on another student's worksheet whilst that boy was out the front solving a problem for the Head Teacher he put on the board. He sent for a Deputy Principal who decided to start mimicking my body language and stance looking in from the hallway. I am certain nothing happened to the boy – but by the time I returned in March 2019 – that same boy had set fire to a Science Laboratory causing real physical danger to staff and students and monetary damage to school property.

c) The USB theft

In 2018 a teacher falsely accused myself and another Casual of stealing a USB stick in a rant that lasted some 45 minutes during our lesson off. The raving and accusations continued to escalate like a volcano letting off another round. The Head Teacher – a fourth person in the room sat silent, while the two of us just continued to cop this. There was no comeback. If one complained, one would simply never be invited back. I later recalled this bullying to the Head Teacher. They messaged back “she was having a bad day that day”.

The casual is one of at least 5 I can name who quit teaching altogether because of the site.

d) The Phantom of the bathroom

The following year, that same teacher went off her brain and falsely accused me of “making a mess in the toilet” (as I was the only male she saw). The Head Teacher and an acting Deputy Principal approached me minutes before first period, and pleaded with me when I denied it as I am always careful to just agree not to use it – as they had “threatened to go straight to the Boss and get you removed off site immediately.” They admitted there were 2 other males but she had it in her head. Also, why couldn’t it have been a woman?

e) I got it from “Up High”

In the staffrooms, Head Teachers would often talk about an issue, in one case not using a particular word on a report – ironically “polite”. They would usually end stating that they got it from “up high”. Questions would be answered “I cannot say who – but it was from *Up High*”.

f) S/he will “go off her brain”

I always remember smiling to myself about hearing this warning about a Deputy Principal: “If you ever have to send him/ her an email never ever make it longer than 1-2 lines. If it is any longer, s/he will go off their brain and you will be yelled at!!”

5. Second return to Teaching

I returned in mid-March 2019. The Head Teacher who organised Casuals warned me to be very mindful as there had been a number of extremely high level incidents.

I took over a block in English (my method along with History). These students had had 4-5 different Casuals (1-2 weeks at a time). None of them were trained in the Method area. I realised that the school had allowed 9 weeks for those students to have no access to an English teacher, acting against their interests, while I was sitting at home – still “off the list”.

I did well and was working every day in this period of time. The Shortage of Teachers was already beginning to happen by early 2019 long before Covid-19 - even the year before.

A Head Teacher pulled me aside 2 months later. He remarked that I had done so much good, that I would not be aware of the bigger picture - how much of a settling effect I had. He explained the students really respect you. He finished “Don’t you notice? There’s hardly any more incidents? The place is so much more settled. It has not been unnoticed by the execs.”

6. The block

Between March and June the school had a Maths position which saw three Maths teachers quit, and the students have the instability of 12-15 different teachers over 3 and a bit months. A fourth Maths teacher quit teaching altogether before they even commenced, after they had seen how discipline was handled by the school. The situation of the inability to have a Maths teacher supplied reached Ministerial levels on more than one occasion.

From 21 June to 20 December – six months inclusive I took over these students despite not being Maths trained. I did not miss a day or a lesson, providing much needed continuity. That same Head Teacher was delighted at the end of the year that I managed to pull off what was thought so unachievable.

7. Psycho-Social Events

The difficulties facing teachers is not only dealing with some seriously sad Pyscho-Social events, but to see senior staff decide this is okay to allow or sometimes join the bullying.

- a) An Aboriginal boy had a friend involved in a fight well away from the school on the weekend. He was called to the office and locked in a room with two Police officers and interviewed without family permission or offered a support person.

Two years later, he had an incident. It went to the Department who gave the clearance for him to return to the school. However, he was denied entry onto NSW government land against official advice. It was 2020 – not 1820.

At a Staff Meeting a Head Teacher stood up during Professional Learning and singled the boy out as an example – as if he was the epitome of the worst student you could ever have. It was brave alright – to hold up the racist card in front of mostly white people and enjoy some hearty laughs. It is with pride the boy's mother wrote in a Department of Education document "Mr Molloy was the only teacher who ever treated him with any respect".

To know, see and hear outright racism and be powerless is destructive.

- b) In November 2020, Ms Gladys Berejiklian and Ms Sarah Mitchell visited and announced \$20 million funding. It was at this time a girl in year 7 was being bullied by a boy. He punched her hard in the face causing severe injury.

The boy not content to inflict a physical blow (and remarkably still on the site) spent several weeks dishing out emotional abuse – which included how the girl did not have a father; she was worthless and she should just commit suicide.

Before the punching, the girl had been body shamed all year – no parts off limits, and when this failed, she had had chocolate poured all over her on more than one occasion. The Deputy Principal did nothing about any of the four types of incidents at each stage. What civilised society allows a 12-13 year old girl to be punched in the face and emotionally tormented for weeks on end?

The following year after Lockdown, a day or two later the girl was pushed over - her knee completely ripped to pieces; her phone smashed and broken. However, on the Friday that week whilst walking to the office a male teacher called out across the playground while she was walking to the office "What are you doing? Going to get another pad?" The girl barely attends school anymore.

This is generation to generation poverty being reinforced often by people supposed to help. These two incidents are just the tip of the iceberg and I could speak in detail on many more.

Mr Mark Latham, then Federal Labor leader wrote on 21 June 2004 "I see excellence in public education as the very best way of ensuring that every child in our society gets the chance to fulfil his or her potential in life. And for the poor, for the most disadvantaged in our society, it's their passport to opportunity."

8. Staff Development Day 1: Making Fun of Suicide

It was no surprise that the on Day one of Term 3 time was so badly spent on anything but developing strategies for teaching and learning. I was appalled to see a number of Local High School staff making fun of the presenters during a Suicide Awareness seminar. This caused great distress to me with my own personal and sad background at the school.

However I was angry – because in the previous month a year 8 student was carried away in an ambulance after a bloody and gruesome major self-harming incident, to never return to the school. That was just one of three ambulances called in one week for such events. What toxic culture could ever think suicide or near suicide was amusing in any way?

I was shocked a week or two later when the Principal was visibly distressed and shaken and told the full staff how numerous members had been caught in an email thread making fun of suicide and the presenters of the seminar. She remarked it was unprofessional and so out of character with them all and she could not understand it.

The exact same day on the school calendar the following year a Head Teacher made a post on Facebook which reveals that a number of staff played a game making fun of Paedophilia, or at the very least it has been dismissed by one senior staff, that they were ridiculing another highly respected Department of Education staff member from a nearby site.

A former teacher of mine told me that often such games could be played similar to “Mad Mondays” for footballers, but so rarely would they be caught and two years in a row!

9. Pettiness: Teacher Appreciation Day, Buddy Week and School Captaincy

a) Teacher Appreciation Day

In late 2019 I received @ 20 letters from students, more than 3 times the next staff member.

The following year, the day was micromanaged with numerous rules. My year 7 son recalled just some of the instructions read. It was done in weekly indoor roll call; one piece of paper to each student; it had to be completed then and had to be written to a teacher they had. If any to a former teacher who was not at the school now, they would be thrown in the bin.

a) Buddy week

Around this time the school had “Buddy Week” where staff were nominated from the list to perform random acts of kindness for another. This included buying gifts or leaving notes for them. The purpose was to create inter-faculty friendships. At the end of the week if you had not guessed who your “buddy” was, then it would be revealed to you at the staff meeting.

However, the week went by and no “buddy” was ever revealed. I was left with a feeling of alienation and the activity certainly defeated the purposes. Questions and specific emails later provided no answers – and it was obvious my “buddy” wanted no friendship.

b) School Captain

Another bizarre incident I recall was being called to the Office where a Deputy Principal said that a student’s Mother complained I was always saying that I used to be School Captain. I replied that I had not mentioned that for more than a year. I added that when I first came to the school, students would ask “Have you ever been to this school before?” I would simply reply “No....but actually I have in a different time. I used to be a student here. In fact I was School Captain.” That caught on and sometimes they asked “Weren’t you School Captain or something?” I was given the order: “Well, don’t you ever mention it again, Okay?”

10. Treatment of other staff

The ill-treatment of staff is well discussed. There have been so many examples, but I will discuss some of the worst. I am speaking on their behalf in the hope that such independent further inquiry will allow others to come forward – which in turn will allow the NSW Government to hear first-hand why they *really* have a shortage of teachers.

a) The Wait for Positions

One of the first things I noticed was hearing about teachers well into their 20s and 30s who had been there for the best part of a decade. I can name one male and one female both whom had been in welfare roles as year advisers. They are the exact, near perfect role model a system could ever hope to have – but no sign of any permanency in their position. In some cases teachers had to do an additional Masters in a specialist area to get a position.

b) Sexual Harassment of First year out female

A first year out female teacher was given sexually explicit language and advances from a male student. She reported this to a Deputy Principal who immediately questioned her about her classroom management, instead of ringing the boy's parents and explaining this behaviour is not on at this work site – nor will it likely be acceptable in his future. Instead of being supported, a short while later, someone got online and the victim herself ended up subject of a Professional and Ethical Standards (PES) investigation. She left the school.

c) Made to feel like Terrorists

Two young female teachers were talking during a full school assembly in 2020. They are both Muslim ladies who wear traditional attire. Most of the staff often had a good morning chat quietly for a moment or two – so it was not unusual. It is part of our natural “well-being” – something realised when we could not communicate face to face during two subsequent lockdown periods.

A Deputy Principal walked up to the two of them and loudly told them to “Stop Talking”. She then turned around a moment or two later and asked a question “What were you talking about anyway?” There were numerous other teachers talking. The two of them and numerous staff were disgusted how the two were singled out and belittled in front of other staff and a large percentage of students. Many staff commented that the two ladies were made to look like some kind of “terrorists”.

d) Former Teacher [Position withheld]

At a P&C meeting early in 2021 a matter arose about a former teacher in a position at the school, who had left at end of 2020. A Deputy Principal said “Yeah! We got rid of him.”

Fortunately, they were immediately ruled out of order by the Chairperson. So Disrespectful. He was there for several years. He might be without work now. That kind of rudeness was uncalled for in front of parents. However, it is the kind of combatant us against them management style and disposability of teachers at this school.

e) Filming of Teachers

Despite all the issues raised by the School itself, they allow students to keep mobile phones during the day. There is one instance of a male teacher filmed without their permission and that being used against him.

All five teachers from b) to e) were all of non-Caucasian origin – more than likely to be the first generation born in Australia, and also likely to be the first generation in their families to attend university. Teaching is often the choice of first generations to attend university.

11. Top heavy Management in terms of money and decision-making

These teachers have little voice. They have committed five years of their life without any awareness of the top heavy management, often described as “up high” who can unload against them for one mistake, or use them in their interests to cover their own mistakes.

It is a culture where it is beyond merely bullying for fun, but seriously de-humanising another person’s whole five year commitment; the goodness they might have contributed; their reputation; their mental health and their livelihood – and in my case have attacked my family. My wife, Mrs Melissa Molloy has made a submission to this inquiry about this matter.

The brutality by senior staff was not reserved merely for out-of-line staff or “bad” students. A student who was a model student, excellent results all round and impeccable behaviour complained about a comment made in class. This escalated to the local Director.

It is a widely known story around the school that a Deputy Principal remarked “I’m going to get this F***ing little bitch”. The “get you” revenge culture was always simmering ready to flare up if a student or teacher ever dared to stand up for themselves or for somebody else.

Staff are seen as just as dispensable, to be hit hard for any hint of rebellion whilst the executives reward themselves with spending money on themselves.

12. Financial Muscle

I often wondered what went through the mind of early career teachers who could not get a permanent position, were overworked with additional lessons as Casuals were unable to be found by late 2019. House prices soaring - their security in life must seem light years away.

However, reminders were often rubbed in the faces with special days out and even stays overnight for those “high up”. Senior Executives frequently had “planning days” otherwise known as “conferences” at the Four Seasons Hotel, Circular Quay - likely staying the night.

In the last week of term 4, all Head Teachers were dragged into the city to join them. One of them complained besides a total waste of monetary resources – it was a waste of time and there were far more productive uses within the Faculty planning for the next year. S/he said words to the effect “By the time I drive to the station, find a parking spot, walk to the station, wait for a train and travel in - it’s a complete waste of time. I could much better use the time.”

In July 2020 Senior Executive attended a conference at a local workers club which does not have accommodation, but they were staying overnight. It is less than 2km away from their regular work site. There was at least one of these trips away every term.

A Director responded on behalf of the Minister in regards to “...expenditure of public monies at the Four Seasons Hotel, it is common practice for executive members to meet off-site for a professional learning activity.” This is something most other local schools do in their own libraries. If “common practice” in 2200 schools – the cost to the budget must be profound.

I have written this at the end of a bitter, wind-chilled winter, when a walk around the local area I see growing numbers of people sleeping in cars, or in parks. These people either cannot afford or cannot even find homes to live in - yet people on triple figure incomes enjoy free sleepovers and likely all kinds of travel and other allowances care of Ms Sarah Mitchell.

It is demoralising to parents and students to think how much better this money could be spent. In 2019 a Deputy Principal told a staffroom of mostly younger staff “A few years back, we all went to the Hunter Valley for the best part of a week, and we sampled almost every bottle of wine imaginable”. S/he had previously remarked “We have to go offsite because we cannot consume alcohol on site....even if it’s like a pupil free day.”

Many of the dedicated, young teachers, buy resources for students out of their own pockets to help their teaching. Some of them appear at P&C meetings to ask them for funds.

13. Decision-Making Muscle

The same Executives who enjoy unlimited decision making powers have the ability to ruin a person’s reputation; their income; their health and mental health; their whole careers.

In early 2020, I returned to the School to complete a 9 week block in English. Using evidence from this and the Maths block I managed to move from Provisional to Proficient Accreditation. My son, Luke started at the school in year 7.

I decided to leave the school at this stage and take a break from it. There were many reasons for this, but the school had an email from me stating I was “suffering severe Depression”. In the 2 months that followed, I received texts from the Head Teacher who organises casuals asking how I was. A couple of replies stated “having dark times.”

14. Invite and uninvite

On the third day of Term 3 2020 I was texted and invited to work at the Local High School. I replied that I had worked out issues and was looking forward to it. An hour later a text came which apologised but advised the Senior Executive do not want you back at this stage. I complained about doing that when I was feeling better. I remarked it was the same type of “bullying and exclusion that I copped as a student at the school.” They replied that they were really so sorry, but it was the specific and current advice they had been given that morning.

There was no regard to my mental health and the statements they had in writing about it. They continued to text over the next two weeks, until I raised a question “What conflict of interest did they have?” I also texted they were acting against the students’ interests.

The Principal rang up and ironically commenced with “We’re worried about you!”. I reported three things being 1. The full context and background of the matter; 2. How a Deputy Principal was undermining classroom teachers and the school’s own discipline code – in fact encouraging a bullying culture. 3. They were also told about how the Deputy Principal had been abusive to me and how my wife and I recalled numerous things about their conduct.

15. Complaint about the deputy principal

I was told if I wished to make a formal complaint I could and that I would be interviewed by the local Director. This complaint was about the undermining of the school’s discipline code from which I reported 5 incidents and have 3 more that I could add to this.

The response came back to me and it had been given to another Deputy Principal. I had never been interviewed for any more information. I was not given any suggestion who I could present this to if I wished to reply. Not only did it defend every single point but the response made threats in writing that I could be got on codes of conduct for my complaint. I believed I made a completely factual, honest and detailed concern about the direction of one cohort.

It was astonishing to do a GIPA on the school and find a series of emails where the two appear to collude; and the second Deputy Principal offers to modify or change anything.

Two more important points are that one email reports that all my reports on the system might have been destroyed and could not be retrieved. The underlining factor was a response to one of the issues was that something like – again you were creating more work for him/ her.

The GIPA shows that one Head Teacher was likely not interviewed at all; a second Head Teacher had snippets used cleverly and a third teacher from a classroom was not interviewed. Further to this, a smoke screen was lifted to hide a specific room, which I later found a Daily Organiser to prove where it took place. I was only trying to improve the school.

I heard the next year that two to three weeks later after one of the incidents in the report a follow up resulted. In the same room, with the same class, with the same subject. There was a violent riot where Apples, rulers, dictionaries and much more were thrown all around the room. A couple of apples were stuck in the fans and there was well and truly a real physical danger to the students and teacher and a cost to school equipment. This Casual never appeared at the school again by choice or by blame. All a direct result of undermining me.

I now realised that my efforts to change the bullying culture were not appreciated because it was creating more work for this Deputy Principal and it was in their interests to remove me.

This cohort later disintegrated and by 2022 videos were being made that were publicly available online with students in school uniform, on school site, often in classrooms and context of lessons even. Videos included: making fun of blacks; humiliating homosexuals; discussing whether or not they would let Scott Morrison do something in their mouth; there were videos discussing various acts of Prostitution they would perform.

Whatever family, home or personal issues a student brings to a Public School – that is the block of time for them away from that - to be shown some kind of structure and stability and get a bit of learning, and as I quoted Mr Latham before - an opportunity for a better life.

16. EAP Counselling and the backdoor

The Head Teacher who had been my support person did not contact me again. Instead I received emails pestering me to “reach out” to this EAP Counselling. Ironically the three free consultations was one of the great things the Department has done for Casuals.

During the phone call I became extremely suspicious. The Counsellor began to rubbish me for making complaints on multiple Deputy Principals which I had, but I had only told her one.

She began to phish for legal angles I was planning to do and provide folksy legal advice. The specific information I could have sworn she must have just spoken to a Deputy Principal.

The lady began to make some outrageously crook statements – nothing short of an attempt on my mental well-being which took months to recover from. My wife and 24 year old daughter were stunned. It was mid-evening in a so-called clinical situation. I was vulnerable.

Further doubt arose, when something came up about a time and she said “You will.” I questioned “How do you know that?” She replied with “Sorry...I-I-I should not have said that.” Further questioning left her muddled.

Numerous follow-ups that reportedly went to the top, Ms Jenni George (former ACTU) were closed down. I do have an email which says the Counsellor admits she should not have said those things and should not have been asking my legal positions. It was short of an apology.

Other follow-ups discovered there is no mechanism to prevent any NSW Government Department employee sent for this to be sent to the same one whom, ie their supervisor they might be in conflict with has been sent to. However, apparently they have a “code of ethics”.

The situation continued to worsen when they admitted an employee might be specifically sent to a Counsellor of the Department's own choice.

Ms Wendy Lindsay, MP for East Hills told me in September 2021 that another constituent in her electorate had an extraordinarily similar occurrence, with same kinds of issues raised.

A Department of Education employee told me on 9 September 2020 "So what? We're not responsible for them!" This is the key again. All those years of commitment to become a teacher and mental health care is outsourced to a conglomerate to wipe their hands.

The idea that any worker in NSW could be sent to a company, conveniently in another State, and there is perhaps a backdoor liaison involving higher staff in their Department; the Counsellor and potentially the union is something that could warrant its own inquiry. The Teachers Federation is notorious for handling disputes on seniority lines first than merit.

A line of inquiry to find information with texts and emails in the GIPA resulted with me being told "compelling reasons" were raised that I should not be given a lot of the documents because I would discover the "processes behind the procedures".

17. Third restart and end of career for now

I made a third re-start to my teaching career at Another Local High School. I did really well and soon became highly respected by staff and students.

I had complete 41 days at the school. It was during this time I did the GIPA on the original high school to attempt to get explanation on items much worse than mentioned above.

On 31 October 2020 I met with a Member of the NSW Parliament and outlined concerns about many of the issues raised above and some much more serious. They promised my wife and I to try to organise a meeting with the Minister for Education, Ms Sarah Mitchell.

On 7 December 2020, a Facebook Message from them asked me to email it to their private email address. It was marked private and confidential and for their own eyes at this stage.

Eight days later, there was a threat made to our family home at 3.17pm on 15 December 2020 by a Head Teacher calling on behalf of the Senior Executive. My wife and son heard the phone call in our living room. A threat was made to get me, and to the safety of our son at the site. The caller stated that they were all furious about the GIPA I had undertaken (due on 23 December 2020) and numerous other things were mentioned – a list I can provide.

I was asked to give undertakings then and there that it was the end of my actions and that I would not take any legal action or report anything to the Minister. I was told "You know what happens to Whistle blowers don't you?"

The further contents of this story are reserved for now – other than to say that I have a matter in the Industrial Relations Commission which itself has revealed numerous issues in the conditions for half of the teaching workforce in the Department of Education.

I could not lodge the court papers until November 2021, and a hearing was set down for 25 November 2021. The Department lawyers lodged their paper work at 5.17pm the day before – more than seven days late. The Department lodged a Jurisdictional Challenge – that because I was a Casual I should have no right to get a hearing. The case I currently fight is for all workers really, but it highlights that teachers are seen by the Department of Education as merely the same grade as a McDonalds or Coles worker – who would not typically endure five years of specialised training at their own HECS expense and wide family support.

The hearing to see if I get hearing was set down for 24 February 2022 – but the Department of Education were four days late and blamed the train strike. It was deferred until 6 May 2022, where I raised many points and issues. The transcript of the appearance has the Justice refer to many things I raised as having no precedent.

After six months switching between temporary and casual status on the Maths block, the Department of Education claimed that they did not see that as six months in their eyes as there was no regular guaranteed work. It did not matter that I actually did it!

It was 12 weeks last Friday and I am still waiting for the Justice to deliver a decision on whether or not I get a hearing. The situation is pivotal as even gaining a hearing will clear the pathway for all kinds of workers to enjoy what should be the right of every worker.

The most critical points are: there is no internal review; there is no pathway to an external review and with half the teacher's work force not guaranteed the matter to be tested in a court of law – it is an **Open Invitation to get someone**, or at least ensure they will comply to a certain culture the school has. It has created two classes under law in the one "profession".

The situation has been worsened because I had to place my lawyer on the "back bench" as they were rung up for non-offer to be made; they were sent documents that were agreed at first hearing to be only sent to me and more. I had to appear myself against a Senior Counsel.

A good teacher friend of mine said to me "If I had been in your position, I would have been screwed. God, almost every other teacher I know with a mortgage or rent would be too."

The conciliation offer has been made to meet with the Secretary of the Department to present certain documents, but this has been refused.

Recommendations:

Failing this, surely legislation should be enacted that in recognition of Teachers whom struggle to be seen as Professionals – but need to complete five years of training and ongoing Professional Learning and completion of Mandatory modules, that should a dispute arise, that the contents of such, there will be no challenge to let them test it in a court of law.

18. Inflexible and slow process to move between systems

If a Teacher decides they do not want to work for say the Department of Education and wish to work with Sydney Catholic Schools they find the similar kinds of problems that have now been solved in switching between Banks.

Recently I was quoted six weeks to obtain a Statement of Service from the Department of Education; and in turn Sydney Catholic Schools said that it would take approximately six more weeks.

In the classic "supply and demand" that Department heads love to talk about, in future times with teachers available, if there was not enough work for a first year out in one system, so they wanted to apply to work for another system – this could be one whole School term and a holidays on top. This is hardly the speed that is needed to shift labour to where opportunities exist or where they would prefer to work.

19. Failures of Educational and Ministerial Leadership

In the past two years there has almost not been a fortnight pass without a new scheme which will solve the Shortage of Teachers: higher pay for performance; schemes to fast track people from other professions; incentives to move to regional areas – the list goes on.

While writing this submission alone, on Sunday 17 July “*Fast-tracked citizenship could lure overseas teachers to Australian classrooms*”. (*Daily Telegraph*)

This followed with a Portfolio Media Release from Federal Education Minister Mr Jason Clare on 22 July “*Education Ministers to focus on teacher shortage*”.

By 28 July “*NSW to ‘chase and recruit’ public school teachers as private sector snaps up graduates*” (*Sydney Morning Herald*).

Teachers contemplating quitting see articles like this and are reminded that they are really merely *replaceable commodities* – if need be they can be substituted by a foreign worker. It is a reminder that they are not valued and the failure of Departments and Ministers to truly find out and elaborate on issues that I have raised above leaves them more disheartened.

On 12 August when Mr Clare meets with 8 State and Territory Ministers – only one from the nine Ministers will have worked as a Teacher, the Hon. Dina Eva Lawler, in the Northern Territory. The eight others will have trained and worked as lawyers; union organisers and as a political staffers or a combination of these three occupations. 8/9ths of the room will have never taught a day in their life. In all but 1 and possibly 2 cases, the Chief Executive of the eight departments are equally devoid of a day’s work as a teacher. It is an echo-chamber.

They will be drip fed at the meeting by a stream of experts inside the “tent” with nobody game to speak out on the real problems. The *Australian Institute for Teaching and School Leadership* already jumped with joy and stated “The solution to teacher shortages is not a quick fix, but by analysing both supply and demand...” (*Campus Morning Mail* 25 July 2022)

Increasing the supply with new people studying and shipping them in from overseas is a one dimensional view that again portrays teachers as merely bit players in the McDonaldisation of the system which is becoming increasingly more centrally streamlined and controlled.

This thinking is the kind that sees through all levels of the Department down the lines to School Executives that staff are replaceable commodities. About half of the NSW Public School teachers are casual or temporary and often switch in between within a year. They understand their fragile positions very well.

The reality is generally as a Society we do not value Education like other countries do. Therefore, it is no surprise the shocking stories one hears about the treatment of teachers by students, parents but even worse the psychological damages done by higher staff who have enormous unchecked powers to destroy people.

No amount of pay and better teaching and preparation conditions could compensate for the organisational set up of the Department of Education. It is a Dinosaur – slow moving and archaic, and oblivious when it comes to actually valuing its people.

The politicians lack real leadership, understanding and an ability to listen. For instance at the end of 2021, the Canterbury-Bankstown Teachers Federation picketed outside Ms Wendy Lindsay, East Hills MP’s office. Ms Lindsay eventually met the four dozen or so local teachers. She looked them in the eye and claimed that she was not even aware of any shortage of teachers across NSW.

How undervalued these people must have felt.

Recommendation 1: Leaders should see the situation first-hand

These 14-15 other people should get themselves trained as Teachers Support Learning Aides and have the courage to enter classroom nominated by a committee where there have been all kinds of socio-economic issues. They can see issues at the coalface themselves unfiltered by Principals, Teachers and Educational experts often with their own agendas.

Recommendation 2: Leaders should meet with former teachers and face the facts

The morning radio news on 2GB (24 July) discussed this meeting as expected to raise the issues of “pay and conditions”. I am sure that there will likely be zero *former* teachers in attendance to raise any of the issues why they are no longer teaching.

The radio news continued with “50 percent leave within the first year”. Have these leaders ever thought of asking for submissions and have follow up meetings with such teachers?

Any teacher who is inactive over a period of 24 months – should then be asked to undertake an in depth qualitative study, written, phone or face to face interview – paid and all.

There is a “Tell Them from Me” Annual Survey for Department of Education staff. Most Staff are too scared to do it, because any real issues elaborated on would reveal the School and other staff. Besides many are certain the extremely long tracking link contains a means to identify them. The survey effectively is a non-survey.

20. Fast Stream or Stop Gap?

One recent program has been to offer talented younger staff the opportunity to Fast-Stream their career and move to Head Teacher, Deputy Principal and Principal positions at much younger ages. This is so they can enjoy higher pay, but also so that under seniority in the past by the time someone became a Principal it was just to see out their final years versus younger people would have longer term planning at their hearts and lots of energy.

However, in practice, some comments made by family and those I have seen on online groups have said high schools often use them in practice being gate kept from doing real leadership tasks and to fill gaps in for teaching staff instead.

An example is having to do roles that they were not asked to do; unfulfilled promises in terms of taking up leadership where they have any decision-making – there is no actual experience in leadership roles. The “leadership” is often co-ordinating information pieces between staff themselves who are doing extras to cover for a missing staff member.

21. A House of Cards

To think that a Temporary one term or full year contract in NSW is not entitled to test a matter in the Industrial Relations Commission. To think a Casual “might” in some fortunate circumstances get a hearing – this is half the Department of Education’s workforce!

A Solicitor said that is a standard situation with the “Casualisation” of the work force. You are provided leave loading and all to cover such events. Really? Not enough. This might be fine for a job one has invested a handful of days training for and sometimes been paid for such training – then it’s understood they are disposable to each other. There is usually little time commitment by either party invested in the job or career.

However, the Department of Education have ignored for years the long term need to provide long term certainty by means of Permanent positions to cover Economic cycles.

This instability is one thing which twenty and thirty something's grin and bear. However, if there is a dispute, there is no internal review; there is no clear pathway to an external review such as the Law Society for a Solicitor struck off and then because of the refusal to provide half their work force with Permanency – these people could be stranded mid-life without work, having to study again with a family of their own to support – and the situation never tested independently by a court.

The fear of this is not only an invitation to get someone, but to persuade or to control staff to overlook things such as bullying cultures happening between students, or between staff or overlook even worse situations. It is a leverage to enable bullying with no right to fight back.

The crux of the house of cards is that to become a teacher, they spend Five years of time studying and not working full-time; all that HECS debt and relying on family support. This is a substantial commitment. The lack of commitment back is what will collapse the system.

The more who have heard this story the more who would never want to become or support their child to become a teacher. How can we permit somebody to suffer such economic loss and many decades future lost earnings with no recourse to have it tested in a court of law?

There are no checks and balances at any stage of the process. If a more senior staff member threatens to “get you” they will “get you”. If they do something wrong in the early stages, there is not a Stop and return to that stage.

Recommendations: In return for five years study, HECS and family support provide an internal review and/ or a funded pathway to external review perhaps by NESAs. After this if needed, then do not lodge jurisdictional objection to avoid having a matter being tested independently by a court of law.

Surely, in a time with a shortage of teachers it would be in the public interest to find out by internal or external review or court hearing if there was a mistake made. What is there to be afraid about – finding out one was wrong?

22. Conclusion:

We have a system which has had record funding year upon year; but the student's results were already in rapid decline before the shortage of teachers.

On tonight's TV news (31 July 2022), as predicted earlier in the submission the NSW Government announced yet another plan to solve the shortage of teachers problem. This one is to ask for parents to go into schools and take administration work off teachers. This now joins the three ideas raised in section 19 since 17 July 2022. Four ideas in a fortnight!

We can talk about the clichéd “pay and conditions” equal to the “cost of living” phrase in the 2022 Federal Election to show that we are listening to the problem. However, real leadership is needed to address long term structural power imbalances and start talking to former teachers and as many as they can.

We do have a hidden underbelly of bullying and torment which goes unchecked. A system where abuse by senior staff can at extremes include disciplinary action on lower staff where they have no internal review, external review and no guaranteed right to test it in a court. It is a power balance to cause stress, anxiety, under performance and such abuse causes many to leave the profession.

*** I wish to appear in person at any hearing to provide any further information, where I would not represent any of this but be available to answer questions.