

Submission
No 248

**INQUIRY INTO TEACHER SHORTAGES IN NEW SOUTH
WALES**

Name: Name suppressed

Date Received: 1 August 2022

Partially
Confidential

Parliament submission concerning teacher shortages

former teacher

(I currently have problems accessing staff emails)

Background

NSW DOE for 25 years. Was permanent teacher at _____ until dismissed in April 2022 for misconduct and noncompliance for under covid 19 DET coercion.

In essence many of the shortages can be contributed to current staff for non-compliance pertaining to DET covid 19 policies. The actions of DET and PES were draconian in their enforcement and no alternatives were made to accommodate staff except for dismissal.

Worked at many locations in NSW and especially hard to staff schools in Western NSW

Terms of reference:

- Impact of workplace mandates
- Impact related to Covid 19 and impact of government responses
- Current teacher shortages

Impact of workplace mandates

Adverse effects of the August Mandates

- Psychological damage to motivation and wellbeing, lack of confidence and faith of employer
Emotional duress placed by employer coercion to take vaccinations while on approved sick leave.
- Financial hardship- suspended pay (LSL) for 4 months relying solely on my own savings.
-mortgage stress and repayments
- Professional damage made by DOE – placed on never to be employed list, misconduct association with paedophiles and drug dealers (now a member of NSW Parliament)
- Community estrangement- seen as/perceived as antivaxxer and discriminated for making an informed choice regarding my personal health
- Discrimination- DOE has allowed teachers on misconduct to return yet I have been dismissed April 11 due to timing processing before May 13 2022 PHO lifted.

The malfeasance and bullying practices of PES and Department of Education

NSW was in no position to dismiss me at any time and apply the unlawful term of misconduct against my person and professional reputation. These measures for whatever notion conceived by the DOE were intended to instil fear through control and manipulation.

Timeline:

Approved sick leave from October 21 to December 17- The Department continued to harass me and continue by investigating me for misconduct of non-compliance of Covid 19 directions.

According to Section 8.4 Covid guidelines which clearly shows that staff could attest upon their return to the work site, yet DET persist with their campaign of victimisation. In good faith I told the DET my status as well as notifying Yvette Cachia and Paul Humphries the reason why I could not make an informed decision due risk assessment not being met on behalf of Red Union.

8.4 DOE Vaccination Guidelines - Staff who are currently on a period of leave that spans 8 November 2021 are required to prioritise getting vaccinated as soon as possible. Staff in this circumstance will need to ensure they meet the requirement to be fully vaccinated or, if medically exempt, obtain a medical contraindication certificate from a medical practitioner before returning to their school site after leave.

PES staff, notably Darryl Currie and my investigator continued to monitor my emails and persist with the investigation. DET have treated their staff as criminals yet are probably violating Crime Acts through their investigative practices as well as Privacy Act violations, e.g., Vaccine status attestation to a body of bureaucrats.

Long service leave approval for terms 1-2 2022 – this was approved in October 2021; however, it was removed by DET due to being under investigation. I could have returned to my substantive position after my Long Service Leave by Term 3 2022, however DOE chose to charge with me with three counts of misconduct and terminate a staff member when there are serious staff shortages.

October – November 2021

I sought risk assessments throughout this time to the following DET instruments through Red Union to gain informed consent:

- Principal of Toormina High – stated it was DET’s jurisdiction basically fobbing it off
- Director of Health and Safety DET Dianne Van Berlo - issued with two requests for vaccination risk assessments and failed to provide me or consult about the aforementioned, therefore no meaningful consultation was forthcoming.

NB: NSW DOE’s current panic to back fill risk assessments should be scrutinised for their legality by any current commission.

January 2022- Show cause meeting with Darryl Currie and Rob Easton (PES) Outlined my case and failure of DET to consult re: COV 19Vaccine risk assessment. At the conclusion of this meeting Darryl Currie also recommended he would be emailing staff as a means of recompense to undertake Novavax vaccine and investigations would cease (I can provide an audio copy of this meeting)

April: Dismissed officially by PES signed by Darryl Currie

May- PHO lifted and dismissal 'process' placed on hold, yet my dismissal was upheld?

June -I enquired to PES with Rob Easton claiming that all those who were dismissed prior to PHO date. Therefore, why was I placed on hold? This again highlights the incompetency and ruthlessness displayed by this current administration.

July- I have lost my permanent position yet DET say I now must reapply and what of my charges of misconduct?

Nothing short of a public and personal apology and reinstatement to my former position should be demanded of the malfeasance undertaken by NSW DET.

Case studies and evidence

My concern here is DOE and NSW Teachers Federation are failing to highlight the current impacts made by standing down and dismissing staff. Both entities are claiming its on-going variables (Gallop Poll), yet clearly the exclusion of non -vaccinated staff from their rhetoric is impacting learning across the board.

1. Case study Toormina High- A meeting was held at Toormina High School with state MP National Party, Gurmeh Singh and NSW teachers' federation to address the staffing 'crisis '. (see transcript below)
2. Numbers of non-compliant mandated staff numbers underrepresented in Senate committees from Feb to April 2022
3. Gallop study- shows ongoing systemic problems inherent in DOE's mismanagement of sustainable management of staffing.
4. NSW Senate committee (Hansard- Feb -April 2022)- highlighted misleading of parliament by Georgina Harrison regarding DOE directions applying to only corporate staff?

PORTFOLIO COMMITTEE NO. 3 – EDUCATION Wednesday 2 March 2022H committee regarding staff shortages without clearly addressing that vaccinated staff were contributing to staff shortages alongside those that were stood down or terminated:

The Hon. SARAH MITCHELL: That is right. In terms of the different questions that you asked, Chair, it was a combination of that COVID contingency that we said we had—our workforce on standby. I would say respectfully that there were concerns about teachers being unwell, themselves having COVID and then not being able to be at school. So, there is that issue. There is also the teacher supply issue, which is part of our Teacher Supply Strategy, which is where we were looking at things like mid-career and overseas. In your question, there were a couple of different staffing mechanisms, so that is why we tried to be honest about that in the answer. But, as I said, we are happy to provide you some more specifics.

The CHAIR: There was no answer. You cannot be honest about a non-answer. There was no attempt to answer it

Recommendations:

1. Royal Commission – undertaken into NSW DOE's criminal treatment of its staff through the PHO.

The conduct of NSW DOE needs to be defined in the violation of its own policies and practices; Code of conduct- bullying and coercion, Violation of Human Rights, Criminal Act NSW and NSW Privacy Act.

Investigation of misconduct by DOE executive and its entities- PES, The former Chief Peoples' officer Yvette Cachia, Secretary DOE- Georgina Harrison and DOE Health and safety executive.

2. Full reinstatement and compensation to staff affected by the malfeasance practised by NSW DOE.

3. Gallop study recommendations to be addressed to account for teacher shortages

4. The role of NESA and its inroads to publication of staff register is concerning.

5. The role of vaccinations have waned in their efficacy and have negligible effect on reducing transmission, and as a consequence vaccinated staff are succumbing to transmission readily. Current data from NSW Health and VAERS (See attached data sheets)

Yours sincerely,