

PORTFOLIO COMMITTEE NO. 3 – EDUCATION

Wednesday 27 August 2025

Examination of proposed expenditure for the portfolio areas

EDUCATION AND EARLY LEARNING, WESTERN SYDNEY

CORRECTED

The Committee met at 9:15.

MEMBERS

Ms Abigail Boyd (Chair)

Dr Amanda Cohn
The Hon. Anthony D'Adam
The Hon. Rachel Merton (Deputy Chair)
The Hon. Tania Mihailuk
The Hon. Sarah Mitchell
The Hon. Peter Primrose
The Hon. Emily Suvaal

PRESENT

The Hon. Courtney Houssos, *Acting Minister for Education and Early Learning, and Acting Minister for Western Sydney*

CORRECTIONS TO TRANSCRIPT OF COMMITTEE PROCEEDINGS

Corrections should be marked on a photocopy of the proof and forwarded to:

**Budget Estimates secretariat
Room 812
Parliament House
Macquarie Street
SYDNEY NSW 2000**

CORRECTED

The CHAIR: Welcome to first hearing of the Portfolio Committee No. 3 - Education inquiry into budget estimates 2025-2026. I acknowledge the Gadigal people of the Eora nation, the traditional custodians of the lands on which we are meeting today. I pay my respects to Elders past and present, and celebrate the diversity of Aboriginal peoples and their ongoing cultures and connections to the lands and waters of New South Wales. I also acknowledge and pay my respects to any Aboriginal and Torres Strait Islander people joining us today or watching online, along with the hordes of fans watching the budget estimates hearing. My name is Abigail Boyd, and I am the Chair of this Committee. I welcome Minister Houssos and accompanying officials to this hearing. Today the Committee will examine the proposed expenditure for the portfolios of Education and Early Learning, and Western Sydney. I ask everyone in the room to please turn their mobile phones to silent.

Parliamentary privilege applies to witnesses in relation to the evidence they give today. However, it does not apply to what witnesses say outside of the hearing. I urge witnesses to be careful about making comments to the media or to others after completing their evidence. In addition, the Legislative Council has adopted rules to provide procedural fairness to inquiry participants. I encourage Committee members and witnesses to be mindful of these procedures. All witnesses will be sworn prior to giving evidence. Minister Houssos, I remind you that you do not need to be sworn as you have already sworn an oath to your office as a member of Parliament.

CORRECTED

Mr MURAT DIZDAR, Secretary, NSW Department of Education, affirmed and examined

Ms DEBORAH SUMMERHAYES, Deputy Secretary, Public Schools, NSW Department of Education, affirmed and examined

Mr MARK BARRAKET, Deputy Secretary, Early Childhood Outcomes, NSW Department of Education, affirmed and examined

Mr JEREMY KURUCZ, Acting Deputy Secretary, Education and Skills Reform, NSW Department of Education, affirmed and examined

Mr DANIEL FRENCH, Acting Deputy Secretary, Strategic Priorities, NSW Department of Education, affirmed and examined

Mr MARTIN GRAHAM, Deputy Secretary, Teaching, Learning and Student Wellbeing, NSW Department of Education, affirmed and examined

Ms LISA HARRINGTON, Acting Deputy Secretary, School Infrastructure, NSW Department of Education, affirmed and examined

Mr PAUL MARTIN, Chief Executive Officer, NSW Education Standards Authority, affirmed and examined

Mr SHAUN RUMING, Chief People Officer, NSW Department of Education, affirmed and examined

Ms MELINDA McCABE, Acting Chief Operating Officer, NSW Department of Education, affirmed and examined

Mr NICHOLAS BACKO, Acting Executive Director, NSW Early Childhood Education and Care (ECEC) Regulatory Authority, NSW Department of Education, affirmed and examined

The CHAIR: Today's hearing will be conducted from 9.15 a.m. to 5.30 p.m. We are joined by the Minister for the morning session only, from 9.15 a.m. until 1.00 p.m., with a 15-minute break at 11.00 a.m. In the afternoon we will hear from departmental witnesses from 2.00 p.m. until 5.30 p.m., with a 15-minute break at 3.30 p.m. During these sessions there will be questions from the Opposition and crossbench members only and then 15 minutes allocated for Government questions at 10.45 a.m., 12.45 p.m. and 5.15 p.m. We will now commence with questions from the Opposition.

The Hon. SARAH MITCHELL: Thank you, Minister and officials, for being here today. Minister, I wanted to, at the outset, acknowledge that you're here in an acting capacity, and send our best wishes to the Deputy Premier. We hope she's back with us soon. In the meantime, we'll be directing the questions to you. We'll see how we go.

The Hon. COURTNEY HOUSSOS: Thank you very much, Ms Mitchell. I was going to ask if we could note her apologies today. We know that there is nowhere else that Prue would actually rather be than here today talking about the amazing reform program she has underway. I think anyone who heard her on radio last week can tell she's championing at the bit to get back once her treatment's completed. I really appreciate the kind words. If we could formally note her apology, I think that would be a nice gesture.

The Hon. SARAH MITCHELL: Absolutely. Can you tell me how much was spent from the Childcare and Economic Opportunity Fund in the last financial year?

The Hon. COURTNEY HOUSSOS: I can, and I would like to thank you for the question. This is obviously in relation to early childhood and early learning. There is a lot of scrutiny in this particular part of the portfolio at the moment. If you'll just bear with me while I bring that up, I can give you some details. At the moment, we are in the process of rolling out the Flexible Initiatives Trial.

The Hon. SARAH MITCHELL: Minister, I've asked a pretty specific question: How much was spent?

The Hon. COURTNEY HOUSSOS: Yes, sure. I'm happy to come back to you on the specifics of that.

The Hon. SARAH MITCHELL: The budget papers show—I'll help you—it was \$75 million, but there was actually \$330 million allocated. Why was there such a massive underspend in that fund?

The Hon. COURTNEY HOUSSOS: In relation to that particular fund, that was obviously a fund that you, or your Government, established when you were in office. We are being careful about how we spend that money. You know, Ms Mitchell, that we are very careful about how we spend public money. So we are rolling out the Flexible Initiatives Trial, and we'll be considering carefully about where we spend that money in the future.

CORRECTED

The Hon. SARAH MITCHELL: There's a \$400 million allocation in this financial year because you have been sitting on hundreds of millions of dollars for the last two years since you came to government. We have a childcare situation at the moment in New South Wales where many would say the early childhood education sector here is in crisis. Why are you sitting on close to half a billion dollars of money that could be spent expanding and investing in high-quality services for parents?

The Hon. COURTNEY HOUSSOS: I would say, Ms Mitchell, that this is a problem that fundamentally will be changed by regulatory reform first, before spending or frittering money away. I want to be really careful—

The Hon. SARAH MITCHELL: Why are you not allocating the money?

The Hon. COURTNEY HOUSSOS: Ms Mitchell, this is a really important question—

The Hon. SARAH MITCHELL: Yes, it is.

The Hon. COURTNEY HOUSSOS: —if you'll just let me answer. This is something that the Government—and I should just say the Deputy Premier has been working on this process for years. One of the first things that I did in acting in the role was release the Wheeler report, which is showing the Government's response. The Wheeler report was commissioned, as you would know, by the Deputy Premier in February.

The Hon. SARAH MITCHELL: I'm not asking about the regulatory space. I'll get to that in a minute. I'm asking about a fund that has been allocated and had bipartisan support, introduced by the former Government. You've got parents crying out for high-quality care. They want the dodgy operators shut down. Why are you sitting on almost half a billion dollars of funding that could be invested in high-quality early childcare centres?

The Hon. COURTNEY HOUSSOS: This is where I was explaining—you rightly outlined that there is concern from parents. One of the key things that I said when I announced the Government's response—that was a result of work that the Deputy Premier had been doing on this for years—was that a key driving factor was about giving more transparency and more information for parents. That is a fundamental problem. Full credit to this Committee and to the upper House of New South Wales. It requires the arcane rules of the upper House to produce documents before parents actually know about what's going on in their centre.

The Hon. SARAH MITCHELL: Again, Minister, I'm not asking about that in a general term.

The Hon. COURTNEY HOUSSOS: Ms Mitchell, you're asking me about a fund that we are—

The Hon. SARAH MITCHELL: Yes, but why aren't you spending the money? Why aren't you allocating it now? What are you waiting for?

The Hon. COURTNEY HOUSSOS: Ms Mitchell, as I said, a key challenge that we are facing under national law that dates back 15 years is the fact that parents don't have the information. The regulator, under the national law, can't issue public information to allay those concerns of parents. So, before we start spending that money, what we're going to do is regulatory reform. Part of the package that I announced last week with the Federal Government was some funding to increase funding for the regulator to allow some additional frontline staff. That's an important step forward.

The Hon. SARAH MITCHELL: Again, we can get to that. With respect here, I'm quite specific on the fund. That's what I'm interested in asking the Minister about. My concern is that you say that there's information that's not available to parents. As the regulator—as the agency responsible—you know who the good-quality operators are and you know that you could be expanding options for families, and you're simply choosing not to do that. I do want to take you to some of the money that the fund has been allocated to. Can you tell me the two programs that you announced recently where some of that fund will be allocated to?

The Hon. COURTNEY HOUSSOS: Ms Mitchell, in your introduction then you said that we know who the good-quality operators are, and we should be expanding that. That's exactly what the Deputy Premier initiated before the election. There is a historic expansion of our public preschools that is underway at the moment, and that's the way that we are going to—

The Hon. SARAH MITCHELL: I'm talking about long day care delivery. Do you understand the difference between a preschool and a long day care?

The Hon. COURTNEY HOUSSOS: Ms Mitchell, of course I understand the difference between a preschool and long day care.

The Hon. SARAH MITCHELL: I want to take you to the two—

The Hon. COURTNEY HOUSSOS: This actually works better if you ask me questions and then I'm allowed the opportunity to provide answers.

CORRECTED

The Hon. SARAH MITCHELL: —programs that you announced the funding for.

The CHAIR: Order! If we could go a little more steadily, for Hansard's purposes.

The Hon. SARAH MITCHELL: Sure. Thanks, Chair. There were two programs that you announced funding for recently with Minister Harris under the fund. Can you tell me what they were?

The Hon. COURTNEY HOUSSOS: You want me to provide an update on the media releases? Is that what you—

The Hon. SARAH MITCHELL: I just want you to tell me; it's your media release. You said that there's going to be two programs that will be getting funding through the NSW Childcare and Economic Opportunity Fund. What are they?

The Hon. COURTNEY HOUSSOS: Sure, but before I get to the funding that's been provided, you asked me some pretty inflammatory questions in the previous one that I would appreciate the opportunity to respond to. Yes, it is true: The regulator might know who the quality providers are, but parents don't know who the quality providers are. It's worthwhile noting that this is a 15-year-old national law that has not been amended, that you did not—

The Hon. SARAH MITCHELL: Minister, you've already said that. That's not what I'm asking. I'm asking about your media release from a couple of weeks ago. You talked about a \$200 million boost, you're spending it through the NSW Childcare and Economic Opportunity Fund and there's a couple of areas where you're concentrating, including a couple of programs. I'm just asking what they are.

The Hon. COURTNEY HOUSSOS: You've got the media release in front of you.

The Hon. SARAH MITCHELL: But don't you know?

The Hon. COURTNEY HOUSSOS: I can provide you—as you can see, I've got plenty of notes here. If you've got the media release already, I don't know why you want me to provide responses, but I'm happy to. What exactly was the—

The Hon. SARAH MITCHELL: I'll give you two of the examples: the Ninganah No More program about Aboriginal languages for children in early childhood, and the Aboriginal Families as Teachers program. Both are excellent programs and both began in 2018. I wonder why, when you said before that you're going to be slow and steady with spending this fund and you need to get the regulations right, you're allocating money from this fund to existing programs. Why are you not just using your normal early childhood budget to pay for that? Why have you got to use the fund to just continue ongoing programs?

The Hon. COURTNEY HOUSSOS: There were about six or seven different questions there. Do you want to just ask me one?

The Hon. SARAH MITCHELL: You said earlier that you're taking your time with the fund because you want to get the regulatory reform right. But a couple of weeks ago you announced that you would be using that fund to continue business-as-usual programs that have been operating for many years. Why are you using the fund for that purpose rather than just funding those programs from existing revenue, as has been the case in the past?

The Hon. COURTNEY HOUSSOS: Sorry, it seems like your question is actually contradicting your earlier question, which said, "You know what the quality things are; why aren't you funding them?"

The Hon. SARAH MITCHELL: No. You've been saying you need to be slow and steady with the money, but you're now allocating existing programs' funding from that fund. Why are you not spending it on what it was designed for, which is to provide more quality child care for families who need it? Why are you funding business as usual through the fund? Is it because you don't have any money?

The Hon. COURTNEY HOUSSOS: Because we're in government now and we make the decisions.

The Hon. SARAH MITCHELL: Can you tell me how those two programs fit with the objectives of the fund?

The Hon. COURTNEY HOUSSOS: Sorry, I've got the media release now, if you want me to speak to it. An important part of our Closing the Gap approach is about working with Aboriginal community controlled organisations and early childhood services. This will join with the 41 existing services to establish 15 new services. We know—and you would know this, Ms Mitchell—the benefits of early childhood education, particularly for our most vulnerable children, and that's what this program will be doing.

The Hon. SARAH MITCHELL: I agree they're good programs. We funded them; they were established when I was the Minister. My question is how do you justify allocating the funding of those from the child care

CORRECTED

fund when it specifically has been designed to provide financial assistance for the purposes for the provision of affordable and accessible child care? How does it meet the criteria to be funded through the Childcare and Economic Opportunity Fund?

The Hon. COURTNEY HOUSSOS: I think there's a contradiction in your question there, Ms Mitchell.

The Hon. SARAH MITCHELL: No, I'm asking how it meets the criteria.

The Hon. COURTNEY HOUSSOS: You're saying these are great services that were funded under your Government—

The Hon. SARAH MITCHELL: Yes, but not through this fund. This fund was set up to provide child care in areas where it wasn't available and to invest in staff and services. What you're doing is repurposing business-as-usual programs under this fund when you should be allocating it to grow high-quality services.

The Hon. COURTNEY HOUSSOS: What we are doing is reprioritising existing funding sources to make sure that we have—

The Hon. SARAH MITCHELL: Right, so you're using this because you don't have enough money.

The Hon. COURTNEY HOUSSOS: No, Ms Mitchell.

The Hon. SARAH MITCHELL: Minister, I want to move to the—

The Hon. COURTNEY HOUSSOS: I'm sorry. I'm not going to let you make little asides and make accusations.

The Hon. SARAH MITCHELL: Well, you are. It's pretty clear.

The Hon. COURTNEY HOUSSOS: There's an inherent contradiction in the question that you're asking me, which is, "Why are you funding good services that we have funded in the past?"

The Hon. SARAH MITCHELL: Because we didn't need the separate fund to do it. We did it through our own revenue. You have to now tap into this fund because you don't actually have access to other money to be able to continue business as usual. In the meantime, you've got families waiting.

The Hon. COURTNEY HOUSSOS: No, that's not the case.

The Hon. SARAH MITCHELL: Can you tell me about the independent regulatory agency that's about to be set up?

The Hon. COURTNEY HOUSSOS: No, that's not the case. Sorry, Chair, if I could just—

The Hon. ANTHONY D'ADAM: Point of order: There was a question asked, and the Minister should be afforded an opportunity to answer before Ms Mitchell jumps to her next question.

The Hon. SARAH MITCHELL: Sorry, I'm very passionate about this area, Chair.

The CHAIR: I uphold the point of order. Please restrain your passion.

The Hon. COURTNEY HOUSSOS: In relation to the specific question that this fund is now providing 15 new services with Aboriginal controlled organisations across the State, we are expanding access for our most vulnerable children in partnership with Aboriginal communities. I would've thought that's something that you would support, Ms Mitchell.

The Hon. SARAH MITCHELL: Thanks, Minister. The independent regulatory agency that you have announced you'll be setting up, what specific powers will this agency have? How will they be stronger than what's already existing now?

The Hon. COURTNEY HOUSSOS: In relation to the question, it's in response to the Wheeler review that I was speaking about earlier. It's worthwhile noting that the Wheeler review was commissioned because last year the Deputy Premier issued an updated ministerial statement of expectations to the regulator. As a result of that, we saw an up in the number of inspections of early childhood centres. The expectation that the Deputy Premier outlined was that every centre should be visited every 18 months.

As a result of that increase in visits, unfortunately, we have to say, we saw an increase in the number of breaches. That's what prompted the Deputy Premier to commission the Wheeler review. One of the key recommendations out of the Wheeler review was that to resolve the perceived conflict of interest in the duties of the secretary of the department that both runs public preschools but also then is responsible for the regulator—the way to resolve that is to have an independent regulator that reports directly to the Minister. We're in the process of establishing that independent regulator, and we'll have more to say about that in coming months.

CORRECTED

The Hon. SARAH MITCHELL: You've said, though, publicly that the agency will have stronger powers and accountability. Surely you must know what that will mean in practice?

The Hon. COURTNEY HOUSSOS: One of the key things, as I said earlier, that is really driving the reform from our Government—and I have to say, after the meeting last week with education Ministers from around the country—is really a transparency for parents. There's a real sense of urgency across the country that we need to provide parents and the community with more information. As it stands at the moment, the regulator can't actually speak publicly about the actions that they're taking, so that would obviously be one of the key changes that we would want for the regulator.

The Hon. SARAH MITCHELL: Will they have more powers, for instance, to close down poorly performing services and bad operators than they currently have?

The Hon. COURTNEY HOUSSOS: Our position is that the best place to do this is through the national law. But as you would be aware, Mrs Mitchell, the national law is actually legislation that passes through the Victorian Parliament.

The Hon. SARAH MITCHELL: Yes, I understand that.

The Hon. COURTNEY HOUSSOS: I've been working closely with my Victorian colleagues and with the colleagues around the country. But I've been really clear that if we can't get national law reform, we will introduce it into the Parliament.

The Hon. SARAH MITCHELL: I've heard you say that. They're lovely words, Minister. But when you say this agency will have stronger powers, what does that mean in practice? What can you say to parents? Will that mean that you will have more power to come in and shut down poor performers? What will it actually entail, rather than just you wanting to work together with everyone—which is admirable, but when will we actually see the rubber hit the road?

The Hon. COURTNEY HOUSSOS: The rubber will hit the road when the legislation gets introduced in the Parliament.

The Hon. SARAH MITCHELL: Yes, but what are you going to do with that? What's going to be in it? What are the broader powers? What are the accountability mechanisms? How is the agency going to run? How will it be different to what's happening now, other than that it presumably won't be under the direct line of sight from the secretary? What will it mean in practice for families?

The Hon. COURTNEY HOUSSOS: You're finished?

The Hon. SARAH MITCHELL: Yes. I'd like an answer; that'd be great.

The Hon. COURTNEY HOUSSOS: The independent regulator, as I said, will report directly to me—or to the Minister, I should say—and that will be the first and most important thing that they can do. The other key thing—the immediate change that we have to get—is that the regulator is able to provide parents with more information. In relation to that, let me give you a real-life example.

The Hon. SARAH MITCHELL: That would be great.

The Hon. COURTNEY HOUSSOS: At the moment, if there is a breach at a centre, parents are not told about it. The community is not told about it. The only point of reference that parents have is the existing rating that is issued by the regulator or if a service is shut down. That is completely unacceptable, from my viewpoint, from our Government's viewpoint and, to be fair, from the Federal Government's viewpoint as well. Parents need more information, and we acknowledge that we've got a real challenge with parents. We want parents to feel confident whenever they drop off their kids at their local centre that they have access to a safe and quality centre. The way that we do that—a key part of rebuilding that confidence is about giving them information. If there is a breach at that centre, they should know about it. Equally, if a parent is looking for a new centre to take their child to, they should have access to more information than simply a rating that's done just once.

The Hon. SARAH MITCHELL: You said that this new regulatory agency will report directly to the Minister.

The Hon. COURTNEY HOUSSOS: Yes.

The Hon. SARAH MITCHELL: At the moment that's you. Are you saying that, when this is all up and running, the buck will stop with you or the Minister of the day to be responsible for the quality of these services?

The Hon. COURTNEY HOUSSOS: I think the buck always stops with the Minister.

CORRECTED

The Hon. SARAH MITCHELL: I want to take you to the issue of funding for community preschools, and particularly capital funding. Obviously, community preschools are not-for-profit, very important, very high quality operators. We've had a number of services reach out that are just completely dismayed that they cannot access any funding to support growth and additional rooms, particularly in the Upper Hunter. I want to call out Cassilis community child care, Gloucester preschool, Dungog preschool, Scone preschool and Muswellbrook community preschool. They all would like to be able to access some capital funding to help grow their service numbers, but there is none available to them. Why is there nothing for community preschools under your Government?

The Hon. COURTNEY HOUSSOS: That's the first time that you've raised these specific concerns with me, Mrs Mitchell, and I'm happy to take those specific services' concerns on board.

The Hon. SARAH MITCHELL: Why is there not a stream of capital funds for community preschool in this State?

The Hon. COURTNEY HOUSSOS: I have to say, I'm not sure if that's accurate. I might just pass to the secretary in relation to that. I know we provide ongoing funding for community preschools—a lot of ongoing funding for community preschools.

The Hon. SARAH MITCHELL: Yes, but I'm talking about—there used to be Start Strong capital grants that preschools could apply for. There were different rounds. There was urgency funding if they had a natural disaster, for instance. For a long time the sector knew that there were rounds of funding. For a period of time there was open funding that they could access to add an additional room and create more places, for instance. That was available across the board. It no longer is, and these services have wanted me to ask you today why they are not a priority when it comes to capital investment.

The Hon. COURTNEY HOUSSOS: I make this point to community preschools, because I recently had the opportunity when I was on the North Coast to meet with a number of fantastic local community-based preschools. They do really important work each and every day, and the Government does provide funding for programs. These are long-running, community-based organisations that have often serviced their communities for generations. The Government does fund community preschools, predominantly through program funding. But in relation to the question about capital, perhaps I'll just pass to the secretary, because I think there might be something he can add.

MURAT DIZDAR: I just want to acknowledge, Mrs Mitchell, the great work community preschools do. They're a very important part of the sector and have a good track record of service delivery. We did distribute \$8 million in payments in 2024-25 under the Start Strong Capital Works Program that you're talking about, and we do have a \$20 million provision for not-for-profit providers to be able to access.

The Hon. SARAH MITCHELL: Is that available to all preschools everywhere? Can they apply for that?

MURAT DIZDAR: I'll get Mr Barraket to give you the detail, but they're the high-level figures that I've got.

MARK BARRAKET: The recent round of Building Early Learning Places was a test and trial initiative from the Childcare and Economic Opportunity Fund and, as such, the board took the decision to look at areas of undersupply to use those funds to increase supply in areas of most need. It didn't cover all community preschools, but it was targeted to a number of geographical locations, with the aim of increasing supply in particular areas to respond to the independent market monitoring report.

The Hon. SARAH MITCHELL: But that didn't include the Upper Hunter, because those services are fairly unhappy.

MARK BARRAKET: I would have to take on notice the locations that it included.

The Hon. SARAH MITCHELL: If you could provide on notice where the areas were, that would be great.

The CHAIR: Minister, the Wheeler review that we were referring to previously—do you view that as a robust report and set of recommendations?

The Hon. COURTNEY HOUSSOS: I don't have any reason to doubt it. I would say that we respect the role that Mr Wheeler has played. I think maybe earlier I said that I announced the Government response; I should say I announced the initial Government response. You would be aware, Ms Boyd, that we've accepted those 12 recommendations, all of them in principle—

The CHAIR: As the initial—

CORRECTED

The Hon. COURTNEY HOUSSOS: —and announced five immediate actions as part of that. But it's a big program of reform, and we'd be happy to take it on board if you have further feedback.

The CHAIR: In the report, Mr Wheeler says:

In undertaking this review it is apparent that, given the obligations on the NSW RA under the Statement of Expectations and the National Law and Regulations, and considering the limitations on its powers under those instruments as well as the level of resources available to it—

that's a lot of qualifiers—

the NSW RA has been effective in the performance of its role.

How do you read that? Do you read that as meaning it has been effective as a regulator or it has not been effective as a regulator?

The Hon. COURTNEY HOUSSOS: I guess I'm really hesitant to pull out specific lines of reports and then provide reflections on them. I would say that a broader reflection on the role of the regulator from myself would be that it's hamstrung by the national law and that, at the moment, the regulator may actually take actions against individual services but can't speak about those publicly. As I said in response to Mrs Mitchell, I think that's a really key part of the transparency that parents deserve but also that the broader community deserves. Full credit to you, Ms Boyd—you compelled the production of these papers. But that's what it took in order to actually generate this information, and I just don't think that that's right. That's certainly what we're going to be doing through our legislation but also, if we can do it, through amendments to the national law.

The CHAIR: In what way, though, is the national law responsible for the regulatory authority failing to even go and inspect some of these services for 18 months to two years?

The Hon. COURTNEY HOUSSOS: As you're aware, there's a national law that governs the regulatory system that we have, but we have State-based regulators. They are governed by the national law, so, when I say it's hamstrung, it's unable to communicate that publicly.

The CHAIR: But is it a lack of powers or is it a lack of implementation of the powers that it has which has led to the widespread failures that we're seeing in the sector?

The Hon. COURTNEY HOUSSOS: Before I get to the question about the powers, what I might just go back to is when you said the expectation is that the regulator will visit every service every 18 months.

The CHAIR: No, the expectation is a lot sooner than that, I would think. I'm talking about what the average is.

The Hon. COURTNEY HOUSSOS: The statement of expectations—this is again where, as you know, it's very complex. There is the national law, but the Deputy Premier issued a ministerial statement of expectations to the regulator. One of our responses to the Wheeler review is that we will issue an updated statement of expectations. We're certainly working on that at the moment. That's where the 18 months figure comes from. But fundamentally the regulator operates a risk-based approach.

The CHAIR: I think maybe we're talking at cross-purposes slightly.

The Hon. COURTNEY HOUSSOS: Okay.

The CHAIR: Can we just get back to—we have the Wheeler report saying the regulator's doing a stand-up job. But, as you know, I've looked through over about 130,000 pages of documents now that show very clearly the regulator is not doing a stand-up job. I'll give you some examples, because I think that always speaks a bit louder than statistics. For example, we have a service, Busy Bees in New Lambton. They were "working towards" NQS. They were rated as "working towards" back in August 2021. In October 2022 they had their rating upgraded to "meeting" NQS. But in that period there were so many breaches of the rules, to the extent that when, in July, a show cause notice was issued to that service asking them why they shouldn't be cancelled, the regulator noted that, between 2020 and 2024, 13 compliance actions had been issued, compared to the sector average of two; 52 confirmed breaches were substantiated with 23 serious incidents and 14 complaints, compared to an average sector of 12 breaches and six serious incidents and three complaints.

This was a very poorly performing centre from the perspective of the people going out and—they're really quite horrific issues at that centre. Even just some very basic things: not having Working with Children Checks, insufficient teachers, no waivers, just having no ECTs on site, inadequate risk procedures, hygiene issues, really dirty premises. This went on and on, and yet we have then the ratings part of the regulator going in and upgrading them for their rating during that period. How on earth does that happen, and we still have a report saying, "Yes, the regulator in New South Wales is fine"?

CORRECTED

The Hon. COURTNEY HOUSSOS: Ms Boyd, I might pass over to the regulator to provide you—because those cases and that series of events is really concerning. I accept that. I'm not across the detail of each specific action that the regulator takes in each specific service. What I would say is some of those issues that you've raised are some of the issues that we were discussing at the education Ministers' meeting on Friday.

The CHAIR: But this isn't new. A lot of the frustration is that—we now have some responses from the Federal Government; that's great—none of this is new. We've known about this for years and years. But then New South Wales has commissioned a report that's come back and said that the New South Wales regulatory authority has been effective in the performance of its role—as though that's some big tick—but, hey let's do these little minor things like talk about CCTVs and the rest of it. Just on that particular—

The Hon. COURTNEY HOUSSOS: Sorry, with the greatest of respect, Ms Boyd, I would just not accept your characterisation of it giving us a big tick. I would take the opportunity to commend you for the work that you've done in producing the documents but then also matching them up. I just think it's really important to say—and I'm not alone when I say this; the Federal Minister said this on Friday—this reform is too late. It hasn't happened fast enough. The thing I would say is that this is work that the Deputy Premier has been on for years. It's true: We need reforms. We need reforms to the national law. We need reforms to the way that we enforce the regulation at State level. We're getting that process under way, and we're happy to take on board—

The CHAIR: And I appreciate this wasn't your portfolio until quite recently. I appreciate that and I hesitate to interrupt, but I do have limited time. What I'm asking is for you to now, I guess, listen to the information I'm giving you. We have this situation. This is a really good example. I could pull out hundreds of them, as you know. This is just one that I found this morning. With this particular service—let's just walk this through—even though it's got all of these compliance issues, the New South Wales regulator has upgraded it so that everybody who looks on the site can go, "They're great. They're meeting the standards. Everything's fine."

Fast-forward and we get July 2024, which then leads the regulator to finally do something. On 20 February an enrolled child sustained a fracture to the back of their skull after slipping in the bathroom at the centre. No concussion monitoring occurred. Parents were not notified until 13 March—almost a month later—when the child admitted to hospital with a large fluid lump and skull fracture. Long-term effects of the injury are unknown. It's at that point that the regulator says, "Maybe we shouldn't have. Maybe we should actually close down this centre." I would love to know what's happened, because that was July 2024, and they still have "meeting quality standards" on ACECQA.

What's so frustrating in this area is how obvious it is. When you look at the compliance record of a centre like that, when it's constantly underperforming, they're constantly not having enough educators, they're constantly not having Working with Children Checks or anything. The amount of times it's noted they didn't do their child protection training, they haven't got their safe sleeping practice in place and all of those things. Then you get an incident like that, where a child is seriously injured, and people are saying, "It's so obvious." Then you get the Wheeler report come out and say, "Oh, yes, but they're doing an effective job." Do you understand just how frustrating it is for there not to be a greater acknowledgement that actually the regulator in New South Wales has failed, and there needs to be a bit more of a serious response?

The Hon. COURTNEY HOUSSOS: Can I just say at the outset, Ms Boyd, they are horrific allegations, and they're not isolated. It's pretty hard as a person, as a parent, not to be deeply moved by the idea of a child having that level of injury and parents not being notified and then only finding out about it months later. That's just completely unacceptable. I appreciate you have limited time today. I'm not across the specific details of that specific centre, and I'd be happy to take that on notice. We can come back to you at the appropriate time. I'll certainly be making inquiries about it.

But the fundamental problem here is that the only information that parents have—and I know I keep saying this—is that quality standard. I don't think I would accept that we would take the Wheeler review as a big tick for the regulator. I would also say we're not taking—we are making the most significant reforms—actually, no. That's an understatement, because it's the first reforms to the national law in 15 years. These are so overdue. It really does make you wonder, how could you not have taken any steps in 15 years to improve a law? We're trying to do that. We're doing changes through our own Parliament. We're doing changes at a national level. These are not new issues—you are right, Ms Boyd.

But fundamentally it can't be reliant on you sitting in the upper House of New South Wales connecting the dots. Because the biggest frustration for me—you're right; your frustration is there. The biggest frustration for me is that parents don't have access to that, and they should. They should know that. That's the thing that's driving us forward in the changes that we are making. The fact that the fines themselves are so low, and so difficult to be issued, is a key challenge. We're going to up the fines. We're looking at different ways that we can be making the

CORRECTED

finest proportionate to if it's a small service or if it's a larger centre of services. Everything is on the table here, Ms Boyd. I'd really like to come back to you on those specific allegations at that specific centre.

The CHAIR: We'll come back to them, yes.

The Hon. COURTNEY HOUSSOS: But I'd just say this is such an important area of reform, and it's a broad one that we're pursuing.

The CHAIR: Thank you. Ms Mihailuk?

The Hon. TANIA MIHAILUK: Thank you, Madam Chair. Good morning, Minister. A pleasure listening to you answer the questions this morning. You are so articulate across the portfolio. Delighted to see you here. Can I just ask you a couple of questions. I just want to ask for a bit of an update, Minister, on this review of section 83C. I know it wasn't done by yourself. It was initiated by the Deputy Premier Car. I understand a commitment was made for a number of recommendations to be implemented by 2025, now. Have they been implemented, largely?

The Hon. COURTNEY HOUSSOS: You're right. This is something that the Deputy Premier—I believe that she promised the review in opposition and now is delivering it. We are obviously delivering it in government. As you'd be aware, the administration of section 83C has moved from the department to NESA. I can see Mr Martin coming up to the table.

The Hon. TANIA MIHAILUK: That was one of the recommendations, yes.

The Hon. COURTNEY HOUSSOS: The thing I could say generally is that the approach is to fast-track and make it a simpler and fairer process. We really—I'm going to butcher his surname, and I apologise.

PAUL MARTIN: Alegounarias.

The Hon. COURTNEY HOUSSOS: Thank you. Tom Alegounarias. As a wannabe Greek, I should know how to say that. I apologise. I would say he has done some really important work. We're in the process of implementing that. It's also being done, I can assure you, in consultation with the sector. Some of the reforms may have slowed down a bit, but there's certainly work that's underway.

The Hon. TANIA MIHAILUK: I understand. I put to you, Minister, that he was asked to do the review, and he has subsequently, as I understand it, also been asked to do the implementation. Are you aware of that—both? As I understand it, he was asked to undertake the review, but separately also to play a role in the implementation. Is that correct? Perhaps Mr Dizdar can respond, Minister, if you don't know.

MURAT DIZDAR: Yes, Mr Martin has ultimate carriage as the CEO of NESA, but it is a fact that Mr Alegounarias has been employed by Mr Martin to see the implementation come to fruition.

The Hon. TANIA MIHAILUK: Interesting. Minister, what was he paid for completing the review? If you don't know that, you can take it on notice.

The Hon. COURTNEY HOUSSOS: I'd have to take that one on notice.

The Hon. TANIA MIHAILUK: That's fine. I would like to know how long he was contracted for to undertake the review, and at what point he became an employee of NESA, if that's what you just said to me, Mr Dizdar.

MURAT DIZDAR: Can I make a comment that might also help? I do want to commend Mr Alegounarias for his work, because he worked with all three sectors.

The Hon. TANIA MIHAILUK: That's fine, Mr Dizdar. That's not what I'm asking. I'm not criticising anything. I just want to know what he was paid to do the review, because it's interesting that he was asked to do both the review and—I do find it a little bit odd that he has also been asked to do the implementation. I know that normally you go to academics and people with experience in a sector to undertake reviews, but you've also sought his assistance in implementing this, so that's why I'd like—

MURAT DIZDAR: Can I make a comment on that that might be helpful in a broader sense? There have been occasions where I have done the same in my roles in the organisation because it can be beneficial, while ultimately—

The Hon. TANIA MIHAILUK: That's fine. I just want to know what the contractual arrangement was. I want to know what he was paid to do the review, and I want to know—

MURAT DIZDAR: Let's take it on notice.

CORRECTED

The Hon. TANIA MIHAILUK: You can take that on notice. And at what point he became an employee of NESA, if that's the case—unless he's a contractor? I imagine he might be on a contract.

The Hon. COURTNEY HOUSSOS: I think we'll have to come back to you with the specifics, Ms Mihailuk. I make the point that I am certainly aware of other times across government where people who have been commissioned to do reviews have then been asked to implement them. I'm thinking of some within the Transport portfolio. I think we all agree—

The Hon. TANIA MIHAILUK: When he was asked to do the review, was there an expectation at that time that he would then be implementing his own recommendations? I put that to you, if you could take that on notice.

The Hon. COURTNEY HOUSSOS: I'd have to take that on notice. That's prior to me—

The Hon. TANIA MIHAILUK: I appreciate you weren't the Minister at the time. That's fine.

MURAT DIZDAR: I can help on that one.

The Hon. TANIA MIHAILUK: We'll get back to you after 1.00 p.m.

MURAT DIZDAR: The engagement was—

The Hon. TANIA MIHAILUK: But if you want to put it on notice, because I do want to—

MURAT DIZDAR: We don't need to put this section on notice, though. The engagement was to undertake the review. Subsequent to the review, subsequent to the Deputy Premier's consideration—

The Hon. TANIA MIHAILUK: Then there must be a contractual arrangement. What I want to know is at what point was he contracted to do the review? And then at some point there must be an arrangement that he would then be an employee, as you said earlier.

MURAT DIZDAR: Yes.

PAUL MARTIN: A separate contracted arrangement for implementation.

The Hon. TANIA MIHAILUK: A separate contract? Right.

PAUL MARTIN: The review process ended up with a small group of people under Mr Alegounarias's leadership to produce a report that had a series of recommendations. As part of implementing those recommendations, some of them—the most obvious one was moving the responsibility of 83C from the department to NESA. One of the ways in which the implementation is occurring is that some aspects—not all, but some aspects—of the recommendations are being guided by, in terms of the way they'll be interpreted and understood—

The Hon. TANIA MIHAILUK: And he would then be contracted to do that?

PAUL MARTIN: That was very much supported by the independent and Catholic sectors, who were very happy with Mr Alegounarias's report and also with the directions in terms of the change in some of the emphases. Mr Alegounarias is in the process of concluding that work with NESA, working with both sectors and with NESA and with the team that came across to NESA from the department in the implementation of recommendations.

The Hon. TANIA MIHAILUK: Previous to this, Minister, when was the last time that he was employed either by the department or NESA? Because I thought he was at Sydney University, or he was an academic. I thought he was retired.

PAUL MARTIN: Mr Alegounarias was at some point the president and the CEO of NESA, and previously of the Board of Studies and of the NSW Institute of Teachers. He has a long history in relation to leading—

The Hon. TANIA MIHAILUK: In public education?

PAUL MARTIN: —the agencies that—

The Hon. TANIA MIHAILUK: A long history in public education?

PAUL MARTIN: Both the institute and the then Board of Studies are cross-sectoral. Prior to that, Mr Alegounarias did have a role in the Department of Education, but that was a decade or more ago, I believe.

The Hon. TANIA MIHAILUK: So he'd long since retired prior to this contractual arrangement?

PAUL MARTIN: Retired from a full-time role as CEO, but engaged in various consulting roles, yes.

CORRECTED

The Hon. TANIA MIHAILUK: Minister, I noticed in the submissions that there were no submissions made by any representatives of the Islamic schools in New South Wales.

The Hon. COURTNEY HOUSSOS: Sorry, submissions to 83C—the review?

The Hon. TANIA MIHAILUK: Yes. There were submissions done from Catholic schools. There were submissions done from other independent schools. Do you know why—or did anyone seek a submission from any of the representatives of the Islamic schools in New South Wales?

The Hon. COURTNEY HOUSSOS: It's a good point. It obviously predated my brief period in the portfolio. I could probably pass to the—

PAUL MARTIN: The submissions were a public process. I'm not sure that there was any formal solicitation of submissions from groups.

The Hon. TANIA MIHAILUK: No-one was asked—nobody was written to?

PAUL MARTIN: I would have to take that on notice.

The Hon. TANIA MIHAILUK: You can take that on notice. I'd like to know if anyone was invited or if it was just up to you whether you wanted to make a submission or not.

PAUL MARTIN: Happy to take it on notice.

The Hon. TANIA MIHAILUK: Because you want to seek broad views.

PAUL MARTIN: Absolutely.

The Hon. TANIA MIHAILUK: They're a very growing sector. A lot of students are going into Islamic schools in New South Wales.

PAUL MARTIN: The Association of Independent Schools covers a range of schools, including Islamic schools. Quite often we ask—

The Hon. TANIA MIHAILUK: I appreciate they did a submission, but I don't know how much—

PAUL MARTIN: Quite often they are presenting also on behalf of Christian schools, Adventist schools, Islamic schools and others, because they are channelled through the process.

The Hon. TANIA MIHAILUK: But their obligations to who they seek advice from is different from what the Department of Education is doing. If you're making a review of this section—

PAUL MARTIN: Sure, but my point is that the association—

The Hon. TANIA MIHAILUK: —and making significant changes, then you'd probably want to make sure that you've canvassed as many different views across non-government schools—

PAUL MARTIN: I'm happy to take on notice the submissions that were put there. But, as I said, the variety of schools that are channelled through the Association of Independent Schools often includes particular sectoral groups.

The Hon. TANIA MIHAILUK: Minister, did you have a chance to read his review? I put to you that on page 67 he has made recommendations that the Act be amended to replace certain wording, and that is that the term "for profit" be replaced with language, i.e., "prohibited conduct" or "breach of funding conditions". Is that something that you're considering implementing as Minister?

The Hon. COURTNEY HOUSSOS: I've been briefed on the work of the review and I'm certainly across the fact that this is a contentious area and that there have been some schools that have been affected in relation to this. I would say that it's fundamentally important for the department to ensure that money that is provided for educational purposes is used as it's intended to. I think the program of reform that the Deputy Premier has led is to do the review, to move the administration from the Department of Education into NESA, and then any further changes to the Act would be considered if those changes aren't working in practice. But I think—

The Hon. TANIA MIHAILUK: But at this stage you're not considering changing? I think it is quite heavy language that has been proposed here. They're not actually in the recommendations; they're just recommendations to you as Minister. Would you accept that it's quite heavy language there to change from "for profit" to "prohibited conduct"?

PAUL MARTIN: I think there was a review, if I can—

The Hon. TANIA MIHAILUK: I'll just ask the Minister.

CORRECTED

The Hon. COURTNEY HOUSSOS: Sure. I would be hesitant to provide a view on particular parts of the report. As I said to Ms Boyd earlier, I would say that we are considering the implementation of the review. It is work that is ongoing. It's work that's very important, and we'll be, as usual, monitoring the implementation as we consider further changes. I just don't want to rule things in or out here today. I would say this is an area of active consideration from the Government—the implementation of the review.

The Hon. SARAH MITCHELL: I have a couple more questions on early childhood. In relation to the number of services not meeting the National Quality Standard, I think the Wheeler review said it was about 400-odd. And then there was a report in *The Sydney Morning Herald* a couple of weeks ago that said that had risen to 424. Are you able to tell me how many of those services have a waiver in place?

The Hon. COURTNEY HOUSSOS: Sure. I could pass to the regulator to see if we can give you those details today.

The Hon. SARAH MITCHELL: If you've got it, yes, that would be great.

The Hon. COURTNEY HOUSSOS: Otherwise, I just might have to—I'd have to take that on notice.

The Hon. SARAH MITCHELL: Minister, if I call the number 1300 679 332, do you know where I would be connected to?

The Hon. COURTNEY HOUSSOS: No, I don't. Can you read that out to me slightly more slowly?

The Hon. SARAH MITCHELL: It was 1300 679 332. I suspect Mr Dizdar might know.

MURAT DIZDAR: You'd go straight through to our switchboard, which is the customer helpline that's been available for a very long time.

The Hon. SARAH MITCHELL: Thank you. There was an election commitment, Minister, that your Government would set up a dedicated religious bullying and intolerance helpline. Can you tell me why the switchboard number that has been set up for a long time, to use the secretary's words, is the number that is being promoted as that helpline?

The Hon. COURTNEY HOUSSOS: Yes, I can speak to this. I apologise for not knowing the general—

MURAT DIZDAR: I've rung it numerous times.

The Hon. COURTNEY HOUSSOS: I don't know many phone numbers anymore. I shouldn't be flippant. The establishment of the Religious Intolerance Helpline was an election commitment that was made by the Deputy Premier. It's worthwhile noting that this was designed in partnership with the NSW Faith Affairs Council. As you would be aware, the implementation was prior to my period acting in this role. But delivering on those election commitments is something that the Deputy Premier takes seriously.

The Hon. SARAH MITCHELL: With respect, Minister, if a student has experienced bullying because of their religion—and we know it's a challenging time for a lot of faith-based communities at the moment—surely it's not too much to expect that there is a dedicated standalone line they can call, rather than the general switchboard. Do you think that's good enough?

The Hon. COURTNEY HOUSSOS: I'd refer you back to the original media release that was issued on Friday 23 August 2024 that says, "Students, parents and carers can now call"—I assume this is the number you just read out—"1300 679 332 and be referred to specific religious bullying or intolerance support". I think the Deputy Premier's been really clear about what the support is that's available right now.

The Hon. SARAH MITCHELL: But the faith communities have said to date it hasn't been widely promoted. They would like to see more uptake of it because the numbers of people calling aren't in line with some of the concerns that they're hearing. There are standalone lines within the Department of Education for a range of other policy areas—distance education, Aboriginal and Torres Strait Islander employment programs, international student study tours. Will you give a commitment today, Minister, that you will establish a dedicated separate hotline for students who experience religious bullying?

The Hon. COURTNEY HOUSSOS: I make a couple of points in response to the series of questions that you just asked. We've been really clear, and the Deputy Premier has been really clear, at the outset that this would be part of the suite of measures. This was designed in partnership with the NSW Faith Affairs Council, and there is a suite of measures in place.

The Hon. SARAH MITCHELL: That's not what I asked.

The Hon. COURTNEY HOUSSOS: There is no doubt—

CORRECTED

The Hon. SARAH MITCHELL: Okay, but one of them was—

The Hon. COURTNEY HOUSSOS: I'm sorry, Mrs Mitchell—

The Hon. SARAH MITCHELL: Will you commit to a dedicated hotline for this purpose, Minister? It's a pretty clear yes or no answer.

The Hon. COURTNEY HOUSSOS: You've asked a pretty inflammatory question there about how students and staff are facing challenges at the moment. I would absolutely agree with you that it is a challenging time, and that's why the Government broadly, but the department specifically, has implemented a suite of measures to support students. I would be really hesitant to provide a reflection on the number of calls as a marker of success. I would appreciate the opportunity, either now or later on, to refer to the secretary to talk about that suite of measures, because it is a difficult time.

The Hon. SARAH MITCHELL: We can come back to that later. I'm just saying there's not—

The Hon. COURTNEY HOUSSOS: It's a challenging time for the community.

The Hon. SARAH MITCHELL: Of course.

The Hon. COURTNEY HOUSSOS: It's a challenging time in our schools, but I think the—

The Hon. SARAH MITCHELL: Shouldn't that warrant a standalone phone number?

The Hon. COURTNEY HOUSSOS: If that was the only thing that we were doing, then you might have a case, but it's not. We're doing a range of things to address religious intolerance in our community, including law changes prohibiting vilification on the grounds of religious belief, affiliation or activity.

The Hon. SARAH MITCHELL: Minister, you've basically said that you're not going to set up a standalone line, and that's fine. That's your choice as a government. I want to move now to the issue of weapons in schools. There was a 7News investigation last month which revealed that 476 students were suspended from school last year for using a weapon. Do those figures concern you?

The Hon. COURTNEY HOUSSOS: I think it's incredibly important that our schools are safe environments for our students to learn in, but also for our teachers to be able to teach in, and, yes, I do find—sorry, what was the figure you gave me? I just missed it.

The Hon. SARAH MITCHELL: There were 476 students suspended last year for using a weapon. Does that concern you?

The Hon. COURTNEY HOUSSOS: I am concerned by the use of any weapons in our public schools. That's all I'd say.

The Hon. SARAH MITCHELL: Are you able to tell me how many students have been suspended for weapon-related incidents in 2025?

The Hon. COURTNEY HOUSSOS: I don't have that figure. I would be happy to see if we've got any details that we can provide to you today.

MURAT DIZDAR: We keep data. We release that as a system every single year. I'm never going to apologise for wanting overreporting. As a former principal on the ground, I want all of our people to make sure they report every single incident. We're proud of our track record in supporting how we work through at the local level. We have New South Wales seconded police. I want to thank them. They're part of our incident report and support hotline. To your earlier question around the stats, we're driven to get every student engaged and connected in their school environment. At the same time, you've got to have the right authority and disciplinary procedures in place.

The Hon. SARAH MITCHELL: Sure. I appreciate the sentiment, Mr Dizdar. I was just after the figures. I have pretty limited time.

MURAT DIZDAR: One incident of a weapon would be one too many, so we work really hard to try to improve that.

The Hon. SARAH MITCHELL: I agree. But you had 470-odd incidents last year. Do you have any data on how many there have been so far in 2025? Can you provide that to the Committee?

MURAT DIZDAR: I don't have that at my fingertips, but we provide it on an annual basis.

CORRECTED

The Hon. SARAH MITCHELL: Could you provide—and I'm happy for it to be on notice—a breakdown of what those 476 incidents last year were, what kinds of weapons were involved and at which schools they occurred?

MURAT DIZDAR: What I can commit to do is go back to the data that we proactively release and give you the categories and what we've got centrally. I can commit to do that.

The Hon. COURTNEY HOUSSOS: I'd just make this point, Mrs Mitchell. The Deputy Premier actually—that was one of the key things that she spoke about in opposition and corrected the suspensions policy that actually gave principals more security.

The Hon. SARAH MITCHELL: Minister, a student was always suspended if they took a weapon to school. Don't try to play cute.

The Hon. COURTNEY HOUSSOS: I'd make the point that it was actually your Government that reduced the number of days that were available for suspension.

The Hon. SARAH MITCHELL: Not for having a weapon at school. That is not correct.

The Hon. COURTNEY HOUSSOS: No, it was. It was the total number of days that were available to principals—

The Hon. SARAH MITCHELL: That's not right. Minister—

The Hon. COURTNEY HOUSSOS: That was a key thing—

The Hon. SARAH MITCHELL: Minister, I've asked you a serious question about weapons in schools and you have no idea how many students have been suspended this year for taking a weapon to school.

The Hon. COURTNEY HOUSSOS: But what I'm telling you is that we have a stronger—

The Hon. SARAH MITCHELL: It's budget estimates under your Government.

The Hon. COURTNEY HOUSSOS: We have a stronger suspensions policy in place. That is a result of the Deputy Premier listening to the school sector—

The Hon. SARAH MITCHELL: But that was never the case for weapons at school.

The Hon. COURTNEY HOUSSOS: —when you were the Minister and then implementing those changes in government.

The Hon. SARAH MITCHELL: We'll get to that a little bit later.

The Hon. COURTNEY HOUSSOS: It's really important that principals are able to suspend students, and that was a key thing about the 20 days.

The Hon. SARAH MITCHELL: But they always could suspend a student for taking a weapon to school, Minister.

The Hon. COURTNEY HOUSSOS: For 20 days. It wasn't—

The Hon. SARAH MITCHELL: We can talk about statistics and the overrepresentation of children with disability and from Aboriginal backgrounds in suspension data, if you'd like to start that conversation. But we might come back to that. Speaking of issues around behaviour, is there currently a chief behaviour adviser in New South Wales?

The Hon. COURTNEY HOUSSOS: My recollection is that was a position that you announced at the end of your period in government. I think it was—correct me if I'm wrong—Donna Cross.

The Hon. SARAH MITCHELL: Yes. Is that chief behaviour adviser role still in existence?

The Hon. COURTNEY HOUSSOS: My understanding is that she was on a limited contract, but I'm happy to be corrected.

PAUL MARTIN: Professor Cross concluded her initial period as the chief behaviour adviser as an employee of NESA and is now working on a contract in the anti-bullying space after the round table set up under the previous Government and continued by the current Government.

The Hon. SARAH MITCHELL: Thank you for introducing that, Mr Martin. Minister, obviously the chief behaviour adviser role is no longer, but you've retained Professor Cross. She's now on a short-term contract that is more than double her previous remuneration. Who made that decision to change her employment contract? Why did she not just continue as chief behaviour adviser?

CORRECTED

The Hon. COURTNEY HOUSSOS: I just make a couple of points before I pass to the secretary because, I have to say, I'm not across the specifics of the contract. Again, it was a role that was announced in the closing days of you being in government, and the Deputy Premier then refocused her work on cyberbullying and bullying across all sectors. We know that's really important because bullying is something that we face whether a child goes to a public school or a Catholic school or an independent school. There's ongoing work in that particular space. As I say, the question of her employment, I think, is probably best addressed by the secretary, or perhaps by Mr Martin, but I would say that this is valuable work. I don't want to not call her a professor if she is a professor.

The Hon. SARAH MITCHELL: She is.

The Hon. COURTNEY HOUSSOS: I just make this point more broadly on behaviour: There is no doubt that ensuring that students are able to learn, whether for an individual or whether for the rest of their classmates. That's such a fundamental part. I know that's at the forefront of the secretary's mind, as a former principal. Certainly, at the forefront of the Deputy Premier's mind is making sure that we have ordered classrooms where teachers are able to make the most of that time and teach, which is so important.

The Hon. SARAH MITCHELL: I might come back this afternoon to Mr Martin about the specifics. I agree: I think Professor Cross does great work. I just think it's curious that you didn't continue her on in the same role, but we can get to that later. I want to ask you about bullying and pick up on behaviour and wellbeing. The most recent data available on the incidence of bullying of students is work the Mental Health Commission has on its website. It's from the department's Tell Them From Me survey, but that's from 2023. Do you have more current data in terms of the number of students who say they have been bullied at school in 2024, or so far in 2025?

The Hon. COURTNEY HOUSSOS: I would either have to take that on notice, or pass that to the secretary.

The Hon. SARAH MITCHELL: Mr Dizdar, do you have that data?

The Hon. COURTNEY HOUSSOS: But before I do, I'd make the point that, as I said earlier, bullying is not something that just occurs in public schools. It's also not something that just occurs in schools. As you would know, Ms Mitchell, that's one of the challenges we face. The nature of technology has changed since we were at school, which means that it follows kids home.

The Hon. SARAH MITCHELL: I understand that. I literally just want the figures. If Mr Dizdar has them, that would be great.

The Hon. COURTNEY HOUSSOS: Again, this is something that the Deputy Premier has really led the way with a cross-sectoral approach to bullying.

The Hon. SARAH MITCHELL: I want to know the figures. I'll get to any specifics you might have in place that are different or new. At this point I'm not aware of any. The 2023 data showed 29 per cent of primary students and 28.4 per cent of secondary students in government schools reported experiencing bullying. I want to know if there are updated figures. Mr Dizdar?

MURAT DIZDAR: We're running a new student survey that replaced Tell Them From Me. It's been really well received. We've had high uptakes. We're just waiting for all those results to come in.

The Hon. SARAH MITCHELL: That's the public school survey that you're running this year. Data for 2024 should be available. Tell Them From Me ran in 2024. That's correct?

MURAT DIZDAR: Let me go back, Ms Mitchell, and see what we've got.

The Hon. SARAH MITCHELL: Okay. You've used data from the Tell Them From Me survey in the update of what works best.

MURAT DIZDAR: That's accurate.

The Hon. SARAH MITCHELL: But you didn't include any bullying data and that's what I'd like. Do you have access to that? I'm assuming you do.

MURAT DIZDAR: You referenced 2023 data. You're right that we did Tell Them From Me in 2024. We've replaced it with our own student survey. That has been developed by CESE and has been well received by schools.

The Hon. SARAH MITCHELL: Sure, but where's the 2024 data from Tell Them From Me? Has that been publicly released?

CORRECTED

MURAT DIZDAR: Let me go back and see what we've got. I don't have it in front of me. I've got the 2023 data that you referenced.

The Hon. SARAH MITCHELL: The 2024 data, will it be publicly released, Minister?

The Hon. COURTNEY HOUSSOS: I'm happy to take that on notice. I don't know.

The Hon. SARAH MITCHELL: Why wouldn't you release it when it's always been released before?

The Hon. COURTNEY HOUSSOS: I would say that I'm aware that we used to have Tell Them From Me. We don't need to re-canvass all of the issues that we canvassed when we were on opposite sides of the table with that survey. I'd say that certainly the need for information is one that has prompted the change. I'm really encouraged that it's been informed by CESE. I think it's really important that our new public school survey will be—

The Hon. SARAH MITCHELL: I just want the data. We used to be able to know how many kids are being bullied at school. I just would like to know from 2024 what that data is. It's been conducted. It's now mid-2025.

The Hon. COURTNEY HOUSSOS: But I think—

The Hon. SARAH MITCHELL: It's not a big ask.

The Hon. ANTHONY D'ADAM: Point of order: The question has been asked and taken on notice.

MURAT DIZDAR: I said I'm happy to go back and see. I don't have the specifics in front of me. What I do know—and that's why I don't want to get it wrong, and go back and get the specifics—is that 2024 data was quite stable compared to the 2023 data. But let me go back and get that.

The Hon. SARAH MITCHELL: That would be great.

The Hon. COURTNEY HOUSSOS: Can I just—

The CHAIR: Order! Ordinarily I would take the point of order and rule on it, but the conversation we've had is fine. I just want to note that in future, I will rule.

The Hon. SARAH MITCHELL: Sure. Just to be clear, Mr Dizdar, that's all of the Tell Them From Me data you can provide?

MURAT DIZDAR: Correct. You asked about the bullying.

The Hon. SARAH MITCHELL: I did ask about the bullying, but if you've got the rest of the data—some of it, as I said, has been referenced in a recent report from CESE—it would be good to have all of that on the public record.

MURAT DIZDAR: I put on record how Ms Cross, in her work, in her report also, referenced the fact that a system having that data and acting on that data is something that's been good and has been driving the system. I think she makes reference to that possibly being stronger across the nation in her report. I noted that when I read it. What's really important here is that at every individual school level, every incident is acted upon. But you're right: We look at the global level, so let me go back and have a look at the global level.

The Hon. SARAH MITCHELL: That would be great. I think it would be good if parents could see it as well. I think it's important to be transparent.

The Hon. COURTNEY HOUSSOS: I think the data is important, Ms Mitchell, but I also make the point that it's then what we are doing in schools to address that. Certainly, the cross-sectoral working group is developing a framework. It's going to be both preventative and responsive. I think that's really important to make sure we're taking action. We're not just getting the data and passively reading it and saying that we've got a problem.

The Hon. SARAH MITCHELL: I'm not arguing that, Minister, but at this point a parent can't even see what the data is from last year, so that's what I'd like to have provided to the Committee.

The Hon. COURTNEY HOUSSOS: I'm not sure that's the case, but we'll take that on notice.

The Hon. SARAH MITCHELL: If you can provide it, that would be great. I want to take you to the question of whether you take seriously questions on notice that are put by members, Minister. Do you do everything you can to ensure that accurate data and full data are supplied when members ask questions?

The Hon. COURTNEY HOUSSOS: Do you have a specific allegation?

The Hon. SARAH MITCHELL: I sure do.

CORRECTED

The Hon. COURTNEY HOUSSOS: That's a pretty serious allegation that you're levelling.

The Hon. SARAH MITCHELL: I asked a question in May this year that was responded to on 13 June. There were two parts asking how many permanent teaching positions there are in each New South Wales public school, broken down by electorate. The second part was how many positions are currently vacant. I did get a response to the second part, which was a referral to an LA QWN, but you didn't provide an answer as to how many permanent teaching positions there are in each public school broken down by electorate. Why not?

The Hon. COURTNEY HOUSSOS: You're asking whether I provided information in relation to teacher vacancies?

The Hon. SARAH MITCHELL: Yes. There were two parts to the question. It was the overall number of teaching positions in each school and the number of vacancies. You gave me the number of vacancies, but you did not give me the number of overall teaching positions in each school. I'm asking why not.

The Hon. COURTNEY HOUSSOS: Do you have a copy of the question there?

The Hon. SARAH MITCHELL: I've only got one copy of it.

The Hon. COURTNEY HOUSSOS: Okay. I just don't have the question in front of me.

The Hon. SARAH MITCHELL: It's a pretty simple question.

The Hon. COURTNEY HOUSSOS: The thing that I would say, Ms Mitchell, is that teacher vacancies is absolutely—

The Hon. SARAH MITCHELL: I'm not asking about vacancies. I'm asking about the overall number of positions and you not providing the data.

The Hon. ANTHONY D'ADAM: Point of order: If the member has the question, the question number can be provided so that the Minister—

The Hon. SARAH MITCHELL: Sure. It's 3884, I think.

The Hon. ANTHONY D'ADAM: Perhaps the Minister can come back to that, once they've had an opportunity to find the question.

The CHAIR: I rule on the point of order that it is a helpful suggestion.

The Hon. ANTHONY D'ADAM: It's a procedural fairness question. It's about the issue of the Minister being able to make an informed response with the question in front of her.

The CHAIR: Is that a new point of order?

The Hon. ANTHONY D'ADAM: It's the same point of order, but I'm elaborating.

The CHAIR: Thank you.

The Hon. SARAH MITCHELL: I think someone can look up 3884 for you, Minister.

The Hon. COURTNEY HOUSSOS: If you will just give me a moment.

The Hon. SARAH MITCHELL: Mr Dizdar, I asked you in February a very similar question. I wanted to know the staffing allocation of numbers per school when we were here in estimates. You took it on notice. You told me that the census date for that was 17 March and you would have it to the end of term 1. Therefore, I figured when I asked a question in May that that data would be provided to me. Why wasn't it provided to me?

MURAT DIZDAR: We provide advice on questions on notice and provide our best advice. At the end of the day, as you would appreciate and respect, having been the Minister also, it's the Minister's answer, not my answer, and not the department's answer.

The Hon. SARAH MITCHELL: Did you provide the Minister's office with the breakdown of how many teaching positions there are at each school?

MURAT DIZDAR: We try to answer every question on notice we get with the required due diligence.

The Hon. SARAH MITCHELL: Sure. But when I asked you about that in February, you also said that you had the data for last year or the most recent data for staffing entitlements, and you took that on notice and said, "Yes, we would have that. We can definitely give you that." Then, on notice, what I got back was, "Entitlement data has not yet been finalised." So you didn't give it to me for 2024. I haven't got it for 2025. Minister, what I would like—and this is not a trick question—is the staffing allocation for each public school in

CORRECTED

New South Wales; how many teachers there are allocated to each school. I'm asking now, for a third time, can you please provide that to me?

The Hon. COURTNEY HOUSSOS: It's the first time you've asked me that question in budget estimates.

The Hon. SARAH MITCHELL: I did it on notice, but can you provide it, please?

The Hon. COURTNEY HOUSSOS: I would make the point that staffing figures are available in annual reports. I'd probably direct you to those in the first instance.

The Hon. SARAH MITCHELL: I'm asking you to provide that to me. It's been provided in the past. I provided it, I think, to you when I was the Minister—a list of every school.

The Hon. COURTNEY HOUSSOS: I might go back and check that because I'm not sure that you answered all the questions on notice I used to lodge to you.

The Hon. SARAH MITCHELL: I provided a list of every school and what their staffing allocation was. I know Mr Ruming would have it. I'm asking can you provide that to me and the Committee, and not hold us in some sort of contempt by not answering questions we ask?

Could I please get a list of every school and the staffing allocation?

The Hon. COURTNEY HOUSSOS: That's a pretty serious allegation that you've just levelled—that I'm holding this Committee in contempt.

The Hon. SARAH MITCHELL: It is, because I don't get what I ask for.

The Hon. COURTNEY HOUSSOS: I reject that at the outset. I'm certainly happy to go away and see if we can provide you some more information. I would make the point that we've sat on opposite sides of the table. Opposition is hard work. You've got to try and find the information yourself. It's in the annual reports. If we have additional data, we will determine—

The Hon. SARAH MITCHELL: Why are you so afraid to tell parents what the allocation is for each school?

The CHAIR: Order!

The Hon. SARAH MITCHELL: Why won't you be honest about it?

The Hon. COURTNEY HOUSSOS: Why are you so scared to even say that teacher vacancies were an issue?

The Hon. SARAH MITCHELL: That's an interesting question. We might come back to that.

The CHAIR: Order! It's not your time anymore. It's my time.

MURAT DIZDAR: Can I just add, if it helps the Committee—

The CHAIR: Order! Mr Dizdar, we will come back.

MURAT DIZDAR: In fairness, every parent sees what the staffing allocation is in the school's annual report.

The CHAIR: Mr Dizdar, when I say "order", everyone shooshes. Opposition time has concluded. You can all come back to this in the next round of Opposition time. Minister, one of the interesting issues highlighted by the Wheeler review in that analysis of the 34 cases that he did was the revelation that, basically, the regulatory authority keeps secret ratings of services. We have the ratings for services that the public can see, and then we have the separate regulatory authority ratings that only the regulatory authority can see. Are you aware of that bit of the report?

The Hon. COURTNEY HOUSSOS: I'm certainly aware of the Wheeler report. I've read through it. I've read the recommendations. In relation to the "secret" ratings system, I would expect that the regulator, in addition to the requirements that it is required to provide, would keep some additional data. But again, as I said earlier, my key concern is the lack of the ability of the regulator to be able to provide that information to parents. But in relation to the secret ratings, is it helpful for the regulator to come up and provide a bit more detail?

The CHAIR: It may well be. While Mr Backo is coming up, the quote from the Wheeler review is:

One of the issues highlighted by the analysis of the 34 cases was the difference between the Quality Rating (that maybe some years old)—

as we know, sometimes it's up to nine years in some places—

CORRECTED

and the NSW RA Risk Rating of Services (that would be relevant at the time of the investigation).

It seems like a very fluid, up-to-the-day analysis of how that service is doing. He then goes on to say, for example, when he looked at the services requiring significant improvement, 100 per cent of them were very high risk, as you would expect. That matches up. But then, when you look at, for example, the six services he looked at that were exceeding NQS, 66.6 per cent of them—two-thirds—had a "very high" or "high risk" rating, which is very different to an "exceeding NQS" rating. Do you think that, really, we should just be publishing that information for parents so that they can make a more informed decision?

The Hon. COURTNEY HOUSSOS: Before I'd say specifically what information we should be providing for parents, I think it might be worthwhile hearing from the regulator. I would just say that the lack of information for parents and the fact that the regulator is, as I feel like I keep saying, hamstrung by the national law is such a key concern. I do think that that is something that they need to be able to provide to parents. One of the things that I really believe we need to be able to do is, if there is a breach at a centre, to provide that, for example, on the door of the centre or at the entry of the centre so that parents are aware of it. One of the things that we discussed at our EMM meeting on Friday was making sure that that information is actually translated so that it's accessible for everyone who is attending.

The CHAIR: With respect, Minister, you're now talking quite beyond my question. I will come to Mr Backo in a minute, and I'll just give him a bit of a heads-up: I would like to know what percentage of "exceeding" and "meeting" rated services are rated as high risk by the regulator. But I just want to bring it back to you for a moment, Minister, because this comes back to the statement of expectations. There are different monitoring requirements on services with lower ratings versus those with higher ratings or exceeding ratings.

As we know, they can go for years and years before they're rated, like three years in the one I just told you about. That was three years between ratings or three years since we'd had a rating for the centre where that child had that horrific incident. It is very standard for there to be years and years going between ratings. The question is that the statement of expectations places those different monitoring requirements based on what the NQS rating is. Shouldn't it really be based on the actual risk rating that the regulator ascribes a service as to how often they should go in and re-rate the service?

The Hon. COURTNEY HOUSSOS: I would say that it is my expectation, and it has been really clear—the Deputy Premier has communicated that through her ministerial statement of expectations—that every centre is visited every 18 months and that minimum—

The CHAIR: The ratings, not compliance.

The Hon. COURTNEY HOUSSOS: No, I accept that there are different types of visits—compliance check-ins versus the longer ratings—but I also don't think it's acceptable for years and years to pass without ratings occurring. We will work through what is the appropriate time frame. I do support a risk-based approach, which means that, while we might be checking in on the services that are rated at a higher level less frequently, we're back at those ones that we are more concerned about more frequently. But I would say this: One of the key changes that we are going to move either through the Parliament or as part of the national law will be to put the safety and the health and wellbeing of children in services as the paramount starting point.

The CHAIR: With respect, you're not answering my question, which is in relation to the statement of expectations. Even when you look at the previous statement of expectations—which has now expired, so saying that we have a new one is great. But if you look at the previous one from 2023 to 2025, there was a target for the regulatory authority to go in and rate all services that were rated "working towards" and to reassess that rating by 31 July 2024. The regulator didn't do that. It didn't go and reassess all of those, so it wasn't even meeting those very weak targets. We now have a new statement of expectations that has come out. It's based on these external NQS ratings and not on the internal regulator's ratings. How is that an effective statement of expectations that's actually going to achieve anything?

The Hon. COURTNEY HOUSSOS: With respect, Ms Boyd, you've asked me a really long series of questions there. The first thing—and this is what I was just trying to say—is that one of the key changes that we will be making to the national law is actually putting child safety, health and wellbeing at the centre. That's the paramount starting point.

The CHAIR: How does that interact—

The Hon. COURTNEY HOUSSOS: Sorry, Ms Boyd, if you really give me an opportunity to explain, this will mirror similar provisions in financial legislation that actually puts this at the starting point. It seems pretty unbelievable to me that this is not the starting point. One of the things you would be aware that the Wheeler review found is that the regulator and the law actually have conflicting interests between privacy and the safety of children.

CORRECTED

The CHAIR: This better be coming back to how often they rate. Are we coming back to how often, because again—before a point of order is taken on me—it is not acceptable to sit and answer a question in a way that talks about very broad principles when you know how much time I have here. It's very limited. I am asking about the statement of expectations that has been issued by your Government. Will it be requiring more frequent visits to services based on the secret risk ratings or on the external ratings that don't get updated for years and years?

The Hon. COURTNEY HOUSSOS: You've now asked me a really specific question that I can provide you a very specific answer on, which is that the ministerial statement of expectations, I would expect, would base the ratings on the publicly available data.

The CHAIR: It does.

The Hon. COURTNEY HOUSSOS: But I think it would be worthwhile Mr Backo just explaining, if they keep additional information, what the nature of that information is.

The CHAIR: I will come back to Mr Backo, because my time is now too limited to deal with Mr Backo during the Minister's time. Can we just talk about Working with Children Checks. I don't know if you were watching or following the early childhood inquiry hearings that we had a couple of weeks back, but we were talking there about the huge number of people working in early childhood who don't have their Working with Children Checks verified by their employer. This was something that I had seen in the documents over and over, but it was also confirmed by the Office of the Children's Guardian.

We had the Office of the Children's Guardian at estimates last week, and she confirmed those figures that have been provided by OCG that said that, in some cases, people who had been found to have done really quite horrible things within these centres and faced prohibition orders—around half of them—didn't have Working with Children Checks to begin with. That is incredibly concerning. When I put this to the OCG at estimates, she actually suggested that a blitz would be a great idea for the Department of Education to order. I put that suggestion to you during questions in the Chamber previously: that we have some sort of blitz or action. We actually put out a press release from The Greens calling for that. Given that everyone seems to think that's a great idea, is that something that you'll now be doing?

The Hon. COURTNEY HOUSSOS: Again, thank you for the opportunity. The regulator has done some work in relation to this. You asked a series of questions. But, in terms of the last one that you asked around the blitz, the regulator has been doing some work, so maybe Mr Backo can provide an answer.

The CHAIR: There was just one question. It was at the end of all of the explanations.

The Hon. COURTNEY HOUSSOS: But you asked me if I'd been following the inquiries. You asked me if I'd been doing other things.

The Hon. EMILY SUVAAL: It was a short speech.

The CHAIR: I assumed you had. You are correct. Thank you, Ms Suvaal.

NICHOLAS BACKO: It's a good question, and you rightly call out the importance of Working with Children Checks. In terms of specifically about a blitz, as described, in May this year we launched a regulatory priority program focused on child safety. That's ongoing for 12 months from May. One of the key parts of that regulatory priority program is what's described as child-safe recruitment and staffing, of which we include Working with Children Checks.

The CHAIR: Just to confirm, is that a blitz? Are we going into these centres and demanding to see the Working with Children Checks being verified, or are we just saying, "That's now a priority," and it's just on paper and no action?

NICHOLAS BACKO: It's a specific targeted program. It involves education to the sector, but also visits by authorised officers. All visits that we do to services, the authorised officer would be checking that everyone working in that service on the day has a verified Working with Children Check clearance.

The CHAIR: Not quite a blitz.

The Hon. COURTNEY HOUSSOS: Mr Backo is too considered to say it's a blitz. It's pretty clear that we've upped the regulatory action to make sure that this is happening. I also think it's worthwhile noting we're doing a broader range of changes in relation to the Working with Children Check right across the Government, and, as you know, introducing legislation into the Parliament.

The CHAIR: We know. There'll be some amendments being proposed.

CORRECTED

The Hon. TANIA MIHAILUK: Minister, I just wanted to ask you: When you had this meeting with the national education Minister on 22 August along with the other State Ministers, did the issue or the program Thriving Kids come up in that discussion?

The Hon. COURTNEY HOUSSOS: No.

The Hon. TANIA MIHAILUK: Have you been given a briefing from Minister Clare or Minister Butler or any Federal public department with respects to the obligations that are expected now of the State Government in Thriving Kids?

The Hon. COURTNEY HOUSSOS: No, not that I can recall, but I'd also make the point that our officials speak very regularly, so there may have been some other information that was passed along. But I think the Premier's been pretty clear on this: We didn't know.

The Hon. TANIA MIHAILUK: The Premier's been very clear, and I want to quote him. He said that he's not going to provide a blank cheque, and I think that's an excellent way of putting this. I also want to quote, if I may—I asked the health Minister last week in his hearing about this issue. I'll paraphrase him, but he essentially said that what he didn't want to see happen was just a cost shift to the State. He specifically said that, which I thought was right, with respect to the Health budget. Do you share the same concerns that your colleague does, that perhaps some of this is a cost shift from the Federal Government to various different State departments?

The Hon. COURTNEY HOUSSOS: I'd absolutely support the work of my excellent colleague the Minister for Health, and I think the Premier's been unequivocal in this as well. Yes, I agree with them.

The Hon. TANIA MIHAILUK: Has your office done any kind of evaluation with respect to what expectation there is from New South Wales specifically in contributing to Thriving Kids? As I understand it, it's going to be \$2 billion. There's an expectation that the States contribute equally or in some sort of percentage in that. The Federal Government will put forward \$2 billion, and they're expecting the States to match it. There hasn't to date in the public arena been any particular provision for how much New South Wales is putting. Do you have any more information with respect to what New South Wales is expected to do with regards to Thriving Kids?

The Hon. COURTNEY HOUSSOS: I haven't been formally briefed on Thriving Kids and what we're going to be expected to do. I don't know whether our officials have been engaging—

MURAT DIZDAR: We can give you some—

The Hon. TANIA MIHAILUK: Can I just quote to you, Minister, because Mr Butler said:

Schools can play a more coordinated role instead of the individualised NDIS approach that sees school principals reporting dozens of different therapists turning up to their school to provide therapy to individual students.

What I want to ask you, Minister, or the deputy secretary here is: Have you been briefed on what this coordinated role for New South Wales schools is going to be?

The Hon. COURTNEY HOUSSOS: I'd say broadly, in terms of whether schools do play important roles, obviously the question about how kids can best learn and the supports that they need is one that we talk about regularly. You may have seen that we announced this morning that an additional 240 support classes will be available across New South Wales schools. But how that interacts with the Federal Government and how that interacts with that specific thing, I don't know whether Mr Dizdar or perhaps Mr Graham—

The Hon. TANIA MIHAILUK: I just want to put to you as well that last year the National Cabinet—and I know you weren't Minister at the time—agreed, so the State Ministers agreed at this National Cabinet that they would all contribute to Thriving Kids. Now I appreciate at that time they probably didn't know that the Federal Government was going to make dramatic changes to the National Disability Insurance Scheme and, as such, would result in a potentially large number of children of mild and moderate autism being transferred from NDIS to that program. I know you weren't there, Minister, but if you can ask, perhaps—Mr Dizdar, were you at that National Cabinet meeting?

MURAT DIZDAR: Our work in New South Wales is being coordinated through the Cabinet Office as a central agency. Mr Graham, our Deputy Secretary for Teaching, Learning and Student Wellbeing, which has all of our disability supports, has been working—

The Hon. TANIA MIHAILUK: But, Mr Dizdar, were you present at this National Cabinet meeting?

MURAT DIZDAR: No, I wasn't.

The Hon. TANIA MIHAILUK: Do you know if Deputy Premier Carr was?

MURAT DIZDAR: I think it was at a Premier level.

CORRECTED

The Hon. COURTNEY HOUSSOS: Yes, my understanding was that it was a National Cabinet. I think this where I'm broadly—

The Hon. TANIA MIHAILUK: I wasn't sure. You're right: It could've been the Premier but, whatever happened at that meeting, there was an agreement, and New South Wales did agree to Thriving Kids. What I'd like to know is whether—

The Hon. COURTNEY HOUSSOS: Sorry, Ms Mihailuk, I actually think that's not accurate. My understanding of it—and I'm happy to be corrected by officials—is that there was a National Cabinet decision in relation to an agreement that was made, the details of which, in relation to foundational supports more generally, were discussed.

The Hon. TANIA MIHAILUK: I accept that, yes.

The Hon. COURTNEY HOUSSOS: That's an ongoing issue. But you would also be aware that, although that was agreed at National Cabinet, it also has an interaction with the national health agreement that is still being negotiated by Minister Park with his Federal colleagues. So there are a couple of different moving pieces.

The Hon. TANIA MIHAILUK: I think the problem, Minister, is it seems like—

The Hon. COURTNEY HOUSSOS: And then there's the Thriving Kids announcement, which is another new piece of information.

The Hon. TANIA MIHAILUK: It seems like a lot of that expectation is that there will be some health obligations but, from what I can see in the media and what health Minister Butler has said, they seem to want to offload a lot of this to the schools as well. I'm wondering whether the department or your office, Minister, has already had some thought put into what this will potentially cost the New South Wales taxpayer and your department. What additional costs do you expect?

MURAT DIZDAR: I'll get Mr Graham to add some more details. We've been doing preliminary work in New South Wales around the whole concept of foundational supports and what that would look like for young people. I'd just make this point: A lot of our schools have got very successful student wellbeing hubs. Some are being system funded and generated. Some have been done with school funding. As I move around the State, I'm always reminded that the primacy of our role is to provide the highest quality—lift the quality of education delivery. But teachers, principals and educators are not immune to also trying to meet the needs of their kids. So we have concepts like the wellbeing hubs where—

The Hon. TANIA MIHAILUK: I know, but you've got something that the Federal Government is now saying that he expects—because States apparently signed up to this last year: Thriving Kids. It's what has been reported. Whoever might've been at that National Cabinet—perhaps it was the Premier—did not realise he agreed to something that potentially would be a big cost to New South Wales down the track. What I'm putting to the Minister is that I think the Federal Government got the States to agree to this last year but weren't very clear as to why they needed the States to agree to this. Now there's going to be significant cost shift. I'd suggest to you, Minister, and to you as well, Mr Dizdar, that you're going to end up with a very big bill here.

The Hon. ANTHONY D'ADAM: Point of order: It's now 10.45 a.m. It's time for Government questions.

The CHAIR: There is no point of order. We will allow the two minutes to go, and then we will come and do the 15 minutes.

The Hon. ANTHONY D'ADAM: There is a point of order. The Chair has no discretion to extend—

The CHAIR: This is unworthy of you. I'm interpreting the—

The Hon. ANTHONY D'ADAM: The Chair has no discretion to interpret.

The CHAIR: No, I'm sorry. Please continue, Ms Mihailuk.

The Hon. ANTHONY D'ADAM: The Chair cannot extend the proceedings.

The CHAIR: The consequences of this would be very dire. It would mean that we would have to cut off witnesses when they're talking—all sorts of things. It's beneath you, Anthony. Can we please continue?

The Hon. ANTHONY D'ADAM: The consequence is that Ms Mihailuk can take up the time after Government questions.

The CHAIR: I've ruled, Mr D'Adam.

The Hon. ANTHONY D'ADAM: It's Government question time.

CORRECTED

The CHAIR: I call the Hon. Anthony D'Adam to order for the first time.

The Hon. ANTHONY D'ADAM: It's Government question time.

The CHAIR: I have called you to order. Please desist. Go ahead, Ms Mihailuk.

The Hon. TANIA MIHAILUK: Thank you. Can I just also put to you that, in his 20 August speech, Mr Butler also discussed the Mental Health in Primary Schools program, which has been rolled out in Victorian schools and is currently being piloted in Queensland and South Australia. Is this going to be rolled out in New South Wales as well, Minister?

The Hon. COURTNEY HOUSSOS: I'm not familiar with that part of his speech, so I'll be happy to come back to you on notice. I'm not familiar with that particular program.

The Hon. TANIA MIHAILUK: Are you aware, Mr Dizdar, that that was part of his speech?

MURAT DIZDAR: I'm aware we're doing a lot around student mental health. I'm not sure if Mr Graham has got the specific detail.

The Hon. TANIA MIHAILUK: Essentially Mr Butler implied that all States should take on this program. He acknowledged Victoria. He then acknowledged Queensland and South Australia. Has the department had any thought about this program being ruled out here in New South Wales?

MARTIN GRAHAM: The program was referenced in the speech. The department has met with Professor Oberklaid and the team who run the Mental Health in Primary Schools program in Victoria. We talked to the team about the type of mental health supports we provide to our schools, particularly through the staff that we already employ.

The Hon. TANIA MIHAILUK: When did you meet with them? How long ago was that?

MARTIN GRAHAM: I can come back to you on that.

The Hon. TANIA MIHAILUK: But it's obviously not since the announcement?

MARTIN GRAHAM: No, it was a couple of months ago. It was before the announcement. It was part of our ongoing conversations.

The Hon. TANIA MIHAILUK: I think all of you and the New South Wales Government met in goodwill with their national counterparts in agreeing with a lot of these programs because, on paper, they sound great. But, in reality, what they've now announced is a significant cost shift and burden onto New South Wales.

The Hon. COURTNEY HOUSSOS: I think the Premier has been pretty clear: We're keeping a very close eye on the cost shifting.

The Hon. TANIA MIHAILUK: That's why I acknowledge that he made that comment. I think he was right to say that he's not going to sign a blank cheque.

The CHAIR: Government questions?

The Hon. ANTHONY D'ADAM: There are no questions at this point in time.

The CHAIR: That then brings us to our morning tea break. We will return at 11.15 a.m.

(Short adjournment)

The CHAIR: Welcome back. We will commence again, with questions from the Opposition.

The Hon. RACHEL MERTON: Minister and officials, thank you very much. Minister, if I could start on the issue of school infrastructure, has the New South Wales education department spoken to the New South Wales planning department about the Government's housing reforms on the education sector? Has any modelling been done to calculate additional school requirements as a result of the housing plans?

The Hon. COURTNEY HOUSSOS: Yes, absolutely.

The Hon. RACHEL MERTON: Minister, when would the most recent discussion have been held? Or what's in place that you might be able to provide to me?

The Hon. COURTNEY HOUSSOS: Our Government has a fundamentally different approach. This has been led by the Deputy Premier in relation to how we plan for where our schools will be built. Part of this was delivering on our election commitment in relation to the enrolment growth audit, and that work was completed

CORRECTED

last year. That was a re-baselining, we might call it, in terms of understanding where our students were needing to be attending school, where were the areas, with respect, Ms Merton, that your predecessors had neglected and not built schools and where did we need to fix that. That is an ongoing conversation. I'd say this: The department and we monitor very closely on an ongoing basis the enrolment capacities of schools.

The Hon. RACHEL MERTON: Minister, you've mentioned enrolment capacity. I'm talking about calculating additional school needs and resources to meet the new housing capacity, which has been brought about today by the low- to mid-rise and the TOD precincts. What's been calculated or modelled in that space?

The Hon. COURTNEY HOUSSOS: We do a range of things to make sure, and part of that is actually about an ongoing monitoring of the enrolment capacity and then the actual enrolment numbers at each of the schools. That's an ongoing process, and that certainly informs the decisions that the Government takes and that the Deputy Premier presents in relation to the future options for the capital program.

The Hon. RACHEL MERTON: Minister, are there concerns about the ability of future governments to fund the additional schools and to meet the educational needs of this booming population off the back of housing growth and development?

The Hon. COURTNEY HOUSSOS: The biggest challenge, Ms Merton, that we have faced in government, and that the Deputy Premier has been hard at work addressing, is the complete failure by the previous Government to build schools where they were needed. That was shown through the enrolment growth audit. We're really—

The Hon. RACHEL MERTON: I redirect. The question was relevant to the current housing developments we're seeing now in terms of the low- to mid-rise and the TODs. This is your Government and your housing plans.

The Hon. COURTNEY HOUSSOS: Yes, what we are doing, though, is—we don't start government with a blank slate, Ms Merton. We inherit the previous Government's decisions—

The Hon. SARAH MITCHELL: But you're opening all those new schools.

The Hon. COURTNEY HOUSSOS: —and policy settings. When the Government failed to build schools—let me give you Leppington Public School as an example, which I was at recently to turn the sod to begin the construction for the really significant upgrade that is happening there. That's turned from a semi-rural school into a very significant public primary school. That's enormous growth. This isn't something that's happened just under our Government; it happened under the previous Government as well. But that's what we're trying to keep up with. The amazing—the nine—

The Hon. RACHEL MERTON: If I could also commend the work of Mark Hodges, the member for Castle Hill, who has been a strong advocate for new schools in his electorate, responding to the housing density changes, the new population and the new community. I also note that the member has made many attempts to meet with the Minister on the issue and to arrange visits to his electorate. It's good to hear you've been to Leppington. In terms of plans for Castle Hill—and to witness that first—would that be something you would do?

The Hon. COURTNEY HOUSSOS: I'd love to talk about the building program that we have in the Hills district, and I would say that that's in stark contrast, as well, to your Government's record. This was an area that your Government rezoned and built a metro line through, and we are the ones that are now building. The Deputy Premier, under the program that she has established, is building the first high school in the Hills in 16 years, so I would say that there is a range of work that's happening across the Hills. I was at Box Hill Public School with our amazing Federal Attorney-General, Michelle Rowland—I'm losing track of time. I'm going to say a couple of weeks ago, maybe about six weeks ago, but—

The Hon. RACHEL MERTON: If I could redirect the question—

The Hon. EMILY SUVAAL: It's in the Hills.

The Hon. COURTNEY HOUSSOS: This was a new public school—a temporary public school—that was set up in record time in seven weeks to accommodate the enormous growth that's happening in that part of Sydney that had not been addressed under the previous Government. So there's an amazing record—

The Hon. RACHEL MERTON: Minister—

The Hon. COURTNEY HOUSSOS: Let me just tell you—

The Hon. RACHEL MERTON: Do you have an update for me on a new primary school at the Hills showground. Similar circumstances that you've just outlined—a new primary school at the Hills showground?

CORRECTED

The Hon. COURTNEY HOUSSOS: What I can tell you is that we are building more than 600 new permanent classrooms across the Hills and across north-west Sydney. If there's a specific project that you have in mind, we're happy to look into that. But I would say there is a record classroom-building program, led by the Deputy Premier, who is from not too far from there and understands the challenges that we have inherited, when the previous Government approved housing but did not build the local schools and the local infrastructure that was required.

The Hon. SARAH MITCHELL: Minister, are you building a new primary school at the Hills showground?

The Hon. COURTNEY HOUSSOS: I'm not aware of that, but I'm happy to take advice.

MURAT DIZDAR: Like the Minister said, we monitor population movements in all localities. We are building new high schools that commence this term at Gledswood Hills, Googong, Jordan Springs, Leppington—

The Hon. RACHEL MERTON: It was specific to the Hills showground, Mr Secretary.

MURAT DIZDAR: I was giving you the list of where we are building.

The Hon. RACHEL MERTON: We can cover that this afternoon if you want to update us.

MURAT DIZDAR: I look forward to the opportunity.

The Hon. RACHEL MERTON: That was the question about a new primary school at Hills showground.

MURAT DIZDAR: I don't believe we are. Ms Harrington?

LISA HARRINGTON: What we're progressing at the moment is an upgrade of Excelsior primary school. There are 22 additional classrooms that are going in in that vicinity.

The Hon. RACHEL MERTON: Minister, does the Hills shire have the most overcrowded schools in the State based on actual enrolments versus capacity? I note Ironbark Ridge school in Rouse Hill is at a capacity of 256 per cent. This is based on enrolment figures provided by your department and the enrolment cap. There are 829 enrolled students with an enrolment cap of 324. That represents a capacity of 256 per cent.

The Hon. COURTNEY HOUSSOS: You've asked me a series of questions there, Ms Merton. I would characterise this line of questioning as leading with your chin because this is—

The Hon. RACHEL MERTON: The question was the most overcrowded—

The Hon. COURTNEY HOUSSOS: If you would turn to your left and you would look at the former education Minister, who did not plan a single new school in Castle Hill. The Deputy Premier, who would normally—she would relish the opportunity to answer this question because of the amazing building program that she is leading, particularly across north-west and south-west Sydney. Let's be really clear about what the legacy of your predecessor's Government—

The Hon. RACHEL MERTON: Minister, families want to know today. The housing density plans—

The Hon. SARAH MITCHELL: You've been in government for 2½ years, Minister. What are you doing?

The Hon. COURTNEY HOUSSOS: —and we can't fix 12 years of neglect in 2½ years.

The CHAIR: Order!

The Hon. PETER PRIMROSE: Point of order—

The CHAIR: Order! I'll hear the point of order.

The Hon. PETER PRIMROSE: My point of order relates to procedural fairness and courtesy. It's very appropriate for the honourable members to ask the question, but it's not appropriate for them to seek to answer it at the same time.

The CHAIR: I uphold the point of order. A bit more orderly communication, please.

The Hon. COURTNEY HOUSSOS: If we want to talk about Ironbark public school, 19 of the 23 demountables that were put there were put there by your predecessors, Ms Merton, and this is the legacy that we inherited. If you want to talk about across the Hills, we are building more than 600 classrooms to try and cater for the growth that was not prepared for by Ms Mitchell when she was in this chair. The reason why we have such an amazing building program is because we are trying to keep up. We're happy to take it on board if there are

CORRECTED

other areas that we need to be building, but we are trying to catch up on 12 years of failure to build schools in the parts of the State that were growing the fastest.

The Hon. RACHEL MERTON: Minister, in relation to overcrowded schools—as you've just mentioned the Ironbark Ridge school, with a capacity at 256 per cent—is the education department concerned that overcrowding in the Hills shire schools will become significantly worse?

The Hon. COURTNEY HOUSSOS: I made the point at the outset that we are monitoring enrolment capacity and growth but that we can't fix 12 years of neglect in 2½ years. It's somewhat impressive to think that—I mean, the Deputy Premier can do a lot of amazing things. She's doing a pretty incredible program of reform across this portfolio. But you literally cannot fix—when you have not built schools for more than a decade, you can't catch that up overnight. There are some pretty superhuman efforts that are being undertaken by the department.

The Hon. SARAH MITCHELL: Are you saying School Infrastructure did nothing for 10 years—no new schools?

The Hon. COURTNEY HOUSSOS: I mean, if we want to talk about what School Infrastructure did under your Government, then we can talk about the ICAC inquiry that we're awaiting.

The Hon. SARAH MITCHELL: If you want to talk about the new schools that have been built, Minister, and how many your Government has been opening that weren't built by the new Government, let's go.

The Hon. ANTHONY D'ADAM: Point of order: We don't appear to have a Chair at this point in time.

The Hon. RACHEL MERTON: I'm the Deputy Chair. Minister, if I could draw another school to your attention, Castle Hill High School is operating at over 200 per cent capacity and has 50 demountables on the school grounds today. What plans are there to address capacity issues at the school?

The Hon. COURTNEY HOUSSOS: I would make the point again, Ms Merton, that of those 50 demountables, 42 of them were put there under your Government. When you want to ask questions that clearly reflect on your party's period in government, then you should maybe consider those a little bit more closely. What I will tell you is we are building a range of public schools across the north-west of Sydney. There are 600 new permanent classrooms. That includes six projects, including at Box Hill—

The Hon. RACHEL MERTON: Minister, it is an estimates session. You have covered that. We ask the questions.

The Hon. COURTNEY HOUSSOS: I'm providing you with a directly relevant answer, Ms Merton. You want to talk about Castle Hill High School. Castle Hill High School has 50 demountables, 42 of which were put there by your Government. Yes, we have a program, as I said, to build 600 new classrooms across the north-west.

The Hon. SARAH MITCHELL: Are any of those new classrooms for Castle Hill High School, Minister?

The Hon. COURTNEY HOUSSOS: I'm happy to take that one on notice. Let me just see.

The Hon. RACHEL MERTON: Minister, we have established there's no new primary school at Hills showground. Will there be a new high school in or near Castle Hill, in light of Castle Hill High School being over capacity today? That's 50 demountables. The capacity is over 200 per cent at that high school.

The Hon. COURTNEY HOUSSOS: Again, I would say to you, Ms Merton, that we are monitoring the situation and we are trying to catch up. But when your Government didn't build a single new school and didn't even purchase land for a future school in the entire shire, then we are obviously coming not from a standing start but from behind the starting line. We are trying to catch up. The Deputy Premier is leading an amazing program of work to try to catch up on that. The enrolment growth audit showed us where we need to actually start building schools, first and foremost, and that's what we're working on, but we're happy—

The Hon. SARAH MITCHELL: Minister, you were critical of no land being purchased in that area. You've been in government now for over two years. Have you purchased any land in the Hills area to build a new school?

The Hon. COURTNEY HOUSSOS: In the Hills electorate?

The Hon. SARAH MITCHELL: Yes.

The Hon. COURTNEY HOUSSOS: I'd be happy to take that on notice and come back to you.

The Hon. SARAH MITCHELL: So you don't know.

The Hon. COURTNEY HOUSSOS: What I can tell you is that—

CORRECTED

The Hon. SARAH MITCHELL: Because you're very critical, but you're not actually doing anything, so it's a little interesting to watch that.

The Hon. COURTNEY HOUSSOS: You can say that in here, Ms Mitchell—

The Hon. SARAH MITCHELL: I can. The budget papers speak for themselves.

The Hon. COURTNEY HOUSSOS: —but if you want to talk to any parent outside—

The Hon. SARAH MITCHELL: You're not actually building more schools. It's all rhetoric.

The Hon. ANTHONY D'ADAM: Point of order: The shadow Minister is entitled to ask a single question at a time, not three questions all at once. If she can just limit her questions to one question at a time.

The Hon. RACHEL MERTON: I uphold that. Minister, if I could move to parental choice of education, do you think parental choice of education is a fundamental right in New South Wales?

The Hon. COURTNEY HOUSSOS: I believe parents are absolutely partners in learning. That's a fundamentally important part of education.

The Hon. RACHEL MERTON: Can you confirm that the NSW Department of Education unequivocally supports parental choice of education?

The Hon. COURTNEY HOUSSOS: Yes, absolutely.

The Hon. RACHEL MERTON: Does the Department of Education support parents accessing Catholic and independent schools as a fundamental pillar of our education system?

The Hon. COURTNEY HOUSSOS: Yes, absolutely. That's a system that has operated in this State for several—I'm not going to say how long, but for generations. It's a fundamental part of the education system in New South Wales.

The Hon. RACHEL MERTON: Minister, how do you reconcile this with the secretary's public comments advocating for a debate on eliminating non-government schools, which educate 35 per cent of New South Wales students? Did Mr Dizdar consult yourself or your colleague the Hon. Prue Car prior to the *Australian Story* interview? If so, when did these discussions occur? What was the nature of the advice that the secretary was questioning the ongoing operation of non-government schools here in New South Wales?

The Hon. COURTNEY HOUSSOS: Okay, so you've asked me a series of very inflammatory questions there, Ms Merton, including ones that relate to before I was acting in the role. I will just make this unequivocal point: The secretary is doing an excellent job. The Deputy Premier and I are on a unity ticket. He's doing a fantastic job of implementing the broad range of reforms that the Deputy Premier has led, and I'd be happy to talk about the amazing things that are happening in New South Wales schools.

The Hon. RACHEL MERTON: Minister, if I could just redirect. How do you reconcile the position held by yourself and, you tell me, the department about a fundamental right—parental choice of education—and Mr Dizdar's views on record in the *Australian Story* interview questioning the ongoing existence of non-government schools?

The Hon. COURTNEY HOUSSOS: I've just been really clear on this. I don't have anything more to add. Have you got a substantive question, Ms Merton?

The Hon. RACHEL MERTON: Reconciliation—the Government says one thing; the secretary, in a public interview, on record, openly questions the ongoing operation of non-government schools. That's 35 per cent of New South Wales students that attend such schools.

The Hon. COURTNEY HOUSSOS: Yes, and I've been really clear, Ms Merton, that we encourage every parent to make the decision that is right for their family and for their child, and that the legacy of neglect from your predecessors means that, increasingly, parents were not making the choice to come into the public education system. Let me just say that the program of reform—

The Hon. RACHEL MERTON: I note record enrolments in the non-government sector.

The Hon. COURTNEY HOUSSOS: Yes, that is the legacy of your Government, of neglect—

The Hon. RACHEL MERTON: Record enrolments in the non-government sector, not the government schools.

CORRECTED

The Hon. COURTNEY HOUSSOS: And we are rebuilding public education. The Deputy Premier has an amazing program of reform, one that I've been able to see up close, and it's been an absolute privilege to do that while I'm serving in this role briefly. But let me say the legacy—

The Hon. RACHEL MERTON: Minister, if I could take you to transgender students in schools. I seek an update on the release of the revised transgender students in schools legal issues bulletin 55, known as LIB55. During the last budget estimates, in February, I was informed it was under review and was due term 1 this year. Minister, it's now term 3. Where is the bulletin?

The Hon. COURTNEY HOUSSOS: I understand that the department was close in relation to being able to update those documents and being able to release those, but you would be aware that there have been some other changes to laws in relation to birth certificates and there's a need to update those documents again. That work is underway.

The Hon. RACHEL MERTON: Does the department not have a duty to provide the relevant documents and bulletins to schools to address issues such as transgender? Parents have an expectation that there's guidance, there's consistency and there's procedure. The bulletin is missing.

The Hon. COURTNEY HOUSSOS: Yes, and I told you that the work is underway. The advice that was provided to me is that the work was underway and it was almost ready to be released. But because of updated changes to the law, there was a need to update the bulletin again. That work is being done. These are important issues.

The Hon. RACHEL MERTON: It was due to the schools 91 days ago.

The Hon. COURTNEY HOUSSOS: Ms Merton, again, I think these sessions really work better if you ask questions and then I provide answers. These are important issues. This document is being worked through.

The Hon. RACHEL MERTON: The schools, the parents and the community are being let down, Minister. You say one thing and you don't deliver.

The Hon. COURTNEY HOUSSOS: If we want to talk about a failure to deliver, we can talk about your Government's record. This is an important issue, and if you'll let me just respond to any one of your many questions—and I think the secretary is ready to provide an update in relation to—

The Hon. RACHEL MERTON: We can come to that this afternoon. Do you expect more from the department in delivering critical bulletin materials on such issues to New South Wales schools?

The Hon. COURTNEY HOUSSOS: As I said to you, the work is underway. They will have it ready when it's ready for schools, but perhaps the secretary can provide an update.

MURAT DIZDAR: I just wanted to add, Ms Merton, if it is helpful, there is an existing bulletin for our school community.

The Hon. RACHEL MERTON: Yes. I have it here. It's on the public record.

MURAT DIZDAR: I just wanted to—

The Hon. RACHEL MERTON: It is the revised bulletin, Mr Secretary. That's the question here.

MURAT DIZDAR: Just in case the Committee thought there wasn't one in existence, there is. It requires updating. We've been hard at work, and we would have had it in a position to go out with the update, but we then paused with the new legislative changes around birth certificates. We want to make sure we get that right, rather than go back out again and confuse the ground with further updates. We're doing another round of consultation. We're looking at that change. We're looking at what other jurisdictions have also done. We look forward to giving that update to the Minister and then to the ground as well.

The CHAIR: In 2019, the former New South Wales Crown Prosecutor, Mark Tedeschi, delivered his review of the NSW Department of Education's Employee Performance and Conduct Directorate, which is now known as Professional and Ethical Standards or PES. That review found that the directorate delivered procedural unfairness and perceived bias, significant delays in handling investigations, inconsistent decision-making, inadequate investigations, weak communication, poor support for school leaders, insufficient resourcing et cetera. Since that report was handed down, though, it doesn't appear that much has changed. I don't know if your inbox is like mine but it's full of people complaining about PES. We continue to see a lot of statements in the media about PES as well. Can you tell me what has changed?

The Hon. COURTNEY HOUSSOS: I'm advised that all of the Tedeschi—if I'm pronouncing that wrong, I apologise—recommendations were implemented. I am also advised that Chris Wheeler did another review and

CORRECTED

that all of those recommendations were implemented, but I think perhaps the secretary—I mean, 2019 very much predates my brief period in this role, but perhaps the secretary could provide an update about the changes that have been made.

The CHAIR: If I could just add to that—and I will hear from you, Mr Dizdar. But, for example, there was a recommendation in the 2019 report saying that there needed to be an increase in the number of principal investigation officers. I understand, despite the commensurate increase in number of investigations corresponding to the number of school staff that have increased, we actually don't have a proportionate increase in the number of principal inspectors in the unit, as an example. So how has that recommendation been complied with?

MURAT DIZDAR: I am happy to speak to both recommendations and both reviews. The Tedeschi review happened under the leadership of a former secretary and not the current leadership of PES either, but that was fully implemented as well as the Wheeler review. If I can talk to some practical things that have changed—

The CHAIR: Sorry, can you just focus on that staffing one, though?

MURAT DIZDAR: We've put extra staffing into PES. I am happy to get you the numbers this afternoon. We've put extra resources into PES because one of the rightful criticisms of both reviews was, while this was challenging and different work—both reviews called out, in a workforce of 150,000 people, one of the largest agencies in the Southern Hemisphere, less than 1 per cent of that workforce faces disciplinary action. Sometimes those proceedings, Chair, can be lengthy and we are at, sometimes, stop-the-clock work in relation to other agencies' involvement. Putting that aside, both reviews spoke about the fact that there could be better resourcing and more timeliness for all parties. We have actually invested more resources into PES. Let me get you the figures this afternoon.

The CHAIR: I can tell you. We've got, when I received—even in December last year, I was told there were 17 principal investigators which is only a five-person increase since the 2019 review. That report reviewed the 2017 to 2018 period, so that doesn't seem like a very significant increase in staffing.

MURAT DIZDAR: Sorry, what dates were they, Chair?

The CHAIR: So 2017 to 2018 was the period criticised by Tedeschi in his report as being understaffed. There were 12 principal investigation officers at that time, 45 in total. As at December last year, on questions on notice, you told me 17 of 51 are principal investigators. Again, we've only got an increase there from 45 to 51 in seven years, or six-and-a-half years, and 12 principal investigators going to 17.

MURAT DIZDAR: Right now, that unit has 158 staff, and 66 of those staff are in investigator roles.

The CHAIR: So 66 investigators; that's a bit better. How many principal investigators?

MURAT DIZDAR: Let me grab you that this afternoon. But 66 of our good people in that area are undertaking investigations. Is this also helpful, Chair, for you: As at 21 July, 94 per cent of our investigations are under 12 months of duration, and we are completing them in a timely manner. And 6 per cent of our investigations exceed 12 months. I just put that qualifier, sometimes that's because we are cooperating with other external agencies around the work that they're doing to not compromise their work.

The CHAIR: That's very useful, thank you. What is the case load then? What sort of numbers of cases are we talking about?

MURAT DIZDAR: As at 21 July, we closed close to 2,200 cases, but let me come this afternoon with what we try and also achieve by way of case load for those investigators, because I think that's a really fair question. It's something that we monitor to make sure we're not overburdening what case load looks like.

The CHAIR: In early 2024, Minister, SafeWork issued a performance improvement notice against the Department of Education in relation to PES. They said, having reviewed all the information and documentation, the department had failed to ensure the psychological health and safety of workers by minimising the impact of psychological risk to the workers' health and safety, by failing to ensure investigations regarding misconduct and performance of workers were completed in a timely and expeditious manner. It goes on to talk about the psychosocial risks within PES. The Department of Education appealed that PIN and was successful in being granted a stay. How can we say that we have addressed the Tedeschi recommendations sufficiently if we still have SafeWork coming in and making a declaration of a psychosocially unsafe workplace?

The Hon. COURTNEY HOUSSOS: I am aware not of that particular investigation. The information you've just provided to me then was that the department appealed the PIN and then was successful in that appeal. It seems as though their position was vindicated, but I am not across the specifics of this issue so I might just pass to the secretary.

CORRECTED

The CHAIR: The question is why did the Department of Education appeal the PIN to begin with? The PIN got stayed; it wasn't overturned.

The Hon. COURTNEY HOUSSOS: Sorry, I misunderstood what you said then.

The CHAIR: But the department, rather than accepting what it already knew from the Tedeschi report, decided to try to appeal that. Does this indicate to you that there is sort of a culture of acceptance within PES that perhaps needs to be changed if we're to try and improve the culture within PES?

The Hon. COURTNEY HOUSSOS: I would be very cautious in responding to this. I have to say that I am advised that SafeWork is now working more closely with the department to better understand their work, and I think—I would say I have had limited interactions with PES in my short time in this role, but I certainly think that, more broadly, the Government doesn't have specific issues in relation to their work. If you have specifics, I am happy to take them on board.

The CHAIR: I will come back in the afternoon. That might be easier. Let's move to something different. Why has the New South Wales Government refused to fund the supported bargaining agreement for community-based preschools despite the Fair Work Commission directing you to engage?

The Hon. COURTNEY HOUSSOS: In relation to this, I would just say that I am not sure that I would accept the characterisation in your question. The Fair Work Commission has directed the New South Wales Government to be a party in the Fair Work proceedings. Obviously the case is before Fair Work at the moment. I'll just be careful about my comments. We are in attendance because Fair Work has told us to be there; we are not actually a party. We are not the employer. The New South Wales Government, as I said to Ms Mitchell earlier in relation to her questions, funds community preschools, but community preschools, as you would know, are run by community-based organisations.

The CHAIR: They are pretty reliant on that funding, though.

The Hon. COURTNEY HOUSSOS: They can charge their fees. They are run with their own ownership structures. We are not the employer in community preschools.

The CHAIR: Yes, but you have your hands on the purse strings. Given that preschool teachers earn up to 30 per cent less than their counterparts in schools, and given that Victorian preschools receive almost 50 per cent more funding per child than New South Wales preschools, and given that we know just how much safer and better and better rated our preschools are than other early childhood options, why is the Government not actively supporting an increase in wages for preschool teachers in community preschools?

The Hon. COURTNEY HOUSSOS: I am mindful that your time has expired. I will just make a couple of quick points. As I said, we are not the employer in community preschools. It is true that we fund programs within community preschools, but they charge fees and they employ the teachers. In relation to the provision of preschools, that is why this Government and the Deputy Premier have been really clear about rapidly expanding the provision of public preschools. That is where, as you know, we are the employer. We are in the process of rolling that out.

The CHAIR: We will come back to unpick that in the next round.

The Hon. TANIA MIHAILUK: Minister, I want to ask you some questions about the \$2 million grant per year over four years that was paid to the privately owned Macarthur Football Club—so Football in Schools—from the Department of Education. We know that Macarthur Football Club has been conducting Football in Schools for two financial years now. Are you, as Minister, satisfied that the grant expenditure, as reported by Macarthur Football Club, is an efficient, effective, economical and ethical use of money that has achieved value for money?

The Hon. COURTNEY HOUSSOS: I am only broadly aware, but I've known that this was an election commitment. I haven't had any role to play in this while I have been acting in the role for a brief period, so I might just pass to the secretary to speak to that.

The Hon. TANIA MIHAILUK: But you know that I have raised matters in Parliament about this and I had an order for papers. You have not asked for a briefing about this particular grant?

The Hon. COURTNEY HOUSSOS: No, I haven't asked for a briefing on that. I am broadly aware that you have raised it in the Parliament. But I have not been briefed on it, so I think it is best to pass to the secretary.

The Hon. TANIA MIHAILUK: I am asking you whether you think it is a good value for money expenditure.

The Hon. COURTNEY HOUSSOS: I can't—

CORRECTED

The Hon. TANIA MIHAILUK: Are we going to ask Mr Dizdar that instead now? Is that the issue?

MURAT DIZDAR: I am happy to help, if I can.

The Hon. TANIA MIHAILUK: I might put a different question because I don't really need to hear Mr Dizdar's view on that. Minister, you can refer this question to Mr Dizdar. On how many occasions has the Department of Education conducted random site inspections to assess the deliverables of the grant, as opposed to a site inspection coordinated with Macarthur Football Club?

The Hon. COURTNEY HOUSSOS: I'd ask the secretary. I'm just not aware of that.

MURAT DIZDAR: We are currently in the middle of an independent audit of the program as well. I am looking forward to receiving that. We have got folk who are at our department ensuring the program is being delivered in accordance with the funding deed. There is a funding deed for each of those—

The Hon. TANIA MIHAILUK: Do you know how many times the Department of Education has had random site inspections? I know there was one that was coordinated by Macarthur. Has the Department of Education actually been on site?

MURAT DIZDAR: There are monitoring mechanisms for the contractual compliance. Let me see if I can come back this afternoon with how many visits we've undertaken.

The Hon. TANIA MIHAILUK: I would like to know how many times any official from the Department of Education has actually undertaken a random, onsite inspection of one of these Football in School sessions that Macarthur specifically run, and are receiving \$2 million a year to run. In the order for papers, I received information that only one inspection took place, and it was one that was coordinated by Macarthur. I understand that the member for Liverpool was in attendance at that. I don't know of any other inspections. You can take that on notice, that's fine.

MURAT DIZDAR: I am happy to come back this afternoon with what we might have there, but we are executing the funding deed with the due rigour that is part of the delivery of those programs. That goes to a number of things around compliance with our policies and procedures: the contractual monitoring that I spoke to, the annual financial audits that we conduct, the clearly defined consequences that are in the funding deed for not meeting the KPIs that have been set.

The Hon. TANIA MIHAILUK: Minister, you can also direct this question. On how many occasions has the department verified the number of participants in sessions conducted by Macarthur Football Club under the grant with one of its own schools, whether by phone call or email? Please advise each verification compared to reports provided by Macarthur. Do you want to take that on notice, or Mr Dizdar?

MURAT DIZDAR: Yes, I have global data on how many students—

The Hon. TANIA MIHAILUK: Can you also take on notice how many Macarthur Football Club T-shirts have been handed out through the Football in Schools program, and to which schools specifically? And how many Macarthur Football Club home game tickets have been handed out through the Football in Schools program, and to which schools? Can that also be taken on notice?

MURAT DIZDAR: Let me take those on notice. Is this helpful for you, Ms Mihailuk, if I let you know, for the Western Sydney Wanderers—

The Hon. TANIA MIHAILUK: No, I'm asking about Macarthur. I know there is a separate arrangement there, but you actually have specific contractual arrangements, one with Macarthur—and a different amount, for some reason.

MURAT DIZDAR: Yes, we do. Do you want me to tell you—is this helpful—for Macarthur Bulls, that we are looking at 24,000—

The Hon. TANIA MIHAILUK: I am interested in the independent audit. Who is conducting that? Minister, do you know who is doing the independent audit? Were you aware there was an independent audit?

The Hon. COURTNEY HOUSSOS: No. Like I said to you, I'm broadly aware that you've been raising these matters in the Parliament, but I haven't been formally briefed on them. I think the secretary is best placed to answer.

The Hon. TANIA MIHAILUK: I put to you: Who is undertaking the independent audit?

The Hon. COURTNEY HOUSSOS: I don't know. I'm happy to—

The Hon. TANIA MIHAILUK: Mr Dizdar?

CORRECTED

MURAT DIZDAR: It is external to the department. That is another layer of rigour we've—

The Hon. TANIA MIHAILUK: Say that again?

MURAT DIZDAR: It's external to the department. It's in addition to the compliance actions we've put in the funding deed. I got to the third of those compliance actions. There are three others, if you want me to tell you what they are.

The Hon. TANIA MIHAILUK: I am going to be here in the afternoon, so I am going to ask these questions again. That's fine.

MURAT DIZDAR: Let's help you in the afternoon with that.

The Hon. TANIA MIHAILUK: I'm happy for you to answer it then. How much of the funding provided to Macarthur Football Club to date has been used to fund head office salaries, including to any of the shareholders of the club who draw a salary? Can you provide a breakdown for that, Minister, or Mr Dizdar?

MURAT DIZDAR: Let's see what we can give you in the afternoon.

The Hon. TANIA MIHAILUK: I will leave the other remaining questions for you separately. Minister, back on this Jason Clare announcement—I appreciate you have already had some questions on that in respect to the national education register that was announced, and the uniform working with children laws. He announced that CCTV assessment will occur with 300 services. Is that right? Do you know how many are specific to New South Wales?

The Hon. COURTNEY HOUSSOS: I am not sure off the top of my head how many of those services are in New South Wales. Perhaps the secretary would be able to tell us. The Federal Government is calling it a CCTV assessment. Under our announcement, we're calling it a CCTV trial. We're working through the way that this could be implemented. You would be aware, Ms Mihailuk, that this was a specific recommendation from the Wheeler review, and that's why we're implementing it. But the feedback that we've certainly got—and that I've certainly got—from workers across the early childhood education and care sector is that we can't just see this as the magic bullet. It can't be seen as the only solution.

It's clear from the feedback that has been given to us, and to some of my interstate colleagues, that particularly from police and from a regulatory response, CCTV can be an important part of it. But the best way of making sure that children are safe is actually by ensuring that our educators have the skills that they need. That is why another part of the announcement from Friday was around the mandatory training component. And also launching a review—I have to give full credit to Federal Minister Jess Walsh. This is something that she is really passionate about. What is called in the sector the "under the roof" or "under the roof line" approach to ratios, which is not being really careful about making sure that you have the right number of educators in each room—

The Hon. TANIA MIHAILUK: Sorry to interrupt you, Minister. I have limited time. I know you're across it, but I just want to double-check a couple of things. Obviously, the New South Wales Government is investing \$55 million, on top of the regulatory authority's existing budget, to boost frontline staff and increase the almost 9,000 visits completed last year. Is part of this that you're going to mandate they have to do more than 9,000 visits?

The Hon. COURTNEY HOUSSOS: We're looking at the updated statement of expectations. That's what I said earlier. Nine thousand visits is how many the regulator did last year on 6,000 centres.

The Hon. TANIA MIHAILUK: I would have thought that is a pretty good figure. Part of Wheeler's report is criticising the work of the current regulatory staff that are within your department. Wouldn't you think that 9,000 visits is actually a really good number?

The CHAIR: Across 6,000 services.

The Hon. COURTNEY HOUSSOS: I can see the Chair interjecting there.

The Hon. TANIA MIHAILUK: I get it, but let's have a look at the Children's Guardian and at foster kids, and how many kids get attention there. I can tell you right now, it's nowhere near those sorts of figures. I'm just saying to you that I think it is a really large number of site visits. I'm not sure sometimes whether it's the issue of site visits that is the concern, because I think we all know that nothing stops a predator really—you can do your best. To me, in the end, it is all about each centre understanding that it has to have a certain number of staff and do some strong character assessments on who is hired, consider what their real interest is, and so forth.

The Hon. COURTNEY HOUSSOS: On that, Ms Mihailuk, I would say absolutely the staff are crucial, and CCTV is a way of augmenting that. It is part of the suite of measures that we're implementing, but it's not the only one. I take your feedback that 9,000 visits is a lot. It's worthwhile saying that it's 9,000 visits on 6,000 centres,

CORRECTED

so there is certainly a high number in proportion to the number of centres. I take on board Ms Boyd's feedback that they should be in a different way. We certainly welcome feedback relating to further reforms we can make. But your point about the staff and the vetting of staff is crucial, and that's why on Friday the Federal Government announced that the national register will be piloted later this year and will be up and running next year.

I, personally, think this is a crucial part of the suite of measures that we're doing, because if a centre has someone who turns up on their doorstep and says, "I want to work in this centre. Here's my resume," they don't really have a way of checking that. In the aged care sector, they do. They can ask where have they worked, who have they worked for and what were the circumstances in which they left. I think that's a crucial part which is missing from the childcare sector, and that's what we'll be able to do, because one of the risk factors that should be taken into account is if they're jumping around a bunch of different centres. That's why it's so important that we have it at a national level and not just at a New South Wales level.

The Hon. SARAH MITCHELL: Minister, in relation to the recent announcement by the Government around Woollahra station and the plan to build 10,000 new dwellings in that area, how many new schools or classrooms are you planning to build to meet the increased capacity that will obviously be needed?

The Hon. COURTNEY HOUSSOS: What I can tell you, Mrs Mitchell, is that there is significant capacity at all public schools around Woollahra and Edgecliff. We have been monitoring that closely.

The Hon. SARAH MITCHELL: Are you planning on upgrading or building any new schools in that area to accommodate the people you are anticipating will move into those 10,000 new dwellings?

The Hon. COURTNEY HOUSSOS: The advice that I've got here is, across the seven nearby public schools, it's currently at an average of 72 per cent of their capacity. There are 41 classrooms—about 930 students—that are currently at capacity in Woollahra and surrounding areas.

The Hon. SARAH MITCHELL: You're going to rely on existing capacity; there are no plans to build any additional classrooms at this stage?

The Hon. COURTNEY HOUSSOS: What I'm saying to you is that, as I've been saying repeatedly through the hearing today, the Deputy Premier has a fundamentally different approach to your approach—

The Hon. SARAH MITCHELL: I'm asking about a specific program.

The Hon. COURTNEY HOUSSOS: —which is to monitor the enrolment capacity and then the numbers against that capacity, regularly.

The Hon. SARAH MITCHELL: Okay. But as we sit here today, there are no plans?

The Hon. COURTNEY HOUSSOS: What I am telling you is that across the seven nearby public schools, we have an average of 72 per cent capacity. So, there are 41 classrooms that are sitting there—

The Hon. SARAH MITCHELL: You've said that. I'm not asking you to repeat that.

The Hon. COURTNEY HOUSSOS: —that are ready.

The Hon. SARAH MITCHELL: There are none in your forward planning. You are telling me there are no new classrooms in that area in your forward planning. Is that correct?

The Hon. COURTNEY HOUSSOS: I'm saying that there's 41 classrooms—in fact, what I can tell you, Mrs Mitchell, is that Woollahra Public School actually had a demountable removed last year—

The Hon. SARAH MITCHELL: I'm not asking you about that. I'm asking about what else—

The Hon. COURTNEY HOUSSOS: —and recently the principal has requested to have that and another demountable removed. So before we start planning upgrades, we're going to have a look at the existing capacities.

The Hon. SARAH MITCHELL: Thank you. Just so we're clear, there are no plans for new schools. That's all I wanted to know. That's fine.

The Hon. COURTNEY HOUSSOS: Sorry, Mrs Mitchell, is it actually your testimony to me today—

The Hon. SARAH MITCHELL: I'm asking you the questions, Minister.

The Hon. COURTNEY HOUSSOS: —that with 41 classrooms available—

The Hon. SARAH MITCHELL: Chair?

The Hon. COURTNEY HOUSSOS: —we should be planning upgrades?

The CHAIR: Order!

CORRECTED

The Hon. SARAH MITCHELL: I asked you, "With 10,000 new dwellings expected in the area and your signature housing announcement around Woollahra, do you have plans to build any additional schools or classrooms?" And you've said, "No." That's fine. I want to move on to the Box Hill area. You mentioned that earlier. This is quite a specific question; you may need to refer it to Ms Harrington. My understanding is that the Government will not be acquiring lot 48 at Terry Road. Is that correct?

The Hon. COURTNEY HOUSSOS: I don't know that level of detail. Ms Harrington?

LISA HARRINGTON: We have acquired lot 50 and lot 52. Lot 48, after due diligence, was shown not to be suitable for a school site. It is affected by flood, and we are able to fit what we need, in terms of the primary school, high school, preschool and full-size playing field, in lots 50 and 52.

The Hon. SARAH MITCHELL: So you don't expect you will need any additional land; lots 50 and 52 will be enough?

LISA HARRINGTON: For that particular primary school, high school and preschool, no, we don't need any additional land.

The Hon. SARAH MITCHELL: My understanding is there is some discussion about lot 48 becoming residential. I note you say it's flood prone, so I find that a bit curious. But if that becomes residential, are you still confident you will have enough land, particularly for any future expansion of that school that might be needed?

LISA HARRINGTON: Yes, we are master planning for growth with that particular site. We're going ahead. First of all, stage one for the high school is 1,000 children and we are master planning for additional, should we need it.

The Hon. SARAH MITCHELL: And you're confident the land you have will be enough for that growth?

LISA HARRINGTON: That's right.

The Hon. COURTNEY HOUSSOS: It's worthwhile noting that across Box Hill we have five separate school projects underway.

The Hon. SARAH MITCHELL: I asked a specific question, Minister. I've had it answered. Let's move on. Prior to the 2023 election, did Labor commit to a K-12 school at Macquarie Park?

The Hon. COURTNEY HOUSSOS: Again, this is where it comes back to this is a project that we inherited from you, Mrs Mitchell.

The Hon. SARAH MITCHELL: That's not my question, with respect, Minister. Did you commit to a K-12 school at Macquarie Park?

The Hon. COURTNEY HOUSSOS: I'm not sure that we committed to a K-12 school.

The Hon. SARAH MITCHELL: I'm just going to help you.

The Hon. COURTNEY HOUSSOS: I know that your Government and I know that you announced that there would be an integrated school on that site.

The Hon. SARAH MITCHELL: Minister, my questions are in relation to this Government—two years, three budgets, Labor's election commitments. I'm happy to share this with you, Minister, and I have some copies. This is from your Labor candidate. It has a photo of her with the Deputy Premier, and the words "Lyndal Howison and NSW Labor will build a new K-12 school for Macquarie Park." That looks like an election commitment to me. Would you agree?

The Hon. COURTNEY HOUSSOS: Sorry, I have just recently got glasses. I can't quite see.

The Hon. SARAH MITCHELL: It's obviously a Facebook tile, showing your candidate with the Deputy Premier, stating they will build a new school at Macquarie Park.

The Hon. ANTHONY D'ADAM: Point of order—

The Hon. SARAH MITCHELL: Is that an election commitment?

The CHAIR: Order! I will hear the point of order.

The Hon. ANTHONY D'ADAM: My point of order is that once the Minister has received the item that's being tabled, Mrs Mitchell might want to ask her question then. She should give the Minister the opportunity to inspect the document before asking questions about it.

The Hon. SARAH MITCHELL: I've printed it quite large. It's only one sentence.

CORRECTED

The CHAIR: Order! I uphold the point of order.

The Hon. SARAH MITCHELL: Minister, it is stated there, "Lyndal Howison and NSW Labor will build a new K 12 school for Macquarie Park." Is that an election commitment?

The Hon. COURTNEY HOUSSOS: I would make a couple of points in response to this.

The Hon. SARAH MITCHELL: It's authorised by Bob; it's not fake.

The Hon. TANIA MIHAILUK: That is funny.

The Hon. COURTNEY HOUSSOS: We'll need to verify this—we're doing lots of work around the use of deepfakes! Anyway, I shouldn't be flippant about an important issue.

The Hon. SARAH MITCHELL: No, you've broken an election commitment.

The Hon. COURTNEY HOUSSOS: Well, no, that's a pretty serious allegation to be raising. We've got more than 70 election commitments, and I know the Deputy Premier takes them very seriously.

The Hon. SARAH MITCHELL: That's not my question.

The Hon. COURTNEY HOUSSOS: In relation to the site at Macquarie Park, this was a project that we inherited from you. This was a project that you announced, that you said was innovative, that was going to be an integrated development.

The Hon. SARAH MITCHELL: Point of order: I am asking questions about this Government, about its budget, about announcements that it has made. The Minister is not being relevant to the direct question I've asked: Are you building a K-12 school at Macquarie Park, yes or no?

The Hon. EMILY SUVAAL: To the point of order: The Minister is being directly relevant. I would put to you that there is some scope to give important context, which the Minister has given for a number of her answers. Just because she's not answering in the way the member would like does not mean that the Minister is not being relevant.

The CHAIR: There is always a little bit of give and take. A little bit of an introduction is fine, but there must be a point when the question is answered.

The Hon. SARAH MITCHELL: Are you building a K-12 school at Macquarie Park?

The Hon. COURTNEY HOUSSOS: We are building a K-6 school at Midtown. We are building a 7-12 school at Macquarie Park on that site. Can I tell the Committee that that high school on that site will be eight storeys.

The Hon. SARAH MITCHELL: That's not what I've asked for.

The Hon. COURTNEY HOUSSOS: It will accommodate 2,000 students. The assessment of the department is that we need to be honest with the community and say you cannot accommodate what you promised on that site.

The Hon. SARAH MITCHELL: Sorry, Minister. The Midtown primary school, which was already underway as a standalone primary school—that was also committed to by our Government. Then a K-12 also was a commitment by you and your Labor candidate in that electorate. You're now confirming that's going to be a high school only. Effectively, you're one primary school down in that area. Is that correct?

The Hon. COURTNEY HOUSSOS: No, that's not correct. You—

The Hon. SARAH MITCHELL: How is that not correct?

The Hon. COURTNEY HOUSSOS: If you—

The Hon. SARAH MITCHELL: The commitment was a K-12 and a K-6 at Midtown and now you're telling me it's a K-6 at Midtown and a 7-12 at Macquarie Park. You're missing a primary school based on your election commitments.

The Hon. COURTNEY HOUSSOS: Are you finished?

The Hon. SARAH MITCHELL: Do you have an answer?

The Hon. COURTNEY HOUSSOS: I'm trying to answer, if you'll let me answer. I don't know if you're familiar with that site, Ms Mitchell, but the advice provided to us is that when you made the announcement there would be a K-12 school, which we accepted—

CORRECTED

The Hon. SARAH MITCHELL: You made the commitment, Minister. This is not a trick question.

The Hon. COURTNEY HOUSSOS: Exactly. We accepted—

The Hon. SARAH MITCHELL: Failed election commitment from Labor in the Ryde electorate. Fantastic.

The Hon. COURTNEY HOUSSOS: —that you did the due diligence when you were the Minister to check whether you could build a K-12 school.

The Hon. SARAH MITCHELL: Failed commitment. Thank you, Minister.

The Hon. COURTNEY HOUSSOS: When you say, "Is there going to be"—

The Hon. SARAH MITCHELL: It's not me. It's you.

The Hon. COURTNEY HOUSSOS: We expected some level of ministerial responsibility—

The Hon. SARAH MITCHELL: K-12 school for Macquarie Park under Labor, and it's not happening.

The Hon. COURTNEY HOUSSOS: —that you tested what's given to you.

The Hon. RACHEL MERTON: That's a broken election commitment, Minister.

The Hon. COURTNEY HOUSSOS: What we have said—

The CHAIR: Order!

The Hon. PETER PRIMROSE: Point of order: Chair, you understand the point of order.

The CHAIR: Yes. Order!

The Hon. PETER PRIMROSE: The question is asked. The Minister is seeking to answer. The member who asked the question is again seeking to answer it. I'd like to hear the Minister's answer.

The CHAIR: I uphold the point of order. Can we have question followed by answer so Hansard can record. Do we have a clear question that is being asked?

The Hon. SARAH MITCHELL: I have my answer, Chair. I will move on to Medowie High School, specifically in relation to the site that has been chosen. I have raised this in previous estimates, and I know Ms Harrington will remember. I am continually getting community concerns about the site that has been selected: Students have to cross a really busy road with an estimated 10,000 vehicles per day, and there are no traffic lights. What assessments have you made in terms of the risk and safety of students? Do you 100 per cent guarantee that students attending that new school when it opens will be safe on their journeys to and from school?

The Hon. COURTNEY HOUSSOS: You've asked me a series of questions about Medowie High School. Can I take this opportunity to pay tribute to the incredible member for Port Stephens, Kate Washington, who has been advocating to the community and even to me personally for this project for the better part of 15 years. I am so excited that finally it will be open and ready for students on day one, term 1 of 2027. I think we released the designs of that particular project recently for the community. It is a fantastic local facility that the community has been crying out for—

The Hon. SARAH MITCHELL: Can I direct you to my question, Minister?

The Hon. COURTNEY HOUSSOS: —and that your Government promised for years and didn't ever deliver.

The Hon. SARAH MITCHELL: I've allowed a little bit of latitude for a general response. I'm asking about parental concerns about the very busy road that students will have to cross and whether you are comfortable with the site that has been chosen. Can you give the guarantee that students will be safe when they are coming to and from school when that school opens?

The Hon. COURTNEY HOUSSOS: I am told that the Medowie Public School is located across the road from the proposed high school, which seems pretty logical to me. But I think probably Ms Harrington is more familiar with the site and can give you more details.

LISA HARRINGTON: Obviously, through the planning process, these sorts of concerns or issues are addressed as a matter of course—safety, transport, traffic, that sort of thing. We have received planning approval for Medowie, so that is something that has been assessed and appropriate mitigation measures are in place.

CORRECTED

The Hon. SARAH MITCHELL: What additional measures will be put in place in terms of student access? As I said, there's no traffic lights. There are roads; there is commercial access. Are there any plans to improve student access for that site?

LISA HARRINGTON: That will all be detailed in our planning documentation. I can come back on notice with that.

The Hon. SARAH MITCHELL: Do you know when that will be available to the public and the community?

LISA HARRINGTON: When we get planning approval, it is published, so it should be. I can check on the timing for that.

The Hon. SARAH MITCHELL: If you could take that on notice, that would be great.

LISA HARRINGTON: Yes.

The Hon. SARAH MITCHELL: How many students will that school cater for from day one, if possible? Do you know now, Minister or Ms Harrington? I'm happy with either.

LISA HARRINGTON: I don't have that. I can come back on notice.

The Hon. SARAH MITCHELL: Minister, in the time I have left I want to quickly talk to you about the selective schools test debacle. Can you tell me how much Dr Bruniges was paid to conduct the review into the opportunity class and selective school tests?

The Hon. COURTNEY HOUSSOS: I don't have that figure at hand, but I'm happy to come back to you on notice.

The Hon. SARAH MITCHELL: Does Mr Dizdar? Can you let us know?

MURAT DIZDAR: Let me come back, yes.

The Hon. SARAH MITCHELL: Can you confirm that from next year the tests will return to being held at local public schools, as was the previous practice?

The Hon. COURTNEY HOUSSOS: Yes.

The Hon. SARAH MITCHELL: Can you advise why the decision was made to move them to mega-testing centres this year, given that, presumably, you've now spent money for Dr Bruniges to do the review, and why you are reverting to what was originally the case? Why did you move to a mega-testing centre in the first place?

The Hon. COURTNEY HOUSSOS: I will say a couple of things at the outset. The crowd control disruption that occurred on Friday 2 May was just not acceptable. It fell well short of our Government and the department's expectations. The Deputy Premier was really quick. She apologised at the time for the disruption that was caused to students. I have to take on notice why the decision was taken to move to large testing centres. What I am aware of is that this is something that's done in other States—for example, in Victoria. It's only natural that if something like this occurs, we would undertake a review as to what happened and how we can make sure that doesn't happen again.

The Hon. SARAH MITCHELL: Some of the documents we got back through the call for papers indicate that when they did the trial of the off-site exams, there were concerns raised about crowd management, students and how they were going to be able to manage those large cohorts, yet the exact same issues occurred on the testing day. You've just said that's not good enough, but why didn't you look at the results from the trial period of the test? As I said, why did you do this in the first place? Was it because the teachers or the principals wanted you to move off school sites? What was the genesis of that decision?

The Hon. COURTNEY HOUSSOS: You've asked me a series of questions, including one that I've already taken on notice, which is why was the decision taken. You would be aware that that decision was taken prior to my period in the role.

The Hon. SARAH MITCHELL: I accept that.

The Hon. COURTNEY HOUSSOS: I'll take that on notice. I'll get some advice. In relation to the other questions you asked me, it's worthwhile noting that this contract was signed by you, Ms Mitchell, on the very final days of you in government before the caretaker provisions started. There is no doubt that this was an existing contract that was in place. You raised questions in relation to issues around crowd control.

The Hon. SARAH MITCHELL: The trial—the practice that they did.

CORRECTED

The Hon. COURTNEY HOUSSOS: Yes. I'd be happy to refer you to the secretary. I think it's probably best left to the secretary to answer those particular questions.

MURAT DIZDAR: I want to take this opportunity to again publicly apologise to those parents and students and families that were impacted. As a former student in the system who went through the selective schooling system, I know the merit and worth of how parents and children view that. The Minister's spot-on. It certainly doesn't meet the standards that I hold the department to. I welcome Dr Bruniges' review. I think the review in context is really important. Dr Bruniges calls out that we ran those tests in 104 other centres where it went really well, and she calls out that we didn't do enough operational due diligence on the three large testing centres. As secretary, I haven't hidden behind any contract, or Janison. I've said that operationally this should not have been the case. We did run the trial. We did call out and put more resourcing and requests for resourcing with that contract. We won't be running them at these large testing centres anymore. We'll move to a local model.

As a former principal on the ground, it's been a long-held view: Can you help improve so that it doesn't happen in every single school? There's a workload and an administrative angle to this. We also had those representations. When I looked into it when I came in as secretary, this does stretch back to former leadership. It's been a long journey after a review into selective schooling. Dr Bruniges says there's merit in going local; there's merit in online. She also calls out the adaptive nature of the tests that we can improve. We're going to go hard at work on that.

The Hon. SARAH MITCHELL: Thank you, Mr Dizdar. I might come back to you with this this afternoon, because I don't have long with the Minister.

MURAT DIZDAR: Sure. Okay.

The Hon. SARAH MITCHELL: Minister, in relation to the Janison contract, can you confirm when that was signed?

The Hon. COURTNEY HOUSSOS: My understanding is that it was signed by you just at the end of—

The Hon. SARAH MITCHELL: Janison announced it on 6 February 2024. That was when it was listed, and they're a stock exchange listed company.

The Hon. COURTNEY HOUSSOS: The advice that I have is that this was a contract that was signed by you.

The Hon. SARAH MITCHELL: Mr Dizdar, do you know when the Janison contract was signed?

MURAT DIZDAR: The briefings, the approval processes to go down this approach stretch to a former secretary, former Minister. As to the exact contract execution, let me find out.

The Hon. SARAH MITCHELL: If they're announcing it on 6 February 2024 and they are an ASX company, I would anticipate that it was signed close to that time, you would expect.

MURAT DIZDAR: If this helps the Committee, what I found out and discovered when I came in as secretary is that these decisions stretch back to 2020, now operationally executed under our watch, and that's why we want to get it right.

The Hon. SARAH MITCHELL: That's what I'm curious about. Particularly that Janison contract, what happens to that now, Minister?

MURAT DIZDAR: Can I just help the Committee there, Minister, if that's okay with you?

The Hon. COURTNEY HOUSSOS: Yes.

MURAT DIZDAR: We will be undertaking some contractual discussions with them, and I've got to be very careful with what I say.

The Hon. SARAH MITCHELL: I appreciate that. Just one more: During the time in August last year, the Hi-Intelli contract that was also awarded for selective education test provider and test centre management services, what was that for?

MURAT DIZDAR: The contract with Janison was to execute the online selective schools testing, both the production of those tests, which is through Cambridge University, as well as the administration of those tests. The Hire Intelligence contract goes to the hardware, the actual computers that were used.

The Hon. SARAH MITCHELL: Could you also take on notice, then, what happens to that contract as well?

MURAT DIZDAR: Again that's a subject of discussions.

CORRECTED

The Hon. SARAH MITCHELL: As much as you can provide on notice would be great.

MURAT DIZDAR: Yes.

The Hon. COURTNEY HOUSSOS: I have some updated advice, which is that the tender was approved by you, Ms Mitchell. The contract—

The Hon. SARAH MITCHELL: I'm asking when the contract was signed.

The Hon. COURTNEY HOUSSOS: Yes, and I'm just clarifying my evidence, which is that the tender and the procurement approach was approved by you in those final days. The actual contract was awarded subsequently—

The Hon. SARAH MITCHELL: So the contract was signed off under your Government.

The Hon. COURTNEY HOUSSOS: —but that decision to outsource was already taken.

The Hon. SARAH MITCHELL: The contract was signed under your Government, so that had continued under your Government, is my question.

The Hon. COURTNEY HOUSSOS: I am just saying, yes, this is one of those things that I talked about earlier that we inherited from you.

The Hon. SARAH MITCHELL: And you chose to continue with, to be fair.

The Hon. COURTNEY HOUSSOS: I personally didn't make that decision. That's why we're going to come back to you on notice.

The Hon. RACHEL MERTON: Minister, if I could take you to Western Sydney and to Blacktown Hospital, I think we've all seen the images of patients sleeping on the floor. I've seen it myself: patients undergoing examination, IV drips. I've got messages on my phone from nurses. It's a crisis. They're looking for immediate help from the Government. As the Minister for Western Sydney, what are you doing on this?

The Hon. COURTNEY HOUSSOS: You're right: I am the Acting Minister for Western Sydney. I am broadly aware of those distressing images that you're referring to. But I think specifically the steps that the Government is taking in relation to Blacktown Hospital are probably best directed to Minister Park. I'd make this point: I saw a media release from him maybe earlier this week that said that the performance indicators had tripled in their improvement. Perhaps I can come back on notice in relation to that, but I would say this Government is doing a huge amount of work across Western Sydney to play catch-up on the lack of infrastructure and the lack of investment that occurred over the past 12 years.

The CHAIR: I will now throw to my colleague Dr Cohn.

Dr AMANDA COHN: Good morning, Minister.

The Hon. COURTNEY HOUSSOS: Good morning.

Dr AMANDA COHN: I appreciate that you're acting in this role, but I wanted to ask you about something I know you were interested in as a member of the Opposition previously, which is air quality in classrooms. The National Science and Technology Council recently released yet another report confirming that proper ventilation in public buildings, including education settings, not only reduces infection transmission but actually improves learning conditions for kids. Last year when I asked for updates on the progress on the department's plans to enhance ventilation I was told that 29,000 of the 43,000 libraries and teaching spaces in New South Wales rely on natural ventilation, things like opening a window—and we know that in winter or if it's noisy or if there's outdoor air pollution, teachers don't open the window. Do you think it's acceptable that a majority of those learning spaces are still relying on natural ventilation?

The Hon. COURTNEY HOUSSOS: Yes, you're right, Dr Cohn. This was something that I asked a number of questions about in opposition, particularly during the COVID-19 pandemic. I haven't asked the department for updated information since acting in this role for a brief period, so perhaps it would be best to pass you to the secretary to provide you with updated advice on that.

MURAT DIZDAR: I might get Ms Harrington to unpack anything that we've got that we can add there.

Dr AMANDA COHN: I'm happy to come back in the afternoon in terms of dissecting the figures. To the Acting Minister, we are now past the peak of the COVID pandemic, but the evidence is mounting that this is important outside of pandemic conditions, and this is actually about best practice learning conditions for kids, not only relating to infection and transmission. Do you accept that it's important to have ventilation in classrooms?

CORRECTED

The Hon. COURTNEY HOUSSOS: Yes, I'd accept that we want our schools to be safe, great quality learning environments. Our current capital budget is about \$9 billion over the next four years to provide a range of school upgrades. I would expect that some of those would include measures to address some of those concerns but, again, I'm not across the finer detail of what they are. I'd be happy to come back to you on notice, if that's appropriate.

Dr AMANDA COHN: I'll come back this afternoon to ask those questions of the department. My understanding is that there's a program at the moment, which is the Clean Air Schools program, in partnership with the education department, that's studying air quality in a hundred schools in New South Wales. If the results of that study show that further upgrades are necessary, do you commit to doing that work?

The Hon. COURTNEY HOUSSOS: I would say that we've got a record school building and upgrades program that's been actively advocated for by the Deputy Premier. She is very keen in advocating. I say that with my other, Minister for Finance hat on. She is a tireless advocate for more funding to provide those upgrades for schools. I think we would be informed by evidence or by updated data. Just by way of example, we've got 20 major school upgrades or new school builds that are happening between the budget and the end of the year—the construction starting on those. That's just the major upgrades. Like I say, \$9 billion of new classrooms, new schools and upgrades are occurring. This is in addition to the usual maintenance work that's underway as well. It's a very large program of upgrades that are occurring, so I would expect that part of those upgrades would be in relation to the specific issues that you're asking about too.

Dr AMANDA COHN: At the previous estimates hearing for this Committee, I asked Minister Car about synthetic turf installations at schools. I understand the education facilities guidelines recommend against it unless it's essentially required, and there are a number of reasons there. At that hearing, I was asked to follow up with a list of schools that I've got as examples, and I did write a letter to Minister Car that included 18 examples. That list wasn't exhaustive. Thank you very much for responding to that letter. In that letter, it noted that most of the play areas with synthetic turf are partially shaded by surrounding trees. The chief scientist recommended that synthetic turf be shaded. That's because it's a burns risk. It gets really hot in the sun. It can be hotter than adjacent concrete, notwithstanding the other health and environmental issues associated with synthetic turf. Are you satisfied with this answer that only most of the non-exhaustive examples that I provided are actually following the chief scientist's advice?

The Hon. COURTNEY HOUSSOS: I would say that we have had some discussions in relation to this. I don't recall the 18 specifics. I do remember that I signed a letter to you in relation to your concerns around synthetic turf, and I think I was encouraged by the advice from the department that said the default position is that natural grass is what we want. But, as you would know, there are certain parts of schools that are shaded or that require synthetic turf, and it's a calculation of how we can make sure that kids still have access to outdoor play space, particularly with the weather that we've just had over recent weeks, but then, also, the default position is that natural grass is the best option. In relation to the 18, I might pass to the secretary about what the specifics are.

Dr AMANDA COHN: Again, I'm happy to come back this afternoon. I suppose what I'm trying to draw your attention to, Minister, is that I have asked about this a number of times now, and that response that natural grass is preferred is reiterated. I'm pleased that that is the policy position of the education department. People who are concerned about this issue and who watch these hearings subsequently contact me with the list of existing or new schools that have synthetic turf going in, and there are at least some examples that aren't following what is the stated policy position of the department. I suppose what I'm looking for is: Are you willing to actually make that examination school by school? The 18 that I provided on the list wasn't an exhaustive list; they're just the ones that I know of. Are you satisfied that every case of synthetic turf at a school in New South Wales is actually following your own policy, or will you make that examination?

The Hon. COURTNEY HOUSSOS: I'm happy to take those specific examples on board, and we'll go away and do the work. That's completely fine. I would say that the department's been pretty definitive in their advice to me that that's the starting point—that we want natural grass wherever possible. But, like I say, if you've got specific concerns, we'll certainly follow up on them.

Dr AMANDA COHN: Thank you. I'll continue that conversation with you, Mr Dizdar, this afternoon.

The CHAIR: Minister, I understand that in relation to the national law—back to early childhood again—that the discussions with the other States and Territories have been working on a bunch of reforms, and one of them has been this issue around the limitation period that applies to certain offences. I think everyone's quite pleased that the limitation period will be extended, but there's still a question mark over whether or not it will be retrospective. Would you be supporting retrospectivity for that limitation period at the national level?

CORRECTED

The Hon. COURTNEY HOUSSOS: That's an excellent question, and, yes, that's true: It has been the subject of conversations that we've been having. This is where—as I said earlier—we're really clear that we will go it alone if we need to, and we do have some specific concerns around the way that the regulator can take action. But I might just pass to—I'm not sure if Mr Barraket might be the best placed to provide a response about where we're at versus where the national conversation is.

The CHAIR: Can I just be specific as well? I'm talking about, for instance, where if the regulator had known at the time it would have been able to actually prosecute against an approved provider, but because it's been, say, 10 years since—it's particularly relevant where we have sexual abuse of children.

MARK BARRAKET: I might get Mr Backo to come and join me. But, in regards to your question, there is work underway to look at historical offences. You are correct; there was national agreement around that. However, there is still an ongoing discussion about that retrospectivity piece that we're working on with all States and Territories and the Australian Government. But Mr Backo might be able to describe how that applies in practice at the moment.

The CHAIR: I'm very curious about whether New South Wales is taking a position that it wants retrospectivity for that limitation period.

MARK BARRAKET: We are very interested in retrospectivity.

The CHAIR: All right. I might just leave it and then come back this afternoon to more detail.

The Hon. COURTNEY HOUSSOS: What I can say to you, Ms Boyd, is that we're drafting our legislation as we speak. That's certainly what we want to be the case. We're also looking at some provisions around stop the clock because we know that the limitations are a real problem, especially when we've got the regulator taking action and perhaps then the police investigating as well. We're looking at this closely.

The CHAIR: There's been a number of the Jack Loh Coroner's report recommendations that haven't yet been implemented. The one that I'm particularly interested in right now is the one that was rejected by the previous Government. Most of them were accepted and supported. The one that was rejected was that all approved providers needed to have some level of experience in early childhood and a qualification in order to be an approved provider, which seemed like a pretty obvious thing. At the time it was rejected on the basis that it would discourage those with a commercial background, for instance, setting up these services, and that might impact on the supply of the service. Given what we now know, is that a decision that you would be interested in going back and revisiting?

The Hon. COURTNEY HOUSSOS: I think that speaks to the previous Government's approach in relation to this sector. But in relation to where we're at on that specific recommendation—am I best to pass to the secretary or Mr Backo or Mr Barraket?

MURAT DIZDAR: Mr Backo, do you have anything about the recommendations and where we're at with implementation?

NICHOLAS BACKO: In relation to the recommendation that you're asking about, Ms Boyd, you're correct in that the response from the Government was that the recommendation was noted. Just to add some additional information—whilst you're right that recommendation has not been implemented, what we do currently is a thorough assessment of anyone entering the sector, and that—

The CHAIR: Just before you get there, we will have to have a debate about that. I've seen lots of examples where people have not quite met that standard and still been allowed—let's come back to that this afternoon.

The Hon. TANIA MIHAILUK: Minister, I just wanted to ask you about the provision of section 26 of the Act, which allows parents to inform schools that they want to opt out of certain classes or certain activities. Are you across that?

The Hon. COURTNEY HOUSSOS: I'm broadly across the issue.

The Hon. TANIA MIHAILUK: How are parents informed that this section exists? Do you know if there is an online portal that people can notify the school if they have an issue with respect to something that's done at their school? Do they have to email the principal? Is there a permission note that's sought annually that the school can then ask parents or advise them of section 26 and their rights as parents?

The Hon. COURTNEY HOUSSOS: I'm just not across the detail of how it's administered within schools, but the secretary might be able to tell you about that one.

MURAT DIZDAR: You're right, Ms Mihailuk. Section 26 of our Education Act gives the secretary power to issue an exemption certificate for a child and family, but that would be very cumbersome if it was executed at

CORRECTED

the secretary level. So what we do, operationally, is we encourage all our families to approach the school principal in the first instance. We certainly make our principals aware—

The Hon. TANIA MIHAILUK: Mr Dizdar, what I wanted to know is how parents would even know about section 26.

MURAT DIZDAR: We communicate that through our principals and schools—

The Hon. TANIA MIHAILUK: So how do the principals notify parents?

MURAT DIZDAR: There's a requirement to make sure that you're taking parents across the curriculum offering for their child at their age and stage. That's done at the beginning of the year, that's done on parent-teacher nights, that's done through newsletters, that's done through the classroom teacher and that's done through the executive team.

The Hon. TANIA MIHAILUK: Minister, do you recall, when you participated in the Education Legislation Amendment (Parental Rights) Bill 2020 inquiry, that you suggested at the time—and quite a good suggestion—that there be an online portal for parents? You queried as to why wasn't there an online portal available for parents to inform schools in a non-controversial way that they wanted their kids to opt out of certain classes. Do you still think that's an effective method?

The Hon. COURTNEY HOUSSOS: I don't recall the specific proposal, but it seems pretty logical to me. I just haven't spoken to the secretary about it.

The Hon. TANIA MIHAILUK: So you support it? Would you be keen to implement an online portal, just to give parents an opportunity to be able to do that in a way that doesn't mean that they have to write specifically to the principal? Would you pursue that?

The Hon. COURTNEY HOUSSOS: I'd be happy to give that some more consideration. I just haven't done that while in my current role.

The Hon. TANIA MIHAILUK: One of the other things that you supported in that was—you actually put the idea of an annual permission note as well. You also put that idea. Is that something you would consider as well—where an annual permission note is sent out to parents where they could actually then advise, in that process, what they agree or didn't agree?

The Hon. COURTNEY HOUSSOS: My understanding is that our parents do get asked to sign an annual permission note, but I think maybe Mr Dizdar might be better placed to tell you about the way that that's administered. This is just me sort of recollecting as a parent, not necessarily as Minister.

MURAT DIZDAR: I also say this as a parent in the system. At the beginning of the year for Adem in year 4 and Aydin in year 7 and Aaliyah in year 11—

The Hon. TANIA MIHAILUK: Everyone gets an annual permission note—is that what you're saying?

MURAT DIZDAR: I got annual information on a range of things around what my child will be doing, what subject areas, what excursions would be running, what incursions would be running, when parent-teacher—

The Hon. TANIA MIHAILUK: Does it mention section 26 to give parents the option?

MURAT DIZDAR: It certainly makes it clear that if I've got any concerns with any parts of the curriculum that I should approach the school. I take it with great due diligence that we serve close to two million families and carers in New South Wales. I don't want to overload them with legalese or wrap that around it. I want to make sure they're comfortable in approaching their school with any concern and, on curriculum ground, I would want them to approach the school. We've had some rare instances where the schools then approach their DEL or the executive director for further assistance. Normally these things are solved at a local level.

The Hon. TANIA MIHAILUK: Mr Dizdar, I've got plenty of time with you this afternoon. Can I go back to the Minister. In that inquiry, you supported a number of recommendations: recommendations 2, 5 and—I will summarise them for you, but they talk about the Government making concerted effort to inform parents of their rights under the Controversial Issues in Schools policy, which includes a notification at the beginning of each year to all parents by the schools and by the Department of Education. Have you taken any steps to implement that reform?

The Hon. COURTNEY HOUSSOS: I haven't taken any steps while I've been in my current role, but the fundamental change, I would say, is that the thing I've been really encouraged by while I have been acting in this role is that the Deputy Premier has led a fundamentally different approach, which is that schools need to get back to being focused on teaching our kids across the knowledge-rich curriculum that is being implemented, and that

CORRECTED

we run a system of schools—not under Local Schools, Local Decisions, where you had every single school making individual decisions across a range of different areas. I think the program of reform that the Deputy Premier's leading and that the secretary is implementing, around a focus on explicit teaching, on making sure that we are really refocusing in the classroom on getting the best outcomes for students—that's a fundamental change in relation to the direction that has been provided to our schools from the centre. That's something that I think the Deputy Premier and the secretary should be commended for.

The Hon. TANIA MIHAILUK: I just remind you, in recommendation 2, you supported:

That, in recognition of its obligations under the International Covenant on Civil and Political Rights, the NSW Government support all parental primacy provisions and protections in the Education Legislation Amendment (Parental Rights) Bill 2020 including:

...

the right for parents to withdraw their children from teaching that is inconsistent with their core values and convictions.

Given that you supported that back in '21, do you still share those views?

The Hon. COURTNEY HOUSSOS: Yes, I have the same views but I would say that our education system is very different under the Deputy Premier than it was previously.

The Hon. TANIA MIHAILUK: You're now in the hot seat. I'm delighted that you're there, Minister. I'm hoping that you might still have the same views you had in '21. Can I put to you a couple of questions that I previously put to Mr Dizdar about the mobile phone ban? In an answer taken on notice to the hearing on 25 February 2025, Mr Dizdar said that the Centre for Education Statistics and Evaluation is currently collecting and analysing data on stakeholder perceptions about the mobile phone ban. Have you been briefed on that, Minister?

The Hon. COURTNEY HOUSSOS: I don't think I have, but I would say that the overwhelming feedback that I've received from parents and teachers is that it's a fantastic initiative—not so uniform from students. But, to be honest with you, the really interesting feedback that I have actually got from some teachers is that they now have—because obviously mobile phones are banned not just during class time but also during recess and lunch—an increased call to purchase sports equipment because kids are running around. They're wanting to be active during those breaks, where previously they were sitting and scrolling. I think that's a really encouraging development.

The Hon. TANIA MIHAILUK: Minister, in the 2025-26 budget, has the Government allocated some money to support schools to install see-through lockers or lockable pouches in New South Wales public schools to help enforce the ban?

The Hon. COURTNEY HOUSSOS: The secretary is nodding to me, so I might ask if he's got some—

The Hon. TANIA MIHAILUK: We know of one school that had them: Ashfield Boys High School. Do you know if any others have installed them, Minister?

MURAT DIZDAR: When we operationalised the ban in term 4, 2023—we're now almost two years down the track. Everywhere I move as well, Minister, I get wonderful—

The Hon. TANIA MIHAILUK: How many schools have the lockable pouches and see-through lockers?

MURAT DIZDAR: We made it very clear to our schools that they—

The Hon. TANIA MIHAILUK: Minister, how many? Can you direct Mr Dizdar to answer the question?

The Hon. COURTNEY HOUSSOS: I'm happy to come back on notice. But I make this point: I've been out to more than 20 schools in my brief period in the role and different schools have different approaches.

The Hon. TANIA MIHAILUK: I accept that.

The Hon. COURTNEY HOUSSOS: To be fair, some of them have been in place for longer than the Government's policy has been in place.

The Hon. TANIA MIHAILUK: I think what the Government decided in the end was to allow each school to determine what that ban would mean, so they actually vary across schools. That's a problem to some extent because you've got maybe one or two that might have a locker, others that are just expected—kids keep it in the bag or maybe not even bring it in. I don't know.

MURAT DIZDAR: The ban's not optional. How they implement the mechanism that they use—

The Hon. TANIA MIHAILUK: Is optional.

CORRECTED

MURAT DIZDAR: We wanted to respect that they would do that in their way.

The Hon. TANIA MIHAILUK: Minister, do your children take a mobile phone to school?

The Hon. COURTNEY HOUSSOS: I really don't think that's a—

The Hon. ANTHONY D'ADAM: Point of order—

The Hon. TANIA MIHAILUK: Mr Dizdar?

The CHAIR: Yes, that question was out of order.

The Hon. TANIA MIHAILUK: Is that a personal question?

The Hon. ANTHONY D'ADAM: It is a personal question.

The Hon. TANIA MIHAILUK: I can tell you that my children do, and they're at a public school.

The Hon. ANTHONY D'ADAM: That's got nothing to do with her role as a Minister.

The Hon. TANIA MIHAILUK: I'll leave it.

The CHAIR: We now have a little bit of time left for Opposition questions.

The Hon. SARAH MITCHELL: Just a couple of very specific questions, Minister. What is the capacity at the moment at Woollahra Public School?

The Hon. COURTNEY HOUSSOS: At the moment, I'm advised that the utilisation rate is 84 per cent. There's 50 student capacity with five classrooms.

The Hon. SARAH MITCHELL: How many are currently enrolled?

The Hon. COURTNEY HOUSSOS: There are 667.

The Hon. SARAH MITCHELL: For Double Bay Public School?

The Hon. COURTNEY HOUSSOS: There are 236. That's at 77 per cent capacity with 65—

The Hon. SARAH MITCHELL: Back to Macquarie Park, when was the decision to made to change that the commitment to just a 7-12 high school? When did that happen?

The Hon. COURTNEY HOUSSOS: I'd have to take that on notice. We are being very honest with the community about what that site is actually able and capable of producing.

The Hon. SARAH MITCHELL: Just on that—and I've got a copy for you—in January this year the Federal member there, Jerome Laxale, said that the Macquarie Park Education Campus will include a new primary school, as well as an integrated public preschool and a new high school. That was in January 2025. You'll get a copy of that. Was that information correct as of January 2025?

The Hon. COURTNEY HOUSSOS: I'd have to take that on notice. I wasn't in the role at the time.

The Hon. SARAH MITCHELL: You announced, though, just this week in *The Sydney Morning Herald* that it would be a high school only. Did that happen during your time as acting Minister?

The Hon. COURTNEY HOUSSOS: I just made the announcement. You said that.

The Hon. SARAH MITCHELL: So was that decision made since you've been acting Minister, that it would just be a high school?

The Hon. COURTNEY HOUSSOS: I'd have to take on notice whether it was formally taken by me or at what point—

The Hon. SARAH MITCHELL: How do you not know what you decided? You announced it this week.

The Hon. COURTNEY HOUSSOS: Yes, I announced it.

The Hon. SARAH MITCHELL: Was it under your time as acting Minister that the decision was made to just do this as a high school? Because in January you've got your Federal member saying it's a preschool, primary and high school and work's underway and it's all been funded. This week you've said it's just a high school. Did you make that decision as acting Minister?

The Hon. COURTNEY HOUSSOS: I have received a number of briefings in relation to failed projects that you promised to the community that were media releases and pipedreams with no plans for delivery.

CORRECTED

The Hon. SARAH MITCHELL: I'm asking about this project, Minister. It's a very specific question.

The Hon. COURTNEY HOUSSOS: I'm just having to check my recollection. Do you recall—

The Hon. SARAH MITCHELL: No, I'm asking you. You can try all you want but the reality is you have walked back a commitment to that community and you know it.

The Hon. COURTNEY HOUSSOS: —when you were the Minister whether you actually pressure tested the idea of whether you could put 3,000 students on that particular site?

The Hon. SARAH MITCHELL: In January your Federal member is saying it's a public preschool, primary school and high school. This week you're saying it's just a high school. Did you make that decision—yes or no?

The Hon. COURTNEY HOUSSOS: And I said to you that I have been briefed on your failure

The Hon. SARAH MITCHELL: Courtney, that's a terrible answer.

The Hon. COURTNEY HOUSSOS: —to do the due diligence on that site appropriately.

The Hon. SARAH MITCHELL: Was Jerome wrong in January, was he?

The Hon. COURTNEY HOUSSOS: Did you know that it would have been the most dense school in Australia?

The Hon. SARAH MITCHELL: Was he telling fibs to the community before the election?

The CHAIR: Order! Minister, one of the other things that keeps coming up in the regulatory documents through the SO 52 that seems to be a very routine compliance breach is in relation to staff understanding safe sleep policies and safe sleep practices. It's really, really common. I know it's also one of the things that the coroner in the Jack Loh inquest noted: that people just didn't seem to understand safe sleep practices. There's a current campaign being run to try to get this implemented where we have mandatory training across the board for people in these services to have that minimum amount of safe sleep training. Do you support that?

The Hon. COURTNEY HOUSSOS: I'm certainly aware of the campaign, and I have asked questions about some of the consequences of that. I am reticent to mention individuals' names. I would just say, yes, I am very aware of the serious nature of that and I'm aware of that campaign.

The CHAIR: Will you advocate for it at the national level?

The Hon. COURTNEY HOUSSOS: I'm certainly aware of the ask of the campaign. I'm just going to be careful about what I can say. Can I come back to you on notice on that one?

The Hon. TANIA MIHAILUK: Minister, very quickly on all the increased housing targets that the Government has, obviously your department, I assume, are working as to how these housing targets will potentially impact education, where you'll have additional schools and so forth. I wonder, where you're likely to now have high rises—and I think I've put to you the example of Wiley Park and Lakemba, which are going to have a significant rezoning right next to at least two or three schools in the area; they're going to have significant high-rise developments right on their boundary—has the department or your office had a look at what impact that will have on the school operations?

The Hon. COURTNEY HOUSSOS: I think you've heard me say several times this morning, Ms Mihailuk, that the department has a fundamentally different approach now. As I read out the figures in relation to some of those eastern suburbs schools that The Nationals party member to your right was asking in relation to, I would just give you—

The Hon. TANIA MIHAILUK: I think the difference here though, Minister, is that, for example, Canterbury Bankstown are going well and above what the Government's expectations are for housing. There's going to be a significant rezoning that's probably going to exceed whatever else is being done by the Government across New South Wales. I wonder whether you've had a look at what happened to those couple of schools there—Wiley Park, Wiley Park Girls and Lakemba?

The Hon. COURTNEY HOUSSOS: I personally haven't looked into that specific example. But what I can say is that the department has a much closer monitoring of existing school capacity and what the current enrolment utilisation rates are. When considering future upgrades, it is monitoring that far more closely. We're aware that a key focus of this Government is in relation to addressing the housing shortages that we see. As we do that, we're not operating in a silo; we're certainly looking at it across government. I think the secretary can provide you with more details now or perhaps this afternoon.

CORRECTED

The CHAIR: In the interests of it being Government question time, I will ask the Government if they have any questions.

The Hon. SARAH MITCHELL: We wait with bated breath.

The Hon. EMILY SUVAAL: We do, Chair. Minister, noting that there have been more questions today asked about schools in Woollahra, Double Bay and Vaucluse by the Hon. Sarah Mitchell, we thought we'd ask a few questions about schools in the regional communities we have in the bush. Minister, can you give an update on flood recovery impacted schools? I note recently you visited Condong Public School, Tumbulgum Public School and Blakebrook Public School. How is it all going?

The Hon. COURTNEY HOUSSOS: I appreciate the opportunity to talk about some of the beautiful rebuilt schools on the far North Coast that are really utilising some state-of-the-art, modern methods of construction to get those schools back onsite. As you know—we've talked about this a number of times—there are some particular challenges. I talk about Condong or Tumbulgum specifically—and, to be fair, Blakebrook—which are rebuilding relatively small schools on existing sites that are going to be the subject of future floods. I have to say, I was really impressed with the lengths that are being gone to at a local level to design the schools so that when the floods inevitably come, those schools can be back up and running as quickly as they can.

I had a little bit of trepidation before I went to Blakebrook, reading it was going to be four metres high in the air, but that's actually turned into all of this amazing covered outdoor learning area, which the students there were really excited about as they showed me around their new school. It was opened just for the start of term 3. It is really wonderful, and it really goes to how important our schools are at the heart of their communities, particularly across parts of regional New South Wales. It was a really special experience for me to be able to go there as the acting Minister and see how we're rebuilding these schools. Tumbulgum is obviously getting their classrooms—I think it's this week, actually—being craned in. I was there at Condong with the school. They were all very excited. The kids were very excited, and the teachers and the staff were very excited as well, to see the classrooms being craned onto the steel gantries. It's a pretty incredible effort, and I really want to give a shout-out to the amazing project teams up there that are making that happen.

The Hon. EMILY SUVAAL: Noting there were no questions asked about schools west of the Great Dividing Range by the Opposition, I've got a couple of questions about some of these. I note the Government's investing significantly in high potential and gifted education facilities in particular. Can you outline how this will benefit regional schools and, in particular, schools like Forbes High School, Tamworth High School, Broken Hill High School and Muswellbrook High School, which are all getting upgrades? I understand, in particular, for Lithgow High School, this will be the first major upgrade that that school has seen in more than 12 years. There was no major investment there by the Nats.

The Hon. COURTNEY HOUSSOS: I have to say, I said earlier that one of the privileges that I have in this role is I get to see the reform program that the Deputy Premier's implementing up close. This is one of the programs, a signature project of hers, that I'm most excited about, which is the high performing and gifted education approach. There's an approach in terms of learning that's being rolled out—and the secretary can speak to that in more detail this afternoon—about the professional development for our teachers to make sure that we're doing that. This is really the Government partnering with schools. As the amazing work is done in the classroom, we are upgrading the facilities. There's \$100 million in this budget to upgrade 33 schools across the State. You listed an amazing number of them. It's true: That's the first major upgrade for Lithgow since 2010. That's going to see STEM rooms, art rooms, music rooms, woodwork and metal rooms and an upgrade to the hall.

I also visited Casino High School, which is also going to receive an upgrade—they are so excited—of music rooms and a state-of-the-art recording studio, food technology kitchens and upgrades to the school hall as well. I'm going to give a shout-out, because when I was at Casino High School, I met Ruby, one of the school captains. One of the best parts of filling in on this job is meeting with some of the amazing teachers and students, and Ruby is one of those that leaves a lasting imprint. She is school captain. She is doing really well in terms of her studies; she's doing some ridiculous amount of units. She's also on the local radio station. When you talk about the magic of public education and some of the incredible things that our local schools are able to achieve, that's been a real privilege to do it.

We're seeing upgrades at Lisarow High School; Moruya High School; Narara Valley High School; Casino High School, which I mentioned; Forbes High School; Muswellbrook High School, which you mentioned; Broken Hill High School, which is great, in addition to the rebuild that we're doing at Willyama there; Batemans Bay High School; Bowral High School; Canobolas Rural Technology High School; Tamworth; and Lake Macquarie. That's a pretty amazing program of reform, where we are really giving our kids—and encouraging parents to take a second look and say, "Look at the amazing things that public education has to offer." We're providing those upgrades around the State.

CORRECTED

The Hon. ANTHONY D'ADAM: I want to ask about Willyama High School and the rebuild there, if you could perhaps provide an update on that?

The Hon. COURTNEY HOUSSOS: I think I'd take the opportunity to do a shout-out to our teachers at Broken Hill High School and at Willyama. It's really been a challenging time for them and I'd really like to thank the head of the P&C at Willyama, who I know has engaged a lot with the Deputy Premier and with the department. This process has been difficult, but the Government and the Deputy Premier is absolutely committed to rebuilding that school to create a modern high school. It's going to have some of the best and most impressive educational facilities in the State. It's perhaps not the timing of our choosing, but it doesn't mean that the school community is going to be disadvantaged. It's wonderful to see.

There's been an extensive process of consultation and, to be fair to the department, some changes were made to the rebuild as a result of that consultation. I want to say thank you to Ms Allen, the P&C president at Willyama. She said, "It was very evident that the feedback has been taken on board." I think for regional communities, in my experience, what they're really asking for is that they can be heard and they can raise these concerns. That's certainly the approach that the Deputy Premier's leading and the one that the Government and the department under her leadership is adopting. I think that's probably all I have to add there.

The Hon. SARAH MITCHELL: Have you started building the school yet? You haven't built anything out there yet.

The Hon. EMILY SUVAAL: We could spend the remaining seven-and-a-bit minutes talking about regional schools, given the lack of contribution from those opposite, but we will leave it there.

The Hon. SARAH MITCHELL: We haven't finished today, Chair. We're allowed to ask what questions we want.

The CHAIR: Thank you. That does conclude our time with the Minister this morning. I echo the sentiments that were shared by the rest of the Committee that we wish the Deputy Premier well. But we are very grateful that you were here today, Minister, and able to give us the benefit of your expertise. The Committee secretariat will be in touch in relation to any questions taken on notice. That concludes our time with you. We will be back in the afternoon with everyone else.

(The Minister withdrew.)

(Luncheon adjournment)

Ms MARY NOY, Executive Director, Health, Safety and Staff Wellbeing, NSW Department of Education, affirmed and examined

Mr DARYL CURRIE, Executive Director, Professional and Ethical Standards, NSW Department of Education, affirmed and examined

The CHAIR: We will recommence with questions from the Opposition.

The Hon. SARAH MITCHELL: I'm going to start with you, Mr Barraket. Just back to the early childhood area, has the Government put in any additional measures specifically for for-profit providers in the last two years?

MARK BARRAKET: I'll take that on notice, but my recollection is that the majority of measures have been directed at not-for-profit services. I think there might be some initiatives through the fund where for-profit providers have been eligible, but I'll take that on notice and come back to you.

The Hon. SARAH MITCHELL: I mean more regulatory oversight, sorry. Are there any specific regulatory oversight changes that relate to for-profit providers only?

MARK BARRAKET: I will ask Mr Backo to answer that because Mr Backo is the head of the regulatory authority, and that sits outside of Early Childhood Outcomes.

NICHOLAS BACKO: I'll have to take it on notice and come back to you with any details about specific programs in relation to for-profit services.

The Hon. SARAH MITCHELL: That would be great, thank you. Regarding the 100 public preschools commitment, Mr Barraket, can you advise how many of them are expected to open in this financial year?

CORRECTED

MARK BARRAKET: At this point, I don't believe there are any that are scheduled to open this year. I might get Ms Harrington to confirm that. We are expecting around four to open, if not this year then early next, with the remainder scheduled for day one, term 1 of 2027. But I'll just get Ms Harrington to confirm that.

MURAT DIZDAR: If it helps, and then Ms Harrington can dive in, 96 of the 100 are to commence construction in this financial year. We've got to have all of them open, the 100—there are 99 to go; one is already open—for day one, term 1 of 2027. That's what we're aiming for.

The Hon. SARAH MITCHELL: I get that. I just was wondering, because it's one so far, and I think you said an additional four, so that'll get you to five, and then you've got one year to open another 95. Actually, less than one year to open another 95.

MARK BARRAKET: Yes, but there are some methods that School Infrastructure are engaging to make sure that they can have these delivered on time, but Ms Harrington can speak to that.

LISA HARRINGTON: There are three that we are forecasting sort of June next year. They're the ones where we're utilising existing buildings. That's Blackett, Cringila and Hillview. It is a lot but, as I think I mentioned last time, we're breaking that up into eight geographical bundles so it can be managed more as a program.

The Hon. SARAH MITCHELL: One of the commitments is for a new public preschool down in Albury, at Thurgoona, which is also a new public school. Will that be open and that school open on day one, term 1 of 2027?

LISA HARRINGTON: The preschool certainly will be open by day one, term 1 of 2027, as part of the election commitment.

The Hon. SARAH MITCHELL: But will there be a school there then?

LISA HARRINGTON: We're building the school there. We have had some issues there in terms of some flooding challenges we had to work through. Also, I think there was a particular endangered species that was discovered, so we were a bit delayed in terms of the planning and getting the design right for that site. But we're working through that now, and we are committed to making sure—the preschool is what we'll start with. Obviously, the primary school will be part of that, but we'll make sure that the preschool is open for day one, term 1 of 2027.

The Hon. SARAH MITCHELL: But at that point, if the school is not there, it's not going to be co-located. It'll be a standalone preschool.

LISA HARRINGTON: No, it's all on the same site. It's just that the contract is going to start and make sure that the preschool is open first to make sure we follow through on that commitment.

MURAT DIZDAR: We'll have the principal on board for the school as well. It'll be under the auspices of the principal.

The Hon. SARAH MITCHELL: Yes, I know. It's just that that has been in the works for a long time. Anyway, I'll take that up with the Minister. The non-government preschools—which was also an election commitment. I think I asked about that last time. Have there been any announcements in terms of where they will be located?

MARK BARRAKET: I will ask Mr Kurucz to answer this.

JEREMY KURUCZ: Thanks very much, Ms Mitchell, for the question. The Government has not made any announcements in relation to that at the moment. We're undergoing the assessment of the first round of applications and working with the non-government school sector in relation to future application rounds for that program.

The Hon. SARAH MITCHELL: Do you anticipate that those services that are either going to be expanded or new will be open by day one, term 1 of 2027 as well? Is that your time frame for delivery?

JEREMY KURUCZ: I'd have to take that on notice because it's a grant program, so it operates slightly differently and we will be engaging with the sectors around delivery time frames for particular projects in relation to when Catholic schools or New South Wales or independent schools can open those preschools.

The Hon. SARAH MITCHELL: Is it the expectation from Government, though, that you deliver those in this term of government?

JEREMY KURUCZ: Yes. Government has an expectation of us that we will disperse the grants and work with the sectors in this term of government, correct.

CORRECTED

The Hon. SARAH MITCHELL: Mr Ruming, just a very quick one for you. When we were here in February, you were able to give me in terms of teacher numbers—it was headcount, but it was full-time, part-time and casual, I think, or full-time, temporary and casual. Do you have any updated data that you could provide?

SHAUN RUMING: Yes, I do, Ms Mitchell. In terms of our 2023-24 year—because our numbers are financial year numbers. We've just finished the 2024-25 year, so I can't give you those numbers yet because we're pulling those together for the annual report. But the 2023-24 figures had 62,758 permanent employees, 19,603 temporary employees and 13,931 casual employees, so a total of 96,292 for financial year 2023-24.

The Hon. SARAH MITCHELL: The issue around flexible working arrangements for classroom teachers—maybe through you, Mr Dizdar. If you need to refer it to any of your colleagues, that's fine. That was obviously part of the award. There's some information, I know, in relation to flexible work arrangements, particularly for classroom teachers. Can you talk me through what that process looks like, who makes that decision and how many teachers have taken up that option so far this year?

MURAT DIZDAR: I certainly can. I'm proud of the consent award that we negotiated for three years with the NSW Teachers Federation. Part of that was to modernise the workforce conditions for those inside the school gates. We have always had the opportunity for part-time employment, but that was never systematically applied. What we did through this award is to make that clearer as an option for the workforce. We came out and communicated with our teachers in its entirety that—this goes to retention. When the whole nation is grappling with teacher workforce challenges, having a teacher not leave the profession but maybe, with life circumstances, work circumstances, make a decision that they want to remain for two or three days—we wanted to give primacy to that. We gave clear instructions to our principals to support those award conditions.

We also made another change, and that is that—when we go to recruit for a teacher vacancy, sometimes you can go a number of times and not be able to fill the position. We said that, once we go out for merit selection, if we're unsuccessful in the recruitment of that position, on the second occasion for that role, we will create the option of part-time employment. I know of schools where we've gone five, six times for a maths teacher in a high school. We felt that we could open up the opportunities if it went part-time. My view was that you're better off having a maths teacher that you recruit successfully for two days than not five days when you keep being unsuccessful at that. They were the two major—

The Hon. SARAH MITCHELL: How many though? Can you tell me how many you've recruited under that?

MURAT DIZDAR: I'll have to come back on data for you because we're in the first year of the award implementation.

The Hon. SARAH MITCHELL: That would be good. I understand what you're saying about the concept. I'm just curious as to how many have taken that up. I'm assuming it's open to existing teachers as well, not just new recruits.

MURAT DIZDAR: It was opened up to the entire workforce.

The Hon. SARAH MITCHELL: Then who makes the decision to approve that arrangement? If an existing teacher says, "I want to be flexible for caring reasons, family reasons", whatever it may be, does that decision rest with the principal? Does it go to the DEL? The department? Who decides?

MURAT DIZDAR: The principal makes that decision, but we gave clear guidance on what that looks like. We also respect the operational requirements of the school because, if you've got multiple applications in front of you, what would that look like? So, we've given guidance, but there are clear instructions on where our stance lies.

The Hon. SARAH MITCHELL: Is there any limitation as to how many teachers in a school can take up that option?

MURAT DIZDAR: No, there isn't.

The Hon. SARAH MITCHELL: What's the process, or the right of appeal or review, if a teacher puts forward that application and it's not approved by the principal? What can they do about that?

MURAT DIZDAR: In the first instance, we want the clear consideration at the local level, but just our normal processes. If one of our staff members, a teacher at a school, put that application in and spoke with the principal and the principal didn't support it, we've got our director, educational leadership and our executive director. We've got Ms Summerhayes who oversees the public schools as an escalation point, if necessary. I can tell you that none of that's come into play in the first year, which tends to indicate to me that it's being operationalised well with the intent that we had.

CORRECTED

The Hon. SARAH MITCHELL: Any data, as I said, in terms of numbers on notice, would be fantastic, if you can provide that.

MURAT DIZDAR: Let me see what we've got.

The Hon. SARAH MITCHELL: Thank you. I've got some questions now in relation to what happens if there's a reportable conduct matter received. It might go to you, Mr Currie. Just the process when a reportable conduct matter is received—how it's then referred to the Office of the Children's Guardian and the time frame around that. What are the requirements?

DARYL CURRIE: Thanks for the question. Basically, as soon as an allegation of misconduct is brought into PES, it's assessed in terms of misconduct and reportable conduct by our preliminary investigation team and the director there. As soon as that has actually been ascertained that it is reportable conduct, it is referred directly over to the OCG electronically and it's within the prescribed timeframe. It's five days, I think, but it's immediately that we can do it.

The Hon. SARAH MITCHELL: I'm happy for you to take this on notice, unless you've got it, but I don't expect you to. How many reportable conduct matters were referred to the OCG in the last 12 months?

DARYL CURRIE: I'd have to take that on notice.

The Hon. SARAH MITCHELL: If possible, can you also, of those, advise how many were referred after 24 hours or 48 or—the average time period that it took?

DARYL CURRIE: Yes, I think we'd be able to get that.

MURAT DIZDAR: Should we come back to you on the reportable period that's given?

The Hon. SARAH MITCHELL: Sorry?

MURAT DIZDAR: There's a reportable period that you've got to meet it within. I think you said within five days.

DARYL CURRIE: Yes, we can come back on that.

The Hon. SARAH MITCHELL: I'm sure some don't take five days. I would assume you would do them more quickly, but anything you've got around that would be fantastic. Do you keep a record of the exact date and time that you send them off to the OCG?

DARYL CURRIE: Yes, we do.

The Hon. SARAH MITCHELL: Then just in terms of any safeguards that you put in place—I appreciate there can be a very wide-ranging nature of complaints—but if you get these reportable conduct matters, what are the safeguards that you put in place, for students particularly, around safety, if there are concerns about behaviour?

DARYL CURRIE: I've just been corrected. It's a seven-day timeframe, not a five. It's a week, not a working week. So, it's seven days. In terms of the risk mitigation that we actually take action on, we assess each case in terms of the risks of a few things—risk to students, risk to staff, risk to the investigation, risk to the department's reputation or the reputation more broadly of the public service—and then we take appropriate action. That could be broadly from directions, if we believe that that is enough; or removal and placed on alternative duties; or suspension without pay. It would depend on the nature of the allegations and what evidence there is, prima facie evidence, to begin with that they've actually taken place.

The Hon. SARAH MITCHELL: Then do you, as PES, do much directly with the OCG in terms of like the timeliness of that, making sure that things are operating well? How closely do you work with the Office of the Children's Guardian?

DARYL CURRIE: Very closely. We communicate with the Office of the Children's Guardian on a regular basis. They oversee all of those reportable conduct cases. Now, that oversight might be very close oversight, depending on the nature, or it can be wait until the end. Then we have to report all of the information in that investigation, all of the evidence, all case file notes—everything at the end of the case has to be sent over to the OCG. But they can ask us for information on any of those cases, and they do on a regular basis. We also have regular meetings with OCG representatives to discuss broader issues, as well as individual cases. But the other thing is the investigator and the director of investigations, who have carriage of each of those cases, will actually communicate with the OCG on a regular basis with regards to that case.

The Hon. SARAH MITCHELL: Thank you. That's all I had to ask you, Mr Currie. But you're very welcome to stay sitting at the table. Others might have questions for you as well. I'll just move on to some of the challenges, I guess, in declining student enrolments in public schools. And the Minister spoke about this a little

CORRECTED

bit this morning. In terms of the most recent data, what's the current number of students at New South Wales public schools? What's the most up-to-date figure that you've got, Mr Dizdar?

MURAT DIZDAR: The 2025 enrolment figures right across the country, including in New South Wales, are due to the Commonwealth in October. There's a Commonwealth collection period that occurs, and it's on an annual basis, in October.

The Hon. SARAH MITCHELL: But, surely, you can tell me today how many public school students there are currently in New South Wales public schools.

MURAT DIZDAR: We're very close to 780,000.

The Hon. SARAH MITCHELL: Thank you. But the exact figure will come out in October.

MURAT DIZDAR: The exact figure is given to the Commonwealth, in line with every jurisdiction, for our funding lines, in October.

The Hon. SARAH MITCHELL: In terms of when you do have declining enrolments at particular schools, can you just talk the Committee through what impact that has in terms of school funding but also staffing allocations at a school.

MURAT DIZDAR: The needs-based funding model, called the school-based allocation report, and the Resource Allocation Model factor in student enrolment numbers and the composition of that enrolment. So you can get a situation where a school might drop enrolments but its funding doesn't drop, because the needs of the students are higher. That school might drop 10 enrolments, for example, and you'd expect its funding to drop. But you might see the reverse. You might see funding increase because the number of students with disability has increased, the number of EAL/D—English as an additional language or dialect—has increased, the low-SES nature of the student body has increased, the low-level adjustment for disability has increased.

It is true that the permanent staffing, called full-time equivalent, is based upon student numbers, but you can also get the same situation in that example I gave you. Even with a drop of 10 enrolments in this example, you might still get an increase in staffing because we give EAL/D staffing as part of that formula. As part of the Aboriginal education formula, we've got ACLOs and AEOs. I know I'm giving you a bit of detail, but it's not a direct corollary, that just a drop in enrolments leads to a drop in funding or a drop in staff.

The Hon. SARAH MITCHELL: But in some instances it does, though, obviously.

MURAT DIZDAR: It can.

The Hon. SARAH MITCHELL: In terms of enrolment targets or aspirations—and I've heard you say that rebuilding public education is something you take very seriously as secretary. And I 100 per cent accept that. I've worked with you. I know how passionate you are about that. But is the Government setting any enrolment growth targets, percentage of parents? I think we heard earlier evidence about 35 per cent being in the non-government school sector. Is there any sort of tangible expectation from Government in terms of what they would like to see those enrolment figures increase to, even as a percentage of school-aged children attending public schools?

MURAT DIZDAR: Obviously, I respect parental choice around what parents choose around their education provision, but I've made it no secret that I want to grow public school enrolments. I want more parents in New South Wales to have confidence in their local public school and the system of public education. My own three children are part of that system, and I'm a product of that system. In our success measures, we've made it clear that we want to stop the decline in enrolments because, to be able to grow enrolments and to have that aspiration, you've got to first stop the decline. So we do have a system measure, in our plan for public education, that we want to achieve that by the 2027 school year.

We're just in the process of, for the first time—Ms Summerhayes will be able to talk to this because this is great work that she's been leading, and this is work that we haven't had in the past. Our organisation is 20 schools in a network—which you'd remember—with a director, educational leadership. So we're looking at having, alongside the system success measures, enrolment growth measures at a network level. Because we're a system, we want all schools to buy in and support each other in that system. We're looking at setting enrolment growth measures, network by network, for the director, educational leadership. We're looking at bringing that into play next term for the following school year, and we're looking at that being a target from 2026 to 2028. But Ms Summerhayes has done all the heavy lifting here. You might want to unpack what that looks like.

The Hon. SARAH MITCHELL: Maybe I'll ask Ms Summerhayes a question on that topic. Looking at it across each of those areas, is it so that you can ensure that if you might not have great numbers in one area, but other areas are doing well, you can try to have that lift across the system? Is that the intention?

CORRECTED

DEBORAH SUMMERHAYES: It's looking at the practices that we think make a difference. We don't want it to be an individual school because then you're cannibalising your colleagues, if it's about getting numbers for your school. But if we look at the geography and we're saying, "Here is the make-up of the schools in our geography. Where is it working well? What are the things that are happening in the system across schools, in our geography, that might encourage families to come to public education within the 21 or 22 schools?" It's really looking at it in a way that I think—we just got back from our 10 regional and rural roadshows, which I know you know about. It came through really strongly from our colleagues in the RRR space that can sometimes be geographically quite apart, "We don't want to be always working alone in this space. How can we work together?" That's been a really good approach.

The Hon. SARAH MITCHELL: Will those cluster ones be publicly available? Will we be able to see what you're trying to achieve in terms of a lift?

DEBORAH SUMMERHAYES: I think it will be really public when schools are doing their annual school reports and saying, "This is how many children have come to our school. This is the sort of program kids are engaged in." You would be aware that on day one, term 1 next year, all of our schools are going out with their High Potential and Gifted Education provision. It's all a conversation about how our parents and families can know more about what's happening inside the school and within the system to support student learning and wellbeing, and encouraging families to come to public education.

MURAT DIZDAR: Chair, can I add one more thing that's very useful for this great question? The system measure—I said we want to stop enrolment decline by 2027. But the ultimate measure, which sits publicly, is that by 2034 we'll grow from 62.9 per cent of market share in New South Wales to 65.5 per cent.

The CHAIR: Mr Dizdar, I am going to have questions for Ms Noy and Mr Currie, and then I'll come back to Mr Backo, if you want to arrange accordingly.

MURAT DIZDAR: Sure. We might bring Ms Noy up to the front bench.

The CHAIR: While Ms Noy is making her way up, I will check—Mr Currie, when you were talking about the reportable conduct triaging, were you saying that someone reports to you and then you don't report to OCG until seven days—

DARYL CURRIE: Not until seven days, within seven days. What happens is when we receive allegations that may be of a reportable nature, they are assessed by the preliminary investigation team. A delegated officer there actually decides whether those initial allegations would be considered under the OCG Act as reportable conduct, if they were proven. If that is the case, those allegations are reported to the OCG.

The CHAIR: But if those allegations have come from somebody who themselves is a mandatory reporter, presumably they are reporting themselves?

DARYL CURRIE: No, mandatory reporting doesn't mean that you're reporting yourself; mandatory reporting means that you're reporting alleged harm to a child. Mandatory reporting is very separate to reportable conduct. Mandatory reporting is much broader. It's not just about employees. Mandatory reporting covers things such as reporting a student at your school at risk of serious harm at home. That's not what we're dealing with. We only deal with employees. What actually happens in the Reportable Conduct Scheme is any allegation that may, if proved, be reportable conduct under those very broad terms—sexual offence, sexual ill treatment, sexual misconduct et cetera. Under the OCG Act, we have a responsibility to report those allegations and the name of the employee to the OCG so they can oversight the investigation.

The CHAIR: I'm just trying to understand. There's a situation in early childhood, for instance, where we're finding approved providers are acting as a kind of filter or triage and sitting between mandatory reporters. I'm checking that that's not what's happening.

DARYL CURRIE: If they're a departmental employee. We only deal with department employees. We don't deal with private providers, NGOs or anybody of that nature. If, in an ECE setting in a school, the principal called us up or a parent—it doesn't have to be the principal—and said, "Here is an allegation," that something had happened, we would report it to the OCG.

The CHAIR: Straightaway or within seven days?

DARYL CURRIE: Within the seven days. It's the preliminary investigation team. We look at the allegations. If there is evidence that those allegations—prima facie evidence, it's reported.

The CHAIR: I will move to Ms Noy. We have collected, from a SO 52 in relation to workers compensation, a bunch of really useful icare summary documents. In there, the data is showing that burnout and work pressure claims have declined significantly in Education, which I hope we could attribute perhaps to the pay

CORRECTED

increase that's flowed through to prevent more teacher attrition. But unfortunately, overall psych claims have still increased, with burnout and pressure claims being replaced by bullying and harassment claims as the main driver of those psychological injuries. What new measures has the department rolled out to address those bullying claims to try to bring down the psychological injury rates?

MARY NOY: Thank you for your question, Ms Boyd. First and foremost, I would say the organisation is absolutely committed to staff health and wellbeing. We launched our Staff Wellbeing Strategy 2024-27. Under that strategy it outlines a number of initiatives we've put in place. Thank you for acknowledging that our claims have started to reduce. I think that is a reflection of the organisation's commitment to supporting that with things like the pay rise and the commitment to reducing workload. We've also launched an enhanced employee assistance program that provides an additional amount of services, available to all employees and family members, which I think goes to trying to maintain wellbeing and resilience in the workplace—things like financial counselling, legal counselling, as well as leadership support, which I think is really critical when we're supporting our employees in the workplace.

We obviously work closely with Allianz, who is our claims service provider, on initiatives that if an injury does occur—and first and foremost we try to prevent injuries occurring by addressing the different psychosocial hazards in the workplace—we promptly engage in early intervention and supporting that employee's needs with regard to trying to get them into evidence-based treatment as quickly as possible to drive a safe and durable return to work.

The CHAIR: Has the department ever raised concerns with Allianz or icare or SIRA in relation to surveillance and intrusive investigations of Department of Education employees who have made psychological claims through workers comp?

MARY NOY: Not to my knowledge. I've only been with the department since February. In my time, I haven't had those conversations with those departments.

The CHAIR: Could you take on notice whether there has ever been any concerns raised by the department with SIRA about the way that icare or the claims service provider manages claims for Education staff?

MARY NOY: Yes.

The CHAIR: Mr Currie, in relation to the PIN issued by SafeWork NSW that I was talking about before, in order to get that stayed, I understand that the department relied on arguments that, basically, to update or change the policy would take multiple years and extensive consultation.

DARYL CURRIE: That's not exactly factual. Can I just say, though, I've got to be very cautious in answering this question because the information that you've been given isn't exactly correct. That matter is actually before the IRC at the moment and the decision has been reserved. It's in the process of decision-making. And the other thing, the characterisation that you had before—and I was trying to answer this through the screen, trust me, when it was on.

The CHAIR: We've all been there.

DARYL CURRIE: What actually has happened—you characterised it as that it's about the time of investigation, whereas the department, and I, in representing it, would characterise that that SafeWork notice compromised our ability to protect children, other staff, the investigation and the reputation of the department. It went to our ability to apply risk mitigation. The length of the investigation was part of that SafeWork notice, but it was actually our ability to investigate allegations in a safe manner.

The CHAIR: I was quoting before from the SafeWork PIN. They say, "On 5 February 2024, having reviewed all the information and documentation, I formed a reasonable belief that the department had failed to ensure the psychological health and safety of workers by minimising the impact of psychological risk to the workers' health and safety by failing to ensure investigations regarding misconduct and performance of workers was completed in a timely and expeditious manner, and not having a process and prescribed time frames to provide formal, regular and documented updates on the progress of an investigation into misconduct and performance to workers while an investigation is underway."

DARYL CURRIE: Once again, it's before the commission, so I'm a bit reticent to say something.

The CHAIR: But when I said it was to do with ensuring timely investigations, you said it wasn't.

DARYL CURRIE: That was one element of it, I said. That was one element of it, but it actually went to a broader sense of how we ensure that sites are safe and that we can complete the investigation without risk to other elements of the investigation.

CORRECTED

The CHAIR: There are even bigger problems, then, with the way PES works than just delays.

DARYL CURRIE: I wouldn't characterise it as that. I would say that there are issues that people have with some of the measures we take to protect people—to protect, as I said, children, other employees, the investigation and the integrity of those processes.

The CHAIR: Can you explain what you mean by that?

DARYL CURRIE: Once again, I'm not trying to avoid it, but I am very conscious it's sitting with a commissioner at the moment making a determination on some of the things we put forward. A lot of this surrounds the implementation of alternative duties in order to remove people from a site when there are allegations against them.

The Hon. TANIA MIHAILUK: Mr Dizdar, this morning I asked a couple of things to be taken on notice. Are you coming back to me on anything now?

MURAT DIZDAR: Yes. Do you want me to update you on football in schools?

The Hon. TANIA MIHAILUK: Yes, that would be great. Let's start with that. I think I asked about an independent audit.

MURAT DIZDAR: Yes. That's being undertaken by Grant Thornton.

The Hon. TANIA MIHAILUK: Are there any more details in relation to that—when that will be completed—or is it still ongoing?

MURAT DIZDAR: My advice is that that audit is underway and is due this year.

The Hon. TANIA MIHAILUK: You were going to come back to me on the site visits.

MURAT DIZDAR: Yes. I can give you some more information on that. I'm advised that a large proportion of the Macarthur Bulls activities occur on our school grounds where our teaching staff are present. Obviously, we've got our own workforce there, supporting the sporting and physical activity. There are components of the Macarthur Bulls activities that include holiday programs, multicultural programs, girls-only programs. I'm advised that we have undertaken six planned site visits to date to see the programs in action ourselves. The purpose of these visits has been to have ongoing program management and verification of staff and student ratios.

The Hon. TANIA MIHAILUK: But you're not relying on teachers? There's a difference between supervision and a site inspection or how the grant is being run.

MURAT DIZDAR: Yes.

The Hon. TANIA MIHAILUK: I'm not expecting the teachers who might be there just to supervise children—you're not asking them to provide any information on the value of these?

MURAT DIZDAR: No, I wasn't.

The Hon. TANIA MIHAILUK: Sorry, because that's how you answered it. I just wanted you to correct that. I'm asking whether the department does random site inspections of this particular grant.

MURAT DIZDAR: Sorry if I've confused the issue. I've had six site visits undertaken by our people in the centre. I'd just clarify that every one of our schools is part of the department, so it's all of the department. But we've had six visits from the centre, if you like, and the vast majority of the programs are executed inside the school gates. I don't ask my people to inspect, but I also would ask them to notify me if—

The Hon. TANIA MIHAILUK: You did do an inspection. You were invited. I think I found in one of the ordered papers that the department did turn up to an inspection when they were invited by the Macarthur Football Club to come and view one of the sessions.

MURAT DIZDAR: We've done six planned inspections ourselves.

The Hon. TANIA MIHAILUK: You do know there are a couple of schools that aren't public schools, so it does go across into the—

MURAT DIZDAR: I do, yes. I liaise with my cross-sector colleagues around that. Was there anything else on that?

The Hon. TANIA MIHAILUK: The other one I asked, I think, on notice was about Professor Alegounarias and his contractual arrangement. You also took that on notice. I'm not sure if you're ready with that now.

CORRECTED

MURAT DIZDAR: If it's okay with you, we might come back. We don't have it in front of us, so is it okay if we come back when we give the answers to supplementary questions?

The Hon. TANIA MIHAILUK: That's fine. I might put some more questions to you about that then. Mr Dizdar, I just wanted to ask a little bit more on that issue. We know he was the chief executive officer of NESA and the previous Board of Studies prior to his appointment to conduct the review of section 83C arrangements. Can you please advise what the selection process was to identify Professor Alegounarias as the person most suitable to conduct the review, or was there a process of inviting others to participate in this?

MURAT DIZDAR: I might get Mr Martin to speak to it. But can I just say, as a NESA board member, and all of my cross-sector colleagues are board members—the head of the Catholics, the head of the independents. All three of us, as heads of the sectors, were delighted with the appointment and with his vast expertise working across the sectors. I think it was a very good appointment. As to the process of the appointment—

The Hon. TANIA MIHAILUK: I'm just interested to know, did you invite others to participate, or was it just a done deal that he would be the one?

MURAT DIZDAR: Normally we're looking for expertise, and it's quite specific expertise. Normally we'd make sure we fulfil all procurement—

The Hon. TANIA MIHAILUK: Was this an open procurement process?

MURAT DIZDAR: No, I think you'll find that we went to direct negotiation on it because of the eminent expertise he brought to the role. I reiterate—and I think I would speak for my sector head colleagues—we were all delighted with the appointment and had full confidence in the work that he'd undertake.

The Hon. TANIA MIHAILUK: Was it specifically yourself that contacted him to do the review, or was it Mr Martin?

MURAT DIZDAR: Mr Martin was the one that engaged him, yes.

PAUL MARTIN: Sorry. I think that Mr Alegounarias was appointed prior to his engagement with NESA, but I'll take that on notice to get the exact sequence of events and also, as I said this morning—

The Hon. TANIA MIHAILUK: What do you mean by he was "appointed prior" to do this review?

PAUL MARTIN: He was, as far as I understand—and I'd have to get this on notice—appointed by the Government to conduct a review into section 83C.

The Hon. TANIA MIHAILUK: Who was it from the Government? Was it the Deputy Premier herself or her office?

PAUL MARTIN: I'll take that on notice.

The Hon. TANIA MIHAILUK: You don't know if any other proponents were considered to undertake the review.

PAUL MARTIN: I think Mr Alegounarias's expertise in cross-sectoral matters meant that he was—

The Hon. TANIA MIHAILUK: The most appropriate person.

PAUL MARTIN: —the most appropriate candidate, and he was welcomed by all three sectors.

The Hon. TANIA MIHAILUK: I'm not questioning that, but I just wanted to understand the process of how he was chosen. Earlier in the day I think you said—because I played the tape back, and I'm pretty sure you said that he's been engaged on other occasions by NESA to conduct reviews.

PAUL MARTIN: I don't think I said that this morning. I said that he had previously been—

The Hon. TANIA MIHAILUK: He's been "engaged" was the term you used. I wasn't sure what that meant.

PAUL MARTIN: I think that he has—well, I'm absolutely sure he's previously been the CEO and/or the president of the Board of Studies.

The Hon. TANIA MIHAILUK: Yes, and since he's left those roles, was he ever engaged in any kind of contractual arrangement like this?

PAUL MARTIN: He is currently working with the centre for educational measurement at the University of Sydney.

The Hon. TANIA MIHAILUK: I understand that. He does that, yes.

CORRECTED

PAUL MARTIN: We have arrangements with that organisation, but that's not directly with Mr Alegounarias.

The Hon. TANIA MIHAILUK: This is a private arrangement. This was a private contractual arrangement, and you're going to take on notice what the value is, because I think I put that on notice this morning.

PAUL MARTIN: In relation to 83C, yes.

The Hon. TANIA MIHAILUK: Were any staff also provided to Professor Alegounarias in conducting his review—any departmental staff or NESA staff to support his work?

PAUL MARTIN: NESA provided some secretarial support for Mr Alegounarias.

The Hon. TANIA MIHAILUK: At what point did it become clear that he would then be implementing the recommendations? Did you say only once the review was complete?

PAUL MARTIN: There was a decision made post the review and the report coming down. The implementation process and the movement from the 83C secretariat to NESA that it was also decided that some—

The Hon. TANIA MIHAILUK: When did he start, Mr Martin? When did he start here?

PAUL MARTIN: I'd have to take the exact dates on notice.

The Hon. TANIA MIHAILUK: You can take it on notice.

PAUL MARTIN: But he's still working with the cross-sectoral committee to put in place the recommendations that came out of that review.

The Hon. TANIA MIHAILUK: The media release from the Deputy Premier at the time—back in August or whatever month it was in 2024—was that it was going to be implemented in 2025. Are they now all implemented—all these recommendations—or is it still on foot?

PAUL MARTIN: Some of the recommendations have been implemented. Some of them are still being progressed. There are changes—

The Hon. TANIA MIHAILUK: Can you specify or take it on notice which ones?

PAUL MARTIN: I'll take it on notice, but there are changes for both the guidelines and potentially for regulations that result.

The Hon. TANIA MIHAILUK: Yes, I'd just like to know to date what's been done and what is yet still to be done.

PAUL MARTIN: Sure, I'm happy to provide it on notice.

The Hon. TANIA MIHAILUK: And at what point he became an employee. Did you say he became an employee?

PAUL MARTIN: He's not an employee of NESA, but he is contracted to conclude the work that the review recommended—

The Hon. TANIA MIHAILUK: So there's a separate contractual arrangement—

PAUL MARTIN: As far as I understand it, yes, but I'll take that on notice.

The Hon. TANIA MIHAILUK: Can I then get the value of this secondary implementation and whatever terms can be made public? I assume some can't be.

PAUL MARTIN: Yes, of course.

The Hon. TANIA MIHAILUK: Can I also then ask a question about some of those suggestions to the Minister? I appreciate the Minister earlier today said that that's not something that she had been briefed on or was—I don't want to misquote her. But I think she was saying that the changes that I put to her that were proposed on page 67 in this report—potential changes to the Education Act—is not something that, as I understood, she'd been considering. Is the department considering this, Mr Dizdar—the changes that he's proposed in this report? They're not part of the recommendations; they're just additional suggestions to the Education Act. Is that something that's been—

PAUL MARTIN: In relation to this matter, I think that it was determined and included in the report that changes to both guidelines and regulations would adequately substitute for changes to legislation and that the emphases that came through in the recommendations could be adequately dealt with by other means.

CORRECTED

The Hon. RACHEL MERTON: If I could just pick up the issue relating to school infrastructure. Earlier I was asking a question about the coordination between the planning department and the Department of Education with a view of the department meeting the commitment to meet the future educational needs of the new housing, new communities and population changes—what that will mean. This question was put a couple of days ago in a similar estimates question to Planning on this. The department of planning and Monica Gibson—when the question was put to her about who has responsibility for the infrastructure relating to the housing development, the scale of the development and the population surge, the school infrastructure came up and she said, "They're much better at providing the advice"—meaning the Department of Education. A similar message came in terms of road infrastructure—that the department of planning seeks the advice from the road agencies. I'm just wondering whether you might be able to give us an update or a record in terms of what is the contact, the relationship, how often are you meeting and how are we sharing this information.

MURAT DIZDAR: I'll let Ms Harrington give further information, Ms Merton. We work very closely with the Department of Planning, Housing and Infrastructure. As a government agency, like all government agencies, we adopt their common planning assumptions. Then we monitor all of our student-by-area projections on a regular basis. I can tell you that I engage with the secretary for planning. I know that our Deputy Secretary for School Infrastructure, Ms Harrington, is regularly engaging with the department of planning. At the end of the day, we give advice to our education Minister—our Deputy Premier or our acting Minister—on the schooling needs across the State. That goes off the back of what the Minister spoke to this morning: the growth audit that School Infrastructure led. We collaborated very closely with the department of planning. We're in regular contact and regularly work with them.

The Hon. RACHEL MERTON: How often do you meet? Could I have a record in terms of who's holding the meetings, when and where they're held and what's discussed?

MURAT DIZDAR: I'm part of the secretary's board that has all of the secretaries across New South Wales. I'm in contact with the secretary for planning on a fortnightly basis. Ms Harrington and her team have great regularity of contact.

The Hon. RACHEL MERTON: When would the last meeting have been held, Ms Harrington?

MURAT DIZDAR: I'll get Ms Harrington to add some more detail.

LISA HARRINGTON: There are a few different, more formal mechanisms that have been introduced recently that have strengthened that connection. First of all, the urban development program, we meet—there are various committees and working groups under that, which are sort of breaking up and looking at the growth areas for that formal connection. The other thing that has been introduced recently is the government property advisory committee that I'm a part of. Basically agencies get together and can get visibility if there is surplus land from any other government agencies to see whether it might be utilised by another government agency. That has assisted.

Also, with the TODs, it has enabled us to zero in on where housing will come. So it's a way that we're able to really start to improve our forecasting of where that housing is coming. In addition, we've got more granular with our projections. It used to be that we would have, from the common planning assumptions, the data at basically a local government area level. We're now at a suburb level, and then we added in extra data sources, whether it be from the Federal Government or councils or developers. That's helped us just be more clear about where the growth is coming, the type of dwellings and the pace of that development.

The Hon. RACHEL MERTON: Are you able to provide the Committee with any of those materials, or possibly the last meeting papers where these issues were discussed, relevant to the Hills?

MURAT DIZDAR: Is there something that you're particularly interested in?

The Hon. RACHEL MERTON: It's just relevant to the Hills in terms of the projected housing. People are continuing to ask the questions: Are the Government departments talking? How are they going to meet this? They're seeking more information. We're told the meetings are held. Could we see records of how often you're meeting, what are you discussing, and what's the action plan?

LISA HARRINGTON: I can come back on notice around the meetings.

The Hon. RACHEL MERTON: I appreciate there's committees and good intent.

LISA HARRINGTON: It's probably more the data that is useful for us right now in terms of, yes, we have the committee meetings. But obviously staying very close to what's happening on the ground is really important because we will have projections. There will be precinct plans. But what we need to do is be very clear about understanding exactly what's coming on. Some things happen quicker than others. I can come back to you on notice—

CORRECTED

The Hon. RACHEL MERTON: If I could just give you an example in terms of what you're touching on there. In terms of the Hills showground, the community know that there have been changes to the housing caps. There was a cap to allow 5,000 dwellings in the Hills showground. That cap has been removed and 10,000 dwellings are now permitted. I then put the question about the Hills showground primary school. We've established this morning there are no plans for a new school. Is any future land or infrastructure being identified to meet this? We're told nothing. What do we know?

LISA HARRINGTON: I'm happy to respond to that. I definitely agree with you that that north-west growth area is—

The Hon. RACHEL MERTON: We realise the local high school there, Castle Hill—50 demountables.

LISA HARRINGTON: Yes.

The Hon. RACHEL MERTON: No plans for a new high school, no plans for the Hills showground primary school. We hear about the Box Hill school, but that's a 40-minute drive on a good day.

LISA HARRINGTON: I agree with you that there is significant and rapid growth in that area. We need to make sure that we're utilising existing schools before we invest in new schools. That's really important. So that's why we've put forward the Excelsior Public School upgrade first, to add those 22 additional classrooms. We are planning for a high school in that area. We are talking really closely with other government agencies. I can't disclose too many more details because that might compromise those discussions, but we are really looking at the best site for a high school in that area, very close to the metro.

The Hon. RACHEL MERTON: Just in terms of future land, have any sites been identified?

LISA HARRINGTON: It wouldn't be appropriate for me to talk in detail about particular sites before we've closed those—

The Hon. RACHEL MERTON: I'm not asking for the location, but is it within the precinct?

LISA HARRINGTON: Yes, within that.

The Hon. RACHEL MERTON: Given the level of growth of the student cohort, have any sites been identified?

MURAT DIZDAR: Ms Merton, I think Ms Harrington's indicating that we're in discussions. We've got a property and land acquisition team. We're undertaking this work unrelentingly right across the State. The south-west, Western Sydney and north-western Sydney growth corridors are featured in the enrolment growth audit. We're really focused on future provision. But Ms Harrington is spot on: We've got to maximise existing sites. These projections go out to 20 years, so we've got to have longer term game plans. We're in discussions around those locations. I just want to reiterate what the Minister said this morning—

The Hon. RACHEL MERTON: Mr Secretary, the families are then asking themselves, "There are 50 demountables at the local high school. How many more can fit on the ground?" What do we go to? Do we double that?

MURAT DIZDAR: I think the Minister covered that this morning as well. Forty-two of those are not new. But that growth in that north-west—

The Hon. RACHEL MERTON: It's the quantity, Mr Secretary, that concerns the families, not who put them where and when.

MURAT DIZDAR: We're at work in that area, and Excelsior Public is our first upgrade. We've got more work that we'll advise Government on in time, and we'll make sure that we can meet the enrolments in that growth corridor.

LISA HARRINGTON: We do have an upgrade at Rouse Hill High School that is underway as well, so that will assist. We have fast-tracked the secondary school capacity in Box Hill. I know you mentioned it's a little further away, but—

The Hon. RACHEL MERTON: Rouse Hill's about a 30-minute drive to Castle Hill, and Box Hill is about 40 minutes.

LISA HARRINGTON: I've just explained that we are looking for a site that is within that particular area that you're talking about for a high school.

The Hon. RACHEL MERTON: Ms Harrington, on a similar topic, if I could now move to Chatswood, concerning why the Government terminated plans for a 1,000-place public school at 607 Pacific Highway,

CORRECTED

Chatswood. I think it's known as the Chatswood dive site, from memory. Why did the Government terminate plans for the 1,000-place public school, despite this being a longstanding commitment linked to the completion of the metro, and what would that mean in terms of the student cohort?

LISA HARRINGTON: We have recently completed the upgrade at Chatswood Public School, and we constantly need to look at our enrolment projections and see. When the Chatswood and also the St Leonards projects were proposed, it was prior to COVID and the enrolment projections were a bit different to what they then became after COVID, so we did reassess. We were able to confirm that we didn't need that dive site anymore, and we confirmed that to metro. We were able to deal with the existing demand with the existing Chatswood primary school, recognising that in that area—Willoughby and Chatswood—there have been significant upgrades in the last little while, so there was sufficient capacity with those existing schools. We're also undertaking upgrades at Cammeray and Northbridge to provide additional capacity there.

The Hon. RACHEL MERTON: I will just acknowledge the strong representations by Tim James, the member for Willoughby there, who no doubt is well known to you in terms of discussions relating to school infrastructure. Tim and the community have put it to me that they feel it's a betrayal of local families and the future. It's a planning disaster. Housing density is proceeding, infrastructure is proceeding and the Government is terminating plans for schools that once had approval.

LISA HARRINGTON: We are still looking at it. Obviously we've got the Crows Nest metro there, so it isn't an area that we are dismissing. It's just that, at this stage, it doesn't make sense to put an additional school there because we can deal with the demand with the existing schools. But we are still monitoring it, recognising that it is a TOD. It is an area that is going to have additional growth, so we need to continue to monitor.

The Hon. RACHEL MERTON: Ms Harrington, in terms of the student enrolment modelling that you referred to there that was undertaken prior to the decision to cancel the school, can that be shared with the Committee?

LISA HARRINGTON: I can come back to you on notice on what we can share there.

The Hon. RACHEL MERTON: At the last estimates it was asked—this is relating St Leonards. If you're saying there's enough space in existing schools around St Leonards, you don't at this stage need a primary school. I guess that that was the case put to the estimates hearing, and it was reaffirmed that that's exactly right: There is enough space in existing schools around St Leonards, and, at that stage, we didn't need a new primary school or a high school. Is this still the position?

LISA HARRINGTON: Yes.

The Hon. RACHEL MERTON: Is Cammeraygal High School at capacity?

LISA HARRINGTON: We have made some intake area changes around Cammeraygal and Mosman to deal with—there has been an increase in students in that area, I believe, with some migration changes there. One strategy that we need to use is amending and adjusting intake areas as well as utilising existing schools, before we make any investments in terms of new schools. That is a tactic that we've used with Cammeraygal.

The Hon. RACHEL MERTON: In terms of that tactic, families that are seeing the demand here for education—the communities are growing, the houses are growing, the cars are everywhere. To then understand that the boundaries are being changed in terms of the lower North Shore enrolment zone—they're being changed to accommodate this surge in population and demand. Is that the response?

MURAT DIZDAR: Boundary changes are not new, Ms Merton. We make those adjustments because we have to maximise all levers. We don't just jump to a new school build; we have to maximise all of our footprint. They're two fantastic schools that I've visited. It's not surprising to me that they're both high-demand schools—wonderful leadership, producing great student outcomes—but we have had a major upgrade at Mosman High and we want to maximise it. In fact, I'm on my way there next Wednesday to see how we're travelling. That'll be my third time visiting the school.

The Hon. RACHEL MERTON: If I could redirect, this is relating to the Cammeraygal High School and that community.

MURAT DIZDAR: I know, and the boundary change.

The Hon. RACHEL MERTON: Regards to Mosman—and I hope the visit goes well. But if we could just come back to the community and the need to build at least a new high school in that Cammeraygal catchment zone, whether we're calling this the lower North Shore enrolment zone—

LISA HARRINGTON: We're not seeing the need for an additional high school at this stage in that area.

CORRECTED

The Hon. RACHEL MERTON: Okay, thank you. Mr Dizdar, this came from my colleague the Hon. Tania Mihailuk. It was about the opt-out provisions relating to schools and the choice given—in terms of parental rights—to students participating in different subjects at the school. As you may know, a lot of families may bring values in terms of classes around respectful relationships, sexual health and sexuality. Mr Dizdar, is that opt-out provision in place?

MURAT DIZDAR: What I'd say, first of all, is that they're all important components of the curriculum and a child's learning. My experience is that our schools do a remarkable job, in an age- and stage-appropriate way. They're topics that are important we deliver—and it's delivered right across the country. We do respect parents' views—they're the primary educator and that's enshrined in the Act. I repeat what I said earlier: If any parent's got any concern around any part of the curriculum delivery, please approach the school principal and please discuss that. Often it's resolved at that level, and if it needs to escalate, then we're here to help as well.

The Hon. RACHEL MERTON: How do parents have knowledge or awareness that there is an opt-out provision relating to those topics of discussion?

MURAT DIZDAR: I just gave my operational experience. I've got a son at Drummoyne Public School in year 4. It's a fantastic school. I've got two children at Newtown High School of the Performing Arts—fantastic school—and they communicate with me as a parent. They do it with all parents at the beginning of the year with the entire curriculum delivery in that school, what excursions, incursions are going to run and what the expectations are for the student body. I meet with them at the half-yearly and the yearly report mark. They do the same. It's clear to me as a parent. I don't need legalistic words, because that would confuse me. I'm not a lawyer. But what they do say—

The Hon. RACHEL MERTON: I value that you've had a good experience with those schools and commend them on that. We're looking here at New South Wales schools—

MURAT DIZDAR: These are New South Wales schools.

The Hon. RACHEL MERTON: —and that opt-out provision. Is it communicated to parents? Can I have a copy of how it is communicated to parents?

MURAT DIZDAR: I'm just indicating that if any parent has got any concern in the curriculum area and its delivery, they should just approach their local school. My experience is that it's resolved at a local level, often. Often there can be a misunderstanding around what the curriculum delivery is and what happens in respectful relationships education, sex education or consent education. Please approach the school if you are still uncomfortable as a parent and guardian here in New South Wales. We're here to help at the system level as well.

The Hon. RACHEL MERTON: Parents are probably looking for instruction or guidelines to know that is available.

MURAT DIZDAR: That just comes, from my experience, at the local school level and its delivery. Everything is on our department website.

The Hon. RACHEL MERTON: Do we not have a duty to inform—there's a communication or there's a notification—that this is available?

MURAT DIZDAR: Is there a particular concern that's in front of you that we can help with?

The Hon. RACHEL MERTON: Families are just asking, if they have concerns, how do they act? They don't know that this is available.

MURAT DIZDAR: Can I just indicate to the valued 1.6 million families in public education to please reach out to your local school principal if you've got any concern. That's what I do as a parent in the system. Please jump on our website. We've got all the curriculum information. That's there as well. But don't hesitate to approach your child's school if you've got a concern with the curriculum delivery.

The Hon. SARAH MITCHELL: Is it also, Mr Dizdar, that it's an opt-in situation as well? Parents will be told if there's going to be, for instance, an external provider to come for a particular program. That's, to be frank, been my experience as a public school parent.

The Hon. RACHEL MERTON: Opt in as opposed to opt out.

The Hon. SARAH MITCHELL: Sometimes you get advised that a particular program is running.

MURAT DIZDAR: I thank you for that reminder as well. Not everything is a mandatory curriculum component delivery. There are opt-in exercises as well. In those cases, the parent permission note goes home et cetera. Thanks for that reminder.

CORRECTED

The Hon. SARAH MITCHELL: I just wanted to clarify that. We've got 30 seconds. I'll start on one area. The decision to move homeschooling from NESA to the Department of Education—who made that decision? Were homeschooling families consulted?

MURAT DIZDAR: That was a Government decision, and we've implemented that decision.

The Hon. SARAH MITCHELL: So the Deputy Premier had made that decision?

MURAT DIZDAR: Yes.

The Hon. SARAH MITCHELL: What consultation happened with homeschooling families that were going to be impacted by that change?

MURAT DIZDAR: I think it was a decision on the grounds that we respect parental choice around education provision as it sits in the Act, but the clear view was that we could provide better support for those students and families—we're a large organisation, as I said this morning—particularly with our curriculum and wellbeing expertise. The thinking was to see how we could strengthen the support that we provide.

The Hon. SARAH MITCHELL: I'll come back to this in the next session.

The CHAIR: According to our schedule, I am now obliged to let Ms Noy and Mr Currie go. We may need to get you back for longer next time.

MURAT DIZDAR: They'd be delighted to stay if you want.

The CHAIR: Would that be all right?

MURAT DIZDAR: If you've got some more questions, they'd be happy to answer.

The CHAIR: Now I'm unprepared. I'll come back to that.

MURAT DIZDAR: They are fine public servants in my experience. They're always willing to help.

The CHAIR: I'll quickly go to Mr Backo, and then I'll come back to Ms Noy fairly shortly thereafter. Mr Backo, we were talking about Busy Bees in New Lambton earlier. In the interest of time, I wasn't able to give you more of a chance to say what has gone on. Looking at the show cause notice that was issued to them on 17 July 2024, what has happened since? I see that they're still there as a "meeting standards" service on ACECQA. How did they show cause that they should be allowed to continue to operate?

NICHOLAS BACKO: As you would be aware, the show cause process requires a provider—in this case, Busy Bees—to provide a range of information to the department about, essentially, in this case, why their approval to operate should not be cancelled. They responded to that show cause notice. I can advise you that, since that matter, the regulator has visited the service a further seven times—most recently this month, in August.

The CHAIR: That is even though they have this track record of that service for well over five years having some very significant problems. It's noted in this letter very clearly. It says that between 2020 and 2024, 13 compliance actions were issued to the service compared to a sector average of two, and a total of 52 confirmed breaches were substantiated, with 23 serious incidents and 14 complaints. That is compared to a sector average which is less than half of that. This is a very serious situation. They've got to the point of being issued a show cause notice, but when parents look at the ACECQA website, it just says that they're meeting standards. Were parents given any other notification around these issues? Do they know?

NICHOLAS BACKO: I absolutely agree; it is a very serious matter. I also agree with the Minister's comments from this morning: Transparency for families is incredibly important. I don't have in front of me the specific communication to families, if there was any, in relation to that matter, so I'm happy to take on notice and look into that specific example. But it's fair to say that transparency is incredibly important. We have increased the amount of enforcement actions that we publish on the department's website significantly. The legislation that the Minister mentioned will also consider additional ways that we can be more transparent. I think it is incredibly important that parents understand what is happening within early childhood education and care services that their children are attending.

The CHAIR: I think we can all agree on that, but what we've got here—I can't tell you how easy it is to find these examples. It's quite shocking. There are so, so many centres like this. This is yet another example of one that has had a five-year history—at least—of just incredibly concerning issues. Any one of them would be a concern. To culminate in a child being that badly injured, unsupervised, no-one got told about it—I don't understand what they could have provided to the regulator that then allowed them to just carry on. In this case, are you telling me you don't know why they were allowed to carry on?

CORRECTED

NICHOLAS BACKO: What I'm saying is I agree it is incredibly serious. I'm happy to take on notice and provide you with further information about the specific response from the service to the concerns that the department outlined.

The CHAIR: Given that there have been numerous examples of services breaching the rules and having no fines, or if they do get a fine they might get—I think it's a \$200 fine if you don't tell the parents something, which is absurd. Are you able to tell us how much Busy Bees New Lambton has been fined?

NICHOLAS BACKO: I can certainly provide that to you on notice. I don't have that in front of me. I do agree. I think Mr Wheeler described the financial penalties as paltry under the national law. Again, the Minister mentioned this morning bringing forward legislation. Indeed, education Ministers last Friday agreed to triple the maximum penalty available under the national law—in relation to financial penalties, to clarify.

The CHAIR: Do you still have that situation where there's a physical penalty infringement notice book that has to be filled out before a fine can be issued?

NICHOLAS BACKO: In terms of penalty infringement notices—you are correct. There is a physical penalty infringement notice book. We will look to address that in due course. The first thing that we're focused on is increasing opportunities for the regulator to issue penalty infringement notices.

The CHAIR: Just on that, though, how many of those books does the regulator have?

NICHOLAS BACKO: I would definitely have to take that on notice. I'm not sure.

The CHAIR: Is it two?

NICHOLAS BACKO: I don't know how many books we have.

The CHAIR: I'm told it's two. So if there are two physical books that have to be filled out before you can actually fine somebody, and you have over 6,000 services across the State—and, presumably, you have inspectors going out to all of those services at some point—is it true that they have to try and find whoever has the book in order to then issue the paltry \$200 fine to the service for not notifying a parent of something as serious as this?

NICHOLAS BACKO: I don't know the details of the specific books. I am happy to take that on notice. What I will say is that the underlying issue—

The CHAIR: Sorry, are you absolutely clear? Because I know that—

The Hon. EMILY SUVAAL: Chair, I think the witness has taken it on notice several times.

The CHAIR: I understand. Mr Backo, you've been part of this organisation for some time. I just want to be very clear of what you're telling us. You're under oath.

MURAT DIZDAR: In fairness to Mr Backo, we'll go back and make sure. You've got some information, so let's go back and verify it. I met with Mr Wheeler on his review. He described the penalty system as needing significant overhaul. He described to me parking tickets being worth more.

The CHAIR: It's farcical.

MURAT DIZDAR: That's why at the Commonwealth meeting here in Sydney last Friday—credit to our Minister for strong advocacy—they agreed to triple the penalties. But here in New South Wales, we're pushing for a greater range of infringements to be able to apply penalty notices for. That was another recommendation from the Wheeler review. It's not just about tripling; it's about what you can apply it to. That's work that we're also doing across the country.

The CHAIR: I absolutely agree with you. Perhaps, Mr Dizdar, I'll direct the questions to you and you can refer them, because I understand Mr Backo is only acting at this point and he's not been in that role for very long. There are two different things, aren't there? There's the national framework, which talks about what those penalties should be, which is clearly inadequate, but then there's New South Wales's implementation of it.

MURAT DIZDAR: Correct.

The CHAIR: Did you know that they have to issue a physical copy?

MURAT DIZDAR: Yes, I did.

The CHAIR: What steps have been taken to make it so that's not the case?

MURAT DIZDAR: We've been hard at work to try and overhaul and implement the Wheeler recommendations and push—

CORRECTED

The CHAIR: But we knew about this before Wheeler.

MURAT DIZDAR: At the moment, with the way the penalties stand, there's much more human endeavour. If you're going to go down the prosecution route, Mr Wheeler finds in his report that you'd be enormously discouraged from doing so given the cost of the resource, not only financial but human. We've got to make sure we can fix the system and fix what's in play. You're spot on. If you're going to then indicate that we need to be more strident on how we implement that, I agree with you.

The CHAIR: Maybe there are three things. There's the implementation and the attitude towards implementing the rules and enforcing the rules, there are the rules themselves, but then there's this little oddity in New South Wales where you have to issue a physical copy. It means that you have to go and find the book. You get it from your colleague, who is however many hundreds of kilometres away, in order to then issue this paltry fine, which seems to be the only available penalty in many of these cases. Surely that in itself is a very fixable thing: no longer having to do physical paper.

MURAT DIZDAR: I agree with you. That's why we'll look at that as well and try and overhaul that.

The CHAIR: Can we just do it, though?

MURAT DIZDAR: The overarcher here is that the framework wasn't fit for purpose. So we've been hard at that.

The CHAIR: Yes, but then you have this really low-lying fruit which is just hanging there. I don't understand how we have that.

MURAT DIZDAR: The way that it was described to me—and I appreciate the expertise—was that even if you had a foolproof system of handing those out—

The CHAIR: Sure, but we don't.

MURAT DIZDAR: —it is so lacking in being a disincentive to get it right. That needed fixing, and that's what we've really zoomed in on. It's great to get national consensus to triple the penalties. But, yes—"You can also make it easier at your end to apply that," and I agree with you. That's what we're also looking at.

The CHAIR: Can I ask you to go and do that? Can I ask you to work out and let us know—I don't think it requires legislative change. But if it does, let us know. We'll all be very happy to pass that.

MURAT DIZDAR: That's an implementation thing at regulatory level that we can certainly assess. We just committed to go back and have a look at it, because you indicated that we've got two of them. Let's go back and look that.

The CHAIR: That would be very useful to know. Mr Backo, are you able to find out over the tea break what the case is with Busy Bees at New Lambton and why they're allowed to continue?

NICHOLAS BACKO: I'll have to take it on notice. I'm happy to provide the information that we can.

The CHAIR: If you could just have a look, that would be very useful.

MURAT DIZDAR: If we can't achieve that in today's estimates, we're open to coming and sitting down with you, Chair, if you're open to it.

The CHAIR: I'm always open to it, but I also want public transparency. I feel like the public ought to know why, in this case.

MURAT DIZDAR: We'll see what we can get you today.

The CHAIR: Can I just turn to Ms Noy? I'll come back to you in a bit, though, Mr Backo, don't worry.

MURAT DIZDAR: She just cancelled her 3:30 appointments.

The CHAIR: Thank you. Just back to the measures that are being taken to specifically drive down the instances of bullying and harassment, which seem to be a big driver of the increase in psychological claims within the Department of Education. What specific measures are being taken to deal with that bullying and harassment piece?

MARY NOY: We are committed to addressing psychosocial risk and acknowledge that bullying is a psychosocial hazard. The department has worked with the federation, as well as other stakeholders, in enhancing our tools and resources around psychosocial hazard identification, as well as how to mitigate those risks. For example, we have staff wellbeing advisers that we have in the field that can support schools in implementing the People at Work survey to help schools and workplaces identify what hazards might be present, and then look at

CORRECTED

what they can put in place to mitigate those risks. If there's a hazard, for example, around bullying identified, then obviously they will look at what mechanisms are available—and Mr Currie might be able to talk to different policies and that—to support those workplaces in preventing harm as a result of those potential hazards.

The CHAIR: I think previously you mentioned a 2024-27 document.

MARY NOY: The staff wellbeing strategy.

The CHAIR: Is that a public document?

MARY NOY: I'd have to check on notice. It's certainly well communicated and promoted within the organisation.

The CHAIR: Can you provide it on notice, if it's possible? Or if it's just public, then just the website is fine.

MURAT DIZDAR: It is publicly facing.

The CHAIR: Do you need a staff login for it?

MURAT DIZDAR: No, you don't. Let me get the plug in for our website; it's a fantastic website—education.nsw.gov.au. I've been hard at work improving the search engine.

The Hon. SARAH MITCHELL: You personally?

MURAT DIZDAR: I've had good people. If you type in "staff wellbeing strategy", it'll take you directly there. It is publicly facing.

The CHAIR: Okay, here I go. It says to download the strategy I need a login.

MURAT DIZDAR: No. I just went in through the public domain.

The CHAIR: It says "Staff Wellbeing Strategy 2024-27", and then when I click on "download the strategy" it says I need to log in.

MURAT DIZDAR: I seem to get in without—

The CHAIR: Maybe you've got a login, so maybe that's why—

MURAT DIZDAR: I didn't log in. But, anyway, let's get you a copy.

The CHAIR: That would be lovely if you could. Can I ask, Ms Noy, how many staff are currently off work on workers compensation? Do you know that?

MARY NOY: At any one time, our dedicated employee health recovery team is supporting about 2,700 employees with return to work. I can come back to you on notice with those exact figures, as they change regularly.

The CHAIR: That would be useful. If you could tell me how many of them are psychological claims and how many are physical claims, that would be useful.

MARY NOY: I can do that on notice.

The CHAIR: Has the department been found noncompliant with workers compensation reporting obligations in the past three years at all? Do you know?

MARY NOY: As I said earlier, I only started in February, so I'm happy to come back on notice. As all TMF agencies are subject to the SIRA review that did look at and audit TMF agencies, I can go back and have a look. As I understand, there were no findings. But I can come back.

MURAT DIZDAR: Not that I'm aware of, but we will double-check.

The CHAIR: Has the department conducted an internal review to ensure it's meeting its statutory obligations under the workers comp Act and the workplace injury management and workers compensation Acts?

MARY NOY: We reviewed a return to work or recover at work program earlier in the year. SIRA had already audited it and found it was compliant. We are constantly reviewing our systems and processes to make sure they are in line with the regulatory framework we work within as well as best practice. We have implemented recently around reporting a digital online form to enable people to report injuries not only through our hotline but via a digital form as well.

The CHAIR: In terms of an internal review to ensure you're meeting statutory obligations under those Acts, has that been done?

CORRECTED

MURAT DIZDAR: I'll just check. Again, if we can come back this afternoon, we'll quickly check if we have done one or if it's part of our audit plan.

The CHAIR: I'm interested in whether the department has identified any instances of noncompliance with reporting time frames for workplace injuries and claims lodgement, in particular. I think I'll go back to Mr Currie, while I have you here. We talked about numbers of staff now within PES. I understand the percentage of cases that are finalised within a certain time frame seems to have improved. What is the current average case load per investigator?

MURAT DIZDAR: I'll let Mr Currie speak to it. He will correct me if I've got this wrong, but we've got 66 investigators. He will definitely correct me if I've got that wrong. I think the average case load is 11 cases per investigator or thereabouts.

DARYL CURRIE: Thereabouts.

The CHAIR: And that 66 is correct?

DARYL CURRIE: Yes. If it's okay with the Chair, I will go back and address the PI question that you had earlier in the day. Firstly, though, I just want to understand some of the quotes that you said from Tedeschi earlier that I think misrepresented his overall findings, which were:

The staff of EPAC consist of well-intentioned people wanting to do a complex and highly pressured job in a professional manner under difficult circumstances. This Review has identified some measures that, if adopted, will go a long way to overcoming the criticisms that have been levelled at EPAC.

That still holds today.

The CHAIR: Can I stop you there, though. It would be a very boring estimates if we just asked about all of the good things. We are talking about the things that are lacking.

DARYL CURRIE: I understand. What's important here is that we have now implemented all of Tedeschi. I think it's important that the people of PES hear that their work is valued, because it's difficult work. You asked about PIs before. Tedeschi actually suggested one of his recommendations. It wasn't implemented initially. It was the placement of 9/10s in the position as a senior investigator so that those senior investigators—in the past it used to be 11s, 12s, PIs and drop to 7/8s as investigators. There was an implementation. That has been done. What has actually occurred is we have gone from the 17 PIs that you mentioned before to 24 seniors in total. There are 12 senior investigators and 12 principal investigators to make that up. There are 66 investigators in total, and 24 of a senior grade.

In terms of numbers of cases, we are down to 11.6 at the moment per investigator. That is a bit of a false currency at the moment. I'll explain that. We have just had 17 investigators come on board. While our averages have gone down, some of those people are only carrying three or four at the moment for a couple of months while they get used to our guidelines and our processes et cetera. That will actually bear fruit in the next few months, as that average becomes more operational and as everybody has 11. I also note that Tedeschi's recommendations and some of his hopes for what was going to happen were predicated on a five to 10 per investigator average. We are not down to that yet. We are hopeful that we will be. But that, then, we hope, will actually see a lot more cases being ended a lot quicker than they are now.

The CHAIR: To respond to your point about the individual workers, whether it's within PES, the ECEC regulator or the department as a whole, just to be clear, we are never criticising their work. My criticisms are always reserved for upper management and the senior bureaucrats.

DARYL CURRIE: I would expect nothing less.

The CHAIR: How often do PES findings get overturned or varied following appeal, external review or Ombudsman or guardian scrutiny?

DARYL CURRIE: In terms of findings, as in findings of misconduct—

The CHAIR: Yes, or the other way.

DARYL CURRIE: They're not the jurisdiction that can overturn those findings. It's the IRC that will actually overturn those findings.

The CHAIR: Okay.

DARYL CURRIE: In my experience, in five years of decision-making, twice, I think. I'd have to take it on notice, but I think it's twice in my experience of the findings—and not so much the findings: the decision. I think it's really important to point out they don't overturn the findings; it's a case de novo. They make findings

CORRECTED

of their own and not necessarily on the same evidence, because we—or I—make findings when it comes to dismissal based on the evidence in front of me. If the person goes to the IRC, it's a case de novo, whether it's a public sector appeal or it's an unfair dismissal. New evidence may be actually proffered that wasn't available to us through submissions et cetera, and they will make a determination themselves. So, yes, it may not be the decision that I made, but it's not an overturning; it's a different decision based on different evidence. Can I just point out something? Tedeschi, in his review, said—this is a paraphrase—that we should have more overturn because we should, in the interest of protecting kids, take more decisions that may actually be overturned. That's the sign of a healthy department that is looking at protecting students.

The CHAIR: Has PES established the central database of disciplinary outcomes, as recommended in that review?

DARYL CURRIE: Yes, we actually report those—proactive release of all those disciplinary outcomes each year.

The CHAIR: Is that a central database, though, of the kind that was in—

DARYL CURRIE: Yes, we have a central database of all of ours. All of the Tedeschi recommendations have been implemented.

The CHAIR: How frequently does PES give principals, alleged victims or people who are subject to allegations updates? A lot of the people I get contacted by are people who are complaining that they have no idea what's going on, and they haven't got a progress update. What's the policy around that?

DARYL CURRIE: The guidelines state that once per term we update people. However, in practice and operationally, that is done a lot more regularly. Sometimes what we find is that people might call us weekly asking for stuff, but then when we don't send the once-a-term letter, they go, "I haven't been updated," even though we've been speaking to them weekly regarding it at least once per term. That's once every three months at least. But, operationally, not many people could do the investigation in that way because the people themselves, people the subject of allegations, will contact us or we have to contact them for information. At the very least, it's once per term.

The Hon. SARAH MITCHELL: I want to go back to the homeschooling issue. Mr Dizdar, can you just tell me what consultation happened with the families that were currently homeschooling?

MURAT DIZDAR: Yes, it was a machinery-of-government change—a Government decision and a machinery-of-government change. It didn't go through an open process of consultation.

The Hon. SARAH MITCHELL: So there wasn't consultation with the families?

MURAT DIZDAR: It was just a Government decision of movement of it into the department, with a machinery-of-government change.

The Hon. SARAH MITCHELL: Can you tell me what the latest data is that you have on the number of children being homeschooled in New South Wales?

MURAT DIZDAR: Yes, I can. I've got figures as at the end of last year. Is that okay?

The Hon. SARAH MITCHELL: Yes, I'll take those.

MURAT DIZDAR: It was 12,762 children in New South Wales.

The Hon. SARAH MITCHELL: When would you expect to have 2025 data?

MURAT DIZDAR: I think we report on it annually, Ms Mitchell, so it'll be in our annual report. But if it's any different, let me come back to you.

The Hon. SARAH MITCHELL: Thank you. I then wanted to ask about distance education through the department. Obviously I'm aware some students will do it for certain subjects and the like. Do you have any data in terms of the number of students who are doing full-time distance education in 2025?

MURAT DIZDAR: Yes. This is data, my notes tell me, that was at the beginning of term 2 this year. We had 2,235 full-time students.

The Hon. SARAH MITCHELL: Do you know how that compares to previous years' data? Is it an increase?

MURAT DIZDAR: I might have that. I might not, so let me come back on notice.

The Hon. SARAH MITCHELL: Could you take that on notice?

CORRECTED

MURAT DIZDAR: Yes.

The Hon. SARAH MITCHELL: Is it possible to provide also a breakdown of those students as best you can regional versus metro? I understand that some take distance because of where they live, but I have sort of heard anecdotally that there are more metro-based students taking that option as well. I would be curious for the best breakdown that you can provide. I'm not sure how you hold that data.

MURAT DIZDAR: Let me come back to you with what we have.

The Hon. SARAH MITCHELL: Could you also provide—and I'm happy for this to be on notice—if possible the breakdown of the year groups that are study by distance education?

MURAT DIZDAR: Sure. The numbers I gave you were K to 12.

The Hon. SARAH MITCHELL: Yes, but, again, I'm just curious if it's more frequent in high school. That would be fantastic.

MURAT DIZDAR: Just to clarify, that was full time?

The Hon. SARAH MITCHELL: Yes, that's what I was asking.

MURAT DIZDAR: As you also know, we have some students that do a distance ed subject.

The Hon. SARAH MITCHELL: Yes, for a certain subject. I want full time.

MURAT DIZDAR: Okay.

The Hon. SARAH MITCHELL: Do you do any analysis if someone moves from being in a school-based setting to a distance ed—

MURAT DIZDAR: I do have one piece of data that might be helpful, but I'll still come back with the others I committed to. Of that number I gave you, 10 per cent of those students are geographically isolated.

The CHAIR: That brings us to our afternoon tea break. I will allow Mr Currie and Ms Noy to leave. Thank you very much for staying a little bit longer. We will take a 15-minute break and we will be back at 3.45 p.m.

(Mary Noy and Daryl Currie withdrew.)

(Short adjournment)

The Hon. RACHEL MERTON: We come to Opposition time. If I could pick up the issue from this morning about legal issues bulletin 55, I asked the Minister about the fact that the scheduled release of the reviewed bulletin was term 1 this year. Mr Dizdar, at the moment where is the bulletin at? We understand it's under review.

MURAT DIZDAR: We're operating with the '24 guidance; we're not operating in a vacuum. There's still the bulletin on gender, gender diversity and sexuality that our schools can tap into. I am quite glad that we didn't end up going out, given the legislative changes that have now occurred with enrolment. We want to get that right and do another loop of consultation with key agencies. I want to deliver that this year. I do realise that I'm at the midway mark of term 3, so I want to deliver that this year.

The Hon. RACHEL MERTON: When we last met, it was going to be at the end of term 1. Just to confirm, the release date is now term 3?

MURAT DIZDAR: We're in term 3, week six, of the school term, in a 10-week term. What I said back in our last estimates, Ms Merton, was the best advice I had and was accurate, but circumstances have changed. We've now had legislative change around birth certificates, and I want to make sure I get that right in the advice and guidance I give to schools and incorporate it. So I'm quite glad I didn't go out and then re-go out again.

The Hon. RACHEL MERTON: The revised date being? Sorry, I didn't hear you.

MURAT DIZDAR: I do want to achieve it for this school year. I don't want to put an exact time frame on it. As expediently as I can, but I do want to achieve it for this school year.

The Hon. RACHEL MERTON: So we're thinking this year.

MURAT DIZDAR: That's when I'm aiming for.

CORRECTED

The Hon. RACHEL MERTON: My second question relates to civil claims. Mr Dizdar and others, I will just pick up on a report in *The Sydney Morning Herald* relating to the issue of claim farming. Among other things, the report mentioned the increasing focus on civil claims for alleged abuse being made against the Department of Education, rather than criminal complaints or applications made to the National Redress Scheme. The media are reporting what they're viewing as claim farming. Mr Dizdar, what proportion of claims made against the department alleging child sexual abuse appear on their face to be the result of claim farming? Have you got experience on this?

MURAT DIZDAR: I do want to commend the New South Wales police. My colleagues there have done a great job. They established Strike Force Veritas and we've been working with them. My senior counsel in legal, Sarah Hargans, and the team have been working very closely to investigate—not my investigation, New South Wales police's—and to assist them there around fraudulent child abuse claims against the Department of Education and the Department of Communities and Justice. Why I want to commend them on that work is that it's my understanding that seven people were arrested in February this year for offences related to claim farming.

As the head of the Education agency here in New South Wales, I've got to abide by the model litigant requirements that are the *NSW Government Guiding Principles for Government Agencies Responding to Civil Claims for Child Abuse*, which date back to the Royal Commission into Institutional Responses to Child Sexual Abuse. I know you'd know this too, Ms Merton. On 9 April 2025 the Claim Farming Practices Prohibition Act came into force here in New South Wales, prohibiting the solicitation, buying or selling of personal injury claims. I'm cooperating fully with New South Wales police around their strike force around this, whilst also meeting my model litigant responsibilities.

The Hon. RACHEL MERTON: In terms of the process, are staff members against whom allegations are made normally stood down following a civil complaint?

MURAT DIZDAR: That's not an easy one to answer by way of—often these relate to former staff members. They're often historical matters. You often find they're not current staff members. In my experience in working with senior legal counsel in the department and the New South Wales police, it's almost always related to a former employee.

The Hon. RACHEL MERTON: In the event that an allegation was made about a teacher or someone in a school environment—

MURAT DIZDAR: If it was a current employee, as Mr Currie gave great coverage here this afternoon, we would undertake a risk-based approach and that preliminary investigation team would assess it. But we have to always be protective as our first stance. If any children, staff or community were at risk, we'd stand down the individual.

The Hon. RACHEL MERTON: In terms of sexual assault cases or allegations reported to the department, how many would there be?

MURAT DIZDAR: Are you asking, Ms Merton, around claim farming or just sexual assault claims in general?

The Hon. RACHEL MERTON: Sexual assault claims.

MURAT DIZDAR: I don't know that I have that data in front of me. Is it okay if I come back to you?

The Hon. RACHEL MERTON: Take it on notice, sure. I'd be keen to get a breakdown maybe in terms of government schools or non-government schools or—I'm not sure how the process works.

MURAT DIZDAR: You'd have to ask the other sector heads for non-government schools. I've got carriage of the government schools so I'll see what I've got.

The Hon. SARAH MITCHELL: Mr Barraket, I'll direct this one to you. The Start Strong Pathways program—has there been a funding allocation for that in this year's budget?

MARK BARRAKET: Let me just check my notes. I'll have to come back on notice. I don't have anything specific from my notes on that.

The Hon. SARAH MITCHELL: My understanding is the current program that was funded is due to expire on 31 December this year. Is there any funding to continue that program beyond 31 December 2025?

MARK BARRAKET: I'll have to take that on notice. If there is a decision to continue that, then there are different ways in which it can be funded.

CORRECTED

The Hon. SARAH MITCHELL: Just for providers, though, we're now in almost September and some are looking at contingency planning, particularly those who operate playgroups in rural and regional areas. Obviously, that's a very important part of communities. Just some clarity around the timing of a decision of Government to allay or answer that—

MARK BARRAKET: Certainly. We are anticipating an update to the Start Strong guidelines and all the components of that out soon, so that might clarify that for the providers. But I'll certainly take that on notice and provide you with the information.

The Hon. SARAH MITCHELL: That would be great. The issue of foundational supports—I'm not sure who is the best person to ask that about.

MURAT DIZDAR: Mr Graham is our expert.

The Hon. SARAH MITCHELL: Good. Mr Graham, you've been a bit quiet today. It's always nice when everyone has a little chance to answer. The budget allocation—obviously, we've been looking at this in a separate inquiry as well. But in terms of the role of the Department of Education in foundational supports, any additional budget measures—where is that work up to?

MARTIN GRAHAM: Cabinet Office and the Department of Communities and Justice have the lead for New South Wales on those issues. They're involved in supporting Government on a long-term agreement. The funding issues and so on are in the lead of Cabinet Office and we support them when it comes to—

The Hon. SARAH MITCHELL: Are you engaged in those discussions with your colleagues in those agencies?

MARTIN GRAHAM: We're engaged in those discussions but very much in a support role. We work with Health, DCJ, Cabinet Office as part of those discussions.

The Hon. SARAH MITCHELL: Are you effectively just waiting for decisions to be made around what that will look like and how the funding will be allocated?

MARTIN GRAHAM: We've been working particularly about what does the current landscape look like. We provide an educational service. Foundation supports are a disability service. But we are a place where—between us and the non-government schools, all children in that age group are in one of our schools.

The Hon. SARAH MITCHELL: Or in an early childhood service.

MARTIN GRAHAM: Yes, or an early childhood service. So what are the allied health services that people are accessing, maybe on a school site but potentially provided by Health already? We talk to them about that landscape in particular.

The Hon. SARAH MITCHELL: I want to go now to school maintenance. Ms Harrington, can you tell me what the actual spend was on school maintenance in the 2024-25 financial year?

LISA HARRINGTON: I can come back to you with the exact figure.

The Hon. SARAH MITCHELL: What about the total allocation for school maintenance in this financial year of 2025-26?

LISA HARRINGTON: I believe, actually, there were some statements on the budget last year in terms of the breakdown. I think it was \$1.5 billion for maintenance and minor works. There was a breakdown, I believe, in a release, but I can dig that out. We've got a similar amount of funding going to maintenance this financial year as well. The difference in the last couple of years is more money for renewal through that HPGE high school uplift program.

The Hon. SARAH MITCHELL: In the budget papers, obviously there's major works that are listed and then minor works.

LISA HARRINGTON: Yes.

The Hon. SARAH MITCHELL: When you say "minor works" in the budget papers, that covers both minor works and school maintenance, is that correct?

LISA HARRINGTON: It does but, actually, planned maintenance is in capital funding and also in recurrent funding.

The Hon. SARAH MITCHELL: Just on that, I'm curious as to why, in last year's budget, the total for minor works was just over \$1 billion, and then this year it's \$557 million. It's sort of half as much allocated to minor works in this year's budget papers than was there last year. Can you explain why?

CORRECTED

LISA HARRINGTON: I can come back to you on notice. One of the changes we have made is we have previously included money to acquire land in minor works, and we are now allocating that a little bit differently, attaching it to projects. It might be that it's related to that, but I'm happy to come back to you on notice.

The Hon. SARAH MITCHELL: Is that change within the last financial year, that process?

LISA HARRINGTON: Yes.

The Hon. SARAH MITCHELL: If you could just, for absolute clarity, come back with what the specific maintenance spend—not the total—was last year and what is allocated for maintenance this year.

LISA HARRINGTON: I can. I can also just say now that it is about the same for both years.

The Hon. SARAH MITCHELL: But it would just be good to have the actual figure, if I can have that.

LISA HARRINGTON: Sure.

The Hon. SARAH MITCHELL: I've got a few school infrastructure ones, so these will be all to you, Ms Harrington. Do you have any data around the number of asbestos inspections that were conducted in public schools in 2024?

LISA HARRINGTON: I do. I've got 629 schools in financial year 2025 for asbestos surveys, and we're planning to do a similar amount this financial year.

The Hon. SARAH MITCHELL: Do you have any data from 2023?

LISA HARRINGTON: I can come back to you on notice with that.

The Hon. SARAH MITCHELL: That would be great, thank you. Is there a minimum amount allocated for you to list a project as a major capital works in the budget papers?

LISA HARRINGTON: Above \$10 million is what we consider a major project.

The Hon. SARAH MITCHELL: There's a couple of examples, and I want to go to one particularly which was in the budget a couple of years ago. Minnamurra nature playground had an upgrade that was listed as a major capital works, but it was \$110,000 spend. Why was it listed that way?

LISA HARRINGTON: Obviously, the budget papers are prepared by Treasury, not by us. The classification of a major project is more an internal assessment, and that's the \$10 million threshold. I can't comment on what's included line by line in the budget papers. We obviously provide information to Treasury, and they prepare the budget papers.

The Hon. SARAH MITCHELL: Because there's also been examples of, like, covered outdoor learning areas listed as major capital works but come in well under the \$10 million threshold. I just was curious as to who decides how to list it in a budget paper, but you're saying that's not you.

LISA HARRINGTON: No.

The Hon. SARAH MITCHELL: Just with that nature playground at Minnamurra, when was the department asked to provide funding for that particular project?

LISA HARRINGTON: I believe that was an election commitment, so that would have been 2023.

The Hon. SARAH MITCHELL: Are you aware that that was previously listed as a commitment under the Local Small Commitments Allocation?

LISA HARRINGTON: No, I'm not aware of that.

The Hon. SARAH MITCHELL: Would you be able to take on notice—because I appreciate you were not in the role at the time—when that became a Department of Education project? Pre-election it was local small commitments and post-election it seemed to have found its way into the Education budget, so I'm curious as to when that change occurred. If you've got any information on that, that would be useful.

LISA HARRINGTON: I can come back on notice.

The Hon. SARAH MITCHELL: I asked some questions earlier about the Medowie high school. I just wondered whether there was any update in terms of any modelling that might have been done in relation to water run-off and flooding. There's been quite a bit of rainfall in that area recently, and I had some photos sent to me showing the site being impacted by quite a bit of water. What is the latest information in relation to that advice the department has?

CORRECTED

LISA HARRINGTON: I can come back to you on notice. Also, I can confirm that, actually, the planning documentation is published now. A lot of information—and it would likely be addressing any sort of flooding impacts as well—would be publicly available as part of that REF approval. I can confirm as well, in relation to your questions before, that there is some supporting documentation that relates to safety, transport, traffic—those sorts of issues. There has been a commitment. Obviously, we need to make sure that all the road safety measures and the mitigations that are listed as part of that planning documentation is in place before the school opens.

The Hon. SARAH MITCHELL: And just a couple more on Medowie because I've got some very interested parties in that part of the world. How many students will be the capacity for day one, term 1? And what is the expected capacity over time?

LISA HARRINGTON: Year 7 only. So it's about 110 students for when it opens. And the capacity is 640 students.

The Hon. SARAH MITCHELL: And is there room to grow beyond that if need be?

LISA HARRINGTON: I can come back to you on notice, in terms of whether we're master-planning for future growth.

The Hon. SARAH MITCHELL: Just to be clear, day one, term 1 of 2027 is an ironclad date? It'll be open by then?

LISA HARRINGTON: Yes.

The Hon. SARAH MITCHELL: I'll stay with you for the Willyama High School rebuild. I've asked about this last time. Just in terms of the negotiations with icare, are there any updates on that? Who's actually funding the rebuild of the school? Is it icare or Department of Education?

LISA HARRINGTON: We are still in conversation with icare. A final determination as part of our insurance coverage hasn't yet been made, but there was money allocated in the budget so that we can get on with the rebuild.

The Hon. SARAH MITCHELL: But that was the first money that was allocated in the budget. In previous budget papers it wasn't listed.

LISA HARRINGTON: As often happens, even if we're pursuing a claim through insurance, we get on with the works. We don't wait for that to come through. A similar thing has happened with Willyama. We weren't waiting; we were planning. Obviously, the demolition is underway at the moment, while those negotiations and conversations with icare continue.

The Hon. SARAH MITCHELL: And is the budget allocation that's been provided this year enough to do the complete rebuild of the school if the icare negotiations don't end in your favour?

LISA HARRINGTON: Yes.

The Hon. SARAH MITCHELL: And then just the start date for construction of that project?

LISA HARRINGTON: We are expecting to award the contract in October, so we would start in early 2026.

The Hon. SARAH MITCHELL: And when would you anticipate the school to be open to students?

LISA HARRINGTON: Day one, term 1 of '27.

The Hon. SARAH MITCHELL: Thank you. Just going back to you, Ms Summerhayes, the decisions around Kambora Public School and being put into recess—what is the status of that at the moment?

DEBORAH SUMMERHAYES: All of the consultation responses have come in. They are now being considered, and a brief put together for consideration. So we're almost at the end. We, obviously, want to let our community know this term.

The Hon. SARAH MITCHELL: Is the school still accepting new enrolments at the moment, operating as usual?

DEBORAH SUMMERHAYES: It's operating as usual.

The Hon. SARAH MITCHELL: By the end of this term, you would like to make a decision? Is that what you said?

DEBORAH SUMMERHAYES: Yes. Absolutely.

CORRECTED

The Hon. SARAH MITCHELL: And what would you envisage if the school does get put into recess? Would that be from the start of next term?

DEBORAH SUMMERHAYES: Anything that we're looking at the moment, Ms Mitchell, for potential recess would be for next year, but it would be inappropriate of me to pre-empt the outcome of that.

The Hon. SARAH MITCHELL: I understand that. But, at the very least, you would anticipate the school to remain operational this year.

DEBORAH SUMMERHAYES: Yes.

The Hon. SARAH MITCHELL: When was the last time a metro school in Sydney was put into recess? Are you aware?

DEBORAH SUMMERHAYES: I'd need to take that on notice. But I can tell you it's quite a rare occurrence.

The Hon. SARAH MITCHELL: And then also just some of the issues around Killara High and Lindfield Learning Village local enrolment areas that were announced earlier this year—how was that change communicated to local parents?

DEBORAH SUMMERHAYES: I'll probably ask Ms Harrington to speak to you about the process, but local parents were communicated with to let them know about boundary changes. We actually had a lot of parents come back to us about that, and some decisions were made to address some of the concerns that were raised. But I might ask Ms Harrington just to explain the process to you. Then we can talk about what we got back through the communication.

The Hon. SARAH MITCHELL: I just want to know the date when parents were told that those changes were coming into effect. Do you have that, Ms Harrington?

LISA HARRINGTON: I don't. I can come back to you on notice.

The Hon. SARAH MITCHELL: Could you provide that on notice? Thank you. Was the original change of enrolment area due to start next year? Is that the case?

LISA HARRINGTON: I can come back to you on notice. We did have conversations with the school community, and some changes were made following that consultation. I can come back to you on notice with those details.

The Hon. SARAH MITCHELL: And do you know whether the new boundaries will come into effect at the start of 2028? Is that correct?

LISA HARRINGTON: I'll have to come back to your notice. I'm sorry.

The Hon. SARAH MITCHELL: Okay. Do you know, Ms Summerhayes?

DEBORAH SUMMERHAYES: I should take it on notice, Ms Mitchell.

MURAT DIZDAR: I can help there. We've put in a transitional arrangement off the back of the feedback. We've given families the choice of enrolling at either Killara High School or Lindfield Learning Village for 2025, 2026 and 2027. It's really 2026 and 2027 because they're currently enrolled, but sometimes you get mobility in a school year, so we've given families the option of choosing either of those schools for two more school years before the decision that we've communicated, and that being the boundary from then.

The Hon. SARAH MITCHELL: And that comes hard into effect in 2028?

MURAT DIZDAR: In 2028.

Dr AMANDA COHN: I am keen to follow up the two lines of questioning I had for the Minister this morning. The first one is synthetic turf installations and the 18 non-exhaustive examples that I'd provided. The answer was that most of the play areas with synthetic turf are partially shaded, which on balance is good. But what about the ones that aren't? What's the rationale for the synthetic turf at those sites?

MURAT DIZDAR: Ms Harrington might talk more to this. We've got a really good model that is valued by principals on the ground. We have an asset services officer for every 10 schools. I know you'd appreciate this—as a former principal in the system, I've got zero asset expertise, and 99 per cent of our principals would be the same. They're educators. That model is highly valued so we can make sure they get the right asset advice. The first thing those asset officers have been doing is saying, "Any works you're going to do to your school, make sure you work with us." We want to avoid the situation where a principal might locally decide, "Let's put synthetic turf here", without appreciating the stance that we're taking. We've also asked them, because they work very

CORRECTED

intensively with their 10 schools, to just gather the information on what is already out there by way of any synthetic turf and if we're meeting any and all of the safety mechanisms we'd put around that. Do you want Ms Harrington to unpack that? We're in the middle of that work.

Dr AMANDA COHN: Yes, please.

LISA HARRINGTON: With the new guidelines coming out, and obviously the chief scientist's report, we are conscious that we don't have good central data on where there is synthetic turf through schools. Through our asset management unit, we are now, as the secretary said, collecting data to make sure we understand exactly where synthetic turf is on all school sites. We're collecting that data now and, as part of that, just checking—obviously conscious, as you mentioned, around the heat impacts—to make sure that there are no concerns. As the secretary said, and following your questioning last time, we did go out and really check, particularly that list of schools that you provided. But we are going out to all schools now just to collect that data centrally to make sure we know where it is and that the right shading is in place, recognising those concerns.

Dr AMANDA COHN: I'm really pleased that it's being done in a systematic way. My one quick follow-up question is what's the time frame for the data collection? When will you have that information?

LISA HARRINGTON: I can come back to you. The survey is out now, so I can come back to you on notice with that.

MURAT DIZDAR: Can I just also add that we've made it a clear stance that it's natural turf as a first preference, but we don't rule it out where we may not have the option. If it's a very high-use zone or it's a shaded area or other areas where growth of natural turf is difficult, we don't rule out using synthetic field for that. But we don't want schools to make that unilateral decision. We've got the expertise—we're working with the experts—so we want to make sure we do it in a coordinated way.

Dr AMANDA COHN: For sites that have existing synthetic where that's not in keeping with your policy now—for example, where it wouldn't be installed now, but it's existing—what guidance is then given to schools for when either that surface reaches the end of its life or it fails, like we saw at Chatswood?

MURAT DIZDAR: I think it's a really good question. That's why this body of work with the ASOs—the asset services officers—and the survey is really important, so we can get the lens, because right now, today, I couldn't tell you where we might not be compliant or are needing better guidance. That will then give us the system-level view of what we then need to do. We'll obviously need to take advice to government once we do that work.

Dr AMANDA COHN: There was one specific site—the Lindfield Learning Village. When I asked about that previously, I was told the department was looking at whether or not natural turf can be installed at that location.

MURAT DIZDAR: If I've got it right—please correct me if I don't—I've visited the school a number of times. There is a play field that's adjacent to our school. It's not owned by us, but we do access that play field. It's a synthetic field. Is that where you're referring to?

Dr AMANDA COHN: This may be part of the problem, but if students are accessing that facility on school time, surely all of the same safety concerns in terms of inhalation and ingestion of microplastics, and heat, still apply?

MURAT DIZDAR: You're spot on. Just because I don't own the site, it doesn't mean that I wouldn't put my kids on there without meeting all those requirements. I might get Ms Harrington to give you more detail. But having been to the site a number of times, that's the only zone that I know of. I just want to clarify if that's the same.

LISA HARRINGTON: I've also been there recently. It is the Charles Bean oval that's got the synthetic turf. That's owned by Ku-ring-gai Council. But there is also some synthetic turf that's been installed near some play equipment that is on the school site, so we're just looking at that at the moment. But in relation to that Charles Bean oval, obviously it is owned by the council, so we're having discussions with them to make sure that the particular material is okay for use.

Dr AMANDA COHN: And this auditing exercise you're doing of existing facilities—does that include the 100 planned new preschools as well?

LISA HARRINGTON: Obviously, with the guidelines, we have to be compliant across all our schools and all our projects so, yes, we do need to look at the whole—preschools and schools. There are actually some projects at the moment where we have had to change our approach. Eagle Vale High School, we are needing to

CORRECTED

do some extra work there because of the new guidelines coming out and some flood impacts. We're doing some extra design work in recognition of those guidelines to make sure that we're compliant.

MURAT DIZDAR: But it will definitely incorporate any builds underway and future builds as well.

Dr AMANDA COHN: I'll have more questions for you once you've got that information from your audit process, I'm sure.

MURAT DIZDAR: Yes, it'll be the first time we've got a system capture of it, so I think you'll be interested. We're happy to come and brief you outside of estimates.

Dr AMANDA COHN: Thank you. I'd really appreciate that.

MURAT DIZDAR: We're happy to do that.

Dr AMANDA COHN: Back to the question of ventilation, what's the current guidance that's given to schools and to teachers for those classrooms with natural ventilation?

MURAT DIZDAR: I might get Ms Harrington to talk to this because we've given, off the back of COVID—it was a testing and challenging time, but it brought many positive things by way of all our learnings. We've been giving clear guidance around air cooling and heating in all of our schools. Do you want to talk to this, Ms Harrington?

LISA HARRINGTON: Yes. Just in relation to that clean air study as well, we have very recently received the report. I haven't yet been briefed on the findings, but we're obviously going to be looking at that, because that was that methodical way of checking to make sure that where we do ask for the windows to be open for natural ventilation that there is the appropriate air quality inside. We'll have more information about that soon. I have confirmed that we've received it, but I just need to be briefed on what the findings are.

Dr AMANDA COHN: That answers my earlier question about the Clean Air Schools program, but the question outstanding is what is the current advice that's given to schools around natural ventilation?

MURAT DIZDAR: Natural airflow in those sites, where we ask for the windows to be open. But then we work with them on what air heating and cooling might be required, given the diversity of climatic zones that we've got across New South Wales. If I've got a site where I say, "Keep the windows open" and it's absolutely freezing cold out there, then that's a marker for me and Lisa to make sure we can support that school, because we do it on a case-by-case basis, making sure we can get air heating and cooling into those locations. If I've got that wrong, please add to it, Ms Harrington.

LISA HARRINGTON: Obviously, it was really looked into at COVID time. We do follow the health advice, and natural ventilation is recommended. We do recognise though, as the secretary said, there are some climates where teachers don't want the windows open on particular days. That was part of why we did that clean air study, to just check whether, if that is happening or is not happening, is the air quality inside at the right sort of level for learning. We'll be able to come back to you with more details on that. But yes, we do recommend natural ventilation. We do recommend that windows are opened, but we are conscious that that might not be practical in all environments. So that's an ongoing thing that we're looking at.

Dr AMANDA COHN: You've just referenced the health advice. What I'm really trying to raise here is the increasing body of evidence that adequate ventilation is independently important for learning outcomes in terms of carbon dioxide and other levels in the room, independent of direct infection transmission. There is a real benefit to kids learning here from getting ventilation right, regardless of the health advice, whether we're in a pandemic or not. So I'm interested to understand—

LISA HARRINGTON: Agreed. I didn't mean health advice in terms of catching COVID. I mean health advice in terms of what are the appropriate levels of carbon dioxide for the individuals in that room. That is part of what the clean air study was looking at.

Dr AMANDA COHN: That is a helpful clarification.

MURAT DIZDAR: The advantage of doing upgrades and new builds, obviously we build in the air cooling and heating from scratch. But I do have a sizeable challenge. We've got a footprint that stretches back 177 years. While we have had programs and rollouts across the State, even in the existing longstanding schools, we still work case by case where it's really needed, but the upgrade has to go in.

The CHAIR: Mr Dizdar, is the 2024 data for suspensions and expulsions available yet?

MURAT DIZDAR: I'll ask Mr Graham if we have that.

MARTIN GRAHAM: No. That data hasn't been published yet.

CORRECTED

The CHAIR: Why has it not been published yet?

MARTIN GRAHAM: I understand that data is still undergoing cleaning and is in preparation for publishing.

The CHAIR: It's very slow. This is something I have been asking about for six years. Before that, Mr Shoebridge also was asking for this information, particularly the disaggregated figures so we can see the percentage of children with disability and the percentage of First Nations kids who are being suspended and expelled. It didn't used to take this long. It's eight months after the end of last year.

MARTIN GRAHAM: I'm advised that's not an unusual amount of time. It is a complex dataset. The Centre for Education Statistics and Evaluation undertakes that work, and it's published when the data is finalised.

The CHAIR: I've asked several times for the 2023 data to be disaggregated so I can see exactly how many children with disability were being excluded and I haven't been provided with that, either. Do we have that on a disaggregated basis?

MARTIN GRAHAM: I don't have that in front of me but it is published in a number of different disaggregations. We can have a look at what's available and check that out.

The CHAIR: That would be really useful. As I say, I used to get this all the time. It's weird that in the last couple of years it doesn't seem—particularly there's a lot of focus on the change in exclusionary discipline policy. We're very interested to see what the statistics are. That new policy was in place for term 1 in 2024.

MARTIN GRAHAM: That's right.

The CHAIR: Is there anything you can tell me about that data?

MARTIN GRAHAM: The department has completely acknowledged that we have an overrepresentation of students with a disability who are in the suspension data. It's something we've been trying to address. That's a known issue and something that schools work very hard on.

MURAT DIZDAR: We're trying to do a number of things on that front. While we acknowledge the data is far from ideal, you might be interested to know we recently announced that, for an upcoming school development day right across the State, 95,000 teachers and 2,219 school principals will undergo training and development in neurodiversity and disability. We need to keep investing in our workforce. It's now become a mandated ITE module that has to be standardised and add quality, which was not the case. Mr Martin might be able to talk to that. That comes into play right across the country from next year.

You also may have seen this morning's Government announcement around the additional support classes we're putting in. We really want to keep our students within their local community and context. One of the rightful criticisms we've had in my time across the organisation is students being given a support class outside of their community when their local school does not have one. They've got to be on assisted student transport travelling for an hour and a half. We're trying to increase the footprint of support classes across the State as well.

The CHAIR: I appreciate that. Perhaps it's a slightly different topic to what I'm talking about but—

MURAT DIZDAR: I just wanted to table—these things can be helpful in trying to better meet the needs of our students that require adjustment because we're determined, like you are, to bring down their representation in this data.

The CHAIR: Yes. Talking about that, the recent inquiry for this Committee around the experiences of children with disability in the school system made some findings around how suspension and expulsion were not only ineffective but also negatively impacted students with disability, often for life. We spoke with people who had been really quite horribly impacted by being excluded from school because they were misunderstood and mismanaged. The Government response said:

The NSW Department of Education endorses evidence-based behaviour support and management approaches. This includes positive behaviour learning ...

Positive behaviour learning is contradictory to a trauma-informed approach and inclusive education. Are you aware of that?

MURAT DIZDAR: I wouldn't characterise it as being conflicting. We'd roll out trauma-informed practice training. I'm not sure where you're reading from but, if it's departmental representation, positive behaviour for learning talks about a whole-school approach to student welfare and wellbeing. Mr Graham can unpack it more for you.

CORRECTED

The CHAIR: Perhaps we've got a different—we're using "positive behaviour" in a different way there.

MURAT DIZDAR: Yes, I think you might be mis—

The CHAIR: Understood?

MURAT DIZDAR: Yes.

The CHAIR: But what evidence base does the department use to inform the current approach to exclusionary discipline?

MURAT DIZDAR: We do drive hard on trauma-informed practice, and we're at work on a range of professional learning modules to deliver the neurodiversity and disability support training right across the workforce.

The CHAIR: Back to the exclusion policy because this exclusionary discipline approach—when it was brought in, all of the stakeholders in the inclusive education space were quite alarmed at the impact this would have on children with disability. It's really concerning that we haven't got the data now to be able to see how things have been tracking, but you've got the data. What is it telling you about your approach?

MURAT DIZDAR: Yes. Mr Graham said we're—it sounds like it's imminent. We're in the final throes of the process, through CESE, to release that data. It's collected on a twice-annual basis with schools, so it's a semester basis. It then requires the data practices that go with it. But the data historically shows we're overrepresented, like Mr Graham indicated, and you've got to make sure you're tackling this from a range of avenues. You should not underestimate investing in the capability and capacity of your workforce.

The CHAIR: Sure, but while we're excluding children, it's all a bit—

MURAT DIZDAR: I do certainly share your concern. I'm not sure I would share the exclusion commentary because I think you're referring to the suspension and expulsion procedures.

The CHAIR: Yes, which I think we refer to as "exclusionary discipline".

MURAT DIZDAR: "Exclusion" has got a different meaning on education grounds. Despite the change in 2024 where we did restore a balance between authority and predictable, orderly, settled learning environments, we did maintain—when I was a principal, the suspensions that were available to me were up to 20 days per suspension. That is at 10 days under the new guidelines. It's lower for those K-2, and rightfully so. It's never been—even from when I was at the school gates to now—designed as a punitive measure. Often you've got—

The CHAIR: That's the impact, though. We could perhaps argue about the correct approach to these things but, without the data, it's very hard for me to have an informed conversation. So, let's just park that.

MURAT DIZDAR: Okay, we'll make sure we work on releasing the data.

The CHAIR: We'll park that one. Back to the supported bargaining for the community preschools, I understand that the Fair Work Commission ordered the Government to finally respond to the claims being made, and that was due on 20 August. Was a response put in?

MURAT DIZDAR: I'll get Mr Barraket to speak to this. He's been with Mr Reardon, who heads up our IR, attending the hearings. I'll just concur with the Minister's coverage that we're not direct employers. It's in the Federal Work Commission. But we have been a participatory party to this.

The CHAIR: Yes, because you're responsible for the funding. I do appreciate what the Minister was saying; obviously you're not the direct employer. But if somebody is reliant on a government for funding, and that government is underfunding it, it's going to make it very hard for it to then pay its workforce properly.

MURAT DIZDAR: I do acknowledge that we provide program funding to a very important—I said it this morning. They're a very important fabric of the early childhood sector and they have a strong record of good service delivery. We don't pay the salaries; we pay for program funding. But Mr Barraket might give you some more.

MARK BARRAKET: Thank you for the question. We did attend a hearing on 20 August. The deputy commissioner did ask us to provide a response to three aspects of the bargaining. One of those was in regards to some case studies that community preschools had provided in regards to their structure and what they were spending funds on. We indicated that we felt that while we didn't disagree with the case studies that were put forward, they did not include complete financial information, including the accumulated funds that some community preschools have. So we didn't have the visibility through that process there. We also indicated as part of the response that the Start Strong funding had increased in its total by 106 per cent over five years while

CORRECTED

enrolments had not increased by that amount. We did provide a response to the deputy president as part of that process.

The CHAIR: Just to clarify—enrolments or cost of enrolments?

MARK BARRAKET: The Start Strong funding had increased in total by 106 per cent, but enrolments in that time frame had not increased significantly at all.

The CHAIR: Per number of children or by—

MARK BARRAKET: I think the enrolment number over that same period had increased by 1.5 per cent.

The CHAIR: And that included a differentiation of those children with additional needs?

MARK BARRAKET: There's funding that is available for children with specific needs. We've got the disability inclusion and support program that provides up to \$16,000 per child per year. Also, there is \$5,000 available for services for specialised equipment and \$20,000 available for services that make environmental modifications.

The Hon. SARAH MITCHELL: To you, Mr. Martin, just in relation to Willyama High School HSC students, are there any sort of group special considerations in place for those students, given the impact on their learning being on the Broken Hill High School site?

PAUL MARTIN: As the Committee may be aware, there are two ways in which students can get particular considerations for the HSC. One is disability provisions, the application process for students with a disability that may affect both their teaching and learning and the exam itself. Then there's illness/misadventure, which are things that happen quite close to the day of the HSC rather than things that occur over a long period of time. We've had issues of illness/misadventure where we've wrapped around services in the flood areas of New South Wales.

The Hon. SARAH MITCHELL: I remember.

PAUL MARTIN: It is the case that it is very difficult to apply a particular provision to a group of students because of issues that may be in relation to construction or a range of other matters in the school. We have a team of people looking at the issues at Willyama and, where we can, we will provide appropriate provision. We will also be talking to UAC around the effect of those sorts of issues on the school themselves. So we try and do as much as we can.

The Hon. SARAH MITCHELL: For the last calendar year and the year before, were there any provisions applied for students at Willyama as a group collective, given that they had to deal with the mould, moving and all of that?

PAUL MARTIN: I'd have to take that on notice.

The Hon. SARAH MITCHELL: That would be great. Then I just want to take you to the issue that the secretary just raised before in relation to the ITE reforms and the time frame around that. Mr Dizdar, I think you just said 2026 is when the universities have to have their fully aligned programs.

MURAT DIZDAR: Yes, correct.

The Hon. SARAH MITCHELL: How is that work tracking? Have any universities met that target already? What's the latest on that?

PAUL MARTIN: I'll take it on notice, but we have I think it's 114 initial teacher education programs in New South Wales. We have a team of people at the moment looking at each of the programs for the Teacher Education Expert Panel review recommendations, which go to core content and the neuromyths et cetera that Mr Dizdar was referring to. I think we're more than halfway through our examination of those programs, so we'll have sent back to those universities what they need to do to change and adapt. We're very confident that New South Wales will conclude the process in time with the universities. I might add that, because we already had subject content requirements and core knowledge in New South Wales prior to the TEEP requirements, our universities are well ahead in comparison to some of their State and Territory colleagues. So the short answer is we're looking very positive around the implementation.

MURAT DIZDAR: Mr Martin's really humble because, at secretary level across the country, it's been stated to me that we're leading the country in making sure that the alignment of the TEEP review with mandatory content is underway and will be adhered to for the start of 2026. Credit to him and his team, they've been hard at it.

CORRECTED

The Hon. SARAH MITCHELL: Just so I'm super clear, have some of the providers already gone through that full approval process and they know that they're ready to go, or does that all get tied up at the end of this calendar year?

PAUL MARTIN: I think it'll be tied up at the end of the calendar year. It's a kind of iterative process where we would send back and then they would send improvements et cetera. We've done more than half of them in that process; we'll have it all concluded. I think it's probably the case that some have already concluded, but I'd have to take that on notice.

The Hon. SARAH MITCHELL: That's fine. I appreciate your optimism—

PAUL MARTIN: Always optimistic.

The Hon. SARAH MITCHELL: —and I hope that they all are able to go through the process and come out through the other side. But what contingency plans are in place if a particular provider university isn't able to deliver those compliance programs by 2026? What happens?

PAUL MARTIN: We have two ways of assessing and making sure that the compliance works. The first one is that there's also a quality assurance oversight board, which is a national process, which looks at what we've already looked at to try to get some national benchmarking. That's a national process to assess whether we've done our job properly. They will inform us if they think that there are some programs that haven't quite met the standard that we may have judged that they have. We've opened ourselves up to a national process of assessment. But we have the provision to apply reduced amount of approval—so, instead of getting a five-year approval for a program, we would say, "You've still got work to do. We're going to give you one-year approval." Because there will be students in the middle of programs; we can't just cut that off. They would have to advertise on their site that they've only got one-year approval while they continue to meet the expectations.

The Hon. SARAH MITCHELL: What information will all be publicly available should that occur?

MURAT DIZDAR: Were we to give a reduced amount of approval, yes, it would be.

The Hon. SARAH MITCHELL: I think you sort of touched on it then but, in terms of ongoing compliance after this work has concluded, you talked about the national process. So that will be a continual monitoring of making sure that the ITE providers are meeting those expected benchmarks?

PAUL MARTIN: The quality assurance oversight board, familiarly known as the QAOB, is assessing the State and Territory assessment of the programs to create benchmarks. We're very much in favour of it being a national process, and we're open about whether we're meeting our requirements.

The Hon. SARAH MITCHELL: This is probably for you, Mr Dizdar, but in March budget estimates hearings for Minister Harris, he said that there was some work being done by government to look at having a box on the school enrolment forms for students to identify that they're part of a veteran's family. Are you aware of that? Has that enrolment form now been updated? I'm happy if someone else is better placed to answer.

MURAT DIZDAR: Mr Graham is. He's been working on the enrolment form for us.

MARTIN GRAHAM: We're looking at a number of actions, one of which includes identification of Defence Force personnel so, for example, when they get posted somewhere, they don't have to go to the local school with 100 points of ID because they might not yet have all the standard paperwork someone might have if they took out a lease and so on. So we're making sure that they can enrol. We're looking at any other changes we might need to the form to be able to enable us to actually take actions like that.

The Hon. SARAH MITCHELL: That's for existing defence personnel, but will people also be able to identify if they're a veteran family as well? Is that something you're looking at?

MARTIN GRAHAM: We've been looking at a range of issues, but they're normally tied to—we need to have a purpose for collecting something. Under the Privacy Act and so on, we'd have to have a reason for collecting that information to actually do something with it.

The Hon. SARAH MITCHELL: I appreciate that you wouldn't have been watching Minister Harris's hearing. I'm just wondering whether that veteran family specifically will be identified on those forms or not. I'm happy for you to take it on notice if you don't know.

MARTIN GRAHAM: We can take it on notice. We've certainly taken action for current Defence Force personnel when that has been raised as an issue.

The Hon. SARAH MITCHELL: Yes, I appreciate that. Again, I'll go to you, Mr Dizdar, but I'm happy for others—

CORRECTED

MURAT DIZDAR: I'm happy to share with my colleagues.

The Hon. SARAH MITCHELL: You can allocate as you need to. This is not a new issue, but the challenge around particular subject specialist teachers for secondary school—maths and science. Again, that has been an issue for some time. Is there any data that you have in terms of those specialist teachers on certain subjects and how that's tracking?

MURAT DIZDAR: Mr Ruming might have data. We just released the day one, term 3 data, and we're 61 per cent below in teacher vacancies from 2023, which is fantastic.

The Hon. SARAH MITCHELL: I just want the specifics, though, for maths and science.

MURAT DIZDAR: High school maths and science?

The Hon. SARAH MITCHELL: Yes, high school.

MURAT DIZDAR: I'll see what Mr Ruming has.

SHAUN RUMING: We'll come back to you on notice in terms of the breakdown. As Mr Dizdar alluded to, the vacancy rate was 962 on day one of term 3. What we have worked out is that about 40 per cent of those vacancies are special ed or TAS. They are far higher than maths, but I'll come back to you with the exact details.

The Hon. SARAH MITCHELL: If you can provide a breakdown—if they are special ed or TAS. But, as I said, I've had some feedback about maths and science as well. I'm wondering how many teachers are teaching out of area as well that aren't trained maths or science teachers but who are teaching those classes. Do you have any data in relation to that?

MURAT DIZDAR: We'll see what we have. We support teachers that teach out of subject area. As a former high school principal, I had teachers who wanted to because then you can get the qualification and the codes. There's a process; that's not new. But we'll see what data we have.

The Hon. SARAH MITCHELL: Just on a similar topic, the alternative supervision survey that you normally do in term 3 for merged and collapsed classes—is that happening this term?

MURAT DIZDAR: Yes, Ms Summerhayes can talk to that. That's underway, is what I'm going to say.

DEBORAH SUMMERHAYES: It is. It's happening between weeks seven and nine, Ms Mitchell. Next week I think we start. We've got a two-week window and we're asking our schools to provide that information.

The Hon. SARAH MITCHELL: When would you expect to have that data available?

MURAT DIZDAR: We normally have had that at the start of the following school year, and we have publicly released that. It showed over the two survey periods that we've been able to halve collapsed, merged and uncovered classes.

The Hon. SARAH MITCHELL: I feel like we got it maybe in October last year.

MURAT DIZDAR: I was going to say the beginning of the year, but I'm happy to stand corrected.

The Hon. SARAH MITCHELL: I could also be wrong. I feel like it was made available more quickly. But it will be made publicly available again and listed on the website, like it always is?

MURAT DIZDAR: We will make sure we release it. We want to be transparent around how we're travelling.

The Hon. SARAH MITCHELL: But it won't be this school year?

MURAT DIZDAR: That's why I'm happy to stand corrected. My recollection is that we released it at the beginning of the next school year. But if I've got it wrong, we'll be releasing it earlier. We'll be releasing it in the same sort of time frame that we did.

The Hon. SARAH MITCHELL: Ms Harrington, I think this is for you. There was previously a Smart Energy Schools Pilot Project, which was looking at seeing what we could do to help schools in terms of solar power on roofs and battery storage. I appreciate it was an initiative of the former Government, but is there an update on that pilot and is there any more work being done in that space?

LISA HARRINGTON: We are continuing that pilot. That's still ongoing. We're still collecting data through the Smart Energy Schools Pilot Project. It is still progressing.

The Hon. SARAH MITCHELL: Are there any new schools being added to that?

LISA HARRINGTON: No, we're still collecting data from the existing schools.

CORRECTED

The Hon. SARAH MITCHELL: How long will you continue the pilot project for?

LISA HARRINGTON: I can come back to you on notice, but that is still underway. We're still collecting the data to prove up that program.

The Hon. SARAH MITCHELL: I'm assuming you will then give that data or evidence to Government to make decisions about whether there's more that they can be doing in that space?

LISA HARRINGTON: That's right.

The Hon. SARAH MITCHELL: If you could provide, on notice, when you expect that to be finalised as a pilot project. A pilot can't last forever, so it would be good to know when it's going to be concluded and may be something more permanent. The student wellbeing nurses that I think Health fund but that are implemented in schools—do you have any data in terms of how many are currently working under that program?

MURAT DIZDAR: I'll see if Mr Graham has got it because my recollection is that we're about 100 or thereabouts. They're highly valued. Mr Graham might have the exact number. I do want to thank my Health colleagues because it's a mutually beneficial program. Nowra East stands out—where I've been—seeing the WHIN nurse in operation there in the wellbeing hub. I was going to say 106.

MARTIN GRAHAM: You are absolutely correct, Mr Secretary.

The Hon. SARAH MITCHELL: You didn't copy his homework, did you, Murat? Just checking.

MURAT DIZDAR: No, and no-one even texted that. I do like to come having done my homework.

The Hon. SARAH MITCHELL: Thank you. My understanding is that funding was extended as well—I think it might have even been last year—by Health for a few more years.

MURAT DIZDAR: Correct.

The Hon. SARAH MITCHELL: Will those positions stay in the same schools and just continue on as they have been?

MURAT DIZDAR: We've got no intention of taking from the schools that they're in. We'd hope to be able to grow it in time.

The Hon. SARAH MITCHELL: Are you able to provide a list of which schools those 106 nurses are working at? I'm happy for you to do it on notice.

MURAT DIZDAR: We can do that.

The Hon. SARAH MITCHELL: That would be great. In relation to support—picking up a little bit on the Chair's comments around students with disability—I've had some reports from parents, specifically with children with hearing loss, that some of their classroom support has been taken away as a result of funding allocations, or lack thereof. Is there any update in terms of hearing support teachers, how many there are currently working in schools, and whether there have been any changes to those positions?

MURAT DIZDAR: Yes, I'd be keen to get the representation—

The Hon. SARAH MITCHELL: I don't want to publicly talk about it, but I'm happy to speak offline about the specific example.

MURAT DIZDAR: I'd really value speaking offline because—

The Hon. SARAH MITCHELL: Just generally, I'm asking, though, for on the record.

MURAT DIZDAR: I've also met with representatives and also seen some of our hearing teachers in action. Certainly, we haven't removed any budget from that area. We haven't cut anything, so I'd be really interested.

The Hon. SARAH MITCHELL: Do you have figures as to how many hearing support teachers there are in schools across the State?

MURAT DIZDAR: We would definitely know how many we've got and how many students they're supporting. I think Mr. Graham's got it.

MARTIN GRAHAM: I don't have that here but we can take that on notice. There certainly hasn't been any reduction in support.

CORRECTED

The Hon. SARAH MITCHELL: Can you provide that on notice and, if possible, a breakdown of, if not potentially the specific school—if you can, that would be great—then even just the general area where they're working out of?

MURAT DIZDAR: And if you're open to it, I'm happy for you to provide it outside.

The Hon. SARAH MITCHELL: Yes, I might have an offline conversation. I don't want to disclose confidentialities.

MURAT DIZDAR: There's obviously some crossed wires if they're thinking or feeling that we've cut funding, because we haven't done that.

The Hon. SARAH MITCHELL: That would be great. The issues around how the department responds to any concerns about domestic and family violence, particularly for staff having the capability to perhaps identify students who might be at risk—how does that work? I've been asked to specifically ask, in terms of the New South Wales common approach to risk assessment and safety framework, how does that work in a school-based setting?

MURAT DIZDAR: Sorry, I missed the beginning.

The Hon. SARAH MITCHELL: How do you ensure that school staff have the capability to identify students who might be at risk through domestic and family violence? And how does that fit under the common approach to risk assessment and safety framework?

MURAT DIZDAR: It's quite specific, so I might need to get advice and guidance. Can you help me?

MARTIN GRAHAM: Yes. Professional learning for our staff is provided, which is consistent with the New South Wales approach. We also provide specific training to our Child Wellbeing Unit. Often that's the place where schools notify things that they're concerned about—they think it might be an incident—and those staff have received additional training in close concert with the New South Wales approach to family and domestic violence to make sure that people are using the same definitions and are lined up in the same way.

The Hon. SARAH MITCHELL: Are there any primary prevention initiatives that you run through schools currently?

MARTIN GRAHAM: Certainly. There's a foundational level of respect for relationships work, which is an extensive work that we're in the middle of rolling out to every school in an extensive way. That will be professional learning for all staff and it will also be programs and work through the core new syllabuses—respectful relationships in all of the PDHPE syllabus we're rolling out to all schools. That's also done in concert with Our Watch. It'll have the same definitions as the Commonwealth works. When you see the ads on television, kids will be seeing the same messages as they receive if they're in those classes, and teachers will have the same professional learning.

The Hon. SARAH MITCHELL: That's probably a segue to you, Mr Martin, in terms of the new curriculum and the rollout around consent and respectful relationships. Obviously, to have that consistency from primary to secondary schools and across school sectors, when is the time frame of that being fully implemented in schools?

PAUL MARTIN: The K-6 PDHPE syllabus has already been released. The 7-10 PDHPE syllabus was released earlier this year, I believe. There will be 18 months of familiarisation. I'll take on notice the specifics, but I believe 7-10 is 2027. It does have that continuum of respectful relationships and consent all the way through.

The Hon. SARAH MITCHELL: Going back to the professional learning that's available and what's on offer for teachers and school staff, is there an evaluation process to measure the impact of that training and whether it's giving teachers specifically the adequate supports that they need? How do you assess that it's effective?

MURAT DIZDAR: We run a general—across all the PL that we offer across the department—an evaluation of it. We want to get feedback continuously. Is it helpful? Is it hitting the mark? The most recent one I can talk to is the high potential and gifted education training that we rolled out across the State. It was on a school development day, with 42 modules that were provided. In fact, at this week's executive meeting on Tuesday, we were looking at the data, and 80 per cent of teachers across the State had said that it was very helpful and hit the mark. I'm part of that workforce. We are not shy in saying if it doesn't hit the mark, so we were quite pleased that 80 per cent had reported that it was very useful and helpful. There were further questions about what other training and support are you looking for. It was a series of about 10 questions. We do surveys and get feedback on every single PL we run.

The Hon. SARAH MITCHELL: Do you have any data specifically on the family and domestic violence PL and what the teacher feedback has been?

CORRECTED

MURAT DIZDAR: We would.

The Hon. SARAH MITCHELL: Would you be able to provide that on notice? That's great for the high potential and gifted—

MURAT DIZDAR: I was just giving an example.

The Hon. SARAH MITCHELL: I appreciate that, but I'm more specifically interested—

MURAT DIZDAR: We would. Let's go back and have a look.

The Hon. SARAH MITCHELL: That would be fantastic.

MURAT DIZDAR: Can I just correct one thing too, Ms Mitchell? While I got the 106 figure right, you certainly got right that the alternative supervision survey was released at the end of the year. It is running from 13 August to 2 September. Last year we released it at the end of the school year.

The Hon. SARAH MITCHELL: So you'll look to do the same this year?

MURAT DIZDAR: We'll look to do the same.

The Hon. SARAH MITCHELL: The issues around wellbeing, particularly for students—I know I asked some questions earlier in relation to bullying data, which you took on notice. I'm keen to know, particularly from that cross-sectoral work around anti-bullying but also, I'm assuming, student wellbeing, are there any new initiatives or anything underway to support students in that space across school sectors, as well as in public schools?

MURAT DIZDAR: There's a lot of work that's already in existence. There's also a national piece that's happening. All sector heads signed a statement of intent, but you've got to then unpack what a statement of intent means. It's well and good to say, "I want to put my signature to saying that bullying is not accepted and needs to be dealt with." Mr Graham represents us on that cross-sectoral work that Mr Martin is leading, so he can talk to the work that is underway.

PAUL MARTIN: The cross-sectoral committee has signed a statement of intent as the first part of the cross-sectoral work on anti-bullying. That'll be followed up by a framework and a set of principles. The wording is yet to be nailed down. It would be expected that all schools in all sectors would sign off on that to some degree or other. All three sectors have their own bullying policies, so it will probably be more of a type of framework that would say, "You have to have these elements within". It would also not only have things that should be in anti-bullying policies within schools but perhaps things that the evidence shows don't work. Professor Cross is quite keen to pursue those angles as well. We expect to have a whole suite of things concluded by the end of this year and leading into professional learning and other work. It has been very fruitful and, as you were aware from the previous anti-bullying round table, highly sensitive.

The CHAIR: Mr Dizdar, I worry I may have asked you something about this earlier. Maybe it was in an earlier estimates or maybe it was in relation to the early childhood regulator. But I'm looking at the licensing for out-of-school-hours care.

MURAT DIZDAR: Yes.

The CHAIR: I understand that in some point around 2020 the licensing process was moved out of the Early Childhood Education Directorate, as it was, to School Infrastructure NSW. Then I think you may have said that it's gone back, or it sits somewhere else now. Can you explain to me where that licensing function for the OOSHs currently sits?

MURAT DIZDAR: The decision to move it to School Infrastructure precedes me. Currently it sits—

MELINDA McCABE: With me.

MURAT DIZDAR: —in operations with Ms McCabe. That's where I moved it to.

The CHAIR: Right. Out of School Infrastructure NSW?

MURAT DIZDAR: Correct. Ms McCabe is our deputy secretary who runs the operations arm. That's where I moved it to. It's coming back to me.

The CHAIR: When it was part of School Infrastructure NSW, did it sit in—I think it was called Asset Activations?

MURAT DIZDAR: Activations. Correct. I moved it out of there.

The CHAIR: Does that Asset Activations still exist as a thing?

CORRECTED

MURAT DIZDAR: Ms Harrington can talk to that. It certainly doesn't exist in the form and shape that it was, and she's been leading a new structure there.

LISA HARRINGTON: It does exist. It focuses on community use, joint use, facilities—those sorts of things—Share Our Space.

The CHAIR: When it comes to licensing for uniform shops and canteens in public schools, where does that sit?

LISA HARRINGTON: Operations.

The CHAIR: That's all with operations now. It is quite a different-looking Asset Activations team there.

MURAT DIZDAR: I made those moves because I think it's a much better fit helping schools on the operations arm, and infrastructure focusing on the infrastructure arm.

The CHAIR: In terms of the licensing, then, for the OOSHs—that's sitting in operations—is there a special team, or are there contract managers sitting there? And if so, how many?

MURAT DIZDAR: Ms McCabe can talk to that.

MELINDA McCABE: Yes, there's a team that looks after that. It sits in the procurement function.

The CHAIR: How many contract managers are there in that—or staff?

MELINDA McCABE: I might take that on notice, about how many contract managers. Are you just talking for just the OOSH, because it's a joint team?

The CHAIR: They're doing OOSH, uniform and canteens.

MELINDA McCABE: I'll get you the number on notice, yes.

The CHAIR: On 7 August of this year, I had a motion I put up in the Legislative Council which was passed with Government support, which called on the Government to facilitate a genuine level playing field for all types of organisations in any competitive tender process for OOSH licences, and also to introduce protections in the Department of Education's licensing approach to protect against corporatisation and effective privatisation of OOSH services. What action has been taken to implement that?

MURAT DIZDAR: I've certainly met with that team and made it clear to them that I expect us to provide the fullest level of support for parent-run operations in schools to—for want of a better phrase—transfer into P&C or not-for-profit operation. It's my expectation that we don't just give them, "This is what you've got to do," but that if they want to run, and are currently running, a parent operation, and we want them to move into the appropriate categories, we're to give them our full support. My explanation to that team was that parents are a very vital arm if they're connected in with our school.

I've seen parent-run canteens, uniform shops and OOSHs that can be hugely beneficial to the school community. The data and evidence around parental engagement and educational outcomes is profound and strong. I made that clear to the team. They made it clear to me that when we've got to go out to tender processes, we can't preclude them from those processes. That's because ICAC says you cannot—rightfully so—directly deal in that way. But my team must do the utmost—and Ms McCabe has been carrying that work on—to support parent-run operations.

The CHAIR: I said "and", but really it's a separate point. When we're looking at the licensing of those OOSH services, is there a connection between that licensing process and the work that the early childhood and education—sorry, you know what I'm trying to say. It's late in the day.

MURAT DIZDAR: The regulator?

The CHAIR: The ECEC regulatory authority—the work it does. Is there a connection between the two?

MURAT DIZDAR: I'll get Ms McCabe to unpack it for you, because the regulator regulates that sector. The licensing arm sits with Ms McCabe.

MELINDA McCABE: That's correct.

MURAT DIZDAR: That's where I've asked for the utmost, fullest, greatest level of support on those parent-run operations who want to maintain parent run but fit into the appropriate OOSH category. Do you want to talk to that, Ms McCabe?

MELINDA McCABE: That's right. The OOSH services are regulated by the National Quality Framework.

CORRECTED

The CHAIR: In answers to questions on notice that I got back in May of this year, the department said:

If a provider has been prosecuted for safety, child protection or compliance breaches, this is taken into account during the tender process for OSHC licences.

The question is how do you know? Is there a check made with the regulator before you then approve a new licence?

MELINDA McCABE: That's right. If you're talking about new licences through the tender process as new—

The CHAIR: New licences but not necessarily new licensees.

MELINDA McCABE: Yes, they're required to submit an application to the early childhood and care regulator. As part of the licence agreement with the department, they must provide a service approval within three months from the regulator.

The CHAIR: But, for example, Camp Australia has had multiple prosecutions in New South Wales and in other jurisdictions, like WA, but they keep winning OOSH tenders here in New South Wales over non-profit parent-managed services. Another corporate provider, Extend, has been prosecuted multiple times in New South Wales for child safety matters and they keep winning tenders. How exactly is it then taken into consideration?

MELINDA McCABE: I might need to take that on notice.

The CHAIR: I'd like to know how that gets—it seems like, again, it's another one of those situations where the information held by the regulator is not necessarily getting through to something as important as winning a new tender on a school site. If you're taking that on notice, could you also look at whether consideration is given only if there's an actual prosecution on record? Or do you speak with the regulator about whether, for instance, there's a plea deal and we may not know who the provider was, but the regulator knows that they're a risky provider, for instance?

MELINDA McCABE: I'll take that on notice.

The CHAIR: Thank you. Also, while you're at it, if the prosecutions in other jurisdictions are taken into account as well. A lot of these providers are now nationwide, or sitting in a lot of different States and Territories. Mr Dizdar, I think I asked you this the first time a couple of years back, about the value of voluntary school contributions. Do we have the data from 2024 and 2025 to date?

MURAT DIZDAR: I'll ask Mr French to come up to the table—he's been doing some policy work for us—while I search to see if I have it, because he may have it. What I can say before he dives in is that I have not lifted the maximum amount of voluntary contribution in a primary school or a high school. I'm going to say \$51 in a primary and \$110 in a secondary since I've been secretary. I've also been working with Mr French and the team around making sure we're going to give very strong guidance to the ground around the clarity of what voluntary contribution means. I've communicated that a number of times. But the global figure that we collect as a system on voluntary contribution Mr French might have.

DANIEL FRENCH: In the scheme of the overall funding that we have for schools, it's a very small amount. For each school, we know that principals make decisions, knowing their community, on the amount that's asked for. That particular amount can be found in annual school reports, which are published on websites. But we're looking at around \$30 million a year that's taken in at the system level for voluntary contributions, which, as I said, over the whole budget envelope is a very small amount.

The CHAIR: But parents are spending \$30 million?

DANIEL FRENCH: That's voluntary contributions that are provided.

The CHAIR: From parents?

DANIEL FRENCH: Yes.

The CHAIR: So parents are spending \$30 million.

MURAT DIZDAR: That's the amalgam across the 2,219 sites, yes.

The CHAIR: What was it the year before?

DANIEL FRENCH: I'd have to take that on notice.

The CHAIR: I think we've got it somewhere. I'm sure someone is busy looking it up for me.

CORRECTED

MURAT DIZDAR: It's been stable for a number of years. My notes would say it's been pretty stable since 2017.

The CHAIR: In 2023 it was \$29 million.

MURAT DIZDAR: Correct.

The CHAIR: In 2024, you've just said, was \$30 million?

DANIEL FRENCH: Approximately. I can take on notice the exact amount.

The CHAIR: That indicates to me it's not getting better, though.

MURAT DIZDAR: I'm one of those parents, and I'm in a position where I do want to contribute. I understand what voluntary means. I want to make sure every one of our sites are really clear that there's no compulsion, there's no fees. This is a public education provision. We allocate the school-based allocation resource to fund that. But voluntary contributions are not new. What I want to make sure that we get right everywhere is that we make it clear around the communication—no compulsion. If you cannot afford it, you don't need to be contributing. But in plenty of school contexts—like myself, I can do it, I want to do it, I want to support the school. The school puts that to other programs and initiatives.

The CHAIR: Can we make a distinction, though, and perhaps this is caught in a different—I know we've talked about the difference between voluntary contributions and the amounts paid toward subjects, excursions and things. I understand that there are situations where parents may want to just donate money to the school. I don't think that anyone sees any particular problem with that. The problem seems to be, and the information that comes to my office that causes concern, is when a parent is faced with a situation where if they don't pay a certain amount of money, their child doesn't get to participate in the thing that all of their friends get to participate in. When you couple that with what parents are saying is an increased outsourcing, particularly with things like sport, it puts them in a really unfortunate position where they're having to decide between how much they can spend on the groceries that week and whether their child can attend the trampolining event on a Monday afternoon with the rest of their sports class. So how are we capturing that information and making sure that's not out of control?

MURAT DIZDAR: That's a really good question, because in my system, the system I preside over, you cannot exclude a child or a family's child from the compulsory curriculum delivery on contribution. You cannot do that, whether that's voluntary or whether that's subject fee. That's quite different to an overseas excursion. My child's high school went to America on a dance tour for 14 days, which was fantastic and an amazing experience. That had a cost component to it. The expectation in the system is if there's a family that cannot meet even that cost component, that we would do what we could at a school level around student assistance. But I know you're not saying that should be free. That obviously would have a cost and the family would contribute. But if it was the dance curriculum at the school, you couldn't exclude that child from that.

The CHAIR: No. For example, my kids get to choose their particular sport. They might get to go tenpin bowling or they can go walk around the school track, which is free, or they can go and do a Clip 'n Climb or something. But those external ones have costs.

MURAT DIZDAR: Correct.

The CHAIR: What happens if they don't want to do the free one and instead they would like to go with their friends to something else? What are we doing in those circumstances?

MURAT DIZDAR: If that family is financially challenged, then we ask them to approach the school for support. We know—and Ms Summerhayes can also talk to this—many schools that don't ask for any voluntary contributions, do not collect any excursion fees/incursion fees are really high-equity schools. They recognise and respect the school context they're serving. They use our equity loading to make sure they don't put any family in a situation where they are facing financial complexity. And then you might have a school that has families from a lot of advantaged backgrounds and there can still be some students and families that are facing considerable complexity and financial hardship. We ask them to approach the school because schools know that they can give student support assistance. What I want to get right and continue to improve is the clarity around this—that every school communicates in this way.

The CHAIR: I think there is a very big difference between saying to people—I know a lot of parents that just don't have as much food for themselves that week because they want to make sure that they are paying for their children. They might be too proud or might not think that they are in a position to be asking the school for help. How are we tracking that and making sure that's not blowing out and getting out of control? Is that within the subject contributions line? I think it was \$41 million in 2023 that parents were paying.

CORRECTED

MURAT DIZDAR: Subject contributions largely apply in our high school context, and they largely come into play in year 11 and 12. If you're going to do things like metalwork, woodwork and hospitality, there is often a subject contribution for materials. If I go to hospitality, there is the—I won't get the technical words right, so Ms Summerhayes might help me—knife set that might be required and the apron and uniform that might be required, so there is a subject contribution. If a family can't make that subject contribution, Ms Summerhayes and I make it clear to the ground that you can't preclude that child from doing hospitality.

The CHAIR: But then where is the amount for the tenpin bowling? How do we capture that amount when parents have optionally decided to send their children to the more expensive sports thing?

MURAT DIZDAR: That is often captured—and Mr French will correct me if I get it wrong—in the extracurricular bucket. Is that right, Mr French?

The CHAIR: What is that figure?

DANIEL FRENCH: We can take that figure on notice, but I think what is important to note—that Mr Dizdar or the secretary has already covered off on—is that we know that there are a number of schools across the State that seek to contribute using their low SES RAM funding to support those sorts of activities. For instance, earlier in term 1, I was at Villawood East Public School where the principal made it well known that they use their RAM funding to support those extracurricular activities of students that are from disadvantaged backgrounds, which is a really important provision that is provided. The category that you are talking about would fall under extracurricular and excursion; however, the same thing applies that Mr Dizdar talked about before with the subject contributions—that families can also ask for financial assistance from schools in relation to some of those.

The CHAIR: They can ask, but that doesn't mean that they are going to get.

MURAT DIZDAR: This is quite a sensitive topic. I was one of those households you are referring to. My family went without and were too proud and paid for those things and would not have known of those mechanisms. It is a personal topic for me as well. In my experience, if a family approaches the school and says, "I need help on this front", I do not hear that that help is not forthcoming. I hear instances where the school might not be able to, and that is where we ask them to reach out to Ms Summerhayes and her team so that we can assist.

The CHAIR: That is promising. I guess what I'm trying to get to is that I don't want us to get to a world where every class on a Monday afternoon is going off instead of being supervised at school and we are, as parents, paying for our kids to go everywhere else. I just want to make sure that we are tracking to make sure that doesn't get out of control. If there is \$41 million for 2023 subject contributions, what is that in 2024?

DANIEL FRENCH: I might be able to help on the last point that you made there. I don't have the exact figures at hand to be able to tell you, but what we did see was a reduction over the pandemic in the amount taken in through excursions and extracurricular.

The CHAIR: You would expect.

DANIEL FRENCH: Coming out the other side of that pandemic, what we haven't seen is the dramatic increase from pre-pandemic. There is not a great deal of difference between what was taken in before the pandemic compared to what we have seen in 2024.

MURAT DIZDAR: Subject contributions have dropped, as a global amount, since 2022, which is a promising sign.

The CHAIR: What was it in 2024?

MURAT DIZDAR: In 2022 it was close to \$44 million. If I've got it right, it's close to \$41 million.

The CHAIR: In 2023 it was 41—

MURAT DIZDAR: Correct, it's very close to that figure.

The CHAIR: But we don't have 2024 figures?

MURAT DIZDAR: I don't have the exact figure. My notes say it's similar to '23.

The CHAIR: Can I invite Mr Backo back. Were you able to find out any more information for me in relation to the Busy Bees at New Lambton?

NICHOLAS BACKO: Yes, I can provide some further information for you, Ms Boyd, and then obviously if there are additional questions or information, I'd have to take the question on notice and I'm happy to provide that in due course. Firstly, I acknowledge, as I did earlier, how serious the incident is. That is why we made the

CORRECTED

decision to issue the show cause notice. That's one of the more significant compliance actions that we take, with the end result of that having the possibility of a cancellation of a service approval.

What we received back from the provider was extensive evidence. We reviewed their response, and in reviewing that response, we considered the information provided, but we also did further visits to the service to confirm what they provided to us was indeed accurate. As I said earlier, we've done seven visits to the service since that incident, with the most recent visit being on 19 August, and continued to monitor the service really closely. In terms of the response that we received back, it included extensive details about a number of improvements related to things like induction of staff, and additional training and support to the existing staff. So they detailed additional training that was provided across their workforce, information about risk assessments and then additional staffing.

The CHAIR: Given that they had, I believe, ratio breaches and all sorts of things, that doesn't sound like a particularly—it's my opinion—compelling reason to stay open. You say there were seven visits since then.

NICHOLAS BACKO: Yes.

The CHAIR: But not one of them was a ratings visit, and they still have a rating that they are meeting standards. Why has there been no rating of that service since October 2022, given these serious incidents?

NICHOLAS BACKO: My understanding is—of course, we'll correct the record on notice if my understanding is incorrect—that one of the additional visits that has occurred since that incident was an assessment and rating visit, and that process is underway. There is not a final outcome from the further assessment and rating visit, but, again, I'm happy to provide further details on notice. That's my understanding.

The CHAIR: If you could come back telling us what the timeline for getting that new rating would be as well—

NICHOLAS BACKO: Sure.

The CHAIR: —because obviously they're just getting Federal funding and all the rest of it in the meantime.

The Hon. SARAH MITCHELL: Sorry, Mr Martin, I need you for one more. I apologise for the musical chairs. Just going back to the appointment of Professor Cross, obviously we got an answer last time that her salary was \$211,440 per annum. I understand she's now on a contract from 7 April to the end of December this year at a cost of \$430,000. Could you just explain that change and what work she's doing, please?

PAUL MARTIN: That's not quite an accurate comparison. As you'd be aware, Professor Cross was appointed as the chief behaviour adviser, based on the model of a behaviour adviser, I think, emanating from the UK. It had a different set of requirements attached. It was really, from memory, about dealing with disruptive students, promoting positive learning et cetera.

The appointment of Professor Cross was as an executive director paid for by the department but working within NESAs, and it was for three days a week. The amount that she was receiving was for the three days per week. Her contract or her employment was for two years. It concluded at the beginning of this year. By that time, the shift of the behaviour adviser's role had gone specifically into bullying and anti-bullying. She was working closely with the School Advisory Council, NESAs and also with the three sectors. As her contract concluded and the various loadings that are attached to a permanent employee or a full-time employee also ceased, she was put onto another contract with a maximum amount of that 400,000, so not the full amount. That's not what she's receiving. It'll probably come in as close to what she was getting under the—

The Hon. SARAH MITCHELL: Is she still part-time?

PAUL MARTIN: She's working at a daily rate depending on the work that she has been asked to do, but it's very focused on bullying. But I've also, I might add, spoken to both the independent and Catholic sectors, who will pay a proportionate amount because it's cross-sectoral work. The stark comparison looks extreme, but in actual fact it won't be anything like that by the time it's concluded.

The Hon. SARAH MITCHELL: Is her work going to continue at the end of December 2025?

PAUL MARTIN: I don't think that's decided, but my view is that most of it will have been concluded this year as part of that anti-bullying framework.

The CHAIR: Thank you very much. Thank you for your attendance.

The Hon. ANTHONY D'ADAM: Government questions.

CORRECTED

The CHAIR: To the extent that there were questions taken on notice, which there were, or there are supplementary questions, which there will be—I'm so sorry, Mr D'Adam, I forgot about you again.

The Hon. ANTHONY D'ADAM: I just wanted to ask whether there's anything that any member of the panel wanted to add to supplement the evidence that they've given, if there's anything you particularly need to address.

MURAT DIZDAR: Thanks for the opportunity. I'm just looking at my colleagues. Is there anything anyone wants to add? No. Can I thank you, Chair, and thank the Committee for allowing us to represent the Education portfolio.

The CHAIR: Apologies, Mr D'Adam. The Committee secretariat will be in touch in relation to those questions. That concludes today.

(The witnesses withdrew.)

The Committee proceeded to deliberate.