



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEES

BUDGET ESTIMATES 2021-2022

Additional Supplementary Questions

Portfolio Committee No. 3 – Education

EDUCATION AND EARLY LEARNING

Hearing: Wednesday 2 March 2022

Answers due by: 11 April 2022

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QUESTION

264. How many open investigations does PES have?

ANSWER

As at 28 March 2022, the Department's Professional and Ethical Standards Directorate has 570 open investigations.

QUESTION

265. How many current investigations are investigating Principals?

ANSWER

As at 28 March 2022, the Professional and Ethical Standards Directorate has 58 open investigations involving Principals.

QUESTION

266. How many investigations were conducted investigating Principals in 2021? 2020? 2019? 2018? 2017?

ANSWER

The table below details the number of investigations involving Principals received by the Professional and Ethical Standards Directorate in the years 2017-2021.

	2017	2018	2019	2020	2021
Number of Investigations	71	54	78	51	58

QUESTION

267. How many current investigations are investigating Teachers?

ANSWER

As at 28 March 2022, the Professional and Ethical Standards Directorate has 311 open investigations involving teachers.

QUESTION

268. How many investigations were conducted investigating Teachers in 2021?2020?2019?2018?2017?

ANSWER

The table below details the number of investigations involving teachers received by the Professional and Ethical Standards Directorate in the years 2017-2021.

	2017	2018	2019	2020	2021
Number of Investigations	443	397	417	325	313

QUESTION

269. How many Principals were dismissed in 2021?2020?2019?2018?2017?

ANSWER

Permanent employees dismissed from the Department for conduct concerns may be dismissed, directed to resign or allowed to resign. Casual and temporary staff may have their casual approval to teach withdrawn or their temporary contract terminated.

Where an employee is dismissed from the Department due to not meeting the required level of performance, they may be allowed to resign, retire, voluntarily resign, or voluntarily cease their contract.

The Department dismissed the following number of Principals in the years 2017-2021.

	2017	2018	2019	2020	2021
Number of Principals dismissed*	1	5	6	7	15

* Data is not comparable to across years or to previously provided figures due to changes in counting rules, data cleansing and disaggregation.

QUESTION

270. How many Principals' accreditation were revoked due to an investigation in 2021?2020?2019?2018?2017?

ANSWER

NESA revokes accreditation for misconduct under Section 24 or Section 25 of the *Teacher Accreditation Act*. Some revocation decisions relating to a Bar or Interim Bar on a person's Working with Children Check Clearance are based upon risk assessments conducted by the Office of the Children's Guardian as opposed to a finalised investigation. Some revocation decisions may have been reversed and accreditation reinstated.

Information that identifies somebody as the role of Principal in NESA's database is provided by the accredited person or by a teacher employer.

The calendar year counts of revocation for misconduct are:

2021 – 1

2020 – 1

2019 – 1

2018 – 0

2017 – 0

QUESTION

271. How many Principals were placed on the DO NOT EMPLOY LIST in 2021?2020?2019?2018?2017

ANSWER

2021 = 2

2020 = 5

2019 = 2

2018 = 2

2017 = 3

QUESTION

272. How many Teachers were dismissed in 2021?2020?2019?2018?2017?

ANSWER

Employees dismissed from the Department for conduct concerns may be dismissed, directed to resign or allowed to resign or they may have their casual approval to teach withdrawn or their temporary contract terminated.

Where an employee is dismissed from the Department due to not meeting the required level of performance, they may be allowed to resign, retire, voluntarily resign, or voluntarily cease their contract.

The Department dismissed the following number of teachers in the years 2017-2021.

	2017	2018	2019	2020	2021
Number of teachers dismissed*	55	87	67	118	104

* Data is not comparable across years or to previously provided figures due to changes in counting rules, data cleansing and disaggregation.

QUESTION

273. How many Teachers' accreditation were revoked due to an investigation in 2021?2020?2019?2018?2017?

ANSWER

NESA revokes accreditation for misconduct under Section 24 or Section 25 of the *Teacher Accreditation Act*. Some revocation decisions relating to a Bar or Interim Bar on a person's Working with Children Check Clearance are based upon risk assessments conducted by the Office of the Children's Guardian as opposed to a finalised investigation. Some revocation decisions may have been reversed and accreditation reinstated. The calendar year counts of revocation for misconduct are:

2021 – 31

2020 – 31

2019 – 26

2018 – 25

2017 – 12

QUESTION

274. How many Teachers were placed on the DO NOT EMPLOY LIST in 2021?2020?2019?2018?2017?

ANSWER

2021 = 61

2020 = 72

2019 = 27

2018 = 34

2017 = 23

QUESTION

275. How many DOE staff are currently on the DO NOT EMPLOY LIST?

ANSWER

2,244

The total number of individuals who are identified as Not to be Employed list spans a number of decades and will include individuals who will be deceased, retired and no longer working in the sector. Individuals who are placed on the Not to be Employed list have the right to request a review to have their name removed.

QUESTION

276. How many current teacher vacancies are there?

ANSWER

As at 31 March 2022, there was a total of 1,949 teaching roles declared vacant. Of these 377 were Assistant Principal – Curriculum and Instructional roles.

QUESTION

277. How many substantive Principal positions are vacant?

ANSWER

As at 31 March 2022, there was a total of 62 principal roles declared vacant.

QUESTION

278. How many School based staff were dismissed due to non-compliance of the vaccine mandate?

ANSWER

As at 25 March 2022, 257 permanent school based staff have been dismissed as a result of non-compliance with COVID-19 vaccination requirements.

QUESTION

279. How many school based staff resigned due to non-compliance of the vaccine mandate?

ANSWER

As at 25 March 2022, 398 permanent school based staff have separated from their employment as a result of non-compliance with COVID-19 vaccination requirements.

QUESTION

280. How many Principals are currently on Workers Compensation?

ANSWER

As at 30 March 2022, the Department of Education is managing 46 active rehabilitation claims for principals, which is approximately 0.6 per cent of the current principal workforce. This includes cases where employees are receiving medical treatment only while continuing in their usual roles and those which require rehabilitation and/or time off work.

Source: iCare Insurance for NSW data portal as at 30 March 2022

QUESTION

281. How many Principals are currently on Sick Leave?

ANSWER

118 as at 24 March 2022.

QUESTION

282. How many Principals are currently on Extended Leave?

ANSWER

133 as at 24 March 2022.

QUESTION

283. How many Teachers are currently on Workers Compensation?

ANSWER

As at 30 March 2022, the Department is managing 1,799 active rehabilitation claims for teachers, which is 2.4 per cent of the current teacher workforce. This includes cases where employees are receiving medical treatment only while continuing in their usual roles and those which require rehabilitation and/or time off work.

Source: iCare Insurance for NSW data portal as at 30 March 2022

QUESTION

284. How many Teachers are currently on Sick Leave?

ANSWER

3,834 as at 24 March 2022.

Note this includes all teaching staff excluding Principals.

QUESTION

285. How many Teachers are currently on Extended Leave?

ANSWER

1,875 as at 24 March 2022.

Note this includes all teaching staff excluding Principals.

QUESTION

286. How many consultants does the department currently employ?

ANSWER

Details of consultancy engagements are published in the Department's Annual Report each year.

QUESTION

287. How many consultants were employed in 2021?2020?2019?2018?2017?

ANSWER

Please refer to the answer to supplementary question 286.

QUESTION

288. How many retired Teachers and Principals did the department contact to help fill the teacher shortage?

ANSWER

The Department has contacted more than 1540 teachers who have retired over the last two years to consider casual or temporary work.

QUESTION

289. How many retired Teachers and Principals have returned to help fill the teacher shortage?

ANSWER

Please refer to the answer to supplementary question 184.

QUESTION

290. The DOE hired 36 Behavioural Specialists in 2021. Given the IER is being implemented in Term 2, 2022, what duties and tasks have these specialists been performing in the last year?

ANSWER

These positions provide direct support to schools and assist in developing and delivering high quality, evidence-based interventions and strategies regarding behaviour.

Behaviour specialists use their skills and experiences in supporting children and young people with behaviours of concern that may be associated with communication difficulties, trauma, sensory needs, social skills development or disability. They work with school staff to develop tools, plans and approaches as well as provide professional learning and support to build capacity in the area of student behaviour.

Due to the impact of COVID-19 in our communities and the flood devastation across NSW, the Department of Education is making space for schools to focus on supporting classroom teaching and learning by increasing the time for familiarisation and staggering the implementation of the Inclusive, Engaging and Respectful (IER) policy package. The implementation of the Inclusive Education Policy for students with disability and Student Behaviour Policy will be moved to Day 1, Term 3 2022. The Restrictive Practices Framework and Policy will move to Term 1, 2023.

QUESTION

291. What is the remuneration of these 36 behavioural specialists?

ANSWER

The remuneration of Behaviour Specialist Officers (Senior Education Officer level 1) is \$167,208 per annum (including on-costs).

The remuneration of Behaviour Specialist Advisors (Senior Education Officer level 2) is \$188,415 per annum (including on-costs).

All roles are Non School Based Teaching Service positions.

QUESTION

292. What is the total enrolment for High school in 2022?

ANSWER

Enrolments fluctuate throughout the year. As at 24 March 2022, there were 320,651 enrolments of secondary students in NSW public schools.

QUESTION

293. What is the total enrolment for primary schools in 2022?

ANSWER

Enrolments fluctuate throughout the year. As at 24 March 2022, there were 482,513 enrolments of primary students in NSW public schools.

QUESTION

294. What was the total enrolment 2021, 2020, 2019, 2018, 2017, 2016 for high schools?

ANSWER

The total number of secondary students (full-time equivalent) enrolled at NSW public secondary schools as at August census:

August	Secondary
2016	303,502
2017	304,310
2018	304,884
2019	309,935
2020	315,542
2021	313,997

Source: Centre for Education Statistics and Evaluation, Department of Education. Extracted from National Schools Statistics Collection (NSSC) datacube.

QUESTION

295. What was the total enrolment 2021, 2020, 2019, 2018, 2017, 2016 for Primary Schools?

ANSWER

The total number of primary students enrolled at NSW public primary schools as at August census:

August	Primary
2016	477,098
2017	486,730
2018	493,138
2019	495,738
2020	494,535
2021	488,185

Source: Centre for Education Statistics and Evaluation, Department of Education. Extracted from National Schools Statistics Collection (NSSC) datacube

QUESTION

296. How many students have transferred to non-government schools in 2022?

ANSWER

Please see answer to supplementary question 129.

QUESTION

297. How many families have opted for home schooling in 2022?

ANSWER

Home schooling data is published on the NESA website, under 'Home Schooling Data' at <https://educationstandards.nsw.edu.au/wps/portal/nesa/regulation/home-schooling/home-schooling-registration>.

QUESTION

298. How many current collapsed classes across all government schools?

ANSWER

Minimal supervision or merged classes do not mean students miss out on learning. On occasions when casual teachers are unable to be sourced at the last minute, classes are merged to ensure continuity of education for students.

The Department of Education does not hold centralised records for instances that classes were under minimal supervision or instances where classes were merged in the school.

QUESTION

299. What is the current Teacher to student ratio in high schools?

ANSWER

In 2021 the ratio of teachers to secondary students in NSW schools was 1:13.2.

QUESTION

300. What is the current Teacher to student ratio in primary schools?

ANSWER

In 2021 the ratio of teachers to primary students in NSW schools was 1:15.2

QUESTION

301. How many non-teaching staff have taken on the role of supervision of students?

ANSWER

Non-teaching staff are not directly responsible for the supervision of students.

QUESTION

302. How many Principal School Leadership (PSL's) have been requested to return to school and are supervising classes?

ANSWER

As at 4 April 2022, 25 Principals School Leadership have returned to schools in Term 1, 2022 to support in classrooms or with leadership roles.

QUESTION

303. How many staff members on the DOE Organisational chart have teaching experience?

ANSWER

Based on the responses to a survey of staff, as of January 2022: of the nine Band 3 Deputy Secretaries, three have an education background; of the 48 Band 2 Executive Directors, 21 have an education background; and of the 310 Band 1 Directors, 157 have an education background. Other executives hold qualifications in a range of other disciplines including Social Work, Engineering, Law, Commerce, Social Sciences, Computing, Business and Arts.

The proportion of executives with an educational background increases in areas that are directly school facing, with 10 of the 11 Executive Directors and 121 of the 122 Directors in School Performance directorates having an educational background.

QUESTION

304. What is the mean, average, minimum and maximum teaching experience of those staff members listed on the DOE organisational chart?

ANSWER

The Department of Education does not collect or report on this data.

QUESTION

305. What are the current attendance rates for Walgett Community college for 2019, 2020 and 2021 by year group?

ANSWER

Kindergarten	Yearly av.
2019	79.20%
2020	71.40%
2021	65.50%

Year 1	Yearly av.
2019	70.60%
2020	68.90%
2021	66.50%

Year 2	Yearly av.
2019	72.10%
2020	63.30%
2021	65.10%

Year 3	Yearly av.
2019	73.70%
2020	61.30%
2021	65.50%

Year 4	Yearly av.
2019	77.20%
2020	66.20%
2021	58.20%

Year 5	Yearly av.
2019	68.00%
2020	66.60%
2021	63.10%

Year 6	Yearly av.
2019	70.60%
2020	63.30%
2021	64.30%

Year 7	Yearly av.
2019	65.60%
2020	52.70%
2021	47.80%

Year 8	Yearly av.
2019	54.20%

2020	53.80%
2021	44.00%

Year 9	Yearly av.
2019	57.50%
2020	42.80%
2021	44.30%

Year 10	Yearly av.
2019	51.00%
2020	49.80%
2021	30.70%

Year 11	Yearly av.
2019	35.60%
2020	44.20%
2021	38.90%

Year 12	Yearly av.
2019	50.00%
2020	47.40%
2021	51.80%

Data current as at 28 March 2022

Data source: Scout Attendance and Engagement App - School Attendance Report

Attendance rates are for the full year

Data verified by CESE 29 March 2022

QUESTION

306. 'Measurement and outcome-based funding in New South Wales schools' Inquiry, particularly the recommendation "To establishing a School Inspectorate as an independent unit undertaking regular inspections of classroom practices, teacher quality and school management". To ensure that education systems are transparent and do not self-investigate', will the minister commit to the creation of an independent Inspectorate for NSW?

ANSWER

Recommendations relating to the establishment of an independent school inspectorate arising from the Parliamentary Committee inquiry into measurement and outcome-based funding in NSW schools were noted. In its response, the Government stated that inspectorate functions were performed independently by NESA.

NESA inspection functions have been improved to focus on teaching and learning. Department of Education oversight has been increased through enhanced school planning and public reporting, external validation through the School Excellence Framework, stronger performance and development processes for principals and teachers, and significantly enhanced system level public reporting.

QUESTION

307. To what degree does the Minister agree in conjunction with the recommendations of the 'Measurement and outcome-based funding in New South Wales schools' Inquiry, that such an inspectorate should be based more upon the Scottish 'Education Scotland' model of Inspectorate that is collegial and supportive, rather than the English Ofsted model?

ANSWER

Please refer to the answer to supplementary question 306.

QUESTION

308. To what degree does the Minister agree with the recommendations of the 'Measurement and outcome-based funding in New South Wales schools' Inquiry, particularly the recommendation "That the Government ensure that school inspectors (if established) are truly independent with a singular focus on improving classroom performance and accountability. They should also be a point of data collection on teacher quality across the government system"?

ANSWER

Please refer to the answer to supplementary question 306.

QUESTION

309. What are the number of exclusions (including a breakdown by year group) of all children in NSW DoE schools in 2019, 2020 and in 2021?

ANSWER

Suspension and expulsion data is available at:
<https://data.cese.nsw.gov.au/data/dataset/suspensions-and-expulsions-in-nsw-government-schools>.

QUESTION

310. What are the number of exclusions (including a breakdown by year group) of all children with a disability in NSW DoE schools in 2019, 2020 and in 2021?

ANSWER

Please refer to the answer to supplementary question 309.

QUESTION

311. What are the number of exclusions (including a breakdown by year group) of all children identified as being Indigenous in NSW DoE schools in 2019, 2020 and in 2021?

ANSWER

Please refer to the answer to supplementary question 309.

QUESTION

312. What are the number of exclusions (including a breakdown by year group) of all children identified as being ESL in NSW DoE schools in 2019, 2020 and in 2021?

ANSWER

Please refer to the answer to supplementary question 309.

QUESTION

313. In 2020, there was significant concern over the most vulnerable children (Indigenous and those with a disability) being disproportionately excluded. Has any change been implemented to understand why such bias appear apparent?

ANSWER

Please refer to the answer to supplementary question 242.

QUESTION

314. How many legal actions have been taken against/involved staff and schools in regard the treatment of children with a disability in NSW public schools in the last four years (2018, 2019, 2020 and 2021)? Legal actions made involve allegations originating from years before and may not just involve discrimination.

ANSWER

Please refer to the answer to supplementary question 243.

QUESTION

315. Of those legal actions involving against staff and schools for the treatment of children with a disability in NSW public schools in the last four years (2018, 2019, 2020 and 2021) where the department paid out settlements or discontinuations, involving complaints about staff, how many staff were reprimanded?

ANSWER

Please refer to the answer to supplementary question 244.

QUESTION

316. Of those legal actions involving against staff and schools for the treatment of children with a disability in NSW public schools in the last four years (2018, 2019, 2020 and 2021) where the department paid out settlements or discontinuations, involving complaints about staff, how many staff were transferred away from children with a disability?

ANSWER

Please refer to the answer to supplementary question 244.

QUESTION

317. Of those legal actions involving against staff and schools for the treatment of children with a disability in NSW public schools in the last four years (2018, 2019, 2020 and 2021) where the department paid out settlements or discontinuations, involving complaints about staff, how many staff were removed from posts?

ANSWER

Please refer to the answer to supplementary question 244.

QUESTION

318. Of those legal actions involving against staff and schools for the treatment of children with a disability in NSW public schools in the last four years (2018, 2019, 2020 and 2021) where the department paid out settlements or discontinuations, involving complaints about staff, how many staff had no action taken against them?

ANSWER

Please refer to the answer to supplementary question 244.

QUESTION

319. How much money has the Government of NSW, on behalf of the NSW Department of Education, had to pay in court costs, in settlement and in discontinuation agreements in regard to legal action against staff and schools for the treatment of children with a disability in NSW public schools in the last four years (2018, 2019, 2020 and 2021)?

ANSWER

Insurance and Care NSW (iCare) operates the Insurance for NSW self-insurance scheme and administers the NSW Treasury Managed Fund on behalf of NSW Government. It holds source data for NSW government agencies on legal claims. As a result of the searches undertaken, the figures are as follows:

2018	\$951,344
2019	\$470,801
2020	\$70,826
2021	\$90,802

The above amounts were paid on behalf of the Department of Education in settlement of disability discrimination claims, as well as general negligence claims where the claimant had a pre-existing disability or where the fact of the child's disability was an essential component of the alleged breach of duty of care.

The above figures reflect the calendar year totals. Payments made during these calendar years may arise from events occurring during earlier periods.

QUESTION

320. How many primary mainstream schools in NSW have a separate 'support unit' for children with a disability?

ANSWER

Please see answer to supplementary question 246.

QUESTION

321. How many secondary mainstream schools in NSW have a separate 'support unit' for children with a disability?

ANSWER

Please see answer to supplementary question 247.

QUESTION

322. How many NSW primary mainstream schools are fully inclusive for children with a disability (meaning children with a disability are equal, engaged members of a mainstream class not segregated by area or staff and there is no support unit/class specifically for children with a disability)?

ANSWER

Please see answer to supplementary question 248.

QUESTION

323. How many NSW secondary mainstream schools are fully inclusive for children with a disability (meaning children with a disability are equal, engaged members of a mainstream class not segregated by area or staff and there is no support unit/class speci

ANSWER

Please see answer to supplementary question 249.

QUESTION

324. How many SSP schools have a full curriculum for children with a disability?

ANSWER

Please see answer to supplementary question 250.