

PORTFOLIO COMMITTEE NO. 3 – EDUCATION

Tuesday 23 August 2022

Examination of proposed expenditure for the portfolio area

EDUCATION AND EARLY LEARNING

The Committee met at 09:30

UNCORRECTED

MEMBERS

The Hon. Mark Latham (Chair)

Ms Abigail Boyd

The Hon. Anthony D'Adam

The Hon. Scott Farlow

The Hon. Courtney Houssos (Acting Deputy Chair)

The Hon. Aileen MacDonald

PRESENT

The Hon. Sarah Mitchell, *Minister for Education and Early Learning*

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**

The CHAIR: I welcome everyone to this initial public hearing for the inquiry into budget estimates 2022, Education and Early Learning. I welcome all our witnesses and declare the hearing to be open. Before I commence, it's the custom of this Parliament to acknowledge the traditional inhabitants of this land, the Gadigal people of the Eora nation, and I do that with all due respect as well as acknowledging other important contributors to the history of this site—those who constructed the Parliament House building, very often working in a dangerous industry, and also the parliamentary staff over many decades who supported MPs and made our work and representative role possible. We acknowledge and thank them all.

I welcome Minister Sarah Mitchell and her officials to this hearing. Today the Committee will examine the proposed expenditure in the budget for the portfolio of Education and Early Learning. Before we commence, just a few brief comments about the procedures. The hearing today is broadcast live on the Parliament's website. Proceedings are also recorded and a Hansard transcript will be placed on the website once it becomes available. In accordance with broadcasting guidelines, media representatives are reminded to take responsibility for what they publish.

All witnesses in the budget estimates have a right to procedural fairness as per the resolution of the House in 2018. There may be some questions that a witness could only answer if they had more time or with certain documents to hand. In these circumstances, witnesses are advised that they can take the question on notice and provide an answer within 21 days. If witnesses wish to hand up documents, they should do so through the Committee staff. Minister, I remind you and the officers with you that you are free to pass notes and refer directly to your advisers seated at the table behind you. Finally, if everyone could turn their mobile phones to silent for the duration of the hearing.

Mr MARTIN GRAHAM, Acting Deputy Secretary, Learning Improvement, Department of Education, affirmed and examined

Mr CHRISTOPHER LAMB, Acting Chief People Officer, Department of Education, affirmed and examined

Ms RUTH OWEN, Acting Chief Operating Officer, Department of Education, affirmed and examined

Ms LEANNE NIXON, Deputy Secretary, School Performance - North, Department of Education, affirmed and examined

Ms GEORGINA HARRISSON, Secretary, Department of Education, affirmed and examined

Ms SIMONE WALKER, Group Deputy Secretary, School Improvement and Education Reform Group, Department of Education, sworn and examined

Mr ANTHONY MANNING, Chief Executive, School Infrastructure NSW, Department of Education, affirmed and examined

Mr MURAT DIZDAR, Deputy Secretary, School Performance - South, Department of Education, affirmed and examined

Ms LISA ALONSO LOVE, Deputy Secretary, Education and Skills Reform, Department of Education, affirmed and examined

Ms CHLOE READ, Deputy Secretary, Education and Skills Reform, Department of Education, affirmed and examined

Ms DIANNE VAN BERLO, Executive Director, Health, Safety and Staff Wellbeing, Department of Education, affirmed and examined

Mr DARYL CURRIE, Executive Director, Professional and Ethical Standards, Department of Education, affirmed and examined

Mr PAUL TOWERS, Executive Director, Infrastructure Planning, Department of Education, affirmed and examined

Mr BEN COHEN, Acting Executive Director, Service Planning, Department of Education, affirmed and examined

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

Mr LUKE BALLARD, Director, Educational Leadership, Department of Education, before the Committee via videoconference, sworn and examined

The CHAIR: Today's hearing will be conducted from 9.30 a.m. to 12.45 p.m., with a 15-minute break at 11.00 a.m. We are joined by the Minister in the morning, and in the afternoon we will hear from departmental witnesses from 2.00 p.m. to 5.15 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. If required, an additional 15 minutes are allocated at the end of the morning and afternoon sessions for Government MP questions. Thank you for your attendance today.

Before we start with questions from the Opposition, can I say there is one witness requested by the Committee who is missing, and that's Luke Ballard. Can I say, Minister, the Committee has deliberated on this and wanted to express its extreme dissatisfaction that Mr Ballard was not available just for five minutes this afternoon to clarify whether or not Mr Dizdar had misled this Committee in the dispute with Nathaniel Train, the former primary school principal at Walgett, about the meeting in May last year as to whether or not Mr Dizdar was aware of allegations of cheating on NAPLAN, students being assisted by teachers' aides.

This Committee takes its work very seriously. We have had previous instances with the now departed Cachia and Withey, where we weren't told the truth. We are not going to tolerate a situation where this Committee receives anything other than the full truth and openness. Your refusal to allow this DEL, Mr Ballard, to attend is, to us, looking like some attempt to avoid what he has got to say as the witness who can clarify whether Train or Dizdar are telling the truth on this particular matter. The Committee is of a mind to have supplementary budget estimates and, if need be, we will summons Mr Ballard to get him here to find out the truth of this matter so there's full parliamentary transparency and honesty, and we expect nothing else from those witnesses today as well. If people can't tell the truth at this Committee, they shouldn't be here. Our tolerance of this has well and truly expired.

Mr Ballard will appear at some stage, and I make that point just to set the tone and our intent for this meeting today. Now we will start with questions from the Opposition. Thank you.

The Hon. SCOTT FARLOW: Mr Chair, does the Minister want to say anything with respect to that?

The Hon. SARAH MITCHELL: With respect to your request, Mr Chair, the Committee did receive a response from me in writing in relation to Mr Ballard. As you pointed out, he is a DEL within the department. He has his boss and two of the other senior executives here who he reports to who are able to answer questions. We also said to the Committee if you wanted to put anything in writing, we would be happy to do that. But I understand that your request to have him here remains, and I will discuss that with the secretary in terms of what might be possible, whether that's later today or whether that's for a supplementary hearing.

The CHAIR: I hope it is later today, Minister, because it's farcical to think that people who weren't at the meeting with Mr Train and Mr Dizdar can provide accurate evidence to this Committee. It's all right to say his bosses are here, but they weren't at the meeting at Walgett school in May 2021. We expect the person who was there, who is an SES officer of the department, to give evidence to this Committee and clarify the situation.

The Hon. SARAH MITCHELL: With respect, Chair, this is also a budget estimates hearing. Mr Ballard does not have direct responsibility for budget estimates matters. As I said, we did respond to the Committee in relation to that particular witness. I appreciate what you've raised again this morning and I will discuss that further with the secretary.

The CHAIR: Minister, you're having yourself on because he is a DEL in charge of the expenditure of Walgett school—and was in the past—and, I assume, the cluster of 15 schools he's got at the moment. He is an SES officer. Minister, this Committee decides who it brings forward as witnesses. As I said earlier, if needs be, we will summons them legally to appear. There is no point you pretending you decide who comes here. We do.

The Hon. SARAH MITCHELL: With respect, Chair, and for procedural fairness for the Committee—

The CHAIR: I hope it's a lot of respect.

The Hon. SARAH MITCHELL: I understand your request. We have responded to the Committee in terms of the request for that particular witness. I've just let you know now that I will discuss that further with the secretary in one of the breaks this morning and we'll let the Committee know what might be possible.

The CHAIR: Questions from the Opposition.

The Hon. COURTNEY HOUSSOS: Thanks very much, Mr Chair. Good morning, Minister.

The Hon. SARAH MITCHELL: Good morning.

The Hon. COURTNEY HOUSSOS: Good morning, everyone. Minister, can you explain the circumstances surrounding the issue of safety alert 94 in relation to hazardous material storage and radioactive substances?

The Hon. SARAH MITCHELL: Sure. I might ask the secretary to provide some comments in relation to that particular safety notice that you're referring to. I believe you might be talking about the instance at the school in Randwick. That might be where your interest lies; is that correct?

The Hon. COURTNEY HOUSSOS: I'm first of all interested in why the alert was sent out.

The Hon. SARAH MITCHELL: I'll ask the secretary to make some comments.

GEORGINA HARRISSON: We have clear policies in place around this issue and we would regularly remind our schools of their requirements. We did have an incident at a school recently and that prompted us to ensure that there was an appropriate reminder sent to all schools.

The Hon. COURTNEY HOUSSOS: Which school was that?

GEORGINA HARRISSON: I think, as the Minister indicated, it was Randwick Girls' school.

The Hon. COURTNEY HOUSSOS: What was discovered?

GEORGINA HARRISSON: I might ask Ms Van Berlo to step forward if there are specific questions in relation to the material. She is closest to this. Mr Dizdar may be able to provide an overview as she comes forward.

MURAT DIZDAR: I might just start and Ms Van Berlo can add to that. A science teacher at Randwick Girls' High School reported to the principal a suspected hazardous material that was in a science prep room. Ms Houssos, you will recall, having visited a number of schools, that science prep rooms are where material is

stored for practicum reasons. It is not a teaching and learning space; it is an out-of-bounds space for a student. I want to applaud the principal—who has got a science background—who took very swift action, and cordoned off both the prep room and surrounding labs and made it immediately out of bounds. They then reported the suspected substance to the department.

I want to congratulate and thank my colleagues in work health and safety and the asset management unit. We had hygienists on site the very next morning—this was reported of an afternoon. The hygienists made further safe the out-of-bounds location and encased what was a box containing what we discovered were two rocks in lead to make that safe. The following day we had the Australian Nuclear Science and Technology Organisation—they are the national experts—on site. They conducted a comprehensive survey of the area and all remaining science labs, removed the material and provided a clearance back to the school. It was that afternoon that we sent a letter home to the entire school community indicating what had occurred. We briefed our staff with the Australian Nuclear Science and Technology Organisation experts on hand so that staff could ask any questions.

The Hon. COURTNEY HOUSSOS: What was the date of discovery, Mr Dizdar?

MURAT DIZDAR: Just bear with me.

The Hon. SARAH MITCHELL: I believe it might have been Wednesday 17 August. That's the information that I have.

The Hon. COURTNEY HOUSSOS: Wednesday 17 August?

MURAT DIZDAR: Yes, I'm just trying to keep track. Today is Wednesday, isn't it? I lose track of the school days, Ms Houssos.

The Hon. SCOTT FARLOW: Today is Tuesday.

The Hon. COURTNEY HOUSSOS: Today is Tuesday.

MURAT DIZDAR: Today is Tuesday, sorry. This was dealt with last Wednesday, reported with the hygienists on site on Tuesday of last week.

The Hon. COURTNEY HOUSSOS: Sorry, Mr Dizdar, you just said it was reported last Wednesday with the hygienists on site—

MURAT DIZDAR: No. Let me correct that if I said that incorrectly. Hygienists were on site last Tuesday and ANSTO on site on Wednesday. But let me just take that on notice so I don't give you the wrong dates.

The Hon. COURTNEY HOUSSOS: Ms Van Berlo, are you able to tell us? It was discovered last Monday; is that correct?

DIANNE VAN BERLO: I believe it was discovered on Tuesday, but we can take that on notice. We'll come back with the exact date on that.

The Hon. COURTNEY HOUSSOS: If you can come back before the end of the session, that would be really helpful.

DIANNE VAN BERLO: Happy to.

The Hon. COURTNEY HOUSSOS: What was the exposure to students?

MURAT DIZDAR: The experts indicated to me in their report that you would have to hold this material that was in the box in your hands for about 250 hours consecutively to reach the allowable annual radiation dose limit that's set by the Australian nuclear regulator.

The Hon. COURTNEY HOUSSOS: Mr Dizdar, how was it discovered?

MURAT DIZDAR: Like I indicated, my understanding is that it was discovered by a science teacher who made her way to the prep room, like any science teacher would, for the purposes of lesson preparation. I want to thank her because she took the right action and reported it.

The Hon. COURTNEY HOUSSOS: I appreciate that, Mr Dizdar, but I would just like to know how did radioactive material get into the school?

MURAT DIZDAR: Let me finish. I want to thank that teacher for reporting it swiftly to the school principal. I want to reaffirm that the school principal took very swift action, the department took swift action.

The Hon. COURTNEY HOUSSOS: Mr Dizdar, I appreciate your thankfulness to the speedy action and I understand that. But I'm really interested to know how did radioactive material get into a New South Wales public school.

MURAT DIZDAR: You would have read our safety alert that you referred to. I'm assuming you've got a copy if you referred to it.

The Hon. COURTNEY HOUSSOS: Yes, I do.

MURAT DIZDAR: We call out—and Ms Van Berlo can add to this—that in our science labs and prep rooms, how our schools need to account for any substances of that kind. Chemical safety in schools—

The Hon. COURTNEY HOUSSOS: Mr Dizdar, with respect, you're not answering my question. How did the radioactive material get into a New South Wales public school?

MURAT DIZDAR: I can't provide a definitive answer to the—

The Hon. COURTNEY HOUSSOS: Okay. Perhaps Ms Van Berlo can.

MURAT DIZDAR: Allow me to finish because you've asked the question, but I haven't quite finished. I can't provide a definitive answer because the school is yet to determine—we're still working with the leadership on how that may have been there. We're talking about a school that's 100-plus years in its provision of quality public education. We're not quite sure how that material was in the science prep room. But what I'm trying to indicate to the Committee is that that safety alert does talk to the fact that we'll have chemicals—with warning labels with appropriate storage and usage requirements—in science labs, like you would expect, right across the State. I'm told that the box in question was appropriately labelled, which is great to see because that follows our safety alert guidelines. I can only go off the expert advice. ANSTO has indicated, like I said to you—

The Hon. COURTNEY HOUSSOS: Mr Dizdar, we've got really limited time so we don't need to go back over it again. I'm interested to know, then, who is investigating this incident?

MURAT DIZDAR: We're working with the school, with our health safety directorate, to ascertain how that substance may have been there and whether that substance was appropriate to be there as well.

The Hon. COURTNEY HOUSSOS: I think that's the million-dollar question, Mr Dizdar. Can you tell me when this report will be complete?

MURAT DIZDAR: No, but I'm happy to come back to the Committee on notice when we work through with the school.

The Hon. COURTNEY HOUSSOS: Perhaps you can provide us with some more information before the end of this session. It would be really helpful to know when the investigation is due back. Is this the first—

The Hon. SARAH MITCHELL: With respect, Ms Houssos, Mr Dizdar has taken the question on notice. He's not required to bring something back by at the end of the day. If he wants to consider that further, there is a time frame that he can respond on notice.

The Hon. COURTNEY HOUSSOS: Exactly, but we're talking about radioactive substances in a school—

The Hon. SARAH MITCHELL: Yes, but we've also been—

The Hon. COURTNEY HOUSSOS: —and I'm interested to know when that report is going to be back. If he can provide it before the end of proceedings today, I think that would provide some comfort to the public.

The Hon. SARAH MITCHELL: If I could just add to the line of questioning, we need to be very clear here that there is no misinformation that comes through this Committee process. ANSTO has confirmed that no harm was posed to staff or students with a sample significantly below the allowable annual radiation dose limit set by the regulator, as Mr Dizdar has said. That information has already been communicated to the school community. There should be no cause for concern or alarm from those parents. We have made it clear that the independent experts have come in and assessed the situation and have said very clearly that no harm was posed to staff or students. That needs to be very clearly put on the record, Ms Houssos, and respected.

The Hon. COURTNEY HOUSSOS: Minister, is this the first radioactive substance that has been found in a school?

The Hon. SARAH MITCHELL: It is the first one I have been made aware of in my time as Minister. I'm not sure whether anyone else would like to provide a comment. Secretary?

GEORGINA HARRISSON: Mr Manning might be able to comment further. We did have, certainly in my memory, one instance at a school on the North Coast, but it was more do with the land surrounding the school. Again, just for absolute clarity, it was found to be a significantly low level and of no harm to the school community.

ANTHONY MANNING: Yes. Certainly I can confirm we had a school where there was naturally occurring radioactive sand. As part of the works to rebuild the school, we engaged engineers and physicists to make sure, and we took the appropriate course to neutralise that. But that was naturally occurring radioactivity in the sand following historic—

The Hon. COURTNEY HOUSSOS: Mr Manning, I think that's a slightly different situation. We've got a radioactive substance that's appeared in a science lab.

The Hon. SCOTT FARLOW: To be fair, we're covering it off.

ANTHONY MANNING: Certainly in my tenure at School Infrastructure, that's the only other thing I can think of where we've discovered any material that's been radioactive.

The Hon. COURTNEY HOUSSOS: Thanks, Mr Manning. Minister, what explanation has been given to you about why there are radioactive materials that have popped in a science lab?

The Hon. SARAH MITCHELL: The explanation, Ms Houssos, is consistent with what Mr Dizdar has just outlined to the Committee. The advice that I have is that this material was found in rock and mineral samples—a very small radioactive material found in that storeroom, as Mr Dizdar has outlined. It was in a metal box, within a cupboard, in a science storeroom, which is a restricted area for students. I know that the department has worked with ANSTO—again, as Mr Dizdar outlined—to make sure that it was removed in an appropriate way. A clearance certificate has been issued and, as I said in an earlier response to your question, ANSTO has confirmed that no harm was posed to staff or students with that sample significantly below the allowable annual radiation dose limit. I think the analogy that Mr Dizdar used about having to hold that particular piece of material in your hand for as long as he did gives an indication of how low any of the concern would be.

The Hon. SCOTT FARLOW: It is 250 hours.

The Hon. COURTNEY HOUSSOS: What checks are going on to ensure that this isn't being stored away in other science labs around the State?

The Hon. SARAH MITCHELL: I think that obviously there is work that the school will now do with the department in terms of how it was there in the first place and if there are things that we need to look at in terms of monitoring that or sending updated advice out to other schools. You already referenced in your initial question that that reminder did go out to school communities. It would appear this does seem to be quite an isolated incident but, again, there will be work that will be done through what Mr Dizdar referred to. If there are further things we need to do to remind other schools to check any issues, then we can do that. But what I don't want to come out of today's Committee is scaremongering or concerns about this material. It's been handled appropriately, we've had the appropriate clearances from ANSTO, and I think that is important in terms of community confidence and allaying any parental concerns.

The Hon. COURTNEY HOUSSOS: Minister, I'm going to move to a different matter. You would be familiar with the promise your Government made in 2018 to build a new high school in Edmondson Park?

The Hon. SARAH MITCHELL: Yes.

The Hon. COURTNEY HOUSSOS: Are you aware there have been no community updates since then?

The Hon. SARAH MITCHELL: I might ask Mr Manning to provide an update in terms of any communications to the community in relation to that particular school.

ANTHONY MANNING: That school is in the planning phase. As you will be aware, we're working through the construction of the primary school. As we get close to the end of the planning phase for that site, there will be more community updates in terms of progress. I will have to take on notice how many updates there have been to the community during that time, either solely for the high school or as an update as part of the primary school delivery.

The Hon. COURTNEY HOUSSOS: Are you aware that there has been no new information on the School Infrastructure website?

ANTHONY MANNING: I'm not, but I'm happy to take that on notice. As we get to the end of the planning phase and we move into the delivery phase, there will be a lot more to update the community on in terms of expected dates for delivery and contractor appointment and a whole range of others.

The Hon. COURTNEY HOUSSOS: At what stage in the planning phase is it, Mr Manning?

ANTHONY MANNING: It is getting very close to the end of the planning phase. There is a final draft of the business case that is being worked its way through, and we have consultants appointed to drive that project. I think the primary school is our prime focus, and that's in delivery. The high school will follow shortly after.

The Hon. COURTNEY HOUSSOS: Is the high school going to be planned on the adjoining site?

ANTHONY MANNING: That's one option available to us, as one of the things we're looking for, yes. We acquired sufficient land for a high school and a primary school, and we're working through the options for the high school and what will deliver best value for us.

The Hon. COURTNEY HOUSSOS: You said you're working through the options. What are the other options other than on the adjoining site?

ANTHONY MANNING: There are one or two other options available to us within the vicinity of that site, and we're talking to a couple of landowners in terms of how those options may work out.

The Hon. COURTNEY HOUSSOS: Where are those other options located?

ANTHONY MANNING: One is immediately across the road from the site. You'll be aware it is a growing community, and so there is a whole series of developments that are working their way through.

The Hon. COURTNEY HOUSSOS: Is there any consideration that this might be a high-rise high school?

ANTHONY MANNING: By high-rise—I mean, we are looking at a three- to five-storey structure. I wouldn't necessarily describe that as high-rise.

The Hon. COURTNEY HOUSSOS: A three- to five-storey structure. Will it have a school oval?

ANTHONY MANNING: It will have access to an oval, yes.

The Hon. COURTNEY HOUSSOS: No, will the high school have its own oval?

ANTHONY MANNING: It will have access to an oval.

The Hon. COURTNEY HOUSSOS: It will have access to an oval. What does that mean?

ANTHONY MANNING: Like many of our schools, like Inner Sydney High School and a whole range of others, we make sure that we have access to a sufficient space to provide for an oval. We don't have to own it; we have access to it. We have arrangements like that at numerous schools around the State that support the things we need to do.

The Hon. COURTNEY HOUSSOS: Yes, but you just mentioned the Inner Sydney High School. That is a very different situation to Edmondson Park, which is much further out in the suburbs. There is an expectation that there would be.

ANTHONY MANNING: Sure, but I'm pointing out that we don't have to own the oval in order to have access and use of it.

The Hon. COURTNEY HOUSSOS: Who does own the oval?

ANTHONY MANNING: I couldn't confirm at this stage. Again, those are details that we're working through as part of the planning phase.

The Hon. COURTNEY HOUSSOS: As part of the planning phase, is it true that there have been documents lodged requesting on a site within the town centre?

ANTHONY MANNING: That is certainly one of the sites of interest for us, yes.

The Hon. COURTNEY HOUSSOS: The documents lodged—I might provide you with a copy of these. Can you just confirm whether this is also part of your planning process? This was provided by Ethos Urban. Is this planning for a public high school?

ANTHONY MANNING: This is one of the options we have available to us to deliver a high school, and this is the party in question.

The Hon. COURTNEY HOUSSOS: So you're looking at a nine-storey building, this says, not a three- to five-storey building.

ANTHONY MANNING: Yes, this is an application for a nine-storey building. It doesn't specify how many levels are necessarily relevant to the school, but it is one of the options that's available to us, yes.

The Hon. COURTNEY HOUSSOS: As part of that nine-storey building, it says underneath there that there will be a basement carpark, a community centre and retail. Mr Manning, what proportion of the high school would be retail?

The Hon. SARAH MITCHELL: If I could just add something at this point, Chair. Mr Manning has said that there are a number of sites that have been considered for this particular high school. It concerns me a little with respect, Ms Houssos, that you're focusing in on one particular site. No decision has been made as to where that high school will be and, as Mr Manning said, that's what the planning process will look into—the different options—as you would expect when you're building a piece of infrastructure to make sure that you consider all options available and a good investment and a wise investment of taxpayer money. I'm a bit concerned that you're making an assumption that that is the definitive site when, to my understanding, those decisions have not been finalised.

ANTHONY MANNING: Those decisions have yet to be finalised—exactly.

The Hon. ANTHONY D'ADAM: On that then, obviously the key policy question is that issue around whether there will be mixed use, whether there will be a retail component. Are you going to rule that out now?

The Hon. SARAH MITCHELL: What I'm going to do is allow Mr Manning and his team in planning of the new school to do that work. They will work through the options of the different sites and then decisions will be made.

The Hon. ANTHONY D'ADAM: So you're comfortable with the department exploring that idea of having mixed retail in the high school?

The Hon. SARAH MITCHELL: No, that's not what I said. Please don't put words into my mouth, Mr D'Adam.

The Hon. ANTHONY D'ADAM: Well, I am asking you, Are you comfortable with it?

The Hon. SARAH MITCHELL: What I have said to you is that I respect the work that Mr Manning and his team will do in terms of planning for that new high school. There are a number of sites being considered, as Mr Manning has already said, and decisions will be made in terms of the best suitable site for that school. I'm not ruling out any decisions.

The Hon. COURTNEY HOUSSOS: But, Minister—

The Hon. SARAH MITCHELL: No, I'm sorry, but I'm allowed to answer the questions. We are going to consider the sites that have been presented and that are being looked through. I don't think pre-empting any decision in this hearing is particularly helpful.

The Hon. COURTNEY HOUSSOS: Minister, we're not trying to pre-empt a decision, but we are saying that the Department of Education is currently considering a mixed-use development site for a high-rise high school where there will be retail shops underneath.

The Hon. SARAH MITCHELL: It is a proposal, Ms Houssos. It is not definitive.

The Hon. COURTNEY HOUSSOS: You as the Minister can rule that out today. Will you rule it out today?

The Hon. SARAH MITCHELL: Ms Houssos, I'm not going to rule out or pre-empt work that the department is currently undertaking. There are processes in place when we build schools. To look at the site options available is an important part of the work that School Infrastructure does. They are only in the planning phase of that particular project. I'm going to allow the experts in School Infrastructure to do their job, provide options, and then make further decisions based on the expert advice that they give me.

The Hon. COURTNEY HOUSSOS: Minister, the option for this school is that these high school students won't have an oval but they'll have access to a McDonald's. Are you comfortable with that?

The Hon. SARAH MITCHELL: But, Ms Houssos, you are severely extrapolating the scenario here. The reality is that there are a number of sites that School Infrastructure are considering. No decisions have been made yet. You are making an awful lot of assumptions in your question. What is important is that School Infrastructure do the work, consider the opportunities for the school in that community, and then provide advice. Then there is an option—

The Hon. ANTHONY D'ADAM: Minister, why would you allow the department to waste time and resources on developing a concept for a project that ultimately is beyond the pale?

The Hon. SARAH MITCHELL: I don't believe it's—

The Hon. ANTHONY D'ADAM: Either it's something you're willing to entertain or it's not.

The Hon. SARAH MITCHELL: I don't believe it's a waste of time to make appropriate decisions when you're talking about taxpayer investment. I think it is important that School Infrastructure do their due diligence in terms of particular sites for schools.

The Hon. ANTHONY D'ADAM: So you're open to—

The CHAIR: No, no. Time has expired. Ms Abigail Boyd.

Ms ABIGAIL BOYD: Thank you, Chair. Good morning, Minister, and to all of you here today. I want to start by asking about the gender gap at the State's fully selective—

The Hon. SARAH MITCHELL: Oh, you've gone quiet, Abigail.

The CHAIR: You've just dropped out.

Ms ABIGAIL BOYD: Yes.

The Hon. SARAH MITCHELL: It's unusual for you.

Ms ABIGAIL BOYD: Can you tell me, of those fully selective high schools, what the percentage and at the moment is of the full cohort that are boys?

The Hon. SARAH MITCHELL: I might ask Mr Graham to provide that information for you.

MARTIN GRAHAM: We can come back to that data. Obviously, there are some schools that are selective boys high schools or selective girls high schools. Are you looking for fully selective co-ed?

Ms ABIGAIL BOYD: I would like to know both the gender gap of the fully selective school cohorts, so if we have more fully boys schools than girls then that's obviously going to skew that.

MARTIN GRAHAM: Yes.

Ms ABIGAIL BOYD: That's a problem in itself. Also, if you could tell me separately the gender gap when it comes to just the co-ed selective schools. That would be very useful.

MARTIN GRAHAM: Certainly.

Ms ABIGAIL BOYD: If you could break it down by school, that would be even better.

MARTIN GRAHAM: That information is publicly available on the My School website or on the individual school websites, but we can come back to you with that in a consolidated form for you.

Ms ABIGAIL BOYD: Okay. On the assumption that it's quite high, which is what I have been told from the publicly available information, and also that there was quite a gender gap in the latest intake, Minister, what are you doing to try and correct the gender gap?

The Hon. SARAH MITCHELL: Thanks, Ms Boyd. I guess I'll just offer a couple of comments and then again Mr Graham might like to add some more. There was work done prior to my time as education Minister—I believe back in 2018—to look at really the entire process of selective schools. That was done to make sure that there was, I guess, more fairness and equity across that process and those schools that we do have. One of the things that was looked at in part of that—well, there were a few things. One was looking at effectively trying to find ways to make the test less coachable, for lack of a better term, because obviously we want it to be something that can identify students that have more academic ability. But there was also work done in terms of the actual make-up of the test. There was some suggestion, I guess, with a lot of the focus particularly on maths that it did tend to skew more towards the stronger skill set of boys and that's why we were seeing more boys than girls being more successful, and there was a change to the test itself. But, as I said, a lot of that did predate my time as Minister. Mr Graham might want to add a little bit more in relation to that.

Ms ABIGAIL BOYD: That would be good. I just want to clarify, when you say "the stronger skill set of boys" you mean sort of traditionally, not—

The Hon. SARAH MITCHELL: Traditionally, yes. We like girls in STEM. I'll put that on the record to be clear. It was just the work that was done—and Mr Graham might be able to remind me—I think it was one of the universities that did that for us.

MARTIN GRAHAM: Yes. This was a factor mentioned in the 2008 report and we've made changes to the assessment. Cambridge University Press & Assessment are our new partners. One of the things we undertook in changing the assessment was there was a thought that the numeracy and the abstract thinking component doubled up on numeracy, which disadvantaged girls, so we've looked at rebalancing that assessment. The other thing I notice is that the numbers you've got at the moment are initial offers, so the final placement numbers will have a different gender balance to the initial offers.

Ms ABIGAIL BOYD: Just on that, one of the recommendations I've seen is at the moment selective school exams are open to those who know about them and choose to access them, and we know that traditionally girls can be a bit less keen to put themselves forward than boys. Is there any move to, I guess, having all the students, for example, to sit these tests so that we can find those—

The Hon. SARAH MITCHELL: Again, Mr Graham might want to provide a comment. I know, certainly from my own experience as a parent, particularly now that we offer the opportunity classes for years 5 and 6 through a rural college in the regional areas, which is my experience, there's a lot of information that comes out to our schools about having your children, if you're interested in that program, sit the test and be a part of the selective placements. As a parent, I'm certainly very aware in the public school system that that's an opportunity that exists. That's my experience and it's communicated well through our local school. Mr Graham might want to add some more in terms of how we make sure students and families are aware.

MARTIN GRAHAM: So we certainly are undertaking awareness as well. When you get to the HSC there is a very high performing female cohort, so I guess it's not as strong as some of the other groups, which we know that there is a much bigger gap in. The other thing is the assessment that we do just for these students tests at the very, very top end. Something like NAPLAN, even with the new branch testing methodology, doesn't have that different testing at the top end. So you'd have to have 100,000 kids sit it but there is the question of would it be compulsory in non-government schools, those kinds of things. It is something that is done in a small number of jurisdictions around the world and it's certainly something we've looked at with our academic partners, but it's—

Ms ABIGAIL BOYD: Minister, given that we know that once we get to the HSC stage we have equally or more high-performing girls than we do boys, by leaving it up to parents to decide whether or not to put their children into that test for a selective school, are we not perhaps reinforcing some of the traditional biases toward girls having the skills required?

The Hon. SARAH MITCHELL: I think that's ultimately up to parents to make those decisions in terms of their child's education, I guess, and I would be loath to suggest that parents aren't the ones who should be making those decisions and talking to their children about it. I think what's important is that parents know about the test, know what the options are, whether it's fully selective schools, whether it's particular selective streams that we see in some schools and whether, as I said, it is that opportunity class test that many do. Indeed, more people can now access that, particularly in regional areas through a rural college, which is a model I think is just fantastic because, in the past, country kids really didn't have the same sort of access. So I just think it's important that we let people know that the test is there. We should absolutely be encouraging people to sit the test and parents putting their children forward for it, both girls and boys. But, ultimately, parents can make those decisions about their child's education in terms of the school they want to send them to or what they'd like to put them forward for.

Ms ABIGAIL BOYD: But, for example, in the ordinary course when we are streaming children into different levels of maths or reading, whatever it happens to be, we not asking parents to tell teachers what their child is capable of. Is there a capacity for the teacher to say, despite a parent not putting their daughter forward, they would like that student to do that test?

The Hon. SARAH MITCHELL: I think in practice, Ms Boyd, teachers would be saying to parents, "You should put your child forward for this test." But ultimately, as I said, parents do make decisions about where they want their children to go to high school. It's up to parents to decide what they would like for their own children in terms of their education. So I think making sure that parents know that there are fantastic opportunities in public education for gifted and talented students is important. I think it is important that teachers certainly encourage those who show that academic ability to sit those tests. I don't disagree with the premise of what you're saying, but I think that, ultimately, you also have to allow parents and families to make decisions as well, and that's where it does get a little more—

Ms ABIGAIL BOYD: Okay. Given that—

The Hon. SARAH MITCHELL: —in terms of people's circumstances.

Ms ABIGAIL BOYD: We've heard that some changes have been made to try and make it more likely that girls would be getting a first offer or an initial offer at these selective schools. We still had this year only 43 per cent of initial offers going to girls. Clearly there is still a problem here. What are you doing to try to address that?

The Hon. SARAH MITCHELL: Well, I think it speaks to the work that Mr Graham mentioned earlier in terms of making those changes to the test, looking at what opportunities there are to promote this as an option for families. It is something that we need to continue to work on.

Ms ABIGAIL BOYD: Okay, but in what way? Those changes to the tests have already occurred. Is that correct?

The Hon. SARAH MITCHELL: That's my understanding, yes.

MARTIN GRAHAM: That's right.

Ms ABIGAIL BOYD: So what's next? What's the next step?

MARTIN GRAHAM: Well, we have to wait until we get the final number of acceptances. We also look at the number of applications. It may be that girls are actually turning down a place. They may decide that there is perhaps an all-girls school that they might prefer to go to than the place they were offered.

Ms ABIGAIL BOYD: Sorry, just to bring you back, 43 per cent of initial offers to girls—

MARTIN GRAHAM: Promotion to schools, as well, as you've talked about, in terms of being able to identify—the department also has a policy which is now compulsory in all government schools, which is identifying kids' different talents. There are academic talents, artistic talents and so on. As part of that, in a primary school, for example, it would be recognising that this girl has those academic talents that might be suited to that pathway.

Ms ABIGAIL BOYD: It's very concerning that we have—I will just repeat this, because at high school level we know that there are at least as many girls who are as high performing as the men, but we are not getting them at this level. Clearly there is a problem in the system.

The Hon. SARAH MITCHELL: The other thing I would also add, Ms Boyd, is that selective schools are part of what we offer in public education, but there are also opportunities for high-performing students in every school. Again, it really does depend on the individual—

Ms ABIGAIL BOYD: Of course, but that's not the question.

The Hon. SARAH MITCHELL: With respect, it does also depend on the individual circumstances, where families live in the State, what offerings are available. We only have—I think it is just over 20 selective schools.

Ms ABIGAIL BOYD: Seventeen.

The Hon. SARAH MITCHELL: It's a small number when you consider the fact that we've got 2,200 public schools. Like I said, I agree with you in terms of the need to try to make sure that we have as many girls as possible putting themselves forward and taking those opportunities—

Ms ABIGAIL BOYD: It's a significant gender gap.

The Hon. SARAH MITCHELL: We're on the same page, but there are also other circumstances at play.

GEORGINA HARRISSON: If I could just add, we will continue to work with our partners in relation to the test to ensure that we're not getting skewed outcomes but that we are indeed identifying the talent we want to see go into our selective schools. I think the Minister is right. And as the HSC results you quoted, Ms Boyd, point out, our girls are doing exceptionally well in the HSC and the delivery in public schools across the State is absolutely supporting that outcome.

The CHAIR: Minister, on this point about selective school access, instead of gutting the principles of merit that have always guided these schools and making this 10 per cent concession for students said to be from a disadvantaged background, wouldn't you get a better result for communities with a lower income level and with a lower socio-economic status if you built schools like the Leppington selective high school that you promised over three years ago? Isn't that a tangible thing to do to service a community growing quickly that is massively under-served in terms of selective high school places?

The Hon. SARAH MITCHELL: We are going to be building that school, as you know, Mr Chair. That's something that—

The CHAIR: Why haven't you allocated the land or made any announcement about the construction schedule after 3½ years?

The Hon. SARAH MITCHELL: My understanding is that the Committee has been updated on that as part of their infrastructure visit. I believe you visited the site. That's my understanding.

ANTHONY MANNING: Yes, we did. We went with Portfolio Committee No. 3. We identified the site and we have been working with Landcom and the transport department, which owns that site, in terms of how quickly we can develop that out as a school.

The CHAIR: Minister, isn't it better to build these schools quickly to service a relatively disadvantaged community than to gut the principles of merit that have always guided selective school entry?

The Hon. SARAH MITCHELL: As I said, Chair, we are committed to building that school as a new selective school, and I think Mr Manning has just outlined that: We also have made those changes under that Equity Placement Model. Again, that was work that came from back in 2018 to look at providing more opportunities not just to those from low socio-economic backgrounds but also to rural and remote students with disability and those from an Aboriginal background as well.

The CHAIR: On a different high school, Walgett, which you visited earlier this month, what are you doing to fix the problems of a school that sadly is now regarded as the worst in New South Wales, with unbelievably dismal attendance rates, violence against staff and students, staff turnover, a divided community, parents with no confidence in even sending their kids to the school and, unfortunately, terrible academic results?

The Hon. SARAH MITCHELL: Thank you for the question, Chair. This a school that I know you also recently visited, and you and I had the chance to have a brief conversation about that when Parliament was sitting a few weeks ago. One of the things that came through to me very clearly during my visit to Walgett is that every parent that I met is very committed to getting good outcomes for their kids. Everyone loves their town and they want to make sure that they've got a great high school. Another thing that came through quite strongly was a lot of concern from the community about a lot of the constant negativity about Walgett High School, and I think it's important that we put that on the record.

But I would also add, as I relayed to you in a question you asked me in the House about this in the last sitting week and in the conversation we had offline, that there is obviously a need for more to be done at that school. I agree with you that attendance rates—while we are seeing some positive trends in the right direction, they're still not where we need them to be. We need to look at what the options are particularly around things like further training, apprenticeships and skill sets. What can we do to get children engaged in the school? Having good conversations and a good visit, for instance, with the PCYC and the work that they do—how do we collaborate a bit more broadly with the community and make sure that we're getting students attending, that we're getting better outcomes and also that we're having opportunities for children to go on to further study or employment after they've been at that school?

The CHAIR: Minister, the start of your answer about parents being passionate—isn't that just political spin? The truth is, because of the division in the community, half the parents are passionate about changing the leadership of the school—that is, Anne Dennis—and the other half of the parents are passionate about supporting her. So you've got a divided community and that division is poisoning the confidence in the school, given its framework as a Connected Communities school. Isn't that just the reality that you need to fix?

The Hon. SARAH MITCHELL: What I said, with respect, Chair, was that every parent I met—and, indeed, broader members of the community—is passionate about their town and wanting opportunities for their kids. There's no question about that, and you would have seen that when you were there, as well. What is important is that we make sure that the school is getting the supports that it needs. I understand the comments that you're making in relation to particular community concerns amongst different groups within—to be honest, I'm not going to go into the details of that. I don't think that's appropriate. I heard people's views on that; I'm sure you did when you were there, as well. The other point that needs to be on the record is the fact that, as part of the Connected Communities model, yes, the AECG is involved in terms of being part of that school reference group, but they do not run the school. The executive principal runs the school, and it's important that that's on the record as well.

The CHAIR: Minister, looking at the Connected Communities model more generally, the promise was that if you introduce Indigenous culture programs for students and teachers at these schools, it will engage Indigenous students to actually attend. Why has that promise failed dismally? In fact, the gap is growing between Indigenous attendance at non-Connected Communities schools and Indigenous attendance at the Connected

Communities schools. The CC report shows that Connected Communities are less likely to engage Indigenous students and have them attend the school.

The Hon. SARAH MITCHELL: I might ask Mr Dizdar because I know he has some of that data, Mr Chair. But what I can also say is that there are a number of schools that are part of the Connected Communities model. I know that you visited a number of them during your trip and, indeed, there are many that are getting great outcomes and great results. I think we need to be careful not to make sweeping assumptions about all Connected Communities schools. The reality is that we are seeing some positive outcomes from a number of those schools. I was at two schools at Coonamble not long after I visited Walgett—an hour down the road. They're having some amazing outcomes there. They've got children—Ms Boyd, you would be pleased to know—who are part of the opportunity class for the first time. They've had students take part in that. There is some great work happening in their high school and some really good outcomes for their students. I think we need to be careful when generalising about Connected Communities schools more broadly. Mr Dizdar might like to provide a little bit more—

The CHAIR: Minister, at Walgett, why is it—if you say that the model is working—that only 3 per cent of students attend 90 per cent of the time? The day I was there, 100 students were missing out of 150. At Walgett, only four Indigenous students completed year 12 in 2020. Isn't it true that if the community is divided bitterly politically and that seeps into the school, it shows that the Connected Communities model is a big negative?

The Hon. SARAH MITCHELL: With respect, Chair, your initial question was about Connected Communities schools more broadly. Specifically in relation to Walgett, I share your concerns about attendance. I share your concerns about those stats that you've provided to the Committee in terms of how we can make sure that we provide better support to that school and that community. I'm not in a position as education Minister to speak more broadly about any community groups and their divides; I don't think that's appropriate. What I need to be focused on as education Minister is making sure we are giving every possible opportunity to young people in Walgett. That's why I visited the school. That's why I went and spent some time in the community, to really understand some of the issues. I met with current parents. I met with former parents. I believe it gave me a very good opportunity to hear directly from the ground in terms of what's happening, but also to look at what we need to do to make some improvements.

The CHAIR: If the Connected Communities model is working overall, why is it that post-school opportunities for Indigenous students at those schools are dropping—that is, post-school employment and training?

The Hon. SARAH MITCHELL: Again, Mr Chair, I think that when you look at the specifics of each school, there's different models and different things in place. If we want to come back to Walgett, I know that there's work, for instance, that the Department of Regional NSW is currently doing—again, I met with representatives from that agency when I was in Walgett—in terms of providing opportunities for traineeships, scholarships and better partnerships with TAFE, which is just across the road; trying to engage in terms of outcomes; giving students a pathway onto something more meaningful after they leave school; and, indeed, what they can study while they're at school.

One of the things that I heard from members of the community is that there's a lot of work in Walgett. There's opportunities, certainly with government departments. It's a massive agricultural industry there, as you would well know, Mr Chair. I think it's about trying to tap a little bit better into some of those local opportunities for young people and have much better pathways, much better access into traineeships and apprenticeships, and the like. I think that that is an important body of work that we can be doing more on.

The CHAIR: When I visited Brewarrina Connected Communities school, a very impressive Indigenous leader there said, "I'm not a fan of the model." He said, "I know my culture. My family knows my culture and we teach that at home. But I don't know the details of science, geography, history, literacy, numeracy. Isn't it for the school to teach those things and leave our culture to our families to pass that onto our children?" He saw the Connected Communities model as a distraction from things that can be usefully done to help Indigenous students find good opportunities in life. Isn't he right?

The Hon. SARAH MITCHELL: Again, that's a matter for that individual in terms of his view. What I would say is that the inference that those subjects, including those that you just listed there, aren't taught in those schools is incorrect. We also know that if, particularly Aboriginal, students feel that their culture is respected and valued in schools, that is important in terms of getting better educational outcomes. But, again, Mr Dizdar might like to comment more in relation to that.

The CHAIR: But why aren't they attending the schools? Why aren't they attending at Walgett? Why are 100 missing each day if the Indigenous content drags them in and engages them?

The Hon. SARAH MITCHELL: Again, Mr Dizdar has some statistics—

The CHAIR: It's a myth.

The Hon. SARAH MITCHELL: With respect, Chair, Mr Dizdar does have some statistics in terms of what we're seeing in some of those school communities. It would be helpful if we could provide that.

MURAT DIZDAR: Chair, as you indicate, the CC July 2018 evaluation that you read on Connected Communities certainly talks to a lot more work to go—the promising results in early years—but one of the findings that I'd bring to the Committee's attention is that the focus on culture is having positive effects on the school environment.

The CHAIR: Yes, but the attendance gap is growing. That same report says the attendance gap is growing.

MURAT DIZDAR: And I was with you on—

The CHAIR: We can't deal in delusion here when young lives are at stake. That's my point. This sort of rhetoric and spin is just completely delusional.

MURAT DIZDAR: As the Minister has indicated, we're not going to shy away from investing in making our schools culturally safe and respectful of who we serve. We find that when we invest in that and bed that down, that helps—

The CHAIR: "Bed that down"—for two-thirds of the students not even to attend. It's just a complete delusion.

MURAT DIZDAR: Allow me to finish.

The CHAIR: "Bed that down". What about the young lives being lost?

The Hon. SCOTT FARLOW: Chair, let him finish the response.

The CHAIR: Aren't we sick of this?

MURAT DIZDAR: Allow me to finish. That gives a greater connection for that student, their family to the school. I acknowledge what you're saying. I was in the room with you on that visit. I respect that Aboriginal individual's views. They were, from what I was hearing, imploring us in that school to focus even stronger on literacy and numeracy as the scaffolds and bedrocks. That's what we're committed to doing at Brewarrina Central School. I also was in that room and heard that all but two of our students are from an Aboriginal background in that school. It would be very remiss of us if we're not tackling the full curriculum but also ensuring that our students feel safe and connected, culture respected, but I appreciate and respect that parent's view.

I was also in that room and heard of the attendance and heard of what the leadership there spoke at in regards to attendance as they did at Bourke High School. We are not shying away from the fact that we need to improve the attendance rates at these schools. It is a target and focus area, and the leadership teams at those schools are doing all they can on lots of fronts to try and get our students from those that are totally disengaged, totally non-attending and refusing, to still engage with them and get them into meaningful pathways.

The Hon. COURTNEY HOUSSOS: This is an important issue and I think that the Chair might have some more questions on it, but our time—

The CHAIR: Yes, sure. We're waiting for Mr Dizdar to finish then it's the Labor Opposition.

MURAT DIZDAR: When we were in those visits, we heard from principals together that they have a range of staff that are making contacts with those homes, running case conferences, using attendance officers—everything in their disposal to try and get them back into the school context. They take that matter very seriously. Sometimes what we lose sight of is the enormous complexity that they are working through. When you reference Walgett, I think we should call out the fact that its family occupation and education index is one of the highest in the State, 203, compared to a State average of 100, and those leaders are not using that as an excuse but they are tackling complexity on a multiplicity of fronts to try and engage the learners.

GEORGINA HARRISSON: Chair, if I can add, we're absolutely committed to continuing to learn in this context. You've referenced one CC evaluation. A follow-up evaluation is underway and we'll be very happy to share the learnings of that when that evaluation is complete.

The CHAIR: Thank you. The Labor Opposition.

The Hon. COURTNEY HOUSSOS: Thanks very much. Minister, can you just confirm the substance that was found at Randwick Girls' High School? Was it uranium?

The Hon. SARAH MITCHELL: I might ask whether Mr Dizdar or Ms Van Berlo has the specifics.

MURAT DIZDAR: Let me just bring up the technical phraseology I was provided because I have a social science background not a science background, so bear with me, Ms Houssos. I'll just get the right document for you.

The Hon. SARAH MITCHELL: My understanding is—well, what I have here that I've been advised is that it was radioactive material found in rock and mineral samples. But, again, Mr Dizdar might have more specific information. But, again, I reiterate that no harm was posed to staff and students.

The Hon. COURTNEY HOUSSOS: I'm just wanting to see what the actual substance was, and do you know—

The Hon. SARAH MITCHELL: I just want to be really clear about that, Ms Houssos, because I heard about the scaremongering that you're trying to spin out of this.

The Hon. COURTNEY HOUSSOS: Minister, have you been told how long it was there?

The Hon. SARAH MITCHELL: I think we answered that in your first series of questions—

The Hon. ANTHONY D'ADAM: No, you didn't.

The Hon. SARAH MITCHELL: —in that that work is being undertaken now to determine how that material or those rocks were brought into the school and the time frame.

MURAT DIZDAR: I can add to it, Minister. I've got the right pages here. As the Minister indicated, a very small amount of radioactive material was found in rock and mineral samples at the school. ANSTO—Australian Nuclear Science and Technology Organisation—based on their readings, indicate you'd have to hold the material in your hands for about—

The Hon. COURTNEY HOUSSOS: Mr Dizdar, I heard that before. I'm interested to know what was the substance.

MURAT DIZDAR: I'm only giving you the official advice.

The Hon. COURTNEY HOUSSOS: I'd just like a name of the substance.

MURAT DIZDAR: We will have to take that on notice because there is terminology here that I have zero expertise in.

The CHAIR: Can you read the terminology out, please?

MURAT DIZDAR: It's in science speak, so I'll have to provide—

The Hon. COURTNEY HOUSSOS: Spell it out for us, if you like. We're just after a term.

The Hon. ANTHONY D'ADAM: Mr Dizdar, you're an intelligent man. Come on, stop playing us.

The CHAIR: This not an AO class. Can you read it out, please?

The Hon. SCOTT FARLOW: He's a social scientist; he's not a scientist.

MURAT DIZDAR: It's not my area of expertise, so I'll take it on notice.

The Hon. COURTNEY HOUSSOS: I'm happy for you to table the document.

The CHAIR: Can you table the document?

MURAT DIZDAR: I'll take it on notice and give you what the—

Ms ABIGAIL BOYD: We're just asking you to read—

The Hon. COURTNEY HOUSSOS: Mr Dizdar, with fairness—

The Hon. SCOTT FARLOW: The witness is entitled to take the question on notice.

The Hon. COURTNEY HOUSSOS: —this is something that we have pursued in the Public Accountability Committee—

The Hon. ANTHONY D'ADAM: What is it? Stop being evasive.

MURAT DIZDAR: No, I'm not being evasive.

The Hon. COURTNEY HOUSSOS: —that the witnesses are required to provide an answer when they come. You are allowed to take the question on notice—

The Hon. SARAH MITCHELL: Which is what he's done.

The CHAIR: Order!

The Hon. COURTNEY HOUSSOS: —if you are unable to answer the question. But you clearly have the information there.

The CHAIR: Order! Mr Dizdar, it's an insult to this Committee that you have the name of the substance in front of you and are refusing to read it out to the Committee.

MURAT DIZDAR: Well, no—

The CHAIR: You shall read out the name of the substance.

MURAT DIZDAR: Let me—

The CHAIR: You've got an answer available to you in front of you.

MURAT DIZDAR: Well, let me—

The CHAIR: I don't care about your science qualification.

MURAT DIZDAR: Well, let me answer.

The CHAIR: You can read and you should read out that name.

MURAT DIZDAR: Let me answer to that because I object that that's the insinuation, that I'm avoiding answering the question. I'm not. It indicates here, the expert report, combination levels in terminology that I'm not across.

The CHAIR: You don't have to be. You should read it out.

MURAT DIZDAR: Well, there are symbols that I don't even know how to read out. It indicates radiation levels in symbols that I'm not across.

The Hon. ANTHONY D'ADAM: Table the document then.

The Hon. COURTNEY HOUSSOS: Just table the document, Mr Dizdar.

The Hon. SARAH MITCHELL: With respect, he's taken it on notice, which he's entitled to do.

MURAT DIZDAR: Yes, I'm happy to provide it on notice.

The Hon. ANTHONY D'ADAM: He's got the information. He can't take it on notice if he has the answer.

The Hon. COURTNEY HOUSSOS: Chair, I'm going to take a point of order because this is something that we have pursued in the Public Accountability Committee and it has been ruled consistently there by the chair that if the witness is able to answer the question, then they need to provide an answer.

The Hon. ANTHONY D'ADAM: He can't take it on notice.

The Hon. COURTNEY HOUSSOS: Clearly Mr Dizdar is in a position to provide the Committee with some information that he is withholding. The provisions and the standing orders allow the witness to take a question on notice if they are unable to answer the question. There are many ways that the witness can provide the Committee with this information, and I ask that you either table the document or provide it in some way to the Committee. But to simply withhold it from the Committee is out of order.

The CHAIR: I rule the point of order to be valid.

MURAT DIZDAR: I can indicate that I'm not withholding it from the Committee. I'm reading from the ANSTO—Australian Nuclear Science and Technology Organisation—clearance statement that was provided to the department.

The Hon. COURTNEY HOUSSOS: Then you can provide that to the Committee, Mr Dizdar.

MURAT DIZDAR: It is not my area of expertise, so I'm happy to take it on notice and give those answers.

The CHAIR: No, you shan't. The rules are that you will take it on notice if you can't provide an answer to the Committee. The answer is right in front of you and should be read out, otherwise we will refer you to the Privileges Committee as a contempt of the Parliament. You shall read out the answer.

The Hon. SARAH MITCHELL: With respect, Chair, Mr Dizdar, without being able to understand—I don't know which document he's referring to—the terminology that's there, if he would like to suggest whether we could come back to this and he can seek some advice in terms of whether that answers your question. Because, in terms of procedural fairness for him as a witness, if he's not sure what is presented there, to check that it is actually accurate and what you're requiring, Ms Houssos, I think would be appropriate. Perhaps we could come back to that.

The Hon. COURTNEY HOUSSOS: I'm happy if you want to provide the witness with some scissors to cut out the particular words so that we can read it. But we're interested in knowing what the substance is. You clearly have a report there that indicates what the substance is. We'd like to know what it is.

The Hon. SCOTT FARLOW: The witness has indicated that he can't communicate that to the Committee. He's agreed to take it on notice.

The Hon. COURTNEY HOUSSOS: No.

The Hon. SCOTT FARLOW: In terms of the comment that he needs to hand over documents or the like, he does not appear here under summons.

Ms ABIGAIL BOYD: He could do.

The Hon. SCOTT FARLOW: So he's not compelled to hand over any documents.

The CHAIR: He's been sworn in as a witness by the rules of the Parliament and the rules of the Parliament are very clear. Witnesses can take an answer on notice if they can't provide the answer to the Committee. The witness has said he has the answer right in front of him. He doesn't feel confident in his own science expertise to know what the answer means, but that's irrelevant to the purposes of this budget estimates Committee. If you've got the answer there; it should be read out.

Ms ABIGAIL BOYD: From a procedural fairness perspective, it is completely within the witness's right to say, "As I'm providing this, this may not mean anything to you." You can put all the provisos around it that you like, but you are under an obligation to provide us with the information in front of you.

MURAT DIZDAR: Sure. What I've tried to do for the Committee is read from that statement. I'm asked to continue to read. It's not my area of expertise. It's got symbols and terminology that I'm not across. I'm happy to take on notice or come back to the Committee straight after the break to see if this document suffices what the Committee is after.

The Hon. COURTNEY HOUSSOS: We've just sworn in 15 expert witnesses.

The CHAIR: I'll allow the witness to come back after the break.

MURAT DIZDAR: Yes, let me—

The CHAIR: But you're on notice—

MURAT DIZDAR: —come back after the break.

The CHAIR: —that the answer is in front of you and shall be provided to the Committee, otherwise we will take action against you.

MURAT DIZDAR: I'm happy, Chair, to come back after the break.

The CHAIR: Thank you. Next question.

The Hon. SARAH MITCHELL: I just want to clarify a few corrections.

The Hon. COURTNEY HOUSSOS: I will point out as well that there are 15 sworn in witnesses here from the Department of Education. Surely there is someone here amongst them who can read out this word to enlighten the Committee.

The Hon. SARAH MITCHELL: I think it sounds like it's a lot of symbols and things.

The Hon. COURTNEY HOUSSOS: Excellent. Great.

The Hon. SARAH MITCHELL: Anyway, we'll take it on notice and we'll come back after the break.

The CHAIR: Okay, after the break.

The Hon. COURTNEY HOUSSOS: So we don't know how it got there and we don't know how long it's been there. Is that correct, Minister?

The Hon. SARAH MITCHELL: I think that's what Mr Dizdar made clear in his earlier answers to your questions, Ms Houssos.

The Hon. ANTHONY D'ADAM: We didn't ask that question of Mr Dizdar.

The Hon. SARAH MITCHELL: With respect, Mr D'Adam, you did ask questions in relation to how did that material get there? Mr Dizdar has made it clear, and I think Ms Van Berlo also made it clear, that that is now being investigated by the department. I also believe that SafeWork will not be attending the school. That's other advice that I've received throughout the course of this hearing. But what the department will do is work with the school community to ascertain how it was there and also how long it has been there. I think Mr Dizdar covered that quite reasonably in your first line of questioning.

The Hon. COURTNEY HOUSSOS: When was the alert sent out?

The Hon. SARAH MITCHELL: I'll ask Mr Dizdar to provide that to you.

MURAT DIZDAR: The alert was sent out last Thursday.

The Hon. COURTNEY HOUSSOS: Thanks very much. I want to return to the question of the high school at Edmondson Park. Minister, to be clear, are there any other high schools being planned with commercial for-profit retail as part of their new school?

The Hon. SARAH MITCHELL: I need to take exception to your question, Ms Houssos, because what you're saying is that we have decided to build the school on that site. That's not correct. By saying it's being planned to be built where there's commercial and retail is pre-empting the process that the department is going through now in terms of looking at a number of school sites.

The Hon. ANTHONY D'ADAM: You have decided to explore that?

The Hon. SARAH MITCHELL: Amongst other opportunities that Mr Manning has already discussed. I think it's a little bit inappropriate for you to make suggestions that decisions have been made when they haven't been.

The Hon. COURTNEY HOUSSOS: Minister, there's an official planning document here that says that 9 per cent of a public school is going to be retail space.

The Hon. SARAH MITCHELL: Would you be able to provide that document?

The Hon. COURTNEY HOUSSOS: I've just provided it to you.

The Hon. SARAH MITCHELL: I don't have a copy.

The Hon. COURTNEY HOUSSOS: I'm happy to give it to you here. There's another copy.

The Hon. SARAH MITCHELL: But, again, with respect—

The Hon. COURTNEY HOUSSOS: Turn over the page. It states:

School — 82%

Community Facility — 9%

Retail — 9%

The Hon. SARAH MITCHELL: But, again, with respect, Ms Houssos, there has not been a decision made to build the school on this site. It is one option that is being canvassed, amongst others that Mr Manning already outlined in terms of land that is next to the primary school. There is also land across the road from the primary school. I take exception to you making an assumption that this is the determined site for the school because it is not.

The Hon. COURTNEY HOUSSOS: I'm just asking you to make a policy determination—

The Hon. SARAH MITCHELL: You're asking me to make a hypothetical question—

The Hon. COURTNEY HOUSSOS: Minister, I'm asking you to make a policy determination—

The Hon. SARAH MITCHELL: With respect, Ms Houssos—

The Hon. COURTNEY HOUSSOS: —that New South Wales public schools will not have mixed-use developments as part of their new builds.

The Hon. SARAH MITCHELL: With respect, Ms Houssos, it is not up to you to direct me to make a policy decision sitting in a budget estimates hearing. Once again, the typical Labor scare tactics campaign is coming out again in budget estimates.

The Hon. ANTHONY D'ADAM: The Minister is not being directly relevant.

The Hon. SARAH MITCHELL: We have a number of sites that we are considering for this new high school, a new high school that is being delivered by our Government, that has delivered—

The Hon. COURTNEY HOUSSOS: A new high school that was first promised in 2018, Minister.

The CHAIR: Order! One at a time, please.

The Hon. SARAH MITCHELL: Ms Houssos, what I'm not going to allow the Labor members of this Committee to do is to make assumptions, to go out and have some press conference pretending that we're about to have retail at every school. You made an awful lot of assumptions in your initial questioning about McDonald's and what would be nearby, which is just ridiculous. The reality is, as a government, it is very important that we invest taxpayer money appropriately and properly. We need to do planning and due diligence. Mr Manning has already indicated that there are a number of sites that we are looking at in relation to this high school. No decision has been made.

The Hon. COURTNEY HOUSSOS: As the Minister, can you rule out fast-food restaurants being part of a retail offering on school sites?

The Hon. SARAH MITCHELL: Again, Ms Houssos, you are completely hypothesising in terms of a particular development. I don't know whether this school will be built at that site. These decisions have yet to be made. The other thing that I think is important to make the point of is there are a lot of schools in our community that exist that are within proximity of retail sites as well. I'm not sure what you're trying to suggest in relation to "you can't have a school built anywhere near a retail area" because there are an awful lot of schools in Sydney that are. So, again, I'm not quite sure what your issue is.

The Hon. COURTNEY HOUSSOS: Minister, it's a very important and distinct public policy to take the step for a public school to contain within it—a new public school that could be built on a site adjoining the primary school, but what your Government is looking at doing is building it on a new site and putting a retail development underneath that. Do you not understand that that is a significant departure from the way that our public schools have operated?

The Hon. SARAH MITCHELL: Ms Houssos, if I can repeat again, because you don't seem to be understanding what I'm saying to you, there is no decision like that that has been made. The department is considering—

The Hon. COURTNEY HOUSSOS: But you can today rule that out?

The Hon. SARAH MITCHELL: You can ask the same questions, I'll give you the same answer. The department is considering a number of sites for the high school at Edmondson Park. Mr Manning has already talked about the different options that they are looking at in terms of planning. No decision has been made. So you're asking me to rule something in or out on a hypothetical for a decision that is yet to be made.

The Hon. COURTNEY HOUSSOS: You're saying—

The Hon. SARAH MITCHELL: I'm not quite sure what you—

The CHAIR: One at a time. I think from this line of questioning the Minister is not ruling it out. I think that's clear: the Minister is not ruling it out.

The Hon. SARAH MITCHELL: With respect, Chair, what I'm doing is making sure that School Infrastructure can do the appropriate planning and can consider a number of sites, as they do with respect to all school builds. We look at numbers of schools and we look at opportunities of where we're going to build particular schools. That's not new; that's part of what School Infrastructure does. I am concerned that you're going down a track, making assumptions about decisions that have not been made.

The Hon. COURTNEY HOUSSOS: Minister, I am not making assumptions.

The Hon. SARAH MITCHELL: You are; that's exactly what you're doing.

The Hon. COURTNEY HOUSSOS: I'm referring to your own planning documents—

The Hon. SARAH MITCHELL: Which is one option, Ms Houssos, that is being considered.

The Hon. COURTNEY HOUSSOS: —which state that you're considering retail development as part of a new school build.

The Hon. SARAH MITCHELL: There has not been a decision made.

The Hon. COURTNEY HOUSSOS: That is a remarkable step by this Government.

The Hon. SARAH MITCHELL: But that decision hasn't been made, Ms Houssos.

The CHAIR: Order!

The Hon. SARAH MITCHELL: So there's no step that's been taken.

The CHAIR: Order! There needs to be a question and then an answer in full.

The Hon. COURTNEY HOUSSOS: Will you guarantee the Edmondson Park community will have an oval as part of their high school?

The Hon. SARAH MITCHELL: I will guarantee, as Mr Manning has said, that the school will have access to the appropriate oval and play space, as we do with every new school that we build.

The Hon. COURTNEY HOUSSOS: But you won't guarantee that there won't be retail—

The Hon. SARAH MITCHELL: Ms Houssos, as I think we've already canvassed quite extensively—

The Hon. COURTNEY HOUSSOS: Minister, I didn't finish my question.

The Hon. SCOTT FARLOW: Point of order: The Minister is trying to answer the Hon. Courtney Houssos's question. She has to have an opportunity—

The Hon. COURTNEY HOUSSOS: You can't take a point of order when she doesn't let me—

The Hon. SCOTT FARLOW: She does not have the opportunity to keep running over the Minister.

The CHAIR: It is a bit of an exchange that we're getting. If we can get the question again and then an answer without interruption.

The Hon. COURTNEY HOUSSOS: Minister, you just guaranteed that they will have access to a school oval site. Will you guarantee that there will be no retail development as part of the school?

The Hon. SARAH MITCHELL: What I will guarantee is that School Infrastructure, as we have said, will do the planning for the potential sites, and then we will go through that process, Ms Houssos. But I'm not going to hypothesise. The reality is we have a strong track record of delivering school infrastructure. I trust the teams at School Infrastructure to do the work in terms of planning. No decision has been made yet about a site. This scaremongering, once again, serves no purposes. The reality is that we are looking at a number of sites and no decision has been made.

The Hon. ANTHONY D'ADAM: Mr Manning, can I ask you about whether there are policy parameters that constrain the department in terms of mixed-use developments of schools? Is there any existing policy that might constrain you from allowing commercial operations in the same development as a school?

ANTHONY MANNING: From a school perspective, there are no policy restrictions.

The Hon. ANTHONY D'ADAM: Open slather.

ANTHONY MANNING: The department of planning may have views on development of schools and others. Just in terms of a point of clarification on this document, this is not a School Infrastructure document. This is a notice of submission of a planning application by a developer for a proposal that has yet to be submitted to the department and formally considered, let alone decide whether we are going to go down this road or not. It contains no information other than what is here. You have no ability to see whether it does or doesn't include an oval and anything else that goes with it or what that retail might be. All this document does is lodge a request from the department of planning for the hurdles that the department of planning would like to see in order for them to make a planning application.

To the Minister's point, it is one of a series of options available to us. This is the developer's document and it's something that they will pursue. It's an option that they will put to us when the time is right and we will review it and decide. Just in terms of our obligations, we do have an obligation through NSW Treasury for any project in excess of \$100 million for us to consider the use of private sector capital as part of us considering that. There will be a range of projects that are over \$100 million where private sector capital is considered. A PPP-type approach may be one of those. These may also be one of those. We'll look at them and understand whether we

think they are value for money and make an appropriate recommendation for government to decide whether they are things that they want to proceed with.

The Hon. COURTNEY HOUSSOS: Mr Manning, how many other school projects are considering commercial for-profit retail as part of their development?

ANTHONY MANNING: I can tell you that any project over \$100 million will look at private sector capital. It will be up to those proponents to put to us a proposal as to what may be part of those developments. Whether they will include retail or community facilities, as this one also includes, will be up to them. I am unable to tell you at this time because it is only when we see the proposals from the various parties will we know what the mix they are proposing to do is and will consider them as part of that process.

GEORGINA HARRISSON: If I could just add, we have had in previous estimates hearings discussions about developers putting proposals forward that include a school. In that last instance we discussed here, that was a Catholic school. If a private developer is looking to develop a site in a particular area and they wish to include a school within it, obviously we might be people that they would talk to about that. But so might other sectors if they are looking to provide a school within a particular location.

The Hon. ANTHONY D'ADAM: If you went down that path, would School Infrastructure maintain the leasing arrangements for the properties? Would you have any control over who actually occupies them? Could you have sex shops or bottle shops or tobacconists? Is there any capacity to control that, Mr Manning?

The Hon. SARAH MITCHELL: Direct the questions through me, please. With respect, Mr D'Adam, is there a specific school that you are concerned about? You are making quite outrageous claims there.

The Hon. ANTHONY D'ADAM: No, I am asking about the parameters of the policy and arrangements that constrain what the department can do, exploring these kinds arrangements.

The Hon. SARAH MITCHELL: You are asking for a hypothetical. Is there a school that you are concerned about? It is just not true. It is just nonsense.

The CHAIR: Order! Mr D'Adam, there are too many interruptions. The Minister will finish her answer.

The Hon. SARAH MITCHELL: To make outlandish claims about certain retail businesses being near a particular school, is there one that you are concerned about? What are you actually referring to? Are you generally hypothesising for fun in the Committee?

The Hon. SCOTT FARLOW: Scaremongering.

The Hon. ANTHONY D'ADAM: As I tried to explain, Minister, my question is directed to whether there are policy parameters that operate that are within the ambit of School Infrastructure NSW to control what kind of businesses might end up in these types of developments. If you are going to explore it, Mr Manning, surely you should have some policy parameters around what will go into those sites.

The Hon. SARAH MITCHELL: Again, Mr D'Adam, there has not been a decision made in relation to Edmondson Park. I feel like we are going around in circles here. You guys are clearly trying to scaremonger the good people of western Sydney. I'm not having a bar of that. What we are doing is building a new high school in a community where it is very much needed. It will be our Government that will deliver that school in the same way that we are delivering the primary school that they need. You can do what you want in terms of your political tactics here. The reality is that we are considering a number of options. School Infrastructure needs to do the planning. The great document that you are relying on isn't even a Department of Education document, so what's the point?

The Hon. ANTHONY D'ADAM: To knock it on the head, Minister.

The Hon. SARAH MITCHELL: But that's not our document.

The Hon. COURTNEY HOUSSOS: Minister, we are asking these same questions because we have seen—

The CHAIR: Order! Minister, I'm a good person of western Sydney.

The Hon. SARAH MITCHELL: You are a good person of western Sydney, Mr Chair.

The CHAIR: I know Edmondson Park very well and it does seem a strange proposition because there is so much space there. So I think it's a legitimate line of questioning.

The Hon. SARAH MITCHELL: It is a legitimate question, Chair.

The CHAIR: If you can just give your answers directly, that would assist the Committee.

The Hon. SARAH MITCHELL: With respect, Chair, I believe I have already done that in that there are a number of sites being considered. Mr Manning has already outlined that there is land that the department has next to the existing primary school that is being built. There is also land across the road. This is an option that has come from the developer. As Mr Manning has said, this is not our document; this is not a government document. Whatever a developer wants to put into planning is a matter for them. School Infrastructure will consider the options that are available and make decisions in terms of what is the best value for taxpayer money and what is best for the community as well. You are pre-empting all of this to try to get a run on the nightly news. I know exactly what you are doing.

The Hon. COURTNEY HOUSSOS: Minister, just to be clear, this is a site that is under consideration from the Department of Education.

The Hon. SARAH MITCHELL: There are a number of considerations for this school. I think we have made that very clear.

The Hon. COURTNEY HOUSSOS: So you can rule it out now?

The Hon. SARAH MITCHELL: We are going around in circles, Ms Houssos. I have made it clear and Mr Manning has also made it clear that there are a number of school sites being considered for this brand-new high school that the New South Wales Liberals and Nationals Government will deliver for the people of Edmondson Park. There are a number of sites being considered.

The Hon. COURTNEY HOUSSOS: That hasn't provided any action since 2018.

The Hon. SARAH MITCHELL: No, that's not true. We have already talked about that.

Ms ABIGAIL BOYD: Can I ask: How many abuse complaints were made by children with a disability in 2021?

The Hon. SARAH MITCHELL: I might ask if the secretary has any of that data.

GEORGINA HARRISSON: Certainly. I think Mr Graham is just looking for the figures in his folder, Ms Boyd. Certainly, we are really clear and have been working hard for a while now on a disability strategy to try and improve the outcomes for students with disability across the system. We are clear that there are a set of circumstances where it can be hard to get to the truth of an issue and to address them appropriately. We have been looking at those issues and following through. I'll ask Mr Graham if he has anything to add.

MARTIN GRAHAM: Are these complaints about staff?

Ms ABIGAIL BOYD: Correct.

MARTIN GRAHAM: That is not data that I have.

Ms ABIGAIL BOYD: So complaints by students against teaching staff.

GEORGINA HARRISSON: I might, Ms Boyd, take that on notice or I am very happy to defer that question while I check in with Ms Van Berlo to see if we have that information with us.

Ms ABIGAIL BOYD: That would be very useful. I need to ask a few questions about that. How long will that take? Do we have it available? We are just waiting for the conversation behind.

DIANNE VAN BERLO: Sorry, could you repeat the question, please?

Ms ABIGAIL BOYD: I am looking for how many abuse complaints were made by children with a disability during 2021.

DIANNE VAN BERLO: I don't have access to that data.

GEORGINA HARRISSON: We don't have that data with us today, but we are very happy to take that on notice and look at an instant response and come back to you with that information.

The Hon. SARAH MITCHELL: Sorry, just to be clear, Ms Boyd, is against a member of staff the specific data you are after?

Ms ABIGAIL BOYD: That's right. Just to help you, this is data that was previously provided to the Committee.

GEORGINA HARRISSON: Very happy to provide you on notice with those updated figures.

Ms ABIGAIL BOYD: Up until 2020.

GEORGINA HARRISSON: Yes.

Ms ABIGAIL BOYD: We are really looking for that same data. I understand there has been some difficulty trying to get that data out of the department for 2021, so I am very keen to receive that data.

GEORGINA HARRISSON: Very happy to provide that on notice.

Ms ABIGAIL BOYD: And also what the outcomes of those complaints were and how many of those complaints were referred to the police.

GEORGINA HARRISSON: Very happy to provide what we can on that second point. I would just note that some of those investigations, if they were later in the year, may not be resolved as yet. Some of these matters are complicated, particularly when they involve the police and we have to pause investigations. Very happy to take that on notice and come back with what we have to date and then the number of unresolved cases, if that would be helpful.

Ms ABIGAIL BOYD: That would be helpful. You can break the data down in whatever way you like. Of course, we are not looking for personal details; we are looking for the aggregate data. How many child protection complaints against a staff member need to be made before a full investigation of that member is conducted?

GEORGINA HARRISSON: I might ask Mr Currie to come up to the table to discuss some of the threshold issues in relation to those conduct matters. Can I just say at the start, obviously any claim that goes to the abuse of a child is taken incredibly seriously by the department. When there is evidence to substantiate wrongdoing, we will of course refer matters to the police. That can affect our own investigations because it would be important that those investigations by the police are carried out and completed first. But we do then pick up the investigation following that. I wonder, Mr Currie, if you can provide some information on the threshold relating to child abuse?

DARYL CURRIE: What happens, we don't have a set guideline of one, two, three, four times. That's not how it works. When an incident is referred to PES, it's assessed as to whether it actually reaches the threshold for misconduct. If it is, it's investigated. If it is established that that person has engaged in misconduct after investigation, then there is a decision made regarding whether there will be remedial or disciplinary action taken based on that circumstance, but also on any history that there has been. What matters, it's a case-by-case basis. It's assessed on the balance of probabilities as to whether it occurred, and then the history of that employee is taken into consideration and the nature of the case that has just been sustained as well.

GEORGINA HARRISSON: I would also add, Ms Boyd, that we have a Child Wellbeing Unit that's established within the organisation. Obviously when we have any child protection concerns, our staff are mandatory reporters to the child protection services and the hotline there. Ms Nixon can provide some information in relation to calls we get to that Child Wellbeing Unit, if that would be useful.

Ms ABIGAIL BOYD: Coming back to the threshold for complaints, if there were a number of complaints made against a particular teacher, for instance, where each individual complaint was not made out to the satisfaction of those investigating it but the complaint was still there, would that complaint be taken into account? If there were multiple complaints over multiple years, would that still be taken into account even if one of them wasn't found to have been made out?

DARYL CURRIE: If the conduct is not sustained, then that hasn't been a sustained incident. So, therefore, there is not enough evidence on the balance of probabilities to say that it occurred. Remedial acts will sometimes be taken into consideration. There may have been protective measures put in place with regards to may not have been sustained, but we may have some monitoring, for example, in place. The entire history of the employee is taken into consideration when determining whether disciplinary or remedial action will be taken. I think another thing that is really important is all of those matters, if they are reportable, are overseen by the OCG. We will actually send it to the OCG who will oversee the matters and whether they believe appropriate action has been taken.

GEORGINA HARRISSON: For Hansard, that's the Office of the Children's Guardian.

Ms ABIGAIL BOYD: For example, I understand there is a staff member—I won't be too specific, but in the Newcastle area—who has different multiple child protection complaints against them, spanning over 11 years at different schools, but that staff member is still teaching in the area. Could you theorise on why that could still be the case? Would it be the case that none of those complaints have been made out?

DARYL CURRIE: I wouldn't like to theorise on a case without having it in front of me. But what I could say to you is that, as I said, when a case has been found to be sustained—misconduct—when the decision-maker is looking at what intervention should be taken, the entire history of that employee is taken into

consideration. I am happy, if you can give it to me, I will find that name. I can look at it myself and review that case. But in terms of responding to a hypothetical situation, I don't think that would be helpful.

The CHAIR: The case has been raised at the Committee previously.

Ms ABIGAIL BOYD: It has.

GEORGINA HARRISSON: It is important that we maintain the appropriate disciplines around the investigation. These are individuals whose careers are at stake in these investigations. It is therefore really important we offer fair and due process to our staff in relation to how those conduct investigations are carried out. Obviously if we get repeating issues raised, then that will be an issue that Mr Currie's team will take into account. But if that member of staff is still teaching, that will be because our investigations have not demonstrated that there is sufficient evidence on the balance of probabilities that those incidents occurred.

As Mr Currie has indicated, when it is a matter of child protection, we do refer those cases to the other appropriate authorities too. Again, their investigations, in order for a teacher to continue to work with us, would not have found anything in place. I do think it is a very difficult area when we have to balance that fair and due process to our staff. Also, we do need to be careful about the discussions we have in places like this that can impact on those investigations and potentially jeopardise them.

Ms ABIGAIL BOYD: Understood. Could I ask you about the legal actions that have been taken in relation to treatment of children with disability in New South Wales public schools? I understand that you may need to take that on notice as well, but I would like to know how many legal actions have been taken involving staff in public schools in relation to the treatment of children with disability in the last four years?

GEORGINA HARRISSON: Very happy to provide on notice the total figures of any claims that have been made. Obviously if cases haven't resolved as yet, again, happy to provide the outcome where there has been one, but we will not be able to provide anything that would jeopardise current or future cases.

Ms ABIGAIL BOYD: If you could also let me know how much money has been spent in settlement and discontinuation agreements in regard to those sorts of legal actions?

GEORGINA HARRISSON: Very happy to see what we can provide on notice.

Ms ABIGAIL BOYD: Also, whether any of those settlements or discontinuations involve some form of confidentiality agreement?

GEORGINA HARRISSON: Again, I will need to take advice on what I am able to provide, but I am very happy to take on notice and provide back to the Committee anything that I can in relation to that.

Ms ABIGAIL BOYD: Is it department policy that any sort of confidentiality agreement or gag order be put on children or their families in relation to complaints they make against staff of public schools?

GEORGINA HARRISSON: I would like to take that on notice. I will come back to you with the specifics of any policy that may be in place, but I am not aware of one as I sit here today, Ms Boyd. But I am very happy to take that on notice.

The CHAIR: We will break now for 15 minutes and come back at 11.10 a.m.

(Short adjournment)

The CHAIR: I will reopen the hearing and go to Mr Dizdar for that information you were looking at.

The Hon. SARAH MITCHELL: Yes, if I could just provide, Chair, I'm happy to table that document that Ms Dizdar has referred to. Can I say I also had a look at it during the break; I hadn't seen it before. I can't quite decipher what it's saying either, so I wish the Committee well, but we're happy to table that document now for members. If I could also just take the opportunity, Chair, in relation to Mr Ballard.

The CHAIR: Yes.

The Hon. SARAH MITCHELL: I have spoken to the secretary about that. Obviously Mr Ballard is regionally based—I believe he's in Port Macquarie today—but if there's an opportunity for him to either dial in through the Committee's screens before us perhaps for a 10-minute period after afternoon tea break or something like that that we can organise, we're happy to facilitate that for the Committee. I do want to put on the record, though, it is highly unusual to have a director level at a budget estimates hearing—I've never seen it in more than a decade in this place—but with the goodwill and, I guess, grace of us trying to be helpful to the Committee, we are happy to provide access to Mr Ballard for that 10-minute period if we can.

The CHAIR: If you can.

The Hon. SARAH MITCHELL: Is that something that the Committee secretariat can organise?

The CHAIR: Yes, if you can facilitate that. It's coming about because it's highly unusual that a school principal is alleging a deputy secretary has misled our Committee. That's why it's happening.

The Hon. SARAH MITCHELL: Look, I understand that, but I think Mr Dizdar has answered that.

The CHAIR: If Mr Train had not made any allegation or provided any documents, we wouldn't be asking for Mr Ballard.

The Hon. SARAH MITCHELL: As I said in my earlier response to this, Chair—

The CHAIR: He was your employee.

The Hon. SARAH MITCHELL: —it is a budget estimates hearing. But, as I said, we're happy to get Mr Ballard to appear remotely for 10 minutes this afternoon.

The CHAIR: He was your Walgett principal, so we're taking it seriously. Thank you for that.

The Hon. SARAH MITCHELL: That's okay.

The CHAIR: The document has been tabled, then. It will be photocopied and circulated to the members of the Committee. If I can start my questioning, then. Minister, do you recall an op-ed piece for *The Sydney Morning Herald* at the end of 2019 where you said you wanted politics, particularly party politics, out of the classroom?

The Hon. SARAH MITCHELL: Yes, I do recall that.

The CHAIR: Why is it three years later when parents complain to the department about political content in the classroom, the department tells them there is no policy for the display of political propaganda in schools?

The Hon. SARAH MITCHELL: If you've got any specific references or instances you would like to refer to, Chair, that would be helpful. What I can say is, as you're well aware as are other members of the Committee, there is the Controversial Issues in Schools Policy. It makes it very clear that schools are to be apolitical; to be neutral places for rational discourse. That policy is widely available and implemented in our schools.

The CHAIR: But why are parents being told there is no policy for the display of political propaganda in the classroom?

The Hon. SARAH MITCHELL: Do you have any more information, Chair, in terms of the parents or—

The CHAIR: Well, I've seen correspondence from the department saying that. Is there a policy that the department has about the display of political propaganda in the classroom?

The Hon. SARAH MITCHELL: Controversial Issues in Schools Policy.

The CHAIR: Is there a policy that goes out saying party political material shouldn't be on the wall or saying, like Lindfield did, "pigs out of the country" shouldn't be hanging from the ceiling?

The Hon. SARAH MITCHELL: Again, Chair, if you would like—

The CHAIR: Is there any policy?

The Hon. SARAH MITCHELL: Well, the Controversial Issues in Schools Policy, which is available for anybody who would like to have a look at that, makes it clear, as I said, that schools should be neutral places. Lindfield is an example that you've raised that I believe you've canvassed and was canvassed some months ago—maybe even more than a year ago. We were given the opportunity to speak about that, I believe, in a budget estimates hearing or certainly in other questions in relation to the investigation that took place into that particular matter, and that was conducted by PES. So that is something that is already being dealt with in terms of that local school context.

The CHAIR: But isn't the problem with the controversial issues policy that it's for the school to decide what's controversial and what's not, when clearly you've said there are certain kinds of politics that shouldn't be in the classroom? Why aren't they codified and schools informed that, "Here are 20 examples of political propaganda you shouldn't have in your classroom"?

The Hon. SARAH MITCHELL: With respect to that question, Chair, there are instances that may arise where parents have concerns about particular material that may be at a school. There is an opportunity for parents to raise any of those concerns, as I said, with the principal. There is a clear policy in terms of how controversial

issues in schools need to be managed. PES also do investigate any concerns that can be raised by a parent. If you're a parent at a public school and there is something that is concerning you that is happening at your child's school, there are absolutely mechanisms for you to raise that and appropriate matters to be investigated.

The CHAIR: What if the parents aren't told? Do you think it's a controversial issue, Minister, to have 13-year-old students watching lesbian kissing at a school without the parents even being told?

The Hon. SARAH MITCHELL: Again, Chair, I believe you might be referring to Nepean Creative Arts, which, again, you asked me—

The CHAIR: No, Campbelltown Performing Arts.

The Hon. SARAH MITCHELL: Campbelltown—sorry, my mistake; Campbelltown Performing Arts. Again, this was a matter that you've canvassed with me previously in the House and that I've responded to.

The CHAIR: But why isn't it specified in the controversial issues policy? You whitewashed it and said, "There is no great problem here."

The Hon. SARAH MITCHELL: I'm just not clear—

The CHAIR: Shouldn't it be clear that parents—particularly Christian, Muslim, Hindu; conservative-type parents; people of religious faith, in particular—should be notified in advance of these things so that they can take their children out of the class?

The Hon. SARAH MITCHELL: Again, Chair, the controversial issues policy makes it clear that school communities and parents are and should be made aware of any concerns in their school community. I note in relation to that particular school, my understanding is that there were no complaints from parents at that school.

The CHAIR: Well, I've got them. Minister—

The Hon. SARAH MITCHELL: I don't believe that there were any.

The CHAIR: Minister, do you understand that some parents are reluctant to complain to the school directly for fear of victimisation of their children?

The Hon. SARAH MITCHELL: Yes, absolutely.

The CHAIR: So they come to a member of Parliament, and these are real complaints.

The Hon. SARAH MITCHELL: Yes.

The CHAIR: Do you really need—morally, in your own position as a member of the National Party—to imagine how confronting and upsetting it is for people of religious faith, conservatives, with 13-year-olds at a school to find out after the event that this had happened?

The Hon. SARAH MITCHELL: With respect, Chair, I do think you're making a lot of assumptions in your question. If there are concerns that parents have that are raised with you as a member of Parliament, you are also able to raise them with me—and you often do. I will say that I do get quite a bit of correspondence from you, Mr Chair, across a range of issues that people raise with you. The other point that I want to make is that, of course, with the new parent directorate that has been set up, part of the work that we want that section of the department to do is to provide an opportunity for parents who, as you say, maybe feel uncomfortable about raising it directly with their principal. Now, I would hope that that wouldn't be the case, but I understand what you're saying in terms of you wouldn't want any potential ramifications against your child if you raise something—and I understand that point. But, again, that's why having that parent directorate gives an opportunity and will be another mechanism if parents do have concerns about anything that's occurring in their child's school to raise it directly with the department. I don't know whether the secretary wants to provide any more comment.

The CHAIR: Wouldn't it be helpful, given the volume of complaints and the concern about washback against your children at the school, to actually specify in the controversial issues policy what can be regarded as controversial so that schools are on notice that these things need to be notified to the parents?

The Hon. SARAH MITCHELL: But, again, Chair—

The CHAIR: I can give you a list of 30 items that have come across my desk that are clearly controversial. I raise them time after time.

The Hon. SARAH MITCHELL: Well, if you would like to provide those—

The CHAIR: Minister, at the end of it all, with your answers, the parents are so dissatisfied with public education that they talk about leaving the system. So wouldn't it help the system to codify what these issues could be?

The Hon. SARAH MITCHELL: With respect, Chair, we have more than 2,200 public schools. We literally have tens of thousands of parents right across New South Wales who are sending their children to public schools and knowing that they're getting a great education—and I am one of them. You raise a couple of specific examples here today, which are also examples that you have previously raised with me or through the Parliament or through questions on notice. If there are others that you wish to raise or concerns—any time that you do bring these to me, Chair, in good faith, we ask questions in terms of how these matters have been handled and any complaints that have been received. Again, if there are specifics that are concerning you, very happy to talk to you about those. But, again, making sort of general statements about this being a widespread issue—

The CHAIR: No, these are all specifics.

The Hon. SARAH MITCHELL: —I just don't agree with that premise.

The CHAIR: These are accumulated cases that reflect very poorly on the vagueness of the controversial issues policy. If you leave it to schools to decide what's controversial, then naturally there will be things that slip through that outrage the parents; that completely disillusion them about public education and send them to the other system. Isn't that obvious?

The Hon. SARAH MITCHELL: Again, Chair, there is a policy that exists. If parents have concerns about anything that might occur at their child's school, then they are able to raise it.

The CHAIR: After the event.

The Hon. SARAH MITCHELL: I mean, I did think that the Government canvassed these issues quite well in response to this Committee's inquiry into parental engagement and the parental rights bill that was being considered by this Committee. The policy exists. If parents have concerns about any aspect of their child's schooling, they can and should raise it with the class teacher, the principal or, indeed, with the department. That's true across a range of issues that a parent may have on any given day, Mr Chair.

The CHAIR: How many staff are working in the Student and Parental Experience Directorate?

The Hon. SARAH MITCHELL: I might ask the secretary if she has got those figures.

GEORGINA HARRISSON: Firstly if I may, Chair, I think you commented in your questions around the systemic issues here. We don't see, in our complaints data, department-level systemic issues. But if you do have, as the Minister has indicated, examples that we should be aware of, I am happy to take them. Mr Graham leads the area responsible for our parent and student experience directorate. I'll ask him to provide some details on staffing for you.

MARTIN GRAHAM: There are currently 51 staff in that area.

The CHAIR: There are 51 staff, and you put out a survey and got 450 parent responses. That is nine per staff member. Do you regard this as some sort of farce?

MARTIN GRAHAM: The Have your say response was just part of the methodology we used to receive information from parents. The Tell Them From Me survey had over 400,000 responses from parents. That was one of the other ways in which we took parent input.

The CHAIR: But that precedes this directorate being established.

The Hon. SARAH MITCHELL: Also, Chair, the directorate—

The CHAIR: And why were focus groups undertaken?

MARTIN GRAHAM: Sorry? Why were focus groups—

The CHAIR: Why were focus groups undertaken?

MARTIN GRAHAM: As I said, part of the broad methodology—you do 400,000 parents this way, survey this way, and focus groups to dig down on detail.

The CHAIR: How many parents were in the focus groups?

MARTIN GRAHAM: I can come back to you with some of that information.

GEORGINA HARRISSON: I would also add, Chair—

The CHAIR: Were the focus group results shared with the Minister's office?

MARTIN GRAHAM: I can check what we've been—

The CHAIR: Surely you know whether or not the secretary—

GEORGINA HARRISSON: Chair, very happy to provide that on notice.

The CHAIR: Minister?

GEORGINA HARRISSON: I would also add that we consult broadly in relation to the Parents and Citizens Association as representatives of parents in our system. Again, this is not an issue that they have specifically raised with us. These issues are not ones that they have raised with us directly.

The CHAIR: Minister, have you seen the focus group results from the directorate?

The Hon. SARAH MITCHELL: Chair, I'll take that on notice to check with my office. You asked if it had been provided to my office. Let me verify that and we'll come back to you.

The CHAIR: Would you regard it as inappropriate that these focus groups are being conducted and shared with your office in a pre-election environment? Focus groups are—

The Hon. SARAH MITCHELL: Like I said, Chair, I just want to check. I don't recall seeing the specifics of the focus group, but I just want to check that it wasn't provided to my office. But, again, in terms of the inference of your question, I think it's important that we make sure that the work that this parental group and directorate is doing is making sure that families feel and know that they can and should be engaged with their child's education in the public education system. I think the set-up of this directorate is a very positive step in terms of parental engagement. There is a lot of evidence that shows that if children's parents are more engaged in their education, it does lead to better outcomes. But like I said, I don't recall seeing that, but I'll take that on notice.

The CHAIR: We're very happy for the 450.

The Hon. ANTHONY D'ADAM: Minister, back in 2020 I asked you about the Education Amendment (School Safety) Bill 2017. Do you remember that?

The Hon. SARAH MITCHELL: With all due respect, Mr D'Adam, I can't say I do in any detail. Was it at an estimates hearing as well?

The Hon. ANTHONY D'ADAM: It was at an estimates hearing.

The Hon. SCOTT FARLOW: It was one of his greatest hits.

The Hon. SARAH MITCHELL: Sorry, I didn't mean to be derogatory about your performance at estimates, Mr D'Adam, but I don't really remember.

The Hon. ANTHONY D'ADAM: It's a bill that went through in November 2017. You had carriage of it in the upper House; is that right?

The Hon. SARAH MITCHELL: Yes. I was not the Minister at the time, but I did have carriage as part of the cluster with then Minister Stokes.

The Hon. ANTHONY D'ADAM: You're familiar with the powers that the bill conferred?

The Hon. SARAH MITCHELL: Yes.

The Hon. ANTHONY D'ADAM: It deals with issues around conduct both in a school environment but also conduct that pupils or others might engage in outside school. That's correct, isn't it?

The Hon. SARAH MITCHELL: Yes, that's my recollection.

The Hon. ANTHONY D'ADAM: It also has a power that enables a Minister to make a non-attendance direction, isn't that right?

The Hon. SARAH MITCHELL: Yes, that's correct.

The Hon. ANTHONY D'ADAM: Can you explain just a little bit about the non-attendance direction?

The Hon. SARAH MITCHELL: Like I said, it was five years ago that I did put that bill through, not being the Minister at the time. But my understanding and my recollection—and the secretary might want to provide a little bit more here—is that if there are particular concerns about a student then that is an option that is available to the Minister through that legislation. My recollection—and again, it is only my recollection—of the second reading debate is that it was one of those powers that, frankly, no Minister thought or hoped they would

ever have to use given the very serious nature of allegations that would need to be in place for that determination to be made. But to be frank, Mr D'Adam, that's about all I can recall about that particular—

The Hon. ANTHONY D'ADAM: It clearly gives the Minister power, if you believe on reasonable grounds, to direct that a non-attendance direction is necessary to protect the health or safety of students or staff at any school. It's a very significant power.

The Hon. SARAH MITCHELL: That's in the legislation.

The Hon. ANTHONY D'ADAM: Yes.

The Hon. SARAH MITCHELL: Yes, it is.

The Hon. ANTHONY D'ADAM: There was a delay in bringing the legislation in, wasn't there? It took 2½ years from when it was assented to when it was actually put into operation.

The Hon. SARAH MITCHELL: With respect, Mr D'Adam, this is a budget estimates hearing for 2022. I was not the Minister when that bill was created. I did put it through the upper House. You would appreciate that under parliamentary process the Minister for Education at the time, Rob Stokes, was in the lower House and I was in the upper House. Asking about 2½ years for that bill to be put predates my time as Minister. I would respectfully say to you it is not actually relevant to budget estimates hearings.

The Hon. ANTHONY D'ADAM: Actually, Minister, you were the Minister when that bill was idling and not actually in operation. It was your responsibility to bring it into—

The Hon. SARAH MITCHELL: With respect, are you talking about it getting assent? Is that what you're going to?

The Hon. ANTHONY D'ADAM: I am talking about it being proclaimed.

The Hon. SARAH MITCHELL: Right.

The Hon. ANTHONY D'ADAM: The bill coming into operation, that occurred on your time as Minister.

The Hon. SARAH MITCHELL: I believe we canvassed this when you raised it a couple of years ago. I can't remember the specifics, Mr D'Adam, but whatever the answer was then in terms of the time frame would be consistent with what the answer would be today. I'm just not quite clear what your concern is. If you want to elaborate, that might be helpful.

The Hon. ANTHONY D'ADAM: I'll proceed. I'll elaborate. In April I asked about the incident at Katoomba High School. Ms Cachia at the time pleaded sub judice, but I understand now the matter has gone to trial and a guilty verdict has been returned against the offender. I wanted to ask, firstly, Minister, whether you were briefed about that incident at or around the time that it occurred and it became an issue that the department was aware of?

The Hon. SARAH MITCHELL: I will take on notice your question in terms of briefings and time frames. I am aware of the incident that you're referring to. It's a very serious incident. There are legal processes underway and I believe obviously, as you've said, that part has been carried out in terms of verdicts that have been found. As I said, I've been made aware of the appropriate specifics of that case. But I'm happy to take on notice when that occurred because I don't have that here with me.

The Hon. ANTHONY D'ADAM: Sure, in terms of the timing. But you did receive a briefing? You can recall that?

The Hon. SARAH MITCHELL: I've certainly had discussions with members of the department team in relation to that particular school. I know that my staff have also spoken to departmental staff in relation to that matter. The local member has been in touch with me in relation to the particular school as well, the Labor member for Blue Mountains. Yes, it's an issue and a situation that I'm aware of.

The Hon. ANTHONY D'ADAM: It continues to receive some media attention because—

The Hon. SARAH MITCHELL: Yes, it does.

The Hon. ANTHONY D'ADAM: —there is some dissatisfaction with how the department has handled it.

The Hon. SARAH MITCHELL: If I could make some comments—

The Hon. ANTHONY D'ADAM: Perhaps I could ask some questions?

The Hon. SARAH MITCHELL: You've made a statement there in terms of some dissatisfaction. I wouldn't mind speaking to that—

The Hon. ANTHONY D'ADAM: I am going to get to a question.

The Hon. SARAH MITCHELL: That would be great.

The Hon. ANTHONY D'ADAM: Just to recap, I understand the issue is that a student was sexually assaulted by a peer. While this matter has proceeded through the courts both the survivor and the offender have been continuing to attend the same high school.

The Hon. SARAH MITCHELL: If I could—

The Hon. ANTHONY D'ADAM: There are issues there in terms of the competing obligations of the department in relation to providing a safe environment for students but also respecting due process of law.

The Hon. SARAH MITCHELL: Sure. If I—

The Hon. ANTHONY D'ADAM: My question is—

The Hon. SARAH MITCHELL: If I could respond to some of the things that you've just said there, though, Mr D'Adam, it would be—

The Hon. ANTHONY D'ADAM: My question is: You obviously received some advice in terms of deciding not to exercise that power that you have under the Education Amendment (School Safety) Act, that power to issue a non-attendance direction. Did you receive some advice about whether you should or shouldn't issue that direction?

The Hon. SARAH MITCHELL: If I could answer—if there's a question somewhere in there, if I could just have the opportunity to respond. I'm very conscious that this is an incredibly distressing situation. As you said, there have been legal processes and proceedings underway. I'm very well aware that it's been a very harrowing experience for the victim and her family. I'm very aware of that, Mr D'Adam. I think we need to make sure that we canvass these matters quite sensitively in a budget estimates hearing, as you would appreciate. I think it's also important to put on the record that those allegations in terms of that sexual assault did not occur on the school site. It was not something that occurred at the school. But I certainly appreciate how challenging it must have been for the victim to be at school with her—with the offender.

As part of that information that I received, I did direct the secretary to conduct some work in terms of making sure that how we manage these particular situations in schools is world's best practice because I can certainly sympathise with how harrowing it must have been for the victim. But I also think it's important to put on the record that while it was only an allegation while the legal proceedings were underway, we also do have fair and due process in the criminal justice system in this country as well. They are very complex issues and it's very sensitive.

The Hon. ANTHONY D'ADAM: I accept that. But, Minister—

The Hon. SARAH MITCHELL: If I could just finish my answer because this is serious and it is important. In terms of making sure that, as a Department of Education, if there are instances such as this where you have a victim and an alleged perpetrator—or now a convicted perpetrator, as the legal proceedings have been underway—that these are managed sensitively, that they are managed appropriately, and also that the department has world's best practice when it comes to dealing with these scenarios. Which is why I did direct the secretary to conduct a review to make sure that if there are things that we could do across our school system that better manage or better handle or provide better support to school communities if they find themselves in this situation, I do think that that is very important.

The Hon. ANTHONY D'ADAM: Minister, you would accept that your primary duty is to make sure that the school environment is safe for learners.

The Hon. SARAH MITCHELL: Yes, absolutely.

The Hon. ANTHONY D'ADAM: That's the primary duty.

The Hon. SARAH MITCHELL: Of course.

The Hon. ANTHONY D'ADAM: Why then, when you were confronted with a decision about protecting a student—clearly there was a hazard in that school in terms of the risks to their health and safety, the psychological impact of having them have to attend school, the survivor having to attend school with the perpetrator clearly presented a health and safety hazard to that student. Your primary duty to is assure that that student can attend a safe learning environment.

The Hon. SARAH MITCHELL: Yes. So, Mr D'Adam, if I could—

The Hon. ANTHONY D'ADAM: You had a choice, Minister—

The Hon. SARAH MITCHELL: That's not true.

The Hon. ANTHONY D'ADAM: No, I have got a question.

The Hon. SARAH MITCHELL: No, no.

The Hon. ANTHONY D'ADAM: No, you'll wait for my question, Minister.

The Hon. SARAH MITCHELL: Please be very careful, be very careful with your line of questioning, Mr D'Adam.

The Hon. ANTHONY D'ADAM: You had a choice, you had a choice, Minister.

The Hon. SARAH MITCHELL: Mr D'Adam, I completely reject what you're saying here.

The Hon. ANTHONY D'ADAM: You had a choice.

The Hon. SARAH MITCHELL: It is so inappropriate.

The CHAIR: Order! The Minister will be allowed to respond please.

The Hon. SARAH MITCHELL: It is highly inappropriate.

The Hon. ANTHONY D'ADAM: It goes to the question, Chair.

The Hon. SARAH MITCHELL: Mr D'Adam, we are talking about an incredibly serious allegation here that had a legal process to go through. If you're suggesting that I should have made a decision or I had a choice as the Minister in terms of making a predetermination in terms of a legal matter about an issue that occurred outside a school site and that I ignored that or that I wasn't cognisant of how difficult or challenging it would be for the victim, I completely reject that assertion. It's offensive.

The Hon. ANTHONY D'ADAM: You can be offended.

The Hon. SARAH MITCHELL: The reality is that there is an opportunity for school communities to manage these instances, as harrowing and as challenging as they are. The alleged perpetrator at that time was an alleged perpetrator. If you're suggesting I should pre-empt a criminal process and make decisions arbitrarily, I think that that is just absolutely offensive, particularly to the victim and the seriousness of this situation. I find this line of questioning completely inappropriate.

The Hon. ANTHONY D'ADAM: Minister, you have a primary duty to protect the health and safety of students first. When exercising that duty—

The CHAIR: Ask a question.

The Hon. SARAH MITCHELL: What's the question?

The Hon. ANTHONY D'ADAM: I'll get to my question. When exercising that duty, you have to balance that primary duty against the rights of the alleged perpetrator at the time. Why did you choose to privilege the rights of the perpetrator over the right to that student having a safe environment at school? Why did you make that choice?

The Hon. SARAH MITCHELL: Mr D'Adam, I find your line of questioning offensive. I'll ask the secretary to provide some more commentary in relation to how that matter was dealt with at that particular school. You are making a raft of assumptions in your question which are incorrect. The reality is that this is a very serious matter that was being investigated by the police, which was being investigated by PES. Surely you're not suggesting that there shouldn't be due process in terms of investigations and that Ministers should pre-empt and make decisions. Is that what you're saying? Is that what you're suggesting?

The CHAIR: Minister, you're not asking questions. We'll hear from the secretary, please.

GEORGINA HARRISSON: Thank you. If I may, just to make sure that some of the facts are on the table, firstly, this was an incident that did not occur at the school. This was not an incident that occurred at school; this was an incident that occurred in the community. The school was made aware of the incident and immediately followed appropriate processes a number of months after the alleged incident took place. The school responded appropriately. When we have issues like this, there are very complicated legal matters at play. There were a number of Acts that came into play together. Where there is something like an apprehended violence order in place, the school will act accordingly and make sure that we're able to protect both students.

Beyond that, it is an area where following a criminal justice proceeding and its outcome, it is easy to jump to hindsight and say, "Would you have done that in the case had you known that outcome?" But until that point, Mr D'Adam, we have to balance the rights of both students in this. When these incidents occur, they are invariably managed very well locally within the school context. Where there are alternative local schools available, those are often pursued. As I said, we would consult and take advice from the police in relation to making those decisions about ongoing education offering and what's appropriate. In this case, there was no apprehended violence order in place. We have been and we are looking at the international best practice. It is a complex area of law. Our lawyers are involved in that review and supporting us with it. We are looking at reviewing our obligations under the current law and looking at whether or not we think any amendments are required.

The Hon. ANTHONY D'ADAM: Did you provide advice, Ms Harrison, to the Minister about using the power that was conferred under section 26HA of the Education Act—the non-attendance directive?

GEORGINA HARRISSON: I will take that on notice, if I may, and make sure we're very clear on the advice that was provided to the Minister. What I would say is during this time we also have a duty to provide education for all students, and we have to think about the safety of both parties concerned and the implications of decisions we make on both parties prior to an investigation and court process completing. We take those issues very seriously; they are not taken lightly. These are complex issues and I absolutely appreciate the concerns of the families here and can only imagine what they have been through. The students are no longer at the school, but the school and the community remains there to support those former students, as required.

The Hon. ANTHONY D'ADAM: Ms Harrison or Minister, do you accept that you failed that student? That you failed them?

The Hon. SARAH MITCHELL: As I said in response to your earlier questions, Mr D'Adam, I think you need to be very careful with your line of questioning here. I am very conscious that at the centre of this there is a young woman who has been through an incredibly harrowing experience. I know that there were lot of supports provided to that student and her family through the department. I know that there have been legal proceedings underway. I have also made it clear that it is my expectation of the department to make sure that we follow world's best practice when it comes to managing these complex and serious and very sensitive issues. I don't have anything further to add.

GEORGINA HARRISSON: Mr D'Adam, if I may add in terms of the non-attendance power, that power was brought in for when there is clear proof that an immediate threat is likely to occur in a school, so more in line with steps we would take following things like counterterrorism issues, for example. So there is a very serious threshold for the use of that power. So it's not something that has been used in this circumstance previously, but I will take on notice its application in this circumstance. As I said, we are reviewing our actions under the current legislative environment we're operating under and looking at whether we think alternative legislative solutions are required.

The Hon. ANTHONY D'ADAM: You don't believe that the circumstances presented a psychological risk to the survivor?

GEORGINA HARRISSON: I'm not making any assertions about what the particular circumstances of that survivor were. What I am saying is that the intent of that power, when it came before the Parliament and was enacted, was to address immediate and real threats, such as a weapon on a school site, and was not envisaged to be used in this way. I'm not saying that that is not worthy of consideration, Mr D'Adam; I am just saying that that wasn't the intent that was behind the power in the first place.

The Hon. ANTHONY D'ADAM: Perhaps, Ms Harrison, you can elaborate on how you arrived at the decision not to intervene in the situation and take action to protect the health and safety of the survivor?

GEORGINA HARRISSON: Firstly, I think it's important that we remember the facts at the point in which the school was acting. An event had occurred in a community setting and came into the school. The school raised the issue through the incident hotline and they sought advice from the police in terms of the appropriate response to check whether or not there are mechanisms such as an apprehended violence order, as I indicated earlier, in place. They were not. Ms Nixon may be able to provide some further detail and, if not, I'm very happy to take on notice, Mr D'Adam, what else was undertaken in that circumstance.

The Hon. ANTHONY D'ADAM: I'm sorry. Ms Nixon?

LEANNE NIXON: So the event happened in 2019, as you're aware. The school was notified in 2020. Appropriate counselling was provided but, as Ms Harrison and the Minister have indicated, there was no police AVO in place.

The Hon. ANTHONY D'ADAM: Minister, will you apologise to the victim for the mishandling of this situation?

The Hon. SARAH MITCHELL: Well, I don't agree with the premise of your question and the assertion that you're making. I will repeat what I said earlier: This is a very serious and a very sensitive situation. I can't even begin to imagine what this experience would have been like for the victim and for her family. I think it is important that the police have done their work, that the department has done its work, and that we look to make sure that we have world's best practice when it comes to managing these very difficult and sensitive issues.

The Hon. ANTHONY D'ADAM: I understand that there was an internal investigation and that the parents of the victim have not been given access to the details of that investigation with regard to the handling. I understand there was some prior advice to the school that the perpetrator had engaged in conduct that might have foreshadowed the risk to the victim and that that was alerted to the school and there wasn't action taken appropriately. There's an internal investigation, as I understand it; correct me if I'm wrong. Ms Nixon, perhaps you can elaborate on the status of that investigation?

LEANNE NIXON: I'm happy to tell you what I can, which is there's been a PES investigation into school's management of certain student behaviours and this has been finalised. The findings of that are confidential but I want to be clear that the PES did not conduct an investigation into the sexual assault. It was a PES investigation into staff behaviour and at this point I'm not able to make any further comment on that.

GEORGINA HARRISSON: And, if I may, Mr D'Adam, these are ongoing investigations in the organisation subject to further legal proceedings and so we are unable to comment on that here. However, again, you know, once those legal proceedings are complete, very happy to provide what we are able to.

The Hon. ANTHONY D'ADAM: Can I ask about the consideration of the action the department took? Was legal advice provided about the possible exposure of the department if you took the action to direct non-attendance at school? Was that a consideration—that there might be some consequential legal action taken on the part of the perpetrator against the department? Was that a factor in your deliberations around what to do in this situation?

GEORGINA HARRISSON: Sorry, Mr D'Adam, I'm not sure I'm clear on your question but if you are inferring that we would take into account any financial liabilities in making a decision about the safety of a student, absolutely not.

The Hon. ANTHONY D'ADAM: No. My question is about whether you considered, in the action that you took, whether the action of directing that student, the perpetrator, from not attending, would have resulted in some form of legal exposure for the department?

The Hon. SARAH MITCHELL: No.

GEORGINA HARRISSON: No.

The Hon. ANTHONY D'ADAM: Was there advice provided to that effect to the department—

The Hon. SARAH MITCHELL: But again, just to be very clear, Mr D'Adam—

The Hon. ANTHONY D'ADAM: —to inform its deliberations?

The Hon. SARAH MITCHELL: —and Ms Nixon might like to add something here and correct me if I'm mistaken, as I said, it's a very serious issue. This was an event that occurred outside of the school grounds. My understanding is that the conviction of the perpetrator was only handed down very recently at which point neither the victim nor the perpetrator were—no, they were no longer students at Katoomba High School. So I guess my concern or question really back to you would be: While a legal process is underway, which has only recently been finalised, I would hope that you're not suggesting that pre-emptive decisions would be made about a person's guilt, separate or outside of that criminal justice system.

The CHAIR: Time is up.

The Hon. SARAH MITCHELL: Because I think that's incredibly concerning, if that's what you're trying to get to.

The CHAIR: We'll have to come back to that. Time is up. Minister, can I bring you to the terrible slur in the Lithgow district about "better breeding"—that the way to lift school results is better breeding among the parents. Do you recognise now the direct contradiction in the answers you provided on the *Notice Paper*? For instance, in answer to question 8933 on 29 June, you said:

The comment made was found to have been contained in the personal speaking notes of an employee.

The document was signed off, of course, by Debbie-Lee Hughes, the DEL. Then it says:

There is no evidence the phrase was verbalised.

So no-one has actually said this but Hughes has recorded it in her document and she's the only person who's got her name to that document from the meeting at one of the high schools. But then, just a few weeks later, on 1 August, in answer to question 9219, it says:

These comments have not been attributed to Ms Hughes.

Isn't this an attempt to say black is white and white is black? It just doesn't make any sense.

The Hon. SARAH MITCHELL: Not at all, Mr Chair, and I'm happy to ask Ms Nixon to once again provide some information in relation to that particular instance in the way that she did in the previous estimates hearing. As you would be well aware—and often members of this Committee are the most vigilant in putting questions on notice—we do get thousands and thousands and thousands of questions and obviously answer those appropriately. As there was an investigation underway into that particular comment—which, as I said in the House, is appalling; it should not be said at all—there was more information that was uncovered as part of that investigation and that's why there was updated advice provided to the House through that particular point.

The CHAIR: Ms Nixon, how can it be that the phrase was never verbalised—so it's only ever written in this document here dated 7 September 2020, signed off by Debbie-Lee Hughes alone? How can it be it was never spoken—it's only been recorded here—but then the comments have not been attributed to Ms Hughes? Who's the mystery person that you're blaming here, if it's not Hughes?

LEANNE NIXON: I just would like to be clear that, for privacy and confidentiality reasons, I can't provide the detail in relation to the employee who wrote the phrase. The investigation concluded that the comment was not made by the principal of Lithgow High School or Kandos High School, or the DEL.

The CHAIR: Well, if it wasn't a comment that was made—it says that in the answer; it was never "verbalised" and it was only ever recorded on this document—it must be Debbie-Lee Hughes, who signed off on the document and wrote those words, those offensive words, "better breeding", and is responsible for the writing of those words.

LEANNE NIXON: I can't make a comment on that. That's part of the investigation and I am not privileged to the detail of that.

The CHAIR: Is the investigation concluded?

LEANNE NIXON: The investigation is concluded.

The CHAIR: Why then can't the school community and the Lithgow district have some accountability for who made these disgusting comments reflecting on the breeding of the parents and the students at the school? Isn't it just another cover-up by this department to pretend that nobody's ever done anything wrong and in this instance nothing has happened to this person?

LEANNE NIXON: The investigation has concluded. The people—the two principals of Lithgow High School and Kandos High School and the DEL did not make those statements. The investigation did conclude that someone had made that statement—

The CHAIR: So you're saying the statement was made.

LEANNE NIXON: —as they managed to find in the investigation.

The CHAIR: Ms Nixon, how can you say a statement was made if it says here:

There is no evidence the phrase was verbalised.

GEORGINA HARRISSON: Chair, if I may, I'm very happy to take on notice and come back to the Committee with what we can. Some of this information is subject to privilege but I'm very happy to take away on notice and come back to you with information.

The CHAIR: What's the privilege involved? What's the privilege of saying in a school community they need better breeding and never being accountable for it? That's not privilege. That's covering up.

GEORGINA HARRISSON: Sir, I don't accept the assertion that this is covering up. I think it is a good lesson for us in how we respond—

The CHAIR: But what's the privilege? What's the privilege?

GEORGINA HARRISSON: If I may continue: It is a lesson for us in how we respond to documents we do not have in front of us and certainly for the record this was a document contained in a Standing Order 52 incorrectly included in those papers and, certainly, as we took questions on that, we should have been clearer in requiring sight of that document because I think that led to some of the previous confusion. Some of these issues are subject to ongoing matters within the department. We're taking advice on that. I am very happy to come back to you with any information we're able to provide.

The CHAIR: Secretary, how can you say you didn't have the document in front of you when your department lodged the document as part of the SO52 return?

GEORGINA HARRISSON: So, Chair, we didn't have the document in front of us in the budget estimates hearing. I would note that we have provided hundreds of thousands of documents and Standing Order 52s to this Committee and the upper House. If I was to come into this hearing with all of those documents in front of me, we probably wouldn't fit in the room.

The CHAIR: Well, this was a fairly high profile matter and it's incomprehensible to say that the phrase was never verbalised, yet the person who submitted and signed off on the document didn't use those words. Is there a perpetrator? Is there someone who did say those words—write down those words "better breeding"—and is responsible for them?

GEORGINA HARRISSON: So I think, as Ms Nixon has indicated, that has been subject to an investigation by the performance and ethical standards directorate of the organisation, and I'm very happy to provide to you what I can on notice in relation to the findings of that investigation.

The CHAIR: In those findings, was a perpetrator identified?

GEORGINA HARRISSON: As I've said, Chair, I'm very happy to take that on notice.

The CHAIR: No, you must know. Ms Nixon or Mr Currie, you must know whether or not a perpetrator was identified in an investigation that's now finalised. Either of you, please?

LEANNE NIXON: I'd ask Mr Currie to come in on that. As I said, the PES investigation has been completed.

The CHAIR: Yes. What did it find, Mr Currie?

DARYL CURRIE: Investigation has been completed. A person was identified and appropriate action was taken.

The CHAIR: And what action was that?

DARYL CURRIE: That's confidential between the employer and employee.

The Hon. ANTHONY D'ADAM: I'm sorry, you don't have that option here.

The CHAIR: No. You can't plead confidentiality in a matter like this.

DARYL CURRIE: Confidentiality of a PES investigation and the action taken with the employee—appropriate action was taken.

The Hon. ANTHONY D'ADAM: You've been asked what that action was. Without necessarily identifying the employee, you can tell us what action was taken.

The Hon. SARAH MITCHELL: With respect, Mr Currie has answered that question.

The CHAIR: What action was taken? You know the action that was taken. You can inform this Committee. You say that the identity of the person is confidential, but you must be able to tell us the action that was taken.

DARYL CURRIE: They received an appropriate remedial action with regard to that behaviour.

The CHAIR: Minister, are you happy having someone at the senior levels of your department and running our schools who would reflect on the "better breeding" that's needed in the school community to get better results? Shouldn't this person be straight out the door?

The Hon. SARAH MITCHELL: As I said earlier, Chair, I find that particular comment, or an assertion that that comment was made, incredibly concerning. PES has completed and done their investigation. You're also making an assumption in your question that it was a senior person within that school community. For privacy reasons that hasn't been identified, and that's appropriate. I am confident with the way that this matter has been handled by the department.

The CHAIR: Did anyone other than Debbie-Lee Hughes sign off on this document from the DEL meeting on 7 September 2020? Mr Currie, you did the investigation. You must know if it was Hughes and Hughes alone responsible for this document.

The Hon. SARAH MITCHELL: With respect, Chair, Mr Currie has already made it clear that there are privacy considerations and that there will not be a name given of the person who was responsible. They are entitled also to due process and that has been conducted through PES and the work that they have done.

The CHAIR: I'm asking a question that has an answer available. Did anyone other than Debbie-Lee Hughes sign off or write this document?

DARYL CURRIE: I can give you the information that that document was not written by Ms Debbie-Lee Hughes. That document was brought to a meeting by another person and then was taken by Ms Hughes after the meeting, and that person is no longer a permanent employee of the department.

The CHAIR: Why has the document only got the name "Debbie-Lee Hughes" on the bottom?

DARYL CURRIE: I believe—

The Hon. SARAH MITCHELL: You just answered that.

DARYL CURRIE: Sorry.

The Hon. SARAH MITCHELL: Sorry. You just answered that it was taken from the meeting.

DARYL CURRIE: That I can't answer. In terms of the investigation, my understanding is that that document was taken by Ms Hughes away from the meeting. So her name was, I assume, placed on that document by her at the end of that meeting.

The CHAIR: What are you saying? She didn't read it?

DARYL CURRIE: I can't answer that.

The CHAIR: Okay. We'll do an SO 52 and get the whole thing and put it out there publicly. It's a disgrace. It's a disgrace that it happened, and it's a disgrace the way the department has handled it ever since with regard to the cover-up.

GEORGINA HARRISSON: I would, Mr Chair, just—

The CHAIR: Minister, can I come to you about the status of teaching?

The Hon. SCOTT FARLOW: Point of order, Mr Chair: I think the secretary wished to add to that.

The CHAIR: Secretary?

GEORGINA HARRISSON: I wanted to make sure the Committee, as part of Mr Currie's evidence, heard his response that the individual concerned is no longer working for the department as a permanent employee.

The CHAIR: Secretary, have you got confidence in Debbie-Lee Hughes, someone who'd sign off on a document that says "better breeding" but apparently hadn't read it or is now not responsible for the document she signed off on? What sort of competence is that?

GEORGINA HARRISSON: Chair, I would respectfully say that one document does not make a judgement on someone's performance or contribution to the system—

The CHAIR: No, I'm sure it doesn't. Not in this department.

GEORGINA HARRISSON: —and it's not appropriate in a budget estimates hearing to comment on the performance of an individual staff member.

The Hon. COURTNEY HOUSSOS: Minister, you would be aware of a question I asked on notice about the number of merged classes and minimal supervision at Chester Hill High School on 31 January this year?

The Hon. SARAH MITCHELL: At Chester Hill?

The Hon. COURTNEY HOUSSOS: Yes.

The Hon. SARAH MITCHELL: What QON number was that, Ms Houssos?

The Hon. COURTNEY HOUSSOS: That was 8146. You provided an answer saying that there were 150 instances of minimal supervision in 2021, mostly for senior classes, and that classes were merged 37 times. Can you explain how you collected that data?

The Hon. SARAH MITCHELL: Yes, I'm very happy to. I would also add that my office has recently provided an update to a number of questions on notice—I think largely put by you, Ms Houssos—in relation to the collection of data around minimal supervision and merged classes. This comes off the back of a large number that you put in not so long ago where the answer was given, of course, that this is not data that's centrally held by the department. There's an update that I believe went to the Clerk's office as recently as last night to clarify concerns with the validity of that data after being made aware, with that large bundle of almost 100 schools, that it is not possible for us to verify with complete certainty the accuracy of that data, given the very manual nature of collecting that. Schools aren't required to have a system or mechanism to have the data for collapsed classes, for merged classes or for minimal supervision. There's no consistent methodology that schools use. There's no department central collection of that data. When it was clear to me that we couldn't stand behind the accuracy, there was an update provided—as I said, I believe yesterday—after seeking some advice from the Clerk's office about that, which would also apply to the particular question that you're raising today.

The Hon. COURTNEY HOUSSOS: Okay. I have just pulled up another question I lodged which I think you might be referring to—one of them—which was lodged on 7 July about Cambridge Park High School.

The Hon. SARAH MITCHELL: Is that one of the 90-odd you put in on the same day, just to be clear?

The Hon. COURTNEY HOUSSOS: That's exactly right, yes. They were the ones that asked about merged and minimal supervision.

The Hon. SARAH MITCHELL: Yes.

The Hon. COURTNEY HOUSSOS: How then did you provide the answer to the one on 31 January?

The Hon. SARAH MITCHELL: If I can just be clear, we get hundreds of questions—indeed, thousands of questions in my time as Minister—on notice from the Committee. Every time you ask a question, Ms Houssos, about a particular school, we need to go to that school and try to ascertain that information. In relation to this matter of minimal supervision and merged classes, as I said, there is no central method of collection. Schools are not required to keep this data on file. In practice, what happens in school communities is that schools will have a day sheet, generally speaking, where they will manage any instances or occurrences of merged classes and of minimal supervision as best as they can. It's not a perfect record. It's not a perfect science. Schools will manage it differently. There is no central method to do that.

My understanding is that in previous situations and that question that you're referring to, that would have been information that was sought from the school. Where the concern that I had as Minister came into effect was when you did have that large number of more than 90. I believe I put this on the record in relation to a debate recently about an SO 52 as well. The fact is that when the department went to get that information from the schools, the fact that it literally took hours and hours and hours of operational school time for those schools to try to provide that data back to us—there were complaints or concerns that made it through my office from both the federation and the SPC with regard to the time and the admin burden that frankly, Ms Houssos, you and the Labor Opposition put on these schools to try to collect this data.

The fact that there were so many concerns about how long it took made it clear to me that I needed to ask more questions about the collection of the data and the validity of that data. I had discussions with Ms Walker and also Mr Dizdar in relation to that. What they provided to me—and I'm sure they're both happy to speak to this as well. As I said, it really relies on the record of that particular school. There is a completely high proportion of chance that there would be human error in relation to that. I understand you asked for six months' worth of data from particular schools at a time where we know we've had very high sick leave and sick rates in the system. Schools are dealing with the challenges of COVID and flu and managing instances of minimal supervision and merged classes, which often appear when you have large numbers of staff calling in sick.

The bottom line is that I wasn't confident in providing data to the Committee and to the Parliament that I couldn't stand behind with regard to its accuracy, which was why the answer that was presented was that we don't collect this centrally. There is no way to replicate this in a repeatable way that can be compared across schools. You also asked in a number of those questions—in fact, all of those questions—about vacancy rates at the school. We did provide that data because that is data that we hold centrally and we can stand behind its accuracy.

The Hon. COURTNEY HOUSSOS: Let me just say, the reason why we are asking these questions is that we are hearing anecdotally from schools and from teachers and from parents that this is a huge issue—that merged classes and minimal supervision is a huge issue confronting schools, confronting teachers, confronting principals.

The Hon. SARAH MITCHELL: Right.

The Hon. COURTNEY HOUSSOS: And the reason why we're asking this is because you released a Teacher Supply Strategy last year—

The Hon. SARAH MITCHELL: We did.

The Hon. COURTNEY HOUSSOS: —to finally address the teacher shortages that are confronting our schools.

The Hon. SARAH MITCHELL: I'm pleased you're acknowledging we have a strategy and a plan because that's very different to the media commentary you make, Ms Houssos. Thank you for acknowledging the supply and the plan and the money to fund it.

The Hon. COURTNEY HOUSSOS: There's a strategy. Whether it's actually being executed, we will pursue further this afternoon, Minister.

The Hon. SARAH MITCHELL: You can ask me while I'm here.

The Hon. COURTNEY HOUSSOS: But can I ask—

The Hon. SARAH MITCHELL: I'd love to get an education policy question from you. It would be great. Sorry, go on.

The Hon. COURTNEY HOUSSOS: Minister, I'm trying to ask you a question now. Minister, how can you compile a Teacher Supply Strategy when you don't actually know the extent of the shortages in New South Wales public schools?

The Hon. SARAH MITCHELL: If I could just offer, Ms Houssos—and, you know, frankly it's not my job to educate you on the operational matters of schools—if you're trying to conflate issues around minimal supervision and merged classes and then somehow make a claim because your union mates have told you to, that that inflates to be—

The Hon. COURTNEY HOUSSOS: I'm going to stop you there, Minister.

The CHAIR: Order! Minister—

The Hon. COURTNEY HOUSSOS: I'm asking you a serious question—

The Hon. SARAH MITCHELL: With respect, you are asking a serious question and I'm trying to answer that.

The Hon. COURTNEY HOUSSOS: —about teacher shortages in schools—

The Hon. SCOTT FARLOW: Order! Let the Minister finish.

The Hon. SARAH MITCHELL: I'm trying to answer, Ms Houssos.

The Hon. COURTNEY HOUSSOS: —and you have continued to slur me and the Labor Opposition this morning.

The Hon. SARAH MITCHELL: That is not correct.

The CHAIR: Order! Minister, it will help the Committee if you don't make references to Committee members, those asking questions, that unfairly reflect on their motivation and who's making them ask certain questions, which I think in this instance is just not valid.

The Hon. SARAH MITCHELL: With respect, I also wouldn't like assertions made about my answers. The reality is you've asked for data about—

The CHAIR: Minister, nobody here says someone's put you up to something, which is pretty offensive in terms of the conduct of the hearing. Can we just stick to factual answers, please?

The Hon. SARAH MITCHELL: Sure. That's fine. Yes. As I said, trying to conflate the issues of merged classes and minimal supervision in terms of teacher supply I think doesn't adequately address the operational day-to-day matters of a school. We've been really clear, particularly in the current context—and again the secretary might like to provide some data, but in terms of the number of sick days that we have in the system so far this year, even compared to last year, it's more than 30 per cent in the system. Often a merged class or a collapsed class or minimal supervision will occur when you have large numbers of staff who are unable to be there if they're sick, if they're doing professional development. Schools will make those decisions about how to manage those issues appropriately. What is important is that we look at what we can do in terms of long-term teacher supply. At the moment, access to casuals has been concerning. I hear that anecdotal evidence as well, Ms

Houssos. I visit schools all the time as education Minister. I understand the pressures that our workforce is under at the moment. I know it's been a very tough year.

The Hon. COURTNEY HOUSSOS: So why aren't you compiling the data?

The Hon. SARAH MITCHELL: I have said to principals that I understand that if some of them feel like what they're doing at the moment is really focusing on filling the gaps because you've got massive numbers of teachers calling in sick—it's been a really challenging 2022, and we would all admit that. I think now is the time to say an amazing thank you to the school staff who are managing when you've got big pressures of people calling in sick. It happens when we see COVID cases and when we've had a particularly tough flu season, and the data around sick leave absolutely backs that in, which we're happy to provide to you. That's publicly available.

The Hon. COURTNEY HOUSSOS: But, Minister, I'm asking you questions about what the extent is of the shortages of teachers in our schools currently. How can you determine how many teachers we will need if you don't even know how many classes aren't being covered at the moment?

The Hon. SARAH MITCHELL: But, Ms Houssos, like I said, you're conflating two issues there that are incorrect. If you want to know about staff shortages at those particular schools, permanent positions that are vacant, that was provided to you in answers to those questions—all 90-odd schools. So to make an assumption—

The Hon. COURTNEY HOUSSOS: That's only part of the—

The CHAIR: Order!

The Hon. SCOTT FARLOW: Point of order: Let the Minister finish.

The Hon. SARAH MITCHELL: Well, no, I have a right to answer your question—

The Hon. COURTNEY HOUSSOS: And I'm allowing you to.

The Hon. SARAH MITCHELL: —and, again, Mr Dizdar or Ms Nixon might want to add something. You are confusing the day-to-day operations of a school. Minimal supervision and merged classes largely occur when you have staff who have called in sick; you might have staff who are out for certain reasons that are unavoidable. On any given day, with respect, Ms Houssos, someone might get sick in the middle of the day and need to go home and you need make sure that you have those classes covered. It's an incredibly complex and nuanced situation.

There are two separate issues here. The first is how we're managing and supporting school communities through a very tough time with high periods of sick leave due to COVID, due to flu, the fact that we've been able to call in final-year university students, retired teachers, departmental staff to be deployed when schools are facing those challenges. Our DELs and our staffing teams work closely with those school communities when you have instances that occur. A broader issue of teacher supply—what we're doing to make sure we've got the teachers that we need in those permanent roles both now and into the future, as you've said, is part of our plan in our Teacher Supply Strategy. There's also work going on at a national level. You'd be well aware that education Ministers from around the country met recently to deal with these issues. They're two separate issues, Ms Houssos.

The Hon. COURTNEY HOUSSOS: No, they're not two separate issues.

The Hon. SARAH MITCHELL: They are, and like I said—they are.

The Hon. COURTNEY HOUSSOS: Minister, if you're not prepared to ascertain how many classes are being missed at the moment by students—

The Hon. SARAH MITCHELL: No, what I'm not prepared to do—I'll tell you what I'm not prepared to do.

The Hon. COURTNEY HOUSSOS: Are you going to allow me to finish or are you going to speak over me?

The CHAIR: With all due respect to Courtney Houssos, you interrupted the Minister who is now interrupting you.

The Hon. SARAH MITCHELL: Okay, we'll both behave, Chair. Sorry. I apologise.

The CHAIR: Can we just go one at a time? Courtney Houssos.

The Hon. SARAH MITCHELL: Ms Houssos, yes.

The Hon. COURTNEY HOUSSOS: Minister, if you won't collect the data about how many classes aren't being covered now because there aren't enough teachers to fill in the gaps, then how can you project how many teachers we will actually need?

The Hon. SARAH MITCHELL: As I've said, Ms Houssos, you are conflating two separate issues here. Mr Dizdar or Ms Nixon might like to add more in an operational context. If what you are asking me to do is set up a new system where we are going to say to every school, "Can you enter in every day how many merged classes you have, how many instances of minimal supervision?"—because the only way that we could get that data with any form of complete accuracy that could be compared across schools across the system would be to set up an entire new administration system for schools to do that. If you're asking me if I'm prepared to do that, the answer is no, because I want schools to be focused on dealing with filling those immediate issues on a school day-by-day context as they arise if you do have staff who are calling in sick or who are out of the classroom for various number of reasons, as you would appreciate, with more than 2,200 schools across the State.

The Hon. COURTNEY HOUSSOS: Minister, I'm not asking you—

The CHAIR: Let the Minister finish.

The Hon. SARAH MITCHELL: We are trying to lessen the admin burden on schools, not create an opportunity for our schools to be research assistants for the Labor Party to get data for you. The whole point of this is to make sure that the department is supporting schools when they do have instances of staffing pressures, particularly in a scenario where we have literally more than 30 per cent more sick days in the system this year. The context is really important, and they are separate issues to the broader challenges around staffing supply more broadly in certain subject areas, in certain geographical areas as well.

GEORGINA HARRISSON: If I could just add, that's a 30 per cent increase in sick days compared to last year, and if we compare it to pre-COVID levels, in the first two terms of 2022 we had 60 per cent additional sick days as compared to 2019 pre-COVID.

The Hon. COURTNEY HOUSSOS: Minister, how can you determine how many teachers we'll need if you don't know how many classes are being missed at the moment?

The Hon. SARAH MITCHELL: Ms Houssos, I'll repeat it again: You're conflating two issues. The reality is—

The Hon. COURTNEY HOUSSOS: No—

The Hon. SARAH MITCHELL: Well, you are, and we can argue the—

The Hon. COURTNEY HOUSSOS: You either have enough teachers to teach classes or you don't—

The Hon. SARAH MITCHELL: No, but, Ms Houssos—

The Hon. COURTNEY HOUSSOS: —and I'm not asking you to set up a new bureaucratic system.

The Hon. SARAH MITCHELL: But you are, because how else do you expect that data to be collected?

The Hon. COURTNEY HOUSSOS: I'm asking you how you as the Minister are asking the questions about kids who are not being taught in our schools. We have the fastest falling education outcomes in the world—

The Hon. SARAH MITCHELL: That's not true.

The Hon. COURTNEY HOUSSOS: —and you aren't asking whether we have enough teachers to actually teach our kids.

The Hon. SARAH MITCHELL: Yes, Ms Houssos, as I said, you are deliberately, I think, conflating two issues. I'm happy to explain to you again and again. Perhaps Mr Dizdar or Ms Nixon would like to provide some information.

The CHAIR: No, Minister, it's not helping the Committee to have the same answer four times.

The Hon. SARAH MITCHELL: But the answer's the answer, Mr Chair.

The CHAIR: I'd ask Courtney Houssos to move on. We're conflating the conflation.

GEORGINA HARRISSON: I'm very happy to provide some information on the data we use to compile teacher modelling around our needs in terms of teacher demand for teacher supply. I would note that the figures the department work from align very well with the national figures that were released as part of the round table publicly that the Minister referred to. So national modelling is supporting the work that we've done here in New South Wales. Our projections in terms of teacher supply needs—our rolling figures, they're updated regularly

so they are only point-in-time. We rely on several data sources and make a number of assumptions in putting together those projections.

Firstly, in terms of teacher demand, it's based on all the teachers paid, including temporary and casual teachers, to account for leave requirements as well as non-entitlement positions. This base is then projected forward at expected growth rates derived from projected student enrolments. In terms of teacher supply, this is based on existing teachers with current accreditation plus expected university commencements and completions apportioned to the department by historical average approval-to-teach rates. Supply projections are then also projected forward to account for the rates of exit from the workforce for reasons such as retirement.

So we have a model that looks at both our demand and supply, Ms Houssos, and I think, as the Minister has indicated, that kind of structural demand into the future based on student needs and those projections are somewhat different from the immediate challenges we have been facing through 2022. I want to thank all of our schools for the work they have done. I think COVID has been challenging from the outset. I think I would say that I think this year has been the most challenging for our schools to operate through in relation to the global pandemic. We came back to school this year in January as we headed and came through the first wave of Omicron. Towards the ends of term one we had another wave of COVID. We then had successive waves of other winter illnesses—

The Hon. COURTNEY HOUSSOS: Ms Harrison, I'm familiar with what's happened this year—

The Hon. SARAH MITCHELL: Context is important.

The Hon. COURTNEY HOUSSOS: —and I appreciate it and we're going to ask you some more questions about it this afternoon.

GEORGINA HARRISSON: And so that 60 per cent absence rate—

The Hon. COURTNEY HOUSSOS: We've got really limited time with the Minister. I'd just like to move onto another issue. Minister, we've asked you lots of questions about Gregory Hills primary school. Is it true that instead of an actual school build to open next year, it will be another demountable pop-up?

The Hon. SARAH MITCHELL: Thank you, Ms Houssos. I'm happy to give you an update in relation to that when I find it on my very long list of school infrastructure projects that this Government is delivering. Bear with me for one second. I want to be clear that we are absolutely building a new permanent facility for that school. A temporary school will be established at the beginning of 2023 to support the opening of the new primary school there. Work is currently continuing on the development of the SSD application as well. Certainly, that temporary pop-up school will be, as the name suggests, temporary so that we can start students in that school at the beginning of the school year. We find that that's very important. Particularly being a new school, parents often want to start at the beginning of the year as opposed to midway through. I'm not sure whether Mr Manning wants to provide any more detail in relation to Gregory Hills.

The Hon. COURTNEY HOUSSOS: This is school that was first promised 10 years ago, that the community has been waiting for and that your Government chose not to fast-track for construction, and now they're being offered a temporary school.

The Hon. SARAH MITCHELL: Just a couple of points there.

The Hon. COURTNEY HOUSSOS: Will the temporary school have support classes?

The Hon. SARAH MITCHELL: Sorry, Ms Houssos, what do you mean we chose not to fast-track for completion?

The Hon. COURTNEY HOUSSOS: Under the COVID programs, you decided not to fast-track it.

The Hon. SARAH MITCHELL: But that was a different—Mr Manning can talk about why that project was—

The Hon. COURTNEY HOUSSOS: I can talk to Mr Manning about that this afternoon.

The Hon. SARAH MITCHELL: No. With respect, Chair, the procedural—

The Hon. COURTNEY HOUSSOS: We've only got limited time with you this morning. I want to ask you a specific question.

The Hon. SARAH MITCHELL: You've made an assertion in your question that there was a choice by Government not to fast-track that particular school. You've also made assertions in your question that are wrong in terms of our Government committing to that particular school 10 years ago. If you would like some clarity in relation to the process that was made for those COVID—

The Hon. COURTNEY HOUSSOS: We've gone through that at length during other budget estimates hearings.

The Hon. SARAH MITCHELL: If you've gone through it then you should know—

The Hon. SCOTT FARLOW: Let the Minister finish.

The Hon. SARAH MITCHELL: —better and not make an incorrect assertion, Ms Houssos, with respect.

The Hon. COURTNEY HOUSSOS: We have limited time. I would like to ask you—

The Hon. SARAH MITCHELL: You're saying that we chose not to fast-track it. My understanding is that it wasn't a project that was at that stage that could have been considered under that. So you're wrong.

ANTHONY MANNING: That's correct.

The Hon. COURTNEY HOUSSOS: Minister, I would like to ask you if the temporary school will have support classes that have been promised as part of the permanent build?

The Hon. SARAH MITCHELL: I'll ask Mr Manning to respond to that.

ANTHONY MANNING: The temporary school will have the facilities that the school needs. We're working with the school to understand that. You may or may not be aware but there is a DA application that has been put in for the school that's with council at the moment. If, as a consequence of conversations with the school, we need to amend that to put additional capacity in, we will do. But that conversation is ongoing with the school at the moment. If the school requires—

The Hon. COURTNEY HOUSSOS: We'll have some more questions this afternoon, Mr Manning. I want to come back to the Minister.

ANTHONY MANNING: If the school requires support classes then they will be provided as part of the pop-up school, yes.

The Hon. COURTNEY HOUSSOS: Minister, how many pop-up demountable schools will be built this year?

The Hon. SARAH MITCHELL: I might ask Mr Manning whether he's got a figure. Obviously, just thinking off the top of my head, there are a couple that I'm aware of that we will be putting that in place. I know down in Bungendore for the new high school and in Jerrabomberra. Pleasingly, the sod turn for the Jerrabomberra high school happened last week and construction will start soon. I know of at least those two off the top of my head, but Mr Manning may have the list.

ANTHONY MANNING: With those two, including Mulgoa and Gregory Hills, there are four.

The Hon. COURTNEY HOUSSOS: Four pop-up demountable schools instead of permanent builds. It's going to be the year of the demountable pop-up school.

The Hon. SARAH MITCHELL: With respect, Chair, and with respect, Ms Houssos, not instead of permanent builds. Permanent builds are occurring at all four of those school projects. So you are wrong to assert that they are not permanent schools being built; they are. The reality is that in all of those school contexts the planning process has taken longer than we had anticipated. We've made a decision in terms of educational delivery for those school communities to start in those temporary facilities. The very name and the nature suggest that they are temporary because it is our Government that will deliver and build those four permanent schools for those communities. The reality is—

The Hon. COURTNEY HOUSSOS: After the community has been waiting 10 years.

The Hon. SARAH MITCHELL: How long did they wait for you guys to deliver anything?

The Hon. COURTNEY HOUSSOS: Minister, I have one last question about another school project.

The Hon. SARAH MITCHELL: A long time.

The CHAIR: That clarifies it. Thanks, Minister.

The Hon. COURTNEY HOUSSOS: Jindabyne campus, will it be open for students next year?

The Hon. SARAH MITCHELL: Again, I might ask Mr Manning to provide some information. My understanding of that particular school community is that it has been quite complex. I think the SSD has been submitted. It's also tied up with the broader redevelopment of Jindabyne. I think there's some work that needs to

be done in terms of what's made available at that school community. I think we've already clarified, I believe. There was a press release that was issued by myself that said that we are anticipating completion of that project by 2024. I think that's already in the public domain, Ms Houssos.

The Hon. COURTNEY HOUSSOS: So it won't be open for next year.

The Hon. SARAH MITCHELL: I think we've already said that publicly. I recall already doing that, so that's not new.

The Hon. COURTNEY HOUSSOS: In terms of co-educational school catchments, you said that all of them would have access once the schools in Oatley were resolved.

The Hon. SARAH MITCHELL: Again, I'll get Mr Dizdar—I think that your assumption there might also be incorrect. We are looking at this matter more broadly. We are looking at it particularly in relation to those school communities that I think we've canvassed before. Mr Dizdar might like to provide some more information.

MURAT DIZDAR: We are—

The Hon. COURTNEY HOUSSOS: That's okay. We can go into more detail with Mr Dizdar.

The Hon. SARAH MITCHELL: Sorry, Chair, with respect, in procedural fairness, Ms Houssos has asked a question. Earlier in this hearing we received feedback from the Committee that if we had the answer to provide, we should provide it. That was a very clear determination to Mr Dizdar in relation to a question of yours, Ms Houssos.

The CHAIR: Yes, we've got that now.

The Hon. SARAH MITCHELL: But, with respect, you can't ask a question, not allow the witness to answer it and then say, "We'll come back to it." He's allowed to answer it.

The CHAIR: Mr Dizdar?

MURAT DIZDAR: I'd like to.

The Hon. SARAH MITCHELL: It's up to you to manage your time.

The Hon. COURTNEY HOUSSOS: My time has expired.

The Hon. SARAH MITCHELL: That's up to you to manage your time.

MURAT DIZDAR: I'd welcome the opportunity to answer, Chair.

The CHAIR: A pointed answer, please.

MURAT DIZDAR: Georges River College comprises of Hurstville Boys, Penshurst Girls, Peakhurst and Oatley. The local members there are Mr Coure and Mr Minns. There are two local members. We have briefed both local members at my level with the director of educational leadership on two occasions. We are out on a community consultation process and we're asking the community, both current students and prospective students, current families and prospective families, current interested community and prospective interested community for their views in relation to three options. Should we keep the status quo in the college? Should we have a co-educational campus right across each of the settings? Should they be four standalone schools, 7 to 12? We've briefed both local members. There's a multiplicity of consultation opportunities available. I'm pleased to report that we're underway. The consultation closes at the end of the school term. We've committed to go back and brief the local members alongside our Minister and Minister's office. We've indicated that we'll consider the report that we're provided with through the consultation in term four this year and make a recommendation to the Minister in relation to that consultation.

The Hon. COURTNEY HOUSSOS: Can I ask one follow-up?

The CHAIR: No. Thank you, Mr Dizdar. Minister, one of the big issues coming out of our inquiry into the teacher shortages is how we upgrade and lift the status of teaching in New South Wales. What's your policy?

The Hon. SARAH MITCHELL: Thank you, Chair. I'm pleased that that is something the Committee is considering as part of its review because for me, as Minister, and, indeed, in many conversations I have with teachers, both in schools and in the different groups that I meet with regularly, there is real concern that there has been a lack of respect for the teaching profession in the community. I think that probably goes more broadly to societal issues. We think it's important that we help to raise—as one teacher put it to me recently—the prestige of teaching, and what an amazing opportunity it is each and every day to literally educate the next generation.

There is a range of things that we want to do in order to make that happen, Mr Chair. One of which is the advertising campaign which is a part of our Teaching Supply Strategy, which we'll be rolling out very soon to tell some wonderful stories about public education and the great opportunities that you get as a teacher. This is also something that was canvassed by all education Ministers from around the country when we met a few weeks ago. There was some conversation and consideration of a national campaign around raising awareness of the importance of teaching, that it's a great job and that we want to attract more people into the profession.

The CHAIR: Other than advertising, what are you doing to lift the status of teaching?

The Hon. SARAH MITCHELL: I would add a few other things, Chair. Obviously working across a range of the initiatives as part of that Teacher Supply Strategy, including opportunities for mid-career teachers to come into the profession. Also, looking at opportunities to have SLSOs in our schools and upgrading their skills to become teachers. We also have a Grow Your Own initiative, where we want to identify particularly young year 11 and 12 students who might be interested in a career in teaching and support them through that. The scholarship opportunities as well. Of course, Mr Chair, I would also mention—I'm sure you would be well aware of Professor John Hattie—that we have asked Professor Hattie to do some work for us in terms of a rewarding excellence model, what it could look like to provide an opportunity for our best teachers to be paid more and how that would work through our system. We've engaged the very eminent, very well respected Professor Hattie, as I'm sure you would agree, to do that work for us at the moment. I'm excited by what Professor Hattie might present to us in terms of those options as well.

The CHAIR: As a starting point there, do you acknowledge that the problem with teacher pay is not so much the starting level but the lack of advancement in the system? That after five, 10 and 15 years the pay hasn't gone up enough and quality people, high achievers, haven't been accelerated quickly enough through the system to keep them and reward them?

The Hon. SARAH MITCHELL: Yes. That's certainly something that I hear from teachers, and I think the evidence shows that.

The CHAIR: It's what Mr Hattie says as well.

The Hon. SARAH MITCHELL: That's right. I think Professor Hattie might have appeared before your Committee recently as well. I think that when you look comparatively at other graduate positions, teachers do start on a high salary. You are right, there does tend to reach a point, though, where that does cap out. Often what I find is that teachers will say to me that they feel they have to leave the classroom in order for career progression. I say this with some former teachers sitting around the table. Of course, we need good teachers going into the bureaucracy, but that also shouldn't be what teachers feel is their only option for career progression, which is why we have asked Professor Hattie to do the work that he has done. I also think in terms of ways that we could potentially lead the nation and even lead the world, and that is really exciting policy development.

The CHAIR: So you support the idea of faster progression for high achievers?

The Hon. SARAH MITCHELL: But we already do that, Chair. One of the initiatives—

The CHAIR: Do you already do it or do you support what Mr Hattie is saying?

The Hon. SARAH MITCHELL: I will just make two comments. We have already started to do that in terms of our school leadership with our FASTstream program, which you may be familiar with. Again, that's part of teacher supply. We have got I think it is 50—I might have to check those numbers—in the initial cohort to be a principal in a much shorter time frame, because school leadership is obviously really important. There is also, of course, the Highly Accomplished and Lead Teacher process, which is there to be carried out as well, and then there's the work that Professor Hattie is doing, Chair. There are three streams of work underway to recognise exactly the issue that you are talking about.

The CHAIR: In principle, you support the idea of faster progression at higher pay for our best teachers.

The Hon. SARAH MITCHELL: That is the work that we want Professor Hattie to do. If he's canvassed that with the Committee already, that's great.

The CHAIR: How are the current pay negotiations unfolding with the federation?

The Hon. SARAH MITCHELL: I might ask the secretary to provide an update on that. We are obviously going through an IRC process as well. She may wish to provide some more information.

GEORGINA HARRISON: Thank you, Chair. We continue to work through the IRC process. We have returned to a conciliation discussion last week and, following that, I believe we have hearings set down with the IRC in October, in which we hope to finalise the outcome of the wages component of the federation's claim.

The CHAIR: Minister, you mentioned high achievers and progressing them through the system. Are you happy with the current level of performance assessment? In 2019 the Auditor-General produced a report saying that effective feedback from classroom observation to teachers could improve student results by 30 per cent, which is a massive amount. But the Auditor-General pointed out in their sample that less than 10 per cent of schools in New South Wales were undertaking the supposedly mandatory two classroom observations per annum. Has that amount lifted now? Would you be confident that the mandatory two observations a year are being fulfilled in every New South Wales government school?

The Hon. SARAH MITCHELL: I might ask the secretary to provide a comment in relation to that, Chair.

GEORGINA HARRISSON: I am very happy to comment and then I might ask Mr Dizdar to give some examples of what we are seeing on the ground. In relation to teacher observations and the performance and development framework for teachers, these are matters covered by the teacher's award. It is part of the ongoing negotiations with the NSW Teachers Federation. It is also one of the issues we are seeking clarity on through the IRC.

The CHAIR: So you are seeking to change the award in this space?

GEORGINA HARRISSON: We are clear that we want to be able to support our staff with a modern performance development framework and that we are able to provide training and development for staff on that framework on how they can use it best for their own personal development and growth, which our teachers tell us that they are focused on and want to see. So, yes, we are looking at how we can make changes to clause 7 of the teacher's award in order to enable us to look at how we can improve that system.

The CHAIR: Are you confident at the moment of how many schools are actually doing the two mandatory classroom observations per annum in an independent rigorous way?

GEORGINA HARRISSON: Certainly, Chair, we saw through both the Auditor-General's work and the Productivity Commission's work that we have room to improve there. Certainly we accepted the Auditor-General's recommendations and have been implementing what we can. The first step for us is to get some changes in the award around that performance and development framework that will allow us as an employer to provide more direct and clear instruction to our staff in relation to that matter. Every staff member is expected to have a performance and development framework. It should include observations. My understanding, and the advice I have, is that under that current framework teachers select who may provide those observations. That's one of the areas we would be seeking change.

The CHAIR: Get their friends, yes.

GEORGINA HARRISSON: Mr Dizdar can give you some examples. We did see some great best practice, Chair, particularly, if you are interested, certainly at Macarthur Girls High School. It is one of our ambassador schools, called out by the Auditor-General as having a very strong process around performance and development, importantly, of staff. It is very much aligned to the teaching standards and to the Highly Accomplished and Lead Teacher standards. We do have absolutely first-class evidence and practice in our system that we want to replicate through that model. Mr Dizdar can give you some examples.

The CHAIR: No, I am after the general data. Why isn't every school like Macarthur girls?

GEORGINA HARRISSON: Certainly, that is what we are looking to use the ambassador program for—to highlight that best practice and share it. Our work through our Directors, Educational Leadership is seeking to build that capacity through the system and set those expectations and that's what we're continuing to do.

The CHAIR: Classroom observation and effective feedback loop can result in a 30 per cent gain in student results. We are talking big, high stakes here. Secretary, what's your best estimate of how many schools are following the two mandatory classroom observations a year in an independent and rigorous way, like Macarthur girls?

GEORGINA HARRISSON: I wouldn't want to risk misleading the Committee, so I will take that figure on notice, if I may, Chair, and come back to you.

The CHAIR: This is one of the most important things in education policy in the State. You can't tell us how many schools are like Macarthur girls?

GEORGINA HARRISSON: Macarthur girls is an absolute stand-out as an ambassador school. I would like to take on notice the specifics around that, if I may.

The CHAIR: Minister, in terms of upgrading the status of teaching, our other inquiry has heard two paradigms, if you like. One says that we need to make teaching a modern, dynamic, accountable, well-rewarded and high-achieving profession, and the other says that to get more teachers in, we need to make the work easier because the workload is too high and the burnout rate is too high. Where do you stand in that particular debate?

The Hon. SARAH MITCHELL: I think there are two issues that need to be addressed. Obviously, we are dealing with issues around pay. I would also put on the record that we've had percentage increases year on year in terms of teacher pay and comparatively teachers in New South Wales are paid very well. Indeed, teachers in Australia are paid well, when you look at us across the OECD as well. The issue around teacher workload, particularly in terms of admin and not being able to focus as much as teachers would like on teaching and learning and spending a lot of time on paperwork or lower value administrative tasks, is something that we are committed to and, indeed, are currently addressing. You might be aware—we have talked about it before, I think, in this Committee, Chair—about our Quality Time, a reduction of 20 per cent in admin and red tape by the end of the year, which we are on track to meet. We are also talking and working with NESA in terms of teacher accreditation more broadly. And you may have been made aware that we will start to roll out from later this year and early next year some additional admin support in schools as well to help with those low-value admin tasks.

I think when it comes to raising the prestige of the profession—if you would forgive me for using an analogy, Chair, if you or I were to go to the doctor, we see the doctor and we recognise their medical expertise and what they have been trained to do. We don't then book our next appointment or pay the bill with the doctor; we do that with a member of their admin or their office staff. I think looking at opportunities where we can have teachers very much focus on their core expertise of teaching and learning and free up the admin but also provide additional staff in schools—the first 200 have been slated already—with some of those low-value admin tasks that you don't need a teaching degree to complete, I actually think that's really important in terms of helping with workload. I'm excited to see that program start to roll out.

The Hon. ANTHONY D'ADAM: You just mentioned the workload issue. One of the issues that's going to contribute to an intensification of teacher workload is the rollout of the new curriculum. That obviously has an impact in terms of programming and that additional load then gets placed on teachers around rolling out the curriculum. Masters recommended a 10-year rollout, but you have chosen to ignore that recommendation and proceed to have a faster rollout, a four-year rollout.

The Hon. SARAH MITCHELL: The Government responded in relation to that.

The Hon. ANTHONY D'ADAM: That is something that is in your gift. Is that something that you are prepared to reconsider in terms of trying to lift the load?

The Hon. SARAH MITCHELL: Mr D'Adam, I will say a couple of things and then I might ask the secretary to provide some more comments. We are committed to the time frame that we have put in place in terms of the rollout of those new curriculum documents. There has been a consideration, particularly around the senior secondary pathways, in relation to having that take place over a little bit longer period of time because we actually want to completely look at year 11 and 12 and how we're offering those opportunities for young people.

The reality is too—I guess in your initial question you say that a new curriculum will add to the workload. I appreciate that teachers will need to familiarise themselves with those new curriculum requirements. Already with the K-2 maths and English that we have been rolling out, we have also had additional release time provided to those staff in order to do that. What you will see—and I'm not sure if you had the chance to look at any of those updated documents but I am happy to send you a link, if you're interested; it's available—is that it actually makes it much simpler.

In terms of the day-to-day work for teachers, what the new curriculum should do is actually help with their workload. Curriculum documents and syllabus documents—I am sure you have looked at them; I certainly have—in the old system, with all respect to those who have been involved in it, I think teachers have felt pressure to teach to every single dot point. It's not been clear the expectations and the outcomes. What the new syllabus documents do is make it very clear what is required. You may have also seen that recently we announced that we will be providing specific curriculum resources for every subject, every year group, a huge, huge opportunity for teachers to really cut back on workload when it comes to lesson planning time. Because, we know, teachers tell us, and indeed it is not just us it's through work that Grattan and others have done, that the time it takes to plan and prepare lesson resources is obviously something that is incredibly time consuming for our staff. With the new curriculum rollout to have that dedicated suite of resources that teachers can also use will actually save teachers a lot of time. While I appreciate as the new curriculum rolls out and they need to familiarise themselves with it, that will be a process, but the intention is in the long run you will have much better curriculum documents, much better resources and much better support to teachers in the classroom.

The Hon. ANTHONY D'ADAM: What's the rush, Minister? Why do you have to do it so quickly?

The Hon. SARAH MITCHELL: The reality is that we haven't done a full scale review of the curriculum like this in more than 30 years. I don't think it's a rush. What I think it is, is making sure that we put these new curriculum documents and the new syllabuses in place. We are working very closely—and, again, I don't know whether Mr Martin might like to add anything from NESA's perspective. We have teacher expert networks helping us roll them out. The curriculum documents go out for familiarisation. There is a significant period of time that staff have to familiarise themselves with the documents before they then become implemented in schools. We are working closely with the profession as we do this. I think what we will end up with, as I said, is a much more streamlined, much less clutter. That word could not have come through strongly enough in conversations I have had with teachers about how the current curriculum content is too cluttered, it is too crowded. This is about streamlining that and providing better supports and better resources to our schools. I think that's worth doing and worth doing in a timely fashion.

GEORGINA HARRISSON: If I could just comment on those resources, and then I think Mr Martin will wish to comment in relation to the timetable.

The Hon. ANTHONY D'ADAM: I will come back to that, Ms Harrisson, in the afternoon.

GEORGINA HARRISSON: In relation to the question you have asked about the timetable, it is really important, as the Minister has indicated, that we provide our teachers with the familiarisation time. This year through our new assistant principals' curriculum instruction we have had a team of teachers in the department, developed by teachers for use by teachers, resources to support the implementation of this curriculum. It is being refined by those assistant principals in our early adopter schools so that when it comes to the full rollout next year there is absolutely reliable evidence-based, high-quality resources that every teacher in our primary schools can rely on next year as they implement that new syllabus. I think it is really important we are providing that support. But, Mr Martin, in terms of the time line, you might have some—

The Hon. ANTHONY D'ADAM: We will come back to this issue.

The Hon. COURTNEY HOUSSOS: We will come back to it this afternoon. We've got extensive time this afternoon. I want to ask you, Minister, because we are about to run out of time with you, about the Murrumbidgee Regional High School. You would be aware that we asked you questions during the last question time and there was a public interest debate in the lower House. Will you commit to no more mergers of schools like this, like the UNSW study recommended?

The Hon. SARAH MITCHELL: In relation to the particular study of Murrumbidgee, I think we have made it clear as a department—Mr Dizdar might like to provide further comments—that we accept the recommendations of that committee in relation to that particular school.

The Hon. COURTNEY HOUSSOS: I will ask Mr Dizdar about it this afternoon, but I would like to ask you about your opinion whether you would consider demerging the schools?

The Hon. SARAH MITCHELL: That wasn't the advice that came through the review that was done by the University of New South Wales.

The Hon. COURTNEY HOUSSOS: But could that money that was spent, the \$7.1 million allocated to complete the merged model, be spent on something else—the library upgrade, the two multipurpose spaces, the gymnasium, if there was a demerger?

The Hon. SARAH MITCHELL: With respect, Ms Houssos, as I said, the advice from or the feedback from the University of New South Wales was not that we move to the path of demerging and we accept that recommendation, so—

The Hon. COURTNEY HOUSSOS: Can I ask you then, there has been some money allocated for the construction of two gyms at each of the high school sites. When is that work going to commence?

The Hon. SARAH MITCHELL: Mr Manning might have an update on that one.

ANTHONY MANNING: I will have to take that specific question on notice.

The Hon. COURTNEY HOUSSOS: We asked you a lot of question about the Yanco Agricultural High School girls' dorms. When will work commence on that?

The Hon. SARAH MITCHELL: I will check with Mr Manning. I was down in that part of the State not long ago and I believe there was some work done to get some of the temporary boarding facilities on site. That was due to happen soon but I want Mr Manning to provide the date because I actually can't remember off the top of my head. The idea I think is that early works would start on that project shortly.

ANTHONY MANNING: It's fairly imminent. I'll just go and do the systems if I can find a date, but it is pretty imminent from memory.

The Hon. COURTNEY HOUSSOS: Even if you want to come back after lunch, that would be quite helpful. You have done a review into the incentives to attract and retain teachers to rural and isolated parts of the State. The Premier and the Deputy Premier agreed to implement all of the recommendations from the review. When will they be implemented?

The Hon. SARAH MITCHELL: I will offer some initial remarks and then the secretary or maybe Ms Read might like to comment. No? I'm looking at the wrong person. Mr Lamb, potentially? Sorry, there's a lot of focus on rural and remote in the department, which is great. Obviously, there were a range of recommendations as part of that review, which you are right, we did agree to implement, particularly around things like the incentives that are available for teachers coming to rural and remote schools. There was more work that we said we would do in relation to incentive transfer points with stakeholders, but also things like investing in more teacher housing and also making some of those entitlements or incentives available also to temporary staff, is my recollection. But I don't know whether Mr Lamb might like to provide some more updates for you, Ms Houssos.

CHRISTOPHER LAMB: As the Minister said, all the recommendations have been accepted and things like expanding the eligibility of rural and remote financial incentives came into effect from term one 2022. Doubling the value of the rural and remote recruitment bonus has already occurred, and I am happy to come back if there are any other specifics that you wanted to explore.

The Hon. COURTNEY HOUSSOS: We might come back to that this afternoon. I think my colleague has some questions.

The Hon. SARAH MITCHELL: If I can add about Yanco, just an update. The advice I have is that master planning and concept design stages have been completed, work on the schematic design is progressing and we actually had the School Infrastructure teams down there when I visited the schools getting some feedback from the students, which was good. They had a lot of things that they would like in their new dorms, as you could image. The advice I have is that the DA will be lodged shortly, that a project manager, costs manager, architects, civil and structural engineer and building service engineers have been engaged, and also that building contractor procurement is expected to take place in the fourth quarter this year.

The Hon. ANTHONY D'ADAM: Minister, there was a recent article about the growth in temporary employment in the department. I wanted to ask you whether you think that the balance is right in terms of the proportion of permanent to contingent employees in the department?

The Hon. SARAH MITCHELL: I might ask the secretary to also comment. I think I made some public comments about this at the time as well, Mr D'Adam—I think it was only last week. We have always had a mix, as you would well know, of casual, temporary and permanent positions in our schools. It is important that we do that because, obviously it offers flexibility for people who may choose a temporary position, who need to then potentially come in and fill, for instance, if a permanent employee is out on something like parental leave. I am sure you would appreciate that has always been a part of what we have in terms of school context here in New South Wales. More specifically, in terms of people who are temporary who are wanting to be permanent, I am certainly very sympathetic to those who are in that position. We do have industrial arrangements that we need to work through with the union in relation to a number of those matters. You may be aware that there was a period of time, I believe last year, where there was a moratorium or an arrangement reached with the federation in terms of that temp to permanent conversion. I have raised this with the federation—

The Hon. ANTHONY D'ADAM: I might bring you back to my original question about whether you think the balance is right?

The Hon. SARAH MITCHELL: I am answering your question.

The Hon. ANTHONY D'ADAM: You are not actually addressing the specific issue.

The Hon. SARAH MITCHELL: I am answering your question. You have asked whether I think the balance is right. I've said I think it's important that there is a need for all of those positions within the department, given the size of the schools that we have, the number of staff that we have and people's permanent situations in terms of what employment they wish to take. In terms of someone who is currently a temporary person who would like to take on a permanent role, there are sometimes industrial challenges with how that can happen. I have already raised directly with Mr Gavrielatos in relation to: Are there opportunities to look at a further agreement or moratorium or ways to have that temp-to-permanent conversion take place again? We are continuing to discuss that with the union. Because I am certainly, as I said, very sympathetic to someone who might be a temporary

teacher who would like a permanent role, that that is something that is available to them. They may also consider leaving or moving to a new area as well.

The Hon. ANTHONY D'ADAM: The mechanism aside, Minister, the question is whether you think there are too many or it is just right?

The Hon. SARAH MITCHELL: It's not Goldilocks.

The Hon. ANTHONY D'ADAM: Do you think having almost a third of the department's employees in contingent forms of employment—

The CHAIR: Order! You are interrupting each other. One at a time, please.

The Hon. ANTHONY D'ADAM: Is that something that you are satisfied with or do you think it should be corrected?

The Hon. SARAH MITCHELL: I actually missed what the question was. I think you asked me if it was too much, too little or just right. Like I said, it's not Goldilocks.

The CHAIR: Do you think it's the right balance? Do you think the current proportions are the right ones?

The Hon. SARAH MITCHELL: I think what is important is that the workforce reflects the needs of our school communities. I think I have already been clear that I would like more opportunities for temporary staff to be given permanent positions. I sometimes get frustrated, if I am being completely honest, with the union process that we need to go through in order to make that happen, but we are having what I would say are positive conversations at this point with the union about those opportunities, Mr D'Adam.

The Hon. ANTHONY D'ADAM: Minister, do you understand what the drivers are? Do you have a deep understanding of the drivers for why there are so many temporary employees in the department?

GEORGINA HARRISSON: I am very happy to provide the Committee—

The Hon. ANTHONY D'ADAM: No, it is a question about the Minister's understanding about the problem.

The CHAIR: If the Minister just says yes, we can then move on.

The Hon. SARAH MITCHELL: As I have already said, there are a range of reasons why anybody as an individual might have temporary or casual or permanent roles within the department. These aren't new situations, Mr D'Adam. With respect, we've had these roles for many, many years.

The Hon. ANTHONY D'ADAM: Except the proportions have been growing, Minister.

The CHAIR: Order! Let the Minister finish.

The Hon. SARAH MITCHELL: The reality is that different schools are using the record school funding that we are providing to public schools in this State. Principals are making decisions about the staffing make-up and methodology that they need in their particular schools as well. It's a complexed and nuanced area, again. I think it's important that we offer an opportunity for teachers to have a range of roles within the department, depending on their personal circumstances. But, as I said, I would also like—

The Hon. ANTHONY D'ADAM: Can I clarify that part of your answer—

The CHAIR: Let the Minister finish, please.

The Hon. SARAH MITCHELL: I think what you're trying to infer in your questioning is that if someone is currently in a temporary and would like to be in a permanent role, do I think that we should be providing opportunities for that to happen? Of course I do.

The Hon. ANTHONY D'ADAM: What I'm trying to establish, Minister, is whether you think it's a problem that over the last decade the number of temporaries in the department has grown significantly and whether you think having a highly casualised workforce is an issue that you need to address.

The Hon. SARAH MITCHELL: Just to be clear, we've also had school funding increase significantly over that similar period of time. There is flexibility for a principal to make a determination in terms of that school funding. Now, again, Mr Dizdar or Ms Nixon may wish to provide an operational context for you as well, Mr D'Adam. But if there's particular funding for a program that a school would like to run or particular support for a student that is needed in terms of that position, there is an ability for principals to make decisions about how they manage their staffing in their budget allocations as well. Going back to your initial question, would I like to

see more opportunities—and you're going to casualisation and temporary workforce. If someone is currently a temporary teacher within a public school in New South Wales and is interested in a permanent role, should there be opportunities available to them?

The Hon. ANTHONY D'ADAM: Yes, you've already said this, Minister.

The Hon. SARAH MITCHELL: I've said, yes, I think there should be.

GEORGINA HARRISSON: If I could add, in relation to those drivers that you requested—

The Hon. ANTHONY D'ADAM: No, actually, I've got limited time, Ms Harrisson.

The Hon. SARAH MITCHELL: No, I would like Ms Harrisson to provide a comment.

The Hon. ANTHONY D'ADAM: I have another question for the Minister about—

The Hon. SARAH MITCHELL: Well, I would like her to provide a comment, with respect.

The Hon. ANTHONY D'ADAM: Well, I tried to actually ask the question, but you interrupted me. My question was about the contingent funding, the RAM funding—

The Hon. SARAH MITCHELL: Sure.

The Hon. ANTHONY D'ADAM: —which you alluded to as one of the reasons why we've had a growth in temporary—well, can you explain why it's necessary—

MURAT DIZDAR: Let me give you an example.

The Hon. ANTHONY D'ADAM: This is a question for the Minister, Mr Dizdar. Can you explain why the contingent funding necessarily has to be used to produce temporary positions rather than permanent positions?

The Hon. SARAH MITCHELL: That's actually a matter for the principal to determine. As I said to you in my earlier answer, principals will make decisions in terms of their funding, in terms of their school context, in terms of a particular program that they may wish to run. There are management decisions that principals make in terms of staffing and that SBAR funding that they receive. So principals are given that autonomy, I guess, to be able to make staffing decisions. There is no reason why a principal can't put someone on in a permanent role in that particular instance, if that's what they want to do. I might ask the secretary—

The Hon. ANTHONY D'ADAM: But if that's a policy decision, Minister—

The CHAIR: Order! Minister, had you finished?

The Hon. SARAH MITCHELL: I think so.

The Hon. ANTHONY D'ADAM: Minister, if that's a policy decision that the RAM funding's actually— you accept that that's a discretionary choice that principals are making that's driving this increase in temporary employment. Isn't that a policy question that should actually be addressed by you as a policymaker?

GEORGINA HARRISSON: If I may, there are a number of policy issues at play here. Firstly, one of the drivers we see in the system are the entitlements we currently have around the right of return to a school following a period of sabbatical for additional training or extended leave. If I may also, Mr D'Adam, follow up—

The Hon. ANTHONY D'ADAM: I'm going to stop you there, Ms Harrisson.

The CHAIR: No, we don't stop witnesses. The witness can finish her answer, please.

GEORGINA HARRISSON: Thank you, Chair. I think, as we have indicated in our submission to the Committee's inquiry, we do see growth in the temporary positions as a result of flexible funding—some 6,000 to 7,000 across the system. Schools are aware—and we have reminded them—that they are able to create permanent positions under certain circumstances for those roles. But the nature of those roles is to meet the particular needs of students at a particular time. Often, we see that a principal will choose to run a specific program—maybe a specific language—to meet the needs of a particular cohort at a particular time and that a temporary position might be the best way to go. I think, as the Minister has also indicated, our capacity to convert those and to address some of those underlying policy issues are subject to industrial agreements and ongoing conversations with the federation through the staffing agreement that's available publicly, if you're interested in those. But Mr Dizdar might have further to add.

MURAT DIZDAR: I think the secretary describes it really well, Mr D'Adam. Principals are driven to meet the needs of the students at a point in time. If I take you to a school that was mentioned by the Committee today, Murrumbidgee Regional High School, we have allocated seven deputy principal positions to that school across two campuses. The school has actually chosen to use some additional flexible funding to create an

additional deputy, despite our positions that we've given them. When I asked why they did that, they wanted to create a deputy principal STEM. They want a real focus and push on science, technology, engineering studies across the campuses, and they wanted to headhunt someone with significant expertise in that area that could support the science, maths, technology faculties. They've done that on a temporary basis because they want to see if that's going to work, bed it down, produce the outcomes they are looking for before they move to possibly permanency or possibly abandoning that temporary role. That's just one micro example of a school that looks at the needs of its students, looks at the data, looks at subject choices—in this case, with a secondary context—looks at its staffing allocation—

The Hon. COURTNEY HOUSSOS: Thanks, Mr Dizdar, our time is about to run out. I just have one final question for the Minister.

The CHAIR: Hang on.

MURAT DIZDAR: —and then makes a decision about how to use the additionality of funding to meet student need. Not all of it is flexible, as you know, Mr D'Adam. Some of that is also some permanent allocation of staffing.

The CHAIR: Last question. Thanks.

The Hon. COURTNEY HOUSSOS: Minister, we've talked a lot about Cooler Classrooms during the budget estimates hearings.

The Hon. SARAH MITCHELL: Yes.

The Hon. COURTNEY HOUSSOS: I would just like to know whether all round-two schools will have an answer on their application by the end of this year. Do you think it's appropriate that some of these schools have been waiting for 3½ years for the outcome of their application? Do you think that that's fair?

The Hon. SARAH MITCHELL: Thank you, Ms Houssos, for an air-conditioning question. I had thought that perhaps you might ask about Cooler Classrooms; I know you've been interested in that program before. As I think I've said in previous estimates hearings, any of the round-two applications that are still being assessed are still being assessed. As we work through the rollout of that particular program, if we're able to provide that air conditioning to more schools, that's obviously something that we will look to do. I think it's important to put on record that obviously we've focused on schools that have high mean temperatures first, those in the areas of the State where you do have increased sort of—it's hot. So there is obviously opportunity for those who are in round two to still be considered. I can't put a time frame on that. They will still be considered as that program rolls out.

The CHAIR: Thank you. I will adjourn the hearing at that point. We resume at 2.00 p.m. The Minister won't be with us, but our other friends will be. Minister, this is probably the last budget estimates in this term of Parliament. On behalf of the Committee, I thank you for your attendance and participation and the work you've done with the Committee, which is vitally important for the future of our State. We find the time gets a little bit willing. We value the fact that you've always appeared here in good faith, with goodwill and wish you all the best. Thank you.

The Hon. SARAH MITCHELL: Thank you, Chair. Likewise to the Committee members. Thank you for your time. Enjoy your afternoon session. I will be watching.

The CHAIR: We will, indeed. Thank you.

(The Minister withdrew.)

(Luncheon adjournment)

The CHAIR: I thank everyone for coming back after lunch. I will start the questioning. Secretary, were you disappointed with the low response rate for the 2022 corporate pulse survey?

GEORGINA HARRISSON: Certainly we put out a pulse survey to try and check in with our workforce and see how they were faring, particularly during that time. Obviously we would have liked to see high rates, but I think the rate we received was in line with what most organisations would expect for those types of surveys.

The CHAIR: This is your corporate staff and there was a response rate of less than 50 per cent. What does that say about the attitude to the organisation, along with the other findings here: only 44 per cent believe change is well managed in the organisation; about half of them believe senior managers provide clear direction; and only 57 per cent believe senior managers model the values of the organisation? It's fairly demoralised, isn't it?

GEORGINA HARRISSON: A couple of things, Chair. Firstly, our initial baselines around the People Matter survey have been things that we as an executive team have been focused on improving. We remain focused on improving and we have seen improvement in a number of those domains. I'm very happy to provide that trend data on notice for our corporate staff. I would also note that the survey was taken at a time where there'd been significant disruption to the workplace and connections to teams—through remote working, for example—had been challenged. We've been engaged in trying to make sure we're supporting our staff through that time.

The CHAIR: Only 51 per cent believe senior members listen to employees. What are you doing to improve that? People feel disenfranchised and demoralised.

GEORGINA HARRISSON: Thank you for the question. One of the other questions we ask in the survey is who our staff view as their senior manager. That tends to be their direct line manager in most instances. We certainly have work to do to make sure the clarity of messaging is getting through to our managers, and to ensure that we're equipping our managers with the appropriate communication skills and the like to engage their staff within their teams. We've also extended the communication more broadly across the organisation to make sure we're providing that clarity to our staff members.

The CHAIR: Could I ask either Ms Nixon or Mr Currie about how many complaints were received by staff at Castle Hill High School regarding the asbestos dangers at the school that triggered the PES investigation into this particular calamity?

LEANNE NIXON: I would have to take that on notice about how many complaints there were.

The CHAIR: Mr Currie, you would have conducted or known about the investigation. How many staff members complained that triggered your investigation, which commenced in September 2020?

DARYL CURRIE: We'd have to take that on notice to actually get the total numbers of complaints. I don't have that with me.

The CHAIR: Right. You've seen the publicity about it since, and the very serious nature of the allegations about the school management and parts of the department. At what stage is the PES investigation at the moment?

DARYL CURRIE: It's nearing its conclusion.

The CHAIR: It's taken two years and it's not yet concluded. How long did it take you to locate the asbestos sampling report dated 29 July 2016, which was the origin of the complaint?

DARYL CURRIE: I'm not in a position to discuss that matter at the moment.

The CHAIR: You're not?

DARYL CURRIE: It's an ongoing investigation. It hasn't been finalised.

The CHAIR: What does it say about you and your organisation that it took you 19 months to identify and locate the key document that was being complained about—the fact there'd been a positive asbestos sampling report in July 2016 that triggered the investigation? Why did it take 19 months to locate the most basic and obvious of the documents upon which the investigation would be based?

DARYL CURRIE: Once again, that's part of the investigation process that hasn't been finalised yet.

The CHAIR: What, you're investigating yourself and your 19-month delay?

DARYL CURRIE: I beg your pardon?

The CHAIR: That it's part of the investigation to find out why it's taken you 19 months to locate the asbestos sampling report that was the subject of the initial complaint about the school management?

DARYL CURRIE: The PES investigations are always reviewed and monitored in terms of how they progress. We're always reviewing and looking into the length of investigations and how to improve practice. But in terms of that particular case, I can't go into when that information was found and how it was found at the moment.

The CHAIR: Can you take it on notice?

DARYL CURRIE: I can take that on notice.

The CHAIR: And give us an answer. The staff at Castle Hill High School for years and years made complaints about asbestos on the floor, asbestos falling from the roof and asbestos falling on their desks. The place was asbestos central. There was a response from the school to have an asbestos sampling report—this is the

one dated 29 July 2016. The report was positive that there was asbestos in that staffroom and the staff were told that it was negative. Is there any explanation for why this lie was perpetrated at the extreme health risk of the staff, students and school community? Anyone?

LEANNE NIXON: That is what the investigation is looking at.

The CHAIR: What has it found so far as to how a positive asbestos finding in July 2016 could be communicated to the staff and the school community as a negative?

GEORGINA HARRISSON: Chair, I think as Mr Currie has indicated, I'm really conscious that we don't want to say anything here that might prejudice the outcome of that investigation. This is a very serious matter for that school and school community, and we want to make sure that we're able to complete that investigation and deliver its findings in a way that upholds the seriousness of that investigation and the appropriate boundaries in place. I'm very happy to come back you, Chair, on notice with all the information that we can now about that investigation, and undertake to you, Chair, that once that investigation is complete I'm happy to write to you with further information.

The CHAIR: Well thank you, secretary, but how can you describe it as a serious investigation if, for 19 months, PES didn't even locate the key document: the positive asbestos sample in July 2016 that was communicated to the school community and the staff as a negative? How can you have a 19-month delay on something as rudimentary as protecting the health and safety of staff?

GEORGINA HARRISSON: Chair, I can't talk about this investigation in specifics. What I can do is talk about, in general, the way the PES process works. Mr Currie would be able to provide some further information—

The CHAIR: No, I'm not after generalities. I'm after this specific instance of a 19-month delay to take any serious action on what looks like a huge scandal of how asbestos was riddled through this school; a positive report that was communicated to the staff and the school community as a negative; and how PES started an investigation in September 2020 based on legitimate staff complaints and it took it 19 months. On 6 April 2022 PES located the asbestos sampling report. It was very easy to sack teachers who were unvaccinated, wasn't it? That could be done at the drop of a hat. Nineteen months on a critically serious health and safety issue concerning asbestos and they did nothing.

GEORGINA HARRISSON: I wouldn't agree with the characterisation that they have done nothing. They have been undertaking an investigation. I also add, Chair, that we do take any decisions around someone's employment seriously and have had fair and due process in place for all our employees as part of that process.

The CHAIR: Has SafeWork NSW contacted PES and been critical of these delays?

GEORGINA HARRISSON: Happy to take that on notice—

DARYL CURRIE: Once again, I will take it on notice. We liaise—

The CHAIR: Well they have, haven't they?

DARYL CURRIE: We liaise with external agencies—

The CHAIR: This is how bad it's been.

DARYL CURRIE: —all the time in PES investigations. PES investigates allegations of misconduct, and in those investigations we sometimes—well, always—come up with information that wasn't readily available at the beginning of the investigation. But we always liaise with external agencies that may have an interest in any particular case.

The CHAIR: Yes, I'm sure they do. When do you expect your investigation to be concluded—the one that started in September 2020?

DARYL CURRIE: Once again, I said it's in the final stages of that investigation.

The CHAIR: Could I ask the director of health and safety what involvement her division has had with these asbestos issues at Castle Hill?

GEORGINA HARRISSON: As Ms Van Berlo comes to the table to answer that question, Chair, just for the record and for clarity, I want to make sure that the Committee is aware and the community is aware that the remediation works have taken place at Castle Hill, both through the summer holidays and through the most recent winter school holidays.

The CHAIR: That's great. That's six years after the positive sampling report—six years.

GEORGINA HARRISSON: Chair, I would note that as soon as the information was available to the department, we acted swiftly.

The CHAIR: Ms Van Berlo, please?

DIANNE VAN BERLO: The Health and Safety Directorate has been liaising with SafeWork and met any requests for information and provision of documents, and also has worked with the school staff to provide advice in relation to any concerns that they may have at various points in time.

The CHAIR: When did you first become aware of the problems?

DIANNE VAN BERLO: When I started in this role. I only started in this role at the beginning of this year.

The CHAIR: Only at the beginning of this year. That's five years after the positive sampling report. What was done prior to that by your predecessor?

DIANNE VAN BERLO: I can take that question on notice.

The Hon. ANTHONY D'ADAM: Can I come back to the issue around temporary contracts? I wanted to ask, Ms Harrisson, I understand that there are two classifications in terms of positions. There are centrally identified positions and then there are ACIP—I'm not sure what the A stands for. Maybe Ms Dizdar can tell me.

MURAT DIZDAR: ACPI positions is where a school creates a permanent role that's not provided by the system.

The Hon. ANTHONY D'ADAM: Right.

MURAT DIZDAR: Schools are able to create—we allocate staffing.

The Hon. ANTHONY D'ADAM: ACIP are only permanent positions; they are not temporary positions.

MURAT DIZDAR: No, they're not. They're permanent positions created by a school. We give every school, as you know, Mr D'Adam, a staffing allocation based upon student numbers, based upon school type. Schools are able to create their own permanent teachers on top of that, and that's the ACPI program. They work with HR, their DEL, around what role they're looking for, the funding source and they're able to create that. It's a permanent position created by the school.

The Hon. ANTHONY D'ADAM: How would you classify the temporary positions that are created above the staffing formula that have been created in schools, particularly arising out of principal decisions around RAM funding?

MURAT DIZDAR: Temporary roles are those that are created for longer than a four-week duration—anywhere up to a year, a term, two terms, three terms—based upon school need that the school determines in best serving its students. I gave an example earlier this morning in the session around what Murrumbidgee has done with one particular position. In my travels across the State visiting schools, I see a whole range of reasons why temporary roles are created, which you're across, Mr D'Adam. They can range from a staff member who is on mat leave for a year, so that staff member owns that position and the school fills it with a temporary placement. A school can have a staff member on long service leave for a term—fills it with a temporary placement. Anything more than four weeks, we fill with a temporary placement. Also, where you went to with the RAM funding—the low SES, the EAL/D funding, low-level adjustment for disability, the Aboriginal education funding, the loadings—those components that aren't staffing components, that are flexible dollars, the school can use that money, and often does, to employ additional staff to meet the needs of those particular students.

The Hon. ANTHONY D'ADAM: And they get to choose where they're ACIP or whether they're just created as temporary positions. Is that correct?

MURAT DIZDAR: They do. It is my experience that they—

The Hon. ANTHONY D'ADAM: Sorry, can I ask a follow-up question then?

MURAT DIZDAR: Sure.

The Hon. ANTHONY D'ADAM: I asked on notice about the numbers of non-staffing-agreement positions—these temporary positions that have been created in school—and the department wasn't able to return an answer. Is it correct to say, maybe Mr Dizdar or Ms Harrisson, that the department actually doesn't know how many of these locally created positions there are?

GEORGINA HARRISSON: In terms of total positions in our system, our payroll system gives us the indication of those. In terms of the breakdown for temporary employees and the reason for that temporary employment, we do not currently have a system that is able to provide us with that breakdown.

MURAT DIZDAR: Mr D'Adam, can I just correct one thing? I said ACPI; you said the same thing. I had it the wrong way around. It's ACIP which, of course, stands for "above centrally identified position".

The Hon. ANTHONY D'ADAM: Ms Harrison, you have no line of sight in terms of the number of these positions in the department?

GEORGINA HARRISSON: As I indicated, Mr D'Adam, we have, from our payroll system, a sense of the global figures of staff who we are paying every month. We can obviously do some calculations and offset the permanent known staff against that, but we do not currently have a human resources management system that gives us insight into that data.

The Hon. ANTHONY D'ADAM: You've never sought to ask for that query to be run out of the payroll system?

GEORGINA HARRISSON: We have run queries out of our payroll system. What I'm trying to indicate to you, Mr D'Adam, is the capacity from that is somewhat limited based on the way the information is collected. We have been looking at and continue to look at opportunities for a human capital management system, as they are known, that would allow us to bring together this type of data and report on it.

The Hon. ANTHONY D'ADAM: I asked on notice about the funding source for these temporary positions and you don't have any line of sight on that either, do you? You don't actually know which positions in which schools are funded by RAM funding or other funding sources, if there are other funding sources.

GEORGINA HARRISSON: We do know the funding source for the centrally provided positions, we do know the funding source for any program-funded positions—for example, the assistant principals, curriculum and instruction—and we do know how much funding we provide to schools in relation to their allocation in terms of funding that they are able to—both on a per-capita basis allocation as well as the needs-based funding. We do know the amount of funding that is available to schools for that purpose, and we do know the total salary bill of a particular school, but we don't have, at a press of a button, a system that can tell us the answers to the questions you're putting to us today.

The Hon. ANTHONY D'ADAM: If that's the case, how, Ms Harrison, do you know whether the money is being used effectively? If a lot of the money under the RAM system is being utilised to create these positions, temporary or permanent, and you can't identify them—you don't actually have some centralised reporting on this information—you can't make any assessment about whether that money is being spent in a wise way or in a foolish way.

GEORGINA HARRISSON: Thank you for the question. I think we've been making good progress in a number of the areas that I think you're drawing our attention to here, Mr D'Adam. Firstly, through the schools improvement planning process, schools identify the focus areas that they will drive improvement and the use of funds to do that. That is available to school communities. They then report on that progress in the school annual report. Through the Schools Success Model, for those schools where we see the biggest capacity for improvement, we are leaning into those schools, providing strategic support to those schools in the areas where we know they can improve to ensure that, one, their investment decisions are being made wisely and, two, that they are paying dividends.

The Hon. ANTHONY D'ADAM: Given you've got no direct line of sight on this issue, and I think in earlier evidence you've suggested that this is one of the drivers of the increasing temporary numbers within the department, how are you able to take any concerted action to try to address the growth of temporary employment and actually understand the source of the problem?

GEORGINA HARRISSON: Firstly, Mr D'Adam, we do know the difference between the pay bill for the centrally funded positions and the gap between that and the total pay bill for the system. We do have indications. What we do know in relation to temporary teachers is that we sought last year—and we had agreement with the Teachers Federation—to make some teachers who are temporary permanent. Obviously last year was a hugely disrupted year in our schools, particularly during that learning-from-home period of some 14 to 15 weeks, and then schools were focused on the return to face-to-face learning. Our schools were not able to progress that conversion of temporary to permanent. We saw an extension for that provision from the Teachers Federation and we have yet to come to an agreement on what terms they would be willing to engage in having that extension.

The Hon. ANTHONY D'ADAM: You would accept, Ms Harrison, that it's one thing to convert an existing employee from temporary to permanent, but the real solution surely is to understand why positions are

being created as temporary in the first place and try to address that. Isn't that a more sensible way to try to address the question of increasing casualisation and temporary work in the department?

GEORGINA HARRISSON: It is absolutely one of the ways. I note that there are some features of the temporary workforce that have been and will always be with us, Mr D'Adam. We are a female-dominated profession in our teaching.

The Hon. ANTHONY D'ADAM: Ms Harrisson, that's been the case—

GEORGINA HARRISSON: Always, yes.

The Hon. ANTHONY D'ADAM: Always, so that's not an explanation for the trend, is it?

GEORGINA HARRISSON: I just wanted to make sure I was clear that we will always maintain the provision of temporary staff in our schools. We will also always have people going on leave and we will need to provide the cover. It is a period of anything over four weeks that a temporary arrangement comes into place, so there is a number that is changing regularly as a result of that. But certainly, Mr D'Adam, I think there are policies that we can look at within the organisation in terms of the controls that are around to support schools in making a decision between a permanent and a temporary role.

The Hon. ANTHONY D'ADAM: I'll hand over to my partner.

The Hon. COURTNEY HOUSSOS: The explosion in the number of temporary teachers is a new phenomenon. My colleague is right: We have always had maternity leave; we've always had these teachers actually going on leave or taking long service leave, or whatever it is. What we're actually seeing now is an explosion in the new positions that are being created that are temporary.

GEORGINA HARRISSON: I think those are—I don't know that I'd use the word "explosion". We're definitely seeing growth. We're seeing growth in the number of teaching staff throughout our system. We're seeing one of the best ratios in relation to teacher-to-student ratios that we've seen in our system. So we are definitely seeing a growth in the number of teachers throughout the system available to support our students. We're seeing that growth in the staffing entitlement as it grows to meet student numbers. We're seeing that growth in the APCI positions. I think I referred to this morning in relation to the 6,000 or 7,000 of those that we have seen throughout the system, so additional funding into public education funding more teachers to support our students.

Our COVID Intensive Learning Support Program is a time-limited program. That also has some—I think it is in the region of 4,000 to 5,000 staff who would be engaged on a temporary contract for that particular work. So there are a lot of factors at play that we need to address. But I think certainly you raise some questions here about the policy settings around the creation of those positions, but obviously those matters are subject to the staffing agreement and other related matters with the Teachers Federation.

The Hon. ANTHONY D'ADAM: Why wouldn't you create them as permanent positions? What's the obstacle to creating them as permanent positions? Is it a liability question around other entitlements or redundancy in the event that the need is no longer there? What's the obstacle to creating more permanent positions?

GEORGINA HARRISSON: So I think there are a number of them, depending on the particular need for that temporary employment. So where it is program funding, such as the COVID Intensive Learning Support, that is time-limited funding which is therefore offered on a temporary basis. Where it is in relation to a form of leave—and Mr Dizdar will have examples of this—but where people have a right of return to that school, if it is a school rather than a right of return to the whole system, there is a right of return to the school, which limits the recruitment action the school can take in relation to temporary or permanent. When it comes to positions created using flexible funding, some of that is really a choice by the school about whether this is a permanent need in the school, whether this is something that reflects the current student cohort and the needs of that cohort. So I think it really does depend on the reasons for the temporary positions. But there are—

The Hon. ANTHONY D'ADAM: It's a massive system, Ms Harrisson. So, yes, in one school the need might come and go—

GEORGINA HARRISSON: Yes.

The Hon. ANTHONY D'ADAM: —but you can engage someone and then redeploy them to somewhere else. You can engage them permanently and then transfer them if the need disappears within the school. You do that when the staffing formula works in a way that means you have to reduce the teaching numbers at a particular school because of enrolments.

GEORGINA HARRISSON: Absolutely.

The Hon. ANTHONY D'ADAM: So why couldn't we create those positions permanently and then deploy them on a needs basis? The same would apply in terms of the issue around maternity leave. You can model how many staff are likely to be absent on maternity leave, like when you backfill a position with someone who is engaged in employment in a permanent capacity but not necessarily with a fixed location. Is there a reason why that's not available to the department?

GEORGINA HARRISSON: So there are, in terms of the way we staff our schools, it is set out in the staffing agreement, which is an agreement between us and the Teachers Federation on how the staffing is carried out. There are areas where we are trialling some of these approaches, Mr D'Adam, so certainly as we look at some of the areas where we know there will always be a casual need but to provide permanency of employment opportunities to people willing to casually teach in a particular area. For example, we have some pilots underway where we're employing people on a permanent basis to then deploy to schools. So we are looking at some ways that we can increase permanency of employment where it's what people are seeking.

We also see, Mr D'Adam, our staff's choice in relation to this. We definitely—and there are examples of this in the system—have teachers who are working temporarily in one school and they have a preference to stay in that school. So even when they are offered a permanent role in an alternative school, they're choosing to stay where they are because that's the school they really want to work in. So we do have some kind of complexities of human behaviour at play in the system as well that we obviously need to work through and tackle.

The Hon. ANTHONY D'ADAM: You've created a principal network, so there are kind of local geographical concentrations of schools that would allow some flexibility in terms of deployment, putting people on permanently, having them available within the principal network. Why isn't that an option that you would look at?

GEORGINA HARRISSON: I think, Mr D'Adam, that's not—we'd don't currently have that system in place. The role of the network and of the Directors, Educational Leadership is not one of an HR function currently. We do have support available through our corporate HR team for schools who are looking to fill roles and we do work across networks. We have seen some fantastic collaboration between schools to do that, in particular, around certain disciplines, for example, and so there are definitely opportunities we can explore there. But, again, as I've indicated, I think there are a lot of factors at play here. I know the Committee is looking in depth at these issues in your inquiry and certainly anything we can do to assist with that, happy to do so.

The Hon. ANTHONY D'ADAM: Can I move to the Quality Time action plan? I want to ask about the issue around accreditation. Mr Martin is familiar with my interest in this area. At a hearing last week I asked some questions about the accreditation of department-delivered professional learning. Why is it that the department isn't able to deliver the 50 hours of accredited training to its staff? Wouldn't that be a way to enable your teaching staff to be able to meet their accreditation requirements without having to go outside the department, spend their own money and use their own time to meet their professional requirements in terms of ongoing accreditation?

GEORGINA HARRISSON: So certainly, Mr D'Adam, the Department of Education offers a wide range. We have a large number of courses available throughout the year to support teachers in meeting their accreditation requirements. One of the benefits of our teachers accessing our professional learning, as you indicate, is, one, that it's free to that individual and to the school, aside from the release time to take part in that professional learning; secondly, it will be evidence based; and, thirdly, it will be of a high quality because we have put all of our professional development opportunities for teachers through a very high bar of quality assurance. I'd like to take on notice, if I may, the number of hours available to a teacher in a particular given year or accreditation period and come back to you. Because, based on the advice I have received and seen, we offer a full range of courses and I would think that across the period of accreditation a teacher could absolutely meet their requirements through professional development delivered by us.

The Hon. ANTHONY D'ADAM: It seems that there's a lot of time spent in schools on professional learning.

GEORGINA HARRISSON: Yes.

The Hon. ANTHONY D'ADAM: But the proportion of that that is actually accredited training is very low. It seems like that would be an obvious way you could assist your teaching workforce to meet its professional obligations and at the same time deliver professional learning that is aligned with the professional standards.

GEORGINA HARRISSON: So, Mr D'Adam, we absolutely deliver that professional learning. We have excellent examples of our professional development and the impact it's having on practice in the field, which is the part we're particularly focused on. We want to make sure that when we ask our teachers to come and take part in professional development that they see the value in that and that they walk out of that professional development with ideas and practical examples they can take into their classrooms and improve outcomes.

You've heard us talk here before about the Best in Class team, where we have identified teachers who have delivered results in the HSC above and beyond comparable peers. That team has formed. In the first cohort of teachers that have delivered and taken part in that professional development, we've seen a 17 per cent increase in Band 5 and 6 from teachers who have taken part in that professional development. That's the type of impact we want to see our development activities having and is certainly where we are focused. Decisions about whole-school professional development are made by schools in their school improvement plans, for example, so there will be elements of local choice around the needs of staff, the needs of the community and that professional development. But I haven't had evidence brought to my attention that our schools are spending time on professional development that's not accredited, so I wouldn't mind taking that on notice, if I may.

The Hon. ANTHONY D'ADAM: So you're not sure whether the professional learning that's delivered in a school is accredited or not? Is that what you're saying?

GEORGINA HARRISSON: I'm very clear that the professional development delivered by the department is accredited. But I would expect the vast majority, if not all, of the professional development delivered in our schools, to be accredited. But there may be some instances—for example, if a community was working with a particular community organisation around an issue relevant to their school—that it might not be. But I would like to take that on notice, if I may. Certainly, from the department's perspective, our professional development is accredited.

The Hon. ANTHONY D'ADAM: Can I ask about one course, which is the child protection—I think I've asked this. I certainly asked Mr Martin about this. It seems like it's core professional knowledge to be able to understand the child protection obligations of a teacher within their professional context. Why isn't that accredited training?

GEORGINA HARRISSON: There are differences, I think, between training that someone needs to do in order to fulfil their duties—for example, as a mandatory reporter, training that supports them in exercising their duties—and professional development that goes to the core of making you a better teacher. I think that's the core difference that I would see here. There are differences between training you might need to do and professional development that you might need to do in relation to your practice. Certainly I think that is a distinction we try to make so that when we are talking about those 50 hours of accredited professional development, it is focused on the things that will make a difference for our students in classrooms. It's focused on the things that I think, as professionals, our teachers would say benefit them as a profession. But, as an employer, I still have obligations to meet in ensuring that my staff are suitably trained in existing legislation, for example, around child protection.

The CHAIR: Just coming back to the Castle Hill High School asbestos problem and the PES investigation that started in September 2020, how long was it before the leadership of the school was interviewed in the investigation—the school principal and the deputies who were responsible for this debacle?

GEORGINA HARRISSON: Chair, as Mr Currie is coming to the table, I note your ongoing interest in this case. I also note that there is public interest in us providing information. I would like the chance to provide the details that I'm able to provide on notice so as not to prejudice any outcome of an investigation. As I indicated, Chair, when that investigation is complete, I am very happy to write to you further with the outcomes.

The CHAIR: This Committee has resolved to have a special hearing day for our infrastructure inquiry on 19 September. We're going to swear in the culprits and get to the bottom of what's happened here because, in my assessment, this is one of the worst scandals I've seen—not just at the school, but the complete lack of action by your department to get moving on something that was critically important. So I'd like to know how long it took before the longstanding principal and the deputy at the school were interviewed about the scandalous situation with the sampling report in July 2016. Did that take 19 months?

GEORGINA HARRISSON: Chair, I absolutely agree with your assertions of the seriousness of this issue. You will appreciate that I do not want to prejudice the outcome of an investigation that could then impact on our capacity to implement any findings or determinations.

The CHAIR: Okay. You'll take that one on notice?

GEORGINA HARRISSON: I'm very happy to take it on notice.

The CHAIR: How long after the start of the PES investigation did they contact asset management inside their own department to say, "How many times have you been out there to do maintenance and renovations on the school?" What did they know about the asbestos problem? There's nothing worse than disturbing this product and spewing the dust into the air.

GEORGINA HARRISSON: I'm very happy to take those specifics on notice, Chair.

The CHAIR: Asset management—Mr Manning, that's in your area, is it? Do you run that? When did asset management first become aware of the problem at Castle Hill?

ANTHONY MANNING: Again, Chair, we'd have to take that on notice as part of the investigation. We are obviously cooperating with PES and giving them all the information they require as part of that process.

The CHAIR: Can you detail, post-July 2016, how many renovations and maintenance projects were undertaken at the school and what attention was given to the asbestos problem, and approving those and conducting them at the school? A big concern of the teachers and the school community is that there were dozens of renovation projects where the asbestos was disturbed and nobody did anything about the danger.

ANTHONY MANNING: I can have a look. I can talk to the asset management team and see. It's worth noting, Chair, that the asbestos was above the ceiling. The ceiling void of that building is very small, as you'll see, so there is no access to the ceiling. There are no crawl spaces. There are no services in that ceiling as part of that. I will ask the question of the team and take that on notice, but it would be any interactions with that ceiling that would be relevant, rather than necessarily interactions across other parts of the—

The CHAIR: Right. And in the dozens of renovation and maintenance projects, was the existence of the asbestos raised as a concern and what did asset management do about it?

ANTHONY MANNING: I have no records that they were. Any works we would have undertaken where we had a suspicion of asbestos—we would have done air monitoring, as we did when we did deal with the asbestos when we found it in 2020. It is worth putting on record that the air monitoring that we did prior to the 2020 work, where we actually identified it, didn't show any readings in the air that would trigger the fact there was an existence of asbestos below the ceiling.

The CHAIR: When did you first become aware of the July 2016 positive sampling report? Asset management—when did they first become aware? Will you take that on notice?

ANTHONY MANNING: Again, I'm not aware we were across it until it came up in the searches as part of the investigation.

GEORGINA HARRISSON: Chair, I note that you commented on a number of remedial and renovation works that have taken place at the school. I'm very happy to come back with details to the Committee of any works that have been carried out at the school between those dates in the relevant areas of the school.

The CHAIR: Yes, and who funded them? In particular, did the school have its own capital works budget using the revenue from overseas students?

GEORGINA HARRISSON: Just to clarify, we'll come back to you on notice with any renovation work—

The CHAIR: And who approved each of the renovation and maintenance projects?

GEORGINA HARRISSON: —in relevant parts and the funding source for those renovations.

The CHAIR: Okay. Can I turn to school finance? Through Mr Shoebridge, one of the ongoing questions at these estimates is always the reserve funds that haven't been spent. In 2021, New South Wales government schools received \$10.1 billion to invest in students. What's the amount that's unspent and sitting in school bank accounts? I've got a report here that it's \$1½ billion. Is that right?

GEORGINA HARRISSON: Thank you for the question. I'll ask Ms Owen to provide you with the specifics. I would also note for the Committee that, in response to this issue in our schools, we've had a very strong focus through our school improvement planning process to be clear with our schools that the money they have for this academic year is for students that are in their care in that academic year. We've made adjustments to our carry-forward policy that limits the amount of funding that schools are able to use from one year to the next, and we are using that as a mechanism to work down and make sure the funds are spent in accordance—

The CHAIR: What's the maximum now?

GEORGINA HARRISSON: I'll ask Ms Owen to provide you both with what we have on the current bank accounts and the Carry Forward policy.

The CHAIR: Thank you.

RUTH OWEN: We're in the first year of the four-year transition for the Carry Forward policy. As of the end of December 2021—that's the latest figures we have; the end of the last school year—there was \$685 million in all total school bank accounts from the school State consolidated fund. That is, of the money that's provided by Government, how much is remaining in those bank accounts. That's \$72 million less than the previous

year. Just for clarity, Chair, that's separate from school and community funds that the schools would also hold in their bank account.

The CHAIR: And what's your new cap on how much a school can hold in a reserve bank account?

RUTH OWEN: For this current year, the cap is \$50,000 with a floor of \$10,000. If I could just explain the transition point, we are transitioning from 3 per cent of the school bank accounts being able to be carried forward through to 0 per cent by 2025. At the end of last year, schools were able to carry forward 3 per cent of their budget. In this current year—by December of this current year, 2022—they'll be able to carry forward 3 per cent of their operating expenses budget. That's minus their staffing budget. Thereafter, it goes down: 2 per cent, 1 per cent, 0 per cent. That's the transition to how we're supporting schools to spend down. To reaffirm the secretary's point, there is a lot of coaching and guidance going to schools to help with their financial management, to address and spend wisely those funds.

The CHAIR: Just to go through the maths on that, if there's \$685 million in bank account reserves and \$50,000 is the maximum, how many schools are well over the maximum?

GEORGINA HARRISSON: Certainly as part of this transition schools also have the capacity to work down their current balance. You'll appreciate, Chair, that for many schools they go in partnership with their communities. They will match fund and seek to do particular works around a school, and so we are giving time for schools to spend that money in line with their plans. But Ms Owen might have the specifics on your question.

The CHAIR: Can I get a list of the schools that are over the maximum of \$50,000, please?

RUTH OWEN: What I could provide to the Committee—just again to be clear, the carry forward is the 3 per cent. Everybody had to reduce their budget—were not allowed to carry forward more than 3 per cent last year. This year, 3 per cent—

The CHAIR: You'll confiscate the money; that's good.

RUTH OWEN: There are some exceptions to that, and I can provide the Committee with the numbers of that. Last year it was specifically because of COVID. Some schools have some spending plans last year that, as you can imagine, were postponed because of things like lockdown, so there were a number of schools who asked for an exception. I've got the number here in front of me: 193 schools were given an exception to that 3 per cent at the end of last school year.

The CHAIR: Can I get a list of that 193?

RUTH OWEN: I'll look if I've got that for you, Chair.

The CHAIR: When does the \$50,000 maximum kick in then, without any exemptions?

RUTH OWEN: It will be December 2022, so the end of this school year.

GEORGINA HARRISSON: I wonder, Ms Owen, if you might just clarify the difference between the \$50,000 and the 3 per cent?

The CHAIR: Yes.

RUTH OWEN: The 3 per cent is 3 per cent of the operating budget, so last year it was of the entire budget. The 3 per cent is the operating expenses budgets, so minus the staffing position, and within that the cap of the amount of money they can have remaining, \$50,000, and a floor of \$10,000. So that's the sort of minimum amount, if you like, they can have—

The CHAIR: Okay, so it's a use-it-or-lose-it policy, and you're serious about enforcing that and reducing the number of exemptions from 193 to something substantially less.

RUTH OWEN: As the secretary has said, we're encouraging schools to spend their money that they get specifically for the specific circumstances of the cohort that's in the school that school year and to spend it on that school cohort and therefore not having the money in the bank accounts moving forward.

The Hon. COURTNEY HOUSSOS: Can I ask one question?

The CHAIR: Yes, chip in.

The Hon. COURTNEY HOUSSOS: How much money was recouped by the department as a result of the new policy last year?

RUTH OWEN: I'll take that one on notice.

The Hon. COURTNEY HOUSSOS: Okay, and if you can tell us how much then you anticipate would be recouped at the end of this year.

GEORGINA HARRISSON: I don't think we'd be in a position to give you an estimate of the position at the end of this year, but certainly following the end of the school year, once the financial statements are confirmed for the school part of our budget, we would be happy to provide that to the Committee.

The CHAIR: I'll just take one more out of the Opposition's time. With regard to the end of the vaccination mandates, how many of the teachers affected by those have come back into classroom teaching?

GEORGINA HARRISSON: Thank you for the question. I'll ask Ms Walker to provide you with the data.

SIMONE WALKER: Thanks, Chair.

The CHAIR: What proportion of the total affected is that number?

SIMONE WALKER: I also note that Mr Lamb has the numbers of the staff that have returned, so remembering that after the end of the vaccine mandate, from 1 August, staff were able to return, and actually the process went incredibly smoothly, knowing that we already had almost 93 per cent of staff vaccinated at that stage. Mr Lamb might have the figures of the people that returned from that date.

CHRISTOPHER LAMB: If you could just clarify specifically, Chair, what your question is in relation to those people.

The CHAIR: Well, the different groupings. There were those under PES investigation; there were permanents who couldn't teach. There were temporaries and casuals who were on the Cachia broadcast that went out in February—about 9,000 of those or 8,000 of those. So of the different categories that have been raised in evidence to this Committee, how many have come back into classroom teaching?

CHRISTOPHER LAMB: Just to make sure that I give you the accurate information, I'll take that on notice and break that down for you.

The Hon. COURTNEY HOUSSOS: Can I just ask: Of the money that you recouped last year, does that money just go back into the department's general coffers or does that go back to Treasury?

GEORGINA HARRISSON: Ms Houssos, for the balance of the financial year, that comes back to the department and we can make decisions about how we would invest that across the education system for the benefit of all schools, obviously at that point one-off funding that might be available. At the end of the financial year we would be able to submit proposals for carry forward at a State level if we had appropriate reason to do so.

The Hon. COURTNEY HOUSSOS: Do you have a specific program that that money's being put towards or maybe you can provide for us on notice how it was spent last year?

GEORGINA HARRISSON: I'm very happy to provide you on notice with what money was recouped. What we did see last year, I'm pleased to tell the Committee, is much tighter expenditure to budget by our schools. Across the State, despite COVID, we saw the expenditure on the cohorts and students in front of teachers today in our schools go up, and that's certainly something that we want to continue to encourage.

The Hon. COURTNEY HOUSSOS: Great. How many hours a week do New South Wales public school teachers work?

GEORGINA HARRISSON: Under their conditions of employment, our teachers are paid to work 35 hours a week. They are also paid for 48 weeks of the year and receive four weeks annual leave in line with other public servants. The reason I highlight that, Ms Houssos—and I note that there are a number of these issues subject to ongoing negotiations and conversations. The reason I note that is that the holiday time where our teachers are paid but not required to work is in part in recognition and in lieu of the fact that we know that during term time the focused effort of our teachers during that time can be very intense.

The Hon. COURTNEY HOUSSOS: I'm interested to know though whether you've done any studies about actually how many hours a week they work.

GEORGINA HARRISSON: We don't have any specific data on that. Our teachers are not required to clock in and out.

The Hon. COURTNEY HOUSSOS: Do you have any data on how many hours a week New South Wales teachers spend on administration and compliance?

GEORGINA HARRISSON: I might ask Ms Owen to comment in relation to the work we did in formulating the Quality Time Action Plan and the consultations that we went to our staff with in relation to those matters.

RUTH OWEN: You'll remember, Ms Houssos, I think we've mentioned this before, for our Quality Time Action Plan we relied on the OECD survey of the Australian teachers. Their estimate was teachers spent 4.1 hours per week on administration.

The Hon. COURTNEY HOUSSOS: That's the OECD average; I'm interested whether you've got any research specifically for New South Wales.

RUTH OWEN: We relied on the OECD survey for part of our quality action plan. We have been in deep consultation with our teachers on what the key things are that they want us to do to reduce that administration. We haven't asked them to count their hours as a result of that.

The Hon. COURTNEY HOUSSOS: How many hours a week does your workload reduction plan aim to save teachers?

RUTH OWEN: Currently we're aiming to save teachers 40 hours by the end of this year.

GEORGINA HARRISSON: And that is across a whole school year; is that right, Ms Owen?

The Hon. COURTNEY HOUSSOS: Forty hours per school year, so an hour a week.

RUTH OWEN: Roughly.

The Hon. COURTNEY HOUSSOS: How can you judge whether that program is going to be successful if you don't know how many hours they're actually working?

RUTH OWEN: For every measure we've put into our Quality Time Action Plan, we've either measured the reduction of time through a baseline and then a measurement of the change of the process or we've undertaken a measurement process where we've estimated that time using teachers—in consultation with teachers—to understand what time would be reduced. So it's either an actual measure or it's an estimated measure, and that's gone into the Quality Time Action Plan for how many hours we'll be taking off teachers to meet that target.

The Hon. COURTNEY HOUSSOS: But how can you then evaluate—I'm kind of repeating my question. How do you evaluate how many hours they're saving? If you've got no baseline data to judge it against, how can you say they're saving an hour when you don't know? You're using an international figure to say they work four hours a week. I think anyone who speaks to a teacher would say that they work more than four hours a week on admin and compliance. How can you then judge whether your quality time plan works if you don't have baseline data?

RUTH OWEN: What we've done is take the baseline data per initiative, so not the universal. The universal is the OECD measure, but for each key change—so let me give you an example. For the universal resources hub, we've measured that as reducing a teacher's time by 8½ hours per year by having measured how much time they used to spend researching quality curriculum resources and how much less time they now have to spend because of the quality resources we've made available for them. As Ms Harrisson mentioned earlier, there are quality- and evidence-based, so we did a measurement of that baseline and then measured what the difference was. Similarly, we have done that on the school audit; we've done that on mandatory training. For each initiative, we've looked at what was the baseline of the data and then what would be the delta.

The Hon. COURTNEY HOUSSOS: I might move to a different issue then. We asked a lot of questions in March about the overseas and interstate recruitment of teachers. Are you able to give us an update on how that program is going? How many have been recruited?

GEORGINA HARRISSON: Certainly. I'll ask Mr Lamb, and I'll just give him a moment to find those figures. We have continued our work in the Recruitment Beyond NSW Program. I think as has been reported, and as we have raised and worked with the Commonwealth on, current visa processing times of up to 18 months are certainly impacting the delivery of that program as it relates to overseas candidates. I am pleased to say that the Commonwealth has been working very productively with us on that issue, and we've seen prioritisation of teacher visa processing as a result. We continue to press and progress those issues with the Commonwealth. But Mr Lamb will have the specific numbers.

The Hon. COURTNEY HOUSSOS: Mr Lamb, in March we were told that there had been 43 acceptances of the program. Can you tell us how many you've got in total now?

CHRISTOPHER LAMB: I might provide a bit of context. As the secretary said, these are long-term strategies. They are subject to working through visa issues, et cetera. But we've had more than 10,000 expressions

of interest. We've short-listed more than 300 applications so far that we've worked through and we expect that 460 teachers will be able to start in 2023-24.

The Hon. COURTNEY HOUSSOS: So 463 teachers will commence this financial year?

CHRISTOPHER LAMB: In 2023-24, with at least a further 100 expected in the following financial year.

The Hon. ANTHONY D'ADAM: How much is that process costing?

The Hon. COURTNEY HOUSSOS: Can I clarify that? So 463 teachers will commence in 2023-24?

CHRISTOPHER LAMB: Four hundred and sixty teachers being recruited to start in 2023-24 and at least a further 100 in 2024-25.

GEORGINA HARRISSON: If I could add—

The Hon. COURTNEY HOUSSOS: So that's a delay of a year on the original?

GEORGINA HARRISSON: Of the initiatives in the Teacher Supply Strategy, the vast majority of them are on track. The process for this one has been impacted by those delays in visa applications that are being felt across the community. But, certainly, we are hopeful that the accelerated process we're in conversations with the Commonwealth around will deliver those results more quickly. Those numbers are modelled on the realistic delivery times of visas for teachers to come and teach in our schools. I would also note that we are working with Mr Martin on the accreditation of those teachers and the acknowledgment and recognition of their qualifications. That is also part of the process and one that has been going well in New South Wales.

The Hon. COURTNEY HOUSSOS: I might have some more questions for Mr Martin in a moment, if he wants to come up to the microphone. Mr Lamb, while I've got you, though, how many of those teachers—in March we'd had 43 acceptances. How many acceptances are there?

CHRISTOPHER LAMB: I can take on notice the number of acceptances we have, but we're working with 300 short-listed candidates at the moment.

The Hon. COURTNEY HOUSSOS: How many teachers have begun teaching in schools?

CHRISTOPHER LAMB: As I said, 460 of those teachers are due to start in 2023-24.

The Hon. COURTNEY HOUSSOS: So you're saying that not a single one—

GEORGINA HARRISSON: Which, Ms Houssos, is in line with visa processing times that I've outlined, which are towards 18 months.

The Hon. COURTNEY HOUSSOS: I understand. I want to be really clear here. So not a single teacher under this program has now begun teaching. Is that correct?

CHRISTOPHER LAMB: As part of the 10-year strategy that committed to deliver 460 teachers in 2023-24, we are on track to deliver that strategy.

The Hon. COURTNEY HOUSSOS: Mr Lamb, that's the third time you've given me that answer. I just want to know whether any teachers have started in New South Wales schools.

GEORGINA HARRISSON: Ms Houssos, there are some who have started. Mr Lamb may have the number with him. We have two streams of work, one of them is beyond borders, as in beyond our State border, and the other is international. We don't have any individuals who have started teaching who we have recruited from overseas and who we have been able to process a visa for and have them arrive yet. But we have had some interstate staff commence. I am very happy to provide that breakdown for you on notice.

The Hon. COURTNEY HOUSSOS: Great.

The CHAIR: The overseas number is zero. What's the interstate one, Mr Lamb?

GEORGINA HARRISSON: At this stage, yes.

CHRISTOPHER LAMB: The overseas number is zero. So far across the Teacher Supply Strategy we have recruited 161 teachers, 27 of whom are already in classes.

The CHAIR: And they are from interstate?

CHRISTOPHER LAMB: They're from across the different programs. I can give you a breakdown of the programs, if that would be helpful.

The Hon. ANTHONY D'ADAM: Yes, please.

The Hon. COURTNEY HOUSSOS: Yes, please.

The CHAIR: Interstate?

GEORGINA HARRISSON: I think we might need to provide that on notice, Chair. But I am very happy—

The CHAIR: Surely it's in front of Mr Lamb.

GEORGINA HARRISSON: If he has it, I am very happy for him to provide it.

The CHAIR: I know you prepare extensively for this, so you must have some data there about interstate.

CHRISTOPHER LAMB: I have the breakdown for each of the individual programs.

The Hon. COURTNEY HOUSSOS: Why don't you talk us through those?

The CHAIR: Please.

CHRISTOPHER LAMB: The source of each one? Sure. The attraction to teaching program is scheduled to start delivering teachers in 2024-25.

The CHAIR: So that's none at the moment.

CHRISTOPHER LAMB: The Casual Supplementation Program has seven teachers in classes as of 26 July. The FASTstream program has 50 teachers. The Grow Your Own program is a much longer-term program. As I think we talked about earlier, there are no teachers in classes now, but neither were there scheduled to be. The Inclusive Practice in Education scholarships—again, a longer-term program—will be delivering teachers from 2023-24. The Mid-Career Transition to Teaching Program has 61 participants in the program already. We've talked about the Recruitment Beyond NSW program. The Rural Experience Program has 26 teachers in the program already.

The Hon. COURTNEY HOUSSOS: Sorry, the Recruitment Beyond NSW program has how many?

CHRISTOPHER LAMB: That was the program we were talking about before.

The CHAIR: That's interstate.

The Hon. COURTNEY HOUSSOS: Was that 27?

CHRISTOPHER LAMB: The Recruitment Beyond NSW program is the program that we were talking about before which has zero teachers in schools currently and 460 teachers to deliver from 2023-24.

The CHAIR: So that's zero from overseas and zero from interstate?

CHRISTOPHER LAMB: I don't have the breakdown for the other programs of where people may have come from. Someone may be participating in one of the other programs that I've mentioned and may be from interstate. I don't have that breakdown in front of me. Would you like me to keep going?

The Hon. COURTNEY HOUSSOS: Yes, please.

The CHAIR: Yes.

CHRISTOPHER LAMB: The SLSO teacher training program—again, that's a longer-term program—will start delivering teachers in 2026-27. Support for Rural Beginners—again, a longer-term program—will begin to deliver teachers in 2024-25. TAS pathways is the same. The teacher retraining STEM program will begin to deliver teachers from 2023-24. The teach.Rural Scholarships, there are 17 participants already in that program.

The CHAIR: Teach For Australia, which was announced two years ago in one of the Perrottet budgets, did that ever get up and running?

GEORGINA HARRISSON: Chair, we undertook some work with Teach For Australia under that contract. That work has been finalised and the next steps are currently under consideration.

The CHAIR: What does that mean?

GEORGINA HARRISSON: That means that we will take advice to Government on what the next steps in relation to our work with Teach For Australia might look like.

The CHAIR: What are you hoping the next steps are in recruiting teachers?

GEORGINA HARRISSON: It wouldn't be appropriate for me to comment on potential ministerial and Cabinet decisions ahead of them being made, Mr Chair.

The CHAIR: But it's taken two years to get to the stage where you can go to the Minister and say, "This might be possible"?

GEORGINA HARRISSON: I believe we had an announcement in a budget. We've completed the first stage of work following that announcement and we're looking to what the next stages might be.

The Hon. COURTNEY HOUSSOS: Teach.Rural Scholarships, how many were in that one? I assume they're students who are still studying, so they're not in schools yet. Is that correct?

CHRISTOPHER LAMB: There are 17 participants in that program.

The Hon. COURTNEY HOUSSOS: But they're training, right? They're not actually in schools?

CHRISTOPHER LAMB: They are in training, yes.

The Hon. COURTNEY HOUSSOS: Excellent. That's very helpful. Thank you, Mr Lamb. I'm happy for you to tell us on notice what countries the 300 short-listed applicants are from and a breakdown of the numbers per country, if that's okay.

CHRISTOPHER LAMB: I'm happy to take that on notice and see what I can provide.

The Hon. COURTNEY HOUSSOS: Great. Excellent. Do you have any information around the subject specialties?

CHRISTOPHER LAMB: Again, I'm happy to take that on notice and see what I can provide.

GEORGINA HARRISSON: Ms Houssos, what I would say on those two issues is, firstly, we have targeted this recruitment effort in particular countries, although we are accepting expressions of interest from any country where an individual meets the requirements of the role. Those targeted countries have been those you would expect: the UK and Canada, for example. In relation to the subjects that we are targeting, this program was specifically established to target our STEM areas of shortage. So we do have a focus throughout this program on those STEM subjects.

The Hon. COURTNEY HOUSSOS: I want to be really clear; none of them are actually teaching in New South Wales schools yet under the overseas recruitments?

GEORGINA HARRISSON: No. As I've indicated—

The Hon. COURTNEY HOUSSOS: That's fine.

GEORGINA HARRISSON: —with an 18-month lead-in, this strategy is nine months old. With an 18-month lead-in for a visa application, it would have been impossible for us to get an individual into a school in that time frame.

The Hon. COURTNEY HOUSSOS: There was a \$4 million contract to recruit the teachers. Are you able to tell us how much of that has been paid out?

GEORGINA HARRISSON: I am very happy to provide on notice details of what we have expended against those initiatives.

The Hon. COURTNEY HOUSSOS: Can you tell us, is the funding tied to when the—obviously, it's not tied to when the teacher starts teaching in the school if we don't have any.

GEORGINA HARRISSON: The funding for the strategy, the \$125 million, from memory, across the four years—obviously, with programs like this with design costs and set-up costs and the like, there is some up-front investment. We are on track in terms of expenditure. There are up-front costs in terms of design of programs and making sure assessment processes are in place, for example. So we are on track in terms of expenditure. There are elements of this which are a down payment up-front for what will come later.

The Hon. COURTNEY HOUSSOS: What outreach have you done to teachers who have been trained overseas but are living in New South Wales currently? Could they apply under this program?

GEORGINA HARRISSON: They could, if they required that support in some form to access teaching here. For example, if someone was here on a different visa type—on a working holiday visa, for example—but were a qualified teacher, they would absolutely be able to access this program. Obviously, their need or access to any of the relocation benefits would need to be addressed accordingly.

The Hon. COURTNEY HOUSSOS: That leads really nicely into my question for you, Mr Martin. What are we doing to accredit the teachers?

PAUL MARTIN: We have expedited all our internal processes to make sure that teachers are accredited. We have a long history of doing teacher recognition of overseas qualifications. We can identify not only if the teachers have the overseas qualifications but what sorts of qualifications they have. We have to do a coding to make sure that a communications degree from an overseas university—where that might fit in terms of New South Wales syllabuses. We have, I think, a 24- to 48-hour turnaround of some of the information, but we work very closely with the department to make sure that they get the information as soon as possible. We have partnered with the department, in particular, in trying to make sure that those applications are expedited.

The Hon. COURTNEY HOUSSOS: My understanding is that a teacher who has been trained overseas—that there are a large number of jurisdictions where they don't receive any recognition. Is that correct?

PAUL MARTIN: I couldn't answer outside of New South Wales but what we do is we have, as I said, a long history of examining the qualifications from overseas. It's not simply the case that you can have an overseas teaching qualification and simply come into a New South Wales school. We have requirements about which syllabuses you are eligible to teach because of the appointment processes within schools. We will do an examination of the undergraduate qualification or of the teaching qualification to identify whether they can not only have a qualification to teach but if it's useful in New South Wales. We have been doing that for 25 years, I think. Prior to NESA and the Institute of Teachers, it was done by the department. I would be under the assumption—though, I can clarify—that other jurisdictions would have the same processes.

The Hon. COURTNEY HOUSSOS: Can you tell me, Mr Martin, if you have a list of countries where, if you've done a teaching degree, you are able to be recognised or, alternatively, if there is a list of countries that you don't receive any recognition—so if you have been told anecdotally that there are certain countries where you may have done a four-year undergraduate degree or even a masters degree in teaching but you still, if you come to Australia, have to start your teaching process again? Let me be clear, the questions we asked in March were around the fact that we want this to be a rigorous process, we want to make sure these teachers do understand the New South Wales curriculum and we want to make sure that they are teaching our kids what they need to be. I am just interested to know about your processes. Is there list of countries where you say, "Even if you are a fully qualified teacher and you were teaching over there and you have done your teaching degree, we don't recognise any of that"? Or, alternatively, do you have a list of countries where we do recognise it?

PAUL MARTIN: I don't think there is something as simple as a list of countries in or out. It's got to do with the qualification of those countries and often English language requirements. There are some overseas jurisdictions where the English language requirements are obviously—New Zealand, the UK, America, Canada et cetera. There are others where we would have to make sure that a teacher fulfilled our national English language tests. But I don't think that we have—and I will clarify—a specific set of countries or qualifications that wouldn't work with teaching in New South Wales. We make an assessment based on the qualification as presented.

The Hon. ANTHONY D'ADAM: What level are they accredited at?

PAUL MARTIN: If they came in to New South Wales for the first time, they would be provisionally accredited. They would have to make sure that they met proficient accreditation over the time period, same as other teachers.

The CHAIR: Can I ask about webcasts or online Zoom gatherings? How many of these have been conducted by Kerry Chant to talk to school principals about her view that masks are essential in schools?

GEORGINA HARRISSON: Chair, I'm very happy to take on notice where we have worked in partnership with Dr Chant to provide advice to public schools. These may be better questions for her in terms of other engagement. I know she has participated in some engagement with independent schools, for example, and the Catholic sector. That might be a question best directed at her in terms of her diary. But, certainly, in terms of briefings that have occurred and engaged with Dr Chant in the public school, I am happy to provide you with details of that on notice and a summary of the issues covered.

The CHAIR: It seems that she has held lot of these, not necessarily in line with the policy at the top of the New South Wales Government. Has there been any problem with Chant being seen as circumventing government policy or she has the support of your Minister and her own?

GEORGINA HARRISSON: I can't speak for Dr Chant. What I can say is that when she has provided advice to our school principals—and it's been on quite limited occasions that she has directly spoken to them; I think we had one prerecorded piece of advice rather than a web cast, per se—she has very clearly provided the

advice in line with her public statements at the time. I couldn't speak to what she may have said in other forums where I have not been in attendance, Chair.

The CHAIR: Has she initiated these gatherings with school principals to issue her advice?

GEORGINA HARRISSON: I believe that sectors have approached Dr Chant to provide that insight and information to their heads. But, again, I think those questions are best directed to Dr Chant in terms of the invitations that she's accepted and information she's provided.

The CHAIR: Do New South Wales government schools keep their own data on collapsed classes or classes with minimal or no supervision?

GEORGINA HARRISSON: I think this goes to some of the questions earlier this morning.

The CHAIR: But do schools collect their own data?

GEORGINA HARRISSON: I think, as was described, schools locally keep a day sheet. As part of that day sheet, they will attempt to record changes that occur to their planned day that might include collapsed and merged classes. Some merged classes—and I note that in the last two terms, while we have been dealing with the levels of absences, this would not have been the necessarily dominant reason—are for planned curriculum delivery, for example, where a sports program comes in. For example, you might have all of year 1 undertaking sport with an external provider that comes in in support with one of those year 1 teachers in attendance, while the other year 1 teachers have their release from face-to-face teaching time. That would be quite common practice in looking at how schools manage that type of situation locally. But we don't have a clear definition or reason codes that would enable us to consistently collect that data across the system.

The CHAIR: Do they report their day sheets to the department?

GEORGINA HARRISSON: No, those are operational sheets for the school. Mr Dizdar can give some further information on that. I think, Chair, one of the good analogies here is our attendance data collection. It is well established in the system the way that we collect attendance data, the way that is recorded and the reason codes that are given for particular reasons why a student would be absent. In order to collect the type of data you are referring to, we would need a similar system around those reason codes so we could consistently collect the numbers of instances as well as validate the reasons consistently across the system in order for it to give us valuable insight. Mr Dizdar, do you have a comment on the day books and their use in schools?

MURAT DIZDAR: Yes. Chair, the secretary describes that really accurately. These are operational day sheets. As you know, Chair, having visited schools, there will be a range of reasons why staff are out. There will be sick leave, there will be staff professional development, there will be the PE teacher taking the rugby league team off to the carnival, as well as sick leave, like we indicated. The school then looks at how many teachers are under load, for example, that they can internally allocate; the school looks at attaining casual teachers; and the school looks at any programs or initiatives where they can pull those people off for the day. It's purely a workforce operational piece to communicate with the entire staff how the school's going to run that day. Why it's complicated, in my experience, is that you will get a staff member who will unfortunately fall ill in period two or period three, or have a family emergency in period two or period three, and has to leave the school, informs the principal and you have to cover their classes as well.

The CHAIR: It's bad that teachers are out, but isn't the real issue the impact on students? Do these day sheets have a record of collapsed classes, classes with minimal or no supervision, or even whole year groups sent home?

MURAT DIZDAR: These day sheets, Chair, have never been a system requirement and have never been a record keeping requirement by the system or at a school level. The way you could only ascertain off that day sheet if there was a class uncovered, for example, it won't have a name next to that. It might indicate that there's one name across six classes, for example, and that would be a minimal supervision instance. It won't write "minimal supervision", but it will be a minimal supervision instance where you have a staff member who is looking after a range of classes in the hall and self-directed learning and there's work that's provided. Certainly teaching doesn't occur because you are looking after a multitude of classes and you are ensuring the safety, welfare and wellbeing of those students. We don't shy away from the fact, Chair, that that is far from ideal. Minimal supervision is an absolute last resort, having been a principal in the system, having had to utilise it on some occasions where I wasn't able to source temporary staff. It's an absolute last resort. We exhaust all our internal opportunities before we go there. I think the secretary rightfully calls out we shouldn't lose sight of the fact that a merged class can occur and does occur every day in the State in schools when you have got your entire workforce there. You will get two economics teachers who are teaching at the same time who combine their class, that is a merged class, have the teacher teach the lesson to tap into that teacher's expertise.

The CHAIR: I think the Committee's interested in transparency as to these practices and what is happening because of the teacher shortages. Mr Dizdar, why did you send out an email to school staff ordering them not to share any data about the teacher shortage crisis and who told you to send that email?

MURAT DIZDAR: I sent a reminder with Ms Nixon. I think that's the email you are referring to.

The CHAIR: Who initiated that?

MURAT DIZDAR: We initiated that in our roles as Deputy Secretary, School Performance, if I've got the right communication you are pointing to.

The CHAIR: Yes, that's it.

MURAT DIZDAR: That was to remind our staff about appropriate data sources to use, what to release. It was against the backdrop of others seeking data, not this Committee, other stakeholders seeking data from schools that had to do with merged classes and minimal supervision.

The CHAIR: You said that staff couldn't provide operational data to external parties without authorisation. Are parents an external party?

MURAT DIZDAR: To your question about why we did that, Chair, both myself and Ms Nixon in our role across 2,200 schools were fielding numerous inquiries through our principals, through our directors, educational leadership, around the accuracy of this data, what should they be providing, should they be calculating this and providing it when asked for—for example, by a particular parent or the NSW Teachers Federation or any other stakeholder. So we wanted to give them guidance and we don't shy away from giving them guidance.

The CHAIR: No. You didn't want to give them guidance. You said they couldn't send operational data to external parties. Are parents an external party?

MURAT DIZDAR: If a parent came to a school and requested information on this particular topic, on minimal supervision, on merged classes, we would indicate that the data is not centrally held. There's a manual computation—

The CHAIR: No, held by that school. If a parent went to a school and said, "How many collapsed classes have you had here in the past month? How many classes with minimal or no supervision?" Hasn't a parent got the right to know what is happening in the school in terms of the education quality for their child?

MURAT DIZDAR: Chair, I fully concur that the parent's got the right to ask that question but the school would not have that at their fingertip. They would have to indicate that that's a manual exercise. They would have to undertake a computation exercise, and then we were merely giving them the reminder about how to appropriately access and use that data.

The CHAIR: Are you aware of any schools in your southern division where they wanted to send a note out to the parents to say, "Look, your child might not get full teaching capacity and supervision and tuition here because of teacher shortages"? Then the department told that school, "Don't mention teacher shortages, just blame it on COVID."

MURAT DIZDAR: I'm happy for you to table the specific—I think you are looking at something in front of you, if you want to indicate—

The CHAIR: No, no, no. I am not here to table documents. I am asking you, in your purview in charge of the southern division of schools, are you aware of the practice whereby schools were asking, or at least one school I know of was asking, permission to say, "Look, these are teacher shortages for why your child hasn't got a teacher in front of them today." And they were told, "Don't mention teacher shortages. Blame it all on COVID?"

GEORGINA HARRISSON: Chair, certainly I am happy to say that I am not aware of any such instances, and if there are, very happy to receive advice from you on them accordingly. I think, as we discussed this morning, there are two issues at play here. Certainly, through the first half of this year we have seen absence levels in our schools up over 60 per cent on pre-COVID levels. That has had, it absolutely has had, an impact on operations and the capacity for schools to cover every single class during that time. I note that if we had enough casual staff for that level of absence all the time, in normal times they would not have access to adequate employment because this has been an exceptional period in our operations. I do think there is a separation here between that issue and some of the structural shortages, if that's a good way to describe it, in those areas where we know we have shortages and we have a teacher supply strategy to address them.

I note that the Commonwealth modelling, for example, indicates a shortage of around 4,100 teachers nationally over the period—I think it's to 2025 from memory—which is exactly where we are looking at providing an additional 3,700 teachers across our teaching supply strategy. These figures are in line with the national

modelling as well. We are very clear, there are shortages in some disciplines in certain locations and that it has been with the investment of new positions across all education sectors we are seeing growth in demand, but that is separate from the collapsed classes—

The CHAIR: It is good that you jumped in, secretary, but Mr Dizdar is yet to answer the question. Are you aware of this practice of a school in your area of responsibility being told, "Don't mention teacher shortages. Just blame it on COVID"?

MURAT DIZDAR: No, I'm not across it and if you've got any detail and you want to provide that, I'd welcome the provision of it.

The CHAIR: Is anyone else on the panel aware of any such example among schools? An open question to the panel. No?

GEORGINA HARRISSON: No, Chair, but I think, as I was trying to provide context for, in order to communicate with the community about the current experiences in schools it is not possible to separate the COVID impact from the teacher supply issues. We are experiencing both at this time and—

The CHAIR: The school wanted to mention both but was told don't mention the teacher supply.

GEORGINA HARRISSON: Certainly, I am not aware of that issue.

The CHAIR: I will take that up.

MURAT DIZDAR: If that is taking place, that's not appropriate.

The CHAIR: No, it's not, is it?

MURAT DIZDAR: There wouldn't be any written instructions from myself. You asked about if it's under my schools.

The CHAIR: Well, I said, someone in the department told me. I have seen documents. But I will take it up down the track.

MURAT DIZDAR: It's not appropriate.

GEORGINA HARRISSON: But if there are documents you would like to table or share with us, Chair, we are very happy to follow up.

The CHAIR: We will look at that.

The Hon. COURTNEY HOUSSOS: Could I ask a follow-up question? You said it is unprecedented in terms of the sick leave that you are facing. Will schools have access to additional sick leave if they require it or will they have to cover that from their existing budgets?

GEORGINA HARRISSON: We have been very clear with every school that if they are feeling under pressure around their sick and FACS entitlement budget, that we will top them up where they need it. They should not hold back at any point from recruiting and covering classes where someone is available due to that budget. That it will be covered centrally if needed.

The Hon. COURTNEY HOUSSOS: That's very helpful, thank you.

The Hon. ANTHONY D'ADAM: I come back to the question about the accreditation status of the child protection course. I have just had a look at the professional standards. Standard 4, Mr Martin, relates to creating and maintaining supportive and safe learning environments. Yes, that's correct?

PAUL MARTIN: Sure.

The Hon. ANTHONY D'ADAM: Standard 4.4, to be proficient, ensure students' wellbeing and safety within school by implementing school and/or system curriculum and legislative requirements. Ms Harrison, how is it possible that the department hasn't accredited its child protection course, given that it clearly would address that standard?

GEORGINA HARRISSON: I think you initiate the question towards Mr Martin, who I think has some comments, but I am happy to follow.

The Hon. ANTHONY D'ADAM: No. The question is to you, Ms Harrison, you are the head of the agency, you have been given authority from NESA to accredit your own professional learning. Clearly, this is a course that is delivered by the department. It meets the professional standard, why hasn't it been accredited?

PAUL MARTIN: The accreditation that NESA has provided the department—

The Hon. ANTHONY D'ADAM: The question was directed to Ms Harrison.

PAUL MARTIN: —goes to four specific areas, not to all of the 37 standards. The department has the responsibility to accredit priority areas, which are delivery and assessment of the New South Wales curriculum, students, children with disability, Aboriginal education and supporting Aboriginal students, and student child mental health. The training that Ms Harrison referred to earlier can still be counted as part of your PD, but it does not sit within the priority areas and therefore is not endorsed by the department as priority PD.

The Hon. ANTHONY D'ADAM: Are you saying that the department doesn't have the authority to accredit this course? Just because it has got some priorities doesn't necessarily mean that it doesn't have the discretion to accredit courses. It is not authorised? That is the question I am putting to you.

PAUL MARTIN: The accredited courses are only in four priority areas, that's for the department, the independents, the Catholics and for NESAs. Teachers can do courses in a range of other areas but that's their elective professional learning, not their priority PD. The department's approval of PD courses relates specifically to the four areas that the Government and the NESAs board determined were the priorities for teachers going forward.

The Hon. ANTHONY D'ADAM: So you can only get your 50 hours if you're within those four accredited areas?

PAUL MARTIN: You can get 50 hours from within those four accredited areas and 50 from without. Most teachers' professional learning is in the curriculum area anyway, and the other three areas cover at least 50 hours. I think I indicated at the last hearing that I had attended, teachers do roughly 250 hours, on average, of PD—more than the 100 that they're required. While there may be issues of teachers not being able to locate appropriate PD in the last couple of years because of COVID, we have adapted around their particular and specific needs by extending the time limit for their accreditation processes, or if they're part-time teachers or temporary teachers, giving them an extra two years. The department's responsibility is the accreditation of programs in the four priority areas.

The Hon. ANTHONY D'ADAM: Who decided that? The NESAs board decided the four priority areas?

PAUL MARTIN: The NESAs board made recommendations that were agreed to by the Minister as part of the changes to the professional learning policy from 2020, I think it was.

The Hon. ANTHONY D'ADAM: Why is it that you can only get accredited hours that are so narrow and don't necessarily—I mean, if the training meets the professional standards, isn't that the purpose of the accreditation? What's the public policy rationale behind such a narrow application of the professional standards?

PAUL MARTIN: The difference between professional learning and training, which I think the secretary indicated earlier, is a clear one. I mean, there are things that are required for your job that are not necessarily about growth as a teacher or expansion of your capacity to teach—pedagogy et cetera—or the groups of students that you may have in your classroom—Aboriginal students or students with a disability—and the range of adjustments that are required. So all of the sorts of things that are core to teaching have been identified as part of those four priority areas. All of the other standards—there are, as I said, 37—you can continue to do PD in those areas and you have to complete 50 hours of elective PD, so that still counts, but it's not within the four priority areas.

GEORGINA HARRISON: My apologies, Mr D'Adam, if my answer confused that matter. Our teachers are required to complete the whole 100 hours of PD; 50 of them are in accredited professional development. Those accredited professional development areas are as Mr Martin outlined, which is why in terms of child protection it is not in the 50 accredited hours by the department. But I will come back to you on notice. I do believe it is able to be counted for the elective part of the professional development hours.

PAUL MARTIN: It is, yes.

The Hon. ANTHONY D'ADAM: I still don't really understand why, if there—how many standards are there? There are seven, aren't there? Is that correct, Mr Martin—seven standards?

PAUL MARTIN: There are seven standards, with 37 standard descriptors that sit underneath the seven elements, yes.

The Hon. ANTHONY D'ADAM: If there are seven standards and that's the appropriate description of the professional knowledge that's expected of a teacher, why is NESAs taking such a narrow view? Why aren't we allowing teachers to undertake professional accredited training for all of the standards?

PAUL MARTIN: I think the judgement from the board and also from discussions with teachers and professional associations and in consultation over the last number of years is that while all of the 37 standards are

important as part of a holistic understanding of what it is to be a teacher, there are some standards that are of such priority that we need to focus on them, and that's why 50 hours of the 100 were devoted to those standards. In a time when we're putting out 131 new syllabuses, where primary teachers—and I go back to the question you asked earlier today—are needing to get across a significant number of new content over a four- or five-year period, then the priority of having a curriculum as something that the workforce needs to focus on is not an unreasonable or unusual thing, and I think that was the discussion that was held at the NESA board in terms of prioritising that area. The other three priority areas—Aboriginal students; students with disability; and student mental health, I think was something that arose in the last couple of years partly because of COVID—were also seen as things where the collective wisdom of the NESA board and the sectors represented and both unions was that if we were going to provide advice to teachers about where to spend their time, it was in those four priority areas.

The Hon. ANTHONY D'ADAM: Do you accept that that has now made it harder for teachers to meet the standards?

PAUL MARTIN: I would suggest that we need to make sure that there is as much professional learning as possible available so that teachers can meet their 50 hours. The three sectors have the right to approve their own PD so that they can monitor their staff's professional learning needs, and we also approve and endorse other PD. It's something that we're increasing as we go forward, given that the policy only came into place very recently.

GEORGINA HARRISSON: So, Mr D'Adam, this is 100 hours of professional development done across the accreditation period—half of which is being directed towards priorities and half of which teachers have absolute choice around the kind of areas of elective professional development they will undertake. In terms of the standards we're focusing on, if I just go to the standards as you've raised them, standard 6 is to engage in professional learning. That wouldn't be one that is necessarily something you would want to have as a focus area. I would also note across the State the Government's clear commitment is to focus on quality teaching in the classroom. So to focus very much on those elements of the standards as the priority seems like a reasonable place to focus our effort.

The Hon. ANTHONY D'ADAM: Can I ask about PDP? I noticed in the Quality Time action plan document from September 2021, it indicates that PDP doesn't align to the professional standards.

GEORGINA HARRISSON: No, the current performance and development process that we have in our public schools is part of an award agreed matter. So our current framework has not yet been adapted to meet the standards fully, and it's one of the reasons why we're seeking changes to that at this time.

The Hon. ANTHONY D'ADAM: Can I ask about COVID? I asked at the last estimates about the number of notifications from teachers. Can you give us an update in terms of the figures? How many hours, perhaps, is the metric I might ask about. How many teaching hours have been lost as a result of absences attributable to COVID?

GEORGINA HARRISSON: I think your question here, Mr D'Adam, is how many teachers have had COVID and how long have they been off for?

The Hon. ANTHONY D'ADAM: Sure.

GEORGINA HARRISSON: Teachers have been required to let us know if they have had COVID. Obviously, there have been further absences where teachers have been carers of others. But to the specific question, just under 27,000 teachers have reported to us that they have tested positive for COVID. Obviously, the isolation requirements have been in place through that time and have varied during that time, so I can't give you a specific on days but happy to come back on notice for this year—for example, from January to now—in terms of the time lost in that. I can come back to you on notice with that.

The Hon. ANTHONY D'ADAM: Has there been a significant improvement in terms of the workers comp? Perhaps if you could report on that.

GEORGINA HARRISSON: Thank you for the question, and I will ask Ms Walker to give the details. I do remember the conversation we had last time, Mr D'Adam. Following that discussion, I think I committed to you that we would go out to all our staff and be very clear with them around where workers compensation could be provided or could be applied for in relation to COVID illness, and Ms Walker can give you some further update on that.

SIMONE WALKER: I've asked Ms Van Berlo to join us because she will have the specific numbers. I don't remember whether it was post estimates the last time or prior, but certainly we have been working closely with the Teachers Federation around this exact issue, as they were concerned about teachers' access to workers compensation. So we set up a series of communications directly to teachers—including posters, flow charts, information—so that people could feel empowered and enabled to access their work health and safety

entitlements. I know that Di can give us the updated numbers, but there was significant improvement from the last time.

GEORGINA HARRISSON: You might also, Ms Van Berlo, spell out kind of when the workers comp comes into play in relation to COVID in our workforce.

DIANNE VAN BERLO: Yes, and I can actually give you some figures on this in relation to COVID. Given the impact of Omicron BA.4 and BA.5, we've actually had 593 workers comp claims, owing to having the virus itself. In the previous period prior to that, 2021-22, we had four. But what I can tell the Committee is that 86 per cent of those claims—these are the workers comp claims—actually took less than 14 days off. If we consider the number of staff that have had positive cases this year—which is, I think, 31,774—it's approximately 2.6 per cent in relation to total workers comp claims. The majority of people are actually taking sick leave. The fund manager, Allianz, is indicating in their communications with us that they're providing provisional acceptance of the claims because they are actually finding across the board, across multiple agencies, that people are returning to work within that 14-day period.

The Hon. ANTHONY D'ADAM: What account do you take of the potential—you've obviously got a very small number that have lodged workers comp; a large number that have been absent on sick leave—for long COVID effects. Has there been any assessment of what that's likely to look like in terms of the workforce?

DIANNE VAN BERLO: We are actually continuing to liaise with NSW Health on that because there's no definitive local research in relation to long COVID, for example, the thresholds you might be looking at as to what long COVID is or post-COVID condition. We can't actually model that or predict that at the moment. We're waiting for further information.

The Hon. ANTHONY D'ADAM: There was a story that ran a couple of days back about the impact of low sensitivity RAT tests being distributed by schools, and that contributing to people going to school with COVID and exacerbating the spread. Has there been any action taken around that issue of the tests that have been distributed by schools having low sensitivity and therefore contributing to COVID spread?

GEORGINA HARRISSON: Thank you for the question. The RAT tests that we have procured and distributed were done so on the basis of the list from ATAGI of approved rapid antigen tests. I think subsequently there has been some discussion in the media and other places about the relative effectiveness of those tests. I would note that the tests at any given time have only been one part of our response in relation to COVID in those schools. Of course, the situation in our schools reflects the situation in the broader community amongst the mixing of individuals, for example.

In terms of the use of those RAT tests, they're precautionary. I would imagine the same would occur here in relation to those rapid antigen tests. Certainly they are not as sensitive as a PCR test, but they have played an important role in identifying cases in our schools, certainly at the return of school this year, which was the main time we were relying on those rapid antigen tests. Since that time we have sought to distribute rapid antigen tests to support ongoing testing in the community and to ensure that they're available if parents have a child—one of our students—who is presenting symptoms. But certainly we've also said that if you have symptoms, please stay home from school. Even if you have a rapid antigen test negative result—

The CHAIR: That's most important.

GEORGINA HARRISSON: —please stay home from school. If you're not sure whether or not it's COVID, please go and get a PCR test. Our messaging has been very clear on that. I am very happy to come back on notice with any specific issues relating to the RAT tests we have distributed in case there were any, Mr D'Adam, but it has not been brought to my attention at this stage.

The CHAIR: Don't worry about long COVID; I am getting long estimates. We need a 15-minute tea break. We will be back at 3.45 p.m. with our old mate Mr Ballard. Thank you.

(Short adjournment)

The CHAIR: It being 3.45 p.m., we will resume the hearing. We have Mr Ballard online. Mr Ballard, thank you for your participation, which I'm hoping will be quite brief. Were you at a meeting with Nathaniel Train, the Walgett primary school principal, and also Mr Dizdar on 11 May?

LUKE BALLARD: Yes, I was.

The CHAIR: Was there discussion at that meeting about irregularities in the NAPLAN results and a suggestion of the SLSOs helping students with the NAPLAN?

LUKE BALLARD: I don't recall specifically the discussions. I know that was one of the items that were brought up previously by Mr Train. The intention was that he was going to discuss them in the school reference group with members of the reference group and members of the department who were there.

The CHAIR: You don't recall anything specific, but you do recall Mr Train saying he was going to take the matter up further, is that right?

LUKE BALLARD: Yes. There were a number of issues that he wanted to discuss and that was one of them. The school reference group meeting that I was in attendance—I left that meeting on a couple of occasions to take phone calls. I don't have the minutes to that meeting or recall exactly what was said by who and when, but I do know that it was the intention of Mr Train to discuss that among other issues at the school reference group meeting.

The CHAIR: Can you remember what form of words he used to say he was going to talk about the NAPLAN irregularities?

LUKE BALLARD: He spoke previously to me about some sample scenarios of things that he'd encountered. He wanted to get support from the department and wanted to make it clear in that forum that there were several challenges that he was facing.

The CHAIR: And those sample scenarios: The document included this problem with the NAPLAN authenticity—

LUKE BALLARD: Yes.

The CHAIR: —the problem of the SLSOs assisting one student in particular?

LUKE BALLARD: Yes.

The CHAIR: And Mr Dizdar was present during that discussion?

LUKE BALLARD: Mr Dizdar was at the school reference group meeting, yes.

The CHAIR: Did Mr Dizdar receive a copy of the sample scenarios that outlined the problem in greater detail?

LUKE BALLARD: I'm unsure. I honestly don't recall whether or not the sample scenarios were given at that meeting. As I said, I did leave that meeting on a couple of occasions to take some phone calls.

The CHAIR: But to the best of your recollection, Mr Dizdar would have heard Mr Train talking about these NAPLAN irregularities and his determination to take them up in the future?

LUKE BALLARD: I believe that Mr Train had intended to talk about it in that meeting. I'm not sure whether or not—of the specific details of the conversations that were had.

The CHAIR: Okay. Thanks for your attendance today. We appreciate it.

(Luke Ballard withdrew.)

The CHAIR: Mr Dizdar, does that refresh your memory about the Nathaniel Train account of what happened, that this was referred to at the reference group, and did you receive the copy of the sample scenarios?

MURAT DIZDAR: No, I did not. I've answered these questions on notice that were provided to Parliament and that remains my recollection of the events. I was asked did I visit the school on 11 May 2021. I did visit the school. I visited the primary school. I spoke with Mr Nathaniel Train, who was principal at the time. In attendance was Mr Ballard. I do not recall anything being raised about NAPLAN tests. I do not recall being provided with a document on that day around sample scenarios.

I made it very clear in my answer to Parliament that if I had been made aware of very serious allegations—allegations of cheating on NAPLAN at the school—I would have immediately referred those to the appropriate directorate, which would have been the department's Professional and Ethical Standards directorate. In fact, I would have had to make a notification to NESAs as well. I made that clear in my response and that is my recollection of 11 May. I'll have to go back and check if there was a reference group meeting that I attended because I visited the primary school, I visited the high school on that day. I'm happy to check for the Committee if I attended a reference group meeting. But I can indicate, if I was present at the reference group meeting, I have no recollection of NAPLAN cheating being raised. Again, if it had been raised in that structure, I would have made those referrals that I indicated to Parliament.

The CHAIR: So you've got no recollection even though Mr Train is adamant and Mr Ballard has just given us a recollection it was mentioned?

MURAT DIZDAR: No. On the visit to the primary school, I do not believe that that took place. It is not my recollection of the visit that, in speaking with the principal, in walking the school with the principal and Mr Ballard, there were claims of NAPLAN cheating raised with me that I turned a blind eye to. I refute those claims. That did not occur on that visit. Mr Ballard has indicated a reference group meeting may have taken place. I would like to go back and check. We're talking about 2021. I checked the school visit. But I'm happy to say—

The CHAIR: He says you were at the reference group. If you've got no recollection of being there—

MURAT DIZDAR: I'd like to check that. I visited the primary school; I visited the high school. When I answered the questions on notice at the time I didn't dive back into the reference group. It wasn't one of the questions that was asked of me at the time. I'm happy to go back and check that. But I'm happy to tell the Committee that even if I was in attendance at the reference group—which I intend to check, and I'll grab the minutes—if NAPLAN cheating had been raised in that meeting, I would have taken the steps that I've provided Parliament in answers.

The CHAIR: It has been raised now. What do you plan to do about it? There's an allegation there at Walgett. It's appalling. Do you think more generally there's a problem in connected community schools where they obviously want them to be successful and their results to look good? Is this possibly widespread in these types of schools to boost the results, to prove the model works and the people in the ACG who are dishing out different positions and wielding influence stay in those jobs?

MURAT DIZDAR: Let me take those one at a time. You asked me what have I done with it. In other answers I gave via questions on notice, I indicated that on 7 March 2022 that Mr Train emailed the secretary's office, had cc'd my office—not my personal departmental email account; my office email account—and had attached a document called "sample scenarios", which I then followed up with the Professional and Ethical Standards. That was the point I became aware of this document that Mr Train claims that I was made aware of on 11 May 2021 on the school visit. I was not, and I stand by that assertion, and I referred it to PES for their follow-up.

The CHAIR: You haven't sent a directive to all these connected community schools you're responsible for to say, "We've got one example of this cheating and it's unacceptable and we're going to put systems in place to ensure it doesn't happen anywhere else"?

MURAT DIZDAR: First of all, Chair, I don't accept the premise that cheating has taken place. No allegations have been raised with me.

The CHAIR: A boy who can't read got 34 out of 36.

MURAT DIZDAR: Yes. They are very serious allegations and if there's any material evidence—

The CHAIR: His surname corresponds with the person who runs the school.

MURAT DIZDAR: Again, Chair, if we're talking about the primary school, that was Mr Train running the school at the time. He was the executive principal. If we're talking about the high school, the principal is Mr Batchelor, so I'm not sure who you're referring to.

The CHAIR: Anne Dennis.

MURAT DIZDAR: Well, she does not run the school so I don't accept that claim. The executive principal runs the school. If there's material evidence, my PES colleagues are here. They should be referred straight to PES.

The CHAIR: What's PES done about it, please? What is PES doing in regard to this cheating problem?

DARYL CURRIE: We're not in a position to give information about whether there is or isn't an investigation at the moment. I would have to take that on notice. In terms of allegations—

The CHAIR: Because you don't know or you just won't tell us?

DARYL CURRIE: I don't know at the moment. In terms of allegations, though, I think what's really important is that we act on specific allegations of misconduct, not generalisations—so specific allegations of what had to happen with what we would be looking into.

The CHAIR: I think in this case it's a boy who can't read who got 34 out of 36. He missed the first couple and then got 34 in a row. It seems that the allegation being that he got assistance—you know, the person saw he was missing them after a couple and then chimed in and thereafter it was 100 per cent. So maybe on notice you can get back to us about what's being done about the reference from Mr Dizdar having seen this sample scenarios document in March.

The Hon. ANTHONY D'ADAM: I was going to ask about the announcement in relation to new curriculum resources. Has a contract been let for that?

GEORGINA HARRISSON: No, I think the announcement that was made was that we were going out to tender for that provision. For clarity—because I note there has been some discussion both around the profession and in the public domain around this—that tender will deliver its first resources in I think eight weeks after we have let the tender, and I'll ask Mr Graham to provide some further information. But across 18 months we'll provide, fully aligned to the syllabus, curriculum resources for our teachers to support them in the differentiation locally to the needs of their students. Mr D'Adam, if I may add to that, the other thing that we will be ensuring, as we have with the Universal Resources Hub—that's been widely accepted and championed through our system and welcomed by our system—is that we will be maintaining that quality bar of evidence and high quality for the provision of those resources. Mr Graham, did you want—

MARTIN GRAHAM: The online learning platform tender has closed, but the tender's not been let yet.

The Hon. ANTHONY D'ADAM: I see. Are you able to provide on notice the tender document?

GEORGINA HARRISSON: I think the tender documents would have been on the—

MARTIN GRAHAM: Certainly, yes. They were publicly available. We can provide them.

GEORGINA HARRISSON: We can provide the link to those.

The Hon. ANTHONY D'ADAM: In terms of pulling together the call for tender and the consultation that was undertaken with teachers about the types of resources that are going to be produced, has there been any consultation with teachers?

MARTIN GRAHAM: The context of the resources are within the overall envelope of the support we provide for schools. So we have the Universal Resources Hub, which has many materials on it. We employ a large number of non-school-based teaching service staff, who are responsible for putting together the support for schools. So when we get the interested parties from the tender, we'll look at what resources are available and created and which ones our professional teachers think should be available to schools to use.

The Hon. ANTHONY D'ADAM: Can you elaborate on the types of intellectual property restrictions that are going to apply to the resources?

MARTIN GRAHAM: Yes. One of the important things about the tender is—you know, teachers are resourceful; they take resources wherever they can, often off the internet—we often run into problems with third-party copyright and so on. So someone may have obtained something, thinking it's a really good bit of material, they use it and then they want to make it available to their colleagues. The issue with that is, of course, we've got embedded third-party copyright, which we're not able to actually share. So it's important, as part of the tender, that these materials are available to be used, not just internally within schools, but on the internet publicly. So if a teacher wanted to refer a parent to it to use for their child, saying, "Look, I think you need some more practice with fractions, the department's got some materials," we need it to be publicly available. They're the kinds of intellectual property issues that we're dealing with in the tender.

The Hon. ANTHONY D'ADAM: Who will own the IP? Will the department own the IP for the materials?

MARTIN GRAHAM: It depends on the arrangement with the provider; it depends on the proposal. We might be able to take something where we use it for a period of time and they retain the IP, or it might be something where they're willing to give us the IP.

The Hon. ANTHONY D'ADAM: Before the tender was put together, was there any examination of the capacity of the department to do this work itself? Has the department got this kind of capacity? I mean, it used to have it. Has it lost it?

MARTIN GRAHAM: Look, we certainly do provide some materials, but in terms of the volume, we're always looking to see how we can improve that. It's not the first time this has happened. There was a very large national project that was undertaken where the Commonwealth and the States joined together and there was a very large amount of materials that were purchased. They were on the market from multimedia providers and so on and they were used within the department's learning systems. So they're used as supplementary materials.

The Hon. ANTHONY D'ADAM: Is this a privatisation of an aspect of the department's core work?

GEORGINA HARRISSON: I wouldn't accept that characterisation. What we have is a clear call from our teachers through the engagement that we have with them around the Quality Time consultation that the thing that they would value most is support with curriculum in their classrooms. We have had such fantastic take-up of

the universal resources hub, which has been developed by New South Wales teachers working for the Department of Education, that we want to accelerate that delivery so that we can assure there is absolutely, for every stage and for every syllabus, resources available that are evidence based and high quality for every teacher to have access to. One of the ways we can do that is to ask for invitations for tender to do so, and that's what we've done because I think it's the most efficient way for us to deliver that work to our teachers in a timely fashion and because we want to accelerate it and make sure it's online to support the introduction of the new syllabus, for example.

The Hon. ANTHONY D'ADAM: Isn't there a danger, Mr Graham, that if you adopt the licensing arrangement, the resources get embedded in the practice of your workforce, and then at the end of the licence period you basically have no bargaining power because your workforce is invested in the product, and to move away from the product would be incredibly difficult? So you're creating, actually, a problem that's going to manifest itself sometime down the track?

GEORGINA HARRISSON: Mr D'Adam, it's not possible for us to pre-empt what that outcome might be, as we're currently in the finalisation of the tender and those issues are things that we will work through in those tender negotiations with what could well be more than one provider for this provision. You'd also know that over a cycle, as we have new syllabus documents come in, they will also over time be reviewed on a cycle, as they are by NESA. So there will always need to be updates and changes to certain resources over time. The thing that I want to make sure our teachers hear about, Mr D'Adam, is that the thing I know they've valued about the universal resources hub has been the high quality of those resources. I want to assure our teachers that we are keeping that high-quality bar in place as part of this tender process, that New South Wales teachers will be involved in the quality assurance of that work that is provided to us, but that we do want to make sure that we are delivering resources for every teacher in our system across every syllabus area and to do so in a timely fashion within an 18-month period. We are looking to get additional support for doing so.

The Hon. ANTHONY D'ADAM: I mean, you've structured the tender to attract bids from large providers. Is that the case?

GEORGINA HARRISSON: I think we've structured it in a way that a large variety of providers could come forward and participate, and that's certainly been the intention. We want to make sure that, given the breadth of areas of subjects that we are seeking to cover, that there may well be specialist providers within a particular discipline, for example. So we are very clear that we want to make sure we are giving wide opportunity to participate and we don't necessarily limit the outcome of this tender to one provider. This could well be a mixed delivery model across a number of providers with specific expertise, and I'm sure the Committee is aware of some of the organisations across Australia that have started providing this kind of work. What we want to do is make sure that the stuff the department is endorsing for our teachers meets our quality assurance bar. Rather than saying there's a plethora of things out on the internet you can go and find from a whole range of providers who are starting to produce material, that we're able to say if you go to it through the Department of Education, if you go and find resources through our universal resources hub, you can guarantee that the quality will be there, that it will be backed by evidence and that it will be aligned to our syllabus.

The Hon. ANTHONY D'ADAM: What guarantees can you give us that this work is going to be done domestically, that it's going to be done in New South Wales, that the materials are going to be produced by Australian workers or New South Wales workers?

GEORGINA HARRISSON: I'll take that on notice in terms of the specific tender. Certainly we can guarantee that it will be aligned to the New South Wales syllabus. I do not know at this stage—I am not aware of who the providers are, but I'm very happy to provide on notice as we finalise that information about the nature of the providers and where the work may be carried out.

The Hon. ANTHONY D'ADAM: Is there nothing in the tender documentation that would insist on domestic production of the materials?

GEORGINA HARRISSON: I'll see if Mr Graham is able to provide us—we might need to take that on notice.

MARTIN GRAHAM: We will take that on notice.

The Hon. ANTHONY D'ADAM: Are you prepared to guarantee these jobs aren't going overseas?

GEORGINA HARRISSON: Clearly, we need to make sure that the work we do aligns with the New South Wales syllabus. Clearly we would have a preference, if it was feasible, for those to be either in New South Wales or within Australia, but I will not rule out drawing on capacity elsewhere where materials may well be able to be developed that support our syllabus, quality assured by New South Wales teachers. My primary objective

will be to get value for money for the resources that we are purchasing, but of course we will take into account the quality and that will be one of the factors we consider.

The Hon. ANTHONY D'ADAM: Teachers are producing resources all the time. Why, in your thinking about structuring this project, didn't you look to your own workforce in terms of trying to meet this need?

GEORGINA HARRISSON: So I would note for the Committee that some of our workforce do engage with some of these other providers as a form of secondary employment already. So I think there's a—I certainly have seen calls for expert teachers to go and provide work in certain areas, for example, from other providers. I think partly our workforce are part of that marketplace in some instances. I can think of some examples but I don't want to preference any particular organisation by naming them here, Mr D'Adam, which is why I am being careful, given we are in a tender process. Our teachers are busy already with their work. That is one of the things, as we've discussed here, they're clearly telling us. What we're trying to do is find a release valve for those teachers to make sure that they have access on demand to high-quality, evidence-based, quality assured by New South Wales teachers, resources that are aligned to every part of the New South Wales syllabus, every stage, every age, and that's what we're committing to do.

The Hon. COURTNEY HOUSSOS: I've got a whole bunch of bits and pieces, so I might just whizz through them really quickly, if that's okay. Mr Manning, I just want to come back to Gregory Hills. Have you got a completion date for that yet—for the permanent school?

ANTHONY MANNING: We don't have for the permanent school. Their SSDA application will be lodged in September. We have a contractor appointed to the project. The moment the SSDA application is approved, we will agree a completion date with the contractor and get stuck into it pretty quickly. But it's ready to go, once we have the approvals we need.

The Hon. COURTNEY HOUSSOS: And how long do those approvals usually take?

ANTHONY MANNING: They can take as short as six months or can take nine months to 12 months, depending on what issues come back as a consequence of the consultation with agencies.

The Hon. COURTNEY HOUSSOS: Okay. And you said there is a DA in at the moment for the temporary school.

ANTHONY MANNING: Yes.

The Hon. COURTNEY HOUSSOS: How much is the capacity of the temporary school under the DA?

ANTHONY MANNING: I would have to come back on notice as to exactly what the capacity is.

The Hon. COURTNEY HOUSSOS: Okay, sure.

ANTHONY MANNING: But the DA is with council. It will be on public exhibition pretty soon. Happy to provide you to a link.

The Hon. COURTNEY HOUSSOS: If you can provide that on notice, that will be great. Can you tell me will the cost of the temporary school be contained wholly within the approved budget of the construction of Gregory Hills?

ANTHONY MANNING: No, it won't be.

The Hon. COURTNEY HOUSSOS: So, it will be in addition to it?

ANTHONY MANNING: Yes.

The Hon. COURTNEY HOUSSOS: And can you tell us how much that will be?

ANTHONY MANNING: Again, once we've confirmed the capacity and got approval for it, we can provide that information on notice.

The Hon. COURTNEY HOUSSOS: When was the DA lodged?

ANTHONY MANNING: Probably—I think it may have been two or three weeks ago.

The Hon. COURTNEY HOUSSOS: Two or three weeks ago. Okay.

GEORGINA HARRISSON: Ms Houssos, just in terms of the budget question, I just want to make sure that we're clear. I don't want you to be disappointed when the question on notice response comes. Due to the timing of the DA, until that is approved for the temporary school, we won't be in a position to confirm the budget for it. But I am happy to undertake to write to you at the point that that is clear to provide you with the updated budget information at that point.

The Hon. COURTNEY HOUSSOS: That would be good. Thank you very much. I appreciate that. I just want to ask Mr Manning, through the course of our school infrastructure inquiry, we obviously visited Gregory Hills. One of the things I'm pretty sure we talked about was a new method of construction. How many schools are currently being constructed under the new methods of construction?

ANTHONY MANNING: Again, I have to take the exact number on notice. But certainly of the 2022-23 projects, there are probably more than a dozen that we think fulfil the requirement for the modern methods of construction, and Gregory Hills is one of those.

The Hon. COURTNEY HOUSSOS: Okay. So we going to get a pop-up school, but then a modern method of construction. So it's just like Northbourne all over again.

ANTHONY MANNING: It's nothing like Northbourne. In what way is it like Northbourne?

The Hon. COURTNEY HOUSSOS: Because we getting a temporary school and then we're using these new methods of construction. Is that not so?

The CHAIR: Is the new method the Fern Bay model?

ANTHONY MANNING: Yes, the Fern Bay model. Northbourne was either volumetric modular or traditional, but I think it was traditional. I think it was a copy of North Kellyville, so it wasn't a modern method of construction at all. It was a traditional build.

The CHAIR: The school will be the Fern Bay classroom, plus some demountables?

ANTHONY MANNING: That's the intent. The pop-up school will be demountables, which we already have in stock. The permanent school will roll through as part of our modern method of construction in order to speed up the construction process.

The CHAIR: That will happen pretty quickly on the Fern Bay model. They get them up in a month.

ANTHONY MANNING: It will happen very quickly.

The CHAIR: That's good.

The Hon. COURTNEY HOUSSOS: And you have more than 12 of those that are currently—

ANTHONY MANNING: We think so. We think we've got a good crop of schools, particularly those committed in the last budget, that we think fit the criteria really neatly. Some of them are brand-new schools, and some of that would include a second stage at Schofields to replace the pop-up school that was there. Again, we think that fits that prefabrication model quite neatly.

The Hon. COURTNEY HOUSSOS: Are you able to provide us with a list, on notice, of the 12 that are being considered?

ANTHONY MANNING: There is a delivery strategy document that I think the Minister launched yesterday. That's on our website. That actually goes some way, I think, to identifying those projects that we think fit that criteria.

The Hon. COURTNEY HOUSSOS: I'll have a look at that and, if not, I'll lodge supplementary questions. Thanks very much for that. Just on Cooler Classrooms, Mr Manning, this is obviously one that we have canvassed extensively over many budget estimates hearings. I am interested to know how many schools—have there been any additions since we last spoke?

ANTHONY MANNING: To add to what the Minister said earlier—let me just check the number. I think there are 92 schools that were applications as part of round two that we've been able to include in round one. As we continue to finish off the round one schools, if further contingency becomes available to us, we'll prioritise that to other round two schools.

The Hon. COURTNEY HOUSSOS: Sorry, can you just say that to me again? You said there are 92 schools from round two that are now being included in round one.

ANTHONY MANNING: Yes. I can't remember the number when we last met, but we've now been able to increase that to 92 schools.

The Hon. COURTNEY HOUSSOS: Are you able to provide that list of 92 schools on notice?

ANTHONY MANNING: Sure.

The Hon. COURTNEY HOUSSOS: We'll just double-check that against the previous ones, because I've got that 959 schools had been approved under the program.

ANTHONY MANNING: Yes. There are 998 schools, I think. I'm just trying to look here. So 926 of the 988 schools have had air conditioning systems installed. I'll get back to you with a total number of schools that have now been approved under round one and those that we've been able to accommodate within round two.

The Hon. COURTNEY HOUSSOS: We've gone through this at length in the past, so if you can give me the usual breakdown of the different stages they are at—

ANTHONY MANNING: Sure.

The Hon. COURTNEY HOUSSOS: So whether they're in the planning stage, whether they're in construction, whether they're in the—I'm doing this from memory.

ANTHONY MANNING: Whether they're in planning, design or delivery?

The Hon. COURTNEY HOUSSOS: Yes.

ANTHONY MANNING: Yes. Of the \$500 million, we've spent more than 400 in that program already.

The Hon. COURTNEY HOUSSOS: Can you give me an actual figure on notice?

ANTHONY MANNING: I'm sure we can.

The Hon. COURTNEY HOUSSOS: Beautiful. I remember it was a five-year program and it was announced in 2018, so we are getting pretty close to that.

ANTHONY MANNING: We are getting very close to the end, yes. Absolutely.

The Hon. COURTNEY HOUSSOS: What's the end date for you?

ANTHONY MANNING: It'll be the end of this financial year.

The Hon. COURTNEY HOUSSOS: Does that mean that all schools will have an answer, do you anticipate, by the end of this year? Or will it still be rolling out next year?

ANTHONY MANNING: At the moment, our intent is that the round one funding will be used up this financial year. Again, we've just got to see how the next few months roll through. We are getting more and more efficient at delivering the Cooler Classrooms system, so there may yet be contingency that becomes available to roll into the following year, to enable schools to be included and finished as part of that process. As I said, any unspent contingency would be focused on those schools that applied under round two.

The Hon. COURTNEY HOUSSOS: Great. Mr Dizdar, we were talking about the co-educational school catchments. You gave us a long answer about the schools around the St George area. There is obviously a large number of other schools across the State that only have single-sex schools in their catchments. Has any work begun on expanding their access to a co-educational option? Let me say at the outset, I understand that the St George one was the pilot. I am just interested to know whether work has started in the others.

MURAT DIZDAR: We're really keen on getting this real-life example—I wouldn't use the word "pilot". We've got four schools there—functioning schools—and we are consulting with the community around what their educational provision should look like into the future. It is a real, living example. We want to get this one right. We want to get the consultation very thorough. It's off the back of boundary changes that we made in the college that you may be aware of, Ms Houssos, that did provide the families in the college with a single-sex and a co-ed option. We've got some preliminary data there are around what the year 7 intake has looked like, and we've had a lot of representation.

When I went and briefed Mr Coure and Mr Minns, they were both indicating that this has been a hot topic for them amongst families in their electorate, so they were very keen to push and promote this consultation. We are very keen to be thorough in it and to make a contextual decision, not a statewide decision, that applies to the Georges River College and then, from there, work with any other school context and community where we see the demand and push for co-educational provision or a lack of sufficient options between single-sex and co-educational provision. We've committed to doing that, but we will make sure these are localised rather than having one State parameter across it that may not fit a group of schools, a context or a community's needs.

The Hon. COURTNEY HOUSSOS: That's very helpful. Thank you very much.

The Hon. ANTHONY D'ADAM: I wanted to ask Mr Dizdar—earlier we were talking about above centrally identified positions.

MURAT DIZDAR: Yes.

The Hon. ANTHONY D'ADAM: On notice, can you provide us with the numbers of above centrally identified positions for each school in New South Wales?

MURAT DIZDAR: What I think we could do, Mr D'Adam, in my working knowledge, is give you the number across the State. These have been part of our staffing procedures since 2018, and we've got a way to go at building leadership know-how and capacity around it. In all honesty, the uptake hasn't been too strong in creating additional permanent positions through school. What we could definitely do on notice is come back with the number for you across the State. I'm not sure if we've got a school-by-school breakdown, but if that's possible, of course we'll do that.

The CHAIR: To the secretary, could I ask how many of the six recommendations of the Productivity Commission White Paper have been implemented, please?

GEORGINA HARRISSON: Thanks for the question, Chair. I think the Committee would be aware that the Productivity Commission White Paper—at the launch by the then-Treasurer, he was clear that the Productivity Commissioner's work was to stimulate thinking across government and to give opportunities and options. I don't have the specific recommendations in front of me and I'm not sure that we have formally responded to those recommendations, but I'm very happy to come back to you on notice. There are a number of those recommendations where I am aware we're making progress on things like the performance development framework and on things like the work around mid-career teachers, for example, that he put forward. We are absolutely making progress on those, but I would like to make sure that I do justice to the Productivity Commissioner's work and come back to you on notice with a fulsome response.

The CHAIR: Well, just to clarify the status, you began by sort of indicating that it was a thought bubble—

GEORGINA HARRISSON: I wouldn't like to call it a thought bubble.

The CHAIR: —to stimulate discussion, and then you ended by saying that certain things are being acted on. Has it got Cabinet authority that these are being adopted? Has it got ministerial authority that the Minister has said, "Look, there are some really good ideas here that we need to progress"? What's the status of this white paper?

GEORGINA HARRISSON: The Productivity Commissioner sits within the Treasury cluster, so those are questions best directed to Treasury and the Treasurer. That is my understanding. The Productivity Commissioner has an independent voice and provides policy analysis and ideas to government that are considered and stimulate that discussion and drive some new thinking and reform, which we absolutely welcome in the cluster. I meet regularly with the Productivity Commissioner, around every quarter, on issues he has identified and is seeking to address through the cluster. Certainly those are always very productive conversations—no pun intended—in which we engage in matters in which we both have an interest.

The CHAIR: Well, it's very productive, because he identified education and skill development as the major area by which New South Wales could lift its productivity, all-important, over the medium to longer term. In those quarterly meetings you have with the Productivity Commissioner, how often have you reported to him, "You made six recommendations. There are maybe 25 or 30 dot points within them. We've implemented X number of the 30"?

GEORGINA HARRISSON: The Productivity Commissioner has continued to be [audio malfunction] mid-career transition work that we have undertaken, and I have discussed the issues and progress in relation to that with him at length. He has been interested in the work around Careers NSW and the skills agenda and the learner profile, and we have discussed that at length. So there are issues that we continue to discuss, and I'm happy to give you a summary of our last discussion if that would help, Chair, in terms of—

The CHAIR: Yes, all the discussions—that would be great, thanks, on notice. To you, Mr Martin, have you been involved in these discussions? Some of them are relevant to NESA, particularly this one that I like:

The Government should make giving and receiving classroom observations a major part of a teacher's professional development requirements. It should comprise at least 50 per cent of the 100 hours required every five years.

PAUL MARTIN: We haven't made that a mandatory requirement of either professional development or the accreditation of teachers. However, what we do do is at the end of every five years, when principals affirm or attest to the continuing proficiency of teachers, we ask them to identify the means by which they came to that decision and one of those does include classroom observations. But we leave the particular and specific practice to the school and to the principal and to the supervisor.

The CHAIR: Do you meet with the Productivity Commissioner to talk about the implementation of his excellent ideas?

PAUL MARTIN: I have met with the staff of the Productivity Commissioner, and the Productivity Commissioner was invited to the NESAs board to discuss those recommendations, and there was a strong discussion around which ones were under consideration at the moment in terms of our existing policy remit.

The CHAIR: Just while I've got you there, how many inspectors work for NESAs?

PAUL MARTIN: I'd have to take that on notice; I'm not exactly sure.

The CHAIR: How many of these are specialist primary inspectors supporting the 1,600 primary schools?

PAUL MARTIN: In terms of curriculum inspectors, we have a primary inspector as a KLA as a content of curriculum inspection, as we do a science or a maths or a history. In terms of the inspectors that visit schools around the regulatory remit of NESAs, all of the inspectors do both high and primary schools.

The CHAIR: What do these inspectors do? Is it just curriculum monitoring and support or do they look at classroom practice? Do they look at the registration of schools?

PAUL MARTIN: There are two types of inspectors. The syllabus or the curriculum inspectors provide advice on the best way in which the syllabus should be taught. At the moment, we have moved a lot of the curriculum inspectors and their work into the curriculum review space because that's where the focus is at the moment. In terms of school inspectors for the registration purposes, they identify within the schools with inspections the evidence that is provided to meet the regulatory requirements in the legislation, in the Act. I think there are 17. That includes programming, teaching and learning, assessment, the facilities of the school, the accreditation and/or qualifications of the teachers, child protection, a range of other matters that are all identified in the legislation.

The CHAIR: How many of those inspectors have you got?

PAUL MARTIN: Again, I should be able to tell you—

The CHAIR: Take that on notice.

PAUL MARTIN: —but I'll take that on notice. We make about 80 or 90 inspections, sometimes 100 inspections a year so there is a team of them.

The CHAIR: So a school gets inspected every 22 years.

PAUL MARTIN: Every independent school gets inspected once within a five-year period.

The CHAIR: You don't inspect the government ones, do you? You just take the one certification from the department.

PAUL MARTIN: We do random inspections of the government sector.

The CHAIR: Random? Do you? How many of those?

PAUL MARTIN: We do random inspections of all three sectors, but we identify within the Catholic diocese and the government sector their internal processes for inspection and we provide advice. But as far as the independents go, they all get inspected over a five-year period.

The CHAIR: For any of those schools, when was the last time there was a recommendation to the NESAs board about the deregistration of the school?

PAUL MARTIN: Since NESAs has existed we've had two recommendations about the noncompliance in relation to recommending to the Minister that a school's registration be cancelled or not renewed—twice.

The CHAIR: This might be Mr Martin again; it might be Ms Harrison. My memory is that Minister Stokes, when he was in education, brought in the threshold that we were only going to take school leavers, teaching graduates, who had achieved a certain level of ATAR. Was it 70 minimum?

GEORGINA HARRISSON: Yes, we introduced an initiative called "raising the bar". Both in terms of the entry requirements—actually is up for us as an employer of people coming out. It was issues like grade averages at university coming into the teaching profession, for example.

The CHAIR: How effective has that been in actually raising the bar?

GEORGINA HARRISSON: I'm very happy to provide with you on notice what we've seen as a result of those. I don't have the figures with me, but certainly different elements of that initiative came in at different times. But I'm very happy to give you a breakdown of what came in when.

The CHAIR: You can take that on notice. Has it been undermined by the special entry categories that are growing at the universities, where they bring people in? We've had these university people here at the Committee say, "Someone got a low ATAR. They failed at school. They got an ATAR of 30 or 40. It doesn't make any difference; we can still turn them into teachers." Is the raising the bar being undermined by that system at the university, special entry?

GEORGINA HARRISSON: I think what we're focused on is the impact we can have on that system through the levers we have available to us as an employer, and that is to set the recruitment standards, the standards we expect people we recruit into New South Wales public schools to meet. That's the lever we have been focused on. I would note that coming out of the national discussions the week before last, there was a significant discussion, as was reported, on initial teacher education, and further work is being undertaken on that issue by States and Territories with the Commonwealth Government.

The CHAIR: Are your levers working to push back against these special entry categories? I personally find it amazing—I'm sure most parents do—that you could failure your ATAR, fail your HSC, and end up being back in the classroom out the front as a teacher.

GEORGINA HARRISSON: Certainly, in terms of the employment requirements we are putting in place, only the people that meet those standards and requirements to be employed by us are being employed by us, Chair. In a sense, the university might accept them into a course but that doesn't mean we will accept them into employment in a New South Wales school.

The CHAIR: But you won't take them. That's good news.

GEORGINA HARRISSON: I'm very happy to provide some further details. Just going to your previous questions, if I may, Chair, from the Productivity Commissioner now I have the recommendations in front of me, certainly there are a number of them that I think we've discussed today here that we can report on having progressed. Establishing a long-term teacher supply strategy—we have a Teacher Supply Strategy in place as we've discussed earlier. Design and implement accelerated teaching pathways—we've absolutely done that with the mid-career program. I think there is also a recommendation in here about having accelerated pathways. The Minister commented earlier on the fast-stream pathways, so there are absolutely significant elements in this report we are progressing with gusto through the system because we do see the value of that work—

The CHAIR: If I can finish off with the ATAR university question, in New South Wales in 2015 students who scored in the bottom 50 per cent of school leavers made up half of those offered places for teaching degrees. Boy, what a worry. How many teachers since 2018 are in departmental classrooms that used alternative pathways into teaching? If you can take that on notice.

GEORGINA HARRISSON: I'm very happy to take that on notice, Chair.

The CHAIR: It's a very important point—lift the quality of teachers. It helps if they're good at school themselves, surely.

GEORGINA HARRISSON: It does, but I would also note that there are minimum standards in place through those programs around literacy and numeracy standards required for teachers to meet.

The CHAIR: Yes, LANTITE.

GEORGINA HARRISSON: Those are also in place. But, as I said, our major lever here is as an employer. We're the country's biggest employer of teachers. Setting the standard of who we will employ will put pressure into the university sector about who they accept because one of the drivers in that university sector is their capacity to get students employed, and they report on that.

The CHAIR: Yes, that's great news. Please go hard.

GEORGINA HARRISSON: That's why we're using that.

The Hon. ANTHONY D'ADAM: I want to ask about these 200 positions that have been announced to support teachers, take the burden off teachers. Who is the best person to ask about that, Ms Harrison?

GEORGINA HARRISSON: Sorry, could you repeat that, Mr D'Adam? Your microphone didn't pick that up.

The Hon. ANTHONY D'ADAM: Sorry. The 200 new administrative roles that were announced on 31 July.

GEORGINA HARRISSON: Yes. Ms Owen can answer questions in relation to that.

The Hon. ANTHONY D'ADAM: Ms Owen is the best person to direct questions to. Can you tell me, Ms Owen, how many of these roles are full-time?

RUTH OWEN: What I would say, Mr D'Adam, is we're only just starting to scope this with the schools who volunteered to be part of this program, so I don't have any of the detail that would specify how many were part-time, how many were full-time and the specifics of what those roles will be. This is testing new ways of working within a school workforce. I am 100 per cent sure there'll be a mixture of full-time and part-time roles but I can't give you that split yet because we're not at that level of detail.

The Hon. ANTHONY D'ADAM: So you're not able to identify—

GEORGINA HARRISSON: Mr D'Adam, I'm very happy to provide on notice what the quantum of investment is that aligns to those 200 roles. My assumption would be—but I don't have the detail in front of me—that we would have costed this at 200 FTE, and therefore in getting a mix in the end through we might end up with a different mix on the ground. If I may come back to you on notice with the—

The Hon. ANTHONY D'ADAM: Is that the answer? Two hundred FTE is how many—

GEORGINA HARRISSON: Yes.

RUTH OWEN: Yes, sorry, I didn't—

The Hon. ANTHONY D'ADAM: So 200 FTE but there might be more people?

GEORGINA HARRISSON: It might be more people and a mixture of full-time and part-time roles.

The Hon. ANTHONY D'ADAM: How many schools will the pilot be run in?

RUTH OWEN: Again, we're still working that out, Mr D'Adam. As soon as we've worked it out, we'll share that.

The Hon. ANTHONY D'ADAM: Do you have an idea? Is there some range that you could give us? Is it going to be concentrated in five schools or 20 schools? Is it one per school for 200? What's the allocation in terms of their FTE? How are you going to disperse it?

RUTH OWEN: We're looking at a range of different schools across a number of our networks to make sure that we've got some metropolitan schools, some rural and some regional schools. I don't have the number in front of me but it's in the dozens, in terms of the number of schools. Again, it's still being worked out in terms of—what we're trying to explore with those schools is the different types of ways we can take work off teachers by introducing different types of roles. We need to find the right mix of different types of contexts in those schools so we test the right thing.

The Hon. ANTHONY D'ADAM: So you've got a pot of money but you're not very clear about how or where it's going to be spent.

RUTH OWEN: I've just found that number for you, Mr D'Adam. It's 158 schools.

The Hon. ANTHONY D'ADAM: There are 158. Thank you.

GEORGINA HARRISSON: Mr D'Adam, you'll appreciate that what we want to do here is test with the full range of contexts of school—size of school, location of school—so we can be confident that when we do look at what we can provide the whole system, we have had that insight and engagement from schools on what this needs to look like to work for them. We want to make sure it works for the whole school. We want to make sure it works for the teachers for whom we are hoping and aiming to have this reduce the administrative burden from. It's really important that we're working with those schools, testing and trialling what is effective on the ground, so that we can be clear when we roll it out that we've had that type of engagement and we've discussed a number of other initiatives here today.

The Hon. ANTHONY D'ADAM: How long will the trial run for?

GEORGINA HARRISSON: Ms Owen, do you have the details of the timing of the trial?

RUTH OWEN: We'll start with six months and evaluate that, and then look to see whether we want to extend beyond that.

The Hon. ANTHONY D'ADAM: Who will conduct the evaluation? Is that going to be done by CESE?

RUTH OWEN: I don't think we've planned that, but that would be our starting position.

The Hon. ANTHONY D'ADAM: In terms of the specific functions that are envisaged, what's the genesis of the idea? Where has this come from?

GEORGINA HARRISSON: I am very happy to kick off, Mr D'Adam. I personally can attest to having sat in classrooms and spent a day shadowing a teacher. I try to spend some time shadowing the full day of people in our system. I did have the privilege of spending a day with a geography teacher at one of our Sydney high schools. I watched him need to go to the photocopier to adjust the size of resources for the particular needs of a student. I watched him need to fill out some of the forms required to get some additional support for a student who needed it in his class. Certainly, in my discussions with him at that time, it was very clear that there were elements of that task that he may well have professional insight to contribute. The nature of the task itself could be completed by someone else, someone who wasn't a professional, as he was, in that field. It's those types of tasks that we know our teachers can spend time doing that we think we could save them time on.

If I look at the work of our primary school teachers and I look at the hands-on resource development—I saw it myself during learning from home with my own daughter, the resources that came home. Certainly, we think, and are confident, that additional administrative support in schools that meets the needs of teachers' administrative requirements, head teachers' administrative requirements and those of other executives will take a load off our staff. What we are keen to explore is what is the nature of tasks that teachers will seek to take off their own plate and use this resource for, so that we can design the appropriate role descriptions and the appropriate structures when in the school for supervision as we seek to make a shift in the make-up of the overall workforce of our schools.

The Hon. ANTHONY D'ADAM: There's obviously no PD for these positions. When do you anticipate the first person will be employed?

GEORGINA HARRISSON: I am very happy to come back to you on notice with that detail. Certainly, there will be PDs, Mr D'Adam, for particular roles in the short term. They may vary across schools. In a system of our scale we tend to want very generic role descriptions. I think in this first instance, as we test and trial, we'll refine what those look like. But I'll come back to you on notice with the specific timing around recruitment and when we expect the roles to be in schools.

The Hon. ANTHONY D'ADAM: You just gave the example of a geography teacher. Are you envisaging something like a teaching assistant, someone who's attached to the teacher and the classroom? Or is it going to be a shared resource?

GEORGINA HARRISSON: Mr D'Adam, all those things are things we will test. I don't want to comment ahead of having spoken to the schools that we will engage. We want to make sure that we are working with those schools to design what will work for them. I don't want to pre-empt those conversations. One of the things we've heard from our workforce that we are seeking to build our capacity in is to engage first with them directly, as well as with their stakeholders. So we are keen to make sure that we're listening to the teachers in those schools around what will work for them.

The Hon. ANTHONY D'ADAM: You mentioned executive support. Obviously, there's been the creation of the assistant principal, C&I. They were created without any administrative support. Is it envisaged that some of this allocation will go to addressing that issue?

GEORGINA HARRISSON: It would be too early in the process for me to comment on how that would work in any of the schools that we are working with, Mr D'Adam. As we've said, we want to connect with the 153 schools that we will be working within this pilot—work with those schools, those school teams and those teachers—and come back with proposals that will work for them.

The Hon. ANTHONY D'ADAM: What is the usual arrangement in terms of administrative support for executives? What's the staffing allocation for an AP in terms of administrative support? Is there a fixed allocation? How does that work in a school?

GEORGINA HARRISSON: There is an allocation of administrative support, our SASS staff, that goes along with the staffing entitlement. There is not a fixed allocation for roles that are created at the school level. It is within our staffing methodology that if you have a school of a certain size serving a certain number of students, it gets an allocation of administrative support to go with it. We also invested in additional support for our principals in our school leadership support package a few years ago for, I think, \$50 million to support principals with the workload they were facing, particularly around business managers. But, certainly, the centralised support is provided through the staffing methodology and goes to SASS staff. As we discussed in relation to teachers, schools may also invest in additional admin support. But there isn't an entitlement with every position a school creates.

The Hon. ANTHONY D'ADAM: Are the AP, C&Is centrally identified positions?

GEORGINA HARRISSON: They are provided as a program resource, yes.

The Hon. ANTHONY D'ADAM: Are they captured by the staffing formula?

GEORGINA HARRISSON: They are in addition to the staffing formula. Can I come back to you on notice with the specifics of that, and with the specifics of what administrative resource goes with an AP position?

MURAT DIZDAR: It does take school size into account.

GEORGINA HARRISSON: Yes.

MURAT DIZDAR: The allocation of the AP, C&I role does take school size into account.

The Hon. ANTHONY D'ADAM: Can you elaborate on that? How is that? It's one per school, isn't it?

MURAT DIZDAR: We've got primary schools out there that have got two students and primary schools out there that have got 1,000-plus students. So the allocation does take into account size. Some of our small schools have a shared AP, C&I role.

The Hon. ANTHONY D'ADAM: So it's not one per school; the FTE is shared across a number of schools.

MURAT DIZDAR: Appropriately so—two students, 1,500 students.

The Hon. ANTHONY D'ADAM: But, in terms of the administrative support, you're going to come back to me on what the allocation is for that?

GEORGINA HARRISSON: I am very happy to come back to you with the allocations of administrative support in our schools by scale, Mr D'Adam.

The Hon. ANTHONY D'ADAM: In the announcement in relation to this, you cited University of Technology Sydney research. Can you give us some details about that, or perhaps provide that research on notice?

GEORGINA HARRISSON: We are very happy to see what we are able to provide and, if needs be, reach out to the university to make sure they're comfortable for us to provide that. But, yes, we are very happy to provide what we can.

The Hon. ANTHONY D'ADAM: The 158 schools, how were they chosen? Were they self-selecting?

GEORGINA HARRISSON: How were the schools chosen?

The Hon. ANTHONY D'ADAM: Yes.

GEORGINA HARRISSON: Ms Owen might have details on that with her. If not, again, I am happy to provide them on notice.

RUTH OWEN: Is the question how were the schools selected for the pilot of the—

The Hon. ANTHONY D'ADAM: Yes.

RUTH OWEN: Again, as I mentioned earlier, Mr D'Adam, it was to get the full range of contexts. We tried this approach in different types of schools. We'll have some SSP schools, schools for specific purposes; we'll have schools that have got teaching principals, for example; we'll have some central community schools; and we'll have rural schools. So we've tried to have the full range of different types of school contexts to make sure we can evaluate impact and differentiation.

The Hon. ANTHONY D'ADAM: On notice can you provide the list of schools that are in the pilot?

RUTH OWEN: We will when we've selected them, yes.

The Hon. ANTHONY D'ADAM: Thank you. I want to ask a question about the impact of COVID on HSC students. Is the department monitoring the impacts in relation to disengagement with school—students who were engaged in home learning but never came back? Could you perhaps provide us some information about what you have found, what has been identified and what steps you are taking?

GEORGINA HARRISSON: Yes, certainly. Thank you for the question. Firstly, can I say how clear it was to me and to all of my colleagues how hard our high schools worked during that HSC period last year in particular, and they continue to do with dedication to their students. We saw incredible efforts went to by our staff to maintain that engagement and enthusiasm for learning in that HSC cohort in those extraordinary lockdown times. Certainly, during that time, I rang a number of our school principals and stayed in touch with them about what they were experiencing. You'll be aware of the provisions NESA put in place—and Mr Martin might talk further about those—to ensure that those students could see the value in that exam and could see the value in the outcome of that exam and we could have confidence in the outcome of that exam and that credential would take into account the situations students had been in.

In terms of students returning to school, we have had a very clear focus on attendance following that period. We have case management in place for any individual that we didn't see at that return-to-school point in October and November. We have been following up with families and schools to make sure we know where those individuals are. Ms Nixon can provide further information on that. Mr D'Adam, in terms of your question, happy to do both, but would you like to start with Mr Martin on the HSC provision and then Ms Nixon on specifics around attendance?

The Hon. ANTHONY D'ADAM: Sure.

The Hon. COURTNEY HOUSSOS: Ms Nixon, if you have a number of how many you are case managing, that would be useful.

PAUL MARTIN: This Committee would be aware that NESAs put in place a series of alterations to its normal HSC policy in order to, as best as we could, accommodate the significant disadvantage that students faced in COVID last year and the year before. It was a decision of a committee put together by NESAs, which involved the three sectors and two of our committee heads, which was the NESAs COVID emergency committee, to provide additional support in a number of ways. In the first instance, the number, timing and timing of school-based assessment was given back to the school as an opportunity for them to make judgments themselves about when students were able to do those assessment tasks and which students were available et cetera. We gave pretty much complete flexibility there in both 2020, 2021 and this year as well. We put together something for the exams themselves, which were the written exams.

All students in the LGAs of concern—I think there were 12 where there was pretty significant lockdown. If they were locked out of their school for a matter of six weeks or more, which included all of those students in all of those schools, they were able to put in a full cohort application for a consideration of the way that NESAs looked at their exam results, which took into consideration the assessment marks that they got at school as well as their performance on the day. And, in some individual cases, year 11 marks, depending on the nature of the disadvantage that the students had faced.

We found last year, when the results came out in January, that the pattern of performance was similar to other years. There wasn't a significant dip in the LGAs of concern. There is, of course, variation every year and given that COVID affected the students, there were some areas where there were ups and downs. But, by and large, the accommodations provided by NESAs were very well received by the principals. The only other thing I'd say is that we are also putting the same sorts of accommodations in in 2022, in terms of the number, weighting and timing of assessment tasks. Even though there are not the same lockdown issues, Mr D'Adam, there are some schools where cohorts of students have been away or teachers have been away and we need to be able to give as much flexibility to schools as possible.

The Hon. ANTHONY D'ADAM: Has there been a decline in the number of candidates for the HSC entering from year 10 into year 11 this year?

PAUL MARTIN: I will take that question on notice, but I don't think so.

GEORGINA HARRISSON: I think the follow-up was also around Ms Nixon and the attendance. Happy to go to that.

The Hon. ANTHONY D'ADAM: Yes. Ms Nixon?

LEANNE NIXON: On the return from lockdown at the beginning of term 4, we had approximately 54,000 students who didn't return. We have case managed each one of those. By the end of the year, we were down to a few thousand that we hadn't seen. We wanted to be able to see where every child was. We needed to know what had happened. By the end of term 1 this year we were down to around 40 that we didn't have either a destination, were case managing or had returned to school. By May we were down to zero. We had tracked and traced every child that didn't return after lockdown, just for the reasons the Committee would understand: for the welfare of every child and to make sure we knew where they were. Some have gone overseas, some have gone interstate, some have gone to other schools and some we are still case managing. I'll get those numbers for you on notice, but very much a line of sight to every child and using the delivery support team and the ASLOs and HSLOs to make sure that we knew where every child that hadn't returned was.

The Hon. ANTHONY D'ADAM: Are you able to provide some information about the gender balance in terms of that cohort?

LEANNE NIXON: On notice I'm pretty sure that we can do that. But I can supply all that information around that.

The Hon. COURTNEY HOUSSOS: Can I just ask, I've heard anecdotally that there were some kids who actually went to school during lockdown—obviously school refusals and the like. Because there were less kids at school, they felt more comfortable for a range of reasons. Did you do any work around that? I know that is a bit of an obscure question.

LEANNE NIXON: I'm not aware of any work we did around that. As I said, we were focused on ensuring that all kids returned. Anecdotally, I haven't heard that story. But there were kids that—attendance is a pattern and that pattern was broken during lockdown for a lot of kids. Investing in them and wrapping around them to ensure that they wanted to come back has been a long-term piece of work for us. It has become harder for a more significant group of kids to actually return.

GEORGINA HARRISSON: Ms Houssos, you will also recall that we did, after the first period of lockdown in 2020, a piece of work looking at the work schools had done. Certainly, one of the examples we saw for some students was actually that the learning from home environment enabled them to engage more positively with education than they had in the classroom. That was a great opportunity for teachers to build those relationships so at the return to school, they were then more confident to return. We have seen teachers really invest in their students. We have also heard from student council members that the thing that they missed most across all age groups represented on that council was the interaction with the teacher and the relationship they had with their teachers. That has just been really critical for us in maintaining that return to face-to-face learning through this year, despite the disruptions we have discussed due to sickness absences.

The Hon. ANTHONY D'ADAM: Ms Harrisson, I asked a question on notice about trying to get to the question of how teachers enter the system, looking at the number of casual employees, temporary employees and permanent employees, in terms of first engagement with employment with the department. The answer was that it was all just too hard. Is the payroll system not able to generate that kind of information, even just for this calendar year, looking at those new teachers who have entered the system and how many of those have come in as casuals? They will have a unique number and they will be registered on the payroll system as casuals. How many have entered only as temporaries and how many have come on as permanents? Surely the department has that information.

GEORGINA HARRISSON: As far as I'm aware, our payroll system is not able to produce that type of report. Certainly, in the questions you would expect me to ask of our system, Mr D'Adam, there are significant limitations. We use a largely off-the-shelf product for our payroll—an SAP. We have some very complex employment arrangements through the system that can make it hard for an off-the-shelf system to adapt and provide the answers that we need. That's why we are looking at a human capital management system that will enable us to track not how we pay teachers but actually how we employ them, how they progress, how their performance is managed and how we recruit them. The recruitment system—we use Taleo for permanent roles and for some temporary roles. It doesn't capture that same information either. We can certainly see in terms of casuals—those we can get some information on, but it isn't necessarily a full picture. We have more work to do on our ability as an organisation to capture, record and report on that data. But it does require investment into ICT infrastructure that we need to make sure we have a clear case for and that our system is ready to adapt to and make the change.

The CHAIR: Can I ask, did the department approve the participation of Casula Public School in the ABC experimental program called *The School That Tried To End Racism*?

GEORGINA HARRISSON: Yes, we did.

The CHAIR: Did the parents of every child appearing on screen give permission?

GEORGINA HARRISSON: That would be my expectation, yes, but I am happy to provide that on notice. But I would absolutely expect we have very clear permission to publish processes in place for any image of a student. That is in place around a school using any of their own promotional materials, brochures, enrolment information. The permission of a parent to publish the image of their child is their right and they are asked to do so. I cannot imagine that we would undertake a TV recording without the permission of those parents. That would be absolutely core to the piece of work and part of the approval and ethics standards of the producers of the TV show as well.

The CHAIR: In advance did the department know that the program would be pushing critical race theory upon these little kids, teaching them about white privilege and how they should believe that white-skinned people at their school should be treated more adversely because of this false notion of white privilege? Having represented the Casula catchment at local and Federal government level, I could take you to many hundreds of people with white skin in that area who have lived in public housing on welfare dependency and who don't show

any evidence of privilege whatsoever. What did the ABC tell you about this and why did the department tick off something that is just so fundamentally divisive in the playground?

GEORGINA HARRISSON: Firstly, Chair, I am very happy to take on notice the specifics of the question and what we knew about the content ahead of time. What I would say for that school community and the reports I have had and the conversation I have had with those that were involved in the program is that it has been an entirely positive experience for the school and for the school community. I certainly have received no complaints from the school community in relation to the program. I am very happy to take on notice the specifics of how the program was planned and what we knew about the content of it. But, Chair, I think overall for both the students, as was seen on the show, and for the school, it was a very positive experience that was reported back to us.

The CHAIR: Isn't it strange the Minister would say we are not going to have politics in school but here's a bunch of little kids pushed forward and experimented with for critical race theory?

GEORGINA HARRISSON: I don't think I quite accept the premise that they were experimented on. The program was very clearly working with a series of—

The CHAIR: They weren't learning literacy and numeracy, were they, while they were doing these programs with cardboard cut-out friends, stereotypes of antecedents to racism, the complexity of Australian identity? These are all adult concepts. Why are primary school students subjected to it?

GEORGINA HARRISSON: Firstly, Chair, the school was still required to meet all the syllabus requirements in relation to the English and Maths syllabus and so I don't believe those students, there is any need for the Committee to be concerned that those students missed out on core learning opportunities. The other thing I think just in terms of this, as I have said, an entirely positive experience led by experts in their field, psychologists on the team supporting the school and providing that—

The CHAIR: What is expert about Marc Fennell, the presenter, who is a comedian?

GEORGINA HARRISSON: Certainly, in terms of the presenter, Chair, I am not going to comment on Mr Fennell's presenting expertise, which is why he was employed on the show. But, certainly, there were a set of experts surrounding the team and the production of the program. I am very happy to come back to you on notice with that detail.

The CHAIR: One of my favourites, the certification of external consultants and those who come into the school system claiming expertise about everything under the sun, respectful relationships, mental health and the like. Have we got the much-promised certification system up in place so there is an evidence base to say that these consultants have got a proven record of success?

GEORGINA HARRISSON: The first panel of providers is in operation for allied health providers, that is, speech pathologists, psychologists and the like. We are currently out testing the market for the wellbeing services, a much broader range of services to support the wellbeing of schools so we can provide exactly that quality assurance stamp that you are looking for, Chair, in relation to those services, so that our schools can with confidence access services where we know that the quality stacks up and the evidence stacks up behind them. That wellbeing panel, Mr Graham might be able to provide you with some further information.

MARTIN GRAHAM: The panel is currently assessing the providers. They are assessing them against a standard that the Murdoch Children's Research Institute provided, their kind of evidence threshold and they are looking under the three themes of resilience, behaviour and sense of belonging as the most important things for schools. And if there's not a program under those headings that a school wants to use, we've also provided a decision-making tool for principals, so they can have a better idea of the kind of evidence they should be looking for. With the Chair's indulgence, I want to briefly mention, I want to clarify a number I provided on the number of parents who did Tell Them From Me. The number I believe is 66,510. I would like to clarify that for the record.

The CHAIR: Sure. Have you found any evidence yet that schools can teach wellbeing and resilience?

MARTIN GRAHAM: Certainly, if the programs meet the kind of very rigorous standard the Murdoch Children's Research Institute provided, then I have no doubt that they will be beneficial.

The CHAIR: Murdoch did a literature search and it was ambivalent. Schools can teach literacy and numeracy, science, geography, conventional subjects but we are yet to see a conclusive evidence base that they can teach wellbeing, which, quite frankly at schools normally translates into: Are the kids happy?

MARTIN GRAHAM: They can create an environment in which the children have a greater sense of belonging and wellbeing, and therefore are able to learn more effectively. I think that would be the kind of chain.

The CHAIR: I don't know if we need consultants to do that. Moving along, with the postponement of the school target system until next year, does that mean that the Minister's promise of interventions in failing schools, a promise she made in December 2020, has also been postponed?

GEORGINA HARRISSON: Chair, thank you for the question. We are providing strategic support to those schools that are identified as needing it now. We did have some disruption to that support being provided, obviously when we were unable to have people in schools working alongside one another during the COVID period. But since then, that work is up and underway and there are a number of schools, and Ms Walker will have the information on the schools engaged in that strategic support across our key priority areas.

The CHAIR: Secretary, that was your baby, wasn't it, when you were in the deputy secretary role?

GEORGINA HARRISSON: I am certainly very keen, Chair, to see us working with our schools in ways that demonstrably improve student outcomes. That is why we established the Best in Class team and have evidence of the impact of that work. It's why we are doing the strategic support in a very rigorous way that I will let Ms Walker talk to you about.

The CHAIR: How many schools are getting strategic support intervention, Ms Walker?

SIMONE WALKER: In 2021, 56 schools received strategic support for reading and numeracy; 347 received guided support in reading and numeracy; and 122 schools had guided support in attendance. This year in 2022 we have 93 who are currently receiving strategic support, again on the reading and numeracy, aiming for 261 in that cohort; and 432 receiving guided reading and numeracy. The remainder, there is also a group that is receiving attendance support, not dissimilar to some of the discussion that we just had previously about ensuring that we retain kids in the school system; financial support, which goes to the point that Ms Owen was making earlier; and the Aboriginal HSC attainment.

GEORGINA HARRISSON: If I could just add, one of the things that we are also really keen on is that this support makes a difference in classrooms. We are learning and testing as we go through this program so that we can see the lift. I also just note that our teachers are feeding back to us positively around the strategic support, that it is being done in a way that respects the professionalism of the teacher that we are working with, that focuses on the outcomes and focuses on that evidence-base practice in classrooms. That is the type of feedback we want to get so that we are able to continue to engage and have excitement around the system about engaging in this nature of support. We are building that and we are building the evidence base of what works so that we will be able to sit here and talk to you about the outcomes that have improved as a result, as we have seen in the HSC professional development already.

The CHAIR: Among these 520 schools receiving the strategic or guided support, are Walgett and Bourke high schools among them? Having visited many inspirational schools in New South Wales at the other end of the scale, how depressing it is to walk past darkened, empty classrooms. There are not enough students to turn the lights on at these schools. What are we doing at the schools where the students don't even attend?

GEORGINA HARRISSON: Mr Dizdar can provide some details on that. There has been some strategic support provided, I think to Walgett in particular, around literacy and numeracy in the primary school. But I will ask Mr Dizdar—

The CHAIR: What about Bourke and attendance, which is your first base?

MURAT DIZDAR: Walgett requires a multiplicity of expert support from across the department. So we've got our team in the attendance area, our team in the literacy/numeracy area. We've had health safety expertise as well. So it's a school that classifies as—and this won't be a surprise to you, having visited—needing strategic support on a multiplicity of areas. And the way we've approached that is to work with the leadership team about a point in time. Rather than sending all of that support in the one hit, prioritising what that support looks like. I can also tell you—you asked about Bourke High School. It's on our attendance support as well.

The CHAIR: The Opposition, to finish off.

The Hon. COURTNEY HOUSSOS: I just wanted to ask if you can give us, on notice, the numbers of children or number of students in primary and high school doing homeschooling and distance education schooling? If you can give it to us for this year, for last year and for the year before.

GEORGINA HARRISSON: Certainly I can provide information of the number of students enrolled in the New South Wales distance education provision. If you're after information on homeschooling, Mr Martin may have some of those figures with him today.

PAUL MARTIN: I do have those figures. If you can give me one second, I can tell you.

The Hon. COURTNEY HOUSSOS: Fantastic.

GEORGINA HARRISSON: I would just note that navigating these papers on screen is sometimes harder to do than it is in the big folders that we would otherwise bring.

PAUL MARTIN: As at 30 June 2022 there were a total of 12,508 registered children, including those with exemption from registration—which is largely the same thing—from 7,724 families.

The Hon. COURTNEY HOUSSOS: Do you have it for the previous financial year?

PAUL MARTIN: I do. So it was 7,808 in 2021 and 6,534 for 2019-20.

The Hon. COURTNEY HOUSSOS: That's a big spike.

PAUL MARTIN: There has been a steady increase, if that's the implication.

The Hon. COURTNEY HOUSSOS: Yes, absolutely. Do you have it for the year before that, 30 June 2019?

PAUL MARTIN: I've got 5,698 for 2018-19.

The Hon. COURTNEY HOUSSOS: Thank you very much, Mr Martin. I just then wanted to move on to the COVID tutoring program. I think we can all acknowledge that obviously has taken up a lot of the casual teachers, which would have already been fulfilling some of those. So it may actually have been an indirect cause of those merged classes and collapsed classes, would you agree?

GEORGINA HARRISSON: Certainly what I can confirm—and Mr Lamb or Ms Walker might have the specific numbers of staff who are from the teaching service employed in that program, because we've also employed some final year students and some SLSOs have been made available to schools to support that program. But, certainly, the locking in of a number of teachers into that have definitely impacted on overall availability of casual supply. They tend to be people who would have worked in a temporary or casual nature previously. But I would also note that in the guidance we provided to schools to support them in making decisions about how to staff and provide cover, we have been clear that they should look to use those staff as part of their casual relief pool before they start to collapse merged classes, or before you would consider if there was a significant COVID outbreak, sending a cohort to learn from home for a week or two, for example. But Ms Walker will have the specific information.

SIMONE WALKER: Absolutely. So we've got 2,072 out of the 2,184 public schools that are currently implementing the COVID ILSP. That's employing 5,625 educators and that supports 132,331 students.

The Hon. COURTNEY HOUSSOS: The Auditor-General identified some issues with the lack of data that was being collected. Has that been fixed now?

SIMONE WALKER: Yes. So comprehensive data is collected through plan 2, and actually what we're seeing is great uptake of that. It gives us really great evidence, particularly about the impact of smaller group learning. We're really wanting to grow that and understand the advantage more, because I think there are lots of opportunities beyond COVID. I think we can almost leave the COVID part behind and really think about the intensive learning support. That's what we're discussing now as part of the future for this type of work. Whether Mr Martin has more that he might want to add—

The Hon. COURTNEY HOUSSOS: I would be interested to know if you're providing support for—I understand it's a policy decision about the ongoing expansion of the program. But given we've got so much money with schools who are disadvantaged and if this shows that this is clearly the way to be assisting disadvantaged students, then surely we should be looking at doing this on an ongoing basis; is that right?

SIMONE WALKER: Certainly the discussion in the exec with Mr Dizdar and Ms Nixon is that there are many schools that are involved in this process who would nominate to do this work, regardless of whether there was an overarching program delivered. So that has not only been some of the learning but also builds on things that some schools were already doing with this strong evidence base.

GEORGINA HARRISSON: I would just add, Ms Houssos, if we see from this program results that improve student outcomes, we will be giving very clear guidance to schools about the role this type of intervention can play in their own school improvement plans for future years.

The Hon. COURTNEY HOUSSOS: Great. Do you know when the NAPLAN data is going to be released? It would be this month, wouldn't it?

GEORGINA HARRISSON: Mr Martin might be able to provide further information on that. I note that NAPLAN data was released from ACARA, our national body, but Mr Martin may have more information.

PAUL MARTIN: The ACARA board are meeting tomorrow to discuss, and one of the items on the agenda is the release of the NAPLAN data. I think the individual school reports are much later this year.

The Hon. COURTNEY HOUSSOS: Yes, they come out later, but I'm just interested in them. So we should watch this space. Thank you very much. Can I just ask what issues within the curriculum require parental permission or consent?

GEORGINA HARRISSON: That would be a question for Mr Martin. Certainly within public schools, I think we've talked in this Committee before about the controversial issues policy and our expectation that if a controversial issue is to be raised in the context of a teaching and learning objective within a class, that parents are notified and parents are given the opportunity to discuss that with a teacher and to not have their child partake in that lesson if they have an issue with it. But Mr Martin might have specific issues around the syllabus content, if that's what you're going to, Ms Houssos.

PAUL MARTIN: There are some issues in PDHPE. We've just rebuilt a lot of the work there on consent education et cetera that are age appropriate and give advice to teachers and schools to ensure that parents are comfortable enough. It's defined in ways that are age appropriate within the syllabus. But we always make sure that schools and school systems have the opportunity to converse with the parent, communicate about what they think is appropriate.

The Hon. COURTNEY HOUSSOS: Does that mean that parents should be notified if they are doing that particular part of the curriculum?

PAUL MARTIN: It is not mandated that that is the case, but school systems would generally do that.

The Hon. COURTNEY HOUSSOS: Okay. I just wanted to ask about school counsellors. I asked a question on notice about this. That was a while ago now. I'm just interested to know if we are still on track to get the—there were 25 in the first year, 50 in the second year, and 2022-23 was the final year. How are we going with that for this financial year?

GEORGINA HARRISSON: Ms Houssos, could you give us a little bit more context for the question you are asking?

The Hon. COURTNEY HOUSSOS: The school counsellors program that was—

The CHAIR: I think schools are supposed to have a counsellor, aren't they?

The Hon. COURTNEY HOUSSOS: I think it's \$88.4 million, up to 100 additional places. There were 25 in the first year—it ended up being 29; the second year ended up being 55.6. I was just interested in how we are going for this final year, because I understand this is the final year of the rollout.

GEORGINA HARRISSON: I will ask Ms Nixon to give you those numbers, if we have them with us.

The Hon. COURTNEY HOUSSOS: Yes.

MARTIN GRAHAM: I have the numbers.

GEORGINA HARRISSON: Great.

MARTIN GRAHAM: So the commitment has been met. There are now 1,250 FTE counsellors. We're on track for the student support officers, which will be 464 by next year, was the commitment. We're currently recruiting them now, so that will be complete as well.

The Hon. COURTNEY HOUSSOS: I used to ask you questions on notice about the ratio of the counsellors to students. Do you collect that data?

MARTIN GRAHAM: It's not provided on a ratio. If you wanted a ratio, it's not something that's calculated within the formula for the staffing. It would just be whatever—if you wanted to make a ratio, you divide one number by another.

The Hon. COURTNEY HOUSSOS: No worries. Instead, can I just ask you to provide me, on notice, those schools that don't have a full-time counsellor?

MARTIN GRAHAM: We can have a look at what we have on—

The Hon. COURTNEY HOUSSOS: Yes. You've given it to me previously, so I'm just interested in an updated list.

GEORGINA HARRISSON: Yes, I'm sure we can provide that on notice.

The Hon. COURTNEY HOUSSOS: And an updated list of both the permanent and temporary school counsellor vacancies, if that's okay.

MARTIN GRAHAM: Certainly, yes, we can provide it some time.

The Hon. COURTNEY HOUSSOS: Mr Manning, I will turn to this document that you helpfully referred me to—I'm sorry, I had missed that one—the delivery strategy that was launched yesterday. Under "building contractor" under "Edmondson Park new high school", it says "alternate". Now, this is listed under a number of different projects. What does that mean?

ANTHONY MANNING: It means we're exploring options that are available to us in the market, which is what we talked about this morning.

The Hon. COURTNEY HOUSSOS: Does that mean that all of those projects are having a similar kind of process to Edmondson Park, in that you're looking at a number of sites and a number of different—

ANTHONY MANNING: I think as I said this morning, there is a Treasury policy that requires us, where we're going to spend more than \$100 million, to look at private sector capital opportunities, including PPEs and the like. That's a process we're going through on a range of projects that present themselves to us at the moment.

The Hon. COURTNEY HOUSSOS: And all of the ones listed as "alternate" on that document are going through that process?

ANTHONY MANNING: Yes, to some degree or another, absolutely.

The Hon. ANTHONY D'ADAM: Can you provide on notice that Treasury policy you're referencing?

ANTHONY MANNING: Sure.

The Hon. COURTNEY HOUSSOS: Can you tell me how many high schools are currently being considered for planning or are being constructed that don't have ovals, and give a list of those?

ANTHONY MANNING: We'd have to provide that on notice.

The Hon. COURTNEY HOUSSOS: Of course.

ANTHONY MANNING: But I would draw the point that we did earlier today: The issue is the use of an oval and access to an oval, not ownership of an oval. We make sure that all of our high schools would have access to an oval as part of the program. It doesn't necessarily mean we would own it. But I can provide that to you on notice in terms of which ones we own and which ones we have leasing arrangements with.

The Hon. COURTNEY HOUSSOS: Yes, that would be great.

ANTHONY MANNING: There are quite a lot of schools that have arrangements with adjacent pieces of land that are utilised by the school, not just new ones.

The Hon. COURTNEY HOUSSOS: Beautiful. If you can provide the list on notice of the ones that you have access to and the ones that you actually own—

ANTHONY MANNING: The ones that are planned?

The Hon. COURTNEY HOUSSOS: Sorry, I'm interested about the new planning ones and which ones—

ANTHONY MANNING: Yes, the ones that are planned.

The Hon. COURTNEY HOUSSOS: I understand we've talked about this extensively in our school infrastructure inquiry about the new high-rise schools. I'm interested to know how many of those—we still don't have a site for the south-western—

ANTHONY MANNING: For Leppington?

The Hon. COURTNEY HOUSSOS: Yes.

ANTHONY MANNING: Yes, we do. It's the one we visited and had a look at. I don't think you were present at the Portfolio Committee No. 3 that day? Maybe you were.

The CHAIR: Have you allocated that site now?

ANTHONY MANNING: Yes. We wandered and had a look, we chose a site—

The Hon. COURTNEY HOUSSOS: No, I was there. We were at the train station?

ANTHONY MANNING: Yes.

The CHAIR: Just to the northern side of the train station.

ANTHONY MANNING: Yes, that was the site.

The CHAIR: That's good.

The Hon. COURTNEY HOUSSOS: So you've actually allocated that specific site?

ANTHONY MANNING: That's a conversation we are having with Transport. Transport owns the site at the moment. We are working through what its development idea is and then how we will work a school into it as part of that.

The CHAIR: That's the north-west of Rickard Road?

ANTHONY MANNING: Yes, that's right.

The CHAIR: Great.

The Hon. COURTNEY HOUSSOS: It's not the one that's further down? There was one that was through the car park—

ANTHONY MANNING: And that would have access to the oval down the road.

The Hon. COURTNEY HOUSSOS: Yes.

ANTHONY MANNING: The same at Sydney Olympic Park. As you are aware, there is a conversation about the oval space there as to whether it is owned by us or by council. Either way, we would have use of that.

The Hon. COURTNEY HOUSSOS: This is Wentworth Point that we're talking about now?

ANTHONY MANNING: Yes.

The Hon. COURTNEY HOUSSOS: Okay, alright. We've got limited time. I've got a couple more questions but I will pass to my colleague.

The Hon. ANTHONY D'ADAM: I just wanted to ask Mr Graham to clarify: The tender for the curriculum resources has closed, hasn't it?

MARTIN GRAHAM: That's right.

The Hon. ANTHONY D'ADAM: How many bids have been received?

MARTIN GRAHAM: It's currently before the tender panel so I'm not sure how much I should be saying about a commercial process.

The Hon. ANTHONY D'ADAM: You're not able to provide that information? Perhaps you can take it on notice—

GEORGINA HARRISSON: Very happy to provide that on notice.

The Hon. ANTHONY D'ADAM: —and get some advice. If you can, we'd like to know whether there were partial bids—I don't know whether the tender document had a capacity for a bid to be received in relation to a portion of a curriculum and how that was designed, but if there is perhaps some information about how many bids for each portion?

GEORGINA HARRISSON: Very happy to provide you on notice anything we can in terms of the breakdown and numbers of proponents. If we're unable to provide that at this time—at the sensitive time where those bids are being considered—I will, as I've done in other parts of this hearing, commit to write to you with the outcome and more information at the point I'm able to. If we come back and say we're not able to provide it at this time, I do commit to write to you with further information once that sensitive part of the process is complete.

The Hon. ANTHONY D'ADAM: Thank you. What date was the tender closed?

MARTIN GRAHAM: I can get that for you.

The Hon. ANTHONY D'ADAM: On notice?

MARTIN GRAHAM: Yes.

The Hon. ANTHONY D'ADAM: Thank you.

The Hon. COURTNEY HOUSSOS: I wanted to go to the question about the catchment capture rates of schools. Ms Harrison, do you have access to what percentage of in-catchment school-age students are attending each school?

GEORGINA HARRISSON: I don't have that with me, but I'm very happy to work with my colleagues around the table to see what information we have on that and come back to you.

The Hon. COURTNEY HOUSSOS: Yes, that would be great. Then I might do some questions on notice about what are the catchment—are 20 per cent of the kids in a catchment area attending the local school? Are 80 per cent of them in a catchment area—

GEORGINA HARRISSON: Obviously we would expect that figure to vary by suburb and by provision in that suburb. Some of that will obviously depend on the choice that is available to parents in any given location. But I'm very happy to have a look at what we might have and are able to provide on that.

The Hon. COURTNEY HOUSSOS: That would be great. If you can come back to us, we'll come back to you with some more questions on notice. I wanted to talk to you about the locations of sold land. We've asked some questions on notice about this. You have the figures of the parcels of land that are under \$5 million. Some of those questions on notice have referred to the annual report but they are not provided. Are you able to provide us with a list of the parcels of land that have been sold that are under \$5 million?

GEORGINA HARRISSON: Certainly I'm happy to take that on notice and come back to you with what we're able to provide. I don't think there should be any issues with that, Ms Houssos, but I don't have a list of those here with me today.

The Hon. COURTNEY HOUSSOS: No, I don't expect you to. I'm looking more for a commitment that you would be able to provide that list.

GEORGINA HARRISSON: Very happy to look at what we're able to provide.

The CHAIR: That brings us to a close. We could go on for hours—days, even—but our time inevitably is limited. We won't see the full team again this side of the next State election. Thank you for your participation and assistance today and right through the parliamentary term, which we very much value. We'll see some of you at our ongoing inquiries on infrastructure and teacher shortages. Particularly, I thank Mr Manning for the support and cooperation we've received on the infrastructure inquiry, which has been fantastic. It's a good thing for the work of our Committee to put forward useful ideas about, say, Gillieston school and then see action about it. That is the responsiveness that we very much seek in politics and find so rewarding and important for the students and communities themselves. Thanks everyone for your time today. I am sure we will see you down the track again. Thank you.

GEORGINA HARRISSON: Thank you very much, Chair, and thank you Committee.

(The witnesses withdrew.)

The Committee proceeded to deliberate.