



**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL
TERRITORY**

SELECT COMMITTEE ON THE COVID-19 PANDEMIC RESPONSE

(Reference: [COVID-19 pandemic response](#))

Members:

MR A COE (Chair)
MS T CHEYNE (Deputy Chair)
MRS V DUNNE
MS C LE COUTEUR
MR M PETTERSSON

TRANSCRIPT OF EVIDENCE

CANBERRA

FRIDAY, 22 MAY 2020

Secretary to the committee:
Mr H Finlay (Ph: 620 50129)

By authority of the Legislative Assembly for the Australian Capital Territory

Submissions, answers to questions on notice and other documents, including requests for clarification of the transcript of evidence, relevant to this inquiry that have been authorised for publication by the committee may be obtained from the Legislative Assembly website.

WITNESSES

BARR, MR ANDREW , Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment.....	235
COLEMAN, DR KERRY N, Chief Health Officer, ACT Health Directorate.....	235
DUGGAN, MR BEN , Catholic Education Office, Canberra and Goulburn Archdiocese.....	207
ELLIOTT, MR TIM , Catholic Education Office, Canberra and Goulburn Archdiocese.....	207
FOWLER, MR GLENN , Secretary, Australian Education Union, ACT Branch ...	217
FOX, MR ROSS , Director, Catholic Education Office, Canberra and Goulburn Archdiocese.....	207
GARRISSON, MRS JOANNE , Senior Manager, Strategic Programs, Association of Independent Schools of the ACT.....	224
HARPER, MS NATALIE , Catholic Education Office, Canberra and Goulburn Archdiocese.....	207
McGOVERN-HOOLEY, MS KIRSTY , President, ACT Council of Parents and Citizens Associations	229
NICOL, MR DAVID , Under Treasurer, Chief Minister, Treasury and Economic Development Directorate	235
RICKARD, MRS JENNIFER , Executive Officer, Association of Parents and Friends of ACT Schools.....	213
SALISBURY, MR KIM , Executive Group Manager, Revenue Management Division Chief Minister, Treasury and Economic Development Directorate.....	235
WRIGLEY, MR ANDREW , Executive Director, Association of Independent Schools of the ACT.....	224

Privilege statement

The Assembly has authorised the recording, broadcasting and re-broadcasting of these proceedings.

All witnesses making submissions or giving evidence to committees of the Legislative Assembly for the ACT are protected by parliamentary privilege.

“Parliamentary privilege” means the special rights and immunities which belong to the Assembly, its committees and its members. These rights and immunities enable committees to operate effectively, and enable those involved in committee processes to do so without obstruction, or fear of prosecution.

Witnesses must tell the truth: giving false or misleading evidence will be treated as a serious matter, and may be considered a contempt of the Assembly.

While the committee prefers to hear all evidence in public, it may take evidence in-camera if requested. Confidential evidence will be recorded and kept securely. It is within the power of the committee at a later date to publish or present all or part of that evidence to the Assembly; but any decision to publish or present in-camera evidence will not be taken without consulting with the person who gave the evidence.

Amended 20 May 2013

The committee met at 10.02 am.

FOX, MR ROSS, Director, Catholic Education Office, Canberra and Goulburn Archdiocese

ELLIOTT, MR TIM, Catholic Education Office, Canberra and Goulburn Archdiocese

DUGGAN, MR BEN, Catholic Education Office, Canberra and Goulburn Archdiocese

HARPER, MS NATALIE, Catholic Education Office, Canberra and Goulburn Archdiocese

THE CHAIR: Welcome to this public hearing of the Select Committee on the COVID-19 pandemic response. On behalf of the committee, I thank representatives of the Catholic Education Office for joining us today. I understand that a copy of the privilege statement has been sent through. Could I ask you please to each confirm for the record that you understand the privilege implications of that statement?

Mr Fox: I have read and understand the privilege statement.

Mr Elliott: I have read the privilege statement and understand it.

Mr Duggan: I have read and understood the privilege statement.

Ms Harper: I have read and understood the privilege statement.

THE CHAIR: Before we go to questions, Mr Fox, do you have an opening statement that you would like to give? I remind you that the proceedings are being recorded for transcription purposes, as well as being webstreamed live.

Mr Fox: I will just make a few introductory comments to provide some context. The Catholic Education Office in the ACT are here today representing 29 systemic schools, which include five secondary colleges and 24 primary schools, with about 14,000 students enrolled. We also operate eight early learning centres, which predominantly serve four-year-olds, and eight of those are co-located with our primary schools.

I have just a few observations: it is no secret to anyone that this has been an incredibly demanding time for educators and schools. Teachers and principals have done an amazing job responding to the circumstances. We have been really encouraged by the great feedback from parents, very positive feedback from parents, and their patience in dealing with a situation that no-one wished for and no-one anticipated. But there have been some remarkable stories and remarkable work done in our school system.

Every Catholic school during term time in the ACT has remained open for students who need to attend. We are really proud of that. Our attendance rate fell to about 13 per cent towards the end of last term and the beginning of this term, and as of today almost all schools are experiencing higher attendance rates than normal, with the exception of three or four primary schools who have chosen a bit of a slower return for their own reasons, which I can talk to in detail if desired. The secondary colleges, because of the nature of their complex operations, are returning in a more

staggered way. I can talk to the rationale for that.

It has been an incredibly demanding time. We think an amazing job has been done by teachers and principals in responding to it. We have worked with the education department and the health authorities and that has been essential to our advising our staff and our parents and keeping our students safe.

The other thing is that we are getting increasing numbers of requests for fee remissions from families who are financially affected, and we are doing everything we can to accommodate those families who are experiencing financial hardship. Our commitment is that no-one will be excluded from Catholic education because of their financial circumstances. There have been significant commitments already. We have got almost 200 families who have made requests at the moment. We anticipate more, as we know there is a lot of uncertainty about the long-term economic impacts of this situation.

A final observation is that we are facing funding cuts from the ACT government in the order of \$2 million. That is projected to be this year. We have to deal with that on top of the pandemic response that we are undertaking. We are very pleased to be here today and to have the opportunity to speak with the committee. We are happy to talk in detail about any area you may wish to explore.

THE CHAIR: With regard to the financial pressures faced by parents, as well as by the sector, is there a perfect storm coming in terms of people's inability to pay, as well as a decline in funding?

Mr Fox: I will break that up into a few parts. Firstly, we have made a system commitment to make sure that no school is going to be out of pocket by giving a fee concession—that the system, with its central resources and central reserves, is going to meet that. We do not know how large it is. We have made some provisions. At the moment it looks like somewhere between five and 10 per cent of families will need to access financial support this year, but that remains a work in progress. The system is going to meet that and we are going to draw on our financial reserves, if needed.

We would hope that we would break a run-even budget, but if we have to go into deficit this year, that is what we are going to do. We are really confident, because of our principals' close relationships with our parents, that we are not going to lose families and lose students who feel they need to absent themselves from the Catholic education system because of their financial circumstances. We do not feel a risk that we will lose families who are already with us.

We are obviously concerned if a family is looking ahead to their own financial circumstances, not knowing what might be in the future—and we are now in our enrolment period for next year—and we are doing everything we can to encourage families to explore Catholic education and the great work we do and understand whether it is for them. There is an anxiety amongst schools and staff that we may not have the normal inquiries from families because they are concerned about their financial circumstances.

We have got to adjust to the overall funding trajectory from the ACT government, and

that puts additional pressure on us at this time to really tighten our belts and watch every dollar that we are spending. That adds to the challenge that we face at the moment.

MS CHEYNE: Thank you very much for appearing today. My question is about how schools individually and, perhaps, more broadly, the Catholic Education Office as a whole, have been supporting families during the period where students may have been spending more time at home, particularly supporting the students with learning difficulties or special needs or students who might be from disadvantaged backgrounds, and just making sure that they were still getting the attention that they would normally get in that face-to-face environment and the support that they would normally get in that way as well.

Mr Fox: There are a couple of issues there. It is the case that teachers have been incredibly creative. I guess a lot of teachers and schools started from that pastoral care mindset of how we ensure that students continue to be connected to the school when engaged in their learning, because that is obviously really important. I think we have done that successfully with daily check-ins.

For the students with additional needs, what has often happened is that the classroom support assistants and the learning support assistants have come into a separate team and directly connected with those students and parents who needed that additional support, particularly through this time. There are a vast array of experiences.

In secondary colleges, online learning and remote learning has generally worked really, really well, given the age of the students and also the resources available. As you go down from grade 6 to kindergarten it becomes increasingly difficult, and obviously as a parent myself you have increasing anxiety about screen time. Our experience in a number of schools was that the hard copy resources, particularly for kindergarten, years 1 and 2, were very much appreciated. There was very sensitive design of the lessons and engagement to minimise screen time but still have it as a necessary part of that engagement between the teacher and the students.

Often for the students with additional needs we have had a roving team of classroom support or learning support assistants dealing directly with the needs of those students, and that has typically seemed to work very well, albeit that the anxiety that we have got, as has been related to me by principals and teachers, is that any inequality that is already present in the community is exacerbated by this circumstance. That is so hard for us as educators to overcome in remote learning mode; you have got to have students back in school.

There is an energy now with students returning. I believe that teachers and principals are far more optimistic and happy because they get that energy from having the students back. They know that they are well trained to deal with this situation and they can be effective in overcoming inequality. We are really optimistic.

It has been incredibly difficult. Some teachers have shared that in their 20 years of teaching this is the most challenging six weeks they have had. But now that we are, hopefully, returning to something close to normal, we can overcome any disadvantage from the break in learning that students might have experienced. I think I have

answered your question.

MS CHEYNE: You have. That exacerbation of inequality is exactly what Anglicare was really emphasising to us a few weeks ago. I appreciate that comment as well. In your opening comments did you say that attendance now is higher than it usually is?

Mr Fox: Yes. Most of our schools are getting close to 96 per cent and above. Our normal expected attendance would be 90 to 95 per cent, and sometimes lower than that in senior secondary and secondary colleges. The experience at the moment is that the attendance rates are higher than normal for this week. Yes, it is an interesting thing about the demand or the eagerness of parents and students to engage back to school.

MS LE COUTEUR: I want to ask a question about how your students are getting to school. I assume that you have quite large numbers of kids who are so far away that walking to school or riding their bike is not a feasible option. How are you dealing with the bus or the car situation?

Mr Fox: I am going to speak a little anecdotally on that because we have not got real-time data or monitoring. For our primary schools, I would say we have got data that would say 80 to 85 per cent of primary school enrolments are in the local area, probably within five kilometres or less. They are very much local. But I would say that, anecdotally, walking to school has become less and less frequent, and that is a measure of parental anxiety and other things, I think—perceptions of safety, also busy lives, having to drop children at other activities before and after school.

Management of drop-offs and pick-ups is a non-trivial issue that schools have had to deal with this week and will have to do in the coming weeks because some schools have chosen to encourage parents, as far as possible, to stay out of the school, which is a unnatural thing for us. Parents value being able to come into the school. They value connecting with other parents. But really the advice at the moment, subject to reflecting general government advice, is: “Stay in your car.” Staff are coming out into the car park, facilitating the connection either in or out of the school. There were, I think, some prominent photos in one media outlet of lines of cars causing a traffic jam.

But, anecdotally, they are doing what they can to stagger. Actually, the feedback is that there are no dramatically different traffic jams or traffic issues, but it is much more complex to manage. For example, at Good Shepherd, Amaroo, at the moment they are going a little quicker in returning than Amaroo primary and there is some leeway or not as much traffic around. I guess when Amaroo primary is fully back there will be issues. There are issues. Anecdotally, bus travel is down a lot. I assume that Transport Canberra would have the stats on that.

Because I have schools in New South Wales, I am getting daily information from Transport NSW about student use of public transport. Anecdotally, parents are much more inclined to drive. Principals are saying that it is also because a lot of parents are still working from home and they say, “Why wouldn’t I just drop my child at school?” Naturally we are dealing with higher volumes. Then we have got that added complexity of social distancing. It is preferable to try and minimise people and traffic

into the school, so to speak.

Secondary colleges are a different situation. There are much higher rates of bus usage. I did speak with the principal of MacKillop, and they have got a lot of dedicated buses. There, with the perception of the buses being safe and useable, it will be a bit different. In recent times there has been a major change to the bus network where there are many more shared public services than school buses, and I have no doubt that would cast at least questions in parents' minds about the safety at the moment. Whether or not that results in long-term changes in drop-offs we do not know yet. But they are the things that I have certainly heard directly from principals.

MRS DUNNE: I was wondering whether, Mr Fox, you could outline for the committee how prepared you were on 22 March, when schools suddenly began to close. What preparation had you done and what conversation had you had with the ACT Education Directorate about those changes?

Mr Fox: We had been doing scenario planning. I do not think anyone knew when things might happen or when changes might take place. We were doing scenario planning about worst-case scenarios, but we thought they might be some time away. I would say everybody was operating in very uncertain times. One of the huge frustrations for school leaders and parents has been the noise in the media from all sorts of different sources, combined with an anxiety, a lot of uncertainty, a lot of unknowns.

We have been in regular contact with the Education Directorate, and the minister, when required, to understand their plans. For example, we have had a staff member embedded in an incident management team that the ACT government is running that has also got Education Directorate members on it so that we could improve the information flows for both Catholic education and independent schools and provide some more real-time interaction.

We, as Catholic education, had a lot of conversations about the hub school concept and whether we could participate in that and how. In the end we did something different, which we thought reflected the needs of our school communities. We have been in constant conversation and discussion.

On logistics, we still have three-weekly check-ins with senior members of the Education Directorate just to coordinate things like our understanding of health advice, which is very important for confidence at the moment.

MR PETTERSSON: Mr Fox, you have talked a little about student attendance through the different phases of the pandemic. I was wondering if you have also been monitoring staff attendance at school over this time.

Mr Fox: Not as precisely. We have seen that in part through additional requests for support from schools. I have a couple of observations. Schools in the ACT are really short on access to what are referred to as relief staff, people who come in as casuals and work in our schools. That is really difficult to get access to. In these times, typically the profile of those people, to be honest, is that they are semi-retired and they are much more likely to fall into a vulnerable category or they are working part

time, towards the end of their career. Access to relief staff has been really difficult.

In combination with having a compassionate approach and a supportive approach towards our vulnerable teachers, accessing relief staff to replace them and keeping a continuity of supervision or learning has been challenging at times. We have had to deploy staff from our central office to go out and teach and take classes. But we are incredibly sensitive to that because, I guess, the first list of directives on hygiene was: “Stay home if you are unwell.” And that includes a runny nose. With lots of teachers the tradition has been to soldier on. They want to be in front of a class; they want to be with their students. That is not going to be possible this winter. We are incredibly sensitive to how we are going to manage that.

Some of the things that we have done in preparing and dealing with this situation, the online learning and remote learning, include principals reflecting that that might be useful in how you address having a staff member absent, being able to support a class, continuing to learn with supervision but having the lesson set through that digital or online mode. We have not tracked it precisely. It is definitely an issue and we are really sensitive about coming up to winter. With the traditional flu season, we may experience some shortages.

THE CHAIR: Unfortunately, time has elapsed. Mr Fox, Mr Duggan, Mr Elliott and Ms Harper, thank you very much for attending today. A copy of the transcript will be sent through. Please review that to make sure that it is accurate. Thank you for all that you are doing during this time to keep so many kids educated and for supporting the staff and families as well.

Mr Fox: Thanks very much. Thanks for the opportunity.

RICKARD, MRS JENNIFER, Executive Officer, Association of Parents and Friends of ACT Schools

THE CHAIR: Thank you very much for joining us today. I understand that you have been forwarded a copy of the privilege statement. Could you please confirm for the record that you understand the privilege implications of that statement?

Mrs Rickard: Yes, I do.

THE CHAIR: It is wonderful to have you here, representing the Association of Parents and Friends of ACT Schools. The proceedings today are being recorded by Hansard and are also being webstreamed live. Before we go to questions, do you have an opening statement that you would like to give?

Mrs Rickard: Other than to thank you for the opportunity to speak to you, we would love to have it known that we really thank our teachers for how they have undertaken their work during this incredibly difficult time. We also to thank the parents for the work they have done. They are the ones doing double duty at the moment and it is wonderful to finally have the value of parental engagement in educational outcomes realised. We just wish that it had not taken a global pandemic for this to happen.

THE CHAIR: Well said. Are you able to provide—before I go to my main question—a very succinct rundown of the organisation and really who you represent?

Mrs Rickard: APFACTS is the non-government school representation of parents in the ACT. Our members are all independent schools, but we are increasingly having independent or just regular parents join our association, either through the work that we do in running events and opportunities for parents to engage or just from our social media presence. But, at the core of everything that we do, we really try and keep centred on parents and what they need in the education space.

THE CHAIR: Throughout this period, obviously, there has been immense pressure on families and the entire education system. What guidance or consultation has the association had with the ACT government but also with the non-government sector on the management of the whole situation?

Mrs Rickard: From the parent perspective we have not had any engagement with the ACT government. It is a very difficult space in which we sit because parents have the expectation that the ACT government is looking after independent schools, but that is not always the case. Especially when the federal government got involved in the discussion around school funding, that created a lot of confusion for parents: “I’m listening to the ACT government telling me that I don’t have to send my kids to school and that’s who I feel I have to listen to, but then the federal government is telling me that I have to send my kids to school.” That was a very difficult time for parents in independent schools.

We had a lot of conversations. Because they are independent, our advice to them is always to send them back to have that conversation with their schools. We are hearing that schools have been wonderful in communicating with their parents. There have not

been any issues in school-to-parent communication, from what we are hearing. That has been delivered beautifully, which is great. The main issues for parents have been around the information flow, through the media, from the different levels of government but also then what their schools are telling them. Who do they listen to? That has been quite difficult for parents at this time.

MS CHEYNE: Just a follow-on from that: how could that be improved? Parents are looking at different spaces for information there.

Mrs Rickard: That is a really interesting question. Parents feel that their principals know their school community and the needs of their school community best. They are really looking to their schools to offer information. But that makes it really difficult in the way which we operate in this global media presence that we have, because that sometimes does distract from the message that the schools are giving.

I do not know if this is the same for the AISACT, but I would like to see the message be overarching from the ACT government for needs pertaining to ACT schools. I understand that is really difficult in the way that education systems are structured, but I think in this time of global pandemic we really need to be focusing on what is happening at our local level and the health requirements of our local level that are feeding into our education system. I personally believe that it is something that the ACT government needs to be completely responsible for: the messaging and delivering that message to schools and parents.

MS LE COUTEUR: As a representative of the parents and friends, I wonder what you have heard about the stresses that homeschooling has produced for families, in particular those who may have students who have special needs.

Mrs Rickard: It has been a very interesting experience for all our parents. All parents are saying that this is incredibly difficult. The number one piece of feedback we get from parents is that balancing work with schooling has been very difficult, from the workload of delivering your regular work to also no longer having that complete understanding of the education that their kids are receiving at the moment.

Being the go-between between what the teachers are delivering and helping their kids access that education, we realised that there are some big changes that have happened in the education system. That has been challenging for parents. Google has been our friend. The one thing that we have tried to help parents with is knowing where to get help for those sorts of things.

The other thing for families has been access to computers. At times in this house we have had four videoconferences going at one time, and that has been challenging and problematic. That has been another thing. Also, a lot of independent schools do not necessarily have a bring-your-own device program, particularly those schools that have a more natural approach to schoolwork.

We are hearing that a lot of parents have had to go out and purchase devices or they might have had one device in their house and they realised it was not going to be enough so they have gone out and purchased other devices. That has been a challenge for parents.

In terms of the additional needs, it has been fifty-fifty. Some children have found that they have had complete access to the adaptive technologies that they may have been denied in the classroom because they are looking towards an inclusive education setting in the classroom, whereas when they are at home they have had full access to their computers and the range of adaptive technologies that come with using them. It has been very beneficial for some children.

We are seeing an increase in the number of parents dealing with digital distractions. Whilst the school day has been online for the whole day, parents are popping in and finding that their kids have been playing games on a second screen the whole time, which I am sure happens in schools as well, but parents are now as frustrated as teachers that that is happening.

Yes, from the feedback that we have received from parents it is really fifty-fifty, in that some parents have found that their children have thrived in this situation—and that is students with additional needs and not. Then the other side is that their children have disengaged. Even when they have been engaged in the classroom, they have found this mode really difficult. I think that is a really interesting perspective. I have not had one parent say to me, “This has been exactly the same as the classroom.” It has either had added benefits or it has not.

MRS DUNNE: Could you outline for the committee what planning you were aware of before the schools started to close, on about 22 March?

Mrs Rickard: This is a really interesting one. We were not really aware of what schools were planning to do. The interesting thing I found was that parents voted with their feet. They were not waiting for schools or systems to make this decision, and I think that is a very interesting perspective. As we have prepared to come back, many of my conversations have been around: “What are the levers that are going to get you to get back to school?” They were not waiting for a school to tell them that it was time to go back. They were either ready or they were not. We are still hearing that some parents are choosing to keep their children at home because of added issues.

In terms of consultation with schools and individual schools about how they were planning to do it, parents are not often involved in these types of conversations. It is something that is taken at a school level. Whilst we really wish that schools would consult with the parent body to get a better understanding of the issues, for some families it was easy to transition to remote learning but for some families it has been incredibly difficult. I understand that it is not an either/or problem and it would have been nice for schools to consult parents so that they could have had a better understanding of the needs that were going to be required.

MR PETERSSON: We have already heard this morning that some education systems are expecting, potentially, a reduction in enrolments in the future—not necessarily their current enrolments but looking forward. Amongst your members, are you seeing any discourse about potentially no longer continuing enrolment in independent schools?

Mrs Rickard: Nothing really for potential enrolments, but for current enrolments

what we have heard is that parents have felt really welcome to go into their school and discuss their individual situation and that schools have been very forthcoming in meeting their needs. We are hearing of fee reductions and all of that sort of stuff. Schools have been very open to helping families in this situation. As to potential enrolments, I imagine that is going to happen, but I am not hearing from parents of potential enrolments in schools that they have changed their mind.

THE CHAIR: On a usual basis, what is the association's involvement and interaction with the Education Directorate? Do you have a standing seat—if such a thing exists—a standing position on a committee or some representative body?

Mrs Rickard: Currently, the only interaction we have is with the BSSS. It is something that I think is really lacking in this space. We can easily think that the ACT has no jurisdiction over non-government school parents. We know that P&C councils have a wonderful interaction with the directorate. It is something that I think is lacking and I think would be really beneficial, moving forward.

THE CHAIR: We are out of time. Thank you very much for your attendance today and for your advocacy for thousands of parents in the ACT. You will be sent a draft transcript of today's hearing. Please review that and just double-check that it is all correct. Again, thank you for attending today.

Mrs Rickard: Thank you very much for having me.

FOWLER, MR GLENN, Secretary, Australian Education Union, ACT Branch

THE CHAIR: Good morning, Mr Fowler. It is a pleasure to have you here. I understand that you have been forwarded a copy of the privilege statement. Could you please confirm for the record that you understand the privilege implications of that statement?

Mr Fowler: Yes.

THE CHAIR: Before we go to questions, do you have an opening statement that you would like to make?

Mr Fowler: No.

THE CHAIR: Short and sharp; okay. Would you please advise what communication, what interaction, you have had with the ACT government over the last couple of months pertaining to whether schools are open or not?

Mr Fowler: I certainly cannot complain about the extensive consultation that has gone on. We have been in daily contact on multiple occasions not only with the directorate but with the minister's office, where appropriate. We feel that we have been part of this journey from start to finish.

THE CHAIR: With regard to the union's position or stance on whether schools should be open or closed, generally speaking, was that view respected and enforced by the ACT government?

Mr Fowler: Absolutely. We made a decision on 25 March, after discussions with the ACT government, and the decision was that our members should have the right to work from home if that was the option that suited them, as per very standard arrangements across the rest of the ACT workforce. We moved at a pace with the government that we were very happy with. The decision to transition back to on-campus learning in a calm and measured fashion, which is continuing now, was done at a speed that we were very comfortable with.

THE CHAIR: When the union made that decision about advocating for working from home rights for teachers, was that already in the EBA? How did you communicate that with the ACT government and what was the process by which they had to formally endorse that position?

Mr Fowler: There was no process by which they had to formally endorse it. It would not have any relevance to the enterprise agreement other than reference to flexible working arrangements, which would certainly be covered off in an EA. We put our position to the ACT government, the government agreed with that position, and we were happy to go forward with our advice to members, knowing that the employer understood and respected it.

THE CHAIR: I am guessing that, in writing, you contacted the ACT government to say this was the AEU's position?

Mr Fowler: No.

THE CHAIR: How did you communicate with the government?

Mr Fowler: We communicated that with the directorate; we communicated that with the minister's office. We told them what our position was. They agreed with our position and we communicated that to our members.

THE CHAIR: When you were communicating with the ACT government, with the directorate and with the minister, were you doing that in writing or were you doing that over the phone?

Mr Fowler: We did not do that in writing. I have discussions with the government every day and reach agreement with the government every day. That is what I am paid to do. That is our job as a union—to reach agreement with the employer. On that occasion, as with many other things on any other day, we reached agreement on a position and we moved forward with that.

THE CHAIR: In your view—this is my final question—was it possible to have that ability for teachers to work from home while also keeping all schools in the ACT open for families that needed it?

Mr Fowler: That decision was made after the decision to go pupil free in the ACT. This was on the Wednesday of week 8. That decision was made by our union. The decision to go pupil free was announced on the Sunday evening preceding that. We were at a position where schools had an attendance rate of around two per cent, and we thought it was more than reasonable for our members at that time to have the choice to work from home, if that was what they deemed appropriate.

We saw an immediate take-up of that by a significant number of educators. It was probably not for several days after that that the number of teachers deciding to work from home actually started to outstrip the number of teachers that had decided to continue to work on site. It was done in the context of schools being pupil free, with extremely low attendance at that time.

MRS DUNNE: Could I seek clarification, Mr Fowler? Did you say that a decision was made by the union on the Wednesday and the decision was made by the government on the Sunday?

Mr Fowler: On the preceding Sunday, the decision was made by the government to go pupil free.

MRS DUNNE: On 22 March?

Mr Fowler: Something like that. On that Sunday, it was announced. After two full days of school—I think it was two full days; if not, it was one full day—our members were saying to us, “If the students are generally not here, we should have the option to work from home.”

MRS DUNNE: I misheard that. I thought you said that the union had made the decision before the government had made the announcement.

Mr Fowler: It was not our decision to determine schools' pupil free status. But in the context of schools being pupil free, we said to the government, "We think our members should have the option of working from home." They agreed with that position. Our executive made a decision and we communicated that executive decision to our members. As I said, some of them took up the option very quickly. For others, it took a while for them to transition out of the site. Eventually, towards the end of term 1, we had a situation where the majority of our members were working from home.

MS CHEYNE: Thank you, Mr Fowler, for appearing today. What percentage of teachers are members of the ACT AEU?

Mr Fowler: It is always difficult to know that exactly. As you can probably guess, we have school leader membership in the high 90s. In terms of classroom teachers it would be more than 80 per cent.

MS CHEYNE: That is huge. Last week I asked the directorate about the manner in which they have gone about communicating decisions to teachers in a rapidly changing and complex environment and with quite a few steps along the way. In your view, and given how many teachers you represent, what is the best way for the directorate to be communicating with teachers in a rapidly changing environment?

The directorate said they have a policy of not emailing at night, so some teachers got an email from the director-general at 8.30 one morning, when an article had appeared in the *Canberra Times* at 6 am. Could there be some exceptions made perhaps in communicating decisions at night? Do you have any feedback about how communication has been going and whether there is any room for improvement, or whether it is largely hitting the mark?

Mr Fowler: It is really important during uncertain times to be communicative. Certainly, we have taken that very seriously. I think we have emailed our members more in the last four weeks than we ever have. We take very seriously the need to close off any information vacuum.

The employer does it pretty well. We always emphasise the need to get information out, and we emphasise the need to do that in a simple way. In times of crisis people appreciate a simple point of contact, so I think they have been pretty good. With the way decisions have been communicated around those two big decision points—that is, having teachers transition to working from home and having them transition back from working from home—the communication around those periods has been very strong. We have been working with them over the last couple of weeks because that decision, necessarily, had to be made pretty quickly a couple of weeks ago. We have been working with them to fill that information vacuum.

It is a challenge because people have a lot of questions. We have worked with the directorate this week on 54 frequently asked questions that we put to them. We have answers for those, and those have just been sent out to our 4,200 members. We have

very good one-page information about what teaching and learning look like at this time. We have a very good one-pager on what the future of assessment and reporting is for this term.

From our point of view, information needs to go out as quickly as possible. It has been challenging. I should point out, too, that everybody is doing absolutely everything they can at this time. It has been a hell of a year. We were worried, even before COVID, about the impact of the fires, the smoke and the hailstorms on our people. We are all doing what we can, and hanging in, until those July holidays.

MS CHEYNE: The director-general said there is a protocol that they do not email teachers at night.

Mr Fowler: Yes.

MS CHEYNE: That is why that email only went out at 8.30.

Mr Fowler: Yes.

MS CHEYNE: If the committee recommended that, during a pandemic or extraordinary circumstances, an email could go out, would that be something that the AEU could support?

Mr Fowler: There used to be no rules around this stuff at all. In the last enterprise agreement we negotiated a clause, which we think is the first of its kind, which asked the employer to take seriously the issue of burnout with respect to digital communication at all hours. Obviously, in extraordinary times, we would be more than happy with communication going out at any time. If, in the future, we were to say that during an unprecedented crisis communication was to go out earlier than 8.30, we would be comfortable with that.

MS LE COUTEUR: The medical advice has always been clear that the risks for children are much less than the risks for adults. What consultation with and advice from the government did you have in terms of the arrangements for teachers within schools, now that you have largely come back to work?

Mr Fowler: We have a high degree of consultation on that. We stipulated very early the sorts of things that we expect our members to find in the workplace now. There are real challenges around physical distancing when it comes to students. We are comforted by the medical advice that suggests that students are not the real threat.

We are primarily concerned with teacher-to-teacher transmission, if that was to occur. We are doing everything we can to ensure that the best possible hygiene measures are in place. We get questions every day about how they can ensure a better environment there, and we work with the employer to improve it. It is a daily exercise to ensure that all of that is in place. In terms of physical distancing for staff, we expect that people will do everything they can.

MS LE COUTEUR: At the beginning of the pandemic I was getting reports from parents that there were not adequate supplies even of soap at some of the schools, so

handwashing was not an option. Has that been fixed?

Mr Fowler: We are pretty confident that we would hear about it if there was a problem, and we would be straight on the phone to the employer to ensure that that was fixed. We have the sort of productive relationship where they very much value our information that comes forward. We are a useful barometer for them. We find out things that perhaps people tell us that they are worried about telling the employer, and we can get change pretty quickly. They just need to tell us. If there is an issue, they need to tell us.

MRS DUNNE: Mr Fowler, did you lobby the government to go pupil free before they announced their decision to do so?

Mr Fowler: No.

MRS DUNNE: Was there discussion within the union movement about whether or not it might be desirable to go pupil free?

Mr Fowler: Like everybody, we were speculating about when that time would come. Certainly, we had not taken a position on it until the government announced it on that Sunday. We were not surprised to hear that announcement because we knew that things were moving pretty rapidly in mid to late March, and we knew that that was a conversation happening right across the country.

MRS DUNNE: You were having conversations in the union. When did you think that schools might go pupil free?

Mr Fowler: We were not too surprised by the decision to go at that time. People will recall that things were moving very rapidly there. We would have been very surprised if we had got through term 1 without going pupil free.

MRS DUNNE: That was your internal conversation?

Mr Fowler: That was our internal conversation. We did not take a position on whether schools should be pupil free. Their decision was not in response to any position taken by us.

MRS DUNNE: When there was the discussion about hub schools at the beginning of term 2, what discussions were there and what was your view about hub schools? Did you suggest—

Mr Fowler: Those discussions were happening earlier than the beginning of term 2. They would have been happening towards the end of term 1. Our union did not take a formal position on it but we were asked for our view. I think there was some good logic to the proposal, given that we were looking at about 1,500 students going to school or expected to be at school. I think that to keep 88 public schools open for that number of students is questionable. With respect to some economies of scale, I think there was a good argument for that. The union did not take a formal position on that, but we were involved in the discussions.

MRS DUNNE: What are the economies of scale? Every teacher and school staff member was being paid, so what are the economies of scale regarding going to hub schools rather than keeping each of those schools open?

Mr Fowler: I think the economies of scale are with regard to staffing, essentially, because there was no way they could ensure a broad workforce at that time to be on site. But if you were looking at 13 sites then the chances were always extremely high that those schools could be staffed by volunteers.

MR PETTERSSON: Mr Fowler, could you tell us how your members responded to the transition to distance and online education? Was there much support given to teachers in undertaking the change?

Mr Fowler: How did they respond to the decision to be able to work from home?

MR PETTERSSON: That, and what supports were given to them.

Mr Fowler: Our members were extremely supportive of our decisive action in working with the government to ensure that they could work from home. Through this whole period we have lost one member; we have gained 250. So there has been an appreciation of the work the union did in ensuring that teachers had the same opportunity to work from home as most other areas of the workforce and that their safety and wellbeing were being seen as the priority.

With the supports that were put in place, obviously, this has never happened before, but as the public commentary over the past few weeks has suggested, the ability of our profession to so rapidly move to a completely different mode of learning—when I say completely different, we have always had an online reach—and to be able to make it the predominant medium so quickly was nothing short of remarkable.

To do that, they were supported very well by the employer. We know that there was an extremely high uptake of online professional learning opportunities. Thousands of people enhancing their ability to deliver online occurred during that pupil-free window at the end of term 1, which was really crucial to be able to set territory schools up for what was seen as almost certainly all of term 2 being online learning.

There were even predictions that it would be all of term 3 and perhaps even beyond. I think we have been as surprised as anybody by the speed with which we have been able to transition back and the speed with which those conversations started. We place a huge dose of caution on all of this, noting that we are all hoping that there is not a second wave of this thing.

THE CHAIR: As a final follow-up, if I may, when you put it to the government on 25 March to give teachers the option to work from home, if the government had said no, had you contemplated what other safety measures or actions you might have taken?

Mr Fowler: Our union can take action independent of government and we would have considered that.

THE CHAIR: Thank you very much, Mr Fowler, for your attendance. You will be sent a draft of the *Hansard* transcript. Please check that for any minor errors. The hearing is now suspended for 15 minutes.

Hearing suspended from 11.01 to 11.17 am.

WRIGLEY, MR ANDREW, Executive Director, Association of Independent Schools of the ACT

GARRISSON, MRS JOANNE, Senior Manager, Strategic Programs, Association of Independent Schools of the ACT

THE CHAIR: Good morning, and welcome to this public hearing of the Select Committee on the COVID-19 pandemic response. It is a pleasure to have the Association of Independent Schools of the ACT with us today. I understand that a copy of the privilege statement has been sent to you. Could you confirm for the record that you understand the privilege implications of that statement?

Mr Wrigley: I have read it, and I understand the implications.

Mrs Garrison: I have read and understood the privilege statement.

THE CHAIR: Before we go to questions, do you have a brief opening statement that you would like to make?

Mr Wrigley: Just a brief one, noting the time restrictions. By way of context for members, the association represents and advocates for all independent schools in the ACT. They are all members. There are 19 independent schools in the ACT educating over 15,000 students. Seventy per cent of the schools have early learning centres attached to the schools as well.

During the time of this pandemic and the great challenges that it has thrown up to the community and to education, members have had an opportunity to meet on a weekly basis via Zoom. All schools are able to hear, from me and others in my team, the latest information and updates from the commonwealth government and the ACT government, from the numerous meetings that I attend. More importantly, they are able to share with each other what is happening in their context and how they are actually addressing it, and to share the opportunity for good stories, good networking amongst the schools, in the better provision of education for students at this time.

THE CHAIR: Would you please advise what interaction you have had with the ACT government on behalf of your members? Also, what coordination has there been within the independent schools sector about the approach that either the school or the sector takes with regard to dealing with the COVID crisis?

Mr Wrigley: Thank you for the question. The association maintains very good and regular contact with the office of the education minister, either directly with the minister or with her advisers. That is, of course, on an as-needs basis. One might expect that there has been quite a deal of it at different times during this crisis, both last term and this term. I will talk in the school language of terms.

The association, Joanne and I, have also engaged with teleconferences three times per week which have involved the Education Directorate senior officials, Catholic Education and us. That started on 18 March; I checked this morning. They have been extremely useful in being able to hear the latest, share the latest and then impart that information to our members for their consideration.

THE CHAIR: Was there a common view, as much as it is possible in an association, amongst members about the approach in the broadest sense or was it very much school by school?

Mr Wrigley: I think there was a commonality in approach. Schools, as you indicate, are somewhat different but they are very similar as well. From 22 March there was great similarity and great cohesion amongst the schools about how they would respond to the immediacy of what was happening with COVID-19 in the ACT, what the community response should be and what schools' response should be. They moved very quickly to the online delivery of the continuation of learning for their students. Again, that was based probably on a lot of community confidence in the fact that the schools would be able to do that while they followed the health advice to stay at home.

I am sure it is fair to say that, from the time after online learning became the way in which education was delivered, schools started thinking about "What's next? What is the transition?" In the early days there was talk that this would have to be the way it went for all of term 2. Things moved and shifted; the community contagion was not as high or it flattened out much quicker than was expected, which is a great credit to the way in which it was approached and the way everybody looked after what they were doing.

Schools, from the end of term 1, were looking at how they might transition. As I said, the weekly meetings and updates that we had were an opportunity for schools to share their thinking in whatever way they wished to. More importantly, they were able to realise that they were not isolated bodies either. The thinking that was happening amongst the schools was very similar. The way in which they planned their transitions was specific to the needs of their communities and was a little bit different from context to context.

THE CHAIR: Was there any pressure from the ACT government to do one thing or another? Did schools have the option to stay open, in reality, or was there momentum from the ACT government that was too hard to go against?

Mr Wrigley: No, I do not think so. We need to be clear that the schools were always open. The capacity for schools to have on-campus students or children of those who were designated as essential workers—and there was a lot of commentary from the national perspective about that—was there. There was a lot of communication from the commonwealth government about the expectation on independent schools. Schools did not need to be incentivised to look towards how they were going to transition.

There was a bit of confusion at the very start, when there was an announcement of pupil free days or weeks. We cleared that up because that was actually an announcement about the directorate's schools, not about the independent schools. Language is always important. Things move very fast in this new world that we live in. We all arrived at the agreement on what was supposed to be happening. No, there was not really any pressure. There was a good deal of understanding, and a recognition that independent schools were making the decisions with their

communities, based on health advice. The voice of experts has been our mantra. The words of the chief health officers of the ACT and the commonwealth have been the words of experts and the advice of experts.

MS CHEYNE: Thank you for appearing. My question is a follow-on from what you have been saying, Mr Wrigley. It goes to what some of the other witnesses have said today about communication, particularly with things like social media, what is happening on TV and, as you said, clarity of language, and that directorate schools does not mean all schools and so on. Do you have any suggestions about improving that or providing that clarity for people? I think some people have learnt that independent schools are quite distinct from directorate schools—perhaps sometimes for the first time during this pandemic. How do we bring people along while also making sure that the language and messaging are consistent?

Mr Wrigley: That is a great question; thank you. There is a lot that we have all learnt in many different ways and areas through this challenge. One thing may be the language that is used or the way in which messages are delivered. I think that the communities of independent schools are very well informed by their schools about what is happening. The job of the association—my role, as well as that of Joanne and the rest of the team—has been to ensure that the right information is provided to the leaders in the schools. When we have been having our updates, that has involved every principal and usually every business manager at the school. We have been able to speak to the people who are working with their teams in getting the messages across.

The association works closely with our colleague associations in the other states and territories, from a national perspective and voice, and we are getting clarity of information there too. At the start everyone was jumping in and trying to make sure that it was right. Sometimes, as you rightly say, through the medium of communication, things may get distorted or may go off on a different tangent, but we have probably all learnt a better way of doing things.

MS LE COUTEUR: I was interested in your parents. Are they finding they are having financial difficulties in terms of sending their children to the schools?

Mr Wrigley: I have to answer that question anecdotally. I do ask principals, and principals do talk to me about these scenarios. In the fundamental colloquium in an independent school environment, they would say to their parent communities, “Don’t let the first thing we hear be the withdrawal of your child because of fees. Let’s have the conversations first.” Schools have been very clear in their communication with parents about “Come to us and speak to us.” They do not want students to be withdrawn or to leave the school because of the circumstances that are facing parents at this very challenging time.

Schools are well attuned to that. Anecdotally, I hear, for example, of schools where they may have a foundation, where the foundation is also working to help families who are finding it very tough, and that other members of the community, in different ways, are working with that foundation to assist other members in their communities. I do not have hard data as to the number of inquiries that are happening in the schools, but I do know that every school is open to having conversations with the parents.

MS LE COUTEUR: There is also the lesser conversation about access to devices and the internet. Presumably, not every household had adequate quantities of these before this started.

Mr Wrigley: That is a great question. As a broad community, we were all trying to figure out how to do the best thing we could for children and families and support them. Schools were doing that on an individual basis. Schools asked me, following the announcement of the ACT government in providing Chromebooks to years 4, 5 and 6, whether that was extended to independent school families who were in need. No, that was not the case, and we were not involved in that conversation. It would have been nice to be involved in the conversation, but that was not an opportunity that we were given. Needy families are needy families, in any school context.

Schools were working with the families. Some schools were much better aligned to this because of the way that their normal day-to-day school was operating. There may have been, in certain contexts, a requirement for every student to have a device—bringing in your own device, for example. The schools needed to be agile enough to work with families on how to get that right.

MS LE COUTEUR: I understand that Telstra offered free data to some of the government schoolchildren that did not have internet connections. Was that Telstra offer also available to your students?

Mr Wrigley: I have not heard of it through the office. I am unaware of whether individual schools were approached.

MRS DUNNE: Mr Wrigley, could you outline for the committee the thinking that your organisation was doing before about 22 March, that Sunday when the government announced that government schools were going pupil free? You said that you had started having hook-ups with the government and other school organisations that week. What thinking had you been doing as an organisation and were you prepared for that announcement on the Sunday?

Mr Wrigley: Thank you for the question. The conversations with schools had very much been about the scenarios that there would be a flip to online learning. It was apparent that that would be the case. It was apparent that school communities would need to consider the kids not being there, or the majority of kids not being on campus, so they were very quick and agile in moving to the online environment.

Let us acknowledge—I am sure others have also acknowledged—the school leaders and teachers, who have done monumental work in moving to this new paradigm of learning. Hopefully, there is a lot to be reflecting on and learning from as we go back to classroom practice.

With respect to Sunday the 22nd, that was an extraordinary weekend. Everybody who was involved would recognise the number of phone calls, decisions and conversations that were being had. We were fortunate in that the next day we had a general meeting of all members via Zoom. The single item of business was the COVID-19 scenario and the response of schools.

Was anyone prepared for it? In theory, yes. In practice, it was varied. It then became very much front and centre that, while keeping campuses available, they were moving to the online learning environment.

MRS DUNNE: Could I clarify something? You did not know that the government were going to make this announcement before they made the announcement?

Mr Wrigley: No, I was aware that the announcement would be made that weekend. As I said earlier, there was a bit of a hiccup about language, when it was suggested that all schools would be going pupil free. We did a bit of a reshuffle of the thinking on that with the schools to say that they were still responsible to their communities and their boards to make those decisions, based on the health advice.

MR PETTERSSON: It is enrolment season for schools. Do you have any thoughts or indicators at this point as to what enrolments into the future are looking like?

Mr Wrigley: That is a very timely question. No, I do not. We have not had any indication through the office or in direct conversation with principals about what the numbers are looking like in terms of enrolments for 2021.

MR PETTERSSON: Is it a concern?

Mr Wrigley: It is certainly a concern to schools. There are a huge number of variables that are impacting on it. Even before COVID-19 there were different funding models that were being rolled out. There was the way in which schools were able to provide the continuation of what they usually provide. The numbers in independent schools over the last 10 years have increased by 27 per cent or something like that. There is certainly strong demand for places in independent schools.

The ACT, as we all know, has a very different demographic from the rest of the country. We do not know particularly what the implications are and what the impacts will be for parents either not taking up an offer to take a student into school next year or deferring that. Many of the schools—the majority of the schools—have waiting lists, and the enrolment of a child has happened some time previously, in reality, and the place that they have been offered is already assured. Whether they have to dive further into enrolment waiting lists or whether there are gaps, I am unable to tell you precisely at the moment.

THE CHAIR: Thank you very much. Unfortunately, that is all that we have time for today. You will be sent a draft of the *Hansard* transcript for correction of minor errors, so please review that when it comes through in the coming weeks. Thank you very much for joining us today.

Mr Wrigley: Thank you for the opportunity.

McGOVERN-HOOLEY, MS KIRSTY, President, ACT Council of Parents and Citizens Associations

THE CHAIR: Good morning, Ms McGovern-Hooley. Thank you very much for joining us today and representing the ACT Council of Parents and Citizens Associations. I understand that you have been sent a copy of the privilege statement. Could you please confirm for the record that you understand the implications of that document?

Ms McGovern-Hooley: Yes, I have read it and understand it.

THE CHAIR: Very good. Thank you very much. The proceedings are being recorded for Hansard and we are being webstreamed, as I am sure you are aware. Before we go to questions, do you have an opening statement that you would like to give?

Ms McGovern-Hooley: We are quite happy to take questions at this point.

THE CHAIR: Thank you very much. Obviously, this has been a very stressful period for all concerned, be they parents, kids or, indeed, teachers. With regard to the communication and consultation throughout this period, how has the P&C council been consulted and been involved in this process?

Ms McGovern-Hooley: I would say we have had some very regular, very close contact with the Education Directorate and the minister's office during this time. We represent the voice of public school parents across the 89 public schools and P&Cs in the ACT. There has been engagement across a number of different levels, in terms of the usual formal meeting structures that we have had with both Education and the minister, but in addition to that we have been having many phone calls, talking with the executive directors and with the minister's advisers, and just providing as much feedback as possible.

I guess you would have seen, from the public record, the statements that we have made to the media. We have also been engaging with them specifically around communications. There were a couple of occasions where we were invited to review draft documents for parents and provide some input and feedback on those. We also held our general meetings with all of our members, and asked for their feedback and statements. The minister was able to listen in to those so that she could get firsthand, the way parents and P&Cs were feeling. So we have had a number of different engagements and feedback.

THE CHAIR: Are there any key take-outs or key learnings that you think would be worthwhile us considering?

Ms McGovern-Hooley: What we have found, certainly through communications with our members, is that parents are under such a high level of anxiety through this whole period and that any kind of nuanced information that we have tried to put out is just not being really understood. Everything has to be very black and white.

We provided some very early feedback around the initial announcements, around the

way some of the communication was structured and framed: “You have made everybody who is reading this feel that they cannot send their kids to school, when actually they can if they have to.” We saw the directorate respond very quickly to that, where Katy sent out her own letter clarifying things. The Chief Minister and the minister both responded publicly about those sorts of concerns and did clarify the situation.

What has been complicated throughout this whole time has been the commonwealth messaging around schools, and that has been adding to the confusion. We are also privy to the media for all of the other states and everything that is happening in their jurisdictions, so it has been a very confusing time for parents.

MS CHEYNE: Thank you for appearing today. I am just curious about parents’ feedback on transport with the hub school arrangement and particularly out of school hours care. I appreciate that the parents’ feedback probably evolved over time as those arrangements changed and were clarified as well, but I am just curious about what sort of feedback you were getting and whether there were many concerns. If there were concerns, were they addressed?

Ms McGovern-Hooley: Nine of our members run their own OSHC after school services, so we have had feedback from both members, as providers, but also parents, as consumers of those services. Certainly, on that Anzac Day weekend we were also discussing our concerns and raising issues with the directorate about the lack of information, and we were helping them to try to get some information out to parents as quickly as possible, because we could see that it would be very difficult on that first day back at school.

What we were hearing from parents in particular was that it was not a very good situation if they had to transport students to and from school at 3 o’clock in the afternoon or 8.30 in the morning. Obviously, that is not a very good solution, but we were pleased to see that they did find a transport solution. If you go back to when hubs were announced as a solution, we understood the framework and the issues around why that was there. We said, “Look, it’s a reasonable solution.” We did not think it was a great one for anybody, but we could see why it was being done. The feedback then shifted—certainly after it had been in place for about a week or 10 days, when we spoke to all of our P&Cs—and that was that it really was not working.

If I try to distil why those hub schools were not working, it was because you were taking students and families out of their support networks within their existing schools, and it was extremely challenging for parents to have to deal with a new school. If they were going to be dealing with that over two months, or two terms potentially, obviously that would have changed. Those arrangements were in place for only 10 days. We certainly saw that that really was not working for parents. I think they were really grateful for the opportunity to have a transport option. That certainly provided some solutions, but it was not ideal.

MS LE COUTEUR: I am wondering what your feedback is in terms of disadvantaged students. I was thinking about it in two ways: the first with respect to those disadvantaged technologically and in their home environments, and the other with respect to those who have learning difficulties.

Ms McGovern-Hooley: We have parents of students with disabilities who are in mainstream schools and who might be attending learning support units, and there are also parents with children who are attending special schools. I think, generally, the feedback was that any kind of remote learning is extremely difficult. Because many of the adjustments that you are making to support those students in their learning happen in the classroom, translating that into a home environment is particularly difficult. We also heard from special schools—it was quite devastating feedback—that they wanted to send their kids to school but had felt that they really could not because of the situation that was going on. They were in a very difficult and desperate situation, I think, when we heard from them two weeks ago. We are very grateful that we are able to go back to school now and that these things have opened up again because the circumstances have allowed us to. That can relieve some of that pressure of having full-time care of students.

MS LE COUTEUR: I was just wondering also about the families who did not have enough internet, did not have enough devices, did not have space at home.

Ms McGovern-Hooley: We had a lot of fairly positive feedback from our P&Cs around that. Early on, Chromebooks were delivered to students, and that was welcomed by many families because they were able to get going with all of that. That was happening at the end of last term but also at the beginning of this term. Then the dongles, I think, were distributed just in the first week of this term. I think general feedback has been that that has been very well supported because they saw it as an equitable option. There are still some pockets of people in Canberra who may not have good internet access, regardless of whether they have a dongle, and obviously that has been difficult.

However, I understand that schools, in most cases, have been able to provide printed and posted learning materials. For example, I have two students who attend learning support units. For my younger daughter, who does most of her work on paper, her teacher had put together packs—they were all labelled with each day of the week, everything scheduled—and was posting them out the week before so that we had all that in place. Then she was doing check-ins with us online in the morning to help us with that support. I think that there has been a lot that schools and teachers have done to try and accommodate students who may not have access or who need some additional support. But, as I said, it is really difficult. If you need that in the classroom, it is very difficult for parents to suddenly pick that up.

MS LE COUTEUR: Absolutely. But are you getting any comments from people who say, “I’m in a small apartment; I just don’t have space to homeschool my kids”?

Ms McGovern-Hooley: I think everyone has suffered that sort of problem. We have all had to try to accommodate this. Certainly, the feedback we had early on was that parents were prepared to try to manage that for as long as they possibly could because the situation was really serious. They wanted to keep everybody safe and we wanted to have them at home, and if they were sitting at the kitchen table that was the way it was. In Canberra we have done outstandingly well in terms of the numbers of cases, but I think there is a tipping point. If we actually feel much more confident and safer to send our students back to school then obviously we would prefer to have them at

school.

But parent feedback has been extremely mixed. Even over the last two weeks we have had a third of parents who want their children to be back at school—would have their bags packed and would drive them right then and there. Another third would prefer to keep them home for the entire term 2, versus a group in the middle who are pushing for very strong ACT-based health advice. So we were really happy to get the letter from our Chief Health Officer to clarify all of those questions that parents had asked.

MRS DUNNE: Could you outline for the committee any consultation that you were involved in in the run-up to the announcement on 22 March that schools were going pupil free for the last three weeks of term? We have heard that everyone was expecting that at some stage the schools would go pupil free. Were you confident that there was enough preparation in place at that time, and what consultation were you involved in?

Ms McGovern-Hooley: In terms of consultations that I was involved in, I attended two Zoom meetings that were specific stakeholder engagement meetings—which included attendees from a number of unions, as well as APFACTS and some of the other parent groups—with the minister and the Education Directorate. Those were very broad discussions around the plans and what was going to be happening. Those meetings were seeking all of our feedback and all of our information. So I had a fairly good feeling about how all of the different stakeholders were feeling about the situation at that time. We also attended a meeting with the directorate where we discussed the upcoming plans. That was part of our usual formal meetings. Additionally to that, we had emails and conversations with executive staff in Education. What was the other part of the question, Mrs Dunne?

MRS DUNNE: How confident were you that the school system was ready to go pupil free and online?

Ms McGovern-Hooley: At that particular point in time, cases were increasing so rapidly that we needed very good, strong decision-making so that we could take some action. In terms of preparation, we had a day, and suddenly we were asked to keep our kids at home. But at that time that was how quickly social distancing was being put in place. So it was a very rapid response, but I think it needed to be. Yes, we did not get a lot of time to prepare or to manage or to cope or any of those sorts of things, but neither did anyone in the community, because we really needed to start social distancing. That would be my comment on that.

I appreciated the fact that teachers were able to get an opportunity to do professional learning and were able to get some time to prepare for all the lesson changes and things that they needed to do. I think that was really important time that teachers needed. What we saw during those two to three weeks—certainly in the third week—were some really good trials. There were a lot of parents involved, and we had P&Cs getting involved with helping make packs up for kids to continue their learning. I saw schools and communities really pulling together at that stage, trying to keep kids engaged. I think we all just pulled together. Some schools shut down a little bit, which was unfortunate. They just wanted to hunker in and get everything sorted out and then come out to parents, which probably was not as successful, but generally I feel that, as

a community, we all had to respond and do things on a very fast basis.

MRS DUNNE: Thanks.

MR PETTERSSON: I was wondering if you could comment on the experience of parents over the past few weeks and months, having to take on a more direct teaching role, and how they have managed working from home and having to teach their children at the same time?

Ms McGovern-Hooley: You cannot do everything at the same time. I think there are a number of memes that illustrate that really well. To describe the feedback that we had from our P&Cs, we said that parents are starting to fray. That is probably the best way of trying to say it, because we are all trying to manage so many different things at the same time. We heard that for parents who are very well set up—they have the space at home, they have all of these things and kids who are able to manage online and manage their online learning—it is really good. We heard, though, that for students who were in preschool, grade 1, kindy, grade 2 et cetera, that required a much more intensive parental involvement in trying to support their learning, and that was very, very stressful for parents. In our staged response of returning to school, that was the cohort that was going back first, for largely a lot of those reasons, I believe.

So, yes, I think parents have had a really tough time trying to manage all of the different competing priorities. What was interesting, when you talked to different parents about what they were doing and what their responses were, was that some willingly took leave without pay, if they knew it was going to be for a very long time, so that they could be a support for their kids. Others are not in a situation where they can do that financially, so they are under a lot more pressure. We have been very concerned about families that have students with disabilities, because if they are not able to take up the support and the respite that they have during school, it means that they are caring 24/7. It has placed an enormous burden on those families.

MRS DUNNE: What view does the association have about the differential return to school for the colleges? Some colleges are going back full time, others at different times.

Ms McGovern-Hooley: The feedback that we had from our colleges was very mixed. We had feedback from one college which said that, no, they would prefer to stay closed for much longer, but they were very concerned about the technical programs that they had. They were concerned that when you are doing an apprenticeship you need to do pracs, when it comes to trades. That had stopped, and they wanted to get that going again. We had feedback from another college which was very strident in saying, “We want to be open now,” and “In fact, we want to be open during the school holidays. We want to keep learning and catch up.” Given that there are very mixed responses from the different communities across the colleges, giving the colleges the flexibility to respond to their communities and also to address some of the concerns around the specifics for different programs that they run—because they are very different—is really important.

MRS DUNNE: Okay; thank you.

THE CHAIR: Thank you very much, Ms McGovern-Hooley, for answering all our questions today. You will be sent a copy of the transcript of today's hearing. Please review that for any minor errors. That concludes this morning's hearing. Thanks again.

Ms McGovern-Hooley: Thank you.

Hearing suspended from 11.57 am to 2.01 pm.

BARR, MR ANDREW, Chief Minister, Treasurer, Minister for Social Inclusion and Equality, Minister for Tourism and Special Events and Minister for Trade, Industry and Investment

NICOL, MR DAVID, Under Treasurer, Chief Minister, Treasury and Economic Development Directorate

SALISBURY, MR KIM, Executive Group Manager, Revenue Management Division
Chief Minister, Treasury and Economic Development Directorate

COLEMAN, DR KERRY, Chief Health Officer, ACT Health Directorate

THE CHAIR: Good afternoon, and welcome to this public hearing of the Select Committee on the COVID-19 pandemic response here in the territory. On behalf of the committee, I would like to thank the Chief Minister and his officials for joining us today. As usual, Chief Minister, I understand you are well aware of the privilege statement, and I am sure you will confirm that that is the case. I also ask that officials confirm that that is okay by them, if and when they speak.

Mr Barr: Indeed, yes.

THE CHAIR: Before we commence, Chief Minister, do you have an opening statement you would like to give?

Mr Barr: Thank you, Mr Coe. I acknowledge the privilege statement. I am joined by David Nicol—on Stephen Miners’s laptop, though, so that will be explained that way—and Kim Salisbury from the ACT revenue office. I am happy to proceed to questions today.

THE CHAIR: Thank you. Do you have access to a video, by any chance?

Mr Barr: I am on my iPhone, so you can look at the roof. I am not going to hold it for an hour; it would hurt my arm. I am on a phone.

THE CHAIR: Okay. As we have discussed before, I think it is preferable for everybody, so please do bear that in mind for any future hearings.

Mr Barr: That is me, but I am not going to hold this pose for the next hour.

THE CHAIR: Thanks for the preparation. Chief Minister, what advice have you received about the impact on the business community of the decisions that have been taken by the ACT government in response to the COVID crisis?

Mr Barr: The advice is, as I have outlined previously, consistent with the impacts in other jurisdictions, as a result of decisions of national cabinet. The points of difference in the ACT are that the impacts on our economy, as measured so far and forecast, are somewhat less than in other jurisdictions as a result of the higher proportion of public sector employment in the ACT.

THE CHAIR: How many businesses have been granted a rates waiver? I will get the revenue commissioner to answer that. Mr Salisbury could you just confirm the privilege statement. That would be good.

Mr Salisbury: Yes, I acknowledge the privilege statement. Your question related to the rates waiver. What has been granted at this point in time is the rebate for the equivalent of the fixed charge to commercial properties. That represents \$2,622. That has been or will be applied to around 6,055 properties where the AUV is under \$2 million. That credit will be provided for the quarter as rates notices are rolled out. Most commercial properties are in what we call sector 1, and those bills have gone out.

THE CHAIR: Thank you. I think there is some feedback due to your being in a similar space. If you are able to shut some doors or go on mute that might help. I think it might be difficult whilst this is the case. Have any rates waivers been granted?

Mr Barr: The question was: have any rates waivers been granted?

Mr Salisbury: We have done a number of rates deferrals that have been agreed by the revenue office. We have had 201 residential rate hardship applications. We are just working our way through those. At the present time, 172 of those have been granted. We have also had 80 applications for commercial rates hardship deferrals, and at this point 80 of those have been granted.

THE CHAIR: I am talking about waivers, not deferrals.

Mr Salisbury: There have been no rates waivers.

THE CHAIR: Simple as that; right.

MS CHEYNE: Am I right that we have the Chief Health Officer also on the line?

Mr Barr: I believe so, yes.

Dr Coleman: You do. Hello.

MS CHEYNE: Hello. Welcome. This is a broad-ranging question relating to restrictions, but it might start to fall within that health space a little. There is a petition at the moment about allowing two people to be at a birth as support. At the moment it is just one person who is allowed. I understand that there is considerable concern or consternation in the community about this because people might have someone who is a support person in the health sense but might also want their partner there. At the moment they are having to choose. If people are allowed to have 10 people in a playground, it seems reasonably modest to have just an extra support person in a birthing suite. This is certainly not my area of expertise by any means, so I will be guided by the advice, but it does seem to be a growing concern or frustration in a sector of the community. I am curious about whether we might see some movement on that soon.

Dr Coleman: Thank you. It is Kerryn Coleman here, and I acknowledge the privilege statement. This is related to clinical policy and I had not heard that particular concern; I am unfamiliar with it. I think that we will need to take that one on notice so that I can get some clinical advice from the relevant areas that are implementing that policy. We can either take that on notice or get back to you at the next health

associated hearing.

MS CHEYNE: Would it be useful if I sent, perhaps through the health minister's office, the petition?

Dr Coleman: Yes, please. Thank you.

MS LE COUTEUR: Chief Minister, my question is to you as Chief Minister because it is not treasury related. As you would be aware, our public transport right now has almost no people on it because people have been stood down and are working from home. How do you envisage the city working in the future as more people start going out and about? Will we all stay working from home more? Other cities now have some sort of policy, for their public transport use. I am just wondering what the ACT government is thinking. I appreciate you will not have a conclusion as yet.

Mr Barr: Thank you, Ms Le Couteur. We would envisage that people would stay working from home for the foreseeable future, where it works for them and their employer. That remains the guidance from the national cabinet. From an ACT government employer's perspective, I have had conversations with the Head of Service and it will remain the ACT government's approach, as an employer, that people will work from home if that suits them and their directorate, direct manager or business unit. That will obviously vary according to the different areas of service within the ACT government, as we are a very diverse public service and some people can only perform their jobs at a workplace. For others it has certainly proven to be productivity enhancing, and it has suited their particular needs to be able to work from home.

We are conscious of the practical measures—health measures—that will remain in place for the foreseeable future around physical distancing, which, for example, puts limitations on the number of people who can come in and out of buildings, use lifts and use shared facilities in buildings. This approach is reflective of the times we live in, provides flexibility for employees and continues to meet both business requirements and community expectations about work being undertaken. In relation to the beginning of your question, as it related to transport and movement around the city, clearly there will be an opportunity here to seek to stagger starting times and to be more flexible in the way that we, as a government, operate, and in the timing of the opening hours of particular government services so that we can spread transport peaks. This clearly has the benefit of reducing congestion during the morning and afternoon peaks in the ACT, will allow us to get better utilisation out of our existing infrastructure—so would save money—and would support the very clear public health messaging about physical distancing.

So we are aware of this. We expect that there will be a permanent change in the operation of the ACT public service and in the operation of many businesses. That is the feedback that we have been receiving over the last few months, and I expect that that will flow through the broader city and broader economy in that you will see permanent change as a result of this pandemic.

MS LE COUTEUR: You talked about permanent change. On the basis of that, has the ACT got sufficient internet capacity? There are quite a few people who are using

it an awful lot more than they were before.

Mr Barr: In terms of government operations or beyond government?

MS LE COUTEUR: Both, because particularly if you are working from home you have the ACT government's capacity or your employer's capacity and you have your own capacity from your residential premises. So, yes, both, please.

Mr Barr: With respect to the ACT government capacity, we have invested very heavily over quite some time in our network infrastructure and we have had tremendous success over the last few months in the operation of the ACT government, with more than half of our staff working remotely. The future of the ACT public service and the changes that we have been implementing over several years now have supported that capability.

More broadly, there will be a need for the federal government to encourage the national broadband network to speed up its rollout into areas in the ACT that are not currently as well serviced as others. The telcos are also expanding their capabilities, and I have a good degree of confidence in 5G technology being able to meet that forward demand and expected increase in demand that will be driven not just by working, Ms Le Couteur, but by the internet of things.

With millions and millions more devices being connected, that extra capability will certainly be important, but I agree that it is an issue that we must be focused on. For our part, we have increased that capability in our public education system, across the health system and within ACT government workplaces, and we will continue to work closely with the telcos and with the commonwealth on future rollouts of expanded capability and bandwidth within the existing city footprint and into areas that are not as well serviced and new areas of the ACT.

MS LE COUTEUR: Given what you have just said, Chief Minister, would this mean that we should be regarding the internet as an essential service, like electricity and water?

Mr Barr: Certainly, increasingly, it is playing a greater part in our daily lives. That is not the case currently for everyone, but I would expect, over the coming decade, it certainly will be an all-pervasive feature of people's lives. But there are clearly some people who live their lives free of the internet. Some do that by choice; others are perhaps not needing the services that are provided through the internet. Clearly, the proportion of households who have a home internet connection will get closer to 100 per cent, although I note that the ACT already has the highest home internet connection of any state or territory.

That will obviously put an onus on government to further enhance public internet accessibility. I argue that our free public wi-fi network is one example; obviously, the access that we are able to grant through education institutions and public libraries is another. The support that we provide to community organisations to allow them to be access points to the internet provides a very good level of coverage, on top of the highest household internet connectivity of any jurisdiction in Australia.

MS CHEYNE: Going back to Ms Le Couteur's questions about ACT government employee work arrangements—this will not surprise you, because I think I have asked whenever I have been on PAC in annual report hearings about activity-based work arrangements, particularly knowing that that was going to be a feature of the building that is being built next door to the Legislative Assembly—I am curious as to whether there has been consideration at the top levels of not pursuing activity-based learning, or not pursuing it perhaps with the same vigour as before, and whether that has resulted in some different arrangements or set-outs or layouts of some of the new building arrangements.

Mr Barr: Certainly the use of technology has allowed greater activity-based working than has been the case previously, utilising teams across government. Clearly a lot of people working from home at the moment has meant that many of the activity-based spaces within our existing ACT government buildings have not been as densely populated. That has allowed key personnel who would not normally work in a particular building to be able to work out of those spaces. An example has been the ramp-up of capability within ACT Health's facilities in Woden. Another has been the activity that has been coordinated for the whole of government within the Nara Centre to support me in national cabinet meetings and the like.

So there are examples where the broader principles here have been adopted already, and there are other settings within the ACT government where particular buildings will allow for a much greater degree of flexibility. So if the direction of the question is whether this will mean that we revert to the public service working model of the 1960s, the answer is definitely not. But clearly there will be certain additional Safe Work Australia requirements around the cleaning and operation of public buildings that we would need to take into account. David Nicol will be able to provide some further information on this.

Mr Nicol: I acknowledge the privilege statement. Yes, Ms Cheyne, we are currently looking at that very question for our new buildings. I endorse everything the Chief Minister said on what, I think, the outcome will be. I think that there will be a modification of how we were going to propose to work. I think it will be a modification in moving away from the strict interpretation that people put on what ABW is, which tends to be that you find whatever desk is free every day. I think that will not be possible. Whatever we put in place will be very much with an eye to making it COVID safe and infection safe. That will mean more cleaning. Also, we want to take advantage of the shift to a greater ability to work from home, so we think densities will be lower.

Every workplace, we think, will be slightly different because they have different physical configurations. There are other factors to take into account, such as common areas: how many people we can have in common areas at any one time. Lifts are the classic example—lift wells, kitchenettes, bathrooms and those sorts of facilities. We will have to operate in a way that keeps safe physical distancing while this crisis is on. So we are undertaking a major exercise of looking at the fit-out of the new buildings as we envisage them and how we make them safe, and also at our operational procedures to make sure that the model we adopt is also safe. There are various options being considered.

MS CHEYNE: When do you expect that that investigation will be completed?

Mr Nicol: I do not have an answer on the date, because it is being led by another area, but it will be done well and truly before we will be moving back in. As the Chief Minister said, we will not be rushing the ACT public service back into the office. We do not think that that is necessary. The first building to come online will be Dickson. We are also putting in place plans for how we move out of our old buildings and into a new building. We do not want essentially the whole building's worth of staff going in and packing up their desks all at the same time. So we are managing that issue as well. I envisage that those plans will be well and truly in place before we have a major part of our workforce back in office spaces. We already have plans in place where workforces have to be in the workplace because to deliver their service they physically have to be on site.

MRS DUNNE: On that investigation, surely one of the issues will have to be the amount of space which is allocated per desk. There has been a tendency over time to wind that back. Now, with more demand for social distancing, are we going to be looking at more space between desks et cetera?

Mr Nicol: Yes, that will be one of the considerations. Many of our ABW workplaces actually have a significant amount of physical distance between desks. It is quite interesting how some of those workplaces work. There are other examples I have seen—not necessarily in the ACT government but elsewhere—where the desks are quite tight. Also it is a matter of how many people you physically have in an office at any one time—that is a key consideration—and, as I mentioned earlier, what cleaning regime we have in offices. One of the good things about the ABW-like environment is a more clean-desk policy, so desks are easier to clean. That will have to happen even if you have one person for each desk. As people move about and meet with each other in an office and exchange ideas et cetera, they exchange more than ideas, I am sure. So we have to have a much higher cleaning regime, no matter what we do in terms of the number of desks per square metre and the number of people per desk and those sorts of things. All of those things are being considered.

MRS DUNNE: I want to go back to the issues of gradually reopening the community. I do not presume that we are going to return to the past. Chief Minister, I notice that today New South Wales has said that their hospitality venues will be open to up to 50 people as of 1 June. I would like your comment on that and your hypothesis about when we might move to a situation like that.

I also have a question which relates to how we might be encouraging community groups to re-establish what they were doing. I will use a hypothetical: the Melba Macramé Collective. They want to go back to having more classes in Nellie Hall but it is going to be harder for them to do that, because they will have to have fewer people in a class because they will have to be spread out. There will be higher requirements for them to clean before and after lessons et cetera. Is there going to be support, perhaps small-scale grants or financial assistance to all sorts of community organisations so that they can move towards re-establishing their business, the way that they operate, which is going to be an important part of ensuring that the community is well at the end of this process?

Mr Barr: I will deal with the second question first. The short answer is yes, there will be a particular focus on supporting smaller community organisations. I anticipate that the next several years of ACT government grants would have a particular focus on just those sorts of measures. In the first instance that would be around support and training to be able to operate in a COVID-safe way. The ACT government has signed on to a partnership with the commonwealth government to provide a significant amount of training to assist businesses as well as community organisations in how to operate in a COVID-safe way. There will be a lot of resources available and developed for organisations to respond.

Obviously it depends on the circumstance and on the facility, for example, that a community organisation was operating out of. If it is an ACT government facility then we will clearly have obligations, as the landlord, to ensure both that it is regularly cleaned and that, between each use, community organisations would be aware of their obligations around cleaning up after they have utilised a space or any shared equipment.

I absolutely acknowledge that this going to be a very important part of the next phase of community recovery. I have appointed Minister Suzanne Orr, who has responsibility for community services and facilities, to lead the government's community recovery effort. That will be a project delivered in partnership with the community sector. Minister Orr will be particularly focused in this area.

I am also conscious that community activities extend beyond just the traditional community sector view to include, for example, sporting organisations, community sporting clubs and the like. Minister Berry, through the sport and recreation portfolio, is also focused on that. The Australian Institute of Sport has developed an excellent framework for the re-emergence of community sport. The national cabinet has given about a dozen clear principles that will underpin community sport recovery.

Those are a couple of examples of how we intend to respond to the issues that you have raised in that regard. Do you have any follow-up questions, or would you like me to move on to address the first question?

MRS DUNNE: Yes: the question about the opening up of hospitality venues.

Mr Barr: The ACT government have already indicated that we will be easing restrictions in the territory from 29 May, subject of course to health advice. Cabinet is meeting next Tuesday, 26 May, when the easing of restrictions for the territory—based, again, on public health advice—will be considered. Our intention is to make a comprehensive announcement next week so that everyone knows where they stand from 30 May and what the decision points will be after that. One of the considerations for cabinet is the impact that maximum gathering numbers will have on various industries that are currently restricted, not just the hospitality sector. This includes indoor fitness, community sport, cultural institutions and entertainment venues such as cinemas.

MRS DUNNE: On that subject, for instance, yesterday in question time there was a question about a licensed club that had three physically separate and separately managed restaurants but did not have separate occupancy ratings. Is that going to be

something that would be considered in this cabinet discussion? Do we have a slightly more nuanced approach to occupancy?

Mr Barr: Yes.

MS LE COUTEUR: I assume, Chief Minister, you have seen the announcement that I saw in the *Sydney Morning Herald* at 1 pm today that New South Wales will be going to up to 50 people and looking at the separate venues within groups. Is it likely that we will follow that?

Mr Barr: I would not wish to speculate at this point.

MS LE COUTEUR: I guess everyone else will for you.

MR PETTERSSON: Chief Minister, I saw the proposal from Canberra Airport recently about a travel bubble with Queensland and South Australia. I am wondering if you have spoken to the premiers of those states about the idea.

Mr Barr: Yes. I have been raising the issue of closed borders at most national cabinet meetings over the last month, seeking information from the various premiers and chief ministers as to when they would be easing those restrictions. The advice at this point is that it is going to be one of the last things they do. It does remain the case, though, that there is a greater prospect of this happening with other states and territories that have low case numbers.

We have all seen over the last several days the discussions, the debate, between various state premiers on border closures. I will conduct my discussions with my colleagues, not through the media or public forums. That might serve to be a more productive way to get an outcome on this. But I have publicly indicated support for, and have been working with Canberra Airport prior to, their public announcement on specific proposals with South Australia and Queensland.

MR PETTERSSON: With regard to these states with closed borders which are similarly seeing a reduction in their cases of COVID—in the ACT we are leading the way with low numbers of COVID in our jurisdiction—is our open border situation with New South Wales potentially a problem to other states wanting to engage with us?

Mr Barr: Certainly there is a lot of discussion amongst more remote states on their principal concerns and reasons for having border closures being the case loads in New South Wales and Victoria. We have been clear that most of those case loads are in fact in Sydney and Melbourne and are not in the Canberra region. There have been cases in the Canberra region outside the ACT, but they are not by any means in the same numbers or the same sorts of clusters that have been experienced in New South Wales and Victoria.

I can understand the caution that state premiers have when they are physically isolated from the east coast, and particularly from south-east Australia. Their argument is persuasive: that their border closures allow them to open up their domestic economy more quickly than they would otherwise do. There is an end point to that, though.

I agree with the New South Wales Premier that ultimately we do need free movement within Australia, but I respect that the timing of that is a decision for each premier and chief minister to make. What we will seek to do is to demonstrate the very safe environment that we have in the ACT and our record in managing COVID-19. I think that that stands us in good stead when it comes to discussions, particularly around aviation and particularly with Queensland and South Australia.

It will perhaps come as no surprise to the committee that one of the most consistent representations that I and perhaps you all are receiving is from ACT residents wanting to be able to go north for the school holidays in July. It would be fair to say that if Queensland's borders do not open by then, northern New South Wales will perhaps do very well out of ACT tourists during the school holidays.

MR PETTERSSON: I have one last question on interstate travel. Could you tell me how current interstate travel restrictions are affecting professional sport in the ACT? I have seen a couple of discussions about NRL and AFL. I am wondering how that might play out in other codes as well.

Mr Barr: I think that in large part it is not the travel restrictions so much as the revenue requirements of broadcasters that appear to be having the greatest impact on professional sport in the ACT. In a couple of the higher profile competitions, the need to restart their competitions with a smaller number of playing venues in order to minimise the costs of broadcasting those particular sports appears to be driving decisions that are, at face value, detrimental in terms of loss of home ground advantage for our teams. Disappointingly, there is also a lack of free-to-air television exposure for at least one of those teams which, having made the grand final last year, would rightly feel that they have been snubbed by that code's primary broadcaster. I understand that concern and share it. Given that people will not be able to watch rugby league at the ground for some time, the only opportunity is to watch on television, and if the Raiders are not on free to air very often then Canberra Raiders fans are going to miss out.

THE CHAIR: Chief Minister, going back to commercial rates, with regard to categories 1, 2 and 3 of the commercial tenancy relief for commercial landlords, are you able to give a rundown of what rebates have been applied already?

Mr Barr: I will get the revenue commissioner to take that question for you.

Mr Salisbury: In relation to commercial rates relief, we have received 118 applications to date; 79 of those relate to landlords with tenants, and 39 of those relate to owner-occupiers. At this point we are validating those assessments and we have contacted a number of those applicants to seek more information to allow us to process those applications.

THE CHAIR: What information is acceptable to the revenue office to prove the shortfall in rent?

Mr Salisbury: It is outlined on our application form. We are seeking the initial rental arrangement and we are also seeking a confirmation between the landlord and the tenant of the new rental arrangement.

THE CHAIR: So you are not requesting any financial information?

Mr Salisbury: No, not under average unimproved value applications of less than \$2 million.

THE CHAIR: If a landlord gave three months rent free and then three months of deferred rent, roughly 50 per cent across six months, would that person be eligible for any rebate on their rates?

Mr Salisbury: It is difficult to deal with hypotheticals, but I think I understood that there was a definite reduction in rent in the first quarter—

THE CHAIR: To zero, yes.

Mr Salisbury: where a rebate would be available. But for a deferral of rent, which I think was the second quarter, the rebate would not be available.

THE CHAIR: So you are saying that it would still be available for a quarter? You would not say that, because it did not go for six months, it would not still be available for that quarter?

Mr Salisbury: Yes, that is right.

THE CHAIR: Would the revenue office consider averaging that support over six months and making the decision accordingly?

Mr Salisbury: That would not be a decision for the revenue office. The guidelines that have been agreed are very clear at this point. That issue would be for consideration of government.

THE CHAIR: Fortunately, we have the Treasurer here. Mr Barr, I know of landlords that in good faith waived rent for a month or two and then deferred rent for another few months, and I am advised that they have been told they are not eligible for relief because deferrals are explicitly excluded from this scheme. Are you aware of this?

Mr Barr: A deferral would mean that the landlord would still get the rent ultimately, so you would not be giving a subsidy on a deferral. So—

THE CHAIR: Part of the negotiation was a complete waiver for a month or two to help them in their cashflow in the very tough times, maybe even three months, and then a deferral. For instance, three months of waiver and then three months of deferral would be the same, roughly, as a 50 per cent rent reduction over the six months. However, because of the deferral they are being told they are not eligible for this scheme. This, I gather, is applicable to many tenancies in the ACT. Do you have any advice on this?

Mr Barr: We will happily look at any circumstances that can demonstrate exactly that. We would provide a rebate only, though, for the portion that was waived, in accordance with the guidelines of the program, not for deferrals.

THE CHAIR: So you would apportion it?

Mr Barr: We will look at that, yes.

THE CHAIR: Will you consider applicants who average the support that is being offered over a quarter or six months?

Mr Barr: Again, we will be happy to look at that, yes.

THE CHAIR: Okay. Thank you.

MS CHEYNE: Chief Minister, I know that Minister Steel is responsible for tertiary education matters. In terms of the broader context and how the whole sector is looking, would it be appropriate to ask you questions or would you prefer that they be referred to Minister Steel?

Mr Barr: You can ask questions.

MS CHEYNE: I understand that many students enrolled at residential colleges have decided to stay elsewhere, including at their family homes, interstate and conducting their learning from home interstate. This is obviously on top of many international students remaining overseas. What do we know about the impact of COVID-19 on those residential colleges and the impact more broadly on the economy of the exodus, in some ways, of students who would otherwise normally be here and spending and working?

Mr Barr: Clearly, depending on the contractual arrangements between the residential college and the students, either there would be a loss of income for the residential college or the students would be paying for a service that they would not be utilising. That would vary, depending on the nature of the rental agreement. It is possibly a combination of both, in that the agreements may have had a period of notice that a resident would have to give before they could be let out of their residential accommodation agreement. So that will vary. But undoubtedly it will have had a financial impact on both the residential college and the student.

MS CHEYNE: Is there a broader impact on the territory's economy, with students moving home to interstate?

Mr Barr: Yes, in terms of a loss of expenditure within the ACT, that would be the case. The estimates of how much a student spends in the territory economy tend to be between about \$15,000 and \$20,000 over the course of an academic year. That will be an average. Some would spend less; others would spend more. Some of that expenditure would be linked to what level of employment they had within the ACT.

MS CHEYNE: So undoubtedly that will have some effect. My more specific question might, I appreciate, be something that you may tell me to refer to Minister Steel. I absolutely accept that, if so, but I am curious as to whether this has come up at all in national cabinet. With universities still trying to operate and doing so much from home, it seems that many have opted to use a program called Proctorio, which

apparently can access students' computers, including their cameras, microphones and desktops, while they are conducting exams. You have stated very clearly to this committee your own concerns in terms of the security regarding applications. I understand that ANU has already signed an agreement to use Proctorio and that UC is exploring a range of providers, including Proctorio. There seems to be growing concern in the student community about privacy, the risk of the technology and so on. I am curious as to whether you are aware of the software at all and whether it has come up at any of those high-level conversations—about its appropriateness.

Mr Barr: That specific product or, indeed, effectively invigilating student exams has not been a subject of discussion at the national cabinet. I am aware of this particular issue only because it was covered on ABC Radio locally. I heard the various student representatives and university representatives discussing the matter.

I must confess that I have not sat a university exam since the mid-1990s, so it was not a feature of my exams. There certainly were lots of people looking at you when you took your exams. That was the role of the invigilator: to ensure that you undertook your university examinations in accordance with the rules of the institution. I understand that universities need to have some form of invigilation for their exams. It may be that there is a possibility of being able to sit exams. I have seen that in some countries they have done them outdoors in big football stadiums and had everyone physically distant, in accordance with the public health directions. It might not work for exams in Canberra in July—it might be a bit cold—but it certainly could in the second half of the year.

Ultimately this is a matter for the universities to resolve. I appreciate the concerns that students would have. Certainly, the onus would be on the universities to be able to demonstrate that that particular technology was necessary to ensure that the exams were conducted fairly and that there was no risk of cheating.

MS LE COUTEUR: Yesterday you were asked a question by Mr Coe about the number of DAs. You indicated that the number of DAs coming in—sorry, it was Minister Gentleman who was asked this. Nonetheless, the government was asked. I am sure you are well aware that the number of DAs coming in appears to be around the same sort of level as we have had in the past. Given that, do you have any comments about what is happening to the construction industry and whether there is any need for concern?

Mr Barr: We have seen the number of DAs range from between about 275 lodged per week, at a peak, to around 200 to 180 being the average across more recent times. So they are down a little. Last week, in particular, it dropped to 166 new DAs. But in weeks previously it has been up around 200, 202, 208, 198 and 193. So there is still a pretty good flow of applications in the system each week. That is the total number of applications in the system.

DAs lodged vary from week to week. In some weeks we have had 27 lodged; in others, going back to February and January, we have had seven or eight new ones. It does vary. The directorate is determining an average of in the high 30s each week. Running through the last period, 52, 42, 48, 47, 34, 38—they are the numbers of applications determined in each of the last five or six weeks. There are still a large

number in the system but that number has come down from 275 or thereabouts to 166 now, with lodgements varying to even as high as 27 new DAs lodged in the week 27 April to 1 May. So there is still a healthy level of activity at this point.

As to the future, one determining factor will be the level of population growth. If Australia's borders remain closed for an extended period, which is what is anticipated, then the level of international migration into Australia will drop significantly. What this will mean is that Canberra's rate of population growth will decline. Our population has been growing between about 8,000 and 10,000 per year, of which around half has been the natural increase—births over deaths—and the other half has been international and interstate migration, with international migration being the largest contributor there. So in absolute number terms it would be expected that Canberra's rate of population growth would go from 8,000 to 10,000 a year to more like 4,000 to 5,000 a year whilst Australia's borders remain closed. That will have a flow-on implication in terms of level of demand for new construction activity, particularly in the residential sector.

In the commercial sector the factors that are going to impact in the future go to some of the questions that have been raised earlier in these hearings in relation to demand for commercial office spaces, for example. If more people are working from home then it would be reasonable to expect that demand in that area will not be as high. The final area relates to commercial non-office demand. We would expect that that would soften as well in the short to medium term.

MRS DUNNE: Minister, going back to the opening up of venues of all sorts, not just hospitality, what will the government be looking for in terms of additional information and extra commitments in order to expand the opening of venues and therefore the economy in the ACT, and to do so in a more nuanced way than the current 10, 20, 50 or 100, irrespective of the venue?

Mr Barr: The guiding principles in relation to any venue, or any organisation in fact, will be its capacity to operate in a COVID-safe way. There is extensive advice that has been prepared on the Safe Work Australia website that is in quite some detail for each industry sector. We are supplementing that with specific local advice, where there might be circumstances where the Safe Work Australia material has not covered in sufficient detail the circumstances of individual operations in the ACT.

The public health rationale for particular sizes of public gatherings really relates more to the epidemiology, the mathematics of that, contact tracing and outbreak containment. That is why the AHPPC have been very clear in their advice to continue to restrict the size of gatherings for the foreseeable future. As I have said publicly before, and this remains very clearly the public health advice, the idea that there would be a public gathering of thousands of people any time soon is very remote. So at this—

MRS DUNNE: I am not talking about that, Chief Minister. It is about how you have an orderly opening that gives people the prospect that they will be able to get their businesses open—not just the ones that are directly affected by the opening but all the knock-on ones as well. Having a museum that can take hundreds of people at any one time but is taking 10 seems to be a bit of a problem, does it not?

Mr Barr: The question then will be how you would safely manage the flow of people. That would clearly depend on the size of the institution and the nature of it. To give an ACT example, Questacon, which is very much hands on, with everyone touching a whole bunch of surfaces and equipment, would be a very different question from viewing art on the wall of a gallery. Public health advice is very clear that coronaviruses will remain on surfaces for hours and sometimes days, so there is very high risk around any surface or equipment that is shared. That public health advice clearly has to be at the fore of any COVID-safe openings for—

THE CHAIR: Chief Minister, what specific information do you need in order to allow 20 people in a restaurant, or a ratio at a restaurant, rather than 10? What are you waiting for?

Mr Barr: Public health advice on the safety of doing that—not so much the venue. Obviously the venue needs to operate and have in place its COVID-safe working requirements as per the guidelines that have been provided by Safe Work Australia.

THE CHAIR: What public health advice have you received that has said that it is not safe for a venue to open up with more than 10 people or as a percentage of their size?

Mr Barr: The AHPPC advice that has been published on stage 1 of easing restrictions was that 10 was the safe number to do so.

THE CHAIR: So why is it that Queensland is allowing 20 and now New South Wales is allowing 50? How can that be?

Mr Barr: Because they are moving to the next stage of their restrictions. They began with 10 as well and they have foreshadowed those changes to come into effect some time several weeks into the future.

THE CHAIR: If they are signalling several weeks into the future—noting that Queensland is already at 20 in regional areas—that is obviously assuming that the trajectory is going to stay as it is. Therefore, why can you not make a similar announcement about the future and give certainty and confidence to everyone?

Mr Barr: I have. I have said that we would be following the AHPPC guidelines, which indicate that the next move would be to a larger number and then three weeks following that we have further assessments and then move to the larger number.

THE CHAIR: But what is actually significant about 10 in a small cafe compared to 10 at the Hellenic Club? How—

Mr Barr: The epidemiology, Mr Coe—contact tracing, outbreak control and the advice of the public health experts.

THE CHAIR: But is that not going to be the same problem in a week's time, the contact tracing?

Mr Barr: The whole point in relation to managing an epidemiology curve and

gradually moving out of restrictions, as per the public health advice that was provided through the national cabinet to the community, was a gradual easing of restrictions as a risk-based approach.

THE CHAIR: But the—

Mr Barr: We have covered this extensively, Mr Coe.

THE CHAIR: Isn't the contact tracing challenge going to be the same in a year's time? Isn't the contact tracing challenge going to be exactly the same today as it will be in two weeks, four weeks, six weeks or three months?

Mr Barr: Yes, that is right. So each time you increase the maximum gathering you increase the risk.

THE CHAIR: So why is it not feasible to open up venues now, if contact tracing is the problem?

Mr Barr: It is one of the elements. The epidemiology, the current number of cases in Australia and the level of risk that we need to manage—all of this is based on public health advice. It is not my decision. I am not providing the public health advice; I am receiving the public health advice. It is the same public health advice that every other government is receiving. Everyone else started at 10 and then is moving—

THE CHAIR: Queensland did not.

Mr Barr: Queensland did, Mr Coe.

THE CHAIR: But it is 20 in regional areas.

Mr Barr: They moved to 20 recently. They started at 10 like everyone else.

MS CHEYNE: This is tedious. We are out of time.

THE CHAIR: Chief Minister, we are out of time. You will be sent a copy of the transcript. Next time it would be courteous if you could give the committee the respect of turning up to the videoconference with a video or at least putting your phone on an angle so that we can participate with the full scrutiny that I think the community expects. But of course that is your call. Thank you.

The committee adjourned at 3.07 pm.