



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

**STANDING COMMITTEE ON EDUCATION, EMPLOYMENT
AND YOUTH AFFAIRS**

(Reference: [Annual and financial reports 2017-2018](#))

Members:

MR M PETTERSSON (Chair)
MRS E KIKKERT (Deputy Chair)
MR A WALL

PROOF TRANSCRIPT OF EVIDENCE

CANBERRA

TUESDAY, 6 NOVEMBER 2018

This is a **PROOF TRANSCRIPT** that is subject to suggested corrections by members and witnesses. The **FINAL TRANSCRIPT** will replace this transcript within 20 working days from the hearing date, subject to the receipt of corrections from members and witnesses.

Secretary to the committee:
Mrs N Kosseck (Ph: 620 50435)

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.

APPEARANCES

ACT Building and Construction Industry Training Fund Authority.....	87
ACT Long Service Leave Authority.....	65
ACT Teacher Quality Institute.....	1
Canberra Institute of Technology.....	87
Chief Minister, Treasury and Economic Development Directorate.....	65, 87
Education Directorate.....	1
University of Canberra.....	78

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 9.01 am.

Appearances:

Berry, Ms Yvette, Deputy Chief Minister, Minister for Education and Early Childhood Development, Minister for Housing and Suburban Development, Minister for the Prevention of Domestic and Family Violence, Minister for Sport and Recreation and Minister for Women

Education Directorate

Howson, Ms Natalie, Director-General
Brighton, Ms Meg, Deputy Director-General
Efthymiades, Ms Deb, Deputy Director-General, System Policy and Reform
Matthews, Mr David, Executive Director, Business Services Division
Hawkins, Mr Ross, Executive Director, Service Design and Delivery
Huxley, Mr Mark, Executive Director, School Performance and Improvement Division
Hamilton, Ms Judith, Director, School Improvement—North/Gungahlin
McMahon, Ms Kate, Director, Learning and Teaching
Seton, Ms Sam, Director, Student Engagement
McAlister, Ms Coralie, Director, EDU, Strategic Policy
Fitzgerald, Ms Alison, Director, People and Performance
Watson, Mr Martin, Acting Executive Director, Office of Board of Senior Secondary Studies
Barker, Mr Lee, Manager, Major Projects, Infrastructure and Capital Works

ACT Teacher Quality Institute

Ellis, Ms Anne, Chief Executive Officer

THE CHAIR: Good morning, and welcome to this public hearing of the Standing Committee on Education, Employment and Youth Affairs inquiry into annual and financial reports 2017-18. On behalf of the committee, I would like to thank you, minister, and your officials for attending today. Please be aware that the proceedings today are being recorded by Hansard and are being webstreamed. Would you like to make an opening statement?

Ms Berry: Yes, please, chair. Thank you for giving me the opportunity. Thank you for having us along today. Officials are happy to take questions regarding the annual report for the Education Directorate.

In 2017-18 there were 47,945 students attending one of Canberra's 87 public schools. I am pleased to confirm that this is the highest number of students we have ever had in the public system—partly because of more births, of course, but, importantly, it is also because more parents and carers are choosing a public education for their children and young people.

The Education Directorate annual report shows a slow but steady increase in the public system's market share over the past five years. We know that the system is a system of choice for 62 per cent of families in the ACT. It remains clear that Canberra

school students have maintained their overall high performance, with most of the ACT's literacy and numeracy results being the highest, or equal highest, in the nation. Satisfaction within our system among parents and carers remains high, at 85 per cent, and our retention rates tell the same story. Last year 78 per cent of public preschool students continued to a public kindergarten. This is the highest proportion in five years. And 77 per cent of public year 7 students continued to year 12 in our college system. This is also the highest proportion in five years.

This year Chromebooks were delivered to more than 14,500 students in years 7 to 11, fulfilling the government's commitment to provide technology enabled learning and to ensure technology equity. The government is continuing to invest in our system to ensure that access to Canberra's public schools continues. For example, over the past year we undertook 18 school reviews, and we continue to build quality teaching with ongoing professional learning for our workforce.

We also spent more than \$80 million to deliver many infrastructure and capital works improvements to our schools. Importantly, this includes work to increase capacity in the system in growth areas such as construction of the new Margaret Hendry School in Taylor, which will open in term 1 in 2019, expansion work at Amaroo, which has created additional spaces for 300 students, and planning for the new preschool to year 10 school in Denman Prospect.

At some of our existing schools there were some roof replacements, new classrooms, cooling upgrades, new car parks, the creation of the withdrawal and sensory spaces at 12 schools, and the new Caroline Chisholm School Centre for Innovation and Learning, which is a leader in science, technology, engineering and maths education.

Last year was also a year of reform, with the development of the future of education strategy. Following extensive consultation work, we heard from about 5,000 people, including 2,200 students, and we have now finalised this significant 10-year strategy. It recognises that every child deserves a great education and the life chances that flow from it.

Since I became Minister for Education and Early Childhood Development, I have been concerned about how students experiencing disadvantage do not have the same access to an equal start to their education and life. Through this strategy the government is committed to improving access and equity, recognising diversity and promoting inclusiveness in learning communities and environments. This includes personalising education and learning for each student and young person so that they receive an education that develops their skills to participate in social and economic activities as adults.

I would like to finish my comments, chair, by providing another piece of reform work that started in June—the Education Council's decision to review the NAPLAN data presentation, including information published on the My School website. This review, as you will know, is being led by the ACT. Professor Bill Loudon has been engaged to undertake the review, which will gather input from a range of resources and sources, such as the environmental scan of published evidence on NAPLAN reporting, plus comparable international information, focus groups with school leaders, teachers, students and families at a sample of schools, a call for submissions in response to an

issues paper, and interviews with key stakeholder peak bodies.

The review will occur over the remainder of this year and early into next year. An interim report is due to the Education Council in December, with a final report to be presented in the first half of 2019.

Chair and committee members, we look forward to answering your questions.

THE CHAIR: We will lead off with questions from me, but Ms Lee has a very quick clarifying question.

MS LEE: Minister, in your opening statement you referred to 18 school reviews. Are you referring to the 18 reviews that are referred to on page 43?

Ms Berry: Yes.

THE CHAIR: Could you give me an update on Margaret Hendry School? How is construction coming along and how are enrolments going?

Ms Berry: Construction is coming along very well. Most of the building infrastructure works are nearing completion. The school principal has been appointed, and she is busy working on other appointments for the school, as well as building her relationships with the new community that will be going in to Margaret Hendry School. Last night there was an SLA mingle session, where future members of the Margaret Hendry School community got to meet the school principal and have a talk about the school and their relationships. I will ask Judith Hamilton to give you some more details.

Ms Hamilton: Yes, about 90 families came last night to the meet and greet with the principal and the deputy principal. They were very excited. Their little people came as well, and they toured both the preschool and one of the K-6 learning communities. The principal, Kate Woods, presented a vision for the school and outlined the facilities. We also had a meet and greet last Friday, and about 50 families came through, so things are progressing really well.

THE CHAIR: Ninety families: what does that translate to in enrolments?

Ms Hamilton: Off the top of my head, from last night's conversation, there are already about 119 preschool and about 50 or 60 across the kindergarten to year 6 cohort. There are about 30 K-2, and the rest are in years 4, 5 and 6. So it is a bit smaller at the top end, but it will come through very quickly next year—it will grow.

THE CHAIR: I have heard that you are doing some innovative construction work regarding how the building will be accessible to the community; is that right?

Mr Matthews: That is right, Mr Pettersson. Obviously, this is part of the new infrastructure of an emerging part of the ACT. School infrastructure provides a great starting point for the residents of Taylor. In conjunction with the construction of the school, which will be very much a part of the community, there has also been investment in the Taylor playing fields, which will provide sport and recreation

infrastructure to the residents of north Gungahlin. Already, there are some great child playground facilities in Moncrieff. Along with those, and the sporting infrastructure, which will include things like netball courts and playing fields, there will be investment in the overall community's infrastructure.

We will also make sure that our school infrastructure is available for community use, and it will be available for bookings. We are looking at infrastructure that will facilitate easy access for community members so that we can really maximise the impact of that investment in the north Gungahlin community. We are really excited about all of that and we are really looking forward to that infrastructure being available for the community.

MRS KIKKERT: My question is in regard to the sexual health program that is taught in the classrooms. Who designed the program?

Ms Berry: Thank you for that question. I will ask Sam Seton to talk with you about the program, how it was designed and how it is being delivered in our schools.

Ms Seton: I guess there are two elements. There is the sexual health program that is part of the normal Australian curriculum. That has obviously been developed as part of the Australian curriculum. We then have the safe and inclusive schools initiative, which is part of SHFPACT, Sexual Health and Family Planning. They have supported us in providing professional development to our teachers and are available to support schools if they are supporting individual students.

MRS KIKKERT: Is that sexual health—

Ms Seton: Sexual Health and Family Planning.

MRS KIKKERT: So they kind of co-designed the program? Does the Education Directorate tick it off? Do you have a look at the contents before it is given to classrooms?

Ms Seton: They are not actually providing curriculum.

MRS KIKKERT: Right.

Ms Seton: They do have another program called SoSafe, which is for students with disability. That supports those students in learning how to be safe, understanding their body and understanding how things change. As I said, schools follow the Australian curriculum. The day-to-day sexual health program falls into the PE curriculum. But for students who require some additional bits, or if we have schools that are supporting individual students, they can access that.

MRS KIKKERT: How would you define “homosexual”?

Ms Seton: Sorry?

MRS KIKKERT: How would you define “homosexual”?

Ms Howson: Is that relevant to—

Ms Berry: I do not know that—I am not sure what the—if you are asking about an actual program in schools, we can do that. But I do not know that anyone here would be in a position to give you a view on LGBTIQ community—

MRS KIKKERT: Not view; just a definition. If it is raised in students' lives, I assume it is fine to raise it here. How would you define “homosexual”?

Ms Berry: I think it is probably something we can take on notice, and we can get some advice on new and appropriate language from experts in this space, like Sexual Health and Family Planning.

MRS KIKKERT: Right; can I say something? It is taught to kids. This is why I wanted to ask: “Homosexual; it is a person who is not sexually attracted to people of any gender or sex.” Then if you look up “homosexuality” in a dictionary, it says “Sexually attracted to people of one’s own sex.” Can you explain that?

THE CHAIR: Can I clarify where you got the first statement from?

MRS KIKKERT: That is from a slide show taught to kids in ACT public schools.

THE CHAIR: Right.

MRS KIKKERT: If it is raised for students, why can we not have an open discussion here? The definition of homosexual in a dictionary says, “Sexually attracted people to one’s own sex,” but then what is taught to kids is quite different.

Ms Berry: If you have a reference to a particular school, we can follow up on exactly what you are talking about. None of the people here deliver the programs. But oversight of those programs occurs within the Education Directorate. The safe and inclusive schools program is to support schools that have children attending at schools that may identify differently, may identify as a different sexuality other than male or female.

MRS KIKKERT: Sure.

Ms Berry: And that program is there to support those children, those families and those teachers to make sure that those students, regardless of where they come from or their backgrounds feel more inclusive and welcome in our schools.

MRS KIKKERT: Sure, and that is fine. I totally support that. I just wanted to be factual about what is taught in the classroom to kids.

Ms Berry: Okay. We will take that on notice. Perhaps you can also—maybe not here—get in touch with us about the actual school you are referring to. Then we can follow it up in more detail for you.

MRS KIKKERT: Okay, so what you are really saying is that you are just not aware that this is being taught to children in our classrooms?

Ms Berry: No, what we are saying is that—

MRS KIKKERT: You are not aware that this is being taught? That is what you are saying.

Ms Berry: I am saying that we are going to get some advice for you on the issue that you have raised. That is what we will do. I have always taken the view that if we do not have an answer for you right now—

MRS KIKKERT: I am happy to show you.

Ms Berry: we can take that on notice. We can take that on notice and then get back to you with the appropriate information that you are after.

MRS KIKKERT: Right, thanks.

Ms Berry: That is the usual course of behaviour in this place, rather than making things up or giving you the wrong information without any of the detail that you want—

MRS KIKKERT: We do not want you to make things up. We want you to tell the truth.

Ms Berry: Exactly. That is right. So I am taking it on notice.

MRS KIKKERT: Yes.

Ms Berry: Okay?

MRS KIKKERT: Yes.

Ms Berry: That is the usual way things are done in this place.

MRS KIKKERT: Yes.

MS LEE: I want to talk about academic performance in ACT schools. On page 23 of the annual report, under “Challenges”, there are a number of sub-areas that the report talks about. Even under the subheading “High expectations, high performance” there does not seem to be a single mention of academic performance or improving academic performance in ACT schools. Minister, can you please explain why?

Ms Howson: Thank you for the question. I think it gives us a good opportunity to actually talk about our overall emphasis on school improvement. While the report might not mention academic performance in particular, it does certainly talk about high expectations, student performance and investment—the challenges around the particular strategies that are part of our school improvement program that will lead to better outcomes for students, both academically and in a social and emotional sense. This, of course, reflects what a 21st century education system needs to reflect, that—

MS LEE: Sorry, before you go on, Ms Howson, you said that it does talk about high expectations and academic performance. Can you give me a reference to that?

Ms Howson: No, I am sorry if—

MS LEE: Sorry, have I misheard you?

Ms Howson: I am sorry if I said that. What I was intending to say was that it refers to high expectations and overall performance in relation to a holistic set of outcomes for students. Academic performance is part of that, along with a number of other aspects of our focus in school education which relates to social—

MS LEE: So there is no specific reference to academic performance?

Ms Howson: It is a general reference to student performance. But what you can see in our overall program is an emphasis on improving outcomes in relation to numeracy and literacy. As I said, I welcome the question because it gives us an opportunity to talk about that. In that context, I would like to refer to my colleague Mark Huxley. He will be able to take you through the detail that sits underneath some of the references in the annual report which are, as you have indicated, quite generic.

MS LEE: Yes. I certainly notice that in your reflection in the front of the report you have obviously referred to setting the foundation for literacy and numeracy. I was curious as to why there was not more expansion in the actual report. That will be helpful; thank you.

Mr Huxley: It gives us the opportunity to go back to the work we have been doing in focusing on student performance, including the heart of the work that we are doing in the ACT public system.

Back in 2016, we put in a new independent school review process called people, practice and performance. That fed into the Auditor-General's findings on performance in ACT public schools. At the heart of that, one of the core recommendations and the key areas of need that we looked at was the development of key strategic indicators that were based on student performance.

Those have actually been established in our new strategic plans. We have actually got indicators on equity and growth. Right up front, we have prioritised academic performance around equity and growth for students. And the strategic indicators are actually published in the report.

MS LEE: Can you tell me where that is? Is that the reference that you have made on page 43? Is that available anywhere else?

Ms Howson: We have indicated in the annual report—my colleagues will help me find the page reference for you—that we are shifting our strategic indicators. Again, I welcome this inquiry, because it is important that we get on the record that two years ago, particularly after the Auditor-General's office did their report on school performance, one of the recommendations of that report was that we adjust our indicators to focus more on learning gain and address issues of equity in our

ACT education system.

We have done that, and that was communicated to the Assembly over 12 months ago as we shifted those strategic indicators in that direction. From next year we will be reporting at a system level on learning gain. Again I refer back to your original reference. What we do say in our challenges is that we are shifting our focus on addressing equity through a key focus on learning gain in our system. That is the growth in learning that we would expect students to achieve year on year, particularly using NAPLAN data, from year 3 to year 5, year 5 to year 7 and year 7 to year 9. We will be privileging that focus, as a system, over the standard mean score that we have been reporting on up until this point.

MS LEE: When you say that there will be more measures available in the next reporting period, will that be estimates or the next annual report period?

Ms Howson: The next annual reporting period.

MS LEE: While we are on the Auditor-General's report, I note that there are a number of recommendations that were made and, except for the recommendation that we were literally just talking about, everything has "in progress" next to it. For the aspects where the government response was agreed or agreed in principle, can you give us an indication of the time frame as to when we might receive a concrete update of a complete check box next to these items?

Ms Berry: Some of the recommendations are probably work that will be ongoing and so will never have a "complete" beside them.

MS LEE: Sure. The ones where you can get a "complete", I suppose.

Ms Howson: Given the level of detail that is probably required to answer your question, Ms Lee, it might be opportune if we provided that detail over time, but I can give you a general sense against these recommendations. Is that all right, minister, if I do that?

Ms Berry: Yes.

Ms Howson: In relation to the performance indicators, as you have already recognised, we have spoken about that. In relation to improving the quality and comprehensiveness of our school strategic plans and annual reporting, you will note that that has been completed. We made that a focus this year. That is related directly to our school improvement and school review program. After school review, annual school action plans are designed and they are aligned to our current strategic plans, which again focus on these issues of learning gain, closing the equity gap and student engagement. They are quite tailored to the specific circumstances of the school and whatever the school review itself finds in relation to areas for development for that school.

MS LEE: If we go to page 103, for example, recommendation 5, the action says:

The benefits of participation in NAPLAN will be promoted to parents as part of

the rollout of NAPLAN online.

Ms Howson: Yes.

MS LEE: What are the benefits of participation in NAPLAN? And what is the directorate doing or going to do to promote that to parents?

Ms Berry: Every year parents are encouraged by schools to have their children attend and participate in NAPLAN; I send a letter to every student. And I send a letter to parents on the results of NAPLAN. Of course, NAPLAN online has been important progress in being able to have data that is up to date and timely for teachers to be able to use to diagnose a student's need, rather than having to wait months and months.

There is no issue with NAPLAN moving online. In the ACT we were the pilot state or territory to move into that rollout. It was rolled out very successfully and continues to be rolled out successfully. Other states and territories have had some issues, particularly around web access, I think, internet access, understandably, in some remote communities.

There has been some concern about comparing some NAPLAN data with handwriting and whether or not that provides a valid assessment of a child's writing. There is work to understand whether the comparison of those two different styles is actually going to be useful or not and whether the data is conflicted. Deb, maybe you can give a bit more detail on that.

Importantly, as you all know, and as I referred to in my opening statement, there is a review of how NAPLAN data is used, supported by every state and territory government, including the federal Minister for Education. That work will give some insight into how NAPLAN data is used and whether or not it is benefiting our children's education.

MS LEE: My question specifically was about the benefits of NAPLAN. You referred to going online. Is the sentence in this report that refers to the benefits of participating in NAPLAN specifically about NAPLAN online?

Ms Howson: In terms of participation rates, it is always important in the ACT that we encourage every student. That is our policy. We encourage every student to participate in NAPLAN.

MS LEE: Yes.

Ms Berry: If, for whatever reason, students and families decide that they do not want to participate, they can do that as well.

Ms Howson: That is right; there is an opt-out opportunity, if that is what parents would prefer for their students, as the minister said.

MS LEE: Yes, sure.

Ms Howson: In terms of our response to this recommendation, of course we would

continue with that policy. What we are expecting, though, is that, with the continuous implementation of NAPLAN online, we will see participation rates increase, because the value of the NAPLAN assessment will also increase along with that. As you know, NAPLAN is a point in time test; it is a diagnostic. Generally, the timeliness of the information available to teachers is poor in the sense of whether they can use that information to actually respond.

MS LEE: I do not think there is any argument about that whatsoever.

Ms Howson: No. Moving online will improve the opportunities for teachers and parents to get access to student data in a very timely fashion. It is also important to note that it is not the only form of assessment. In fact, the profession itself is looking for more and more opportunities to be able to access valid, timely and accessible formative and summative assessment tools.

Going online is the channel, the methodology, that will enable that. That is being recognised nationally. It is a focus of the senior officials and the Education Council to be able to introduce the infrastructure, through NAPLAN online, that will make available to teachers valid, formative and comparable assessment tools so that we can have an ongoing and, as I said, timely and relevant set of assessment tools to be able to provide the correct intervention and tailor our responses to students more effectively.

MS LEE: So when you are talking about—

THE CHAIR: Ms Lee, you have had quite a range of questions. You started on school performance, you have gone to the Auditor-General's report and now you are talking about the benefits of NAPLAN.

MS LEE: That is exactly about school performance.

THE CHAIR: Now you are talking about the benefits of NAPLAN. You have had a wide range of questions; it has taken a long time. Mr Milligan.

MR MILLIGAN: Thank you, chair. My question is in relation to Indigenous students and the completion rates of Indigenous students for year 12. I notice from page 40 that the completion rate has dropped from 73 per cent down to 60. I am wondering if you can give an indication as to why, and what the directorate is doing to address this falling trend.

Ms Howson: Of course, this is a proportion of the overall number of students. The students that are Aboriginal and Torres Strait Islander identified in years 11 and 12 are a very small number. Very small numbers of change have a significant impact on the shift around those proportions completing.

While it is an important issue for us and we continue to focus on ensuring that Aboriginal children successfully complete, these statistics, we would argue, are generally a reflection of a large number of students that are completing year 12, which is a good thing, and the larger number of students that are entering into year 11 and 12.

In terms of the specifics in relation to how we are responding to ensuring that students transition effectively and successfully into college and then complete year 12, I will hand over to my colleague Kate McMahon.

Ms McMahon: We are doing lots of work in our schools around improving the cultural integrity across every one of our sites so that our schools are able to provide for the aspirations of all our students. Retention through years 10 to 12 is impacted. Ms Howson spoke about the small numbers of children that we have in our system. So any fluctuation is exemplified because of the small numbers.

Our careers and transitions officers which we have at every one of our colleges work closely with their high school peers to ensure that there is support for families and for students in moving across from year 10 into years 11 and 12. We also provide lots of opportunities for students to pursue other pathways that they may select through Australian school-based apprenticeships, vocational learning options and work experiences that tailor those needs for kids so that they can be forging a path that is appropriate for them.

We have a website where we allow our students to really explore those career options, which commence right from primary school and continue through secondary into college so that they are developing their aspirations and are able to track their progress and share that progress both with their teachers and with their families. The work that we are doing is tailored to individual kids, it is working across a range of different sites and it is increasingly improving the personalised service to those students through schools improving their cultural integrity.

MR MILLIGAN: Given the small number of Indigenous students completing year 12, could the Education Directorate and schools provide a more tailored, individual approach to each one of those students to try to keep them in school to complete year 12?

Ms McMahon: That is what they are doing currently.

MR MILLIGAN: The numbers have dropped, though.

Ms McMahon: Canberra is a really good place. People come in and out of it all the time. We have lots of people that move interstate. Children go and secure work and move out of schooling into work or go into school-based apprenticeships and other apprenticeship options. The numbers are so small that any change to those numbers is exemplified.

MR MILLIGAN: This is in relation to the retention of Indigenous students at school. I notice there is no recording of retention between preschool and years 6 and 7 and there is no recording of retention from year 7 to year 10. Is there a reason why you have not recorded the retention rate of Indigenous students for those school years?

Ms Howson: Again, it would be the very small numbers. The proportions around retention across those years and transitions would not represent accurately the picture. I think the overall question you are going to in terms of retention, though, is an

extremely important one and, as you made the point earlier, there is opportunity for our schools to really support our Aboriginal students on a person-by-person basis, a student-by-student basis, in relation to effective transition from preschool to primary, primary to high school, and high school to college.

Mr Gotts might be able to help me with this question—I do not know if he can—but I am pretty certain that we are seeing an increase in the success of retaining Aboriginal and Torres Strait Islander students in our system across years. As you say, we are in a position to be able to identify students that need extra supports and are able to provide that.

Ms Berry: I think one of the other things that are important to note, of course, is an expectation that all our schools have a reconciliation action plan. Every single school principal in our public schools has gone through a cultural integrity professional development program to consider how they develop programs in their schools but also build culture in schools around Aboriginal and Torres Strait Islander people. And lots of schools, depending on their communities, are developing different programs that suit the individuals within their schools to support Aboriginal and Torres Strait Islander children and their families.

Whilst the personalised approach to each individual child's education is an important part of this, actually having a reconciliation plan and a culture within all our schools that is an inclusive and understanding one is the cultural integrity work that the principal school leaders are carrying out within all their schools.

MR MILLIGAN: Given that that is the case, out of 6,814 staff only 80 staff completed the cultural awareness training. Why are those numbers so small if every school is involved with this across the ACT?

Ms McMahon: All our school leaders, all those principals, have participated in three days of cultural integrity training. We offer an online and face-to-face cultural competency course to all our staff, and we have been doing that for the last four years, and a range of different staff have been participating in that.

All our principals, through that cultural integrity training, have then gone back to their schools and conducted cultural integrity training for all their staff. We are unable to, at times, bring every staff member in for training. We would not have anyone to teach our children. By informing our senior leaders in our schools they then have the responsibility for driving that cultural integrity change within their own settings in a way that is specific for that setting and for those staff that they are working with.

Ms Howson: In summary, it is a rolling program. As Ms McMahon indicated, there would be a certain number of teachers that would attend every year. And they are the staff that participate in the program that we record centrally, but of course every school would run a range of initiatives in relation to their own cultural integrity agenda and their own action plan, and that information is not available centrally to be able to report in the annual report with accuracy. But we are certainly confident that each school is attending to this, and to strengthen that we have now incorporated the cultural integrity objectives into our annual school action plans which are part of the school review program.

THE CHAIR: How is the cultural integrity initiative developed?

Ms Howson: This particular initiative came out of the consultation that we conducted with Aboriginal and Torres Strait Islander academics and the community in relation to our resource distribution to schools. The strong advice that came through from that process was that in order to get better outcomes for Aboriginal and Torres Strait Islander students it was critical that a foundation capability was that schools offered a place where Aboriginal and Torres Strait Islander students and their families felt a sense of belonging and that they felt that, with the way in which education occurred in the school, they could see their culture and themselves as people reflected in the curriculum and the approach the school had culturally and generally—a sense of a cultural safety in the context of our schools.

As a result of that feedback, which is often characterised as a strength-based approach, and also the literature which emphasises the need for high expectation—if you like, not stereotyping outcomes for Aboriginal and Torres Strait Islander students and shifting attitudes and perceptions about Aboriginal and Torres Strait Islander people—we move towards this investment in cultural integrity.

The directorate, again looking at evidence and best practice across Australia, has developed a cultural integrity continuum which is a little like a rubric. It sets out levels of maturity or capability that we expect schools to achieve. Each school is at a different stage in that continuum. They self-assess against the continuum and set goals for the following year in order to raise their capability as a school that offers cultural integrity and a culturally safe place for Aboriginal and Torres Strait Islander children and families to be able to be successful in terms of learning outcomes. It came out of our needs-based funding assessment, is the short answer.

MRS KIKKERT: Is the training free for all staff and teachers?

Ms Howson: Yes, of course. There is a range of professional development that is offered to teachers as part of our commitment to their ongoing learning.

THE CHAIR: I was wondering if someone could give me an update on how the Chromebook rollout has gone.

Ms Brighton: Thank you for the question. Earlier this year we implemented the ACT government's election commitment to provide Chromebooks to high school students, years 7 to 11, and 14½ thousand Chromebooks were provided to those students, with a further 4½ thousand due to go out in January for the new students coming through and 4½ thousand going out the following January.

The Chromebook implementation has meant that every child has been able to access a device. The government has been able to respond to the issue of equity about students not having access at home to technology. Those students are able to take their Chromebooks home every night with them so that they continue to work with their peers on group work and assignments and they can collaborate.

We have also spent some time continuing to skill our profession, our teachers, in

digital technologies and how to integrate these devices into their teaching so that students can get the maximum benefit.

Ms Berry: Did you want some more detail? I think we can provide numbers and schools and things like that.

Mr Hawkins: As Ms Brighton said, 14,500 Chromebooks were delivered last year. The program will expand next year to another 4,500 devices and a third year for another 4,500. It is largely an equity-based measure to ensure that every child has the ability to learn these devices. We have got a really strong backbone wi-fi support through all our schools to enable our students to connect on. I think it would be fair to say it is one of the best in the country, in terms of that backbone support, so that they can access those educational materials.

A lot of our focus, as well as delivering these devices, has been on working with teachers on how these devices are used and integrated into the classroom, because that can vary in different high school settings—from how it is used in a dance class to how it can be used in a maths class—but we have been working with teachers very closely to help with that pedagogical practice and what that would look like in a school environment.

MS LEE: Can you tell me how you measure the educational outcomes or achievements or improvements from using the Chromebooks? What are the measures that you have put in place to ensure that that is happening?

Ms Berry: Part of that reviewing of how this will support a child's learning is continuing. They have been there for less than a year; so we are continuing that work. But, as Mr Hawkins said, it was largely an equity-based measure so that every child has the same, equal access to a device to help with their technology-enabled learning.

Of course, it was a significant assistance to parents, who did not have to make the financial commitment to purchasing their own device to take to school. That was another equity measure. It made sure that families in the ACT did not have to worry about which device to purchase and how much to spend on it. For teachers, school professionals and school staff, it means that they do not have to be an expert across a range of devices. They can spend more time teaching in the classroom rather than troubleshooting issues with various devices in their classroom. If those are all the measures so far, I would say that on all of those measures the rollout has been successful.

MS LEE: But the measure I am asking about is academic improvement.

Mr Hawkins: I was just being kind of—

MRS KIKKERT: Yes, improvement of students.

Ms Berry: Yes, it is a narrow focus that you have, Ms Lee; so we will continue to—

MS LEE: That is the question I have asked.

Mr Hawkins: I was going to add—I do not know what the minister said—that the Chromebook is one of the tools that can be used in the classroom, the same as good teacher practice or how the teacher runs that classroom. It is an enabling tool that will enable teachers to provide better degrees of learning, based on the curriculum, how they feel that class is travelling or how they feel an individual student might be travelling at the time as to whether or not there is some individualised learning that needs to take place and whether the Chromebook might be the best solution to use. I would not necessarily characterise it as the benefits relating to Chromebooks. Actually, it comes around to Chromebooks being used as a key enabler in the classroom.

MS LEE: But measured as a tool.

Ms Howson: I think the key enabler is digital literacy. This is an area of investigation by the OECD. We will see more information flowing through in relation to outcomes. It was interesting that we had representation at an international conference recently. It was looking at the application of digital literacy and digital pedagogy across the globe. A number of leading experts in that area were complimentary of the ACT in relation to how advanced we are in being able to offer not only the infrastructure that enables students to engage in 21st century learning but also in the way we were implementing that and teachers being confident to apply it to lessons.

As Mr Hawkins said, it would be sort of similar to asking the question: is a particular book responsible for an academic outcome? Well, no. There are a combination of factors in play that support students. But of course the ACT education system is progressive. It is one in which we want our students to be able to operate with full competence into the 21st century. Being able to exercise their expression through a digital platform is an obvious outcome that we would be looking for. We are, in fact, evaluating the program. That is part of the government's commitment, the election commitment. When that evaluation is available, of course, that will be publicly reported.

MS LEE: And when will that be?

Mr Hawkins: I think the evaluation will be starting next year and then progressively working through towards the end of the year.

THE CHAIR: What are the things you are seeking to evaluate? Are there any key criteria?

Ms Howson: We are working through that at the moment.

Ms Berry: When it comes to technology-enabled learning, considering our ACT government public schools—our public high schools and colleges but particularly our public high schools—20 years ago Google Classrooms would have been unthinkable. It would have been unthinkable that parents and children would be able to access all the information about assignments, excursions, work that is due and practice revision sheets. All of that does not end up mashed up in the bottom of the bag amongst the mashed up banana. You can actually access it all online very easily. That has to contribute to a child's ability to complete their work but also to a parent

being more engaged, or having the chance to be more engaged, because it is all available online.

Although this is sort of anecdotal—I do not have any data to back this up at the moment—I suggest that the Chromebooks, and parents being able to see what their children are doing on Chromebooks at home, would also support their ability to help their kids. This online sort of classroom, the Google Classrooms that our children, parents and teachers can access, along with the support of having a Chromebook provided, is going to make a difference to a child’s learning.

THE CHAIR: Strange question: how do parents access Google Classroom? I have never used Google Classroom. I am assuming it is a web link and they sign in.

Ms Berry: You get an email from the school.

THE CHAIR: Straightforward.

Mr Hawkins: Yes.

Ms Berry: Pretty much, yes. You get an email, as a parent, of everything that is due, when it is due, any revisions or whatever. Of course, you can access your email on any device or even on your child’s Chromebook.

THE CHAIR: You said that 14,000 Chromebooks have been rolled out. How many students declined getting a Chromebook?

Mr Hawkins: I will have to take that one on notice. I do not think I have that number.

THE CHAIR: Has it happened?

Ms Howson: Yes.

Mr Hawkins: Yes, it does. Some parents choose to use their own devices, for whatever reason, and that is fine. We have a number of objectors, but I will have to get back to you on notice on that.

MRS KIKKERT: How are kids protected from inappropriate content?

Mr Hawkins: Initially, before the Chromebook rollout took place, a significant number of privacy assessments were done. There was an external review done by a former privacy commissioner for us in terms of the broader privacy settings that we have in place. There are a number of settings through simple ContentKeeper that we have in place across all of our schools to ensure the level of protections we provide in terms of students accessing problematic material. We are actually very confident, in terms of the safety and security controls that we have in place right across our schools and our settings, that students cannot access inappropriate material.

MRS KIKKERT: So kids are not able to access pornographic images and things like that?

Ms Berry: Well, they could do that but—

MRS KIKKERT: No, on their Chromebook. That is what I mean. They are not able to?

Mr Hawkins: Sorry, within the schools we work on the school settings.

MRS KIKKERT: Right.

Mr Hawkins: When they are at home, we will be working with parents on parental settings that parents put in place in their wi-fi connections. At schools it is controlled through our enterprise-level settings within the school environment. But when that Chromebook goes home and students are accessing through their parents' internet, it would depend on what the parental filtering is in place there.

MRS KIKKERT: So they are free to access whatever—

Mr Hawkins: No, they would run through that—

MRS KIKKERT: at home.

Mr Hawkins: No, they would actually—

MRS KIKKERT: At home, depending on their parenting.

Mr Hawkins: We actually provide a lot of material to parents on the conditions of use—

MRS KIKKERT: Do you?

Mr Hawkins: Yes. When the Chromebooks go out, there is actually information that is provided. It is information on becoming good digital citizens, what that looks like in terms of how we provide parents with information on access to materials, having conversations with their children.

We also link, quite clearly, into the eSafety Commissioner's work as well and provide all the references to that to help educate our families on safe access online and what that would look like so that parents can talk those issues through with their kids, because as much as our filtering and stopping access is important, it is about having those conversations with students to enable them to understand what appropriate access would look like. All that material is provided to parents as part of, if you like, our onboarding them within the broader program that comes to year 7.

MRS KIKKERT: Is dyslexia formally recognised as a learning impediment in ACT schools, and how is it recognised?

Ms Howson: Ms Seton will come up to the table to answer that question in particular.

Ms Seton: Dyslexia is a disability; it is recognised as part of broader disability. All our schools work under the disability standards for education, which means they need

to make reasonable adjustments for all students and whatever requirements they have.

MRS KIKKERT: What assessment is available to parents who suspect their child might have dyslexia?

Ms Seton: There are lots of different things that need to be looked at. Within the school setting, we have school psychologists who can undertake some assessment, so we can do cognitive assessment. We can support with language assessment. Sometimes it is unpicking the root cause or the multiple root causes. Sometimes we will be referring families out to other service providers.

Ms Howson: Do you want to talk about PIPS?

Ms Seton: Yes. The PIPS assessment in kindergarten—performance indicators in primary schools—is one indicator that schools can look at to see if they have students of concern.

MRS KIKKERT: How many students have a diagnosed dyslexia condition?

Ms Seton: I do not have those numbers; the schools individually hold those numbers. We do not actually need a defined definition of dyslexia. If we have a student who, for whatever reason, is not performing at the level we think they should be, we are required to make a reasonable adjustment diagnosis on it.

MRS KIKKERT: Are there any intervention programs available for parents?

Ms Seton: For parents within the school setting?

MRS KIKKERT: For parents within the school setting.

Ms Seton: Different schools run different programs. Some schools will run parent information sessions, both in literacy and numeracy, that support parents in working with a young person. If it is a particular young person, it may be that the classroom teacher and the parent are working together on practising the same skills.

MRS KIKKERT: October was national Dyslexia Awareness Month. Why was not one government school prepared to get involved in a national campaign?

Ms Howson: We would have to take that question on notice, Mrs Kikkert. I do not know whether schools were explicitly invited and declined. I would have to examine the circumstances of your question.

MS LEE: Following on from that, phonics has been discussed as one of the methods which perhaps could assist kids with dyslexia and other conditions. Where is that discussion up to in the Education Directorate and the ACT?

Ms Berry: Phonics is already part of a child's learning, regardless of whether they have a learning difficulty. With regard to phonics testing, if you are referring to that—

MS LEE: Yes.

Ms Berry: The Education Council agreed that it was not appropriate to have compulsory year 1 phonics testing, as part of the national education agreement.

MS LEE: Not even for kids who are diagnosed with or show signs of learning difficulty?

Ms Berry: The arrangement that was reached through the Education Council was that there was not going to be a compulsory test for six-year-old kids to be used to diagnose an issue when there are PIPS assessments, which is how a teacher in a classroom can assess how a child is going throughout the year from the start of the year to the end of the year and then put in different kinds of supports for that child. One of the supports is the MiniLit program, where there is considerable work done around phonic awareness and building a child's confidence in their learning, because they learn differently.

Ms Hamilton: I would like to raise the early years literacy initiative that we have had in our schools in the last couple of years, which is addressing that explicit teaching of those skills around phonics and phonemic awareness, phonological awareness. The early years literacy project, which was initiated in 2016, started with—

MS LEE: What years does that cover?

Ms Hamilton: The early years, from preschool to year 2, is the target audience. It has both a teacher capability component and a leadership component. As I said, it started at the beginning of 2016, with six schools. In the last two years, 20 schools have had intensive work with a literacy expert and our own school improvement team. The purpose of that is to build consistency and capability across teachers and leaders from preschool to year 6, to be able to deliver a quality program, a targeted program, and also for leaders to be able to implement and embed those practices.

The basis of the program is 10 essential instructional practices. They include targeted work on phonics, targeted work on letters and sounds, phonological awareness, tracking, and explicit writing every day. The premise is that if every child, every day, has these 10 essential practices taught to them and delivered through quality literature, their skill level will grow. The early trend is really positive. In particular, the schools that have been working with Christine and our school improvement team over the last two years have seen exceptional growth. We have just had the PIPS data released for one of our schools which has been in that project for the two years, and they have seen—

MS LEE: Is that available publicly?

Ms Hamilton: Is the PIPS available publicly? No, not yet. We have seen a really big growth from last year to this year. Eighty-one per cent of students in kindergarten have shown at or expected growth in their reading data.

MS LEE: The early literacy program that you are talking about—is that different to the MiniLit?

Ms Hamilton: Yes, that is different to the MiniLit. MiniLit is a targeted intervention program, which would be for the three or four children that you might see as needing that specific targeted work around letters and sounds and decoding and reading. Early years literacy is around building all teacher capability; working with leaders to be able to coach and have data conversations; and being able to track students' development. It is a broader project and initiative, but we have had some really great traction with that.

Ms Berry: And it is more than just the data that has come back from that on the success of that program. I mention Christine Topfer from Tasmania, who I have referred to a number of times in this place. She and this program have provided teachers and school leaders with the skills and a different technique to deliver education, which has made the classroom experience for teachers and students a much more positive one. Everybody I have spoken to who has participated in the program has said that it has changed the whole way that they plan their classes—

Ms Hamilton: Yes. One of the strengths of it is the connectedness. It is not teaching in isolation; it is around connecting the learning through all aspects of the curriculum and really targeting that word work after quality literature.

MS LEE: How were the six schools chosen? Were they based on the fact that they were most at need?

Ms Hamilton: We looked broadly at their PIPS growth over three years. We looked at their PIPS to year 3 growth. We also looked at the demographics of those schools. Did they have a high number of early educators? What was the experience of their leadership team? We were trying to build up a really big picture. Then we went a bit deeper, looked at their school data and asked them to talk to us about their reading benchmarks and the small data that is really important to build that picture. That is how we can now measure against those sorts of—

Ms Howson: Ms Lee, it is now 20 schools that are involved in that program, not six.

MS LEE: Yes. I just wanted to know how it started in six.

Ms Howson: And it is one of a number of measures that we have been focusing on over the last two years in order to improve student outcomes in numeracy and literacy.

MS LEE: Thank you; I appreciate that. I know you know that that is an interest of mine. Can you take on notice for me, please, in terms of the PIPS results over the last five years, comparing the six or the 20 schools now that have that program, so that we can get a data—

Ms Berry: If there is data available and it is appropriate to provide it, we can do that.

Ms Hamilton: With some of the schools that have come on this year I would suggest that it might be a bit early to see a lot of traction, but we would certainly—

MS LEE: Sure: what the appropriate data is, enough to see a trend.

Ms Hamilton: We have certainly seen a confidence capability lift in our classroom teachers, as the minister said. There is a lot of traditional knowledge about what students need and when they need it. There is an ability to track students. We are hearing some positive comments back from our teachers and our school leaders about their capability to lead learning and to have those conversations.

Ms Howson: The other thing that that story emphasises is how important it is that teachers have, again, real-time formative and summative assessment data available in the classroom.

Ms Hamilton: It is about having that ongoing tracking and monitoring. It is not about beforehand and the beginning; it is about all the time keeping in touch with where students are at so that teachers can respond and adjust promptly.

MS LEE: Going back to informing teachers about student improvement and, in particular, using data—and thank you for that discussion about the early literacy program; that was very helpful—on page 43 there is a reference to the schools review which states:

The two domains identified as areas for improvement were “analysis and discussion of data” and “curriculum delivery”.

The report goes on to state:

Significant work is being undertaken coordinating teams across the Directorate to design and deliver differentiated services to schools within a model of evidence-driven school improvement.

I understand that it is an ongoing discussion at the moment, but have you got to the reason why those two areas were probably not as good as some of the other areas for the ACT? What is being done about it and when can we expect to get an update?

Ms Howson: Our focus, of course, on those two areas has come from the series of reviews. We revised, improved and changed our approach to school reviews. That process started in 2016. We have been working with the Australian Council for Educational Research, using their evidence-based tool, the national school improvement tool, as our assessment framework. We work with an independent panel that is chaired by the Australian Council for Educational Research. Those independent panels do an assessment of schools; it is a rolling program across five years. Out of that, with the assessments that we conduct each year—for example, this year we assessed 18 schools—we look at what trends are emerging from those assessments.

That is how we have arrived at the focus on implementation of curriculum and the evidence-based approach to informing teaching practice. As a result of that, they are the two areas that we have been investing in as a system. Many schools have participated in professional development in relation to not just the implementation of the Australian curriculum but how to assess the standards that are required and that are prescribed in that curriculum, as well as how to use the data to inform teaching practice, which Mr Huxley can talk about in more detail.

Mr Huxley: One of the key outcomes of the Auditor-General’s and our own school

review processes that Ms Howson has been referring to is the use of evidence and data to inform that, and the need to provide more systematic guidance to schools as a collective. That is a role that the directorate has undertaken, and it has been doing a lot of work in that space in the last two to three years. We have been having a big focus on our school leadership, their capability to use evidence for local school planning and to use evidence to inform what is happening every day in the classroom practice. We have heard about what that looks like in schools, how teachers can use that data and how we are supporting teachers to use data every day for that practice.

A key focus, though, is the leadership at all levels—the principals, the deputy principals and the school leader Cs. We have been doing an ongoing process of workshops and masterclasses over the course of 2018 focusing on the use of evidence-based decision-making to ensure that we have the schools focusing on their areas of need.

We are doing data provision to schools. We are working with schools to ensure that they understand their data. We are providing a baseline dataset to schools to analyse and guide their next steps, to make sure that the precision that they have in terms of understanding their local school's priorities is understood, is clear, and that they have the capability not just to look at the big datasets like the NAPLAN but also at how you embed the available ongoing assessment, formative assessment and other data within your school—the skills to analyse that to inform the best next steps for every child every day. That has been a really big focus in 2018. As to how that impacts teachers, the next focus that we have just next week is a symposium with international expert Helen Timperley, focused on professional learning communities and how we strengthen professional learning communities in all of our schools.

The research tells us that taking a teacher out, going to a PD session and bringing them back into school is not necessarily the most effective model to get ongoing teacher growth and development. We are looking at how we make sure that professional learning communities in our schools are strengthened so that all of our teachers get effective ongoing support at their school.

Obviously, the school leadership play a significant role in that, so the next phase is that we have done a lot of work on evidence-based practice with our principals, looking at how they strengthen professional learning communities, based on their school's priorities, based on the planning they have done, the targets that they have set through action planning, the evidence they have from school review, what NAPLAN tells them from time to time as that data becomes available. It is how we best make sure we have focused on the right thing every day for every student in the classroom.

MS LEE: There is no shortage of data in this space, especially in the ACT. Recently, we have seen up to five independent reports suggesting that there is some work that needs to be done on improving student outcomes in the ACT. I note that the directorate has addressed some of the concerns that have been raised in the Auditor-General's report, and that has been discussed. What about some of the others—the Grattan Institute, the Australia Institute, the ANU paper, even Professor Lamb's report? Where is the directorate at in making sure that it takes on board some of the evidence that has been raised in that regard?

Ms Berry: First of all, the data that has been used in all of those reports is from two years ago. Since two years ago the ACT government and the Education Directorate have been working intensely with our schools. We have already identified a number of programs that have been implemented so far, putting students at the centre of our strategy in the future of education context while ensuring that our teachers have the best possible support so that they can continue to maintain their profession.

Just like doctors, teachers are required to do professional development—at least 20 hours of accredited training each year through the Teacher Quality Institute to maintain their registration and to keep up to date on the most contemporary and innovative methods of delivering curriculum and education in a school community. Whilst all of our public schools are part of one system, different schools have different communities in them, different diversity and different cultural sensitivities. Our teachers will design programs that best meet the needs of that particular school community.

One of the ACT government's commitments recently, in the last budget, was around providing teacher mentor training to teachers, to provide support to new and beginning teachers, to make sure that they have all of that support in place and that they have the support in the classroom so that they do not burn out early in their career, and so that they get that sort of professional mentoring from somebody who has been in the profession for a number of years.

It is also about sharing that wealth of knowledge on contemporary innovation in pedagogy and the delivery of the curriculum across the whole school—not just a moment in time: “You’ve done this course? Off you go.” It is about having continuous improvement in the profession and keeping up to date with all of the most recent innovations, backed up by research and by the expert delivery of programs in our schools.

Part of that was about having 120 teacher mentors being trained in the first year, and our relationship with the University of Canberra being expanded and improved from initially two schools to 20 schools. That means teachers who are studying at the University of Canberra will be able to do their prac work within our ACT government schools while they are still at university, and they can learn different teaching methods and styles from existing teachers and share what they are learning at university with the school communities as well.

Already, from two years ago until now—I have mentioned a couple of things—there has been a significant amount of work done by the Education Directorate. What we have identified, and what every one of those reports identifies as well, and every leading international school system in the world, is that when you focus on improving equity in your school, you will improve outcomes for every single student. That is why the focus of the future of education has been on improving equity outcomes for all of our kids, which means making sure that all of our teachers have the best possible support through their professional development, and making sure that we personalise learning programs for students.

We talked a little bit about the kids who might learn differently because of dyslexia or

other learning difficulties and how they are supported. We have talked about work that is happening nationally on improving a diagnostic tool that includes more than just literacy and numeracy and that has data across a year's learning—not just moments in time—and how that is used so that a teacher can diagnose a particular student's needs. There is also the parents' involvement, because of our Google Classrooms, our Chromebooks and all of the other equity measures that we are rolling out. I am sure there are aspects that can build on everything else that has been happening in our school communities over the last two years.

MS LEE: In terms of follow-up, firstly, what do you say to Professor Lamb, who came out and said that equity in the ACT is a factor that is no different to anywhere else in the jurisdiction? Secondly, are you saying that, because the data is two years old, the findings of those reports are redundant?

Ms Berry: No, not at all. I am just saying that it is data from two years ago. We have not been sitting around and waiting for reports to tell us where the issues are. We have been relying on research and expertise across the country and across the world about how we address the issues within our schools. The Education Directorate engaged Professor Lamb to do this work. It was not like we were hiding issues that we wanted to address. We wanted to address the issues that we understood occurred in our education system, and since that report we have been doing that. I have outlined a couple of programs we are doing now. Ms Howson might be able to talk a little bit more about the Lamb report and—

MS LEE: The last thing that Professor Lamb said in the media was that there seemed to have been a bit of a misinterpretation of his findings. Do you have a response to that?

Ms Berry: Before Ms Howson gets started with this, this is the issue around NAPLAN data and how it is being used. Over the last two years there have been, as you say, a number of reports and different methods used to analyse the data that came out of NAPLAN. All of that will be considered as part of the review of whether this analysis over the last couple of years, a point in time test of our students, is benefiting our students' learning.

What we have done with the data has gone right. We got Professor Lamb in to do an analysis for us and we have gotten on to the work of improving our system, based on not just his analysis but analysis from across the world. Leading countries like Finland do not worry too much about tests; they just get on with educating their children. They are one of the leading systems in the world. We have been learning from those. There are people like Pasi Sahlberg in Finland, who is now working for the University of New South Wales—with Adrian Piccoli, a former Liberal education minister in New South Wales—on implementing the report and reforms from Gonski. All of the work that Gonski has referred to is saying that if you target equity you will resolve the issues around outcomes for every student in every school. Lamb's work was important as far as our ability to understand what was happening in our schools was concerned. We got on with the job of making changes based on a whole lot of analysis, research and expertise, not just one piece of data.

MS LEE: Sure, but my question was about the fact that the latest thing he came out to

say was that there seemed to have been a fundamental misunderstanding of some of his findings. I am giving the opportunity to the Education Directorate to give the response to that.

Ms Howson: Ms Lee, thank you again; it is very important that we have the opportunity. As the minister has said very clearly, we commissioned the Lamb report and we provided that report to the Auditor-General. The findings are evident in terms of issues around equity of outcomes in our system as well as learning gain across our system.

As I explained to you earlier, we have taken a range of steps to address that. Two years ago we started that process. We have adjusted our strategic indicators. We have focused on an improved school review program. We are working against a national evidence-based school improvement tool. We are providing system-level direction on improvements to numeracy and literacy outcomes for students, with a particular focus on the early years. The government has announced a flagship initiative around investment in three-year-old preschool, which we are progressing. All of these are characteristics of what we understand, from the research and the literature, are other characteristics of high-performance systems. That process commenced in 2016, and we are well on our way to progressing each one of those initiatives. I really appreciate the opportunity to elaborate on all of those elements. As to the technical aspects of the reports that you are asking about, I will ask Ms Efthymiades to make some comments.

Ms Efthymiades: I would like to clarify Professor Lamb's point. He said, "No different to the rest of Australia".

MS LEE: Yes. I mentioned that. I did say that. I clarified that.

Ms Efthymiades: It needs to be really clear that Australia has one of the most profound and significant inequity issues in education outcomes as reported in international studies. It has been a known thing that has been talked about and, in fact, has been a growing issue. The ACT is no different from anywhere else in Australia. Equity is our core performance issue. As both the minister and Ms Howson have said today, equity and learning gain as the partner are the key—through personalised learning, empowered teachers et cetera from the future of education—to take us forward from this. If we do not redress those two things, we are not going to change that, and we are going to be just like the rest of Australia in terms of inequity.

MS LEE: In terms of the data from two years ago and the reports which have been recently published, are you able to make sure that you are looking at some of these new findings from the data from two years ago and saying, "Yes, the work that we started two years ago is actually on track and some of the concerns that have been raised by these five reports are being addressed"?

Ms Berry: Absolutely. It is front and centre in the future of education strategy. The Chromebook rollout was very much focused on equity.

Ms Brighton: The other findings in this school review talked about implementation and embedding the Australian curriculum. The government has invested significantly in the leadership capabilities of school leaders in understanding and deeply

embedding the curriculum in every classroom in their schools. Over the last 18 months we have spent a lot of time with our school leaders and our executive teachers on a deep understanding of the curriculum as the first and foremost point so that the pedagogy can pick up the elements of the curriculum and apply that to students.

You ask if we are well underway. We are. We are focusing on early years literacy and the core skills of leaders and classroom teachers. We are focusing on writing. We have used a similar methodology to what Ms Hamilton outlined with early years literacy. We are doing the same thing with writing in our high schools, to give school leaders and teachers the skills, and to strengthen those skills, in how to have strong practices in the classroom to help students become stronger and better writers.

MS LEE: Are you confident that in two years time, if the same analysis of those five reports is done on data up to today, we will see an improvement?

Ms Howson: We are confident, because we have designed our process on the basis of the best evidence available today. We obviously would not be spending time and, importantly, resources on things that we did not think would have an impact.

MR MILLIGAN: The original COAG agreement indicated that directorates have a target of three per cent Indigenous employment. From my understanding, the ACT government has changed that target down to two per cent. Currently the employment percentage of Indigenous staff in our education department here is 1.5 per cent. The department has also implemented an employment action plan, with 35-odd initiatives, to try to attract and retain Indigenous staff. Given that your employment staff numbers have only risen by two Indigenous people, do you claim that the employment action plan is successful, that it is actually attracting Indigenous staff to the directorate?

Ms Howson: This is a very important issue for us. We are certainly focused on ensuring that we provide opportunities for Aboriginal and Torres Strait Islander people to join our workforce, particularly in our education workforce. We have a range of initiatives in play. With the numbers, as you say, we have set stretch targets. The Chief Minister's directorate has set stretch targets for us. We are one of the highest employers of Aboriginal and Torres Strait Islander people in education across the ACT government. And we are having good success in the way in which we are working with our staff to be known as an employer of choice, if I can use that terminology. Yes, we do have the confidence in our strategies, and we are building on them over time. I will ask Ms McAlister to elaborate a bit more on that.

Ms McAlister: To answer your question: yes, we are very proud of our employment strategy and, yes, we believe it has been successful. It received a commendation when it was first released. It has come to its conclusion and we are reviewing it now and also reviewing our RAP. They have got to the end of their lifespan and will be refreshed in consultation with our community.

That employment action plan has guided our action in several different ways. We have linked closely with whole-of-government employment plans. We have built a very close relationship with our very active staff network within education. Our senior

executive team meet with our staff network regularly. We sponsor attendance at the Garma festival for Indigenous staff, and also non-Indigenous staff, on an annual basis. And the fourth priority has been about increasing our cultural integrity or environments that are culturally welcoming for all of our staff. We have involved the elected body in the creation of our employment action plan, and we will continue to involve them as we refresh it.

We keep track of whole-of-government numbers very closely. We go up and down. We have a casual element in our workforce that works for staff members. Importantly, we keep track of the positions that our Aboriginal and Torres Strait Islander staff are filling. And it is important that we support our school leaders who are Aboriginal or Torres Strait Islander.

Ms Howson: Another thing that we are investing in is scholarships for Aboriginal and Torres Strait Islander students that have made a choice to pursue a career in either the health or education sectors. We hope that at the end of their study they will choose our directorate to join. These are part of the pathway initiatives that we have initiated. Five tertiary scholarships were awarded in 2018. Four of those students were undertaking a teaching degree. We currently have eight secondary scholarship holders, of which six were awarded for 2018, with four for health and four for teaching. These are very practical steps that we are taking with students in our own system to encourage them to stay in our sector.

MR MILLIGAN: When is this review of the employment action plan due? And who is being consulted on that review?

Ms McAlister: It will begin later this term. The elected body and our staff network will be very active in articulating our success or otherwise. We will define key stakeholders more broadly. But it is later this term. It comes to the end this year.

MR MILLIGAN: And the Garma camp, for four days or so?

Ms Howson: The festival.

Ms McAlister: It is a festival/conference, actually.

MR MILLIGAN: Did four teachers attend? Is that right?

Ms McAlister: Correct.

MR MILLIGAN: Why only four? Is it not open to students to attend? Is it just for teaching professionals?

Ms McAlister: It has grown over time as a concept. It was originally two. It has built on its success. The attendance has been life changing for individuals. Ms Howson strongly supports it, as a past attendee herself. After this year's attendance, the staff brought back the idea that they want to have the conversation about the value of sending students. We see an opportunity in the future to sponsor student attendance as well.

MR MILLIGAN: You mentioned scholarships. I am just trying to find the page in the report. For one of them there were 16 applicants, but only six or so were granted scholarships. Can you explain why that was the case and why more scholarships were not offered?

Ms Brighton: Let me see if I can access that information. We will be happy to get that information for you.

Mr Matthews: Can I confirm, just to allow us to do that, that you are talking about page 31 in the annual report?

MR MILLIGAN: Correct.

Mr Matthews: And it is particularly the reference to the Aboriginal and Torres Strait Islander tertiary scholarships?

MR MILLIGAN: That is right.

Mr Matthews: We can get you some more information on that.

Ms Brighton: Yes, certainly.

MR MILLIGAN: That would be great.

THE CHAIR: I was wondering if someone could give me an update on the future of education strategy.

Ms Berry: Yes, we can give you an update on the future of education strategy.

Ms Howson: Thank you for that opportunity. We have been involved over the last 12 months of this reporting period in an extensive consultation with the community. The minister has spoken to the Assembly about this on a number of occasions. What we were very proud of was the extent to which the Canberra community involved themselves in this issue. And taking it back to Ms Lee's original questions in relation to our student outcomes, school performance generally and the focus on equity, the coalition of this consultation with the community and that data gave us a solid framework to discuss with the community what they felt was important.

We were very proud of the fact that more than 2,000—I think 2,400—students participated in that consultation directly. And, again, high-performing systems across the planet are able to demonstrate very clearly that students have a voice in the determination of what is happening in their own educational experience. And that is the case certainly in relation to the future of education. What came out of that was some defined principles and four areas of focus. Again, that is supported not only by an extensive consultation process but also by a literature review on contemporary research into high-performing education systems. I think that report has been released today—the report on the research that underpins the future of education strategy. The minister may talk to that shortly. I might ask Ms McAlister now to go into the four areas of focus.

Ms McAlister: Certainly, yes.

Ms Howson: And where we are at in terms of defining the specific initiatives.

Ms McAlister: What we have been hearing about this morning is the future, and the strategy is deeply rooted in contemporary research, as we have been hearing about this morning. I want to reference David Gonski's work on the review of educational excellence in Australian schools where he talks about priorities that systems need to adopt—one relating to students, one relating to the content and one relating to the system.

Gonski says that, with students, we need to deliver at least one year's growth for each year of attendance. With the content, he talks about equipping each young person to be confident and capable in an ever-changing world. And for the system, he talks about an adaptive and ever-improving system. These three very much have a focus within the strategy under each of our foundations. I will not go through them in detail. We have a copy here for you.

But I think it is important to communicate that the plus for this strategy in the ACT, as we heard from our community, was that the community absolutely believe that they have an important role to play in supporting the learning of young people in the ACT. The fourth foundation, about strong communities for learning, absolutely honours and supports that feedback.

An undertaking was made to the Assembly on 19 September to do two things. One was to continue to develop the future of education implementation plans and continue the consultation with the government and the non-government sectors. The second was to report back to the Assembly in February on those plans, including measures aimed at lifting academic performance. We are continuing the consultation throughout this term and getting clearer and clearer on what these strategies or what these actions will look like across several sectors. It will be the final stage of a three-part consultation.

Ms Berry: Actually, I can provide for the committee—and I could not provide it earlier because it has only just got to me—the report on the consultations that occurred during the development of the future of education, as well as the research report, which I think the committee will find useful in looking at how the future of education strategy came together.

I think it is important to note David Gonski's recommendations in Gonski 2 and in Gonski 1, but more so in Gonski 2, and those of his expert panel. We had the chance to have two conversations with David Gonski about the direction we thought we needed to go in the ACT, following our consultations earlier in the piece, and he was very helpful in his support for the future of education and our strategy—absolutely focused on equity.

We did also talk about the early childhood work in the ACT and particularly moving towards an aspiration for universal access for three-year-olds in early childhood education. Whilst his terms of reference did not have early childhood education as a

requirement for them to review or discuss as part of the Gonski 2 consultation, the expert panel decided that it was of such importance to a child's education that early childhood education be included in their report that they did include it, even though it was not part of their remit at the start. I would like to think that our contributions to that consultation process influenced their decision to have early childhood education included as part of the Gonski 2 report. I will provide these for the committee. Have we got online versions of them anywhere?

Ms McAlister: Yes, we can provide them.

Ms Berry: We can send you links as well.

Ms McAlister: Most of that research report was released yesterday.

THE CHAIR: And how has the strategy been received?

Ms Berry: Mostly very positively, particularly from the groups who were involved in the consultation. Teachers and school leaders are very supportive of our aspirations and goals for the education sector in the ACT. We have been able to, I guess, talk back again with students who have been involved in the consultations through the minister's student congress, which meets—four times a year?

Ms Howson: Yes.

Ms Berry: We talked about the conversations that we had with them at the start of this process, where their conversations had taken us, through the development of the strategy and then being able to provide them with copies of the strategy and show them where their input had actually led to the future of education strategy. It was really important for those young people to understand and be very clear about student voice and that we were serious about having their voice as part of this strategy. I think that has been the case as you have gone out and checked in with everybody about what we heard and whether what we were focusing on was correct.

Ms Howson: Yes, that is correct.

Ms Berry: Did you want to build on that?

Ms Howson: No. That is correct.

THE CHAIR: And how will the strategy be implemented?

Ms Berry: Coralie McAlister did talk a little about the approach to this, the third part to this consultation process on the actual development of the actions coming out of the strategy. Can you provide any more detail at this stage?

Ms McAlister: We are still in that final consultation stage where we are talking exactly about that. We have the beauty, in a government system, of being able to say, "Personalising student learning will look like this," within the school improvement cycle that you have heard about this morning. There is a strong connection in the government sector between the actions in this strategy, our strategic plan and our

school improvement cycle. There is very strong alignment. This strategy extends beyond the public system, and we are continuing to have those conversations, as was our remit, with the non-government sector and asking how this looks in their sector.

MRS KIKKERT: With regard to the learning support units, whose decision is it whether a child with challenging needs and complex behaviours is accepted into a particular school, and are there any grounds for refusal?

Ms Seton: By “learning support units”, I am assuming you are talking about the units in which there is a criterion and students need to meet that criterion to be part of it. We have three different types of—we call them—small group programs. We have an LSUA, which is a small group program for students who have a diagnosis of autism. We have an LSU, which is a small group program for students with autism and/or an intellectual disability. And then we have learning support centres, which are for students with autism, intellectual disability or who fall within a range in which they have significant learning difficulties. They are the three different types of programs and the criteria.

Each school manages those small group programs in the way that meets their school community need. If they have a student who does not technically meet criteria, that does not prevent that student from accessing those supports. Schools make decisions based on the needs of the students and the needs of their community. They might have students, for example, who are eligible for the unit and have a space but they are spending most of their time out with their mainstream peers because they are very capable of that. There may be other students who do not meet the criteria, who perhaps have a trauma background and are really struggling to maintain that mainstream experience, and they will access the smaller group program. It is flexible.

MRS KIKKERT: At the start of each year, what discussions are held with staff of LSUs to prepare risk assessments for student and teacher safety?

Ms Seton: Not every student has a risk assessment and, again, risk assessments do not apply to all students with disability. Risk assessments occur across the school setting, not just within those small group programs. I guess there are four stages of risk assessment. The very first one is a student with an individual learning plan. That is just that a student has some additional needs; what are those needs and how are we going to address them? Some of those might be academic needs. Some of them may be around their social and emotional wellbeing. We then have a plan that may have protective actions in it. That may be a student who does escalate, who is unable to self-regulate. We will have some steps in there to ensure that staff are safe and students are safe, and how do we de-escalate that student without their reaching a point where they may be hurting themselves or someone else?

We also then have a safety analysis. That is our third step, in which we are looking at the school setting. This would be for a much smaller group of students with whom we need to do some additional things. It is really about how we keep everyone safe—the student and those around them. Our priority is always a step out. If a student is not coping very well in the classroom, our first step is to get everyone out and allow them the time to regulate, rather than stepping in and trying to prevent that.

We finally have a risk assessment. Again, that is for a very small number of students. That looks at the needs of the student, the students around them and the broader school community, including the staff. That is something that we look at—the mitigating strategies, how they are working, what else we need to do to ensure all the staff have the training required. Then we monitor those very regularly.

MRS KIKKERT: How are schools chosen to have an LSU in their school? Do the principals volunteer to have that unit in their schools or do you choose? Is it: “This is the school; we want you to have a LSU”?

Ms Seton: Ideally, students go to their priority enrolment area school. When we have a school where we are seeing more numbers of students, that might be the time we say to that school, “You have six students in your area who are coming to you with these sorts of needs. Let us help you set up a small group program.”

MRS KIKKERT: How does the rest of the school community adjust to the new school unit for special needs kids?

Ms Berry: Before Sam Seton continues with that conversation, I think it is really important to note what we heard from the conversations that we had through the future of education, particularly from students and young people, about how they wanted to ensure that every student, regardless of their background or needs, was very well supported in their school. It was really good to hear that our students want to make sure that even kids that have other things going on in their lives which mean that they might not be coping as well in different situations, or who learn differently and have other challenges in their lives, are also included as part of their school system.

I think our schools have great supportive and inclusive students who really take up the responsibility of providing that extra support as a friend, I guess—as a kid in the school—to support those young people as well in the way that they can through friendship and inclusion. But then, of course, there is the professional judgement of teachers about how students are supported in different ways as well.

Ms Seton: Further to that, all schools have students with disability; so in terms of a small group program, it is really the inclusion journey that that school is on. It is not some brand-new add-on thing. All of our schools have students with disability. They are all meeting their individual needs. We are supporting our schools to ensure that they are inclusive. When I say inclusive, I am not just talking about students with a diagnosed disability. We are talking about the needs of all students and ensuring that they meet everyone’s needs.

MRS KIKKERT: When you are speaking about the needs, I have to say that a lot of the students in a certain primary school are unhappy with the way their playground is set up. Their playground is set up so that the special unit kids can have somewhere safe to play. It is all locked. In order for other students during recess and lunch to get access to their playground—the only playground in the school—they have to find a teacher, who could be five minutes away or somewhere else.

They would have to find the teacher, bring the teacher over and open the gate. Most of

the time the teachers are quite upset because they have to leave what they are doing, walk over to the school gate and open the gate for a nine-year-old to access the school playground. This happens every single time during recess and lunch. The kids are not free to go into their playground. They are not free to go into their playground and so—

Ms Berry: What might be helpful, Mrs Kikkert, is your providing us with the information on the particular school so that we can talk with the school and resolve that issue.

MRS KIKKERT: Sure.

Ms Berry: I do not think any of us know which school you are talking about. Perhaps, out of committee, could you give us that information? Then we can follow up with the school community.

MRS KIKKERT: Yes, that sounds good, because kids want to freely play at their playground during recess and lunch.

MS LEE: Following on from that, can you give us a breakdown of how many government schools have an LSU, an LSUA or one of the three programs, and also the schools that do not have those specific programs? You mentioned earlier, Ms Seton, that obviously schools do what they can to ensure that every student with a disability or a special need is catered for. What support do those schools have, in the absence of the program?

Ms Berry: I think every school does what it is required to do, not just what it can. Every schoolteacher and school leader needs to make sure that every child who has the right to an education gets what they need to support them. That might be through a unit because there might be the numbers there that mean that it is an environment for all those students to thrive in. But every school provides support for children who have different things going on in their lives and different challenges with their learning. If schools, through their risk assessments and through assessments and diagnosis of a child's education, need additional supports, the directorate provides that as well.

MS LEE: I guess this is what I am asking: the first part you may have to take on notice.

Ms Berry: Yes, sure.

MS LEE: How many schools have had the units? The second part is: in terms of the schools that do not, I totally understand the fact that, yes, they need to do certain things, but how does that support come about? Is it by way of funding? Is it by way of extra resources from the directorate in terms of expertise? What is the breakdown, I suppose?

Ms Howson: Ms Lee, we will look to give you the information on the specifics around the LSUAs and LSUs. You will note that Ms Seton has emphasised small group programs because we are working towards students being able to enrol in their

local primary school. That is important because of the social and emotional connections those young people will make which will support them throughout their lives. It also goes to our requirement that each school meets the needs of every student that is enrolled in that school.

MS LEE: I know that, due to some of the capacity issues, the government has started to implement the policy of strictly enforcing the PEAs.

Ms Howson: Yes.

MS LEE: If there is a student who has a specific need that wants to go to their local PEA-mandated school but that school does not have a specific LSU or an LSUA—

Ms Howson: Your question then comes to how that is—

MS LEE: Yes, what support do they have to go to that school or are they allowed to then enrol in a school outside of their PEA which has the appropriate LSU support?

Ms Howson: I have just been informed that the list is actually on our website; so we will provide that link to the committee.

MS LEE: Thank you.

Ms Howson: That is in relation to the units. You are right, though. There is a multifaceted approach to providing support to students. There are components in our needs-based funding arrangements here in the ACT—of course, you know that we were the first system to actually fully implement a needs-based approach to our school funding—that support every school to provide additional supports to the students enrolled in their schools. There are funding arrangements. There is also, where necessary, additional funding that can be provided.

That might be through infrastructure work that makes adjustments to the school environment that enable that student to learn effectively. There is also additional funding, if necessary, to bring in extra expertise to the school to be able to support the needs of the student. Then we have the multidisciplinary student engagement team, MSET, which I will ask Ms Seton to speak about, because I think it is important to understand the breadth of capability that sits within the directorate to support individual students in schools.

THE CHAIR: Sorry to intervene, but with the time being 10.45, we will now suspend for a short break and return at 11 am with a substantive question from Ms Lee.

Hearing suspended from 10.46 to 11.02 am.

THE CHAIR: Welcome back. Ms Lee, you have some supplementaries?

MS LEE: I think Ms Seton was about to answer.

Ms Seton: Just to clarify, you are after the sorts of supports schools can access to meet the needs of students with disability? As we mentioned before, there are a wide

range of supports. All teachers are able to access a different range of PL. Some of it is online; some of it is in small groups; some of it we will go and do as a whole school.

We also have the network student engagement teams, which consist of senior psychologists, social workers, speech pathologists, OTs and specialised teachers. We also have a physiotherapist. That team can support schools in numerous ways. Sometimes it is by going in and doing some side-by-side teaching, perhaps supporting a new educator, being the extra body in the classroom, modelling some teaching, and supporting that teacher to make the required differentiation strategies that the students need.

We are building on the early years literacy project that you have already heard about. We have a tier 2 intervention, which involves our speech pathologists working within the school. With the students who are not responding as we would expect to that early literacy program, the speech pathologist is then working with the school in doing some screeners to see if there is something else going on for that student that we need to be aware of, and then supporting the teacher to put in some of those speech pathology strategies across the classroom to meet the broader needs of the students. They can also refer that parent out if they believe there is ongoing need.

MS LEE: In terms of the recommendations from the Shaddock report that have not been implemented as yet, are there any and, if so, are there reasons why?

Ms Seton: We are finalising all of those 50 recommendations at the moment, so they are all in play. Some are more advanced than others. The reality is that even once that program finishes those things will continue as part of the future of ed strategy.

Ms Berry: Mr Shaddock and his panel were supportive of the work that we had done in implementing all of the recommendations from his report, but also they were happy enough with our implementation plans: that we were going to meet them, we were going to close them all off, as much as you can close things off. So they are no longer part of the oversight group, no longer part of the implementation process.

MS LEE: I want to go to work health and safety. The WorkSafe report that is referenced on page 114—how did that investigation actually come about? How was it instigated, and how did the two-year investigation come about?

Ms Brighton: You are referring to B7, page 114?

MS LEE: Page 114.

Ms Brighton: Could I just clarify, Ms Lee: when you refer to the WorkSafe investigation, you are referring to the narrative we have there about the recent announcement about the enforceable undertaking?

MS LEE: Yes.

Ms Howson: Your question was about how that investigation came about. The WorkSafe commissioner obviously decides when they are going to investigate a matter. There was a matter referred to the Work Safety Commissioner, and they

decided to undertake an investigation.

MS LEE: In terms of the new managing occupational violence policy that was introduced in July 2017, how did that come about? Was that because there were some flaws or gaps or something missing in the ACT public sector managing occupational violence policy of 2012? What was missing from that that required this new managing occupational violence policy that was introduced last year?

Ms Berry: When I was appointed as education minister, at one of the first meetings that I had with the Australian Education Union this was the issue of priority for them that they wanted the government to address in schools, particularly working around changing the culture within our schools of teachers asking for help and it not being a question about their ability that they actually ask for help when they need it. Part of that meant that we had to have a really good look at what was happening in our schools. There are two conflicting rights that we think can work together through the development of this policy. I asked the Education Directorate to prioritise this work in education, considering the right of persons to come home safe and healthy from work and also the right of a child to an education.

Our schools are very inclusive. We have had the Shaddock review, and we have been implementing all of the recommendations for that, but sometimes things can happen in children's lives that mean that their behaviour can be challenging and complex. They might need extra supports. Sometimes that means that a school staff member might be exposed to occupational violence.

The policy and plan have been developed with the Australian Education Union and are being implemented across our schools. We have been raising awareness around this issue and asking teachers to reflect on the work that they are doing in schools and to make an assessment of where they might need more support. They can tell somebody about some of the incidents that might be occurring so that we can develop a strategy around a process—whether there are extra supports that need to be put on; whether the risk assessments that are being done are appropriate; and making sure that the schools have the experience and support that they need for those particular children, and sometimes, unfortunately, parents as well, and other members of the community. That is why the occupational violence plan and policy were developed and came about, but it was specifically around education services.

Ms Brighton: This is not an issue that is isolated to Canberra; this is a national issue. In fact, it happens in education systems across the world. The government has invested over \$8 million in the last two years to improve our approach to health and safety and to provide supports for students with complex needs and behaviours. Our work has quite strongly focused on training and strengthening our support systems for staff, enhancing learning environments and ensuring—through the work that Ms Seton spoke on earlier, understanding the needs of individual children—that we can support those children in a way that can be safe for our staff and safe for the students.

MS LEE: My understanding is that the 2012 overarching ACT public service policy requires that all directorates have an occupational violence management plan in place. Why did it get to the point where the WorkSafe commissioner made some pretty

scathing findings about some of the procedures and policies that were not in place in the Education Directorate? What was missing in the 2012 policy that led to that?

Ms Howson: Again, Ms Lee, thank you for this question, because it is a really interesting one to go to. You are correct about the policy framework. What the union representing our staff were able to articulate to me and to the minister, both of us new to our role in education, was that if you look at the data, which we might go to later, then teachers—particularly teachers in primary school settings where they are working with children with very challenging behaviours and complex needs, often children with learning difficulties, trauma backgrounds and disabilities, or very young children that we are still getting to know in our system—the teachers’ orientation and our learning support assistance orientation to those children are around learning and education, not risk and safety.

What we needed to shift for those teachers was a view that it was in the interests of the students as well as them if they were to recognise that the things that were happening on a day-to-day basis cumulatively were having an impact on that staff member’s health and wellbeing. It was about not putting it aside, because they understood where it was coming from. You heard Ms Seton talk earlier about the context of students who have not learned to self-regulate. Many of these students are non-verbal; they cannot communicate how they are feeling and what is happening to them. They do not understand the settings that they are being put into, particularly littlies. You will note that the enforceable undertaking refers particularly to two cases that involve kindergarten-age children. The schools and teachers are getting to know these little ones; the little ones are getting to understand what it is like to be at school.

Many of them, as I said, do not have the communication skills or the wherewithal to be able to talk to their teachers about how they are feeling. They escalate in their behaviour. They are not good at self-regulating, so their behaviour becomes aggressive in that context. Teachers understand that; therefore, they are reluctant to identify that as a work health and safety issue. Do you understand what I am talking about?

MS LEE: I do. I suppose we need to differentiate. I totally get where teachers are coming from. They do not want to be seen to be dobbing in a student.

Ms Howson: They are there for the students.

MS LEE: Yes, exactly. Absolutely. I totally understand that. And I understand that, given some of the work that may have happened, we have seen an increase in reporting. You have to take that as a good thing.

Ms Howson: Yes, and that has been a very important response for us in being able to shift the orientation of teachers and learning support assistants to realising how important it is that they identify these things. That reporting provides for us early indicators of whether additional supports and structures are needed in the classroom to support both the student and the teacher.

With the shift in 2016, those particular cases were referred to the Work Safety Commissioner. They commenced their investigation. It has taken them two years to

get to the point of finalising their investigation. In those two years we have been refocusing on our occupational violence management plan approach, with a particular cultural orientation to the way in which it works in classrooms and schools.

Also, you will see in the enforceable undertaking that there is a degree of recognition. In fact, the \$8 million that Ms Brighton mentioned earlier represents initiatives that we have been putting in place since that time, particularly since early 2017, in order to address this issue in our schools. That has been recognised in the enforceable undertaking.

The additional things that are required essentially are, firstly, that we continue the implementation of that occupational violence management plan. Further to that, it is that we engage with other jurisdictions. As Ms Brighton said, this is not just a problem in the ACT but a problem across the board with any school system that is inclusive in its nature, so we can share our experiences and learn from each other; that is a very important component. Thirdly, it is important that we engage with parents. It is always a partnership with parents in being able to address the needs of any student in our schools.

MS LEE: As I was saying earlier, on the one hand you have the cultural change in getting teachers to acknowledge that the safety of you is important, and I get that that is going to be a much harder task because, as we all know, teachers are pretty selfless. They are probably going to put themselves last, as it is. I suppose that, on the other hand, there are some of the failures that have occurred that we have seen reported, when reporting was done. Have you identified exactly where the failures were? What are the learnings from the WorkSafe report? In terms of some of the initiatives that you announced, minister, in addressing this, how confident are you that that will address all the concerns that have been raised?

Ms Berry: With any human service occupation, there will always be a level, unfortunately, of occupational violence when you are dealing with humans. Everybody has different things going on in their lives and sometimes that is not obvious. But we are already seeing the change that is happening through the awareness raising. Already, through the work that was done in implementing the recommendations of the Shaddock review and ensuring that our schools are inclusive, I know we are absolutely on the right path to start seeing improvements and reducing the number of incidences in our schools because of the awareness that exists of this particular issue.

Ms Brighton: The work over the last two years has been not only about strengthening capability but also about how we respond when things do occur. While I cannot talk about specific matters, I can say that when there are injuries in the workplace we have a very clear expectation that not only do those staff report those injuries but when those injuries are reported their supervisor follows it up with them. We then need to look at what went wrong and what needs to happen to further strengthen the supports around that child, that staff member and those others working with that child to ensure that that does not happen again. In the undertaking we talk about strengthening those risk assessments and strengthening those controls. The work we have done in the last two years has significantly progressed that, and we will continue to focus on that, going from strength to strength.

MS LEE: What is the current policy or procedure when a report is made by a teacher of physical violence in a school? You alluded to it, but could you spell it out.

Ms Brighton: Yes. When a staff member reports an incident, that report goes to their supervisor. By and large, the first time that a supervisor will hear about these things is if a staff member verbally lets them know. The supervisor will often prompt them: “Make sure you put it in RiskMan.” They will talk through what happened, whether the staff member is okay, what went on and then what changes need to be made to make sure that that does not occur again.

When schools need additional expertise and supports, our network student engagement teams and our work health and safety teams can also come in to the school and provide specialist expertise. The general approach and policy expectations are that the supervisor responds, they make sure the staff member is okay, they look at the mechanisms around the incident and what occurred, look to strengthen things and call in expertise if they need to.

MS LEE: What happens if the same staff member makes a second report?

Ms Brighton: It is the same methodology, if it is the same situation arising. If I can use work health and safety language, when we look at those controls around how we ensure that the student is safe and our staff are safe, when those same events happen again, it generally means we need to revisit them. We would expect that the school might seek out some additional support from our experts within the education support office to provide additional assistance. That happens in a large number of cases. If they need additional supports, they will reach out. We are a learning organisation. We are on a journey. We have spent two years trying to strengthen our response to work health and safety. We will continue to focus on that.

Ms Howson: It is also important to note that the whole point of recording in RiskMan is that there are third parties that are considering those reports and any trends that are emerging from those reports. There are flags that would come in to the Education Directorate, and to our work health and safety team in particular—a specialised team that sits within our people and performance branch. They would be monitoring RiskMan, and if there was a sense of a particular trend in a school that ongoing issues were not being adequately addressed, we would activate some additional support and make some inquiries about what was going on.

We also have an internal area of the directorate that staff can call if they feel that they need further advice or if they feel that the response at the school level is not meeting their needs. That is something that we will be promoting more aggressively to our schools as well. It is all part of this cultural change to keep reinforcing that we want to know. It is a positive thing to report these incidents and it enables us to ensure that teachers and learning support assistants are better supported in the work that they are doing with students.

MS LEE: What happens if the same staff member reports a third time?

Ms Howson: It is the same scenario.

MS LEE: The same response is given to a staff member who has reported multiple times?

Ms Howson: Sometimes with students it could be consecutively. I might ask Ms Brighton or Ms Seton to give you some examples. It would take us a little while to work out what controls are going to have the right impact on that student. As I explained earlier, we are often talking about young children that we are getting to know and we are not sure exactly what will make the difference. It could be, without being specific, that we are still working through what the adequate controls are and what the approach to that student might be.

MS LEE: In the meantime, how does the directorate ensure the safety of not only the teacher but also the student and other students?

Ms Brighton: This is where the role of the supervisor is very important. Ms Howson spoke about the controls and getting to know the students. Sometimes it is about the consideration of the right control. Because the majority of these incidents are in the lower years of school—they are in the primary sector—sometimes it is about getting to know the students. Sometimes it is about whether we need to do more about how we apply that control. Have we assisted the staff to be well enough equipped to understand the signals from the child and how to apply the control? The supervisor will work with staff members on this, and our network student engagement team can also engage in it. If a supervisor is seeing multiple reported incidents, we would expect them to respond accordingly and take a step back and a look at what is going on more broadly.

MS LEE: Where are the parents in this? Are they notified? If so, when, and what is their role? Obviously, these are the parents of a child that perhaps is doing the violence. What is the parents' role?

Ms Brighton: Ms Seton, earlier on, spoke about the four different types of assessments that we might use to help inform us about how to best support the needs of an individual child. Parents are involved in those conversations.

MS LEE: I am talking about after incidents have happened.

Ms Brighton: When incidents do occur, those assessments are often revisited to see whether the child has gone through a growth spurt and whether that has changed how their behaviour might be manifesting and what we might need to do in response. Parents are continually involved in those discussions.

MS LEE: What support is given to other students who may have observed or been in the same place or witnessed certain violent and pretty horrific incidents in classrooms? What support is given to those children?

Ms Brighton: As the minister said earlier, our schools are really inclusive schools, and for—

MS LEE: I am not doubting that.

Ms Brighton: Part of the work we do across our schooling sector is building the capability of our young people, regardless of what year of school you are in. It is about how to be present with other people in school classes, how to have respectful relationships and how to be a member of a community, be that a school or the broader community in society. If there was an event that made the school leadership team or the classroom teacher form a view that other students in the class needed support, the school would deploy supports to those students. Those supports would meet the needs of those students and would be characterised by whatever the particular situation was.

MS LEE: Is there a policy in place, though, for how to deal with those children who may have witnessed something that could be traumatic? We know that, for example, if you draw a parallel to domestic violence situations, children can be traumatised from witnessing incidents in the home. When it comes to violence, surely it is not much different if they witness it in a school?

Ms Howson: No, that is correct. It means that we rely on local judgement—again the role of the school leader is critical here—in making an assessment of the impact on other students. All students have access to counselling supports, psychological supports and other information that would assist them in dealing with the impact of that situation.

MS LEE: Is there a clear policy that school leaders can go to and say, “Yes, this is what I can follow and get guidance on”?

Ms Howson: This is a part of the practice in relation to the student welfare approach. Our student welfare policies would certainly support this.

MS LEE: Are you able to provide a copy of that or give us a link?

Ms Berry: It is all available—

Ms Howson: It is all on our website.

Ms Brighton: Ms Lee, if I can add to what Ms Howson said, a classroom teacher will use their professional judgement. If something has happened in a class, if it is between two students or a student and an adult, a teacher, using their professional judgement, may well sit down and have a group discussion with the students about what happened, what was driving that and what we can do as a group of peers for that adult, that student or both of them.

It is very common practice, regardless of the incident—be it something very significant in the media the night before or seeing something that happened in the playground. You will find that, in some of our schools—even associated with the fires that happened late last week—there will be conversations in classrooms to allow students to express their views and their feelings and for staff to help them work through that.

MS LEE: Unless, of course, the teacher themselves has been, for want of a better word, the victim and they do not have the capacity to do that at that immediate point

in time.

Ms Howson: That is an important example, again, of why we rely on the professional judgment of our school leaders to assess the circumstances of any particular situation that you might be referring to and how they respond to it. The point is that there are a range of supports available to schools, from experts in psychology support and social work support through to the professional judgment of teachers about having a conversation with students.

MRS KIKKERT: Is it at all possible to have an assistant teacher present in those classrooms where the school identifies that there are a lot of behavioural issues with the students? How many assistant teachers are there?

Ms Berry: There are two questions. The first one would absolutely depend on the professional judgement of the teacher and the school leaders about the sorts of supports that they might need in the classroom, whether that is a school assistant or whether that is a sensory space for the child to remove themselves to or some other different way based on the teacher's knowledge of that individual student. The important thing is that our teachers have relationships with our students. Sometimes they know more about our own kids than we do. They are able to make an assessment and a diagnosis of what kinds of supports that particular student might need. As I said, that could be a school assistant, a teaching assistant, but it could be something else. I do not know how many school assistants we have.

Ms Howson: We can give you that information.

MRS KIKKERT: Have any teachers in the past requested to have an assistant teacher present in their classroom and been denied?

Ms Howson: I would not have that specific information. Again, the school leadership and school executive would make decisions about the context and the needs of the students in the schools, and the experience and the capability of the teachers.

THE CHAIR: I note that the suspension, transfer or exclusion of students in ACT public schools policy was reviewed recently. Is there any indication of a time line for results or conclusions or actions from that to emerge?

Ms Brighton: We have recently been consulting with the ACT community on that policy, to look at bringing in more of a contemporary policy. When we get to the point of finalising that policy, it will provide updated advice to schools around the applications of suspensions in school contexts. At the moment we are viewing the feedback we have received through the consultation phase. Our feedback through the consultation phase has always been informed by a survey of literature nationally and internationally. We will work with our stakeholders on the finalisation of that policy once we have finished assessing the feedback. Given that it is week 3 of term 4 I am anticipating that it will be sometime early next year.

THE CHAIR: You used the word “contemporary”. Why is our previous or current policy not contemporary? What makes you use that terminology?

Ms Brighton: All the public servants, all the schooling systems, go through a review of the policies and procedures. It is not dissimilar to our expectations around teaching. We are always looking at the continuous improvement cycle around our teaching practice. The same goes for our policy settings.

Ms Howson: I think it is just making sure that we are looking at best practice and, again, making sure that our policies we are requiring of our schools are in line with government policy and direction. So in the context of suspension policy, for example, our focus on equity and inclusion is really critical, because if suspension leads to students being away from school, away from class, it just embeds more deeply the barriers to full inclusion and closing the equity gap. That is not to suggest that suspension does not have a role; it certainly does. It is just that our orientation to it as a tool for supporting school leaders to manage the dynamics in their school environment needs to be framed within our objectives around closing an equity gap. Does that make sense?

THE CHAIR: Yes, it does. How many students are getting excluded in a normal calendar year?

Ms Howson: None.

THE CHAIR: None?

Ms Howson: An exclusion requires director-general authorisation. I have not authorised any exclusions.

MS LEE: There was a media report on a student who had been excluded from their school. I cannot remember which school it was. Is that false?

Ms Howson: A student may not attend school. That does not mean that they are excluded.

MS LEE: So it was not mandated by the director-general?

Ms Howson: I do not know the situation that you are referring to. I would need the specifics. But as far as the legislation prescribing exclusion goes, there have been no exclusions in our system. That does not mean that students from time to time are not offered educational services in their home setting or alternative settings. That might be because schools are reorientating in relation to being able to meet their needs. They might need to make some changes to their physical environment or other things, for example. I think it is important to understand that we have not withdrawn education services from students in our system.

MRS KIKKERT: They have just been transitioned, not excluded?

Ms Howson: Exactly.

MRS KIKKERT: They are transitioning to a different form of education, whether it be in the home or somewhere else?

Ms Howson: To a particular setting that suits their needs, or circumstances that suit their needs.

MS LEE: You might want to take this on notice, because it involves a few numbers. On page 116 there are some numbers on reporting of incidents. It says that in the reporting period 3,139 work health and safety incident reports were received. Are you able to provide a breakdown of the nature of incidents and how many involved violence either to the teacher or to another student by a student?

Ms Howson: I think we can help you with that now, in the context of what those reports are made for.

MRS KIKKERT: And repeated violence with the same person.

Mr Matthews: The way we report our data is on individual incidents. In terms of the reporting that you have got in the annual report, they are about an event, and there could be more than one report made about a specific incident as well. I think it is important to keep in mind, when we look at a number in the annual report like that, that it is an event-based report, so if multiple staff members report an incident they are all counted.

MS LEE: Yes, but you have got the breakdown of those figures?

Mr Matthews: Just to clarify, you are looking for the breakdown of the total incidents that are mentioned on page 116 which involve occupational violence?

MS LEE: Yes.

Ms Fitzgerald: The figure in the annual report was 3,139, which was the total incidents for the 2017-18 year. The number of occupational violence incidents from that number was 2,398, which was—

Ms Howson: That is the number of reports.

Ms Fitzgerald: Reports through the RiskMan.

Ms Howson: A number of those reports may relate to a single incident. That is because we are encouraging not only, for example, the teacher who may have been directly injured but also other staff who may have witnessed the event to report.

MS LEE: Which is why you have got “including 38 reports for other parties”—is that what that means?

Ms Howson: Probably.

Mr Matthews: I will correct the record if I am incorrect in what I am about to tell you, but no. For example, if there were four teachers that were threatened by somebody then they could each put in an incident report and they would be counted as four incidents. In terms of other parties, there might be situations where people might be reporting on behalf of a student, for example. But when we do this count we are

talking about incidents from our staff members who have made a formal report under our incident reporting system.

MS LEE: And just to clarify, the 2,398, which is the occupational violence aspect of the 3,139, are just teachers coming to harm, is that right?

Ms Howson: Any staff member.

Ms Fitzgerald: Any staff member in the directorate.

MS LEE: Do you have a breakdown of teachers who have been harmed in the classroom? Do you have that figure?

Ms Fitzgerald: No. I would have to take that on notice. I do have the number of lost time injuries of that number though.

MS LEE: That would be very helpful too.

Ms Fitzgerald: Which was 75 of 2,398, which is 3.1 per cent.

MS LEE: And lost time, do you count that as one day, half a day? What do you count as lost time?

Ms Fitzgerald: One day or more.

MS LEE: And you will take on notice the category of teachers in the classroom?

Ms Fitzgerald: Yes.

MRS KIKKERT: Does that include the reports on kids being reported to CYPS for child abuse?

Ms Howson: No.

MRS KIKKERT: That is completely different?

Ms Howson: Yes.

MRS KIKKERT: Just staff? Sorry, I thought it was staff and students.

Ms Fitzgerald: Just staff.

Ms Howson: It is reports related to occupational violence or other work health and safety incidents.

MRS KIKKERT: That does not include student abuse of teachers, right?

Ms Howson: Yes.

MRS KIKKERT: It does?

Ms Howson: Yes.

MS LEE: Under that same heading you have got in addition to the work incidents there were 1,660 student accident and incident reports. Are you able to provide a breakdown of how many of that was violence related within the school? Do you have those figures?

Ms Fitzgerald: No, I do not. We would need to take that on notice.

MS LEE: If you can take that on notice.

Ms Fitzgerald: We will.

MRS KIKKERT: Do you have figures on kids who are being reported to CYPS? Do you keep data of that?

Ms Howson: No. That would be a question you would need to refer to the Community Services Directorate. They certainly collect data on the number of child protection reports that are received from educators.

THE CHAIR: Can you please give me an update on the future skills academy and centre for innovation and learning?

Ms Berry: Yes, we can. There are two places, of course: a physical hub but also an online portal, if you like, for children and teachers and others to be able to access. The Caroline Chisholm School, which was opened last year, actually received awards for its design. It is always nice to get awards for the design of a school, of a class, if you like. But the great thing about this class and the enthusiasm of the teacher in it in supporting children to have different ways to access science, maths and STEM in a different setting means that it is much more exciting for the children and also then educates teachers in different ways that they can provide educational experiences for children in those areas. Did you want to talk a bit more about that?

Ms McMahon: Certainly. Part of students and teachers attending the CCCIL, the Caroline Chisholm Centre for Innovation and Learning, is that our educator who is based at the school will go and work with the teachers who will be coming and they will design the learning program that the children will be engaging with both at their home school and at the time that they spend at the CCCIL. It is really working both on student skill development and also on the development of the teacher's pedagogy around that.

To date we have had 13,000 school visits, student visits, to the CCCIL. It is having a really big impact in that centre at the moment.

THE CHAIR: And it is the one site down south?

Ms McMahon: Yes, and then we are developing a north side hub as well which will be located at the Lake G College. We have got an architect employed at the moment to do some retrofitting of that space, with the staff being employed at the moment for

that centre to be open next year.

THE CHAIR: The 900 students who have visited the site down south come from across Canberra?

Ms McMahon: They come from the south of Canberra and they are having multiple visits at the centre as their learning program. It is not just one visit; it is multiple visits over the semester.

Ms Howson: I think the beauty of this particular approach is that it provides a learning hub for not only students but also staff. There have been a significant number of our teachers go through the centre to see demonstrations of new pedagogy, to attend professional development. One day I was down there and preschool teachers were, in fact, in the chemistry room learning how to consider concepts that relate to chemistry through the early years learning framework.

As well as that there are a lot of stimulus activities for schools to be able to be involved in group collaborative-type projects like bridge building projects, robotics et cetera. They are doing something with formula 1 at the moment in terms of designing engines and motors. It is broadly interesting to a whole range of students. Then teachers can work before and after their attendance at the centre on creating personalised learning opportunities for students in science, maths and technology in ways that probably even you, chair—noting that you are a lot younger than I—did not get to experience when you were at school.

Ms Berry: I think one of the great things about the centre though is that it does expose kids and teachers and others to different experiences. When I was there, there was a young woman who had sort of disengaged a bit in school and joined up in the robotics program where they build their own Meccano robot and then compete against each other on a course that they also develop. I think they can go on to other competitions as well.

Ms McMahon: That is the RoboCup.

Ms Berry: RoboCup, yes.

Ms McMahon: There are opportunities like that. We have a lot of technology that schools may not necessarily have. We have the more cutting-edge technology at the centre which, over time, schools will be able to then incorporate into their own programs once they have done that try-and-test process.

THE CHAIR: When a class and a teacher go to one of these facilities, is it the teacher utilising the facilities or are there people on hand at these centres that provide new insights into how to use these—

Ms McMahon: The teacher at the centre will work with the teachers in their own setting to be able to develop the program. They will then do some shoulder-to-shoulder coaching whilst the teachers are at the centre. But it is really about building the capacity of our teachers to be able to do that independently. There are limited resources on site, human resources, to be able to support them if they need it. But,

really, we need all our teachers to be able to be empowered to do that back in their own setting.

Ms Brighton: What we are also doing as part of the north side and south side campuses, if I can position them as that when the north side opens next year, is looking to expand that to engage industry and professionals to work with our students and our teachers so that they get that dimension of real-life experience. It is not down to just the staff who are employed at the centres but actually we are drawing upon expertise from across the territory to feed into the learning that these students can access.

THE CHAIR: You said that there were limited human resources at these centres. Was it four times that you said a classroom would be going in a year to one of these facilities?

Ms McMahon: It depends on the learning program that is developed with that class in their own school and what they need from the centre. It is really an individualised program based on the needs of that class and those teachers.

Ms Berry: It is not like an excursion, if you like. It is not like they go somewhere for an excursion and do something on that day and then leave. It is an ongoing support for the teacher to learn different ways, particularly in STEM areas, but actually have somewhere that specialises and have the other kinds of equipment and teaching sort of facilities that they would not normally find in an ordinary sort of class setting. They will often go back for another visit. It will not be just like a visit and then that is it, they are done. As part of that program or as a secondary part of that particular program they will go back to their classroom, do whatever analysis, whatever has been developed by the teacher and the school science teacher—I do not know what they are called.

Ms McMahon: As a cycle of inquiry for a unit you may have a visit to the CCCIL as a provocation to start kids thinking about what they are going to be learning about. They will set up a range of experiments or activities for them to engage with. They will go back to their classes. Over the next couple of weeks they will work up what their inquiries might be. They will do some research. They will do lots of talking back at school and design what they want to do at the CCCIL. Then they will go back to the CCCIL over a period of different lessons to be able to enact those experiments or those inquiries or the robot they are going to do, to test out what they are going to do. It depends what it is, whether it is science or maths or technology. And then they might go back to school to refine some of that work and then maybe do a showcase and take some action or do some further work back at the CCCIL. It is really purpose built and designed around those kids and their particular learning.

THE CHAIR: Sounds fun.

Ms Berry: It is.

MRS KIKKERT: My question is with regard to English as an additional language. So what are the current arrangements for IEC enrolments?

Ms McMahon: When a student arrives in Canberra, if they have newly arrived in the country and they come to their local home school, the school will do an assessment of their language skills. If they fall in the beginning band of the ACARA progressions, it will be recommended that they attend the IEC for up to 20 weeks, so two terms, to develop a level of literacy or English that enables them to then engage back in their home school.

MRS KIKKERT: What is the current number of students enrolled in IECs in primary and secondary schools?

Ms McMahon: Let me just find that for you. Do you have another question while I am looking for that one?

MRS KIKKERT: Yes. What flexibility does a student or a teacher have to keep a student in an IEC for longer than two terms or longer than 20 weeks?

Ms McMahon: There is the flexibility for kids to stay longer if that is what the needs are. Normally we can teach students in that small-group setting in a really targeted way that enables them to learn English through those progressions so they are able to go back to their home school, which is where they will stay for a much longer period of time. It is really important that we do get them back to their home school. For some children, that learning will take longer, and there is an opportunity for some flexibility in that arrangement. It is done on a case by case basis.

MRS KIKKERT: What is the student-teacher ratio in IECs?

Ms McMahon: It does depend on the number of enrolments at a particular time but it is about 12.

MRS KIKKERT: Okay. Is any assessment or monitoring done of how a former student of an IEC progresses through their schooling?

Ms McMahon: It would be with the normal processes that we have for NAPLAN. They would go into the normal processes that occur with assessment in schools. They would be given an assessment again using the continuum for EAL/D, which has four bands to it. It is in the top band that we would then exit them out of an English as an additional language support program. Each school assesses all of their children who have English as an additional need or dialect twice a year to determine their level of need. That information is provided centrally and then funded through the student resource allocations. Schools then determine how they are going to support students, whether it be through a withdrawal method or in-class support. But they are monitored twice a year using the EAL/D ACARA progressions and also triangulating that data. In a real sense, if you are in the classroom you are not just going to use one measure of assessment; rather, you will be using ongoing reading assessments and you will be using larger data like NAPLAN or PAT reading and PAT writing to be able to make additional assessments, to be able to really refine the supports that you give to those students.

MRS KIKKERT: How many teachers are involved in EAL/D?

Ms McMahon: That would depend on the school setting and the number of children that you have at that school who have EAL/D as a need. At the school I was most recently at, approximately 70 per cent of our students had English as an additional need, additional language or dialect, so I would have considered all of my teachers to be EAL/D teachers. I had two teachers who did some of the higher level support and the administration around EAL/D, but all teachers are providing services for EAL/D students and changing programs to meet those students' needs.

MRS KIKKERT: How many teachers are appropriately qualified?

Ms McMahon: All teachers are qualified to teach children who have English as an additional language or dialect. There is specific training for teachers at the higher level. We would have to get that information for you.

MRS KIKKERT: Thank you.

Ms Brighton: Mrs Kikkert, I can help with that. Question on notice 1723 from 21 September has some of that information available to you.

MRS KIKKERT: Thank you. What is the suite of assessment resources for EAL/D referenced in the annual report?

Ms McMahon: We have just developed a new suite of resources. ACARA has established the EAL/D learning progressions. The work that we have done in the directorate is to create a suite of resources that are specifically targeted to align to the ACARA progressions. There is a suite of resources that you can use as they are developed and there is also a guidance tour of how you can take everyday, normal practices that you use in your classroom and adapt those to enable them to be used as part of the assessment suite for those teachers.

MRS KIKKERT: What are the accountability measures specifically used for EAL/D funds? Is there any accountability for how a school uses the funding provided for EAL/D? Do they report back?

Ms Brighton: The funding is allocated based on the profile of the cohort of the students and their individual needs. That funding is designed to ensure that the total needs of students are met in a particular school. When the needs-based allocation is made, having regard to the cohort of the students, then the school principals make decisions about the allocation of those resources to ensure that those individual student needs are met.

MRS KIKKERT: Is there any accountability for the school principal to report back on how they have been using the funds? We have heard stories from EAL/D teachers that the funding is not going directly to their unit. They just want to know if there is certain accountability from the time that the money is given out to the time that they are actually receiving the money.

Ms Berry: On the specifics, if you can provide us with details, then we can follow up. But—

Ms Brighton: But in terms of general principal accountability, there is a whole range of mechanisms to ensure that principals are accountable for what happens in their schools. And—

MRS KIKKERT: Is it recorded?

Ms Brighton: We have a plethora of tools to ensure that principals understand the scope of their role and what they are expected to do as part of the execution of that role. At the heart of it, that is about meeting the needs of individual students every day in those schools. And—

Ms Howson: There is also an important role here for the school board. The school board approve the budget for the school for the year. So there is public accountability at that very local level for the way in which school resources are allocated.

MS LEE: I want to go to page 115. I have a couple of questions on some of the dot points there. At the third point it refers to a review by David Caple and Associates and it goes on to say that the report made a number of recommendations and that all the main recommendations of the review were accepted in April 2017. First, is the Caple report available publicly and, if not, are we able to have access to it? Second, can you confirm what those four main recommendations that the directorate accepted were?

Ms Howson: This is another example of the directorate's response early in the identification of the issues around occupational violence. We did engage an external expert to assess our overall approach, policy and procedure and to make recommendations. All of the recommendations are in progress and are reflected in the occupational violence management plan. So in that sense that information is publicly available. Mr Matthews will be able to talk more specifically about the Caple report.

Mr Matthews: I will go through the four main recommendations, at your request. To provide better targeted training and support for school staff who work with students with complex needs; that is number one. Number two is to utilise a WHS-compliant risk assessment process and a casework approach for students and families with the most complex needs. Number three is to review options for a more suitable centrally controlled incident reporting tool for occupational violence to improve the quality and the amount of data captured as well as the usability of and access to data. And the fourth one is about closer working relationships with universities to ensure that pre-educators and early educators are provided with placements and support to teach students with complex needs.

I believe that in our previous answers to WHS questions we have covered off most of those points in relation to the work that is done to train staff to work with and include students with a range of complex and challenging behaviours, our occupational violence plan and policy and our violence risk assessment process. And we have already talked about a number of examples of how risks are assessed and appropriate mitigations are put in place. We have covered incident reporting as well in relation to both encouraging incident reporting data and making better use of it in terms of being able to respond to and identify any trends or issues. The fourth point is a longer term strategy which really is about ensuring that all teachers are equipped with a range of skills to deal with the complexity that they might face in the classroom.

MS LEE: Will the report be made available to the committee?

Ms Howson: The report at the moment is dealt with as any other internal audit report is dealt with, in that it is there to inform our management practice and direction. But we are happy to answer any questions around the content of the report.

MS LEE: So the short answer is no.

Ms Howson: It is not publicly available.

MS LEE: You also mentioned, Ms Howson, just before Mr Matthews went to the four main recommendations, that all of the recommendations in the report were being addressed. What are the other recommendations aside from the four that Mr Matthews just mentioned?

Ms Howson: We might need to furnish that on notice.

MS LEE: Sure, just in terms of the other recommendations that you have got. Also on that page, the second-last dot point says that, as of September 2018, 48 schools have participated in occupational violence training and that the remainder of the schools will be completely trained by the end of 2018. Given that we are one month away from the end of 2018, how are we travelling with that, given that we have 87 government schools?

Ms Fitzgerald: As at 2 November we have completed 61 schools.

MS LEE: In total?

Ms Fitzgerald: Total. We have 27 schools scheduled for the remainder of this term. We also have another session scheduled where people who have missed a session can attend.

MS LEE: When did the schools start to receive that training?

Ms Fitzgerald: At the beginning of 2018.

MS LEE: So it commenced in 2018. In terms of the schools that were highlighted in the WorkSafe commissioner's report, have those schools been trained as at this point? Are they part of the 61?

Ms Brighton: All schools will be trained by the end of this year.

MS LEE: Yes, I understand that.

Ms Brighton: The schools that were referenced in the commissioner's report have had particular focus, attention and supports around them. The occupational violence training in schools for staff builds upon the work that we have been doing over the last two years. There is specific training delivered by the former Work Safety Commissioner, Mark McCabe, to all of our school leaders, to our principals. This

school-based training builds upon that work which started in 2016.

MS LEE: With the three schools that you mentioned, Ms Brighton, that had received specific or particular focus and training, can you outline the detail of that particular focus and training?

Ms Brighton: I used the broader language of particular focus and supports about obligations, responding to needs of students and responding to the needs of staff. But all those schools have participated in the occupational violence training.

MS LEE: So the three have?

Ms Brighton: Yes.

THE CHAIR: Could you tell me about what support is in place for new educators?

Ms Berry: Yes. I talked earlier about the government's commitment to supporting beginning teachers, particularly with the training for teacher mentoring and our better and expanded relationship with the University of Canberra to ensure that beginning teachers in our system get all the mentoring and support that are possible. Of course, importantly, there is the work on every teacher's professional development through the Teacher Quality Institute. Meg can talk a little bit more about our support for beginning teachers, and we could ask Anne Ellis to talk about the work of the Teacher Quality Institute.

Ms Brighton: Our industrial framework outlines a very structured way to support beginning teachers. Our beginning teachers do not take on a full teaching load. They have a reduced teaching load that will enable them to participate in professional learning, and receiving coaching and mentoring in a very structured way within an individual school setting.

The minister referenced the work to further strengthen that, and that will come through our University of Canberra affiliated schools partnership program, which will not only focus on the supports and structures around students participating in initial teacher education, but will then flow through into schools that are participating in the program. That in-service training and development will be delivered to, effectively, teacher education clinics delivered in schools.

That initial support does not stop after their first year. That builds up over a number of years. With the work that we are doing at the moment through each one of those areas of focus that we have talked about—early years literacy, curriculum implementation and the writing strengthening—for the teachers participating in that, it is about further augmenting their skills.

Ms Ellis: One of the really important components of our work is working with schools, not only about beginning teachers but the mentors who work with them. We have just participated in a national review of teacher registration. You will be pleased to know as a committee that the work of the ACT is recognised as best practice in terms of skilling up professional conversations for beginning teachers and the mentors and supervisors who work with them.

The TQI approach, in working with directorates, schools, Catholic schools and independent schools, is one that shows that, by focusing on beginning teachers as a wonderful resource for continued development in the school, we have a really significant impact on their confidence and on the ability of the people who support them.

We also run a very effective and popular beginning teacher network, which includes teachers from Catholic, independent and public schools, and a casual teacher network, many of whom are in fact beginning teachers.

THE CHAIR: I am going to be a bit picky here. Specifically, what has come out of the new education support plan developed in late 2017, and what already existed under the enterprise agreement?

Ms Howson: The government particularly funded a focus on mentor arrangements for beginning teachers. This is to upskill, if I can use that term, teachers who would be mentoring beginning teachers, so that they can be more effective in relation to that support. That was an additional improvement in the overall program. Certainly, the commitments to off-class time, ensuring that the mentorship program was available to beginning teachers, was all part of what we would consider to be the current enterprise bargaining agreement.

Ms Berry: It is what beginning teachers have told us, and teachers who have been around for a few years have said to us that if they had had somebody mentoring them, their experience as a beginning teacher would have been much more enriching as far as their personal and professional development coming out of university was concerned. The mentoring program, as I said earlier, is not only about supporting beginning teachers but about ensuring that teachers who are learning how to be good mentors learn from the beginning teachers about the newest implementation of the curriculum in the classroom as well.

I think this will be a very successful program. Of course, we want to make sure that teachers stay in our system and do not burn out early, and this is about providing those supports so that they stay.

Ms Howson: The minister mentioned earlier today our new partnership with the University of Canberra in our initial teacher training approach, allowing our student teachers, if you like, to be embedded in school practice for longer periods of time. It will better prepare them for the realities of the classroom when they actually complete their degree. The other investment in the last budget process was the affiliated schools project, which is a research-based program for better supporting initial teacher training and having teachers more classroom-ready when they graduate from university.

THE CHAIR: Is there a difference in the way you reduce face-to-face teaching hours for primary school as opposed to secondary?

Mr Matthews: Mr Pettersson, to add to your technical question before, section P(5) of the enterprise agreement covers off issues around new educator development.

Under that section there are maximum teaching hours specified for the first year of 20 hours per week in preschools and primary schools, and 18 hours per week in high schools and colleges. It goes on to further describe other PD availability for individual staff, and other support that is offered to new educators to support them to make a successful entry into the profession.

THE CHAIR: That is a very precise answer; thank you.

MS LEE: There was a reference to scholarships that were provided to enhance teacher capability and increase qualification level through further study. Were they open across the board to all teachers?

Ms Howson: They are open across the board.

MS LEE: How many scholarships were given out, compared to how many actually applied? I assume it was an application process.

Ms Howson: I will see if we can get that information for you before the end of the hearing.

MS LEE: Sure.

Ms Howson: If not, we will take that on notice.

MS LEE: Okay, thank you.

Ms Howson: We have that answer.

MS LEE: Thank you.

Ms Fitzgerald: There were 26 applications, and 16 scholarships were awarded.

MS LEE: And what was the criterion for it?

Ms Fitzgerald: I would need to take that on notice.

Ms Howson: We do actually in the criteria prioritise particular areas that we would like to see strengthened in our system, for example teachers who are looking at improving their capability in disability education.

MS LEE: Is a second language one of those by any chance?

Ms Howson: I think it is but we will get that information to you.

MS LEE: That would be great.

Mr Matthews: And just noting that we have obviously already taken on notice a question about Aboriginal and Torres Strait Islander scholarships as well. We will come back with all that information.

MRS KIKKERT: What is the origin of H courses?

Ms Berry: The origin of H courses?

Ms Brighton: I cannot tell you the history of H courses. I believe Mr Watson may have some of that history.

Mr Watson: An H course is defined as a course which is offered by a university for school-aged students in years 11 and 12. They originate specifically from the university campus. They are not certified courses. They are registered courses with the board of studies. A registered course obviously is a different classification, and the reason for that is that it is not a years 11 and 12 course, it is a university course which is offered to years 11 and 12 students, often giving advance credit, giving an opportunity for extension of gifted and talented students.

In this particular town at the moment the H courses are offered by the Australian National University, and we have students from Catholic ed, independent schools and public education that apply for those through a rigorous process and then have the opportunity to study at ANU in those particular courses.

MRS KIKKERT: Is there any limit on the number of H courses offered in any one year?

Mr Watson: Currently the ANU has a range of courses which it has developed with the board of studies, which is eight to 10 courses, and therefore it is the relationship between ANU and the board of studies as to which ones will be offered in terms of what their needs are and those subject areas within the university that they wish to focus on for that extension.

MRS KIKKERT: And how is the funding for such courses determined?

Mr Watson: The university does the bulk of the funding but it is appropriate, I think, in the relationship between the Education Directorate and the university locally in the town that there is a contribution to make it sustainable and that there is support, particularly from an administrative point of view from the Education Directorate. But I do need to make the point from before that the university is the initiator and the controller of which courses it would offer in the H course space.

MRS KIKKERT: Who made the decision then to cancel the H course in music?

Mr Watson: I am not in a position to talk about that because, from the board perspective, we oversee the development of the curriculum and the relationship with the constituencies but the question on that would probably need to go to ANU, I would think, in the first place.

MRS KIKKERT: Does the minister know?

Ms Brighton: It was a decision of the ANU.

MS LEE: And what was the discussion between the ANU and the Education

Directorate about that? Was it a one-way discussion; that was it, you were just told it had been cancelled?

Ms Brighton: The ACT government through the Education Directorate has provided funding for the H courses to ANU for a number of years and there is a deed of grant that provides funding of \$360,000 over three years for the ANU to deliver those courses. The ANU make a decision about what courses to offer as part of that program and, as Mr Watson said, they accredit those courses with the BSSS and then they make the decision about which ones they offer. While I cannot speak for the ANU I suspect that, over time, as we have seen, with the evolution of astrophysics and engineering and things like that, they have looked at market demand to determine what courses they might offer.

MS LEE: And it is 100 per cent a decision for the ANU, and the Education Directorate does not have a say in the type of H course?

Ms Brighton: Our deed of arrangement at the moment talks about the provisional funding for H courses and then the ANU identifies which courses to offer.

MRS KIKKERT: And has any assessment been done whether ED should continue to fund the music course or actually fund the music course as opposed to ANU funding it?

Ms Brighton: If I can just take us back to what I have said about ANU making decisions about where it puts its funding. I think you might be referring to the music for colleges program that was a funded program through artsACT. That is a matter that you will need to have a conversation with artsACT about. But in terms of the H course funding, that funding has not changed.

MS LEE: I want to go to reportable conduct. Recently there was a report of a finding by the ACT Ombudsman about the lack of appropriate action and due process by the directorate which prompted the first investigation into the territory's reportable conduct scheme. What were the issues that led to some of those gaps and the failings?

Ms Berry: I think the first thing to recognise is that reportable conduct is new in the ACT.

MS LEE: Sure.

Ms Berry: So to be honest, we are still working out how it will work within our systems and within education. We will learn from the implementation, reviews of the implementation and through investigations like this one about how we can respond more appropriately. Did you want to add to that?

Ms Howson: Yes, thank you, Ms Lee. I would say at the outset, of course, that we are committed to the effective implementation of the reportable conduct scheme. As the minister said, the particular incident that was reviewed by the ombudsman happened very early in the establishment and commencement of the new legislation. Arising from that, we are happy to have worked cooperatively with the Ombudsman's office to identify whether current policy practice and procedures were appropriate. Of course,

the review has indicated that there are some lessons for us, as well as the rest of the public service, in relation to the application of that legislation.

It is important I think to emphasise that the information we had was reported to the Ombudsman. The question was the timeliness of sharing that information with other agencies. As a result, the recommendations of the Ombudsman were to revisit our policy and our procedure and make sure that our staff involved in managing those processes were appropriately trained. We accepted all those recommendations and we are in the process of implementing them now.

MS LEE: Is that the entirety of, I suppose, the gaps that were there? Was it the lack of training or were there other reasons that you have been able to distil which led to that delay?

Ms Howson: Again in the context of the introduction of information sharing across agencies, it is becoming a very complex landscape. There are a number of agencies that need to be—

MS LEE: I can imagine.

Ms Howson: informed about a range of things. So the directorate in good faith reported to the Ombudsman. The Ombudsman ultimately shared that information with other agencies. The observation of the Ombudsman was that the information that they shared with other agencies could have been shared by the directorate.

MS LEE: Right.

Ms Howson: That is the lesson that we have learnt. As I said, we need to adjust our policy and procedures so it is crystal clear for our staff on the steps that they need to take, who they need to inform and when in the process they need to be informed.

MS LEE: That still does not really answer why the delay occurred.

Ms Howson: In what respect are you asking that question?

MS LEE: I suppose one of the concerns that the Ombudsman raised was the delay in the directorate sharing information, as you mentioned.

Ms Howson: This comes back again to that point that we did share the information with the Ombudsman but—

MS LEE: That was timely? So it was the delay occurred on the Ombudsman's end?

Ms Howson: Yes, it was. It was. The delay that I think you are referring to was the fact that we did not share that information with other agencies.

MS LEE: Right.

Ms Howson: It was the Ombudsman that then shared that information with other agencies.

MS LEE: Thank you for clarifying that. In terms of the training of the staff that you have just referred to, can you give us some more detail on that? Is it going to be every teacher that is trained in it? Is it every school? What is the nature of that training?

Mr Matthews: I think in the Ombudsman's statement he raises the issue about the interplay between reportable conduct and workplace relations. Really, that will be the focus of the training. I am sure you can imagine a situation where we have a reporting obligation to the Ombudsman, because it meets the definition of reportable conduct, and also we will be looking at our own employment action for potential misconduct.

In the early days of the scheme, the relationship between how we fulfil our responsibilities to do an investigation of reportable conduct concurrently with how we do our employment-related investigations was the issue that the Ombudsman has canvassed in their response. It will form the basis of the training and the policy work that is reflected in the investigation.

What we will be doing is training people who are undertaking either preliminary assessments or investigations about how they can concurrently fulfil the responsibilities of the reportable conduct legislation and to make sure that they are aware that they have the responsibility to act on behalf of the employer to discharge our responsibilities, but also to report back to the Ombudsman about matters that fall within their jurisdiction. Why it is a whole-of-government issue too, Ms Lee, is that obviously this legislation does not just affect the Education Directorate—

MS LEE: Of course.

Mr Matthews: It affects all government agencies; so we will be working with our central agency colleagues to make sure that the policy framework and the training provided to staff is consistent across the government.

MS LEE: When you say the appropriate people who are responsible for reporting will be trained, in the context of the school community who are those people?

Mr Matthews: It really depends on the stage of the process. Ms Howson talks about there being a requirement to notify the Ombudsman immediately if a reportable conduct matter has occurred or possibly has occurred. That could still be in the preliminary assessment stage of an employee-related investigation. In that situation it would either be the supervisor or the principal in a school environment that would be undertaking that preliminary assessment with the support of our people and performance area.

We would be supporting and coaching the person—in this case, the principal—undertaking the preliminary assessment to ensure that they were also able to meet their reportable conduct obligations. But once a matter has been referred to a formal investigation over at the professional standards unit of the Chief Minister's directorate, they would be taking carriage of that employment-related investigation and they will also be supporting the directorate to meet its obligations under the reportable conduct scheme.

MS LEE: Is it not important, though, that every teacher or any person within a school context—I suppose the adult, if you like—is in a position of knowing exactly what happens in the event that they are informed or have some reasonable suspicion that something is happening?

Mr Matthews: Absolutely, Ms Lee. I was answering the question in the narrow—

MS LEE: Yes, sorry.

Mr Matthews: which was about people undertaking dual activity in the sphere of employee relations and reportable conduct. We agree; we accept that there needs to be some general awareness across the whole community and across all our school environments about what is reportable conduct, why it is important and what people need to do if they have those concerns.

MS LEE: Obviously, this scheme is new. Will the teachers code of professional conduct be updated to reflect these legislative changes? If so, when?

Ms Howson: Yes.

Mr Matthews: Yes.

Ms Howson: And we are in process, is my understanding. We have started that review.

MS LEE: Has a formal risk assessment process to guide decision-making around reportable conduct been finalised and introduced into the directorate's operational codes?

Ms Howson: In the conduct of the review of the teachers code of practice we would certainly take a—

MS LEE: So it is part of it?

Ms Howson: Yes. And as I think you are alluding to, information to our professional staff is critical in terms of understanding their obligations.

MS LEE: Who is tasked with doing that work? Is there a section within the directorate?

Ms Howson: It is people and performance.

THE CHAIR: In your opening statement you mentioned upgrades to Amaroo School. I am wondering if you could expand on that.

Ms Berry: Do you want to know exactly what happened there?

THE CHAIR: Yes, please.

Ms Howson: We expanded the capacity for students at Amaroo School.

Ms Berry: There were a couple of things that happened there. There were some increases in classrooms and the size of the gymnasium as well as the upgrades to some of the sports facilities outside. I think the netball and basketball courts were moved and upgraded. They were the three things, but on the actual numbers for students and the types of facilities that were put in there—

Mr Barker: At Amaroo School, there were a number of items completed for the commencement of the 2018 school year. They included the construction of a new teaching area, a learning and teaching area, for 300 students on the school site; and an expansion of the gymnasium. There was a double expansion of the gymnasium; it doubled in size. All that was ready for the start of the 2018 school year, including new hardcourt facilities. When we expanded the gymnasium, we took over some of the existing hardcourt facilities, so we put some more in to expand that play space for the students.

THE CHAIR: Is there anything unique about those teaching spaces?

Mr Barker: They were developed in accordance with the sustainable delivery of public school facilities brief that we use within the directorate now. They are very flexible, for different teaching pedagogies at the school.

Ms Berry: That means that rather than the traditional learning environment in some of the older schools, where it is a hallway and enclosed classrooms on either side of the hallway, this teaching environment has moveable walls and classrooms and lots of glass and light. That is completely different from schools that are 50 years old. There are opportunities for group teaching. I think it is called the marble terrace. It is more about that sort of openness of the space, the ability to close off if you want to do small classroom activities, but also to grow and expand it. I think they have school teacher meetings in there as well.

Mr Barker: Yes.

Ms Berry: There are a number of teachers, obviously, at a school like Amaroo. They are able to fit all the teachers into that space and hold meetings or teacher assemblies where they could not necessarily do that before. It is very mobile and versatile.

THE CHAIR: What was done to the gymnasium?

Mr Barker: It was a double expansion. We doubled the size of the gymnasium at the end. It is a double court. It is quite substantial now. It can take a number of whole group assemblies in there. And it is for community use; it is a community facility.

Ms Berry: It is very well used by the basketball clubs, I understand. I think it has four half-courts and two full courts. It is quite significant in size. But also, around the hall space, the actual hall, there are other teaching classrooms. I think there is a dance studio and a weights room.

Mr Barker: Yes. There are a lot of ancillary facilities. There is a stage as well. It has a multi-use purpose: it is not just a sports hall; it can be a performance area as well.

MRS KIKKERT: I have read from many Florey Primary School parents that they would like Florey oval to be converted into part of the Florey Primary School. Has there ever been a discussion in the past to convert that into part of the Florey Primary School? If not, will you consider it?

Ms Berry: From the Education Directorate's perspective, I understand that some time ago—I cannot recall which year—there was a conversation with Florey school about whether they would take over management of the oval. The school community at the time decided that they would prefer their funds for maintaining that oval to go to other activities within the school, so that did not happen. I do not know when that conversation occurred, but it was before my time.

Ms Brighton: Yes, in 2015-16, somewhere in that vicinity.

Ms Berry: If the school community wanted to take on the maintenance and management of the oval, again we would be happy to talk with them about that. But that is not a school facility. City services manages the ovals and the maintenance of the ovals.

MRS KIKKERT: For all school ovals?

Ms Berry: That is not a school oval. Some schools have maintenance ownership of their ovals. For example, I think Melrose do theirs.

MRS KIKKERT: Red Hill?

Ms Berry: Yes.

Ms Brighton: A number of schools have ovals as part of their overall school facility, and the schools are responsible for the management and maintenance of those ovals. There are other schools, like Florey, who do not have their own oval, but have a community or a neighbourhood oval or green space in close proximity.

MRS KIKKERT: Which is the Florey oval.

Ms Brighton: As the minister said, that is managed by Transport Canberra and City Services.

MRS KIKKERT: If you were ever to convert it into part of the school facility and you would like the school community to participate in maintaining it, would the school get extra funding to have that accomplished?

Ms Howson: That would need to be managed within their repair and maintenance allocation. The costs of watering and so on would all be part of that process.

MRS KIKKERT: But that is a possibility?

Ms Howson: I think the minister would be open to hear from the school community. Of course, the whole community in Florey would also be a stakeholder in that

decision.

Ms Berry: And sports as well. I am speaking with my sport and rec minister's hat on, but the important thing to remember is that sports ovals are primarily maintained by the government: 86 per cent of the cost of maintaining, watering, feeding and mowing and the cost of actually maintaining an oval for formal use is paid for through the community, through the government. That is 86 per cent. Fourteen per cent of that cost of maintaining the ovals is paid for by sports clubs and others who hire the ovals for use.

It is very important that those ovals are used efficiently and effectively, and used at a high level. Otherwise we are paying money for an open green space that everybody is just looking at. That is very expensive.

MRS KIKKERT: But if it is used by the schoolkids?

Ms Berry: It would have be considered more than that.

MRS KIKKERT: That is why I am directing the question to you as education minister, not sports minister.

Ms Berry: That is right. That is not the case in the ACT. We make sure that all our school facilities are available for everyone to utilise so that we can get the most efficient use of all our facilities, including school halls, other classrooms for meetings, as you would know.

Florey Neighbourhood Watch group meets regularly in the school classrooms at Florey Primary School. I have gone down to Florey Primary School and had a conversation with the school principal about the school and their aspirations for the actual school site. But I did not get a feeling from them at the time that they were ready to talk about the ownership and maintenance of the neighbourhood oval. Of course I would be open to a conversation about that.

But we have to keep in perspective every other school and making sure that our sports communities are also involved in whether or not a space like that, where it is located, is the most efficient use of community funds to upgrade ovals for more formal use rather than informal use, which it is available for now.

THE CHAIR: I have a technical question on the maintenance of a school oval which is under the jurisdiction of the Education Directorate. Who actually conducts the maintenance? Is it city services workers that are having their funding provided by the Education Directorate?

Ms Brighton: This is an excellent question, and off the top of my head I cannot give you a confident answer.

Mr Matthews: You are talking about a school oval?

THE CHAIR: Yes.

PROOF

Mr Matthews: Obviously that is done under contract, using funds provided by the directorate. In terms of whom they engage, it would depend on whether it was horticultural works, tree assessments for example, mowing. It would depend. A number of those services are provided through Property Group. They do the actual maintenance work. But what I would answer is: I think that they are not the responsibility of TCCS. They are the responsibility of Education. They are paid for, brokered through, Education. But again, if I am wrong about that I will correct the record.

THE CHAIR: I look forward to it. Thank you. The time being 12.30, we have come to a close. You have taken a few questions on notice. We look forward to receiving those. The committee will now adjourn and return at 2 pm to hear from the Minister for Employment and Workplace Safety and the University of Canberra. Thank you.

Hearing suspended from 12.31 to 2.03 pm.

Appearances:

Stephen-Smith, Ms Rachel, Minister for Aboriginal and Torres Strait Islander Affairs, Minister for Disability, Minister for Children, Youth and Families, Minister for Employment and Workplace Safety, Minister for Government Services and Procurement and Minister for Urban Renewal

Chief Minister, Treasury and Economic Development Directorate

Nicol, Mr David, Under Treasurer

Young, Mr Michael, Executive Director, Workplace Safety and Industrial Relations, Economic, Budget and Industrial Relations Branch

ACT Long Service Leave Authority

Savage, Ms Tracy, Chief Executive Officer and Registrar

THE CHAIR: Welcome back. We now have before us the Minister for Employment and Workplace Safety. Thank you for being here. Would you like to make an opening statement? We made an exception for Ms Berry this morning.

Ms Stephen-Smith: No opening statement, thank you, chair.

THE CHAIR: We will jump into the questions. I note that the workplace safety and industrial relations division has met and in some cases exceeded targets this year. Was there anything specific that triggered this?

Mr Young: I acknowledge the privilege statement. Thank you for the question. The KPIs in question are in output class 5.1. The annual report does reflect that a number of those KPIs were exceeded during the financial year. For example, indicator (f) was a target to reduce the incidence of serious workplace injury across the entire ACT government. There was a target there which was achieved and exceeded by 21 per cent, which means that the public sector is on track to achieve the injury reduction targets which it is committed to and which are aligned with the national workplace health and safety strategy.

Another target that was exceeded was indicator (c). That was a target for verifying that our whole-of-government rehabilitation services are at a high standard. Demonstrating that requires an independent audit against the commonwealth standard. That found a 100 per cent performance level. Significantly, in preparing the audit report, the auditor wrote that over the past eight years the auditor has conducted R&S audits on behalf of over 30 employers within the jurisdiction, including both premium payers and Comcare self-insured licensees, and concluded that that audit found that the ACT government system represented best practice in that jurisdiction.

Finally, two other indicators, (d) and (e), essentially go to policy activity and advice around legislative change and representing the territory at national forums. Those were also exceeded. In terms of contributory factors, there was a greater frequency of activity at the national level, particularly for Safe Work Australia, which, during the period, was managing the national review of the workplace health and safety laws. So there were a number of additional activities there.

Also during the period covered in the annual report, there was quite a bit of legislative activity. There were five significant legislative reforms that had activity. They included the Government Procurement (Secure Local Jobs) Amendment Bill, and legislation to implement the final steps of the national WHS laws, which was making changes to the hazardous substances and dangerous goods arrangements in the territory. There were amendments to the WHS act in terms of construction safety and consultation. There was an amendment to the Workers Compensation Act which did quite a bit around compensation payable in the event of a workplace death and dealing with occupational injuries. So it was a busier than anticipated legislative program as well as activity at the national level.

However, those activities at the national level have been of particular benefit to the territory. For example, Safe Work Australia, with our contribution, developed national guidelines, training modules, for the addition of whole person impairment. The territory is now in a position where we are able to call on those, for example, in the reforms that are proposed around motor accident injuries. While there have been increased contributions at the national level, there is a clear net benefit for the territory in our doing so.

MRS KIKKERT: Mental Health Australia have been caught in what seems to be unfair capture of not-for-profit organisations and national peak bodies in the portable long service leave community sector scheme. They have been seeking repayment of the approximately \$140,000 held by the fund, and this is an ongoing issue. Have any other national organisations been caught in the same situation? If so, how many?

Ms Stephen-Smith: We would probably not accept the characterisation of the situation for Mental Health Australia. It is quite a complicated situation and it has been going backwards and forwards for some time. Tracy might be able to provide some more detail. I have been keeping abreast of this situation and it has moved on somewhat in recent times.

Ms Savage: In terms of the situation with Mental Health Australia, we are looking at whether they fall into the definition. We believe that they fall into the definition of advocacy under the act, so we do not characterise it as being captured per se. But we are waiting on Mental Health Australia to come back to us with any response they may have.

MR WALL: My understanding of the situation is that they were captured by the scheme; then, on review, they were advised or it was interpreted that they were not, and, to date, they are currently not paying the long service leave contributions into the fund but are instead continuing to manage the liability by self-funding.

Ms Savage: That was the situation. However, we have revisited the case. We believe that they are now actually captured under the definition of advocacy. Looking at their constitution and other things, it does seem to fall underneath.

Ms Stephen-Smith: We might need to take some advice about how much we can say in relation to this matter, and take some questions on notice, because there is the possibility that this issue might be subject to appeal. I would not want Tracy to be in a

position to have to say anything in this hearing—

MR WALL: Let's not jeopardise a legal proceeding. But, in broad terms, how many NGOs are in a similar situation—they are in a peak body or are in the advocacy space and have been captured by this, and questions have been raised about whether or not they should be contributing to the government fund as opposed to self-managing?

Ms Savage: The first issue is that we do not necessarily look to the status or structure of the organisation. It is really about the work that they are performing and whether that actually fits under the definition of community service industry. There could be multiple ones—child care, aged care and a whole range of things—that sit under that definition. We do not look to whether an organisation is a not-for-profit, for-profit or anything along those lines.

There are a number of what you may characterise as peak advocacy or peak industry bodies that are covered under the scheme that are quite large. We then have some that are very small—quite boutique. But if they are performing that advocacy service then there is clear coverage under the act that we look at. This is really the first time that we have had an appeal from an organisation that has been covered, so it is a matter of probably working through—

MR WALL: Who is ultimately the arbiter on whether or not an employer is legislatively required to contribute to the fund? Is that an ACAT decision or is that—

Ms Savage: No. The initial decision rests with me, as the registrar of the authority. However, it is open to any employer to then seek to challenge that. ACAT is not really an appropriate body, but we could go through other legal means.

MR WALL: I have not read up on this aspect of it, but is there an appeals mechanism to a decision of the registrar?

Ms Savage: There is an appeals mechanism for a registrar not to register an employer under the act, not in terms of—

MR WALL: If someone comes to you and says, “We want to,” and you say no? You can appeal that decision, but not the other way around?

Ms Savage: That is correct. However, there are other mechanisms that employers can use.

Ms Stephen-Smith: As Mr Young noted, there have been some recommendations from the board in relation to some legislative changes. We will be looking next year at conducting a legislative review of the portable long service leave scheme. We will be consulting and trying to identify from stakeholders any gaps that they may see in the legislation and addressing any administrative issues that have come up in the management of the portable long service leave scheme as part of that review next year.

Mr Young: The question of the relevant definitions in the legislation that led to the decision to review the legislation did not arise from that particular case. However, the board and other stakeholders have recognised over a period of several years that the

schemes have been added incrementally. Although there are common governance arrangements in terms of the authority, the board and financial oversight, they are in fact four separately legislated schemes with their own definitions and their own entitlements. In some cases those schemes need to interact with equivalent portable long service leave schemes in other jurisdictions. In a small jurisdiction like the ACT, cross-border issues are relevant.

MR WALL: Construction is the key one there?

Mr Young: Certainly. That is an area where the definition of “construction industry” is a very vexed point of debate around national WHS laws. We do acknowledge that there are complexities that come with the definitions of who is an employee and what is relevant work, which we are seeking to work through in consultation with industry. There is an opportunity there to revisit the definitions of all schemes to identify complexities. But, to be clear, that is quite separate from the matter that has been raised.

MR WALL: Is there an intention in that review to broaden the scope of the long service leave scheme?

Ms Stephen-Smith: That is not the purpose of this review. People every now and again do raise—and I think we talked about this at the estimates hearing as well—different sectors that the scheme could be expanded to. But that is not the purpose of this review at all.

Mr Young: The context of the board review that led to this was to consider the practical application of the schemes in the context of the last expansion. The key focus has been on compliance and enforcement measures, streamlining and clarity of definition.

MR WALL: Best you do not run off, because my question is likely to come towards you. Minister, it relates to your notifiable instrument 2018-415. It is the application of workers compensation to family day care providers. Can you provide us with a background on what led to that decision being made, given that there was a previous notifiable instrument that I believe captured two of the more corporatised community service providers that were overseeing family day care? The more recent decision applies to all operators, especially the smaller, micro umbrella service providers.

Ms Stephen-Smith: From a policy perspective, that instrument was seeking to reaffirm a policy that had been stated by the ACT government previously. The intent of that policy had become unclear, with the passage of another piece of legislation. So this instrument was again clarifying that. I will hand over to Mr Young to be more articulate about the history of it.

Mr Young: As the minister indicated, in 2006 there was a deliberate policy decision to extend workers compensation coverage to the workers engaged in family and long day care services. The legislative instrument that established that called up an award that was in place at the time for the purposes of defining what classes of workers are captured by that. There was a change at the national level that affected the status of that award, I believe in 2011, the effect of which was to introduce uncertainty as to

the legal status of those workers, despite the fact that there was an established policy position.

There were two potential issues that arose from that which warranted our recommendation of urgent action. A number of family day care providers had workers compensation policies in place for those workers. There was a risk, in the event that one of those workers was injured, that the insurer would, despite the fact that there was a policy in place, consider whether their policy indemnified those people on the basis of whether they were a worker for the purposes of the act. They may have found that, because there was this uncertainty, they were not covered. So there was a risk that, despite the best intentions of all concerned, an injured worker may not receive services. Then there was also a problem that some employers had not taken out policies for those workers, which was an uneven equity issue.

MR WALL: I have little concern in situations that arise where there is an employer-employee relationship. The employer should carry a suitable workers comp policy for their employees. But it has been brought to my attention that a couple of family day care providers are essentially umbrella organisations that provide the regulatory framework but the in-home care, for all intents and purposes, is actually provided by a separate entity. They are typically self-employed. They determine their daily rates. They provide care from their home. All the licensing that is done from the government side is to the home that care is being provided in.

Yet for claiming things like a childcare rebate or a childcare subsidy, it is done through the umbrella organisation, for regulatory reasons. Essentially, those organisations are now required to carry the workers comp policy for those clients that are operating. From my reading of the situation, I am trying to get my head around whether or not that was the intended purpose of the instrument.

Mr Young: The intent in 2006 was to extend workers compensation coverage to people in that type of situation.

MR WALL: Okay.

Mr Young: The more recent instrument essentially firmed up that policy position. But the fact that a specific amendment was required in 2006 and again in 2011 is an acknowledgement that the employment arrangements in those cases are potentially complex.

MR WALL: They are not really employment arrangements if someone is essentially self-employed, operating day care in their home but acquitting their federal rebates through another organisation. I would not classify it as sham contracting and I certainly would not classify it as an employer-employee relationship. I am trying to understand the extent there. Certainly, I have spoken to some providers who I guess were aware of the insurance gap that existed. They have taken out personal insurance in the form of income protection, TPD and the like to ensure that they are covered not just in a working arrangement but also across the board so that their liabilities are minimised.

Mr Young: We were aware of that as well. There are some limitations to those

policies, particularly in the types of medical services that can be covered, in comparison with a workers compensation scheme. That was part of the reason for the recent change—to restore, effectively, a level playing field. But in respect of that question of the definition of a worker, at one level there was a decision taken in 2006 that considered those factors, but—

MR WALL: And that only applied to two operators.

Mr Young: Essentially, it set a precedent that is being applied as the industry grows and contracts. But the question of the relevant definition of a worker in those cases is somewhat complicated by the fact that the payment and the rates that are set do move through a third party. Putting aside the government policy position of 2006, it is not a clear contractor-type arrangement, in my understanding, either. We are seeing this increasingly with modern employment arrangements, insecure work and so forth. The nature of those employment contracts is evolving. That does introduce a degree of uncertainty and complexity. In a sense, the recent instrument was intended to resolve that uncertainty in a very clear way for the industry.

MR WALL: The situation now, as a result of that, is that the umbrella entity is required to carry a workers compensation policy for people they do not employ, and that has happened. But I guess there is concern now, given that the government has taken a view that it is an employer-employee relationship and there is a requirement for workers comp, about whether that is going to be expanded in terms of long service leave.

Mr Young: I think the minister previously indicated that there is no intent to expand the current—or there is no active work to expand—

MR WALL: There would not be an expansion of the scheme if you are deeming that family day care providers are now an employee of the umbrella organisation by requiring them to be covered by workers comp. Then, by the same logic, an employer-employee relationship would exist for the purposes of long service leave, payroll tax and a whole gamut of other things. Is that the government's view?

Mr Young: The instrument applied an employer status for the purposes of the Workers Compensation Act. So the direct answer to that question is: it would depend on the nature of those other pieces of legislation. I am not doing any active work at the moment on that question. I do not know whether you are in a position to express a view on how they would fit that definition?

Ms Savage: No, but we would certainly be looking to things like whether the arrangement attracted a childcare subsidy and the like. That is really where we would be looking. But in terms of an employer-employee relationship, I would have to have a look a lot more closely at the new arrangements before I could potentially comment on that. There may be an opportunity, though, for those particular people to look at setting up a contractor-type arrangement with portable long service leave and elect to be covered themselves.

Mr Young: I would add that that type of arrangement is not without precedent. Workers compensation laws include a range of deemed coverage-type provisions

around public interest volunteers, volunteer bush firefighters, surf lifesaving and that type of thing, where the government, the minister, recognises that they are a class of person that provides an invaluable service and should have the benefit of workers compensation. So it does not necessarily follow that the same definition should not flow across all other statutes.

MR WALL: I get that. There is a broad coverage of the workers comp legislation in this jurisdiction. I guess the question just arises in this situation, where the relationship has typically been more closely aligned to a contractor-subcontractor type arrangement than an employer-employee relationship. The workers comp coverage is now being imposed on the entity that redeems the childcare subsidy rebates through the commonwealth. That entity is required to cover for individuals who operate out of their own home, set their own rates, determine their own hours of work and their workload in terms of the number of children they are happy to take on as a family day care provider and the like.

Whilst it has all the hallmarks of being self-employed, those people have been classified under this decision as essentially being an employee of someone else, in their need for that entity to carry workers comp for them. I guess that I am trying to understand the rationale or the motivation for it or the decision-making process that led to it. However, I think we have got as far as we are likely to get on that.

Mr Young: I guess I would just reiterate that the deeming exercise that was gone through recently was essentially to shore up an existing policy decision. There was not a wholesale revisiting of those issues. We relied on the 2006 position.

MR WALL: I recognise that. And you did flag, I understand, that the 2006 decision made reference directly to an award that was in existence but obviously these people do not operate under that award because they are self-employed.

Mr Young: It is getting into a deeper level of detail than I currently recall, but I think there was a replacement arrangement. I do not think it would be accurate to say that they are self-employed in the conventional sense. There are other arrangements that they are subject to. But, as I said, the primary reason for moving quickly was to ensure a level playing field and that people performing those types of services had the benefit of the workers compensation coverage which they assumed they were subject to.

MR WALL: I have one final one on that. Was the decision to sign off on that notifiable instrument referred to the Work Safety Council or any other third party?

Ms Stephen-Smith: No—or was it?

Mr Young: It was discussed at the Work Safety Council and there was support for moving to firm up the status quo position. There was some discussion around the definition of employment and employment at the margin. I think it is factual to say that if the employment relationship had been perfectly straightforward it would have been unnecessary to go through the deeming instrument. The arrangements are clearly on the margins, but the government's view was that there should be workers comp in place for them. But certainly the council expressed a view of support for the deeming

instrument.

MR WALL: I do not think anyone argues that they are not at the margin. It is not a clear-cut, easily determined scenario. It is just that industry operates and functions in a free market around where the line exists and these sorts of decisions ultimately move the line and have a fairly material impact on business structures. Certainly the concern that has been raised with me is: where does that line exist, is it going to be staying where it is now or is there going to be a consistent push to continue to move that line? This is why I questioned payroll tax or long service leave and others. Those working in this space just want to know where the goalpost is.

Mr Nicol: I think this decision is particular to this case. It offers no precedent for any other decision of government in payroll tax or, indeed, other areas. But these arrangements are complex and evolve over time, and we have to evolve with them. But there is no precedent, no suggestion that we are changing that definition of that relationship. It is what it is and the government wanted to cover those.

MR WALL: I have a couple of questions whilst we are on workers comp but in a slightly different field. It may, minister, require you to switch your hats between work safety and also the procurement role that you appeared in yesterday as to where it is most appropriately fielded. Concerns have been raised or questions have been asked of me by a couple of local businesses who are seeking to do work as a subcontractor to an entity that holds a contract directly with government. As we all agree, there is a requirement for workers compensation insurance to be carried by the subcontractor. In this instance the subcontractor operates as a partnership or a sole trader, not as a proprietary limited company. They have zero employees, but it is still being raised that they require a workers comp policy which ultimately covers nobody. What is the rationale for that?

Mr Young: I can explain the way the workers compensation requirements work in a legal sense. I am not familiar with that individual case or the practices that might be applied.

MR WALL: Even more broadly, if it is a direct engagement between the territory and a contractor who operates as a sole trader, an individual on an ABN or in a partnership but not as a proprietary limited company and they do not employ anyone, are they still required to carry a workers compensation policy?

Mr Young: I suspect what is happening—it is my understanding that it is a standard check of an ACT government procurement where a contractor is being brought on—is to verify that they have relevant insurances in place. There is a standard question, which is, “Do you have a workers compensation policy? Please produce a certificate of currency.”

MR WALL: Which will normally also capture things like professional indemnity and the like as well?

Mr Young: That is right. It is possible that that standard question has been asked of a sole trader without awareness that they are dealing with a sole trader. But in terms of the legal requirement, there are two workers compensation jurisdictions that might

apply. There is the commonwealth, the Comcare scheme, the SRC Act, which applies to public servants or people that can demonstrate that they are in a direct employment relationship with the ACT government, and then those that are not captured by that would be covered by the private sector ACT workers compensation scheme. It does not provide for sole traders to be insured.

There should be no requirement that a sole trader operating legally in the ACT and wanting to tender for ACT government work must have a policy. I am aware of cases in the past where we have had to clarify those legal arrangements with procurement officers. I have no knowledge of the specific case that you are referring to.

MR WALL: But in broad terms, so long as they carry the appropriate public liability and professional indemnity as a sole trader, they would not be required to carry workers comp? The case that was raised with me recently is that they spoke to an insurer and they said, “Yes, we can write you an insurance policy; it is \$1,200,” but obviously it covers no-one or nothing.

Mr Nicol: If you are willing to give us details, we can chase it up in turn.

MR WALL: I am happy to give you the specifics of it. I guess in broader terms it was more a case of: what is the government’s view in engaging with people in that position?

Mr Young: Complexities occasionally arise where it is a working director of a company with one—

MR WALL: It is definitely not a company in this instance. It is a partnership.

Mr Young: But in my experience, where that uncertainty has occurred, it is just a matter of clarifying the legal status of the entity.

MR WALL: If we do not get a resolution on this in the next few weeks, we will refer it through to you.

Mr Young: That would be great.

Ms Stephen-Smith: That would be great.

Mr Nicol: I can understand the circumstances and will work with both parties and resolve it.

THE CHAIR: Could you please update the committee on the returns from the long service leave invested schemes funds?

Ms Savage: The annualised net return last year was 7.82 per cent.

THE CHAIR: What is the normal target?

Ms Savage: We look at 3.5 per cent over CPI as an annualised return. We have been exceeding that target by a reasonable amount over about the last five years.

THE CHAIR: And what is the flow-on effect of your returns being so good?

Ms Savage: The flow-on effect in relation to last year was a levy rate reduction for all four schemes. Each of the four schemes had their levy rate reduced by 40 basis points—building and construction, 2.5 down to 2.1; cleaning and community, 1.6 down to 1.2; and security, 1.47 down to 1.07.

MR WALL: Just on that, what is the composition of the long service leave funds investment portfolio?

Ms Savage: We are passive investors. We invest via a pooled vanguard arrangement. It is a mixture of international equities, Australian equities, listed property. We basically follow the index in terms of the vanguard offering.

MR WALL: You are not purchasing the equities directly?

Ms Savage: No. It is through a pooled offering, although we do have a strategic asset allocation that we certainly manage too.

MR WALL: Are there any property holdings currently in the portfolio?

Ms Savage: Listed property? We have one direct ownership of a property that we are in the process of selling, and that is our old Constitution Avenue property that we were using for the authority premises.

MR WALL: It was a few years ago that you offloaded it—Manning Clark House?

Ms Savage: Manning Clark; that is right.

MR WALL: Other than Constitution Avenue, there is no other direct ownership of property?

Ms Savage: No, no other direct ownership.

MR WALL: In relation to the changes that are proposed in the compulsory third-party motor vehicle insurance, is there any intention to then review workers compensation legislation with regard to things like journey claims?

Ms Stephen-Smith: No.

MR WALL: What is the reason for that, given that they would also then fall under the coverage of a no-fault CTP scheme?

Ms Stephen-Smith: There is obviously work that is happening in relation to the capacity for people who are injured in a motor vehicle accident on a journey to or from work to make a choice between workers compensation and CTP under the proposed new arrangements. Probably Mr Nicol is in a better position to talk about that.

Mr Nicol: The new CTP scheme, if it is ultimately adopted by the government and the Assembly, will make changes to entitlements for people injured in a motor vehicle accident. Some employees in the ACT, if they are injured in a motor vehicle accident on the journey to or from work or between work meetings, are covered by workers compensation. There is an interface, essentially, between the CTP scheme and the workers compensation scheme in those cases.

As the minister said, we are working through what arrangements could be considered for people injured in a motor vehicle accident in those cases as to which coverage under which scheme would apply. We have not finalised that consideration yet, but it is likely to involve a choice on the part of the person. I think the matters in question are how long that person has the opportunity to choose schemes for, whether you can change your decision after a certain period of time and questions of that nature. That is where the complexity arises. We are just working through that now, going through different cases and what it means for different people in different situations.

MR WALL: Are you doing case study type modelling on that?

Mr Nicol: We are looking at cases and seeing what typically happens in circumstances of injuries, what period is reasonable for someone to choose and when they are able to make that choice, depending on the seriousness of their injuries et cetera. There is a rationale for giving people a very reasonable period to choose. They should be able to choose the circumstances that best suit their needs at the time. There is also a desire, of course, not to have people change between the schemes unnecessarily. We want to, essentially for administrative purposes, provide assistance to people and get them on the road to recovery. Those two objectives are what we are balancing. We will be giving advice to the government in the near future about how we think that should look.

MR WALL: Has that work sought to determine, in those cases that you are reviewing, which avenue they are likely to have taken or which would have provided the better coverage for them?

Mr Nicol: No. It is more an assessment of at what point it is best for a person to be able to make a decision. We do not want to cut the decision-making off too soon, before people have gone through the immediate medical assistance, immediate treatment et cetera. It is a judgement more about when that person is in the best possible position to make a fully informed decision, based on what their long-term prognosis is, to be able to understand and be advised of the benefits under both schemes so that they can then make a rational decision. We do not want a situation where they are forced to make a decision in haste that they subsequently regret.

MR WALL: Do you believe that you will be giving any advice to government—or will your findings underline which scheme is likely to see a greater level of claim activity—on where they intersect?

Mr Nicol: I would have to take that on notice. That has not come to my attention in the analysis we have done to date. Unfortunately, my staff associated with CTP reforms who are doing this work are not here today.

MR WALL: That is all right. I understand it is—

Mr Young: I can make some general comments. Before I speak to the differences in the scheme design, just by way of historical context, the government did undergo a public consultation around 2011 that looked at potential changes to the ACT workers compensation scheme design. The views of stakeholders were well canvassed. The government had the opportunity to consider those and formed the strong view that it did not intend to modify the workers compensation scheme design for the private sector. I have remained responsible for that piece of legislation in the interim period and I have done no work on it in the context of the current arrangements.

In terms of the scheme design, the benefit structure has been put forward as part of the motor accident reforms. It does have some differences from what is in place already for the ACT workers compensation scheme, particularly where there is a loss of earnings in the statutory benefit scheme. There are differences in the percentages of normal weekly earnings that the compensation system will pay up to, and differences in the proposed time line where that rate changes. Hypothetically, if an injured worker knew exactly how long they were going to be injured for and the amount of earnings that they were going to lose then it would be a relatively simple thing to do a calculation and form a view on which services are best or would result in a particular financial outcome. However, at the aggregate, that occurs across a broad range.

To the question of whether modelling can be done, it really does depend on the injury scenario that we are talking about. There is no fixed “one scheme is better than the other”. The answer is: “It depends.” That is why, I believe, the policy is to have in place a choice. “No-one is worse off” is the wrong definition to use, because at the moment there is no choice to make in that situation; they would be tied to the workers compensation scheme statutory benefits. Now there is a choice. In a sense, the intent is to improve the position of those workers with dual coverage by allowing a choice between the two. But modelling would be difficult because of the diverse range of potential outcomes.

As to the question that flows from that, which is: “Would it be sensible to harmonise scheme design?” I refer to my earlier answer, which is that they are quite different. They have different histories, different purposes. But another important consideration is that it is difficult to pick up one component of one scheme and align it with another without addressing the entirety of the benefits. Looking at the workers compensation scheme, common law payments are a very significant component of that scheme. Any change to arrangements would need to take into account the totality of benefits and the effect on the total scheme design. It is difficult to just look at one or the other and chop and change. But the clear policy position is that there is no proposed change to the workers compensation scheme.

MR WALL: Do you envisage then that, as a result of those common law rights existing in the workers comp scheme continuing, that would more than likely be the path that people would be either pursuing or advised to pursue?

Mr Young: I think that, in practice, for a common law damages settlement to succeed under the workers compensation scheme there needs to be negligence by the employer. It is very difficult to show negligence in the case of a journey claim where the injury

was on a public road. So we do not see a lot of common law settlements in journey claims. Where we do see them, it tends to be around concerns about shiftwork, fatigue and that type of thing that the employer has some control over. But otherwise workers compensation arising from motor vehicle claims on journeys tends not to have a high frequency of common law settlement.

MR WALL: I look forward to what you can provide on notice.

THE CHAIR: Can you please update the committee in respect of lost time injury rates, particularly since the commissioning of the *Getting home safely* report?

Ms Stephen-Smith: Yes, probably.

Mr Young: I am able to provide an update on that matter. Each year my division commissions an independent actuarial review of the ACT workers compensation scheme. Part of that does look at lost time injury rates for the scheme. It also projects expected rates of lost time injury on a forward basis. The most recent period where actual data was able to be used was the 2016-17 financial year. There is, however, a projection, based on up to the expected current year rate. That has found that lost time injury rates remain at historic lows, at approximately 2.7 lost time injuries per \$1 million in wages paid. In respect of the construction industry, in 2017-18, with 14 months of development, there were 395 lost time injuries reported. That is a reduction compared to the previous year, when there were 454 injuries at an equivalent point of development.

Ms Stephen-Smith: On your original question, since *Getting home safely*, that represents a reduction from 540 lost time injury claims in 2012-13.

Mr Young: Which is the year that report was commissioned.

THE CHAIR: We are done, so I will call it a day. I do not think you took anything on notice.

MR WALL: There was one: you said you would provide those findings on notice, or as best you could.

Ms Stephen-Smith: Okay.

THE CHAIR: We will suspend briefly.

Short suspension.

Appearances:

University of Canberra

Saini, Professor Deep, Vice-Chancellor and President

Williams, Mrs Vicki, Vice-President and Deputy Vice-Chancellor, Finance and Infrastructure

THE CHAIR: We are fortunate to be joined by the University of Canberra. I will lead off with questions. I note that the Broderick review into campus culture was released recently. I was wondering if you could update the committee on what it found.

Prof Saini: The Broderick report is something that we commissioned ourselves. A decision was made even before the Respect. Now. Always survey that was done by the Human Rights Commission. The university had made this commitment itself, following an unfortunate incident that happened on the campus where one of our staff was accused and eventually convicted of sexual assault. The university at that point felt that it was appropriate for us to look at our policies and procedures in depth, and we subsequently commissioned this report from Ms Broderick.

The report took a very comprehensive view of the university. It did a number of interviews, it talked to focus groups and it talked to a wide spectrum of the members of the university. It came up with a set of recommendations for us to improve what the report felt was already, in comparative terms—I would not use the words “a good culture”—not as bad a culture as some of the other universities across Australia have had to deal with. Our institution was not hopeless or critical.

The report made a number of recommendations. The university decided to accept all the recommendations. We have made a commitment to act on all those recommendations within one year. Action has already started on some of them. There is a period of two months, six months and one year within which we will implement all the recommendations of the review.

THE CHAIR: Can you give examples of some of the recommendations and the actions you are taking?

Prof Saini: Some of the big ones that we took particular notice of, because they revealed some of the gaps in our own way of managing things, included that the university did not have a centralised data depository on sexual misconduct and sexual assault. The university took it very seriously. In our minds, we were keeping data, but it was fragmented, so if an outsider comes, they cannot easily mine the data. We have decided to act quickly to create a central depository.

There was a serious recommendation made that, with our current reporting processes, there are multiple places where a sexual assault or an act of misconduct can be reported. We had always felt that that was working well, but Ms Broderick thinks otherwise. She thinks one central point of reporting should be established, along the lines of a triple zero phone line, from where the issues would be triaged into where actions would occur. We are moving on with that as well.

The last one I would flag is the Respect. Now. Always committee that was established after last year's survey. We have resourced it, but the resources were deemed to be not sufficient, so we are investing more money in supporting that committee to do its work.

MRS KIKKERT: How many international students are enrolled this year at UC?

Prof Saini: Enrolled as in the exact number I will not be able to tell you, but on our Bruce campus about 18 per cent of our students are international. It is in that ballpark. Across our system—we have more international students outside the country—the number is in the range of 25 per cent: 24 or 25 per cent.

MRS KIKKERT: Where do most of the international cohort come from?

Prof Saini: China is number one, then India and then Nepal, Vietnam and a long tail of close to 200 countries.

MRS KIKKERT: Have there been any changes to the demographic in recent years?

Prof Saini: Nothing significant. The number from India is increasing, as it is increasing across the sector. We are seeing the same increase. We have had a significant increase—it is a small number but a surge—in numbers from Bhutan. As I said, numbers are small, but we are experiencing a significant increase. It is a country where we deliver one MBA degree in collaboration with their Royal Institute of Management. That may be the reason why the brand of the university is known in the country. It is a small country; word gets around. It is perhaps because of that. Is there anything else that you have noticed, Vicki?

Mrs Williams: No.

Prof Saini: Those are the main ones.

Mrs Williams: Bhutan are in our postgraduate programs and they are addressing some of our master programs on site from Bhutan. There will be a flow-on from that.

MR WALL: What is the university's drug policy?

Prof Saini: In a nutshell, the drug policy is zero tolerance for the manufacture and distribution or sale of drugs on the campus. If you have any specific thoughts in mind, I would be happy to address them.

MR WALL: Zero tolerance in relation to illicit substances on campus?

Prof Saini: Yes.

MR WALL: How do the university and its council reconcile that policy with the staging of a music festival that promotes the use of pill testing?

Prof Saini: I thought that was where you were going.

MR WALL: I will not touch on matters that are before the court.

Prof Saini: Feel free to touch; that is an important matter as well. The position we took was that it is a festival organised by an external agency; we are simply letting them use our grounds for a fee. In fact, a request came from the government asking if we would consider allowing pill testing.

MR WALL: Yes.

Prof Saini: Our position was that if the government, the police and the organisers wanted to do it, the university would have no objection. It was decided eventually, at the last minute, to do the drug testing, and we went along with it. It was not condoning the use of drugs. It was presented to us as a public safety issue and a public health issue, and we thought it was appropriate for us to allow the testing to happen as long as the government was giving its blessing for it to happen.

MR WALL: Are you concerned that it might send a mixed message, particularly to students, that it is not okay most days but occasionally it is okay?

Prof Saini: It is always a danger in those situations, as you know. In the media around that event, as you would know very well, opinions were split, and I fully expected that they would be. There is always the risk of people thinking that way. But, at the end of the day, it is what it is and you live with that, the risks you take.

THE CHAIR: The University of Canberra student representative council has been merged with the union. Is that correct?

Prof Saini: No. There is a body called the University of Canberra union, which is a wholly owned commercial entity of the university. That operates a number of commercial establishments on the campus. Earlier on, the student representative body was part of that entity. That is where it reported; that is where all the work happened that was related to that representative body. It has been moved out of there and now reports directly to the dean of students and, through this person, to the Deputy vice-chancellor academic. That has been the change.

THE CHAIR: You say it reports to the dean of students?

Prof Saini: That is the touch point. “Report” is probably the wrong word; it is not a reporting body, because it is an independent student representative body. Its liaison point is with the dean of students. The dean of students is responsible for all matters student, and this student representative body is part of that responsibility, to liaise with that.

THE CHAIR: So it is independent. Does that mean that the university has no oversight?

Prof Saini: It is an independently elected committee of students. The university exercises oversight on elections to that body, but it functions independently.

THE CHAIR: In what way does it provide oversight of elections?

Prof Saini: The elections are conducted by the office of the secretary of the university, who is responsible for all governance. Elections are overseen by that office.

THE CHAIR: Do you need approval from the university to run in one of the elections?

Prof Saini: No.

MRS KIKKERT: Regarding Groovin the Moo, there were many talks within the community nearby when the festival was on that the music was very noisy. Kangara Waters is a retirement village; it is a nursing home as well. Many of the residents who live there could feel their walls vibrating when Groovin the Moo was on. A resident in Evatt could also feel the vibrations. Are you planning on having Groovin the Moo again at UC? If so, will you consider turning down the volume?

Prof Saini: This year was the last year of Groovin the Moo. We had a contract with them, but the university felt that with the growth in the campus and the growth around the campus the place was no longer fit for purpose. We approached the organisers, and after a discussion we decided to mutually terminate the contract. So this was the last year of Groovin the Moo on campus. It may happen elsewhere, but it would not be on the University of Canberra campus.

MR WALL: Last week, as part of a statute law amendment bill, the Assembly made changes to the remuneration of council members for the University of Canberra. What involvement in the discussion did the university have with the government in deciding to make this remuneration change?

Prof Saini: In setting remunerations?

MR WALL: Yes.

Prof Saini: That is a council matter, and it is the responsibility of the chancellor. The committee is involved in that. I can get back to you. I can gather the information and get back to you.

MR WALL: The remuneration tribunal has previously determined the remuneration level for the chair and the per diem for members of the council. Is that paid for by the university or is that funded through government?

Prof Saini: It comes from the university's budget.

MR WALL: That is fine. I was just curious if it was us or you.

Prof Saini: It is us. It is the university's budget.

MR WALL: I will let you decide how you spend your money.

Prof Saini: There is a committee, a nominations and senior appointments committee,

that determines that and recommends to the council. There are internal and external representatives on the council.

MR WALL: And the same holds true for the members of the council that the ACT government or Chief Minister appoints?

Prof Saini: Yes.

MR WALL: They are also remunerated by the university?

Prof Saini: Yes.

Mrs Williams: That is right.

MR WALL: Is that a relationship you see continuing to be tenable insofar as the government appointing councillors to the university is concerned, or is there an element of autonomy that the university is losing as a result of—

Prof Saini: That is part of the university's charter; government will always appoint those members of the council.

MR WALL: As vice-chancellor, do you hold a view as to whether that is a suitable arrangement long term? What are the benefits for the university of having an external body, in this case government, throwing people onto your board?

Prof Saini: The arrangement works well. So far it has worked very well. And it is not particular to the University of Canberra; it is across the sector. Governments have appointed people on the council. And it is not just Australian; it is an international situation. It serves the university well actually. It brings external oversight, external expertise, onto the campus. It allows us to diversify the skill set on the council that helps us govern the university better than would be otherwise possible.

MRS KIKKERT: How does on-campus accommodation withstand the pressure of enrolments, both domestic and international?

Prof Saini: We have a person in charge of that.

Mrs Williams: We have nearly 3,000 beds available to students now, 2,500 on campus and another 400 or so off campus, at Weeden Lodge. Three of those facilities are 98 to 100 per cent full, and one of those areas, which has 1,300 beds, is about 80 per cent full. We still have capacity to take any demand by people who may want to stay on campus.

We look to people who make applications. We hold them open to domestic students or international students. In relation to the ratios that we have, one of our lodges is nearly all domestic, with only a smattering of international, but one of our other lodges is probably more international than domestic. Because we have had vacancy, we have not had to make that decision about whether we should take a domestic or an international student. We have still got vacancy available.

MRS KIKKERT: What is the weekly cost for the accommodation?

Mrs Williams: It varies. We have a range of age of accommodation: a range of single, shared accommodation and new accommodation. Our cheapest—I have not got the exact rates in front of me—range from around \$190 a night, or maybe a bit lower, maybe under \$150 a night in some of our multi-share older accommodation, up to about \$240 in our single studios, in our ensuite single newer studios.

MR WALL: Per night or per week?

Mrs Williams: Per week, sorry. We are also subject to the national rental affordability scheme, so those rates are tested every year against the NRAS indexation rate, and every fourth year they have to have a market assessment. So there is a market testing about those, and we have to keep those rentals 20 per cent below that market review, which we do.

MR WALL: Is there any plan to expand the student accommodation offering?

Mrs Williams: Not at present, no.

Prof Saini: We accommodate a significant number of ANU students. As you know, ANU is building more residences. As our enrolment grows and demand grows, our expectation is that ANU slowly will withdraw as their capacity increases, so we will have space for a few years to come.

MR WALL: Excellent.

THE CHAIR: Are the students from ANU at the University of Canberra there through a UniLodge stream or are they there through an ANU accommodation guarantee? Or is it just generally open accommodation that anyone can apply for?

Mrs Williams: It is a mixture of all of the above, to be honest. UniLodge are obviously managers at ANU and also managers of most of the lodges at UC. But ANU students are also in our campus living villages managed lodges, so they do not all come through UniLodge; they come through other streams. I do not think it would be the accommodation guarantee, because ANU would house all of those under their first-year accommodation guarantee. They are students who are moving out of that first-year guarantee and looking for second and third-year accommodation in that period. They just jump on our website sometimes and have a look at where to stay if they cannot get in or they are not eligible for accommodation in their second or third years at ANU.

MR WALL: You have had some very ambitious plans as far as the university campus is concerned. We have been briefed on what you deem to be the educated life plan. I am wondering if you might provide the committee with an update of what the university's plans are in that space: where you are up to and what the future holds over the next 12 months.

Prof Saini: Vicky is in charge of infrastructure; I will defer to her on that one.

Mrs Williams: We have the Moran aged-care facility that will turn soil very soon on the corner opposite the hospital. That development application is now approved and cleared; they will start building very soon on that. The Canberra specialist medical centre, which will house the Icon medical oncology and radiation oncology centre, is due to get practical completion later this month. Before the end of this year it plans to be operating the medical oncology and radiation oncology services out of that building. So that is all on track.

With our residential community, which is a bigger part of what we are doing on campus, with that blending of our residential offering and our academic offering, making it all connected and working together, we are still in the master planning phase for that. It is about looking at how that is all going to work, and what it is going to look like for stage A, which is the one closest to the inner part of the university. The latter stages are more towards College Street and around the back. We are still in the master planning phase for that one. It is still probably 18 months away before we will start to see the marketing and facility of that.

MR WALL: With the aged-care facility, is ownership retained by the university or has it been sold?

Mrs Williams: It is under a declared land sublease, the new style of lease that is being used now on our sites. The first one was the Canberra specialist medical centre one, where Icon is. Moran will be the second one. It is a lease for a length of time.

MRS KIKKERT: I am fascinated by “sweating towards beating cancer”, which is mentioned on page 50. Is that program run at the UC Hospital?

Prof Saini: The program is led by our researcher, Professor Sudha Rao. She is one of the leading cancer researchers in the world, and she has clinical collaborations with the hospital system. It is more with the Canberra Hospital; it is not on the university. Is there any activity at all in preventive aspects at our hospital?

Mrs Williams: On cancer?

Prof Saini: Yes. I do not think so.

Mrs Williams: No, but part of what we are putting into the Canberra Specialist Medical Centre is an allied health program that is working with people who are having oncology treatment and allied health intervention, to help their recovery and how they might get through that. No, not the actual prevention of cancer. It is about the metastases, as I understood it from Sudha recently, when I listened to her presentation. If they can stop that bit, it is about trying to prevent that part of it.

Prof Saini: The focus of this research—and there is a large group of researchers involved in that—is that the highest rate of incidence of mortality in cancer is caused by stem cells that remain pre-cancerous in the bloodstream or elsewhere in the tissue, even after chemotherapy and radiotherapy. These cells can become cancerous at any point in the life of a person. Preventing these cells from becoming cancerous once a patient has been declared cured is where the focus is. That is the biggest cause of mortality.

There have been great successes from this. There is already a company, EpiAxis, which has been spun out from the university. That is now in quite an advanced stage of trials of some of the drugs that have come from the lab. We are working on launching another company from some new intellectual property that has come from the lab. That is more on diagnosis, which is equally as big a problem. Often cancer is diagnosed too late for an effective treatment.

The technologies that this lab is developing have two very distinctive features. One is that you can detect cancer on less than a drop of blood taken from a patient—very non-invasive techniques. The second one is that it can be done very early. You can detect stem cells that could end up becoming cancerous.

They are very promising technologies. The work with ACT Health is mostly in Canberra Hospital and elsewhere, and some of it will be happening in the new Icon centre as well.

MRS KIKKERT: She is saying that exercising will help stop the cells becoming cancerous?

Prof Saini: Yes, so there is the additional preventive—

MRS KIKKERT: That is fascinating.

Prof Saini: That is the preventive part of—

Mrs Williams: It is the allied health connection, looking at that—

Prof Saini: Definitely allied health, yes.

MRS KIKKERT: She has been doing it for five years now. When are her papers due to be published?

Prof Saini: I believe some of the work is being published as we go. Five years would be a long period before you publish anything. I do not have all the list of papers in front of me, but some of the work is being published as we go.

Mrs Williams: She is on clinical trials now, isn't she?

Prof Saini: No, this is preventive—the link regarding exercise. Research from our university, plus from elsewhere around the world, is showing that there is a direct link between physical activity and low cancer rates.

MRS KIKKERT: It mentions 400 or 500 people. Are those 400 or 500 people Canberrans who have graduated from this program since it started in 2013? Is she based here in Canberra doing this research or is she going around the world?

Prof Saini: It is probably not around the world. Again I do not have the information in my hands, but if it is important I can get back to you about that. But it is very likely that it is definitely not only Canberra; it is probably in the region. It would be a

PROOF

regional program.

THE CHAIR: Thank you very much. We will now take a short break.

Hearing suspended from 3.15 to 3.50 pm.

Appearances:

Fitzharris, Ms Meegan, Minister for Health and Wellbeing, Minister for Higher Education, Minister for Medical and Health Research, Minister for Transport and Minister for Vocational Education and Skills

Chief Minister, Treasury and Economic Development Directorate
Arthy, Ms Kareena, Deputy Director-General, Economic Development
Cox, Mr Ian, Executive Director, Innovation, Industry and Investment
Miller, Mr David, Director, Skills Canberra

Canberra Institute of Technology
Cover, Ms Leanne, Chief Executive

ACT Building and Construction Industry Training Fund Authority
Carter, Mr Glenn, Chief Executive Officer

THE CHAIR: Welcome back to this hearing of the Standing Committee on Education, Employment and Youth Affairs. We have got the training fund authority up first because we have got a slightly rejigged order. I will lead off with the questions and we will make our way down.

Mr Carter: Certainly.

THE CHAIR: How do you work with industry and other stakeholders in the development of the annual training plan?

Mr Carter: We work primarily with the Construction Industry Training Council and the Electrotechnology and Energy Advisory Board who, through our research and development program within the training plan, do a constant, ongoing industry consultation process. Towards the middle of the year we obtain a detailed report from both those organisations, combine that with other intelligence that we collect and then that forms the basis for how we write and present the draft training plan to the board for their approval. Once that is approved it is then passed on to the minister for her approval as a notifiable instrument.

MR WALL: In regard to the areas of expenditure for the year, are there sufficient funds coming in to the training authority to meet the demands of industry currently?

Mr Carter: The answer to that is yes. We have approximately a nine to 12-month reserve in our reserve account which has been built up over a period of 19 years. That combined with the activity at the moment, which is probably the best it has been in terms of—

MR WALL: Probably at peak.

Mr Carter: Peak, and certainly that combined with the income level is sufficient to meet the demands, so much so that at the beginning of this year the board agreed to increase rebates by a full 12½ per cent across the board. We have further proposals

before the board for the beginning of next year to increase some of the incentive payments to employers who employ apprentices. The short answer is yes, sufficient.

MR WALL: Is there any consideration on the other side of the ledger then to reassess the rate of contribution that the industry puts into the fund?

Mr Carter: Not from the authority. That would be an issue for government, if government so chose.

MR WALL: Neither upwards nor downwards?

Ms Fitzharris: No, that is not advice that has been put to me. As Glenn has said, there is certainly a lot of construction activity and we have seen that over the past few years, particularly with light rail but not just light rail. The annual report shows the work that is undertaken with industry to identify where there are areas of demand, new and emerging challenges. A few of those have been reflected each year and a few others are reflected this year in terms of where the funding is going to go and the sorts of support services provided. For example, understanding mental health, wellbeing—that featured this year. Silicosis as an issue in terms of awareness around silicosis was reflected this year.

We are very happy and we have a very good board that works very collaboratively in an industry where that is not always a feature.

MR WALL: It is sometimes testing, yes.

Ms Fitzharris: But it really does in this context because there is a very clear, shared commitment.

MR WALL: Is there any modelling done by the fund of what the outlook for the construction sector looks like as far as activity goes and does that then inform the level of assistance you offer?

Mr Carter: Only insofar as we collect the data from Access Canberra who provide us with the information on a monthly basis for the BAs that are approved. We have always got through their website, I guess, a foresight into the DA process for development applications. That gives us an understanding as to what is proposed to be done but it does not actually give you a commencement date.

But, that said, on a monthly basis we report to the board on projected expenditure on projects. We do not calculate the levy on it because that is also done by Access Canberra on our behalf, but we get an understanding of what is coming up in the next 12 months. And certainly this year already is proving to be a high income stream for us, based on just the volume of work and the number of BAs that have been approved this year to date.

MR WALL: But if things have a turnaround and they revert to the level of activity that we saw really only four, five years ago where we were in a bit of a lull locally, what impact does that then have on the authority?

Mr Carter: Probably not a lot. What we tend to find is that the busier people are, the less time they have to train. Whilst our numbers are overall up again this year from last year—we peaked I think in 2014-15 at around 14½ thousand people who received a rebate for training; then a lot of other people did training that may not have been eligible for the rebate—this year we are at around 11,100. That is just purely on the strength of the volume of the workforce that exists at the moment. If that were to contract through work we would probably see a lot of those workers go back to Sydney and Victoria and we would probably see businesses start to invest more in their training when they had more time to do it.

That said, the culture has changed significantly certainly in the past 10 years. Businesses are more open now to do a whole lot more preventative training. The minister talked a little before about the crystalline silica dust awareness, a course that was introduced this year. I see more and more people doing that next year simply because businesses want to make sure that their employees are fully aware of the dangers of working with a whole range of products that cause pretty debilitating health conditions—and even in young people. It is not something that you wait until you are 50 or 55 before you get it; this is getting people in their 30s.

MR WALL: It is an earlier onset.

Mr Carter: Yes, very tricky.

MR WALL: And you did mention briefly light rail. Was the levy on light rail calculated by minimum breaks?

Mr Carter: Yes.

MR WALL: Or is there a special calculation?

Mr Carter: No, same rate in accordance with our legislation. That was a one-off payment made in the financial year last year, a single-only project, not paid in stages.

MR WALL: Are there normally situations where there is staged payment?

Mr Carter: There are, and that can be done. It depends on the lodgement of building applications. A large building development, even in the large residential, may actually submit BAs in stages. Therefore the payment is then made in stages—I think.

MR WALL: But it is always tied to the BA process?

Mr Carter: Correct. There is an element of levying the liability that we collect directly with the project donor where those works are not used as value in the calculation of the BA. For example, landscaping, civil construction works are not used to calculate and pay a BA levy. We contact those individuals directly and they do a self-assessment. If the authority agrees with the value of work, simple value of work times the 0.2 per cent, then we raise an invoice with them directly and they pay us directly.

MR WALL: Are there typically situations that arise where there is a disagreement?

Mr Carter: No.

MR WALL: No?

Mr Carter: No, they do not know what the cost is at the beginning. So they have to give us a cost—

MR WALL: They would use their estimates.

Mr Carter: Use their estimate cost to determine the levy liability. But the legislation allows for a recalculation at the end if either party is concerned that the levy is, in fact, incorrect in terms of the work. We have the capacity to pay a refund if they have paid more up-front than what the project ended up being and vice versa. If we believe that the work is in excess of what was paid, we have inspectorate powers within the act to enforce that.

MR WALL: What is the review process for going back and checking those sorts of jobs? How actively is the authority—

Mr Carter: The authority manages those purely around time, on the basis of timing issues. Within our inspectorate rights, we can write a letter and ask somebody to re-present the finished figures. It would depend on the volume and the size of some of those payments. We are talking about payments that might be only \$10,000. So it is not hundreds of millions.

MR WALL: I would imagine a lot of it is sort of swings and roundabouts.

Mr Carter: Yes. The majority of the levy payment is collected at the BA.

MR WALL: Yes.

Mr Carter: For a \$70 million residential project, we will collect the majority of it in whatever staged payment they want to make it, and it is paid at the beginning.

MS LEE: I have a question on CIT.

THE CHAIR: Do you want to finish with TFA and then we will move on?

MS LEE: I do not have a question on TFA.

Mr Carter: I was going to say that last year when I was here the committee asked to have a little more detail around the access and equity program. In fact, what we were providing was how much we had spent on access and equity. I cannot remember who asked this. It might have been Mr Steel. He asked, “How much of that is for women in a non-traditional trade or for Indigenous apprentices?”

On page 18 we have actually given those individual statistics that relate to that expenditure this year. We thank the committee. It was a good suggestion last year. It actually provides a little more transparency. There was a question around that and the

importance of that. Any encouragement for improvements we are open to. If we can assist, we certainly will.

THE CHAIR: You mentioned the management of silica dust as an emerging skill set.

Mr Carter: An awareness program for training, yes.

THE CHAIR: Are there any other new and emerging requirements?

Mr Carter: The only other one that is gaining interest, certainly across industry, is workplace impairment. A lot of the larger PCBUs will now insist that anybody who works on their project must undertake that training. Obviously, there are safety ramifications in people becoming impaired in any number of ways. This society is a broad area in terms of its use of drugs and alcohol. I dare say that this industry is no different from any other.

A lot of head contractors now, as they can under their rights in the legislation, insist that workforces that come on to their sites—bear in mind that they could be employing 30 to 50 concreters, 30 to 50 steel fixers. They may be coming from Sydney. They are coming here and going back to Sydney when they finish the project. Then they are coming back for the next stage. That is an area that we have seen an increase in.

Asbestos awareness obviously continues to kick along for those who have not been trained and who do not live here. We see a lot of that. That, again, tends to be workers from Sydney coming to work here or in other areas.

The only other one I see in the future as being probably more popular than it is now is the recent amendment to the Work Health and Safety Act that requires PCBUs on projects over \$5 million to deal directly with industry associations and to set up HSR committees. We certainly see a lot more training in the area of HSRs. Committees will require training.

Again, they are all very short, sharp courses up to two to four hours. But industry are a lot more open to doing that. It does not save them a lot of time. They do not lose their workers from their sites and it can be done by registered training organisations. Hopefully, they get the benefit of a safer workforce and a more productive workforce.

MRS KIKKERT: Is the transition of CIT from Woden campus now fully complete?

Ms Cover: We are in the final stages of actually coming completely off the Woden campus at the moment. We are working with Property Group to transition property over.

MRS KIKKERT: Are there any changes to the staffing profile as a result of the move?

Ms Cover: No.

MRS KIKKERT: Have all students in all courses been accommodated?

Ms Cover: Yes, they have.

MR WALL: What are the remnant other services or staffing accommodation at Woden at present?

Ms Cover: Once we come off with our music program in the next number of weeks to a month, that will be the completion of all of our course offerings.

MR WALL: Is it just the music program that exists there?

Ms Cover: Yes.

MR WALL: What is the short-term plan from CIT's perspective as to that site? Is it that CIT has control of the facility or is it leased from Property Group?

Ms Cover: It is under CIT at the moment. We are in the process of working with Property Group to transition over.

MR WALL: Is that asset also going to be transitioned over?

Ms Cover: Yes, that is right.

Ms Fitzharris: Yes.

MS LEE: Going to student enrolments, you talk about student enrolments increasing. What do you attribute that to? What are the factors that you say have led to the increase?

Ms Cover: We are seeing quite a strong regrowth in student enrolments this year. It is no one factor because we deliver over 36 different training programs and training packages across multiple different industries, everything from certificate IIs right through to degrees. In terms of where that growth is, we are seeing growth in a number of pockets. But we attribute the growth to a number of things. We know that students really value the quality of our teaching at CIT. In fact, I was speaking to a number of students today. I was asking them about their experience. Consistently, they tell me about the quality of the teachers. So that is the number one thing that I would attribute our enrolments to. It is our very strong—

MS LEE: You just mentioned that the growth is in pockets. Do you have a breakdown of where the growth has been that you can provide to the committee?

Ms Cover: Yes, I can talk in general terms. If there are specific areas you would like to know about, I can take them on notice.

MS LEE: Sure.

Ms Cover: We are seeing growth particularly in certificate III and certificate IV programs, particularly in the health, community services and science college. But we are also seeing growth in the design and technology college and we are seeing

growth in the trades areas as well and the apprenticeship programs. Apprenticeship programs are actually higher here in Canberra than across the nation.

Going back to what is driving that growth, teacher quality I have mentioned already, which is outstanding. We have excellent services for students; so not just the teachers who provide excellent academic services. We also have lots of fantastic wraparound services as well. Students are well supported, not just through CIT staff. We also have the CIT Student Association that helps students as well.

We have excellent facilities. Through the ACT government funding, we have just upgraded facilities at the Bruce campus. Our health facilities there are second to none. They are outstanding, particularly in terms of nursing and some of the allied health areas. They are really outstanding.

We are progressing our plans for campus modernisation to modernise all campuses, but in recent years we have made changes to the Reid campus. I spoke earlier about the transition of the music program from Woden to Reid. They are going to new facilities at the Reid campus as well. We are constantly upgrading facilities at Fyshwick as well. So there are a number of factors that drive those enrolments up.

MS LEE: What impact does marketing have, and have you seen any trends in different approaches to marketing to students?

Ms Cover: As you can imagine, we use lots of different channels to market because our students range from year 12 leavers right through to mature-age apprentices up to the age of 64, and everything in between. There are different mediums of market material for those different cohorts.

We are seeing a lot more digital marketing and a lot more small snippets of marketing. Obviously, we are using social platforms like Facebook, and well-known platforms like LinkedIn. We are using traditional mechanisms. We still produce a handbook for students who are wishing to have a look, sit down perhaps with their family and friends and make choices through hard copy. We have, obviously, lots of online material as well.

We have shopfronts for students who want to come in, or employers or community members who want to come in and explore course options with teachers and staff face to face. We do bus advertising. We advertise in industry magazines relevant to the particular cohorts of students we are trying to attract.

We work very closely with the Education Directorate to attract students who are leaving school. There is a really broad variety of marketing material. Hopefully, people have seen our ad on TV, really trying to appeal to students who are looking to make sure that they have the skills for the future—not just for now—particularly the digital skills, literacy and numeracy that they will need to transition to the new economy that is rapidly upon us.

MS LEE: Do you market beyond Canberra's borders or the region? Do we market broadly across Australia and internationally?

Ms Cover: Obviously, being Canberra based, the majority of our students that we market to are actually living here in Canberra. But we target the region as well. We are currently delivering out in Goulburn. We market down to the South Coast and out west as well, because that is where our students come from. We market internationally and globally for our international students. We have just under a thousand international students coming from 90 different countries every year. Obviously, we have agents in those countries and we market internationally in that space as well.

MR WALL: Can I ask a couple of follow-on questions from Ms Lee. Does CIT or Skills Canberra measure the proportion of market share that CIT holds compared to other VET providers in the ACT?

Ms Cover: CIT measures, on a year-to-year basis, the market that we hold in terms of number of enrolments and hours conducted, on an annual basis.

MR WALL: What proportion of the market do you currently command?

Ms Cover: That depends on which course and which market you are talking about.

MR WALL: Is that something you might be able to provide on notice—a breakdown across faculties?

Ms Cover: Yes. Is there a particular industry or particular level of qualification that you are interested in?

MR WALL: Not specifically, Ms Cover. It was more of a broad-brush question, trying to understand where CIT's strengths are in the market that it operates in, and in which areas potentially the private sector or the not-for-profit sector RTOs have a competitive edge. The follow-up from there would be what CIT is doing to position itself appropriately in the market going forward.

Ms Cover: Yes. You will appreciate that it is a bit of a mixed result in terms of the courses and the market.

MR WALL: From course to course it is going to change, yes.

Ms Cover: Yes, we can have a look at that. In terms of what we are doing to make sure that we are staying attractive to students, we have our strategic compass 2020, which the board released in 2016. We are in our second year of implementing that compass. That has a lot of activities, strategies and marketing, and market share is a big factor in that.

Ms Fitzharris: Mr Wall, one way to also think about that is the proportion of funding that goes to CIT, both through the direct grant to CIT that the ACT government provides and the more competitive and contestable funding that is available. That has been a big change in the market, in a sense, over the past few years. CIT is now a recipient of significant public funding directly, and there is a mechanism for that that is robust. CIT is increasingly having success in that contestable space as well. Leanne covered where some of the strengths are, and enrolment is increasing, but it is also a reflection of how industry is changing. The ad really goes to those future jobs, the

future workplace and preparing CIT and positioning Canberra and CIT really well.

With cybersecurity, CIT is probably one of the leading organisations in the country in terms of training for cybersecurity. It gives a really good sense of not only doing their more traditional training very well, but also looking towards the future. This strategic compass work is all around positioning CIT not only for a contestable future but for a future economy that requires skills in new areas. I think it has led by example and with a lot of success around cybersecurity.

Ms Cover: I might add to the minister's comment by saying that in fact we are the leading training provider in terms of vocation education training, TAFE provision, of cybersecurity in Australia at the moment.

THE CHAIR: You have mentioned cybersecurity a few times. What new courses and certificates is CIT offering?

Ms Cover: We have been in cybersecurity for about three years now and we have had our graduate diploma, but we have introduced just recently a certificate IV in cybersecurity. That is what is attracting those new numbers that the minister was just talking about. That program is a really responsive program. It is an alliance that we have here in Canberra that is not just the institution. We work very closely with the universities to attract students for a full breadth of qualifications, and we also work with the Education Directorate to make sure that we are picking up students at an early age who might be interested in this industry.

One of the new parts to that program that we have introduced this year is a mentoring program. I think there are 16 students in a pilot at the moment who are undertaking mentor skills for workplace readiness in addition to their technical skills that they are picking up with their cert IV and their graduate diploma. This year we had a group of students go across to Singapore, which is highly regarded in terms of its quality of cybersecurity training. The students were able to be exposed to and have a look at some of the world-class facilities that industries are using for training facilities in Singapore.

Later this month the CIT will be launching a security operations centre, the first of its kind in Australia in terms of its integration with industry. We are working closely with a number of small cybersecurity industries here in Canberra, plus ANU and the University of New South Wales. That centre will provide an opportunity for small business to test their data and their software packages. We will have students working to try to hack into those files and, in a very safe environment—a sandpit environment—test those facilities at CIT. That will be quite innovative and cutting edge, in late November.

THE CHAIR: Looking at the annual report, it appears that you have added barbering as a program?

Ms Cover: Can you repeat that?

THE CHAIR: The addition of barbering.

Ms Cover: Barbering, yes. This has been in response to a growing number of salons that have opened up in Canberra and in the region. There seems to be a greater interest in male haircuts, and particularly styled male haircuts as opposed to just—

Ms Fitzharris: More hipsters.

Ms Cover: One of the roles that we see the institute playing is constantly trying to lift the quality of the skilled workers who are servicing the ACT and region. Obviously, haircuts, whether it is for men or for females, are important. We all hold our haircuts as an important part of what we do, so barbering has opened up at CIT and it has been very popular.

We have been working with the industry to provide training for people who are wanting to enter the industry. We are also working with the barbering workers to give them recognition of prior learning. Perhaps they have been in the industry for a while but they have not got those formal qualifications. A recognition of prior learning process allows us to go in, work shoulder to shoulder with those barbers and give them credit and qualifications.

THE CHAIR: You say it has been popular. Can you quantify how popular?

Ms Cover: I can certainly take that on notice for you.

MS LEE: Are you able to confirm the numbers—and you might need to take this on notice—of CIT staff currently who are either off on workers compensation or have current claims?

Ms Cover: I am happy to take that on notice.

MS LEE: While you do that, Ms Cover, would you mind providing a breakdown in terms of the injury: whether it is psychological or physical, and what the reason for the workers comp was? That would be great; thank you very much.

MR WALL: How many reported instances of bullying have been made to management of CIT in the past year?

Ms Cover: In 2017 there was one allegation of bullying and to date in 2018 there are no cases or allegations of bullying.

MR WALL: Was that allegation relating to a matter internally between staff members or—

Ms Cover: I will have to take that on notice.

MR WALL: Okay. I have no further questions for CIT. I can move on to Skills Canberra.

THE CHAIR: I welcome Skills Canberra.

MR WALL: Ms Arthy can probably guess where I am going with this. Yesterday you touched on Skills Canberra calling in Protiviti to do an audit into, I think you said,

budget areas. Can you expand on that answer from yesterday and provide the committee with an understanding of what work they are being brought in to do?

Ms Arthy: The item I referred to yesterday is not an audit. Skills Canberra has a really complicated funding base, mainly because of the way the commonwealth makes payments into the territory. The agreements that we have had for years and years essentially involve very lumpy payments at irregular times, often at the end of the financial year. It is a combination of that plus the fact that with our payments schedule, we often fund on completion. If you have a person who is undertaking a course over a number of years, we have to make provision to ensure that we have the money to pay on completion right at the beginning.

It is really complicated funding. As you would have seen in the annual report, there was a large carryover of funds at the end of the financial year, mainly because of the timing of commonwealth payments. We have just signed up to a new commonwealth arrangement, and I just wanted an analysis of where we are sitting at the moment in relation to the skills budget.

I have asked Protiviti to come in and really do two things. One is to provide an analysis of why we are in the position we were in at the end of last financial year with the significant rollover, to get the explanation about how that has built up over the years to get to that point. The second part is: are there any better ways that we can manage the fund to avoid the large rollovers at the end of the financial year? That is the work they are doing for us. It is not a review; it is not an audit. It is purely trying to help us understand before we get into the swing of the next agreement, just making sure that we are completely on top of the budget.

MR WALL: When you are carrying forward against the liability of the grants that go to participants on completion, how do you measure whether you have sufficient capacity to do that or whether you have an under-capacity or, the alternative, there is more money there than is required?

Ms Arthy: That is part of the work that we are doing. I can hand over to Mr Miller shortly, but Skills Canberra operates a forecasting model so that we can predict when we will need money at particular times so that we can ensure that we have the provision. There is never a case where we are not confident we will be able to pay our obligations; that is not the case. It is more around: are we using the funds to their maximum potential and are there any funds that we can use elsewhere? Mr Miller, do you have anything you wish to add?

Mr Miller: Just building on what Kareena said, there is a lot of modelling that goes into the anticipated spend over a duration. A really good example would be when we have had a decrease in apprenticeship commencements, as we did up until about 2014-15. Then there is obviously a reduction in funding that is going out over the subsequent years to pay for the training that they are undertaking. In that environment, part of what we did to respond to the decline in apprenticeships was review the prices that we were paying to registered training organisations for the delivery of training. We had that opportunity to significantly increase the prices, so increase the subsidies that we were paying to RTOs, including CIT, for the delivery of apprenticeships training.

We have had a fantastic increase in apprenticeship commencements over the past couple of years. From 2014-15 through to 2016-17 we increased apprenticeship commencements by almost 50 per cent. There was a significant increase in the uptake of our apprenticeship commencements, a really fantastic outcome. But because of the way the payment is made, with payments being made to RTOs as students progress through their training, most of the financial cost of that has not yet been borne. It is only now that we are starting to see an increase in the funding associated with those increased commencements starting to go out the door.

A lot of modelling work that Kareena referred to is about estimating, based on what we know about completion rates for apprenticeships, our anticipated continuation of the commencement rate, as well as, obviously, the cost of the actual training delivery. That is all built into the model, to determine how much money we have to spare and whether we want to adjust prices, acknowledging that it is going to take a period of time before some of that rollover will actually be spent.

I will just say one other thing regarding the non-apprenticeships program, skilled capital. That was a program that was largely funded from commonwealth funding. That came to us originally through the skills reform national partnership. The challenge with that one was understanding how long we could sustain the program, knowing that the national partnership itself was limited and not knowing what the next national partnership was. It was about the necessity to continue to allow enrolments through that program, making sure that you do have the dollars set aside for the future years, to make sure that if there is not further funding coming from the commonwealth, you do have the capacity to meet the ongoing liability of those students who have commenced training.

MR WALL: What is the rationale for bringing in external consultants to provide this advice given that there is always a cash management of rollovers, not just in Skills Canberra and this area but across government? There are rollovers to manage, liabilities from commitments made in previous financial years. Why has there been the necessity to outsource?

Ms Arthy: Purely capacity. I have fairly limited internal financial skills in terms of doing the forensic work needed to get through the budgets. As you can imagine, at the beginning of financial years, those people are very much focused on loading and organising budgets for the following financial year. It is purely capacity. If I had to wait for my internal people to be freed up, I would not get it done until the beginning of next year. It is purely capacity.

MR WALL: When do you suspect that body of work will be completed?

Ms Arthy: It is not time limited, because there is not an urgent need. I am expecting to get the report by Christmas.

MR WALL: Is there any concern that the contributions that the commonwealth are making are incorrect?

Ms Arthy: No. No, that is not the issue at all.

THE CHAIR: I note that today you have announced the second round of the women in trades grants. Can you provide us with information on the first round?

Mr Miller: Last year in the budget the ACT government allocated a million dollars, which had two areas of focus. One was about supporting females in trades and the other component was to help upskill mature workers.

It was in March of 2018 that the initial grants program was announced. I think that there were three successful applicants through that program who received a total of just over \$200,000. Those recipients were the National Electrical and Communications Association, NECA, Training; the Australian Training Company; and the Master Builders Association of the ACT.

All of those projects commenced in July 2018. They had a range of slightly different approaches and activities that were looking at providing new employment outcomes and encouraging young women—not just young women but women generally—to get into trades.

Just quickly, in terms of a summary of those projects across the board, there were about 70 women who were engaged with the initial tranches of those projects. They were broadly represented as pre-apprenticeship programs. Certainly the NECA and Master Builders Association programs were short-form training programs that included classroom training, site visits, some practical exercises, asbestos awareness, white cards, CPR, first-aid training and those sorts of things that NECA engaged a lot of their partners, like Evoenergy, Molonglo, Icon Water et cetera, to participate in.

The Master Builders Association similarly held a work insight program that was a dedicated four-week pre-apprenticeship program. That was about just exposing women to the industry through training, providing work site experience, engaging with industry employers, talking about the opportunities that are available in those sorts of construction industries and getting them to talk to other employees and life coaches, and even having a wellbeing mentor on hand. A number of women who have gone through that program have gone on to commence apprenticeships since that time.

The Australian Training Company program, which is focused on Australian school-based apprentices, is targeting the employment of 30 female Australian school-based apprentices and supporting them through a series of training and learning workshops. They have held some information sessions already for the participants within the first cohort. They have gone for some pre-employment training as well as mentorship sessions and some workshops on topics around what it means to be a woman entering the construction trade and further steps they intend to have completed before the end of the year.

By and large, we are hearing some really successful stories about the engagement of the individual females who have undertaken those programs, and it is evidenced by some of those women choosing to undertake an apprenticeship and actually commencing apprenticeships with some of the employers who have been directly involved in those programs.

THE CHAIR: Is the same amount of funding in round 1 available in round 2?

Mr Miller: Actually slightly more. The total funding initially made available through the ACT government was \$500,000, if you take the million dollars and then split it across the two parts of the initiative. Because of the close link with women in trades and the apprenticeship system, and the focus of the new skilling Australians fund on supporting apprenticeships, whilst the initial tranche of projects only took up \$204,000, they basically gave us \$300,000 for round 2. We have actually increased the allocation for round 2 to \$600,000, because effectively we have been able to use the money that we attracted from the commonwealth in the 2017-18 financial year to support that program, because it is so clearly linked to increasing apprenticeship outcomes. So we have been able to effectively double the remaining amount of money available to support the second round of the program.

Ms Fitzharris: Part of the early work in terms of commitment was also to do some policy work around what some of the barriers are to women entering traditional trades. Some of that was already known but it was a pretty comprehensive piece of work to inform the government about some of the barriers for women in particular. We have seen, as David said, around 70 women engaged in these programs already and some of them already taking the next step towards apprenticeships.

For example, I met with the women who graduated from the MBA program. They ranged from young women who are still in the school system and are very keen to start an apprenticeship, to a woman who is very experienced in the landscape sector at the moment but wants to take that a bit further in terms of the construction sector, to a young woman who had just finished her architecture degree and at the end of that wanted to go on and become a builder as well, and a whole range in between.

There were women returning to work after having kids and realising that what they had done in their previous career was not actually what they really wanted to do; they really wanted to get into the construction sector, and this provided them an entry point and, importantly, I think practical skills as well as mentors and connections in the industry. The industry response was very good in terms of supporting these women coming through this program. They ranged in age from 17, I think, to about 47. It was really tremendous.

The way the grants program has been structured is to talk to industry and to put the onus on industry and industry groups and representatives, to say, “What sorts of ideas have you got that can really work,” and to start to shift the numbers of women moving into the construction sector, because there is a lot of keen interest. We see a bit more coming through the school system as well, with young women realising now that they can see—you cannot be what you cannot see—more women who have been in the sector for some time. It is potentially really exciting, particularly for a lot of younger women.

Mr Miller: Adding to that, we have also been able to make some slight alterations to the guidelines for the second round. Again, you learn a lot through every kind of grants program about the kinds of responses that you get. And as the minister referred to, having mentoring, engagement and peer support throughout these programs is really important. We tweaked the objectives of the program slightly in the second

round of the guidelines to bring in or increase the focus on advocacy, engagement and information-sharing to support the attraction and retention of women. We hope to see even more variety in the proposals we expect to get through the second round, to kick off a whole bunch of different things. We are still very heavily focused on the practical side of things but also looking at some of those programs that are more likely to support a longer term cultural change about the understanding of what those opportunities are in the traditional trades for women as well.

MRS KIKKERT: Why was no action taken prior to the cessation of the 190 visa program to inform applicants, even though it was known that there was a potential problem?

Ms Fitzharris: This matter falls under the Chief Minister, so it would have been relevant to yesterday's hearings.

MR WALL: In what capacity does it sit with the Chief Minister?

Ms Fitzharris: As part of his economic development portfolio.

MRS KIKKERT: But I understand that this is the Skills Canberra—

Ms Fitzharris: This is Skills Canberra but that particular program is within the Chief Minister's portfolio.

MRS KIKKERT: So you had no dealings with the agency that deals with migrants?

Ms Fitzharris: Yes. Those questions would have been best answered yesterday, I believe. If there are specific questions, perhaps we could take them on notice and—

MR WALL: I am happy to submit them on notice. Can you just give a breakdown? The annual report, under higher education, training and research, talks about skilled migration attraction facilitation as well as the skilled migration program. Where does your responsibility as minister for higher education begin and end in that space, and where does the Chief Minister's?

Ms Fitzharris: This particular program is in economic development. The annual report is pretty clear on that. The two outcomes, 3.1 and 3.6, I think, are quite interlinked. The reason for that is that the higher education, research and training sector is one of our most significant economic development drivers, so there is a lot of collaborative work. There is shared work across Ms Arthy's division in Chief Minister, Treasury and Economic Development.

MR WALL: So you do not have complete responsibility for the output class of 3.6?

Ms Fitzharris: No, not for that particular program. That is right.

MR WALL: How you keep track of this I do not know. It probably explains a lot.

MS LEE: I want to get to UNSW Reid. Where is that up to?

Ms Fitzharris: Again, that is being led as an economic development project by the Chief Minister, so that was probably a question for yesterday. Again, this division is responsible for the delivery of that, but probably those questions were best put to the Chief Minister. You will have seen that with skilled migration most of the public statements have been made by the Chief Minister. That is the case with UNSW. I certainly support him in the broad work, for example through the vice-chancellors forum and the bilateral work with some of the organisations.

MR WALL: So what questions can you answer?

Ms Fitzharris: I can answer lots of questions around the portfolio as a whole.

MR WALL: It seems not. You cannot answer anything that has to do with the areas of—

Ms Fitzharris: The skilled migration program, yes.

MR WALL: The UNSW annual report, at 3.6, lists the skilled migration program. You can see why members of the committee and I would believe that, as you are appearing as the minister for tertiary education and higher training and research, as well as Skills Canberra, you would have responsibility for those areas.

Ms Fitzharris: Yes but also you would have observed that a lot of public comments about this have been made, and the lead on this has been taken, by the Chief Minister. I appreciate that—

MR WALL: As is often the case, when the government is doing things, the head of the government will make announcements. But administratively—

THE CHAIR: If you do not have questions, I do.

MS LEE: We have questions. She is saying—

THE CHAIR: Put questions then.

MRS KIKKERT: It is important to clarify it though, chair.

THE CHAIR: I have got it figured out. It is not rocket science.

MS LEE: I will rephrase it. What is your role as the minister for higher education and training on the UNSW Reid campus? What aspect of that do you look after?

Ms Fitzharris: One important component of that is to make sure that the interests of CIT, as the current occupant of the campus, are well and truly integrated into the process with UNSW. One way to understand that would be that I am the minister assisting the Chief Minister in relation to the UNSW development. That is a major economic development opportunity for the city as well as, of course, underneath that, a major opportunity for the higher education sector in the ACT. But in terms of the government's industry priority, the key capability areas across the ACT government in terms of economic development opportunities, many ministers have a role in

supporting the Chief Minister in leading those pieces of work to varying degrees. In terms of UNSW, principally for me it is around making sure that there is a fantastic collaboration between CIT and UNSW, and there absolutely has been. There are not only opportunities for UNSW but also significant opportunities for CIT in terms of their engagement with UNSW on the potential for the Reid site.

MS LEE: What are some of the challenges that you are facing in that regard, in making sure that integration goes ahead well?

Ms Fitzharris: Leanne Cover is very much at the table on this work, so it might be helpful to have her give the CIT's perspective on that in terms of both the educational opportunities that come out of that and the opportunities in terms of co-location of both campuses in Reid.

Ms Cover: We work very closely with all the universities, as the minister just mentioned, particularly for the VC forum in terms of those integrations with the university sector, in particular with the University of New South Wales, at the moment we are working very closely with them on cybersecurity. We have very good relationships with them that we are unpacking at the moment around sharing equipment, particularly around a cyber range.

Going forward, as we do with all the universities we are always looking for ways to attract new students, particularly international students, to Canberra through a variety of programs, new programs, perhaps, that no other institutions in Canberra are offering at the moment. What we are finding more and more is that integration between vocational training skills and university skills is needed in the workplace, because work has become quite integrated. So we will be working closely with all the universities, but particularly with the University of New South Wales, on any potential collocation. We would be interested in any shared facilities, for instance, any student services that we could share that made sense to increase student access to those services, and better student outcomes if there were programs in the academic area that we could do in collaboration. We also work closely with the University of Canberra and ANU, the Catholic Education university and Charles Sturt University in that space.

MS LEE: In addition to the physical facilities and what have you in terms of sharing, are there any other opportunities or plans to share things—aside from just the physical stuff—in terms of courses, research, knowledge and that type of thing?

Ms Cover: It is still very early days in terms of what the opportunities are. But we think that it makes sense that, for instance, we pride ourselves on focusing on innovation, particularly around traditional trades. We are really pleased to see the growth in, say, the space industry here in Canberra. Perhaps there are some vocational skills that we could offer up to complement what is being offered in the university sector in this space.

Cyber is another area that I have mentioned where we could complement the universities in that space. And of course we are particularly interested in the ongoing quality of teaching both in the vocational education and training sector and the university sector. Perhaps there is some more work we could do in that as well.

The minister mentioned earlier the key capability areas that the government is focused on and we see ourselves working really closely with the university sector here in Canberra to complement those particular growth areas that the government has identified to attract and retain skilled workers here in Canberra.

As I said earlier, more and more vocational skills are going to become critical in those jobs of the future.

Ms Fitzharris: In short, the government has received from UNSW a proposal and is considering that proposal at the moment.

MS LEE: That is the status?

Ms Fitzharris: Yes, that is the status of it.

MR WALL: What was the response of the three major universities in Canberra to the UNSW proposal? I am particularly referencing commentary that might have come from ACU, ANU or UC?

Ms Fitzharris: I think it is important to recognise that UNSW already has a major presence in Canberra and has had for 50 years. I think the day that they made the announcement coincided with their 50-year presence in Canberra anyway. From the government's point of view—and this is the function of the Vice-Chancellors Forum which the universities sit on as well as CIT also; that is the vice-chancellors or their representatives, the Chief Minister and I—there is work that is being updated to reflect the value of this sector to the ACT community and economy.

I think when we see some work that was done originally in 2014 or 2015—the Deloitte work was 2015?

Ms Cover: 2016.

Ms Fitzharris: We are just revisiting that work in terms of the value of the sector. It has continued to grow at a very fast pace. Broadly, we grow the pie; everyone benefits. And there will be work that the institutions will need to do with one another. At one level it is collaborative but also both are looking towards attracting more local, national and international students. But it really positions the ACT incredibly well for a city of our size to have the number and the quality of higher education and vocational institutions here.

MR WALL: No concerns were raised with you or the government by the other major universities in town around this proposal?

Ms Fitzharris: No, not really. They want to understand what it might mean for them and what we have said in response to that is, “We collaborated on work to understand the value of the sector to the ACT community and economy.” We will update that work. That has been a very collaborative process. It sits underneath the Vice-Chancellors Forum.

Certainly one of the concerns that would have been around at the time from the universities was a level of concern based on the quite significant changes to commonwealth funding, and they were very concerned about their revenue base because of the quite significant cuts the commonwealth government had made. And this did come in the context of those issues for the universities. I cannot speak for them but they are certainly not happy about it and they have said very publicly on very many occasions that it is the commonwealth cuts that are going to have the most impact on their ability to maintain their revenue and attract students and attain and attract really high quality staff.

MR WALL: The government has not got any concern that, off the back of that policy decision by the commonwealth, embarking on a partnership that sees a huge expansion of a tertiary institution does not potentially dilute the marketplace?

Ms Fitzharris: We do not believe that it will. And that is why—

MR WALL: Has any work been done to measure that?

Ms Fitzharris: They do that themselves and there is some work underway in terms of the Vice-Chancellors Forum. We are due to have another Vice-Chancellors Forum before the end of the year where that work will be finalised. I expect you will hear more about that but that work will go to the strength of this sector, its growth in the past few years, which is incredibly good, and also the extent to which, as a jurisdiction where universities can sit around the table with the first minister and a minister responsible for assisting the sector to collaborate, the sum of the parts is greater than the whole; you know that saying. We are unique and we must continue to support them to grow and we must also do what we can to reap the benefits for the ACT community.

One of those areas that we are looking very closely at now—and it is related to this portfolio but most notably in health—is the opportunities we have in health research and in training because in the ACT we train virtually the entire medical workforce or health workforce. In fact, next week we are holding a health system research summit with the heads of, particularly, ANU and UC but also ACU and CIT who will also be there, to position medical and health research within the ACT health system and the community as a whole. There will be leaders from the health research sector with leaders in health in the ACT government. That is just another component of the sort of work that this portfolio that I am responsible for does. Again, it is in recognition of the key capability areas where one of the growth areas is health.

MR WALL: The final question I have is around the promotion of Canberra as a study destination. Is that you or is that the Chief Minister?

Ms Fitzharris: That is I.

MR WALL: You can see why this is confusing.

Ms Fitzharris: I think probably the two questions that you have asked have been led by the Chief Minister—skilled migration and UNSW—and they are probably the key, the only ones. You just happened to—

MR WALL: What work is underway and how is government engaging with the international markets to attract students here?

Mr Cox: I will start and Mr Carey may jump in at the end. Study Canberra has been around, I think, in two appropriation cycles now. It is currently on about year 3, I think, of the current appropriation. It has got a base budget of \$750,000 a year. There are principally two people involved in the program behind the scenes—one dedicated FTE and one person who spends most of his time in the program space—plus a raft of other people that connect to various elements of the delivery of this portfolio's outputs.

Study Canberra does an annual work program. It is vetted and examined by the Vice-Chancellors Forum. The elements of the work program are principally five things. One is destination marketing; the second one is enhancing student experience; then there is international engagement; sector collaboration, which is a pathway conversation; and also a general facilitating growth objective. Most of the work occurs in the destination marketing and student experience areas. I have got quite an extensive list of initiatives which I could run you through if you would like me to.

MR WALL: Or is it in a format that is probably best tabled or put in on notice?

Mr Cox: I could go through website strategies, social media, collateral scholarships, branding but there is quite a significant base of work. The study Canberra program itself relates back to an international education strategy that was developed in 2016. That was in partial response to a commonwealth international education strategy that was developed in the first half of 2016 and we, the various Australian states, generally tried to align our strategies to a national strategy. From that, study Canberra is the base delivery element of a broader state and national strategy approach.

MR WALL: What input, either in kind or financial, do the universities make or through the Vice-Chancellors Forum?

Mr Cox: Directly to the appropriation they do not. But the delivery of this program is a collaborative program. Study Canberra itself, the expenditure there would be a relatively small part of the state effort or the institutional effort. I would not hazard a guess to put a figure on it, but what study Canberra tries to do is look for strategies that support and work with the way the universities are marketing and developing and also delivering their student experience initiatives as well.

MR WALL: How much of the focus is looking at domestic students outside the ACT versus new enrolments from overseas?

Mr Cox: Study Canberra is one of I think only two of these bodies across Australia. I think study Adelaide also has a domestic student marketing element to it as well. When this initiative was commenced about seven or eight years ago it had a pretty strong international student focus. But as it has grown and developed its expertise—and also recognising the need to bring, I guess, the international student population within a broader community and also recognising the strategies of the institutions to attract domestic students—we have brought together the effort essentially.

MR WALL: Is the engagement of study Canberra internationally targeting school leavers or is it working largely through agents?

Mr Cox: The institutions tend to work directly with agents. There has been limited work with study Canberra program activity to agent. That does not mean we will not do that in the future. The way that study Canberra has worked, for example, in international markets, is that it has worked with the institutions, for example, to create a scholarships program that is used by the institutions on a co-funding basis to target particular markets and cohorts. In terms of mix of students, it is not just school leavers; it is research students and post-grad students as well.

MR WALL: Are those scholarships that you just mentioned, Mr Cox, the ones mentioned in the annual report of \$10,000 for students?

Mr Cox: I think that would be them. I do not have the reference in front of me.

MR WALL: What has been the process for identifying the recipient audience for that? I note in the annual report it says that ANU is offering it to students from Indonesia and India, and UC is offering it for international ICT students. Is that determined by the universities themselves or in collaboration?

Mr Cox: It reflects the universities' priorities and their markets. I would have to take on notice the precise way that we deliver the program in concert with the institutions. For example, the ANU has a particular interest in furthering its cohort and its outreach into Indonesia, which makes sense for its diversification strategies and for the existence of the endeavour scholarships around that. Those conversations are had with the study Canberra program staff and the scholarship focus is then developed through that process.

MR WALL: The purpose of the scholarship is to attract more interest in Canberra as a destination rather than actually supporting the students with a need or—

Mr Cox: It also has an element of attracting high-calibre students. There are two elements to it. There is the attraction, outreach and general destination marketing effort. Also, the institutions do seek to try to attract a very high calibre student into those programs.

THE CHAIR: Are the study Canberra scholarships under review?

Mr Cox: I would have to take that on notice.

THE CHAIR: I am just looking for it on the website.

Ms Arthy: They are not specifically under review. I have commissioned a routine evaluation of study Canberra. That is happening at the moment. They are not specifically under review.

THE CHAIR: Maybe you need to update the website.

Ms Arthy: We will have a look at it; thank you.

THE CHAIR: We are done for the day.

Ms Fitzharris: Chair, for those who have been in committee hearings for some time, for two officials here, both Dave Miller and Geoff Keogh, it is the last time they will appear here. I want to reflect my thanks to both of them for their significant work in this space over quite a long period of time.

MS LEE: Hear, hear.

MR WALL: The minister is sad but I am sure you are both excited about not being here.

Ms Fitzharris: Sadly, it will be their last opportunity to appear before an ACT Legislative Assembly committee. I know that a lot of work does go on to prepare for these hearings, and to do the follow-up work, quite a significant amount, in addition to the work that they do anyway.

THE CHAIR: The secretary will provide you with a copy of the proof transcript of today's hearing when it is available. If witnesses have taken any questions on notice today, could you please provide responses to questions taken on notice five days after receiving the uncorrected proof transcript. Members have five days to submit additional questions after receipt of the uncorrected proof transcript. We are asking for answers five days after receipt. The committee's hearing for today is now adjourned.

The committee adjourned at 4.56 pm.