



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEE NO. 3 – EDUCATION

BUDGET ESTIMATES 2024-2025

Supplementary questions

Portfolio Committee No. 3 – Education

Education and Early Learning, Western Sydney
(Car)

Hearing: Tuesday 25 February 2025

Answers due by: 5.00 pm Monday 24 March 2025

Budget Estimates secretariat

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BUDGET ESTIMATES 2024-2025
SUPPLEMENTARY QUESTIONS

Questions from Hon Mark Latham MLC

EDUCATION

Education and Early Learning, Western Sydney

- (1) In its new way of surveying parents will the department now include exit surveys from government schools, noting some parents are reluctant to speak freely while their child is at the school but can give a frank assessment when they are leaving (for whatever reason)?
- (2) In 2024 how many government schoolteachers were a) suspended and b) dismissed and what were the numbers and reasons in the various categories for this occurring?
- (3) The Quality Teaching Rounds from Newcastle University (Ladwig and Gorr) remain very popular in NSW government schools, an approach based on vague notions of teacher collaboration and political correctness rather than a pedagogy of explicit instruction.
 - (a) Why has the Department highlighted on its website the Ladwig/Gore approach under the heading Quality Teaching Model?
 - (b) Based on evidence, Shouldn't the model be explicit instruction?

NSW Auditor General's 2024 Report 'Supporting Students with a Disability'

- (4) What action is the Minister and the New South Wales Department of Education (herein: NSWDoE) undertaking in response to the NSW Auditor General's 2024 Report 'Supporting Students with a disability', that "The Department's efforts to reform support for students with disability have not been timely"?
- (5) What action is the Minister and NSWDoE undertaking in response to the NSW Auditor General's 2024 Report 'Supporting Students with a disability', that "The Department's efforts to reform support for students with disability The Department did not examine whether actions in the Strategy were addressing the intent of previous recommendations"?
- (6) What action is the Minister and NSWDoE undertaking in response to the NSW Auditor General's 2024 Report 'Supporting Students with a disability', that "The Department does not know how effectively it is meeting the needs of students with disability"?

- (7) What action is the Minister and NSWDoE undertaking in response to the NSW Auditor General's 2024 Report 'Supporting Students with a disability', that "The Department's criteria for accessing targeted supports for disability has not been updated in over 20 years"?
- (8) What action is the Minister and NSWDoE undertaking in response to the NSW Auditor General's 2024 Report 'Supporting Students with a disability', that "The Department does not have a clear and accurate picture of demand compared to supply, or the time taken for targeted supports to be provided to students"?
- (9) What action is the Minister and NSWDoE undertaking in response to the NSW Auditor General's 2024 Report 'Supporting Students with a disability', that "The Department has not consistently monitored outcomes for students with disability"?
- (10) Given continual annual increases of children and families choosing to home school children rather than attend formal mainstream schooling systems, what explanation can the minister offer for up average rejection of education systems by parents?
 - (a) What is the minister intending to do to solve such issues?
- (11) Does the Minister believe that education should have independent accountability or is the Minister satisfied that the Department of Education should investigate itself (such as with PES) with no accountability and no public trust (similar to the Catholic church investigating itself over child abuse allegations)?
- (12) How many staff (and percentage of total staff) have undertaken face-to-face disability training?
- (13) How many Principals (and percentage of total staff) have undertaken face-to-face disability training?
- (14) How many principals (and percentage of total staff) have undertaken face-to-face training in legal requirements for child protection and abuse allegation?

Behaviour

- (15) Could the Minister provide an update on the implementation of the Student Behaviour policy?
- (16) Could the Minister explain any changes made to the previously published new policy?
- (17) Is there a Staff Behaviour policy to compliment the Student Behaviour Policy?

Questions from Hon Chris Rath MLC (on behalf of Opposition)
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EDUCATION

Education and Early Learning

Bunyip Pre-School

(18) Minister, can you please advise what steps the Department of Education has taken to ensure ongoing service at the Bunyip Pre-School and long day care centre.

- (a) Can you guarantee no childcare jobs will be lost in Harden because of bureaucratic delays, causing more financial distress in a disaster ridden regional town?

Grenfell Childcare Centre

(19) Minister, can you please advise on the status of the Grenfell Childcare Centre.

- (a) Will you commit to the people of Grenfell to the funding of a new Childcare and Long Day Care centre at Grenfell?

Castle Hill Showground Precinct

(20) Minister, during Budget Estimates hearing the Acting Deputy Secretary, School Infrastructure, stated with respect to the Castle Hill precinct, “The Thing that we need to do is to make sure that, when we acquire land, it is the best value for money for the taxpayer. we’re doing that work at the moment.” The Acting Deputy Secretary further said, “So we’re going though that process at the moment.” Minister:

- (a) When did the Department commence the work?
- (b) When do you expect the work will be completed?
- (c) What is the area of land which is being considered by the Department for the construction of a new school?
- (d) Has the Department recommended preferred sites for the construction of a new primary and or a new secondary school within the Castle Hill Showground precinct? If so, what action is being taken to acquire the preferred site?
- (e) Can you advise whether the process which the Department is “going though ... at the moment” is directed to acquiring land for a primary, a secondary school or otherwise a primary and a secondary school?

Castle Hill High School

(21) With respect to Castle Hill High School:

- (a) Have you visited the Castle Hill High School in your capacity as the Deputy Premier and Minister for Education and Early Learning? If you have visited the Castle Hill High School, when did you visit the school?
- (b) Are you aware that the Castle Hill High School presently has 51 demountable buildings which are used for educational and or administrative purposes?
- (c) Does the Department have any plans to increase the number of demountable buildings at the Castle Hill High School?

Castle Hill School Population Projections

- (22) Could you advise whether Schools Infrastructure NSW, at any time in the last two years, has carried out school enrolment projections to estimate the number of students expected to enrol in the Castle Hill Public School during the next five years? If so, can you advise how many students are expected to enrol in such school for the school years commencing 2026, 2027, 2028, 2029, and 2030?
- (23) Could you advise whether Schools Infrastructure NSW, at any time in the last two years, has carried out school enrolment projections to estimate the number of students expected to enrol in the Castle Hill High School during the next five years? If so, can you advise how many students are expected to enrol in such school for the school years commencing 2026, 2027, 2028, 2029, and 2030?

Schools within Cherrybrook and West Pennant Hills

- (24) Could you advise whether Schools Infrastructure NSW has carried out school enrolment projections to estimate the number of students expected to resident within the suburbs of Cherrybrook and West Pennant Hills as result of the Cherrybrook Station State Significant Precinct (SSP) and the Cherrybrook Precinct Place Strategy? If the Department has carried out school enrolment projections:
 - (a) When were the projections carried out?
 - (b) How many additional primary school students, compared with the commencement of term 1 in 2025, will reside in the precinct at the commencement of term 1 for the school years commencing 2026, 2027, 2028, 2029 and 2030.

- (c) How many additional high school students, compared with the commencement of term 1 in 2025, will reside in the precinct at the commencement of term 1 for the school years commencing 2026, 2027, 2028, 2029 and 2030.
- (d) Has Schools Infrastructure NSW commenced the process of locating suitable sites for new schools to cater for the increase in school students who will move into the precinct because of the Cherrybrook Station State Significant Precinct (SSP) and the Cherrybrook Precinct Place Strategy?

Civics

- (25) Minister, what is your understanding of the relationship between civics education and social cohesion?
- (26) When will civics and citizenship education be mandated in NSW schools?
- (27) Will NSW adopt a standalone civics and citizenship curriculum in the next version of the Australian Curriculum to ensure uniformity and importance across NSW schools?
- (28) What is the NSW Department of Education's current offering on civics and citizenships?
- (29) Are NSW teachers equipped to meet the new mandated learning of civics and citizenships. What needs to change and what is the timeframe?
- (30) What specific training or professional development is provided to teachers to ensure they are equipped to deliver high quality Civics education?
- (31) What teacher professional development resources are currently available to NSW teachers for the teaching of civics and citizenship?
- (32) Does NSW currently mandate civics and citizenship, and debate-based education, in all professional development for Humanities and Social Sciences (HASS) teachers?
 - (a) If not, what needs to change and timeframe?
- (33) How does the Department ensure that Civics education is consistently taught across all schools, given that it is currently integrated within other subjects ONLY?
- (34) What measures are in place to monitor and enforce the teaching of Civics content, particularly in schools where teachers may choose to overlook it?
- (35) Can the Department provide data on how many schools in NSW actively engage in teaching Civics as part of their curriculum? Can we get that data?

- (36) What strategies does the Department have in place to encourage schools to prioritise Civics education, especially in light of its importance for democratic engagement?
- (37) How does the Department support teachers who feel unprepared or insufficiently trained to teach Civics effectively?
- (38) What resources are provided to schools to enhance the delivery of Civics education, and how is the effectiveness of these resources evaluated?
- (39) Is the Department considering any initiatives to enhance student engagement in Civics beyond the classroom, such as partnerships with community organisations or government bodies?
- (40) If Australia has compulsory voting at 18 years old, why is there no compulsory civic education in NSW upper secondary years when many students are eligible to vote?
- (41) The Australian Electoral Commission acknowledges that only about 60% of 18-year-olds vote. These young people are our future. Why not educate them about Australian democracy in their final school years?
- (42) Will the NSW Department of Education provide targeted funds for teacher professional learning so that primary school teachers can learn about the changed K-6 syllabuses before they are implemented in 2027?
- (43) Why won't NESA include a separate subject on civics and citizenship education in the school curriculum as was the case in the earlier version of the Australian Curriculum?
- (44) Has NESA / NSW Department of Education conducted research to investigate exactly how much civics education is being taught in schools as compared with what NESA syllabuses indicate could be taught?

Code of Conduct

- (45) How does the Department ensure that the Code of Conduct is communicated and enforced among all teachers?
- (46) How often are teachers required to undergo refresher training on the Code of Conduct?
- (47) What mechanisms are in place for students or parents to report violations of the Code of Conduct?
- (48) How does the Department ensure transparency and accountability in investigating such complaints?

- (49) Are there any measures in place to monitor teachers' compliance with the Code of Conduct on social media platforms?
- (50) How does the Department handle situations where teachers' personal beliefs interfere with their professional responsibilities
- (51) Has there been any recent review or update of the Code of Conduct to address contemporary issues?
- (52) Can you explain the role of school principals in enforcing the Code of Conduct?
- (53) What steps are taken if a school principal fails to enforce the Code of Conduct within their school?
- (54) How does the Department plan to prevent similar incidents in the future and ensure adherence to the Code of Conduct?
- (55) What action was taken under the Teacher Code of Conduct relating to "Teachers for Palestine" and the following instructions issued for political action, "All day we will wear our Keffiyeh, Palestine badges, and Teachers and School and Staff for Palestine T-Shirts into school"? I note, evidence was tabled at earlier estimates session displaying propaganda in classrooms?
- (56) What action was taken under the Teacher Code of Conduct relating to Davidson High School and the consequences experienced by students of the Jewish faith following the screening of Youtube political propaganda relating to Gaza by a teacher?
 - (a) Does the concerned teacher remain employed by the NSW Department of Education?
 - (b) Does the concerned teacher remain at Davidson High School?
 - (c) Are students of the Jewish faith at Davidson High School continuing to be isolated from classes conducted by the concerned teacher, if still teaching?
- (57) During the last 12 months, how many reported breaches of the Teachers Code of Conduct have been received?
 - (a) What action was taken relating to these reported breaches during the last 12 months?
- (58) During the last 24 months how many reported breaches of the Teachers Code of Conduct have been received?
 - (a) What action was taken relating to these reported breaches during the last 24 months?
- (59) When was the last teacher suspended for a breach of the Teachers Code of Conduct?

- (60) When was the last teacher dismissed under the Teachers Code of Conduct?
- (61) How can parents have confidence in the Teachers Code of Conduct?

Transgender Students

- (62) What prompted the review of Legal Issues Bulletin 55?
- (63) Will the Bulletin remain relevant to issues relating to Transgender students in schools?
- (64) Minister, where a student is transgender and seeks to change the way their first name is used and recorded at the school, are the parents of the student informed?
- (65) In the case of transgender students, are the parents of the concerned student informed of the new “gender” before, it is used and recorded at the school?
- (66) Does the School have a duty of care to include parents in discussions relating to the welfare of students concerning gender and transgender?

Teacher vacancies

- (67) How many teacher vacancy positions have been filled by existing Deputy Principals in the last 12 months?
- (68) How many teacher vacancy positions have been filled by existing Deputy Principals in the last 24 months?
- (69) How many teacher vacancy positions have been filled by existing Principals in the last 12 months?
- (70) How many teacher vacancy positions have been filled by existing Principals in the last 24 months?
- (71) Minister, how are teacher vacancies being filled in NSW Schools?
- (72) Does merit selection for teacher vacancies remain in place for NSW Schools?
- (73) How are transfers managed by the NSW Department relevant to teacher vacancies?
- (74) Minister, is there confidence in the NSW Education system by teachers? What do reports and research reveal?
- (75) Minister, is there confidence in the NSW Education system by parents? What do reports and research reveal?
- (76) Minister, what are enrolment levels in NSW Government schools over the last 12 months?
- (77) Minister, what are enrolment levels in NSW Government schools over the last 24 months?

- (78) Minister, what are enrolment levels in NSW Government schools over the last 5 years?
- (79) Minister, what are enrolment levels in NSW Government schools in the Camden electorate in the last 24 months?
- (80) Minister, what are enrolment levels in NSW Government schools in the Liverpool electorate in the last 24 months?
- (81) Minister, what are enrolment levels in NSW Government schools in the East Hills electorate in the last 24 months?
- (82) Minister, what are enrolment levels in NSW Government schools in the Leppington electorate in the last 24 months?
- (83) Minister, what are enrolment levels in NSW Government schools in the Penrith electorate in the last 24 months?
- (84) Minister, what are enrolment levels in NSW Government schools in the Prospect electorate in the last 24 months?
- (85) Minister, what are enrolment levels in NSW Government schools in the South Coast electorate in the last 24 months?
- (86) Minister, what are enrolment levels in NSW Government schools in the Castle Hill electorate in the last 24 months?
- (87) Minister, what are enrolment levels in NSW Government schools in the Willoughby electorate in the last 24 months?
- (88) Minister, what are enrolment levels in NSW Government schools in the Kellyville electorate in the last 24 months?
- (89) Minister, Facebook reports record workplace bullying, “Stop the Workplace Bullying of our Teachers and make sure those responsible for huge payouts in the Commissions are suitably punished...” Minister, are teachers exposed to workplace bullying?
- (90) Minister, should the handling of complaints relevant to Diversity, Inclusion and Belonging Strategy be investigated by an independent body?
- (91) Minister, have there been breaches of the following items, listed below, by the NSW Department of Education:
- (a) PPIP Act,
 - (b) PID Act,

- (c) policy,
- (d) procedure,
- (e) code of conduct and
- (f) contract

- (92) What is the Government's anti-bullying policy in NSW schools?
- (93) What resources/ teacher training is available relating to anti-bullying in NSW schools?
- (94) Are there any measurable outcome relevant to anti-bullying available resources and teacher training?
- (95) Does the NSW Department of Education play a role in facilitating engagement with NSW Police in educating students on bullying and its legal consequences?

Budget Cuts – Programs on hold for NSW schools

- (96) Are NSW School programmes relating to behaviour strategy currently on hold in NSW Schools?

NSW flag

- (97) Are NSW State flags supplied to NSW Government schools? What other flags are provided to NSW Government schools?
- (98) Does the NSW Department of Education supply NSW Flags to Government Schools relevant to attached NSW State Flag Distribution Guidelines, which notes (NB. public schools apply through the Department of Education and Communities.)
- (99) How many NSW State Flags have been supplied to NSW Government schools in the last 12 months?
- (100) How many NSW State Flags have been supplied to NSW Government schools in the last 24 months?
- (101) Does the NSW Government have a policy for the flying of the NSW State flag at NSW Government schools?
- (102) If a school has one flagpole what flag is expected to be flown?
- (103) What about if there are 2 or 3 flag poles?

- (104) Does the NSW Department of Education provide guidelines to the leadership of the school as to what flags ought to be flown?
- (105) What is the budget for the provision of NSW State flags to NSW Government schools?
- (106) How are they made available?
- (107) What communication is made to schools to inform them of the availability of these flags?

Mardi Gras

- (108) What role will the NSW Department of Education play in the 2025 Sydney Gay and Lesbian Mardi Gras Festival?
- (109) Has the NSW Department of Education applied to march again and has its application been accepted by the Sydney Mardi Gras Committee?
- (110) What is the budget for the NSW Department of Education participation in the 2025 Sydney Mardi Gras?
- (111) I was informed that the cost to the NSW Department of Education relating to its 2024 Mardi Gras was \$30,000 and that materials would be re-used at future festivals and events. Can you elucidate? What materials? What cost savings?
- (112) What is the cost of staff time both in terms of preparation and participation in the march?
- (113) In reference to your answer, when you say it is volunteer work, is everything that is done totally outside of work hours? Nothing is done during the usual workday? Committee meetings are not held during usual work hours?

Cost of living assistance

- (114) What support or assistance is available to NSW families experiencing cost of living pressures relating to educating children?
- (115) What support or assistance is available to NSW families experiencing cost of living pressures relating to sporting activities for their children?

Return to work

- (116) How many NSW Department of Education employees have returned to work following the NSW Premier's call for NSW public servants to return to the office?
- (117) What is the current level of office occupancy relating to each NSW Department of Education office across NSW?

Funding arrangements

- (118) How does the NSW Federal funding arrangement for education compare to the other States?
- (119) What are the transport costs to NSW Government when students are denied entry to local school under current school catchment areas?

Disadvantage in schools

- (120) How is disadvantage being addressed by early education?
- (121) What is the evidence-based approach to achieve long-term outcomes for young people experiencing disadvantage?
- (122) How is the NSW Government improving outcomes for priority equity cohorts?
- (123) What are the strategies to improve school attendance and year 12 completion?
- (124) How is the NSW Government enhancing pathways for post-school support?
- (125) How is the NSW Government tracking issues and measuring equity?

Rebuilding NSW education

- (126) How can we uplift morale in the teaching profession today?
- (127) How can we restore confidence to the NSW Government education sector.
- (128) How are we tracking on administration burden and teachers?
- (129) How can schools and the system work smarter to avoid burnout?
- (130) How are we addressing supply issues?
- (131) Are you concerned with the reactive instead of proactive approach to education facilities as commercial developments surge over Sydney?

School infrastructure

- (132) Can you provide details of new school infrastructure plans, including budget and timeframe for completion, relevant to announced accelerated housing targets for the Camden electorate?
- (133) Can you provide details of new school infrastructure plans, including budget and timeframe for completion, relevant to announced accelerated housing targets for the Castle Hill electorate?

- (134) Can you provide details of new school infrastructure plans, including budget and timeframe for completion, relevant to announced accelerated housing targets for the Willoughby electorate?
- (135) Can you provide details of new school infrastructure plans, including budget and timeframe for completion, relevant to announced accelerated housing targets for the Kellyville electorate?
- (136) Can you provide details of new school infrastructure plans, including budget and timeframe for completion, relevant to announced accelerated housing targets for the East Hills electorate?
- (137) Can you provide details of new school infrastructure plans, including budget and timeframe for completion, relevant to announced accelerated housing targets for the Leppington electorate?
- (138) Can you provide details of new school infrastructure plans, including budget and timeframe for completion, relevant to announced accelerated housing targets for the Wollondilly electorate?
- (139) Given the projected population growth in the Camden electorate, what contingency plans does the department have if the construction of new schools falls behind?
- (140) Given the projected population growth in the Castle Hill electorate, what contingency plans does the department have if the construction of new schools falls behind?
- (141) Given the projected population growth in the Willoughby electorate, what contingency plans does the department have if the construction of new schools falls behind?
- (142) Given the projected population growth in the Kellyville electorate, what contingency plans does the department have if the construction of new schools falls behind?
- (143) Given the projected population growth in the East Hills electorate, what contingency plans does the department have if the construction of new schools falls behind?
- (144) Given the projected population growth in the Leppington electorate, what contingency plans does the department have if the construction of new schools falls behind?
- (145) Given the projected population growth in the Wollondilly electorate, what contingency plans does the department have if the construction of new schools falls behind?
- (146) How does the department assess the educational needs of a community before approving large-scale residential projects?

- (147) How does the department coordinate with local councils to ensure that the infrastructure needs of new residents, including schools, are adequately planned for?
- (148) What data does the department use to forecast the number of school-aged children that will result from new residential developments?
- (149) Can you provide an update on the status of school construction in St Leonards/Crows Nest, given the proposed 7,000 new dwellings?
- (150) What challenges does the department face in securing land for new schools in rapidly growing urban areas, and how are these being addressed?
- (151) How does the department prioritise which areas receive new school infrastructure first? How much say does the current Minister have over this direction?
- (152) In areas where schools are already overcrowded, what immediate actions is the department taking to alleviate the pressure on these schools?
- (153) What lessons has the department learned from past infrastructure planning failures, such as in the Kellyville/Rouse Hill area, and how are these being applied to current projects?
- (154) How does the department ensure that funding for new schools keeps pace with the need generated by new residential developments?
- (155) What is the department's plan for managing the transition of students into new schools once they are built, particularly in areas with high mobility rates?
- (156) How does the department communicate with local communities about the progress of new school construction projects?
- (157) What measures are in place to ensure that new schools are fully staffed and equipped from the moment they open?
- (158) How does the department work with developers to ensure that infrastructure contributions include provisions for educational facilities?
- (159) What role does public consultation play in the department's planning process for new schools, and how are community concerns addressed?
- (160) Can the department provide a breakdown of current and planned school infrastructure projects across NSW, particularly in high-growth areas?
- (161) What is the department's strategy for dealing with potential delays in school construction due to unforeseen circumstances?

(162) How does the department ensure that educational infrastructure is not just reactive but anticipatory, meeting the needs of communities as they grow?

Enrolments

(163) What factors does the department attribute to the 3.6% increase in enrolments in the independent school sector in 2023?

(164) Has the department conducted any surveys or studies to understand why more parents are choosing independent schools over government schools? If so, what are the key findings?

(165) Do you think parents are losing faith in the government school system and that this might be driving parents to seek alternatives in independent schools?

(166) How does the department assess the quality of education in government schools in comparison to independent schools, especially in terms of student outcomes, facilities, and teacher satisfaction?

(167) What measures, is the department taking to address declining enrolments in government schools, and how is it working to regain the confidence of parents?

(168) What role does school safety, discipline, and classroom behaviour play in influencing parents' decision to move their children to independent schools? Are there specific initiatives in place to address these concerns in government schools?

(169) In relation to your answer to The Hon Mark Latham earlier this week concerning leaked internal Department documents which predicts an increase in the share of government school enrolments from 2027, what plans and/or strategies are in place, or are being developed to ensure this increase occurs?

High School results

(170) For each high school in the electorate of East Hills, how many students were enrolled in Year 12 at the beginning of 2024?

(a) How many students sat the 2024 HSC exams?

(b) How many students achieved an ATAR?

(c) What was the average ATAR score at each school?

(171) For each high school in the electorate of Prospect, how many students were enrolled in Year 12 at the beginning of 2024?

(a) How many students sat the 2024 HSC exams?

- (b) How many students achieved an ATAR?
 - (c) What was the average ATAR score at each school?
- (172) For each high school in the electorate of Leppington, how many students were enrolled in Year 12 at the beginning of 2024?
- (a) How many students sat the 2024 HSC exams?
 - (b) How many students achieved an ATAR?
 - (c) What was the average ATAR score at each school?
- (173) For each high school in the electorate of Liverpool, how many students were enrolled in Year 12 at the beginning of 2024?
- (a) How many students sat the 2024 HSC exams?
 - (b) How many students achieved an ATAR?
 - (c) What was the average ATAR score at each school?
- (174) For each high school in the electorate of South Coast, how many students were enrolled in Year 12 at the beginning of 2024?
- (a) How many students sat the 2024 HSC exams?
 - (b) How many students achieved an ATAR?
 - (c) What was the average ATAR score at each school?
- (175) For each high school in the electorate of Penrith, how many students were enrolled in Year 12 at the beginning of 2024?
- (a) How many students sat the 2024 HSC exams?
 - (b) How many students achieved an ATAR?
 - (c) What was the average ATAR score at each school?
- (176) How often are the NSW department of education policies formally reviewed?
- (177) What criteria is used to determine if updates are needed to department policies?
- (178) How does the department prioritise which areas require new policies or policy review?
- (179) What platforms and methods are used to communicate policy updates to school leaders, staff, and the broader school community?

(180) How does the NSW Department of Education balance state-wide consistency with the flexibility to address local school needs?

Curriculum and Teaching

(181) How does the department plan on ensuring that the new curriculum is effectively implemented in schools?

(182) What role are teachers playing in the changes to the curriculum?

(183) When it comes to “quality teaching,” how does the NSW DoE define it and what metrics are used to evaluate it?

(184) What policies govern the inclusion of culturally and linguistically diverse content in the curriculum?

(185) What are the guidelines for integrating new technologies, such as coding and AI, into the curriculum?

(186) Have any experts or organisations been involved in curriculum development?

(187) How are teaching practices evaluated to ensure alignment with departmental policies?

Student Welfare

(188) How does the NSW Department of Education plan to promote student mental health and wellbeing?

(189) How does the department support schools in preventing, identifying, and addressing bullying and cyberbullying?

(190) How does the department of education report and manage student welfare concerns, including self-harm and abuse?

(191) How does the department ensure that schools are inclusive and accessible for students with disabilities?

(192) What strategies are outlined in behaviour management policies to ensure equitable and consistent practices across schools?

(193) What support systems are in place or being developed for students who experience school refusal or face barriers to regular attendance?

(194) How does the department involve students in shaping policies that directly impact their welfare and time spent at school??

(195) What are the specific guidelines for creating safe spaces for LGBTQIA+ students in schools?

Staff and Professional Development

(196) What are the mandatory qualifications and checks carried out by the dept or third parties for teachers and staff before they are hired by the department?

(197) How does the NSW Department of Education evaluate teacher performance?

(198) How does the department ensure that all teachers have access to ongoing professional development opportunities?

(199) How are early-career teachers supported through mentoring or induction programs?

(200) How does the department ensure a safe and inclusive working environment for teachers and school staff?

(201) How does the department ensure equity in career progression opportunities for all teachers and staff?

(202) What mental health and wellbeing resources are provided to school staff?

(203) How are policies tailored to address challenges faced by teachers in rural or remote schools?

Inclusive Education

(204) What are the department's specific policies to close the educational achievement gap for Aboriginal and Torres Strait Islander students?

(205) How are schools guided in supporting students who are English as an Additional Language or Dialect (EAL/D) learners?

(206) How does the department identify and support the gifted and talented students?

(207) How are individualised learning plans (ILPs) developed and implemented for students with learning disabilities?

(208)

(209) What guidelines exist to promote gender inclusivity in curriculum materials and classroom practices?

(210) How are inclusive teaching materials vetted and approved for use in NSW schools?

(211) How does the department assist schools in fostering inclusive extracurricular programs and opportunities?

Technology and Digital Policies

- (212) How does the department ensure student safety while using the internet and online learning platforms whilst at school?
- (213) What measures are in place to protect student data from cyberattacks or unauthorised access?
- (214) How does the department and individual schools regulate the use of emerging technologies, such as AI, virtual reality, and machine learning, in classrooms?
- (215) How does the department address the digital divide among students in low-income or remote communities?
- (216) How does the department regulate digital citizenship education in schools?
- (217) What protocols are in place to handle breaches of the department's cybersecurity policies?

Assessment and Reporting

- (218) What guidelines are provided to teachers to help them design assessments that are fair, inclusive, and aligned with curriculum outcomes?
- (219) What are the reporting requirements for communicating student progress to parents or guardians?
- (220) How does the department ensure transparency and fairness in grading policies across all schools?
- (221) What support is offered to teachers for moderating assessments and maintaining consistency?
- (222) Does the department have a discipline policy when it comes to plagiarism or academic dishonesty in student work?
- (223) How are assessment practices modified for students with disabilities or additional learning needs?
- (224) What professional development is provided to teachers on assessment and reporting policies?

Infrastructure and Safety

- (225) What guidelines govern emergency preparedness and drills in NSW schools?
- (226) How often are schools mandated to carry out emergency drills?

(227) What steps are taken to ensure that all school facilities meet accessibility standards?

(228) How are playground safety standards monitored and enforced?

(229) How is the department managing air quality and ventilation in classrooms?

(230) How often is the department carrying out air quality and ventilation testing in classrooms?

Community and Stakeholder Engagement

(231) What mechanisms exist for parents to provide input on school policies or decision-making processes?

(232) How does the department ensure that schools actively engage with their local communities?

(233) How does the department ensure opportunities for fostering partnerships between schools and Indigenous communities?

(234) How are external education providers vetted and approved for partnerships with NSW schools?

(235) How does the department manage community complaints about schools or departmental decisions?

(236) How does the department promote transparency and accountability in its decision-making processes?

(237) What policies govern the involvement of volunteers in school programs?

General Policy Development and Compliance

(238) How does the department involve external education experts in the formulation of new policies?

(239) What measures are taken to align departmental policies with global educational trends and research?

(240) How does the department prioritise competing policy goals, such as academic achievement versus student wellbeing?

(241) How does the department handle conflicts of interest during the policy-making process?

(242) How does the department handle inconsistencies between state and federal education policies?

(243) How does the department identify outdated or redundant policies?

Curriculum and Teaching

- (244) How does the department ensure that extracurricular programs align with the broader curriculum objectives?
- (245) How does the department regulate the balance between theoretical and practical learning in subjects like science and technology?
- (246) What are the guidelines for implementing inquiry-based and student-led learning models?
- (247) 23How is the department integrating financial literacy into the school curriculum?
- (248) How does the department encourage schools to adopt innovative teaching methodologies?

Student Welfare and Support Services

- (249) How does the department identify and support at-risk students in NSW schools?
- (250) How does the department ensure that all students have access to nutritious meals during school hours?
- (251) How are schools guided in providing safe spaces for students to discuss personal or social issues?
- (252) What policies are in place for schools to support students with chronic illnesses or medical conditions?

Teacher Training and Development

- (253) How is the department fostering leadership skills among teachers and staff?
- (254) How does the department ensure all teachers stay current with advances in educational psychology?
- (255) How are teachers in rural and remote schools supported with professional growth opportunities?

General Policy Oversight and Implementation

- (256) What internal mechanisms does the department use to evaluate the effectiveness of policies after implementation?
- (257) What are the specific timelines for schools to implement new or revised policies?
- (258) How does the department coordinate with other government agencies in developing education policies?
- (259) What are the specific channels for anonymous reporting of policy violations within schools?
- (260) How are school leaders trained to implement departmental policies effectively?

(261) How does the department manage feedback and complaints about new policies during their roll-out?

School Leadership and Community Engagement

(262) What are the specific protocols for engaging with Indigenous elders and leaders in shaping school culture?

(263) What role do Parent and Citizen (P&C) Associations play in influencing school-level policy decisions?

Suspension Policies and Practices

(264) How many suspensions were issued in NSW schools last year?

(265) Are alternative disciplinary measures encouraged before suspension?

(266) What is the average suspension duration for incidents in NSW schools?

(267) What are the gender disparities in suspensions?

(268) Are students provided counselling after being suspended for cyberbullying?

(269) What percentage of suspended students reoffend?

(270) How do schools ensure fairness in suspension decisions for cyberbullying?

Support for Victims and Perpetrators

(271) What support systems are in place for victims of cyberbullying in NSW schools?

(272) How are parents of victims supported during and after incidents?

(273) Are perpetrators of cyberbullying provided with interventions to change behavior?

(274) What mental health resources are available for affected students?

(275) Is there follow-up with victims to ensure their well-being?

(276) How are vulnerable student groups protected from cyberbullying?

Data Collection and Analysis

(277) How is cyberbullying data collected in NSW schools?

(278) Are all incidents of cyberbullying recorded, even minor ones?

(279) What percentage of cyberbullying cases result in suspension?

(280) Is there a trend analysis of cyberbullying incidents over the past five years?

- (281) Are there geographical trends in cyberbullying incidents in NSW?
- (282) How is suspension data analysed to improve policies?
- (283) Are there correlations between cyberbullying and academic performance?
- (284) Are external researchers allowed access to cyberbullying data?
- (285) Are policies reviewed annually to address emerging cyberbullying trends?
- (286) How are cyberbullying policies communicated to staff, students, and parents?
- (287) What programs are in place to educate students about the impact of cyberbullying?
- (288) How are teachers trained to identify and address cyberbullying?
- (289) How are parents informed about their role in preventing cyberbullying?
- (290) How are new technologies, like AI, addressed in anti-cyberbullying education?

Incident Reporting and Management

- (291) How are cyberbullying incidents reported in NSW schools?
- (292) Are anonymous reporting systems available for students?
- (293) What role do school counsellors play in addressing cyberbullying?
- (294) Is there a time limit for investigating cyberbullying incidents?
- (295) Are parents informed immediately when their child is involved in a cyberbullying case?
- (296) How is evidence of cyberbullying (e.g., screenshots) handled?
- (297) Are third-party platforms involved in incident resolution?
- (298) How are repeat offenders of cyberbullying managed in schools?
- (299) How is the effectiveness of cyberbullying policies measured?
- (300) Are there audits to assess compliance with cyberbullying policies?
- (301) What consequences do schools face for failing to address cyberbullying?
- (302) Are there independent reviews of cyberbullying policies in NSW?

Technology and Emerging Issues

- (303) How do NSW schools address anonymous cyberbullying on apps like Snapchat?
- (304) What policies exist to handle deepfake or AI-generated cyberbullying?
- (305) How are schools addressing cyberbullying through gaming platforms?

- (306) What measures are in place to detect and manage group cyberbullying?
- (307) Are there specific policies for cyberbullying occurring outside school hours?
- (308) What data is there to suggest mobile phone bans are linked to reductions in cyberbullying incidents?

Western Sydney

Infrastructure supporting the Western Sydney International Airport

- (309) Minister, are you familiar with the recommendations the Inquiry into critical transport infrastructure supporting the Western Sydney Aerotropolis and International Airport?
- (a) What are the Government's top priorities in addressing the concerns of this inquiry?
- (b) Are there plans to fast-track renovations for existing roads mentioned in the inquiry, such as Richmond Road?

New Richmond Bridge

- (310) Minister, stage 2B of the New Richmond Bridge is currently underfunded and has an approximate cost of \$200 million. Will you commit to or advocate for state funding to be provided in the upcoming 2025-2026 budget so that the full scope of the project can be delivered without delay?
- (a) The current plan for the bridge does not include a flyover at the intersection of Bells Line of Road, Kurrajong Road and near Old Kurrajong Road, Richmond. There is much community support for this. Could you please provide an estimate of the cost of such an improvement?

Box Hill Precinct

- (311) The Hills Shire Council's Contribution Plan (CP15) for Box Hill has a \$182 million deficit which restricts the amount of funding that can be spent on roads, intersections, parks, playing fields and community assets. The Hills Shire Council do not have the funds to cover this shortfall. Is the state government considering providing the funding shortfall?
- (a) If so, how will it be proposed?
- (b) If not, what recommendations will be put forward for communities?

Rouse Hill Hospital

- (312) On the 23rd December 2024, the Parliamentary Secretary for Health, Dr Michael Holland, wrote to the Member for Hawkesbury in a response about Rouse Hill Hospital and he said,

quote “a birthing and postnatal care unit are not part of the early development plans, which are being used as the Western Sydney Local Health District progresses to the design phase of the project” end quote. Can you provide an estimate of the cost to include a birthing suite at Rouse Hill Hospital?

- (a) Is the inclusion of a birthing suite something you would advocate for, given the expanding population in the Box Hill, Gables and Rouse Hill neighbourhoods?

General questions

CFMEU meetings

- (313) Given ministerial diary disclosures do not include all meetings and provide exceptions to disclosures, since 28 March 2023, have you met with the CFMEU?

ETU meetings

- (314) Given ministerial diary disclosures do not include all meetings and provide exceptions to disclosures, since 28 March 2023, have you met with the ETU?

Ministerial disclosures to The Cabinet Office

- (315) On what date did you last update/make a ministerial disclosure to The Cabinet Office?

Department(s)/Agency(s) Employees

- (316) How many redundancies were processed by each Department(s)/agency(s) within your portfolio responsibilities since 28 March 2023?

- (a) Of these redundancies, how many were:
 - i. Voluntary?
 - ii. Forced?
- (b) What was the total cost of all redundancies in each Department/agency within your portfolio responsibilities?
- (c) On what page are redundancies published in the respective Department(s)/Agency(s) Annual Reports?

Department(s)/Agency(s) Annual Reports

- (317) On what date were the annual report(s) from 2023-24 for each department / agency in your portfolio published?

(318) Were the annual report(s) from 2023-24 for each department / agency in your portfolio printed?

(a) If yes, what was the printing cost(s) for each department / agency?

(319) Did the annual report(s) from 2023-24 for each department / agency in your portfolio use in part or full an external production / body / consultant to draft?

(a) If yes, what was the cost(s) for each department / agency?

(320) 30In what month will the 2024-25 annual report(s) for each department / agency in your portfolio be published?

(321) Will the 2024-25 annual report(s) for the department / agency in your portfolio include a printed copy?

(a) If yes, how much is budgeted for printing in 2024-25 for each department / agency?

State Records Act

(322) Have you and your ministerial office had training and/or a briefing about the State Records Act from State Records NSW and/or The Cabinet Office and/or Premier's Department?

(a) If yes, when?

Advertising

(323) On what page is advertising published in the respective Department(s)/Agency(s) annual report(s)?

Department(s)/Agency(s) Gifts and Hospitality Register

(324) Does your portfolio department(s)/agency(s) have a gifts and/or hospitality register?

(a) If yes, is it available online?

i. If yes, what is the website URL?

Ministerial staff disclosure of gifts and/or hospitality

(325) Does your ministerial office keep a register of gifts and/or hospitality for staff to make disclosures?

(a) If yes, what is the website URL?

(326) Have any staff members in your office been the recipient of any free hospitality?

(a) What was the total value of the hospitality received?

- (b) Are these gifts of hospitality declared?

Ministerial Code of Conduct

(327) Since 28 March 2023, have you breached the Ministerial Code of Conduct?

- (a) If yes, what was the breach?

Credit Cards

(328) Have you ever been issued with a credit card by a NSW Government department(s) and/or agency(s) since 28 March 2023?

- (a) If yes, under what circumstance?

- (b) If yes, what items and expenditure was undertaken?

(329) Do public servants in your portfolio department(s)/agency(s) been issued with department/agency credit cards?

(330) If yes, what is the website URL of the credit card policy?

Department(s)/agency(s) desk or office

(331) Do you have a desk or office in your portfolio department(s)/agency(s) building(s)?

Senior Executive Drivers

(332) As at 1 February 2025, how many senior executives in your portfolio department(s) / agency(s) have a driver?

GIPA Applications – Ministerial Office

(333) Has your Ministerial Office received a GIPA Application(s) since 28 March 2023?

- (a) If yes, how many?

- (b) If yes, what is the website URL of the disclosure log?

GIPA Applications – Department(s)/Agency(s)

(334) Since 28 March 2023, have you and/or your ministerial office given instructions to your portfolio department(s)/agency(s) in relation to Government Information (Public Access) Act application(s)?

GIPA Act – Disclosure Log Website URL

(335) What is the website URL for the GIPA Act disclosure log each of your portfolio department(s) / agency(s)?

TikTok

(336) Are you on TikTok?

- (a) If yes, do you access TikTok from a NSW Government device?

Signal

(337) Are you and/or your ministerial staff on Signal?

- (a) If yes, do you and/or your ministerial staff access Signal from a NSW Government device?
- (b) If yes, does Signal comply with the State Records Act?

Training

(338) Since 28 March 2023, have you had training from an external stakeholder that included an invoice and payment paid for using your ministerial budget?

- (a) If yes, what is the description of training?
- (b) If yes, how much?

Cabinet documents

(339) Since 28 March 2023, have you shared Cabinet documents with your Parliamentary Secretary?

Parliamentary Secretary

(340) Does your Parliamentary Secretary have pass access to your ministerial office?

(341) Does your Parliamentary Secretary have a desk in your ministerial office?

(342) Has your Parliamentary Secretary ever used your Ministerial Vehicle?

Media releases and statements

(343) Are all the ministerial media releases and statements issued by you publicly available at <https://www.nsw.gov.au/media-releases>?

- (a) If no, why?

Overseas Travel

(344) As Minister, do you approve overseas travel for public servants from your portfolio department(s)/agency(s)?

Data Breaches

(345) Does your portfolio department(s)/agency(s) keep a register of data breaches in accordance with the Privacy and Personal Information Protection (PPIP) Act?

(346) If yes to 38, what is the website?

Discretionary Fund

(347) As Minister, do you have a discretionary fund?

(a) If yes, what department(s) / agency(s) administer it?

(b) If yes, what is the website URL detailing expenditure?

Qantas Chairman's Lounge

(348) Are you a member of the Qantas Chairmans Lounge?

Local Government Councillors

(349) How many of your Ministerial staff is a local government councillor(s)?

Questions from Hon Mark Banasiak MLC

Safework NSW prosecutions

(350) In 2024, there were 2 matters before the Industrial Relations Commission:

i. Secretary, New South Wales Department of Education v Safework NSW [2024] NSWIRComm 1023 (28 March 2024) - stay requested for 2 Improvement Notices.

ii. Secretary of the Department of Education v SafeWork NSW [2024] NSWIRComm 1042 (12 July 2024) - work groups at Fairfiled High School.

(a) Have both of these matters been resolved?

(b) If so, what was the outcome for each matter?

(351) It is only February, and by the end of the month, the Department will have appeared 15 times before the IRC in relation to breaches of the WHS Act 2011: a. 6 court listings for matters involving SafeWork NSW and the Department in the IRC (Civil) 8 court listings for matters involving SafeWork NSW and the Department in the District Court - Downing Centre (Criminal):

(352) How much public money has the Department spent to date on litigating the above mentioned cases?

(353) Does the minister consider each of these a prudent use of public money?

(354) Have any of these matters been resolved?

(355) If so, which ones and what were the outcomes of each?

(356) When does the Department expect the other matters to resolve?

Litigation

Based data from NSW Court Lists last 7 days and next 3 weeks) Between 21 January - 6 March 2025, the Department is scheduled for 50 court listings, this excludes cases heard in some courts or commissions such as the Personal Injury Commission. 23 of these cases are in relation to matters with SafeWork NSW.

(357) How much public money has the Department spent on litigation already in 2025?

(358) Provide a breakdown of how much public money was spent on litigation each year for the last 5 years?

(359) Does the minister consider this expenditure of litigation sustainable and a prudent use of public money?

Workers Compensation:

According to the DoE Annual Reports, workers compensation data has continued to increase:

Year	Number of Cases
2019-20	4121
2020-21	4731
2021-22	4533
2022-23	6118
2023-24	5524

(360) What does the Department attribute the significant increase for 2022-23?

(361) What are the return to pre-injury duties rates (%) corresponding to each year?

(362) What is the breakdown of physical and psychological injuries for each year?

(363) What is the breakdown of return to pre-injury duties rates (%) for physical and psychological injuries corresponding to each year?

Principal performance management

(364) If there are “less than 10” (9) principals who have been performance managed between 2020-2024, how does the Department account for the number of principals who are absent, or have been absent, from their positions over the last 5 years?

(365) For the last 5 years, can you provide a breakdown of the number of secondary principals who were not in their substantive position for the following reasons

- (a) Workers Compensation
- (b) Resignation
- (c) Retirement
- (d) Dismissal due to performance
- (e) Dismissal due to conduct
- (f) Alternate Duties - Workers Compensation
- (g) Alternate Duties - PES matters
- (h) Service Transfer
- (i) s51A Transfer
- (j) Unattached

Band 1-4 Staff: (data taken from DoE Annual Reports) The cost of 2024 Band 1-4 officers:

Position	Number	Remuneration	Total
Band 4 - Secretary	1	\$626,300.00	\$626,300.00
Band 3 - Dep Sec	7	\$451,856.00	\$3,162,992.00
Band 2 - Exec Dir	56	\$319,712.00	\$17,903,872.00
Band 1 - Director	326	\$243,875.00	\$79,503,250.00
2024 Total			\$101,196,414.00

(366) Have the number of staff in each band increased or decreased for 2025?

(367) In addition to the remuneration for each Band 1-4 officer, there are additional costs for administrative and support staff. For each Band 1-4 officer, how many administrative and/or support staff are associated with each position?

(368) what are their classifications?

(369) what is the remuneration for each classification?

(370) Does the minister consider this model sustainable, and in the public interest, to maintain such a top heavy structure given the declining numbers of students enrolled in public schools and the cuts to school funding?

(371) Has there been, or will there be, a review of this model to assure the public that this model is value for money and improving the outcomes for all students in NSW public schools?

Management of performance of band 1 and above employees

(372) Given the significant investment of public money into remuneration for Band 1-4 officers, and given there are policies and procedures to address the conduct and performance of every other employee, what policies and procedures are in place to manage the conduct and performance of Band 1 staff and above?

(373) It is assumed the supervising ED would manage performance concerns - is this correct and what procedures do they currently use?

(374) Who is responsible for the management of conduct for Band 1 and above officers given it would be inappropriate for PES officers to manage this?

(375) How many Band 1 and above officers have been performance managed in the last 5 years and what were the final outcomes of each process?

(376) How many Band 1 and above officers have had their conduct managed in the last 5 years and what were the final outcomes of each process?

Personal Injury Commission:

(377) What are the Department processes for addressing the conduct and performance of Band 1 and above officers when significant concerns are raised in legal proceedings such as in the PIC,

(378) Does this process differ in the cases of not only the Director involved, but the supervising ED is accountable for the conduct and performance of the named Director in a case. For example *Head v Secretary, Department of Education* [2023] NSWPIC 621 (20 November 2023) and *Gooden v Secretary, Department of Education* [2024] NSWPIC 236 (20 June 2024)

(379) Why did the Department not address these issues prior to the going to PIC?

The case of *BMW v Secretary, Department of Education* [2024] NSWPIC 158 (2 April 2024) highlighted serious risks of harm to staff when placed on alternate duties at Riverwood Educational Office.

- (380) What actions has the Department taken to address these risks?
- (381) Why has the Department, and the HSSW Directorate, insisted on other injured staff attending Riverwood Office for alternate duties knowing the risk of harm to staff?
- (382) Why would the HSSW Directorate advocate for placement in unsafe settings?
- (383) How many cases have been heard in the PIC in the last 5 years?
- (384) How many of these cases have the Department ‘lost’?
- (385) How many of these lost cases have resulted in successful work injury damages claims?
- (386) What is the total cost of these work injury damages claims?

Public Interest disclosures

Public Interest Disclosures:

DoE Annual Report	Number of employees making a disclosure	Corrupt Conduct	Maladministration	Serious Waste	GIPA Contravention	Total number of disclosures	Number of disclosures finalised
2023-2024	<i>Not reported in DoE Annual Report</i>						
(Interim Report) 1/1/2023 - 30/06/2023	26	23	5	0	0	28	28
2022	46	36	10	0	0	46	12
2021	32	24	12	1	0	37	19
2020	44	42	4	0	0	46	28
2019	60	55	7	0	0	62	38

- (387) Who is responsible for Co-ordinating PID's?
- (388) What are their qualifications and how long have they been in the PID Co-ordinator role for?
- (389) Why were PIDs omitted from the 2024 Annual Report?
- (390) What was the PID data for 2024?
- (391) Finalisation rates improved in the first half of 2023 but have been historically low. How does the Department explain this and what has been done, or will be done, to address this concern?
- (392) Of the finalised disclosures for each year, how many did the Department:
- Investigate itself?
 - Refer to an integrity agency such as ICAC or the NSW Ombudsman?
 - Make a finding of serious wrongdoing?
 - Take no further action?

(e) Take corrective action under s69(4) of the GSE Act 2013?

(f) Issue an apology?

(g) Make operational changes?

(393) Assuming the term 'disclosures' refers to reports which were accepted and managed as PIDs, for each year between 2019-2024:

(a) How many reports were received which were not deemed PIDs?

(b) How many of these reports were addressed through other Departmental policies and procedures, for example, bullying and harassment?

(c) How many of these reports were dealt with through the Department's complaint management processes?

(d) How many of these reports did PES take no further action on?

(394) How many reports related to bullying and harassment for each year between 2019-2024?

(395) Is the Department / PES practice aligned with the legislation, policies and procedures in the management of PIDs?

PID - Detrimental Action:

(396) How does the Department protect staff from detrimental action?

(397) Is the Department / PES practice aligned with the legislation, policies and procedures for the protection of PID makers?

(398) How many reports have there been of detrimental action over the past 5 years?

(399) Given the advice from the NSW Ombudsman that it is the Commissioner of Police or ICAC who needs to review the evidence and form the opinion that a detrimental action offence has been committed, of these reports:

(a) How many have had the allegations referred to the NSW Ombudsman?

(b) How many have had the evidence referred to the Commissioner of Police and ICAC?

(c) How many have the Department determined 'no further action' was required?

(400) Is the Department / PES practice aligned with the legislation, policies and procedures for the management of allegations of detrimental action?

Reports to ICAC:

Section 11 of the ICAC Act outlines the Department's obligation to report potential serious wrongdoing. The Department made the following reports under Section 11, as indicated in the ICAC Annual Reports:

- 2023-24: 244 matters reported, representing a 48% increase. ICAC noted a 'significant increase' in reports.
- 2022-23: 129 matters reported, representing a 17% increase.
- 2020-21: 42 matters reported, consistent with previous years.

(401) Who within the department makes the reports to ICAC?

(402) Are there checks in place to test the veracity of the information before it is reported to ICAC?

(403) For each year, did ICAC make any findings of corruption or prosecution recommendations based on the reports made by the Department? If so, how many?

(404) How does the Department explain the increase in reports since 2022, including the 'significant increase' in 2023-24?

(405) The Annual Reports indicate a relatively low number of findings of corrupt conduct and prosecution recommendations in relation to the total number of reports. This suggests that the Department (and other agencies) may be referring matters that do not meet the thresholds for ICAC reporting and investigation.

- (a) Does this suggest the Department / PES does not fully understand their obligations under the PID or ICAC Acts? If not why not?
- (b) Does it suggest that the PID or ICAC Acts are being misused? If not why not?
- (c) How does the Department plan to address this issue of increasing referrals to ICAC resulting in low instances of corrupt findings?

Questions from Hon Tania Mihailuk MLC
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\$14.5 million grant to Macarthur FC and Western Sydney Wanderers FC

(406) Did you approve the provision of a \$14.5 million "Football in Schools" grant to Macarthur FC and Western Sydney Wanderers FC?

- (a) Has "Football in Schools" been rolled out in the geographical footprint of the Southern Districts Soccer Football Association?

- (b) Is the Department of Education overseeing this grant?
- (407) Can you provide a breakdown of the financial amount (by financial year) distributed to the following organisations under the Football in Schools grant:
- (a) To Macarthur FC
 - (b) To Western Sydney Wanderers FC
 - (c) To any schools (please name them)
 - (d) To any other organisations
- (408) Did the grant contain a proposed budget to expend \$14.5million dollars?
- (a) What was the breakdown for each item of expenditure in the grant proposal stage?
- (409) Can you please advise:
- (a) How much of the funding received by Macarthur FC and Western Sydney Wanderers FC has been expended to date for each of the previous three financial years?
 - i. Including itemised lines of expenditure if it has been reported to the Department of Education.
 - (b) The name of each school which has participated in Football in Schools, the date of the school visit, and how much each visit cost.
 - (c) The number of employees/contractors allocated by Macarthur FC and Western Sydney Wanderers FC to deliver Football in Schools
 - i. How many of these people are:
 - (d) Casual employees
 - (e) Full time/part time
 - (f) The number of Department of Education staff with responsibility to oversee/project manage the delivery of Football in schools.
- (410) Has the Department of Education evaluated how the funding provided to Macarthur FC and Western Sydney Wanderers has been expended?
- (a) If yes, when?
 - i. What was the outcome of the evaluation?

(411) When did you in your capacity as Minister or the Department of Education become aware of the following donations made by Macarthur FC, Western Sydney Wanderers FC, and the Southern Districts Soccer Football Association?:

(a) Southern Districts Soccer Football Association (SDSFA) donated:

- i. \$5720 to NSW Labor
- ii. \$3300 to Nathan Haggarty
- iii. \$3300 to Charishma Kaliyanda

(b) Macarthur FC donated:

- i. \$4460 to NSW Labor

(c) Western Sydney Wanderers FC donated:

- i. \$3960 to Stephen Bali
- ii. \$990 to Hugh McDermott

(412) If you as Minister were aware of these political donations prior to the Department of Education, did you disclose this knowledge to the Department of Education?

(a) If not, then why not?

(413) Did you in your capacity as Minister request the Department of Education and or Office of Sport to prepare the \$14.5 million grant to Macarthur FC and Western Sydney Wanderers?

(a) If not, who did?

(414) When did the Department of Education become aware of the NSW Labor election commitment announced on the Macarthur FC website of \$8 million dollars, which included quotes from then candidates Charishma Kaliyanda and Nathan Haggarty, who received reportable political donations from the Southern Districts Soccer Football Association?

(a) Please provide a copy of any minutes or briefings provided to/by the Department of Education regarding the implementation of this \$8 million election commitment to Macarthur FC.

(415) Did Macarthur FC and Western Sydney Wanderers FC disclose to you or the Department of Education prior to receiving their grant that they were both reportable political donors to the NSW Labor Party?

(a) If yes, when did this disclosure happen?

- (b) If no, did you in your capacity as Minister, or the Department of Education, request this information from Macarthur FC and Western Sydney Wanderers FC?
- (416) Did you sign a brief in your capacity as Minister for Education approving the provision of \$14.5 million dollars to Macarthur FC and Western Sydney Wanderers FC?
- (a) Did this brief refer to the fact that Macarthur FC and Western Sydney Wanderers FC were reportable political donors to NSW Labor and Labor candidates?
- (417) What consultation did you as Minister or the Department of Education undertake with Football NSW prior to the disbursement of the \$14.5 million dollar grant to Macarthur FC and Western Sydney Wanderers?
- (a) Was information sought from Football NSW on which geographical region had the highest need to receive a discretionary grant to roll out Football in Schools?
- (418) Were football clubs or associations that were not reportable political donors to NSW Labor and Labor candidates provided with the opportunity to receive funding to deliver Football in Schools?
- (a) If yes, please advise the date and name that consultation was undertaken with:
- i. Other football clubs;
 - ii. Other football associations based in a different geographical region which is not in the footprint covered by the Southern Districts Soccer Football Association.
- (419) Does the Department of Education have minutes of meetings between Macarthur FC, Western Sydney Wanderers FC, and the Department, prior to the disbursement of the \$14.5 million grant?
- (a) If yes, will you make the minutes of any meeting publicly available?

Department of Education grants to reportable political donors

- (420) Can you please outline:
- (a) How many reportable political donors in NSW have received grants from the Department of Education over the past 2 financial years?
- i. The amount of funding provided to each organisation;
 - ii. The name of the political party or candidate who received a political donation;

- iii. Whether a conflict of interest was declared by the grant applicant;
- iv. Whether the Department of Education was aware of the grant recipient's status as a reportable political donor;
- v. Whether the Minister for Education approved each grant application

(421) Have the Members for Leppington and Liverpool ever requested or made recommendations to you as Minister or the Department of Education to support funding or grant applications from any organisations within their electorates who are reportable political donors or constituent members of a reportable political donor?

- (a) If yes, which organisations?
- (b) How much funding was provided?
- (c) Did the Members for Leppington or Liverpool disclose a conflict of interest?

(422) Has the Department of Education been advised by, or liaised with, any other Government Department/Agency/Office, including the Premier's Department/Office and the Office of Sport, to support the provision of public funding to reportable political donors to the NSW Labor Party?

- (a) If yes, please provide the details of each project including the funding recipient and amount of funding recommending for approval.

Minister for Education social media

(423) Have you requested social media assets for publishing on your social media pages to be prepared by any member of the public service, including Department of Education staff?

- (a) If yes:
 - i. On how many occasions?
 - ii. The FTE of each public servant.
 - iii. The cost to the people of NSW to create social media assets for your use.

Transgender students in schools

(424) Regarding evidence provided to the hearing by Mr Murat Dizdar, Secretary, NSW Department of Education, on page 83 of Hansard relating to the review of the Legal Issues Bulletin 55.

- (a) When will the review be completed?

- (b) Will the review report be made public?
 - i. If not, why not?
 - (c) In reference to the evidence regarding the “final stage of consultation”:
 - (d) Did the Department of Education publicly advertise for expression of interest regarding participation in the consultation?
 - i. If not, why not?
 - (e) What criteria was used to identify stakeholders who were invited to participate in the consultation?
 - (f) Who were the stakeholders that were invited to participate in the consultation?
 - (g) Which stakeholders actually participated in the consultation?
 - (h) Regarding any submissions made by stakeholders to the consultation, have they been made public?
 - i. If not, why not?
 - (i) Has the Minister been briefed about what stakeholders participating in the consultation have raised as issues for consideration regarding the review?
 - i. What were the issues?
 - ii. If not, why not?
 - (j) Will the Minister be provided with copies of drafts of the revised Legal Issues Bulletin 55 for comment and input before it is finalised and published?
 - i. If not, why not?
- (425) Regarding evidence provided to the hearing by Mr Murat Dizdar, Secretary, NSW Department of Education, on page 83 of Hansard relating to girls and young women in public schools competing against trans girls and trans young women in sports – individual and team – what regulations/guidelines/procedures are in place to protect girls and young women from being harmed or injured both physically and psychologically?
- (a) Regarding the following question and answer to a Supplementary Question from the Budget Estimates 2024-25 – Initial Hearing held on 27th August 2024:

“QUESTION

What was the source document/reference/publication/dictionary used to establish the meaning of the terms throughout the policy document?

What is the meaning of “gender” used throughout the policy document?

What is the meaning of “biological sex” used throughout the policy document?

What is the meaning of “gender identity” used throughout the policy document?

What is the meaning of “transgender” used throughout the policy document?

What is the difference in the meaning between “transgender” and “identify as transgender” used throughout the policy document?

ANSWER

“most people express the gender that corresponds with their biological sex. There are some people whose gender identity or expression is different from that traditionally associated with assigned sex at birth. This is known as being transgender. In the absence of a definition, terms like “gender,” “biological sex,” and “gender identity” and “identify as transgender” should be given their ordinary meaning.”

(b) With respect to the second paragraph of the answer, where does the Department of Education obtain the definitions it uses for “gender”, “biological sex”, “gender identity” and “identify as transgender” for the purpose of its Legal Issues Bulletin 55?

(426) Regarding the following question and answer to a Supplementary Question from the Budget Estimates 2024-25 – Initial Hearing held on 27th August 2024:

“QUESTION

With respect to the language used under the heading “Privacy legislation and transgender students”. In the final sentence of the second paragraph it states, “This issue should also be discussed with the student’s parent(s) or carer unless the principal believes on reasonable grounds that it is not in the student’s best interests to do this (for example a court order has removed a parent’s parental responsibility Budget Estimates Hearing 27 August 2024 Page 2 of 98 for that student).” Why is the word should used instead of must when a “reasonable grounds” exemption for the principal forms part of the provision?

ANSWER

The Department of Education applies the ordinary meaning to the word “should” and notes the Macquarie Dictionary defines “should” as indicating an obligation.”

- (a) Why does the Department of Education apply the ordinary meaning to the word “should” and not the legal definition of “should”?

(427) Regarding the following question and answer to a Supplementary Question from the Budget Estimates 2024-25 – Initial Hearing held on 27th August 2024:

“QUESTION

With respect to the language used under the heading “Name and gender records”. NSW birth certificates are not issued with any reference to “gender”. Why does the first sentence in the first paragraph make reference to “gender” on their birth certificate when no reference is made to “gender” on NSW birth certificates? (a) Should not the reference to “gender” in the first sentence of the first paragraph actually be a reference to “sex” that is specified on NSW birth certificates?

ANSWER The term “gender” was used interchangeably with “sex” in this section of the.”

- (a) If the term “gender” is used interchangeably with “sex” in this section of the Legal Issues Bulletin 55, does that mean that “gender” is to be read as having the same meaning as “sex”?

(428) Regarding the following question and answer to a Supplementary Question from the Budget Estimates 2024-25 – Initial Hearing held on 27th August 2024:

“QUESTION

With respect to the language used under the heading “Name and gender records”. In the first paragraph regarding the exception, “where a student is transgender and seeks to change the way their first name is used and recorded at the school”, are both parents informed of any proposed change, and each required to submit a signed consent indicating approval to assume the new “first name” before, it is used and recorded at the school? (a) In the case of transgender students, are both parents informed of any proposed change, and each required to submit a signed consent indicating approval to assume the new “gender” before, it is used and recorded at the school?

ANSWER

The circumstances in which parents or carers will not be asked to consent is set out in the LIB. Consistent with its approach in other family law matters, there is no requirement on school staff to independently establish that a decision about a gender diverse student has been jointly made by both parents.”

- (a) What “family law matters” referred to in the answer is the Department of Education relying on?

(429) If the Department of Education is relying on case law decisions from the Family Court of Australia or other jurisdictions, nominate the specific cases.

(430) Regarding the following question and answer to a Supplementary Question from the Budget Estimates 2024-25 – Initial Hearing held on 27th August 2024:

“QUESTION

With respect to the language used under the heading “Name and gender records”. In the second paragraph, with respect to “pronouns” used by students, are both parents informed of any proposed change, and each required to submit a signed consent indicating approval to assume the new “pronouns” before, they are used and recorded at the school? Budget Estimates Hearing 27 August 2024 Page 3 of 98

ANSWER

Please refer to the answer to supplementary question 5.”

- (a) What “family law matters” referred to in the answer is the Department of Education relying on?
- (b) If the Department of Education is relying on case law decisions from the Family Court of Australia or other jurisdictions, nominate the specific cases.

(431) Regarding the following question and answer to a Supplementary Question from the Budget Estimates 2024-25 – Initial Hearing held on 27th August 2024:

“QUESTION

With respect to the language used under the heading “Supporting a student who has identified as transgender”. Regarding the second paragraph, “Where reasonably practicable, the student should be treated on the same basis as other students of the same identified gender.”

- (a) Does this mean that a transgender girl (biological male) is able to use girls (biological female) toilets in schools?
- (b) Does this mean that a transgender boy (biological female) is able to use boys (biological male) toilets in schools?
- (c) Does this mean that a transgender girl (biological male) is able to use girls (biological female) change rooms in schools?
- (d) Does this mean that a transgender boy (biological female) is able to use boys (biological male) change rooms in schools?

- (e) Does this mean that a transgender girl (biological male) is able to use girls (biological female) showers in schools?
- (f) Does this mean that a transgender boy (biological female) is able to use boys (biological male) showers in schools?
- (g) (Does this mean that in regard to overnight excursions, a transgender girl (biological male) is able to be accommodated in girls (biological female) dormitories/rooms/sleeping quarters/tents etc.?)
- (h) Does this mean that in regard to overnight excursions, a transgender boy (biological female) is able to be accommodated in boys (biological male) dormitories/rooms/sleeping quarters/tents etc.?)

ANSWER

The duty of care and obligations under work, health and safety law require an assessment of foreseeable risks to students. If an identified risk to a student using a particular facility cannot be satisfactorily eliminated or minimised, then other arrangements should be made.

An assessment of risk is normal procedure for all excursions. Ordinarily, a student who identifies as transgender should use the facilities of their identified gender or unisex facilities where available. In some circumstances it may be appropriate to arrange private sleeping quarters.”

- (a) In the first paragraph of the answer where it states “then other arrangements should be made.”, what are examples of other arrangements that should be made?
- (b) In the second paragraph of the answer where it states “who identifies as transgender should use the facilities of their identified gender”, how does the Department of Education respond to demands of students who refuse to share toilets, change rooms, showers and overnight excursion accommodation with transgender students?

(432) Regarding the following question and answer to a Supplementary Question from the Budget Estimates 2024-25 – Initial Hearing held on 27th August 2024:

“QUESTION

With respect to the language used under the heading “Use of toilets and change room facilities”. In the first paragraph it states “An assessment of the risk posed to the student by using the toilets of their identified gender must be undertaken.” Is an assessment made of any risk posed by transgender students to other students in the school? Budget Estimates Hearing 27 August 2024
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- (a) Regarding the last sentence in the first paragraph it states “The need for the student to be safe is a paramount concern in these circumstances.” Does this requirement apply, in addition to transgender students, all other students in the school?
- (b) Regarding the final paragraph it states “If other students indicate discomfort with sharing single-sex facilities (toilets or change rooms for example) with a student who identifies as transgender, this should be addressed through the school learning and support team.” What does “this should be addressed through the school learning and support team” mean?

ANSWER

The department owes a duty of care and has obligations under work health and safety law to all students. It meets these obligations through the actions of its staff, including through the actions of the school learning and support team.”

- (a) Regarding the reference in the answer to “the actions of the school learning and support team.”, where does the “school learning and support team.” find out what are appropriate “actions” that should be taken?

(433) Regarding the following question and answer to a Supplementary Question from the Budget Estimates 2024-25 – Initial Hearing held on 27th August 2024:

“QUESTION

With respect to the language used under the heading “Excursion including overnight”. In the final sentence of the paragraph it states “In some circumstances, it may be appropriate to arrange private sleeping quarters.” What does “In some circumstances” mean?

ANSWER

The strategies used to discharge the department’s legal obligations under the duty of care and work health and safety and discrimination laws vary according to the student’s individual circumstances and the relevant context.”

- (a) Regarding the reference in the answer to “relevant context.”, what does this mean?
- (b) Can you provide examples to explain what “relevant context.” means?

(434) Regarding the following question and answer to a Supplementary Question from the Budget Estimates 2024-25 – Initial Hearing held on 27th August 2024:

“QUESTION

With respect to the language used under the heading “School Sport”. In the first paragraph it states “A student who identifies as transgender should be permitted to participate in most school-based sports as their identified gender.” What school-based sports are students who identify as transgender not permitted to participate in, involving other students in the school?

ANSWER

The particular school sport would depend on where a risk assessment identifies a foreseeable risk of injury to any student involved to any student, for example collision/tackling sports.”

- (a) Regarding the reference in the answer to “risk assessment”:
- (b) Is the “risk assessment” conducted each and every time there is a competition i.e. a specific game?
 - i. If not, why not?
- (c) Who undertakes the “risk assessment”?
- (d) Is a record maintained at the school of risk assessments that are undertaken?
 - i. If so, where are the records kept?
- (e) With respect to risk assessments that are undertaken, are students who will be participating in the competition i.e. the game, informed about the outcome of the “risk assessment” before the competition i.e. the game commences?
- (f) With respect to risk assessments made by public schools, are they reported to the Department of Education for data collection and review purposes?
- (g) If not, why not?

Questions from Ms Abigail Boyd MLC

ECEC Regulatory Authority - review

(435) In the hearing, the Minister noted that she had instructed the Department to engage an independent assessment of what is happening with the regulator.

- (a) On what date was that instruction given to the Department?
- (b) Has Chris Wheeler been formally appointed to conduct the review? How was the selection made to appoint Mr Wheeler? When was the appointment made? How much will be paid to Mr Wheeler for this work?

- (c) What are the term of reference for this review? If the terms of reference have not been finalised, what is the scope of the review articulated so far to the department and/or Mr Wheeler?
- (d) What is the timing for the review? When will a report be handed down?
- (e) Will the review provide the opportunity for submissions from the public?
- (f) Will the review include public hearings?
- (g) Will the findings of the review be made public? Will it be tabled to the Parliament?

ECEC SO52 documents

- (436) Which stakeholders has the Minister and/or the Department had discussions with in relation to the SO52 on Early Childhood Education and Care passed by the Legislative Council in November 2024?
- (437) Was the Minister or her office consulted before the Department chose to release only a limited number of the documents returnable pursuant to the SO52 order?
- (438) Has the Minister of her office had discussions with the Department in relation to the progress of complying with the SO52 order?
- (439) Has the Minister been made aware of the consequences of not complying with an SO52 order?

DFV primary prevention

- (440) How will the Department of Education implement the domestic and family violence NSW Common Approach to Risk Assessment and Safety Framework (CARAS) to ensure school staff have the capability to identify domestic and family violence and assess or manage risk?
- (441) Early childhood settings, primary, and secondary schools have an essential role in preventing violence. What is the NSW Government doing to fund and support primary prevention initiatives in early childhood settings, primary, and secondary schools to address the drivers of sexual, domestic and family violence?

Legislative loophole allowing ECEC providers to close services without providing notice to families

- (442) Under the National Law (Sections 37(3) and 38(3), providers are required to notify families 14 days prior to the closure of a service. However, providers are permitted to make changes in service provision without providing the same notice to families, for example changing the

age range of a service which effectively results in the closure of a particular service (although not the entire service). Given the impact of this on families, will you fix this regulatory gap and make it a requirement for all providers to give an adequate notice period to families and staff for any change in service provision?

Suspensions and expulsions data

(443) On numerous occasions in the last year including through questions on notice and supplementary questions to previous budget estimates hearings, I've asked for disaggregated data on suspensions and expulsions data and have been directed to the publicly available data, which does not contain the specific data requested. Since the new student behaviour policy was implemented, does the department collect any disaggregated data beyond what is publicly available?

- (a) The department has previously provided disaggregated data when asked, for example in response to my supplementary questions provided on 24 October 2023. Why hasn't this data been provided on notice or in supplementary questions since then?
- (b) The data that I requested in questions on notice 3274 is not contained in what is publicly available. Can you please provide a proper answer to these questions, for the year 2023, and if possible any of 2024?
 - i. If this is not possible, is it because the department does not collect this data, or another reason? Please explain.
 - ii. For example, some of the questions asked were in regards to how many times an extension was approved for suspension times. Does the department monitor the extensions that it approves?

Funding for disability accessibility upgrades

(444) Previously the government has confirmed that in the 2024-25 FY, \$150 million was allocated to boost disability access as well as to provide safety upgrades that ensure the department meets its Work Health and Safety obligations. Further, it was confirmed that the majority of this funding would be allocated to support the department's Integration Program which provides facilities adjustments that provide a more inclusive educational experience. Can you provide a more detailed breakdown of how much of this \$150 million has been spent so far across each of these (accessibility upgrades, WHS upgrades, the Integration Program, other)?

- (a) For the disability accessibility upgrades, which schools have received these upgrades so far, and how much did each receive?

- (b) For the Work Health and Safety upgrades, which schools have received these upgrades so far, and how much did each receive?

Children with a disability and education

- (445) How many legal actions have been taken against/involved staff and schools in relation to the treatment of children with a disability in NSW public schools in the last four years (2021-2025)? (Legal actions made involve allegations originating from years before and may not just involve discrimination.)
- (446) Of those legal actions relating to the treatment of children with a disability in NSW public schools by staff in the last four years (2021-2025) and where the department paid out settlements or there were discontinuations, how many staff were reprimanded? (Legal actions made involve allegations originating from years before and may not just involve discrimination.)
- (a) How many staff were transferred away from children with a disability?
- (b) How many staff were removed from posts?
- (c) How many staff had no action taken against them?
- (447) How much money has the Government of NSW, on behalf of the NSW Department of Education, been required to pay in court costs, in settlement and in discontinuation agreements regarding legal action against staff and schools for the treatment of children with a disability in NSW public schools in the last four years (2021-2025)? (Legal actions made involve allegations originating from years before and may not just involve discrimination.)
- (a) In how many did the Department request confidentiality agreements for?
- (448) What number of, and percentage of legal cases has the Department settled with confidentiality agreements where the parties cannot talk about the case? (Legal actions made involve allegations originating from years before and may not just involve discrimination.)
- (449) The Department has previously stated they do not insist on confidentiality agreements. Please provide a comparison for the number of cases where monies were paid out and the number of confidentiality agreements attached?

Professional and Ethical Standards (PES)

- (450) Who is responsible for ensuring the work of PES officers is aligned with the legislation and Departmental policy and procedure, particularly in relation to misconduct, maladministration, etc.?

- (451) In the last two years, has the Department or the Minister received any complaints or concerns regarding a failure of PES to address allegations of misconduct involving senior-level staff?
- (452) If PES does not address misconduct allegations related to senior officers, who in the Department is responsible for handling such matters, and where is this documented?
- (453) Following up from Supplementary question 106 from the Budget Estimates hearing in December 2024, if the term "unattached" position is not used by the PES Directorate, can it be stated that PES has never transferred any staff into positions of this nature under their processes?
- (a) Why does PES, which is part of the Department, not use the term "unattached" position, and are there alternative terms used internally to describe such positions?
- (454) Following up from Supplementary question 107 from the Budget Estimates hearing in December 2024, if an employee has not satisfactorily completed a performance management program, would their performance still be flagged as unsatisfactory by the Professional and Ethical Standards (PES) Directorate and would this mean they still have an active performance management case with PES? If not, please explain why.
- (455) When a supervisor places an employee on any type of performance management program, what is that employee required to demonstrate in order to return to the regular performance and development cycle?
- (a) Are these employees required to demonstrate satisfactory improvement through the program's completion?
- (456) Are departmental employees whose performance is of concern permitted to be transferred?
- (457) Are there any policies or procedures which support the cessation of performance management processes before an employee demonstrates satisfactory improvement?
- (458) How much money does the government allocate to outsource complaints and reviews?
- (a) Is there a reason these are not managed by public officers?
- (459) Do Directors or DELs ever engage former employees to manage complaints and reviews?
- (460) Does the Complaints Handling Policy support the Department's use of external assistance for managing complaints?
- (a) Where is this referenced in the policy or procedure?

- (461) What qualifications and experience are required for individuals engaged to assist with the management of complaints and reviews?
- (462) Who is responsible, and who approves, the procurement of services from qualified individuals, in accordance with the Complaints Handling Policy?
- (463) How does the Department ensure compliance with procurement policies and legislation, including maintaining records and obtaining written quotes for services under \$10K when third parties are engaged to support in the management of complaints and reviews?
- (464) How does the Department manage potential conflicts of interest when engaging former employees, in line with the GSE Act 2013 and procurement guidelines?
- (a) Who manages any declarations related to this?
- (465) Who determines the remuneration for former employees supporting complaint management, and on what basis is this determined?
- (466) Under which Award are former employees paid?
- (a) Does this differ for each former employee based on their qualifications?
- (467) Has the former Executive Director of EPAC, Ms Jane Thorpe, ever been engaged by the Department for complaint management?
- (a) If so, how have concerns regarding her involvement been addressed to ensure impartiality and maintain public confidence?
- (468) How does the Department manage concerns regarding the perception of former employees providing favourable outcomes in exchange for ongoing or future employment?
- (469) Over the past five calendar years, how many times have former employees managing complaints and reviews found in favour of the Department?
- (a) How many have found in favour of the complainant?
- (470) Over the past five years, how often have 'qualified and experienced individuals' been procured for the management of complaints and reviews?
- (471) What is the total expenditure on engaging former employees for these tasks over the past five years?

Department of Education's alcohol policy

- (472) What is the Department's policy on alcohol, including the possession and consumption of alcohol, on any Department grounds?

Recruitment

- (473) Does the Department have guidelines for expression of interest (EOI) positions?
- (a) If not, why not?
 - (b) If so, where can they be found?
- (474) Is it the usual practice to advertise EOIs before schools know how much funding they will receive for the following school year?
- (475) Does the Department accept that advertising EOIs on this premise is not transparent nor is it procedurally fair as staff who fulfil the EOI requirements may miss out on a position simply because the school does not have enough money?
- (a) Is it the Department's expectation that there is a specific position advertised in an EOI? (For example, classroom teacher, SLSO, etc rather than just an EOI for classroom teacher positions.)
- (476) What are the Department's expectations with regards to the timeframe for EOI processes?

Conflicts of Interest

- (477) If an employee raises concerns about the previous conduct of a decision-maker, does the Department expect the decision-maker to recuse themselves in order to ensure a fair and impartial process?
- (a) If not, could you explain why?
- (478) Does each Directorate maintain an internal Conflict of Interest (COI) register?
- (a) If not, what is the reason for this?
 - (b) If so, who is responsible for managing these registers?
- (479) Who does the Executive Director of PES report COI matters to?
- (480) Is the internal case management system used as the COI register, or is this a separate system?
- (481) Does PES manage and audit its own COI register?
- (a) If so, doesn't this raise concerns about impartiality and transparency?
- (482) How does the Department address situations where staff may have been denied their right to impartiality in decision-making?

- (483) Is it the Department's practice for all allegations of misconduct to be referred to PES, with allegations of serious wrongdoing then referred to the PID Coordinator / Director, Investigations?
- (484) The Department has acknowledged its responsibility to report evidence of detrimental action to the NSW Police (and ICAC). Does the Department recognise that it is the role of the NSW Police to investigate and determine if detrimental action has occurred?
- (a) Given this, is it within PES's responsibility to assess whether evidence supports a detrimental action offence?
 - (b) What are the implications if the Department fails to report evidence of a detrimental action offence based on PES's assessment of the evidence?
 - (c) What are the consequences if the Department does not assess and manage the risks associated with potential detrimental action?

HSSW Return to Work Processes

- (485) Once HSSW has developed a RAW Plan, is it the responsibility of the HSSW officers to continue the conversation in terms of resolving barriers and negotiating changes to come to an agreed RAW Plan with the employee and their treating medical professionals?
- (486) What are the ramifications if HSSW officers do not fulfil this responsibility?
- (487) What are the ramifications if the Department was aware of reasonable adjustments that had been made for others, but refused to make the same adjustments for a particular employee?
- (488) What are the implications if HSSW obtains medical information but disregards this advice when planning the RAW?
- (489) With new leadership in place, is there an opportunity to independently review the practices, without limited terms of reference, within the Workplace Health Management division of the HSSW Directorate to ensure that staff are adequately supported in their recovery and return to work, and that these practices are aligned with relevant legislation, policies, and procedures?
- (490) If so, will the Department commit to genuinely and fairly addressing any findings that come from the review?
- (491) Is there a reason PES would be involved in risk management and return-to-work planning, which are core responsibilities of the HSSW Directorate?

(492) Given that the RAW Program states PES processes are independent of HSSW, and considering that risk management and return-to-work planning fall under HSSW's responsibilities, what is the rationale for involving PES officers in return-to-work processes?

(493) If PES involvement in return-to-work processes is not truly independent, will the Department revise the RAW Program and notify staff accordingly?

(494) How does the Department ensure staff are not denied impartiality in RTW decision-making?

Department of Education's definition of 'unattached' position raised in supplementary questions from the Budget Estimates hearing in December 2024

(495) What is the definition of an 'unattached' position within the Department?

- (a) Is the term 'unattached' position referenced in any Act, Award, or Agreement governing the Department's operations?
- (b) If the term 'unattached' is not referenced in any Act, Award, or Agreement, how can staff in permanent positions be transferred into these positions?
- (c) Who approves transfers to this designation?
- (d) How many staff members are currently in 'unattached' positions, and what positions do they hold?
 - i. How long has each been in an 'unattached' position?
- (e) Of those, how many staff members on Workers' Compensation are in 'unattached' positions, and what positions do they hold?
- (f) What is the average wait time for an employee in an unattached position to be transferred to a permanent position?
- (g) What has been the total expenditure on staff placed in 'unattached' positions over the last five years, including salary and associated costs?
- (h) Of those who have been in 'unattached' positions over the last five years, how many have left the system prior to obtaining a permanent position?

s51A Transfers under the Teaching Services Act 1980

(496) For staff subject to a Section 51A transfer under the Teaching Services Act 1980, what is the process for ensuring that staff are informed of their right to review the decision?

- (a) If this process is not followed, what are the consequences?

- (497) Is it standard practice for staff transferred under Section 51A not to be informed of their right to review the decision?
- (498) Is it standard practice to advertise a substantive position before a review of the decision has been undertaken?
- (499) Does s51A of the Teaching Services Act 1980 apply equally to compassionate and non-compassionate transfers?
- (a) If not, what guidelines confirm this distinction?
- (500) Who approves these transfers?
- (501) Who checks the information contained in the Briefing Note for a transfer to ensure it is valid, accurate, and unbiased?
- (502) Are there any circumstances under which HSSW would be involved in a s51A transfer, consultation, or otherwise?
- (a) If so, how would this align with the legislation?
- (503) Section s51A(9) states that if the employee's substantive position is to be filled, the employee needs to consent, or if the transfer is likely to continue for 12 months or more, the employee must be given the opportunity to terminate the transfer and return to their substantive position. Does the Department adhere to this obligation? If not, why not?

Football in Schools (FIS) Program Grant Administration

- (504) In regards to the Football in Schools (FIS) Program, how were each of the following components determined?
- (a) \$2 million per year amount for the MacArthur FC component?
- (b) \$ 1.65 million per year amount for the Western Sydney Wanderers component?
- (505) Did the Department monitor the activities of MacArthur FC under the program?
- (a) Did the Department monitor how MacArthur FC were able to reach more than 60,000 participants during Covid, Lockdowns and school closures?
- (506) What safeguards did the Department have in place to ensure that the FIS grant money was only spent on the FIS program?
- (507) Did the Department or the Minister have any concerns about the \$8 million being managed by MacArthur FC?

- (a) Are you aware they apparently spent \$49,000 a week to visit less than 1 school per week, and do you believe this is acceptable?
- (508) Are you aware of any of the FIS grant money being given to a football club which is part-owned by a billionaire?
 - (a) Does this align with the intentions of the grants?
- (509) How much of the grant money went to private companies and how much went to not-for-profit organisations?
- (510) Did MacArthur FC receive an invitation to apply for a grant?
 - (a) If so, what was the justification for this?
- (511) Under the FIS program, how is the Department monitoring the following, and can you provide this information?
 - (a) How many full time coaches are employed?
 - (b) How many schools will be visited over the 4 years ?
 - (c) How many did they visit in the first year?
 - (d) How are the payments being made to the Clubs (yearly, etc.)?
 - (e) How is the program targeting First Nations children?
 - (f) How often are the clubs reporting to the Department under the program?
- (512) How much of the \$3.65 million has been spent on the FIS program in the first year?
- (513) How much of the \$3.65 million has been spent on the FIS program in the second year?
- (514) Were there any complimentary match day tickets purchased through Ticketek under the FIS program?
- (515) Which targeted programs under the FIS program are assisting with the cost of living crisis?
- (516) Has the Department advised any clubs under the FIS program to limit their social media reporting program?
- (517) What is done by the clubs to promote wellbeing and active lifestyle?
- (518) Who approved the FIS program?
- (519) When was the program moved to the responsibility of the Department?
- (520) How did the Department ensure the 7 grant principle guidelines were followed?

(521) Has the government conducted an audit of the first and second years of the FIS program?

- (a) If not, will the government commit to conducting one before releasing year 3 and 4 funding, given reported concerns?

Contractors and contingent workforce

For the below questions, please provide the information broken down quarterly, for each of the years FY22/23, 23/24, and 24/25 (to date).

(522) How many contractors or contingent labour workers are employed by the Department of Education? Please provide the information in terms of:

- (a) FTE
- (b) Headcount
- (c) total spend

(523) What is the Department's SCM0007 contingent workforce spend, by Category?

- (a) by FTE
- (b) by Headcount
- (c) total spend

(524) What is the Department's SCM0007 contingent workforce spend by Category, by division?

- (a) by FTE
- (b) Headcount
- (c) total spend